

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CWP(PIL) No.29944 of 2017
Date of Decision :29.08.2022**

Dr. Payel Mehta, Advocate

.....Petitioner

Versus

State of Punjab and others

..... Respondents

**CORAM: HON'BLE MR.JUSTICE RAVI SHANKER JHA, CHIEF JUSTICE
HON'BLE MR.JUSTICE ARUN PALLI, JUDGE**

Present : Dr. Payel Mehta, petitioner in person.

Mr. Avinit Avasthi, AAG, Punjab.

Mr. Deepak Balyan, Addl.A.G. Haryana.

Ms. Aakanksha Sawhney, Additional Standing Counsel
for respondent No.3.

Mr. Kunal Mulwani, Advocate for respondent No.4.

Mr. Vishal Aggarwal, Advocate for respondent No.5.

RAVI SHANKER JHA, CHIEF JUSTICE (Oral):

This petition has been filed by the petitioner by way of a Public Interest Litigation seeking a direction to the respondents for setting up creches and day care facilities as provided and prescribed under Section 11A of the Maternity Benefit Act, 1961, for children of Judges, Advocates and employees of District Courts.

Pursuant to the notices issued by this Court, the respondents have submitted their response.

Learned counsel for the UT Chandigarh has placed before us the details of location of creches under ICCW, UT Chandigarh, whereas learned counsel appearing for the States of Punjab and Haryana have stated

that the steps are being taken in this regard.

Respondent No.4 has filed a response stating therein that the steps have been taken towards establishing and setting up creches and day care centres in Haryana and Punjab. In paragraph 4 of the reply, filed by respondent No.4, details of the steps taken by them have been given.

Therefore, in the circumstances, it is evident that the authorities are taking up all the possible steps to ensure setting up of creches and day care facilities. In the circumstances, taking the response filed by the UT Chandigarh and respondent No.4 on record and the necessary steps taken by the authorities, as enumerated in paragraph 4, the petition stands disposed of.

Though, it is apparent that the authorities are taking the necessary steps to comply with the provisions of Section 11A of the Maternity Benefit Act 1961, but it is made clear that the petitioner would be at liberty to revive the petition, in case, any cause of action arises or survives.

(RAVI SHANKER JHA)
CHIEF JUSTICE

(ARUN PALLI)
JUDGE

29.08.2022

Manoj Bhutani

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No