

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.17632 of 2016

Date of Decision: 29.08.2016

Kuldeep Singh

... Petitioner

Versus

State of Haryana and others

... Respondents

CORAM:- HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr. G.S. Gopera, Advocate,
for the petitioner.

RAJIV NARAIN RAINA, J.(Oral)

Merely because the petitioner's index finger of his right hand has suffered amputation at the third phalange is hardly any valid excuse to avoid the typing test and duck it, of not having learnt typing with the other well formed fingers all these years of service as a clerk in the police department. It is not an impossible task to accomplish adequate skill in typing in such a condition and, therefore, there is no error in the decision of the Police Department where the petitioner works as a Clerk that non-passing of the typing test will entail consequences as are embodied in the rules. I have no doubt that the department would make some allowance in terms of typing speed but that does not mean he can by a direction of the Court in Article 226 proceedings skip the test and wail that he has been wronged. History is full of people who have been achievers who used their physical disadvantages to their advantage in their chosen callings and avocations.

Be that as it may, the petitioner cannot be legitimately heard to make a lame excuse and to take advantage of his minor physical handicap to

obtain an undue advantage in complete avoidance of the prescribed test. The petitioner is not about to lose his job. The codified disability law will not come to his rescue only on a photograph appended to the petition to churn the heart and mind of the Court to lean in his favour. Percentages of handicap certified by medical authorities are mostly misleading indicators of what the disability is all about. Only the wearer knows where the shoe pinches.

No ground is made out to the practical experience of this Court while dealing with the subject warranting interference on sympathetic considerations alone.

The petition accordingly stands dismissed in limine.

(RAJIV NARAIN RAINA)
JUDGE

29.08.2016
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Whether speaking/reasoned Yes

Whether reportable Yes