

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.2070 of 2016

In
Civil Writ Jurisdiction Case No.20580 of 2010

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Bal Mukund Sharma, Son of Sri Nageshwar Sharma, Resident of Village-
Supta, P.S.- Tekari, District- Gaya.

... .. Appellant/s

Versus

1. The Union of India through the Secretary, Defence, New Delhi.
2. Naval Dock Yard, Shahid Bhagat Singh Road, Mumbai-400023.
3. The Chief Commissioner For Persons Disability, Sarojani House- 6, Bhagwan Das Road, New Delhi- 110001.

... .. Respondent/s

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Appearance :

For the Appellant/s	:	Mr. Jitendra Prasad Singh Mr. Arvind Kr. Pandey
For the Respondent/s	:	Mr Anjani Kumar Sharan, ASG

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI
and
HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

4 19-12-2017 Delay of 1 year and 20 days is condoned in the interest of justice. I. A. No.9838 of 2016 is allowed. The matter is thereafter heard on the merits.

Perused the order dated 02.09.2015 passed by the learned Single Judge.

If the disability of the appellant does not add up to minimum 40% in terms of the provisions under the Persons with Disabilities Act, 1995, mere certification by Civil Surgeon -cum- Chief Medical Officer, Gaya that the disability in the vision in the right eye adds up to 40% will not help him to beget



the advantage of the reservation on the ground of disability.

If the certification of the Civil Surgeon, which may have been issued in the year 1993, is not in conformity with the provisions then the learned Single Judge has committed no error by turning down the prayer and the request of the present appellant by dismissing his writ application.

We do not find any infirmity with the decision or the reason provided by the learned Single Judge in his order dated 02.09.2015.

Appeal has no merit. It is dismissed.

(Ajay Kumar Tripathi, J)

(Rajeev Ranjan Prasad, J)

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