

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH.

(125)

CWP-2492-2021

Date of Decision: April 01, 2021

Davinder Singh and another

.. Petitioners

Versus

State of Punjab and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Kapil Kakkar, Advocate, for the petitioners.

Ms. Sunint Kaur, Assistant Advocate General, Punjab.

HARSIMRAN SINGH SETHI, J.(ORAL)

Learned counsel for the petitioners argues that keeping in view the settled principle of law even while effecting the promotion, the reservation as provided to the specially abled persons keeping in view the “Right of the Persons with Disabilities Act, 2016”, has to be given effect. Learned counsel for the petitioners submits that as per the information provided under the Right to Information Act, 2005 from 01.01.2015 till 31.12.2018, total 445 promotions to the post of Head Teacher have been effected whereas only 5 candidates have been given the benefits in the category of physically handicapped even though according to 3% reservation, more than 5 posts come to the share of the specially abled persons for the grant of promotion to the post of Head Teacher.

Learned counsel for the petitioners further submits that this fact has already been brought to the notice of the District Education Officer, Jalandhar vide Annexure P-14 dated 05.05.2019 by the petitioners and the

said representation is still pending consideration with the said authority and the petitioners will be satisfied at this stage, in case a time bound direction is issued to respondent No.3 to decide the said representation by passing an appropriate speaking order.

Notice of motion.

Ms. Sunint Kaur, learned Assistant Advocate General, Punjab, who is present in the Court, accepts notice on behalf of the respondents and raises no objection for deciding the representation of the petitioners in a time bound manner by passing an appropriate speaking order.

Without commenting upon the merits of the case or about the entitlement of the petitioners for the relief which has been claimed by them in the representation dated 05.05.2019 (Annexure P-4), the present writ petition is disposed of with a direction to respondent No.3 to decide the representation dated 05.05.2019 (Annexure P-4) within a period of three months from the receipt of copy of this order.

April 01, 2021
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned:	Yes
Whether reportable:	No