

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION Nos 26916, 26922, 26925, 26927, 26932, 26941, 26949, 26964, 26980, 26987, 27006, 27008, 27009, 27124, 27288, 27506, 27544, 27549, 27554, 27575 and WP.No.27576 OF 2017

COMMON ORDER:

Since these writ petitions relate to implementation of Section 47 of the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995 (for short "the Act"), they are being taken up together and disposed of by way of this common order.

Learned counsel for the writ petitioners says that in similar circumstances, Division Bench of this Court disposed of W.A.No.380 of 2017 and Batch by its order dated 05-06-2017.

Learned Standing Counsel for the respondent-Corporation vehemently opposed the same saying that some of the claims are hopelessly barred by limitation and also says that in some of the cases, the writ petitioners retired from service.

It is to be seen that the writ petitioners have made representations and the same are pending before the competent authority. In the judgment relied on by learned counsel for the writ petitioners in the Writ Appeal stated supra, Division Bench of this Court disposed of the appeal stating that it is open for the appellant-Corporation to take decision on individual grievances of the respondents-writ petitioners therein. In the present case also, while disposing of the representations of the writ petitioners, as contended by learned Standing Counsel, it is open for the respondent-Corporation to

take into account the aspect of delay in filing representation also.

In view of the same, without expressing any opinion on merits following the judgment in W.A.No.380 of 2017 and Batch, the writ petitions are disposed of holding that 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 and it is open to the respondent-Corporation to take a decision on individual grievances of the writ petitioners preferably within a period of three months from the date of receipt of a copy of the order by taking into account the contention raised by learned Standing Counsel that the claims that are barred by limitation also and the writ petitioners are at liberty thereafter to avail their remedies in terms of judgment of the Supreme Court in Civil Appeal No.3529 of 2017 and Batch, dated 23-02-2017.

As a sequel to the disposal of these petitions, miscellaneous petitions, if any, pending shall stand closed.

A.RAJASHEKER REDDY,J

23-10-2017
Nvl



