

HIGH COURT OF CHHATTISGARH, BILASPUR

WPIL No. 14 of 2019

- Radha Krishna Gopal S/o Late Shri Jethu Ram Gopal Aged About 43 Years R/o Ward No. 17, Old Chandaniya Para, Police Station Janjgir, Tahsil Janjgir, District Janjgir-Champa Chhattisgarh.

---- Petitioner

Versus

1. State of Chhattisgarh Through The Secretary, Department of Health And Family Welfare, Mantralaya, Mahanadi Bhawan, Naya Raipur, District Raipur Chhattisgarh.
2. Secretary Social Welfare Department, Mahanadi Bhawan, Naya Raipur, District Raipur Chhattisgarh.
3. Secretary Genral Administration Department, Mantralaya, Mahanadi Bhawan, Naya Raipur, District Raipur Chhattisgarh.
4. Collector Janjgir Champa, District Janjgir Champa Chhattisgarh.
5. Chief Executive Officer Zila Panchayat Janjgir-Champa, District Janjgir Champa Chhattisgarh.
6. Superintendent Of Police Janjgir Champa, District Jangir Champa Chhattisgarh.
7. Civil Surgeon Cum Hospital Superintenedent District Hostpital Janjgir, District Janjgir Champa Chhattisgarh.
8. State Commissioner For Persons With Disabilities Durg Zila Panchayat Bhawan Premises, District Durg Chhattisgarh.
9. District Medical Board Janjgir Champa, District Hospital, District Janjgir Champa Chhattisgarh
10. Dr. H.S. Chandel District Hospital Janjgir, District Janjgir Champa Chhattisgarh.
11. Dr. K.R. Singh Oshodhara Hospital B.D.M. Hospital Road, Champa, District Janjgir Champa Chhattisgarh.
12. Satyendra Kumar Singh S/o Shri Banmali Singh Shiksha Karmi, Post Risda, Tahsil Masturi, District Bilaspur Chhattisgarh.
13. Smt. Ragini Chaturvedi W/o Basant Kumar Chatuvedi Shiksha Karmi, govt. Primary School, Town Champa Tahsil Champa, District Janjgir Champa Chhattisgarh.
14. Dwas Ram Yadav S/o Shri Sevakram Yadav R/o Near Gyandeep School, Tahsil Janjgir, District Janjgir Champa Chhattisgarh.
15. Dr. Ambika Prasad Verma S/o Shri Sharda Prasad Verma Professor, T.C.L. College Tahsil - Janjgir, District Janjgir- Champa Chhattisgarh.
16. Rajesh Tiwari Shiksha Karmi S/o Shri Sitaram Tiwari, Govt. Middle School, Akaltara, Block Navagarh, District Jajngir Champa Chhattisgarh.
17. Limendra Singh S/o Bharatlal Rathore, Village Sarkhon, Post Sarkhon, Tahsil Janjgir, District Janjgir Champa Chhattisgarh.
18. Prashant Sharma S/o Shri Ramavtar Sharma Shiksha Karmi, Govt. Primary School, Mungabhata, Dharshiv, District Janjgir Champa Chhattisgarh.
19. Santosh Kumar Kahra S/o Kalsiram Kahra, Shiksha Karmi ,r/o Purani Basti, Kahrapara, Janjgir, District Janjgir Champa Chhattisgarh.

---- Respondents

For Petitioner : Shri Sangharsh Pandey, Advocate
For Respondents/ State : Shri Kanak Tiwari, Advocate General and
Smt. Fouzia Mirza, Additional Advocate General

Hon'ble Shri Ajay Kumar Tripathi, Chief Justice
Hon'ble Shri Parth Prateem Sahu, Judge

Order on Board

Per, Ajay Kumar Tripathi, Chief Justice

07.03.2019

1. This writ application is disposed off with liberty to the Petitioner or any aggrieved person who otherwise perceives violation of law under the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995 to approach the appropriate authority and the appropriate authority has an obligation to take cognizance and act upon it, if it is found to be otherwise a genuine complaint.
2. Let a copy of this order be marked to the Chief Secretary of the State of Chhattisgarh, who will issue appropriate direction to the concerned authorities to ensure that no person who is otherwise not physically disabled is allowed to use the benefit which otherwise a genuine person under the Act is entitled to. This direction has been passed because one too many allegations of misuse of disability certificates and easy access there to even by non genuine persons for obtaining employment or benefits are emerging.

Sd/-
(Ajay Kumar Tripathi)
Chief Justice

Sd/-
(Parth Prateem Sahu)
Judge