

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

CWP-11753-2018 (O&M)

Date of decision: 19.04.2022

VINI RASTOGI AND ORS

...Petitioners

V/S

STATE OF HARYANA AND ORS

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: Mr. P.C. Yadav, Advocate,
For the petitioners.

Mr. Saurabh Mohunta, DAG, Haryana.

Mr. Ramesh Goyat, Advocate,
For respondent No.6.

ARUN MONGA, J. (ORAL)

Petition herein, *inter alia*, is for issuance of a writ in the nature of mandamus directing the respondents to grant the promotion to the petitioners in view of letters contained at Annexures P-2 and P-3 (colly). Grievance is that despite the envisaged reservation in promotion to the disabled persons as per roster, they have not been promoted.

2. I have heard learned counsel for the parties and gone through the case file.

3. It transpires that during pendency of the writ petition barring petitioner Nos.8, 9 and 14, all the petitioners have been promoted as per their seniority against the roster points maintained in terms of the provisions of Section 47 of Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995. To that extent, writ petition qua them is rendered infructuous.

4. As regards petitioner No.14, it has been stated that his case was duly considered and since he was found ineligible for lack of experience, therefore, his claim on the promotion has been rejected on independent merits.

5. In the premise, liberty is granted to petitioner No.14 to challenge his rejection for promotion by way of filing separate writ petition, if so advised.

6. Qua petitioners No.8 and 9, learned counsel for the petitioners submits that there is a representation pending with the competent authority wherein there is a challenge with respect to the inter se disability and an administrative decision on the same would have a direct bearing on their seniority. In the premise, proposed decision be taken on pending representation as expeditiously as possible.

7. In the course of arguments, learned counsel for the petitioners has argued that promotions have not been accorded from the dates the same were due. Liberty is also granted to file a representation before the competent authority qua their date of promotion as per their claim, the same shall be decided in accordance with law, as expeditiously as possible.

8. In the aforesaid premise, no further proceedings are warranted before this court. Petition is disposed of accordingly.

19.04.2022
vandana

(ARUN MONGA)
JUDGE

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No