

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

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**Civil Writ Petition No.12663 of 2021 (O&M)
Date of Decision: July 14, 2021**

Raj Singh and another

.....Petitioners.

VERSUS

State of Haryana and another

.....Respondents.

CORAM:- HON'BLE MR. JUSTICE G. S. SANDHAWALIA

Present: Mr. Sumit Sangwan, Advocate
for the petitioners.

(The proceedings are being conducted through video
conferencing, as per instructions)

G.S. SANDHAWALIA, J.(Oral)

By filing the present civil writ petition under Article 226/227 of the Constitution of India, petitioners seek direction for their consideration for promotion as per their merit and entitlement after implementing 3% reservation for physically handicapped category. The same has been sought on the basis of judgments of Hon'ble Apex Court and the provisions of the Rights of Persons with Disabilities Act, 2016.

Counsel for the petitioners has submitted that petitioners are working on the basis of Block Development Officer and Principal, Govt. Senior Secondary School and are physically handicapped. They had served legal notice dated 23.03.2021 (Annexure P-1) upon the respondents for the necessary relief. He submits that despite substantial time having passed, no

that seniority list has been prepared as Annexure P-3 for the said purpose but the promotions have not been made so far. It is further contended that petitioner No.2 has less than 10 months period for his superannuation, whereas petitioner No.1 has about 3 years period for his superannuation.

Notice of motion.

Mr. Harish Kumar Nain, A.A.G. Haryana accepts notice on behalf of respondents.

Keeping in view the prayer made by counsel for the petitioners, this Court does not feel it expedient to call upon the respondents, which will only cause delay in decision making process.

Accordingly, without commenting on the merits of the case and the entitlement of the petitioners, it is directed that respondent No.2 shall decide the legal notice (Annexure P-1) of the petitioners within a period of three months on receipt on certified copy of this order. In case, it is found that the petitioners are entitled for the claim sought, necessary benefits be granted to them and if they are not found entitled for the said claim or there is any legal impediment, a reasoned order be passed and communicated to the petitioners.

July 14, 2021

Sachin M.

(G. S. SANDHAWALIA)
JUDGE

Whether speaking/reasoned: *Yes/No*

Whether Reportable: *Yes/No*