

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

CWP No. 5249 of 2019
Date of decision:-08.04.2019

Harjinder Singh

.....Petitioner

versus

State of Punjab and others

.....Respondents

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present:- Mr. Baljinder Singh Singhvi, Advocate for the petitioner.

TEJINDER SINGH DHINDSA, J.(ORAL)

Petitioner is stated to be physically disabled and suffering from a permanent disability element assessed at 60% under the provisions of the persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act 1995. In this regard certificate dated 18.07.2002 issued by the Medical Board appended as Annexure P-2 is relied upon.

The short grievance raised in the instant petition is that as per guidelines/instructions issued by the Secretary, National Highway Authority of India, Ministry of Road Transport and Highways, New Delhi, persons with physical disability greater than 40% are exempt from paying toll at all toll barriers across the Country.

It is the submission made by counsel that on two occasions i.e. on 25.11.2018 and 11.01.2019, the petitioner was forced to pay the toll at Kotkapura Muktsar Toll Ways Private Limited (Location Kotkapura) and the Lehra Bega Toll Plaza, respectively, inspite of the disability certificate having been produced.

The instant writ petition raises questions of fact.

Be that as it may, the writ petition is disposed of in terms of granting liberty to the petitioner to pursue his grievance with respondent No.2 i.e. the Secretary, National Highway Authority of India, Ministry of Road Transport and Highways, New Delhi,

Disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

08.04.2019

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No