

\$~6.

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

% *Decided on 23rd November, 2020*

+ W.P.(C) 8196/2020

DELHI LABOUR UNION THROUGH:

ITS GENERAL SECRETARY Petitioner

Through: Mr.Rajiv Aggarwal, Adv.

Versus

UNION OF INDIA THROUGH:

THE SECRETARY & ANR. Respondents

Through: Ms.Suparna Srivastava, CGSC with
Ms.Nehul Sharma, Adv. for R-1/UOI.

Mr.Archit Krishna, Advocate for Mr.Jawahar
Raja, ASC(C), GNCTD/R-2.

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE PRATEEK JALAN

JUDGMENT

: **D.N.PATEL, Chief Justice (Oral)**

Proceedings in the matter have been conducted through video conferencing.

1. This writ petition has been preferred with the following prayers:-

- “i) Issue an appropriate writ, order or direction thereby directing the Respondents to grant paid leaves for four days every month to all class of women employees including daily wage, contractual and outsourced worker; and*
- ii) Issue an appropriate writ, order or direction thereby directing the Respondents to pay overtime allowance to menstruating women employees if they opt to work during the menstruation period; and*
- iii) Issue an appropriate writ, order or direction thereby directing the Respondents to give forty five minutes of rest*

W.P.(C)8196/2020

Page 1 of 2

period twice a day for four days during menstruation in a month to all the women employees; and

- iv) Issue an appropriate writ, order or direction thereby directing the Respondents to make provision for separate and clean toilets for women employees and free sanitary napkins; and*
- v) Pass any such other or further order and/or direction, as this Hon'ble Court may deem fit and appropriate in the facts and circumstances of the case and in the interest of justice."*

2. Learned counsel for the petitioner submits that it will suffice for the disposal of the writ petition, if the same is directed to be treated as a representation by the concerned respondent authorities.

3. Having heard the learned counsel for the parties and looking to the facts and circumstances of the case, we accordingly direct the concerned respondent authorities to treat this writ petition as a representation and decide the same in accordance with law, rules, regulations and Government policies applicable to the facts of the case as early as possible and practicable.

4. Liberty is also reserved with the petitioner to approach the appropriate forum, in case aggrieved by the order passed by the concerned respondent authorities.

5. With these observations, the writ petition is disposed of.

CHIEF JUSTICE

NOVEMBER 23, 2020/ 'anb'

PRATEEK JALAN, J

W.P.(C)8196/2020

Page 2 of 2