

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP-4424-2018

Date of decision: 22.01.2019

Rekha Rani

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM:HON'BLE MS. JUSTICE RITU BAHRI

Present: None for the petitioner.

Mr. Kiran Pal Singh, AAG, Haryana.

Ritu Bahri, J. (Oral).

The petitioner is seeking direction to the respondents to grant her conveyance allowance as applicable to orthopedically handicapped Haryana Govt. Employees.

The petitioner was appointed on 28.11.1997 as JBT Teacher and she has placed on record certificate counter-signed by Civil Surgeon, Hisar (Annexure P-10) to show that she is 45% handicapped along with the application dated 11.11.1999 (Annexure P-9) for grant of handicapped conveyance allowance. The present petition has been filed in the year 2018. She has further served legal notice dated 13.10.2017 (Annexure P-11).

On notice, reply has been filed by respondents No. 2 and 3 and they have placed on record speaking order dated 24.09.2018 (Annexure R-III), rejecting her case for grant of conveyance allowance. A perusal of the order shows that orthopedically handicapped employees are eligible for conveyance allowance only if she/he has a maximum 40% permanent partial disability of both upper and lower extremity deformities. The petitioner was

also called for personal hearing in the office of District Elementary Education Officer, Hisar on 24.09.2018. She did not attend the office for personal hearing and did not produce any favourable documents. The petitioner is 25% handicapped as per medical certificate issued by Department of Orthopedics Pt. BDS, PGIMS, Rohtak vide office memo No. Ortho/17/3374 dated 23.11.2017. Hence, she is not entitled for handicapped conveyance allowance and her claim was rejected. The respondents have placed on record the certificate issued by Pt. BDS, PGIMS, Rohtak dated 23.11.2017 (Annexure R-II). A perusal of this certificate shows that the permanent physical disability of the petitioner has been assessed 25%. The petitioner has also not placed on record both the documents before approaching this Court.

No ground for interference is made out.

Dismissed.

(RITU BAHRI)
JUDGE

22.01.2019

Divyanshi

Whether speaking/reasoned

:

Yes/No

Whether reportable

:

Yes/No