

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

**CWP-6141-2021(O&M)
Date of decision : 17.03.2021**

Sanjay Kumar

... Petitioner(s)

Versus

State of Haryana and others

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE ALKA SARIN

Present: Mr. Ravi Sharma, Advocate for the petitioner.

ALKA SARIN, J. (ORAL)

Taken up through video conferencing.

Prayer in the present Civil Writ Petition under Articles 226/227 of the Constitution of India is for issuance of directions to the respondents to include the name of the petitioner in the Scheduled Caste (PWD) Category in the cadre strength of the Conductors of the Haryana State Transport Department w.e.f. the date of his joining in the Department with all consequential benefits as per Government Policy dated 17/19.04.2017 (Annexure P-2).

Learned counsel for the petitioner would contend that the petitioner belongs to the Scheduled Caste Category and is physically disabled to the extent of 50% and was duly selected and appointed as Conductor w.e.f. 09.04.2012. It is further the contention of learned counsel for the petitioner that the Disability Certificate issued by the Competent Authority could not be placed on record at the time of his appointment as the

same was misplaced by the petitioner. Thereafter, on finding the Disability Certificate, the petitioner has been requesting and making the representations to include his name in the Scheduled Caste (PWD) Category, however, to no effect. He would further contend that in this regard a legal notice dated 30.01.2021 (Annexure P-3) has also been sent to the respondents. However, no decision has been taken on the same till date. Learned counsel for the petitioner states that he would be satisfied if a direction is issued to respondent No.2 to take a decision on the said legal notice dated 30.01.2021 (Annexure P-3) in a time-bound manner.

Notice of motion.

On the asking of the Court, Mr. Rajesh Gaur, Addl.A.G. Haryana has put in appearance and accepts notice on behalf of the respondents-State.

In view of the limited prayer made by learned counsel for the petitioner, without commenting anything on the merits of the case, the present petition is disposed off with a direction to respondent No.2 to take a decision on the legal notice dated 30.01.2021 (Annexure P-3), in accordance with law, expeditiously and in any case within a period of two months from the date of receipt of certified copy of this order.

Disposed off.

17.03.2021
Yogesh Sharma

(ALKA SARIN)
JUDGE

NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO