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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 2914/2026 & CM APPL. 14090/2026**

AKANKSHA JAIN

.....Petitioner

Through: Mr. Mayank Wadhwa and Ms.
Kanishka Chandnani, Advocates.

versus

KENDRIYA VIDYALAYA SANGATHAN & ANR.

.....Respondents

Through: Mr. S. Rajappa, Mr. R. Gowrishankar
and Ms. G. Dhivyasri, Advocates for
all Respondents.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

09.03.2026

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1. This writ petition seeks the following relief:

“a) Issue a writ of certiorari thereby declaring impugned orders dated 13.03.2025, 28.06.2025, 23.08.2025 and 01.09.2025 as 35 arbitrary and illegal and further direct the Respondents to sanction Child Care Leave in continuation of maternity leave in accordance with Rule 43(4)(b) of the Central Civil Services (Leave) Rules, 1972, and withdraw any punitive notices or office orders treating the Petitioner's leave as unauthorized;

b) Issue a writ of mandamus and/or any other writ, order or direction of the similar nature directing the Respondents to forthwith release all arrears of salary, House Rent Allowance, CGHS benefits, and all other legitimate dues to the Petitioner for the entire period of maternity and child care leave.”

2. At the outset, counsel for the Respondents object to the maintainability of the present petition on the ground that Kendriya



Vidyalaya Sangathan, New Delhi is a notified authority under Section 14 of the Administrative Tribunals Act, 1985 and the dispute raised herein falls within the jurisdiction of the Central Administrative Tribunal. It is submitted that, in view of the judgment of the Supreme Court in ***L. Chandra Kumar v. Union of India & Ors.***,¹ the Petitioner, having an efficacious alternative remedy before the Tribunal, cannot invoke the writ jurisdiction of this Court.

3. In view of the above, counsel for the Petitioner seeks leave to withdraw the present petition with liberty to approach the Central Administrative Tribunal, in accordance with law.

4. Leave and liberty as prayed for, are granted.

5. The Court has not commented on the merits of the case. All rights and contentions of the parties are left open.

6. Disposed of, along with any pending applications.

SANJEEV NARULA, J

MARCH 9, 2026/hc

¹ (1997) 3 SCC 261.