



152 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

LPA-1580-2026(O&M)
Date of decision: 29.05.2026

DR. SUNAINA

...Appellant

Vs.

STATE OF HARYANA AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE ASHWANI KUMAR MISHRA
HON'BLE MR. JUSTICE ROHIT KAPOOR

Present: Mr. Abhishek Sethi, Advocate
Ms. Richa Sethi, Advocate and
Mr. Tej Bahadur Yadav, Advocate
for the appellant.

Mr. Saurabh Mohunta, D.A.G. Haryana.

ASHWANI KUMAR MISHRA, J. (Oral)

1. Learned Single Judge has refused to interfere with the order of the competent authority declining Child Care Leave to the appellant for a period of 609 days on the ground that the predominant interest of public health would suffer due to lack of requisite medical specialist.
2. We do not take exception to the view of the learned Single Judge as the right of an employee to claim Child Care Leave must always remain subservient to predominant public interest.
3. After some arguments, learned counsel for the appellant comes up with the prayer that the petitioner would be willing to claim leave of much lesser period i.e. 300 days, provided the same is accorded consideration without being influenced by the orders by the learned Single Judge.
4. Learned State counsel has no objection to such prayer made on



behalf of the appellant.

5. In that view of the above, we permit the appellant to withdraw the present appeal as also the writ petition with liberty to approach the competent authority for fresh consideration of her claim for grant of Child Care Leave for a period of 300 days. Such claim would be examined afresh by the competent authority keeping in view the provisions contained in the statute and the requirement of public interest without being influenced by previous decision taken in the matter. Such fresh decision would be taken within a period of four weeks from the date of receipt of certified copy of this order.

6. The appeal is accordingly ***disposed of***.

7. Pending application(s), if any, stand(s) disposed of.

(ASHWANI KUMAR MISHRA)
JUDGE

(ROHIT KAPOOR)
JUDGE

29.05.2026

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Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No