



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 23RD DAY OF FEBRUARY, 2026

PRESENT

THE HON'BLE MR. JUSTICE S.G.PANDIT

AND

THE HON'BLE MR. JUSTICE K. V. ARAVIND

WRIT PETITION NO. 5783 OF 2026 (S-CAT)

BETWEEN:

1. THE UNION OF INDIA
REPRESENTED BY ITS SECRETARY,
MINISTRY OF ELECTRONICS AND
INFORMATION TECHNOLOGY
ELECTRONICA NIKETAN, 6,
CGO COMPLEX, LODHI ROAD,
NEW DELHI-110 003.
2. THE EXECUTIVE DIRECTOR
CENTRE FOR DEVELOPMENT OF
ADVANCED COMPUTING
NO.1, OLD MADRAS ROAD,
OPPOSITE HAL AERO ENGINE,
BAYAPPANAHALLI,
BENGALURU - 560 038.
3. THE MANAGER
(HUMAN RESOURCE DEPARTMENT),
CENTRE FOR DEVELOPMENT OF
ADVANCED COMPUTING
NO.1, OLD MADRAS ROAD,
OPPOSITE HAL AERO ENGINE,
BAYAPPANAHALLI,
BENGALURU - 560 038.
4. THE MANAGER (ADMIN),
MATERIALS MANAGEMENT GROUP.
CENTRE FOR DEVELOPMENT OF
ADVANCED COMPUTING
NO.1, OLD MADRAS ROAD,





**NC: 2026:KHC:11101-DB
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OPPOSITE HAL AERO ENGINE,
BAYAPPANAHALLI,
BENGALURU 560 038.

...PETITIONERS

(BY SRI. UNNIKRISHNAN M., CGC)

AND:

SMT. KAVITA VADDE,
AGED 45 YEARS,
W/O. SRI. SUDHAKAR KATAKAM,
WORKING AS ADMIN OFFICER,
CENTRE FOR DEVELOPMENT OF
ADVANCED COMPUTING,
NO.1, OLD MADRAS ROAD,
OPPOSITE HAL AERO ENGINE,
BAYAPPANAHALLI,
BENGALURU - 560 038.

R/AT NO.T01, 33D,
PASHMINA WATERFRONT,
BATTARAHALLI,
BENGALURU - 560 049.

...RESPONDENT

(BY SRI. SATISH K., ADV. FOR C/R)

THIS PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO ISSUE A WRIT OF CERTIORARI OR SUCH OTHER WRIT/S QUASHING ANNEXURE A I.E., THE ORDER PASSED BY THE CENTRAL ADMINISTRATIVE TRIBUNAL, BANGALORE IN ORIGINAL APPLICATION NO.170/00582/2025, DATED 05.02.2026, AND CONSEQUENTLY ALLOW THE ABOVE PETITION FILED BY THE PETITIONERS BY DISMISSING THE ORIGINAL APPLICATION NO.170/00582/2025, AGAINST THE RESPONDENT IN THE INTEREST OF JUSTICE AND EQUITY AND ETC.

THIS PETITION, COMING ON FOR PRELIMINARY HEARING, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:



CORAM: HON'BLE MR. JUSTICE S.G.PANDIT
AND
HON'BLE MR. JUSTICE K. V. ARAVIND

ORAL ORDER

(PER: HON'BLE MR. JUSTICE K. V. ARAVIND)

The Union of India, represented by the Secretary, Ministry of Electronics and Information Technology, is before this Court assailing the order dated 05.02.2026 passed in Original Application No.170/00582/2025 by the Central Administrative Tribunal, Bengaluru Bench, Bengaluru (for short, "the Tribunal").

2. The respondent requested Child Care Leave from 16.12.2025 to 20.05.2026. The respondent was granted Child Care Leave for the period from 16.02.2026 to 07.03.2026. The respondent approached the Tribunal seeking a writ of mandamus to grant Child Care Leave for the period from 16.12.2025 to 20.05.2026. The said request was made on the ground that the respondent's son was appearing for the 10th Board Examinations. By the impugned order, the Tribunal modified the order dated 24.11.2025 (Annexure-A9) and



directed grant of Child Care Leave to the respondent for the period from 06.02.2026 to 20.05.2026.

3. Sri M. Unnikrishnan, learned counsel appearing for the petitioners, submits that the request for Child Care Leave was made to enable the respondent to support her son during the Class X Board Examinations. He submits that, having regard to the examination schedule, leave was granted for the period from 16.02.2026 to 07.03.2026.

3.1 It is further contended that the Tribunal has committed an error in granting leave beyond the period of the examinations. According to the learned counsel, grant of leave beyond the period necessitated by the stated purpose would hamper the functioning of the department and would also defeat the very object of sanctioning such leave.

4. Sri K. Satish, learned counsel appearing for the respondent, submits that the examinations were conducted in two stages and that the period sought in the application for Child Care Leave encompasses the pre-board examinations, the



first stage of the main examinations, and the second stage of the examinations.

4.1 Learned counsel further contends that the determination of the period for which leave is required lies within the discretion of the respondent-employee. In support of his submissions, he places reliance on the judgment of this Court in ***W.P. No.11915/2024 dated 20.11.2024*** in the case of ***National Institute of Mental Health and Neuro Sciences (NIMHANS) vs. Smt. S. Anitha Joseph.***

5. Having considered the submissions of the learned counsel appearing for the parties and upon perusal of the writ papers, it is evident that, in terms of Rule 43-C of the Central Civil Services (Leave) Rules, 1972 (for short, "the 1972 Rules"), a female Government servant or a single male Government servant may seek Child Care Leave from the competent authority when the child requires the presence of such Government servant, including for purposes of education, illness, and other similar exigencies.



6. A bare perusal of the Rule clearly indicates that the period of leave is not confined solely to the duration of the examination. It is needless to observe that the preparatory phase preceding the examination is equally significant. Therefore, the contention of the petitioners that leave can be granted only for the exact period of the examination schedule cannot be accepted.

7. On a plain reading of Rule 43-C of the 1972 Rules, it is evident that the provision sets out illustrative circumstances under which Child Care Leave may be availed, and such illustrations are not exhaustive. The Rule vests the Government servant with the discretion to seek Child Care Leave when the child requires his or her presence. No discretion is conferred upon the employer or the competent authority to adjudicate upon the sufficiency of the reasons assigned for seeking such leave. In the absence of any such power, imposing a restriction on the period of leave sought would be impermissible. A similar issue has been considered by this Court in the judgment referred to supra in ***National Institute of Mental Health and Neuro Sciences (NIMHANS)***.



8. In light of the aforesaid judgment, we are of the considered view that the order passed by the Tribunal is justified. No infirmity or error is made out warranting interference by this Court.

9. Accordingly, the writ petition stands ***dismissed***.

Sd/-
(S.G.PANDIT)
JUDGE

Sd/-
(K. V. ARAVIND)
JUDGE