

In the High Court of Punjab and Haryana at Chandigarh.

**CWP- 19940 of 2014
Decided on 03.10.2017.**

Santokh Singh

--Petitioner

Vs.

State of Punjab and others

--Respondents

CORAM: HON'BLE MR. JUSTICE RAKESH KUMAR JAIN

Present: Mrs.Veeena Kumari, Advocate, for the petitioner

Rakesh Kumar Jain,J: (Oral)

The petitioner was working as a Driver in some Arabian country. His son Baljit Singh was a student of Government College, Phase VI, Mohali. It is alleged that the college organised a NCC Camp and hired a tractor trolley. Baljit Singh also boarded the trolley which overturned and he suffered serious head injury on 27.12.1995. According to the petitioner, Baljit Singh had become permanently disabled. He is visually challenged as well having hearing impairment besides the fact that he is bed ridden.

The petitioner has approached this Court in the year 2014 for seeking a direction to the respondents to bear the medical expenses/

rehabilitation of the injured Baljit Singh and also for issuance of any other appropriate writ.

After notice, respondent Nos. 1 and 3 filed their common reply, while respondent No.2. filed a separate reply.

In the reply filed by respondent Nos.1 and 3, it is categorically averred that there is a delay of 20 years in filing this petition and thus, it suffers from the vice of delay and laches. It is also alleged that Baljit Singh was a part of the group who had organised a Youth Welfare Club of village Ballomajra and while they were returning from the event, he boarded the tractor-trolley which met with an accident. It is submitted that otherwise, the students were supposed to come back by bus. It is alleged that the college staff paid some money to Baljit Singh but it does not mean that they had owned any responsibility.

In the reply filed by respondent No.2, it is averred that there is a scheme floated by the Government of Punjab called "*Disabled Persons pension and other Financial Assistance Scheme*". Respondent No.2 has averred that if the son of the petitioner has become 100% disabled, he can apply for appropriate relief provided he fulfills the prescribed criteria as alleged in the said scheme which is a part of the Punjab Social Security Fund Regulations, 2005.

After hearing learned counsel for the parties and keeping in view the aforesaid circumstances in which the petitioner has failed to lead any evidence to show that there was any kind of default on the part of the respondents on account of which the petitioner's son has suffered injury in the accident which took place on 27.12.1995, no relief can be granted to the

petitioner in this petition but liberty is given to him to move appropriate application to the Department of Social Justice of the State of Punjab in terms of the reply filed by respondent No.2 in this case for the purpose of grant of disability pension.

With these observations, this petition is disposed of.

03.10.2017
rr

(Rakesh Kumar Jain)
Judge

Whether Speaking/Reasoned: Yes/No.

Whether Reportable: Yes/No.