

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CWP No.621 of 2021

Date of Decision: 23.09.2022

Shamsher Singh Khatri

... Petitioner

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Rajesh K.Kataria, Advocate,
for the petitioner.

Mr. Rajesh Gaur, Addl. AG, Haryana.

HARSIMRAN SINGH SETHI, J. (Oral)

Learned counsel for the petitioner submits that the prayer in the present petition is for grant of promotion on the basis of reservation in favour of the specially abled persons keeping in view the Rights of Persons with Disabilities Rules, 2017, according to which earlier there were 3% reservation in promotion, which has been increased to 4%.

Learned counsel submits that though the petitioner who is a physically handicapped employee, is entitled for promotion from the post of Principal, but the same is not being given and that without any valid justification.

After the notice of motion, the respondents have filed the reply wherein, it has been submitted that keeping in view the instructions issued by the Government of Haryana dated 25.03.2022 extending reservation in promotion to the physically handicapped employees, the claim of the eligible employees have already been summoned for effecting the promotion and the promotion will be made in accordance with the respective instructions.

Learned counsel for the petitioner submits that though the said

reply has been filed and the cases of the eligible employees were called after

the issuance of the instructions dated 25.03.2022 but, effectively no action has been taken by the respondents to implement those instructions hence, the respondents be bound to implement those instructions qua the physically handicapped employees to grant them the benefit of promotion wherever they are found entitled for.

Learned State counsel submits that claim of the petitioner under the instructions dated 25.03.2022 will be considered for promotion, which has been further amended in July 2022 for promotion to the next higher rank by giving reservation and the claim of the petitioner will be considered within a period of two months from the date of receipt of copy of this order and in case, the petitioner is found entitled for, the appropriate benefit will be given to the petitioner within a period of one month thereafter.

Learned counsel for the petitioner submits that keeping in view the statement of learned State counsel, no further grievance of the petitioner survives in the present petition and the same may kindly be disposed of having been not pressed any further.

Ordered accordingly.

23.09.2022
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No