

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

**CWP No.14619 of 2019
Date of decision:19.07.2019**

Sajjan Singh

... Petitioner

Vs.

The Haryana State Cooperative Agriculture and
Rural Development Bank Limited and others ... Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present:- Mr. Vijay Kumar Sheoran, Advocate
for the petitioner.

AMIT RAWAL J. (Oral)

Challenge in present writ petition is to the impugned order dated 08.03.2019 (Annexure P-1) whereby a decision has been taken to adjust the surplus staff of Haryana State Cooperative Agriculture and Rural Bank Branch Dadri (HSCARDB) in other Cooperative Institutions as well as other State Government Departments/Boards/Corporations.

Learned counsel for the petitioner submitted that petitioner as per the medical certificate, having 70% disability owing to amputation of right leg. The aforementioned order tantamounts to illegal and arbitrary and therefore, same cannot be done without obtaining consent.

In support of contention, relied upon the judgments of Hon'ble Supreme Court render in **State of Punjab and others Vs. Inder Singh and others decided on 14.12.1997** and Rajasthan High Court in **Surendra Bijawat Vs. State of Rajasthan 2002(3) SLR 48.**

I have heard the learned counsel for petitioner and appraised

the paper book. There is no pleading in the writ petition that there was controversy reference to the order dated 08.03.2019 (Annexure P-1) regarding surplus employees/staff in HSCARDB. The State Exchequer cannot be burdened for availing the actual inherent duties of the employees who have been rendered surplus.

It is not a matter of fact that there is already reservation for handicapped persons. Handicapness do not prevent a person from discharging the duties as he is already discharging.

As regards obtaining consent, it was general observation. The aforementioned judgments pertained to interpretation of rules. No rule has been pointed that consent is *sine qua non*. Otherwise, it is not a case of consent but adjustment. No ground is made out for interference.

Dismissed.

(AMIT RAWAL)
JUDGE

July 19, 2019
savita

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No