

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

CWP-17425-2020 (O&M)

Date of decision: April 04, 2022

Balkar Singh and others

....Petitioners

versus

State of Haryana and others

....Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: Mr. Sunil. K. Nehra, Advocate for the petitioners.

Mr. Sharan Sethi, Additional AG Haryana.

ARUN MONGA, J. (ORAL)

Petition herein, *inter alia*, is for issuance of a writ in the nature of Mandamus directing the respondent-Department to promote the petitioners as per provisions of the Persons with Disabilities Act by according reservation in promotion for disabled persons.

2. The relief sought in the petition seems to be premature, inasmuch as, the same has been filed without waiting for the implementation of administrative circular dated 11.08.2017 (Annexure P-12). Said circular already envisages that the roster points for the persons with disability in Group 'C' and 'D' services are to be assigned as mentioned therein.

3. On a Court query, learned State counsel submits that the aforesaid circular holds the field till date as the same has neither been withdrawn nor superseded.

4. Being so, the petition is disposed of with a direction to the respondents to take necessary steps to comply with the aforesaid administrative instructions issued by the office of Chief Secretary which are

addressed to all the Department across Board in the State of Haryana. There is no reason why the same should not be implemented in the Department of Transport, where petitioners are currently working.

5. Needful be done within a period of 3 months and thereafter, petitioners' claim be reconsidered in accordance with law and appropriate orders be passed. Needless be say that order impugned herein shall not come in the way of respondents passing the fresh order.

(ARUN MONGA)
JUDGE

April 04, 2022
mahavir

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No