

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

224

CWP-26909-2022 (O&M)

Date of Decision: 27.01.2023

SUNAINA

... Petitioner

Versus

STATE OF HARYANA AND OTHERS

... Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Abhishek Sethi, Advocate
for the petitioner.

Mr. Rohit Arya, DAG, Haryana.

HARNARESH SINGH GILL, J.(Oral)

Through this petition, the petitioner seeks issuance of a writ in the nature of Mandamus directing the respondents to grant Child Care Leave (CCL) to the petitioner from 25.11.2022 till 21.02.2023 (89 days).

Learned counsel for the petitioner submits that the petitioner has been allowed Child Care Leave w.e.f. 06.12.2022 to 30.01.2023.

At this stage, learned counsel for the petitioner submits that the petitioner be allowed Child Care Leave (CCL) till 05.03.2023, as she has given birth to a child on 24.05.2022.

In support of his contentions, learned counsel for the petitioner relies upon the judgment passed by the Hon'ble Apex Court in Kakali Ghosh Vs Chief Secretary, Andaman and Nicobar Administration and others, 2014 (2) SCT 683.

Learned State counsel opposes the prayer made by the learned counsel for the petitioner.

I have heard the learned counsel for the parties.

It is a conceded position that the petitioner has given birth to the child on 24.05.2022. The petitioner, being the mother, has to look after her new-born child.

In view of the above, the respondents are directed to allow the petitioner to remain on Child Care Leave (CCL) till 05.03.2023.

The petitioner shall report back to the concerned Department on 06.03.2023.

Disposed of in the above terms.

27.01.2023

Aman Jain

(HARNARESH SINGH GILL)
JUDGE

<i>Whether speaking/reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>