

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

**CWP No.3176 of 2012
Date of Decision: 05.12.2016**

Sudesh Kumari

..... Petitioner(s)

Versus

State of Haryana and others

..... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Ms. Geeta Singhwal, Advocate
for the petitioner.

Mr. Harish Rathee, Sr. DAG, Haryana.

ANUPINDER SINGH GREWAL J. (ORAL)

Through the instant petition, the petitioner is seeking issuance of mandamus to the respondents to appoint her as JBT in the handicapped category.

The petitioner, who is stated to be hearing impaired, applied for the post of JBT in pursuance to the advertisement issued by the respondents on 13.11.2006 (Annexure P-7). The petitioner was called for interview in September, 2007 but her candidature was rejected on the ground that the posts are meant only for orthopedically handicapped persons.

Learned counsel for the petitioner has contended that although the posts were meant to be filled by orthopedically handicapped persons but one candidate who was visually impaired (blind) had been appointed by the respondents and hence the case of the petitioner should have also been considered for appointment to the post of JBT. Per contra, learned counsel for the respondents has contended that the posts were meant for orthopedically handicapped persons and the blind candidate had been appointed as a one time measure in the year 2008. He, further,

states that subsequently the State Government has amended the instructions and henceforth all physically handicapped persons including hearing impaired persons are eligible for various posts under the handicapped category being advertised by the State Government.

I have heard learned counsel for the parties.

It is manifest that the petitioner is seeking appointment in pursuance to the advertisement issued in the year 2006. The selection process was completed in the year 2007 and even the visually impaired (blind) person had been appointed in October, 2008 as one time measure. The only explanation which has been put forth by the petitioner for the delay in approaching the Court is that the petitioner has submitted a representation in the year 2008. It is borne out from perusal of the petition that the representation of the petitioner was considered by the respondents in the year 2008 itself whereon the candidature of visually impaired (blind) person had been approved. There is no explanation whatsoever as to why the petitioner waited till 2012 for seeking appointment in pursuance to the selection process initiated in the year 2006. The petitioner has filed this petition in the year 2012, and therefore, this petition is highly belated and cannot be entertained at this stage.

In the result, the petition stands dismissed.

(ANUPINDER SINGH GREWAL)
JUDGE

December 05, 2016

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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No