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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CWP-6664-2024
Date of Decision: 20.03.2024

Payal Gupta

..... Petitioner

Versus

Haryana State Industrial & Infrastructure Development Corporation Ltd. &
others

..... Respondents

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Brijender Kaushik, Advocate,
for the petitioner.

JASGURPREET SINGH PURI, J. (ORAL)

1. The present writ petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ, order or direction especially in the nature of *certiorari* for setting aside the orders dated 07.02.2024 (Annexure P-4) and 13.03.2024 (Annexure P-8) whereby wrongly and illegally application of the petitioner for Child Care Leave for 8 months was rejected.

2. Learned counsel for the petitioner submitted that the prayer in the present petition is for quashing of the order dated 13.03.2024 (Annexure P-8) vide which the petitioner had claimed the benefit of Child Care Leave in accordance with Rule, but when the aforesaid order was passed, it is not backed by any reasons and it has been rejected straight away. He further submitted that at least when an order is to be passed, then the same should be backed by reasons.

3. Notice of motion.

4. On the asking of the Court, Mr. Samarth Saggar, learned Addl. A.G., Haryana accepts notice on behalf of the respondents and states that he has received an advance copy of the present petition and has gone through the same and has also got instructions from Mr. Jagmohan Singh Negi, Manager, HSIIDC, who is present in Court today. He further submitted that considering the aforesaid order (Annexure P-8), the same will be passed afresh by passing a speaking order.

5. In view of the aforesaid facts and circumstances and in view of the fact that the impugned order dated 13.03.2024 (Annexure P-8) is *ex facie* non-speaking order, the same is hereby set aside. Respondent No.2 is directed to decide the aforesaid claim of the petitioner for grant of Child Care Leave by passing a speaking order backed by reasons within a period of three weeks from today.

6. It is made clear that time period of three weeks shall be adhered to by respondent No.2.

20.03.2024

Bhumika

(JASGURPREET SINGH PURI)
JUDGE

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| 1. Whether speaking/reasoned: | Yes/No |
| 2. Whether reportable: | Yes/No |