

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

Writ Petition No.8951 of 2017

ORDER :

The petitioner was recruited as Reserve Sub-Inspector in the year 2007 after completing induction training successfully. He was given posting as Armed Reserve Sub-Inspector on 14.7.2008. To continue the training in greyhounds, the petitioner reported in greyhound training center. While he was undergoing training, on 6.9.2010, his right knee was injured. Petitioner has not recovered from the said injury and therefore he is unable to complete the training. On the ground that the petitioner has not completed the training required, his probation is not declared and his services are not confirmed.

Praying to declare the probation deemed to have been completed in accordance with Rule 11(d) of A.P. Police Subordinate Service Rules and to grant all consequential benefits, including promotion to the post of Reserve Inspector, this Writ Petition is filed.

There is no dispute that the petitioner suffered injury while he was undergoing training and because of the injury suffered by the petitioner, he cannot complete the training as required and probably he cannot work as Armed Reserve Sub-Inspector or in higher post since they are field level posts which require lot of physical movement and alertness. The Memo. No.13268/Ser.II/A2/2014, dated 23.7.2014 would disclose that Government accepts the fact that the petitioner suffered injury while he was undergoing training.

As the petitioner suffered injury while he was undergoing training and that he cannot complete the reminder of training and probably cannot discharge duties and responsibilities attached to the post of Armed Reserve Sub-Inspector, it is imperative for the respondents to consider provision of alternative employment in accordance with provisions of Rights of Persons with Disabilities Act, 2016. In terms thereof, it is mandatory to the employer to provide alternative employment.

Claiming to grant certain benefits on account of the injury suffered by him while undergoing training, petitioner submitted representation on 24.10.2016.

Having regard to these facts, respondents are directed to examine the claim of the petitioner to grant relaxation of the rules governing the service or to provide alternative employment in due compliance of 'Rights of Persons with Disabilities Act, 2016'. A decision to this effect shall be taken and communicated to the petitioner as expeditiously as possible preferably within a period of six weeks.

The Writ Petition is accordingly disposed of. No order as to costs.

Miscellaneous petitions, if any, pending in this writ petition shall stand disposed of.

JUSTICE P.NAVEEN RAO

06th April, 2017

skmr

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

Writ Petition No.8951 of 2017

Date : 6.4.2017

W.P. No.8951 of 2017

Between :

S.Narayana Raju, S/o Janardhana Rao,
aged about 36 years, Occ : Reserve
Sub-Inspector, O/o District Armed Reserve,
Vikarabad, Vikarabad District. .. Petitioner.

and

The State of Telangana, rep. by its
Principal Secretary, Home Department,
Secretariat Buildings,
Hyderabad – 500 022 & others. .. Respondents



