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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 1802/2018**

DAYA SAROOP

..... Petitioner

Through Mr N.S. Dalal, Advocate.

versus

DELHI TRANSPORT INFRASTRUCTURE Respondent
Through Mr Gautam Narayan, ASC for GNCTD
with Ms Mahamaya Chattarjee, Advocate and
Ms Sahivani Vij, Advocates.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

% **21.01.2019**

CM APPL. 2902/2019

1. Allowed, subject to all just exceptions.
2. The application is disposed of.

REVIEW PET. 22/2019

3. The petitioner has filed the present petition seeking review/recall of the order dated 20.11.2018 whereby the above captioned petition was dismissed.
4. The present petition is premised on the basis that this Court had disposed of the petition on the basis of an earlier judgment in the case of *Seema Tiwari & Ors. v. Government of NCT of Delhi & Ors. : W.P. (C) 6335/2016*. According to the petitioner, the said decision did not consider the policy dated 01.08.2016. This contention is erroneous as the policy dated

01.08.2016 was considered by this Court in *Seema Tiwari & Ors*, albeit on other grounds as noticed in the order dated 20.11.2018.

5. In addition to the above, the learned counsel appearing for the petitioner contends that several other grounds have not been considered. All contentions urged by the learned counsel were considered by this Court. Nonetheless, the learned counsel appearing for the petitioner was called upon to indicate any other ground that he now seeks to advance. He submitted that the reservation of 5% for disabled persons is highly inadequate considering the number of persons who suffer disabilities. He submits that further concessions are required for persons with disabilities and the policy in question is flawed in as much as it runs contrary to the directive principles enshrined in the constitution of India. According to the learned counsel appearing for the petitioner, the reservation should not be limited only to 5% or to the period of licence.

6. This Court is not persuaded by the contentions advanced by the learned counsel appearing for the petitioner. The provisions “The Rights of Persons with Disabilities Act, 2017” is not under challenge. Section 37 of the said Act expressly indicates the reservation required to be made. The reservation of 5% in favour of persons with disabilities is in conformity with the provisions of Section 37 of the said Act.

7. This Court finds no ground to review/recall the order dated 20.11.2018. The present petition is unmerited and is, accordingly, dismissed.

VIBHU BAKHRU, J

JANUARY 21, 2019/pkv