

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

114

CWP No.20509 of 2017 (O&M)

Date of Decision: September 11, 2017

Bhupinder Singh and others

....Petitioners

vs.

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present: Mr. Gagan Pardeep S. Bal, Advocate
for the petitioners.

TEJINDER SINGH DHINDSA, J. (Oral)

The petitioners, who are fifteen in number, are stated to be employees of the Punjab State Education Department. They hold different posts in the nature of Head Teachers, Lecturers (different subjects), Centre Head Teachers etc.

As per tabulation placed on record and appended at Annexure P-1, each one of the petitioners is stated to be a disabled person covered under the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995.

The instant writ petition has been preferred raising an all pervasive prayer i.e. for the issuance of a writ of mandamus to direct the respondents to grant to them **“all allowances, benefits, promotions, preferential treatment in postings/transfers, special leave, allotment of government accommodation, extension of two years after retirement”** as would be admissible to the category of handicapped employees.

Suffice it to observe that the relief sought against the backdrop of such prayers, is general in nature. Even if the claim of

the petitioners is taken to be covered under the Parent Act or instructions, issued by the State Government from time to time, it was obligatory to have raised specific claims and prayers so as to enable this Court to examine the same and adjudicate thereupon.

As against the pleadings on record and the prayer raised in the petition, this Court is of the considered view that it would be appropriate for each of the petitioners to approach the competent authority/appropriate authority under the State Government, to raise the specific claim admissible to them under the 1995 Act as also under the relevant State Government instructions.

Without commenting on the merits of the case, the writ petition is disposed of in terms of granting liberty to the petitioners to approach the respondent-authorities/competent authority to raise their specific claims as also to cite the relevant provision/instructions under which, such claim is covered.

In the eventuality of any such claim being raised, the State Government/appropriate authority would be obligated to examine the same and to take a decision thereupon in keeping with the spirit and objective of the 1995 Act itself.

(TEJINDER SINGH DHINDSA)
JUDGE

11.09.2017

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Whether speaking/reasoned : ***Yes/No***
Whether reportable ***:*** ***Yes/No***