

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH****CWP No.17510 of 2015****Date of decision: 24.09.2025****Pallavi Patra****.... Petitioner****Vs.****State of Haryana and others****.... Respondents****CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI**

Present: Mr. Pawan Kumar Mutneja, Senior Advocate, with
Ms.Suverna Mutneja, Advocate,
for the petitioner.

Mr. Bhupender Singh, Addl. A.G. Haryana.

Mr. Nimish Chib, Advocate,
for respondent No.2 **(Through V.C.)**.

KULDEEP TIWARI, J (Oral)

1. Through the instant petition, a prayer has been made for issuance of a direction upon the respondents to comply with the Maternity Benefit Act, 1961 (hereinafter referred to as 'the Act'), and to grant the petitioner her maternity benefits, and to reinstate her, in her prior position, with Campus EAI.

2. During the pendency of the instant petition, the petitioner was paid an amount of Rs. 2,71,549/- by respondent No.2 in view of Section 6 of the Act. Learned Senior counsel for the petitioner submits that now the grievance with regard to reinstatement in service does not survive as the petitioner is already in a gainful employment somewhere else. Therefore, he does not press the prayer for her reinstatement. Now the grievance which remains for adjudication is that the petitioner was not granted other benefits as accrued in view of Sections 8, 9-A and 10 of the Act. Furthermore, he submits that the calculations made by respondent No. 2, through which the amount was paid, are incorrect; rather, the petitioner is entitled for an amount of Rs. 2,85,000/-. Finally, a request is made that a mandamus be also issued against respondent No. 2 to supply experience and relieving certificates to the petitioner.

3. Learned counsel for respondent No.2, while drawing attention of this Court towards the order passed by the Welfare Officer (Women) Faridabad, submits that, this issue has already been examined, and the petitioner was found entitled for compensation only under Section 6 of the Act. The relevant portion is

extracted hereinafter:



“19. Therefore, in terms of the powers vested in me under Section 17(2) (a) (b) of the Maternity Benefit Act, 1961, I order the management of M/s Campus EAI India Pvt. Ltd. D-5, Infocity-2, Sector 22, Gurgaon to pay the maternity benefits to Ms. Pallavi Patra as per Section 6 of the Maternity Benefit Act, 1961. I also order a compensation of Rs.10,000/- to be paid by the Employer to the claimant for mental agony and harassment caused to her. Therefore, I direct the Employer to pay the maternity benefits and compensation to Ms. Pallavi Patri with in one month from the date of this order.”

4. Learned counsel for respondent No.2 submits that compliance of the aforesaid order has been duly made, and the amount has been paid accordingly. He further submits that so far as the prayer with regard to issuance of experience and relieving certificates is concerned, though no specific prayer has been made in the instant petition with this regard, yet they are ready to provide both the documents, without prejudice to the rights of the respondent No.2, within 30 days from the date of passing of this order.

5. This Court has considered the submissions made by learned counsel for the parties, and has also perused the entire record.

6. After considering the submissions made by the learned counsel for the parties, this Court is of the considered view that the matter can be given quietus by passing a mandamus upon respondent No.2, to re-calculate the maternity benefits in terms of Section 6 of the Act, and also to pay compensation as directed by the Welfare Officer (Women), Faridabad, while drawing an order dated 27.04.2015. In case any dues remain to be paid, the same shall be paid with an interest @ 6% per annum, from the date the order was passed by the Welfare Officer concerned. Further, the respondent No.2 shall release the documents, i.e. experience certificate and relieving certificate, to the petitioner forthwith, and the aforesaid exercise shall be carried out within a period of four weeks from the date of receipt of a certified copy of this order.

7. **Disposed of** accordingly.

(KULDEEP TIWARI)
JUDGE

24.09.2025
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Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No