

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

CWP No. 24702-2018

Date of decision : 27.09.2018

Ram Niwas

...Petitioner

versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

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

RITU BAHRI, J. (Oral)

The grievance of the petitioner before this Court that directions be issued to the respondents that he be kept in service on some supernumerary post up to the age of 60 years along with all consequential benefits for the post of ASI.

Petitioner was appointed as Constable in the Haryana Police on 20.03.1988 and was promoted up to the rank of ASI and is posted at Police Lines, Sonapat. The petitioner has now become disabled having disability of 83%.

Learned counsel for the petitioner is relying upon Section 47 of the Disabilities Act (Equal Opportunities, Protection of Rights and Full Participation) Act 1955, which has now been repealed by Right to Persons with Disabilities Act, 2016.

As per instructions dated 31.01.2006 issued by Government of Haryana and as per the above said Act, the petitioner is entitled to get the

salary till the date of his superannuation i.e up to the age of 60 years i.e up to 31.03.2029.

In this regard, the petitioner has given a legal notice but no action has been taken till date.

Without expressing any opinion on the merits of the case, instant petition is disposed of with a direction to respondent Nos 2 and 3 to decide the legal notice and pass appropriate orders in accordance with law. This exercise shall be completed within a period of four months from the date of receipt of certified copy of this order.

(RITU BAHRI)
JUDGE

27.09.2018
G Arora

Whether speaking/reasoned	Yes
Whether reportable	No