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**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH
CHANDIGARH**

O.A. No.060/01066/14

Decided on: 10.03.2015

**Coram: Hon'ble Mr. Sanjeev Kaushik, Member (J)
Hon'ble Mr. Uday Kumar Varma, Member (A)**

Ms. Amanpreet Kaur w/o Sh. Jaspreet Singh, Lecturer (Environment Education) in Post Graduate Government College, Sector 46, Chandigarh.

.....**Applicant**
Versus

1. Chandigarh Administration through its Finance Secretary-cum-Secretary Education, U.T. Secretariat, Sector 9, Chandigarh.
2. Director Higher Education, Department of Higher Education, Deluxe Building, U.T. Sector 9, Chandigarh.
3. The Principal, Post Graduate Government College, Sector 46, Chandigarh.

.....**Respondents**

Present: Mr. D.R. Sharma, counsel for the applicant
Mr. A.L. Nanda, counsel for the respondents

Order (Oral)

By Hon'ble Mr. Sanjeev Kaushik, Member(J)

1. Challenge in the O.A is to the order dated 11.09.2014 and 23.09.2014 whereby request of the applicant for grant of

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maternity leave with pay and other benefits for 180 days, was rejected and also the decision of the Chandigarh Administration dated 24.01.2013, whereby the authorities have decided to grant the maternity leave of 12 weeks with pay to such female employees who are working on contract basis, thereby reducing the benefits.

2. With the consent of the learned counsel for the parties, the matter is taken up for final disposal at this stage.
3. Learned counsel for the respondents very fairly submits that the controversy involved in this O.A. has already been put to rest by this Court in O.A. NO. 1547/CH/2013 titled Jatinder Kaur Vs. Chandigarh Administration & Others, vide order dated 20.02.2015 and prays that this O.A. may be disposed of in the same terms. He submits that the applicant has been released salary of 12 weeks of maternity leave as the issue of grant of salary of 180 days for maternity leave is still pending adjudication before the High Court.
4. Considering the submissions made by the learned counsel for the respondents and that the facts and question of law involved in this case is similar to the case aforementioned and also that the same learned counsel represented applicant in both the cases, this O.A. is disposed of in same terms i.e. orders dated 20.02.2015 passed

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in the case of Jatinder Kaur(supra), the operative portion of which is extracted hereunder:-

"Perusal of the aforesaid extraction makes it clear that a female employee, under the Act, is also entitled for grant of 12 weeks maternity leave. Concededly, Writ Petition is pending before the Hon'ble High Court, therefore, we are of the view that it would not be in a judicial propriety to comment upon the issue, which is already pending and sub-judice before the Hon'ble High Court and subsequently, circular dated 24.01.2013 passed by the Chandigarh Administration is also under consideration as reflected in the interim order. Therefore, without recording any findings at this stage, the present Original Application is disposed of as claim for grant of benefit of maternity leave of 180 days can be decided, after the decision in the pending writ petition before the Hon'ble High Court and the applicant is at liberty to move an application after the decision in the pending writ petition, if need arises, on original side.

5. No costs.

Uday Kumar Varma
 (UDAY KUMAR VARMA)
 MEMBER (A)


 (SANJEEV KAUSHIK)
 MEMBER (J)

PLACE: Chandigarh
 Dated: 10.03.2015

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