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

% *Date of Order : March 06, 2018*

+ **W.P.(C) 2046/2018 & CM No.8435-37/2018**

RANJIT KUMAR GUPTA Petitioner

Through: Ms.Surabhi Kumari, Advocate

versus

CHIEF COMMISSIONER FOR PERSONS
WITH DISABILITIES AND ANR

..... Respondents

Through: Nemo

CORAM:

HON'BLE MR. JUSTICE SUNIL GAUR

ORDER
(ORAL)

1. Petitioner had filed a complaint in September, 2016 in the *Court of Chief Commissioner for Persons with Disability* asserting that petitioner was called for document verification on 12th August, 2016 and this call letter appeared on the official website of second respondent only on 12th August, 2016 and since petitioner was located in Delhi, he could not appear for document verification in Kolkata. Impugned order of 6th November, 2017 notes that prima facie there is violation on the part of respondent with reference to the rights of the complainant/petitioner who is a disabled person with 100% visual impairment. However, while relying upon the point wise reply of second respondent, petitioner's complaint has been dismissed while observing that no other mode of communication except uploading of the communication on the website which was followed by second respondent.

2. Learned counsel for petitioner assails the impugned order by

submitting that as per the Guidelines (*Annexure P-3*), document verification is to be undertaken on two block dates with a minimum gap of two weeks and since petitioner's name did not appear in the first block date and had appeared only on the second block date, therefore, petitioner ought to have been granted one more opportunity to furnish the requisite documents for verification. Despite service of advance notice on the respondents, none appears on their behalf.

3. Upon hearing, I find that call letter for verification of document (*Annexure P-4*) was of 12th August, 2016 i.e. the date when the petitioner was to appear for document verification in Kolkata. On which date this call letter was put on the official website by the second respondent has not been considered in the impugned order and so, it is deemed appropriate to dispose of this petition with permission to petitioner to make a concise Representation to second respondent within a period of two weeks and if such a Representation is made, then second respondent shall deal with it by passing a speaking order in light of the Guidelines (*Annexure P-3*) and uninfluenced by the impugned order of 6th November, 2017 (*Annexure P-9*). Needful be done within a period of four weeks of receiving the Representation and its fate be made known to petitioner within a week thereafter, so that petitioner may avail of the remedies as available in law, if need be.

4. With aforesaid directions, this petition and the applications are disposed of.

(SUNIL GAUR)
JUDGE

MARCH 06, 2018

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