



CGHC010300762026



2026:CGHC:34414

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 5913 of 2026

Smt. Sandhya Singh Shyam W/o Shri Narayan Singh Ahyam, Aged About 38 Years Post -Teacher L.B. Posted At Middle School Belkhuri, Block -Pathariya, District Mungeli, Presently Resident Of Ambika Vihar, Near Sai Temple, Sirgitti, District -Bilaspur, Chhattisgarh

... **Petitioner**

versus

1 - State Of Chhattisgarh Through Secretary, Department Of School Education Mantralaya, Mahanadi Bhawan, Atal Nagar New Raipur, District -Raipur, Chhattisgarh.

2 - Joint Director, Department Of School Education -Mungeli, District -Mungeli Chhattisgarh.

3 - District Education Officer, Mungeli, District -Mungeli Chhattisgarh.

4 - Block Education Officer, Pathariya, District -Mungeli Chhattisgarh.

... **Respondents**

(Cause title is taken from Case Information System)

For Petitioner : Mr. Ravi Kumar Bhagat, Advocate

For Respondents/ State : Ms. Sakshi Bajpai, Panel Lawyer

(HON'BLE SHRI JUSTICE BIBHU DATTA GURU)

Order on Board

06/08/2026

1. By the present writ petition, the petitioner seeks a direction to the respondent authorities to consider and decide her application dated 28.07.2026 (Annexure P/1) seeking grant of child care leave for 132 days.
2. Learned counsel for the petitioner submits that the petitioner is working as Teacher (L.B.) (Science) in the respondent department and is presently posted at Middle School Belkhuri, Block Pathariya, District Mungeli. He submits that the petitioner gave birth to a girl child on 05.02.2026 and, considering the tender age of the child, had earlier been granted child care leave for 30 days from 08.07.2026 to 06.08.2026. It is submitted that as the petitioner's husband is posted in a different district and the petitioner is facing difficulty in taking care of her infant daughter, she submitted a fresh application dated 28.07.2026 (Annexure P/1) seeking extension of child care leave for 132 days. However, despite the earlier leave being due to expire on 06.08.2026, the said application has not been considered by the competent authority. It is, therefore, prayed that the respondent authorities be directed to consider and decide the petitioner's pending application in accordance with law and the provisions of Rule 38-C of the Chhattisgarh Civil Services (Leave) Rules, 2010. In support of his contention, learned counsel placed reliance upon the decision of this Court passed in ***WPS No. 5386/2026 (Smt. Manda Tiwari vs. State of Chhattisgarh & Ors.)***.

3. Learned State counsel would submit that if the petitioner's application dated 28.07.2026 is still pending consideration, the same shall be considered and decided by the competent authority, in accordance with law, within the stipulated time.
4. Considering the limited prayer made by learned counsel for the petitioner and taking into account the submission made by learned State counsel, this writ petition is disposed of with a direction to respondent No.4/Block Education Officer, Pathariya to consider and decide the petitioner's pending application dated 28.07.2026 (Annexure P/1) seeking grant of child care leave for 132 days and pass a reasoned order, strictly in accordance with law, particularly Rule 38-C of the Chhattisgarh Civil Services (Leave) Rules, 2010, and keeping in view the law laid down by this Court in **Smt. Manda Tiwari** (supra), preferably within a period of 10 days from today and till then the petitioner be extended the benefit of child care leave for a period of 10 days i.e. from 07/08/2026 to 16/08/2026.
5. With the aforesaid direction, the writ petition stands disposed of.
6. Learned State counsel is directed to communicate this order forthwith to the concerned respondent authorities today itself for information and necessary compliance.

Sd/-
(BIBHU DATTA GURU)
JUDGE