

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

**CWP-20640-2020 (O&M)
Date of Decision:15.03.2021**

Yash Pal

... Petitioner

Versus

State of Haryana & others

... Respondents

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Sushil Kamboj, Advocate for the petitioner.

...

TEJINDER SINGH DHINDSA, J. (ORAL).

Petitioner is stated to be suffering from 80% disability element. He is currently serving on the post of Junior Engineer (Civil) under the Public Works Department (Building and Roads), Haryana

Instant writ petition has been filed seeking a mandamus for directing the respondents to consider his claim for promotion to the post of Sub Divisional Engineer (Civil) under the disability quota.

At the stage of arguments, counsel had been called upon to demonstrate before this Court the roster points that have been earmarked for the physically handicapped category for purposes of promotion to the post of Sub Divisional Engineer (Civil).

Counsel is not in a position to give any response to such query. Even the pleadings in such regard are completely lacking.

Another grievance sought to be raised in the petition is that respondent No.5, who is also currently serving on the post of Junior Engineer (Civil) had gain entry in service as a general category candidate.

Thereafter, he has submitted a disability certificate and is now attempting to gain entry in the seniority list of Junior Engineers as a physically handicapped candidate and thereby attempting to steal a march to the prejudice of the petitioner.

Even such issue does not call for any examination. As of date, no decision has been taken by the respondent/authorities in terms of which private respondent No.5 has been treated senior to the petitioner. Rather in the seniority list of Junior Engineers (Civil) of the persons with disability at Annexure P-1, name of private respondent No.5 does not figure. No cause of action in such regard has accrued to the petitioner till date.

In the absence of necessary material/pleadings on record, prayer of the petitioner for consideration of his name for promotion to the post of Sub Divisional Engineer (Civil) under the disability quota cannot be gone into.

Petition is dismissed.

15.03.2021*harjeet***(TEJINDER SINGH DHINDSA)
JUDGE**

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| 1. Whether speaking/reasoned? | Yes/No |
| 2. Whether reportable? | Yes/No |