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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 2628/2019 and CM APPL. No12201/2019**
JYOTI PRUSTYPetitioner

Through: Ms.Rajdipa Behura, Mr.Philomon Kani, Ms.Neha dobriyal, Ms.Simrat Kaur Sareen, Ms.Aishwarya Gupta, Mr.Shaswat Kabi with petitioner in person.

versus

UNION OF INDIA & ORSRespondents

Through: Mr.Vikram Jetly, CGSC with Ms.Shreya Jetly, Advocate for R-1 and 2
Mr.Santhosh Krishnan, Ms.Sonam Anand and Ms.Deepshikha Sansawal, Advocates for NGT/R-3 with Mr.Arvind Kumar, Deputy Registrar (NGT)

CORAM:
HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

% **06.09.2024**

1. This writ petition has been preferred on behalf of the Petitioner under Article 226 of the Constitution of India seeking the following reliefs:

“(A) Issue a Writ, order or direction, in the nature of Mandamus or any other appropriate writ, directing Respondent No. 3 to Re-new the employment contract of the Petitioner and to include the name of the Petitioner in the list of contractual employees mentioned in the Office Order bearing No. NGT/PB/428/Admn/2015/151 dated 01.03.2019, whereby the contractual employment of other employees was extended till 31.08.2019, whereas the contractual employment of the Petitioner was not extended.

(B) Issue a writ, order or direction in the nature of Mandamus or any other similar writ, directing Respondents No. 1 and 2 to implement the provisions of the IVlaternity Benefit Act 1962, including the Maternity Benefit (Amendment) Act 2017, on the contractual employees of Respondent No. 3;



(C) Issue a writ, order or direction in the nature of Certiorari or any other similar writ, quashing and setting aside the Letter dated 08.03.2019, sent by Respondent No. 3 to the Petitioner, whereby the Petitioner's application for maternity leave was declined;”

2. Insofar as the maternity benefits due to the Petitioner are concerned, Ms. Rajdipa Behura, learned counsel appearing on behalf of the Petitioner, fairly and on instructions from the Petitioner, who is present in Court submits that the dues as sought for the period 02.01.2019 to 02.03.2019 have been received by the Petitioner and to this extent the grievance is redressed. She, however, presses the claim for renewal of Petitioner's contractual employment on the post of Office Assistant which according to the learned counsel has not been renewed without any good cause.

3. Mr. Arvind Kumar, Deputy Registrar, NGT is present in Court and on instructions from the Competent Authority submits that if the Petitioner makes an application for renewal of her contract to the post of Office Assistant, the same shall be considered in accordance with law.

4. In view of the above, this writ petition is disposed of leaving it open to the Petitioner to make an application to Respondent No. 3, seeking renewal of her contractual employment to the post of Office Assistant and on receipt of the application, the same shall be considered by Respondent No. 3 within a period of six weeks from the date of receipt of the application.

5. Pending application also stands disposed of.

JYOTI SINGH, J

SEPTEMBER 6, 2024/sv/shivam