

116

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

CWP-5007-2022

Date of Decision: 14.03.2022

Randhir Singh Rana

..... Petitioner

Versus

State of Haryana and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Arnav Udai Singh, Advocate,
for the petitioner.

HARSIMRAN SINGH SETHI J. (ORAL)

In the present petition, the grievance which is being raised by the petitioner is that he, who is a physically handicapped employee, was entitled for promotion to the post of *Kanungo* with respect to the 3% vacancies, which are also to be filled by way of promotion keeping in view the provisions of the Persons with Disability (Equal Opportunities, Protection of Rights and Full Participations) Act, 1995 [hereinafter referred to as the 1995 Act], but no benefit of the same was given to any handicapped candidate much less the petitioner, who were eligible for grant of the same.

On being asked by the Court that whether before approaching this Court, the petitioner has approached the respondent-Authorities claiming the said benefit, learned counsel for the petitioner very fairly submits that the petitioner may kindly be permitted to withdraw the present petition with liberty to approach the respondent-Authorities at the first instance raising the same claim, as being raised in the present petition, i.e.

seeking promotion to the post of *Kanungo* under the 1995 Act.

Notice of motion.

Mr. Raman Kumar Sharma, Additional A.G., Haryana, keeping in view the advance service of copy of the petition, accepts notice on behalf of the State and submits that in case any representation is filed by the petitioner claiming any benefits, the same will be considered in accordance with the facts and circumstances of this case, coupled with the settled principle of law and appropriate order will be passed on the same within a period of eight weeks from the date of receipt of copy of the said representation and in case the petitioner is found entitled for any relief, the same will also be released in his favour within a period of next four weeks of passing of the said order.

Learned counsel for the petitioner submits that in view of the aforesaid submissions made by learned counsel for the respondents, no further grievance of the petitioner survives at this stage, and therefore, he be allowed to withdraw the present petition with the liberty as prayed for.

Ordered accordingly.

14.03.2022

Apurva

(HARSIMRAN SINGH SETHI)
JUDGE

1. Whether speaking/reasoned : Yes
2. Whether reportable : No