

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH**

...

O.A. No.60/884/2016

Date of decision: 04.09.2018

...

**CORAM: HON'BLE MR. SANJEEV KAUSHIK, MEMBER (J).
HON'BLE MRS. P. GOPINATH, MEMBER (A).**

...

Yavika aged 34 years, W/o Sh. Pradeep Solath, R/o H. No.950,
Sector-12, Panchkula-134112, working as TGT Group-C post.

... APPLICANT

VERSUS

1. Union of India through Secretary, Department of Education,
Chandigarh Administration, U.T. Secretariat Building, Sector-9,
Chandigarh.
2. Director Public Instructions (Schools), Chandigarh Administration,
U.T. Secretariat Building, Sector-9, Chandigarh.
3. District Education Officer, Chandigarh Administration, Vatika School
Building Complex, Sector-19, Chandigarh.
4. Principal, Govt. Model Sr. Sec. School, Manimajra (MHC) U.T.,
Chandigarh.

... RESPONDENTS

PRESENT: Sh. Pardeep Solath, counsel for the applicant.
Sh. Rakesh Verma, counsel for the respondents.

ORDER (Oral)

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SANJEEV KAUSHIK, MEMBER (J):-

1. Learned counsel for the parties are in agreement that order of this Court whereby similar plea has been negated is pending adjudication before the Hon'ble jurisdictional High Court in CWP No.1546/2014-**U.T. of Chandigarh & Ors. vs. Shivani & Ors.**, along with another CWP bearing No.6873 of 2013.
2. Learned counsel for the respondents fairly submitted that in terms of rules governing maternity leave, the applicant has already availed benefit of 12 weeks maternity leave. In view of subsequent amendment by Govt. of India to Maternity Benefit Act, 2017, she is asking for 180 days leave as available to regular employees. Since it is subject matter before the Hon'ble High Court in aforesaid Writ Petitions, therefore, till same are decided by the Hon'ble High Court, benefit cannot be extended in her favour.
3. Accordingly, it is prayed that this O.A. be disposed of at this stage, with liberty to either of the parties to move an application for its revival after decision in the pending writ petitions.
4. Ordered accordingly.

(P. GOPINATH)
MEMBER (A)

(SANJEEV KAUSHIK)
MEMBER (J)

Date: 04.09.2018.
Place: Chandigarh.

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