

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

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**CWP No.22324 of 2023
Date of Decision : 5.10.2023**

*Dr. Indu Bala**..... Petitioner**versus**Chaudhary Devi Lal University, Sirsa and others* *..... Respondents***CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA**

Present: Mr. Kuldeep Sheoran, Advocate, for the petitioner

TRIBHUVAN DAHIYA J. (ORAL):

Learned counsel for the petitioner, at the outset, submits that he may be permitted to withdraw the petition to the extent prayer has been made seeking a writ of *certiorari* quashing the order dated 23.5.2022, Annexure P-11, vide which petitioner's request for correction of joining letter has been declined, and move appropriate application in that regard in the pending CWP No.13709 of 2018.

2. Permission is granted.
3. The petition stands dismissed as withdrawn with liberty prayed for, with respect to the aforesaid claims.
4. The only grievance raised herein is that the petitioner has not been granted due remuneration for the period of maternity leave. The leave was sanctioned to her with full pay from 28.12.2020 to 25.6.2021, for 180 days, vide order dated 30.12.2020. As per the University notification dated 26.5.2020, Annexure P-5, female employees engaged on contract basis are entitled for fully paid maternity leave up to maximum of six months or till the currency of subsisting contract, whichever is earlier.
5. It is contended that the petitioner was appointed as Assistant Professor on contract on 19.1.2017, and has continued in service ever since with notional breaks. She is, therefore, entitled to full salary for the

period of maternity leave, and her case has been wrongly rejected by the Registrar, vide communication dated 31.5.2022, Annexure P-15.

6. Heard.

7. Apparently, the petitioner's claim for grant of full salary for the maternity leave period has been rejected by the Registrar on the ground of less workload before granting leave to her. Since the petitioner was working on a remuneration of Rs.27,000/- per month prior to grant of maternity leave, she is entitled to be paid remuneration at the same rate during the leave also as per the University notification. Her claim has been rejected without adverting to the relevant notification, on the ground which are alien to grant of remuneration for the maternity leave period.

8. Therefore, the order dated 31.5.2022 is set aside directing the Registrar to pass a fresh speaking order regarding payment of full salary to the petitioner for the maternity leave period keeping in view the University notification dated 26.5.2020, within a period of four weeks, and release the amount as found due.

9. Disposed of.

(TRIBHUVAN DAHIYA)
JUDGE

5.10.2023

Ashwani

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