

CWP no. 16445 of 2015 (O&M) 1

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

CWP no. 16445 of 2015 (O&M)

Date of Decision :15.11.2017

Vijay Chaudhary

....Petitioner(s)

Versus

State of Haryana

...Respondent(s)

**CORAM : HON'BLE MR.JUSTICE MAHESH GROVER
HON'BLE MR JUSTICE RAJ SHEKHAR ATTRI**

Present : Mr. R.N.Lohan, Advocate for the petitioner(s)

Mr. Samarth Sagar, Addl. A.G., Haryana

MAHESH GROVER, J.(ORAL)

The instant petition has been filed with the following prayer:-

“ a writ in the nature of certiorari be issued to quash the notification dated 10.2.2015 (P-5) and the order dated 10.7.2015 (P-6) passed by respondent no.1 and to appoint petitioner to the post of Haryana Civil Service (HCS) (Executive Branch) against back log reserved vacancy for disabled person in terms of Section 33 of the persons with Disability (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995.”

During the pendency, State Government issued a notification for grant of 3% reservation to the persons who are physically challenged in jobs under the Government, Government Undertakings, Local Bodies, Universities etc as also while making appointments to HCS (EB) from

Register A-I, Register A-II and Register C.

Having regard to the aforesaid facts, we are of the opinion that primary prayer aimed at seeking reservation stands redressed rendering the instant petition infructuous. While disposing it as such, we direct the State Government to conduct the exercise of identifying the posts intended for the physically challenged persons and give effect to it by considering the claims of all the persons eligible for it including the petitioner.

Even though notification to this effect has been issued prescribing 3 % reservation, it has been brought to our notice that the Act prescribes 4% reservation. The State is directed to look at the amended statute and bring the notification qua reservation in conformity with the statutory provisions.

Disposed of.

(Mahesh Grover)
Judge

(Raj Shekhar Atttri)
Judge

15.11.2017
rekha
Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No