

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

**CWP-1112-2023 (O&M)
Date of decision: 19.01.2023**

Sudha Rani

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Ashwani Kumar, Advocate for the petitioners.

Mr. R.S. Budhwar, Addl. AG Haryana.

HARNARESH SINGH GILL, J. (ORAL)

Prayer in the petition is for issuance of a writ in the nature of mandamus directing the respondents to grant/approve the benefit of maternity leave of 2 months i.e. from 22.02.2021 to 28.04.2021 days with pay/salary along with the arrears to the petitioner in view of the Notification dated 27.04.2021 (Annexure P-3) and memo dated 29.06.2022 (Annexure P-6) issued by respondent No.3-Director General, Technical Education Department, Haryana, to the Principals in the State of Haryana for releasing of remuneration for the maternity leave period availed by the guest faculty engaged in the respective institutes, and in view of the order passed by a Coordinate Bench in CWP-13409-2022 titled as 'Rachna Vs. State of Haryana, filed by a similar situated candidate.

Learned counsel for the petitioner draws the attention of this Court towards the order dated 27.04.2021 (Annexure P-3) of the Principal

Secretary to Government Haryana, Technical Education Department, qua granting of the benefit of maternity leave to female Guest Faculty/Instructors working under Technical Education Department, Haryana, who have been engaged lawfully on contract basis on monthly basis, wherein it is specifically mentioned that they are entitled to fully paid maternity leave upto a maximum period of six months and that this benefit is applicable from the date of issue of orders i.e. prospectively.

Notice of motion.

On the asking of this Court, learned State counsel accepts notice on behalf of the respondent State.

Since respondent No.3 vide letter dated 29.06.2022 has already issued directions to the Principals in the State of Haryana to release the remuneration for the maternity leave period availed by the guest faculty engaged in the respective institutes, the present petition is disposed of with a direction to respondent No.3-Director General, Technical Education Department, Haryana, to decide the case of the petitioner on the same lines, within a period of 08 weeks from the date of receipt of certified copy of this order, by passing a speaking order, in accordance with law.

(HARNARESH SINGH GILL)
JUDGE

19.01.2023

Mangal Singh

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No