

126 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-27896-2017

Date of decision-28.05.2018

Sangeeta Sharma

...Petitioner

Vs.

State of Punjab and others

...Respondents

CORAM:- HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Pawan Kumar, Sr.Advocate with
Mr. Rohit Kumar, Advocate for the petitioner.

JITENDRA CHAUHAN, J. (Oral)

This writ petition under Articles 226/227 of the Constitution of India has been filed for the issuance of a writ, in the nature of mandamus directing the respondents to consider the petitioner to continue in service with all consequential benefits on the post of Excise and Taxation Inspector as per Section 47 of the Person with Disabilities (Equal Opportunities, Protection of Right and Full Participation) Act.

Learned counsel for the petitioner states that case of the petitioner is covered by judgment rendered by this Court in CWP-16092-2005, titled as “**Gurbachan Singh Vs. State of Haryana and others**” decided on 08.05.2006 (Annexure P-10) and another judgment passed by Hon'ble the Supreme Court in Civil Appeal No.8 of 2008 titled as “**Bhagwan Dass and another Vs. Punjab State Electricity Board**” decided on 04.01.2008 (Annexure P-11). Further, he states that at this stage he would be satisfied, if a direction is issued to respondent No.2-Excise and Taxation

Commissioner, Patiala, District Patiala to consider and decide the legal notice dated 14.08.2017 (Annexure P-8) in the light of Annexures P-10 and P-11.

Heard.

In view of the above, without adverting to the merits of the case, the present petition is disposed of with a direction to respondent No.2- Excise and Taxation Commissioner, Patiala, District Patiala to consider and decide the legal notice dated 14.08.2017 (Annexure P-8) in the light of Annexures P-10 and P-11 within six weeks from the receipt of the certified copy of the order. In case, on consideration, the competent authority reaches to the conclusion that the benefit claimed by the petitioner is admissible to her, in such eventuality, the consequential relief be allowed to her, within a period of six weeks thereafter. However, in case the competent authority feels that the relief claimed by the petitioner is not admissible to her or made out, in that case, a speaking order be passed in the matter.

(JITENDRA CHAUHAN)
JUDGE

28.05.2018

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Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No