

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CWP-24032-2015

Date of Decision: 16.11.2015

Mohinder Pal

---Petitioner

Vs.

State of Haryana and others

-----Respondents

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

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Present: Mr. Raman Gaur, Advocate
for the petitioner.

HARINDER SINGH SIDHU, J.

The petitioner has joined the respondent-Haryana Urban Development Authority as Junior Engineer on 03.06.1988. He has been issued Handicapped Certificate by the Civil Surgeon, Faridabad, the competent authority certifying 55% disability in accordance with the State Government instructions dated 16.12.1980.

The grievance of the petitioner is that as per the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995, there is 3% quota in promotion for handicapped persons. The petitioner as per the provisions of this Act is fully eligible for promotion to the post of Sub Divisional Engineer (Civil). He further states that he is the only handicapped person Junior Engineer in the respondent-Authority.

The petitioner has been repeatedly representing to the respondents for consideration of his case for promotion in accordance with the provisions of the said Act but without success.

Learned counsel for the petitioner states that at this stage he would be satisfied, if a direction is issued to respondent No.2 to take a decision on the claim as contained in representations dated 15.11.2011 and 20.11.2014 (Annexures P-6 and P-8).

In view of the above, without commenting on the merits of the case, this petition is disposed of with a direction to respondent No.2 to take a decision on the claim of the petitioner as contained in representations dated 15.11.2011 and 20.11.2014 (Annexures P-6 and P-8), expeditiously, preferably, within a period of three months.

16.11.2015.
Atul

(Harinder Singh Sidhu)
Judge