

**In the High Court of Punjab and Haryana, at Chandigarh**

**Civil Writ Petition No. 23109 of 2015**

**Date of Decision: 30.10.2015**

Baljit Kaur Mann

... Petitioner(s)

Versus

State of Punjab and Others

... Respondent(s)

**CORAM: Hon'ble Mr. Justice G.S.Sandhawalia.**

Present: Mr. Saurabh Arora, Advocate  
for the petitioner(s).

**G.S.Sandhawalia, J.**(Oral)

In the present petition, the petitioner seeks the relief of consideration of grant of extension of service from 58 to 60 years (31.5.2011 to 31.5.2013) as on account of being a disabled person, she is entitled to the benefits under the Disability (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995 (hereinafter referred to as "the Act").

It is the case of the petitioner that she was appointed as Social Studies Mistress under the physically handicapped quota on 4.3.1980 and retired on 31.5.2011 at the age of 58 years. The petitioner is suffering from severe post polio paralysis affecting both lower limbs having more than 80% permanent partial disability.

Learned counsel for the petitioner submits that in view of

the judgment of this Court in Civil Writ Petition No. 7233 of 2010 titled as "Bhupinder Singh v. State of Punjab and Others", decided on 25.5.2011 (Annexure P4), the petitioner is entitled for the financial benefits for the extended period and all consequential benefits. It is submitted that the said judgment has been upheld vide L.P.A. No. 1719 of 2011 and also by the Hon'ble Apex Court thereafter on 16.9.2014. Admittedly, legal notice dated 17.8.2015 (Annexure P12) has already been served upon the respondents for the necessary relief. It is also clear that respondents No.2 & 3 have *inter se* communicated on the legal notice on 7.10.2015 and thus, the same is still pending consideration. In such circumstances, this Court does not feel necessary to call upon the respondents to file reply.

The present petition is, accordingly, disposed of with a direction to respondent No.2 to decide the legal notice (Annexure P12) within a period of three months from the date of receipt of a certified copy of this order. The financial benefits, if admissible, be paid to the petitioner within two months thereafter. In case, the relief is to be declined, a reasoned order should be passed.

**(G.S.Sandhawalia)**  
**Judge**

**October 30, 2015**

"DK"