

HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

CONTEMPT CASE No.1540 OF 2017

ORDER:

This contempt case is filed alleging non-compliance of the order dated 21.09.2016 passed in W.P.No.26442 of 2016. The said writ petition was disposed of along with batch of cases directing the respondents to examine each individual case and take necessary steps for implementing the provisions of the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995 (for short 'the Act') in the light of the order passed by the learned single Judge and as conformed by Division Bench within a period of three (03) months.

It appears against the said order, Writ Appeal No.50 of 2017 was filed and the same was disposed of on 10.07.2017 based on the order of Hon'ble Supreme Court in Civil Appeal No.3529 of 2017 and batch dated 23.02.2017 holding that the benefit of Section 47 of the Act shall be available only to those who are covered by the disabilities specified in Section 2(i) of the Act.

The case of the petitioner was reviewed and rejected on the ground of "neurological defects" which does not fall under the definition of "Disability" under Section 2(i) of the Act.

In view of the same, contempt case cannot be proceeded further and accordingly closed. However, it is open for the petitioner to avail appropriate remedies in accordance with law, if petitioner so aggrieved by the order dated 27.09.2019.

Consequently, miscellaneous petitions pending, if any, shall also stand closed.

A.RAMALINGESWARA RAO, J

24.11.2017
dv

