

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

141

CWP-21457-2022

Date of Decision :19.09.2022

Raj Kumar**...Petitioner****Versus****State of Haryana and another****...Respondents****CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI**

Present: Mr. Suresh Kumar Kaushik, Advocate for
Mr. Aryavart Chaudhary, Advocate for the petitioner.

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Harsimran Singh Sethi, J. (Oral)

Learned counsel for the petitioner argues that the petitioner is a handicapped employee and is presently working on the post of Deputy Superintendent and is claiming promotion to the post of higher rank on the basis of reservation in favour of the physically handicapped employee, keeping in view the provisions of Persons with disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995. Learned counsel for the petitioner submits that keeping in view the settled principle of law, a physically handicapped employee is entitled for grant of reservation for promotion as well and, hence, the respondents are under an obligation to grant the petitioner the benefit of promotion to the next higher post being a handicapped employee.

Learned counsel for the petitioner submits that the petitioner has already raised the said grievance before the respondents by way of serving legal notice dated 02.06.2022 (Annexure P/5), which is still pending

consideration with the respondents and the petitioner will be satisfied in case a time bound direction be issued to the respondent No.2 to decide the said legal notice.

Notice of motion.

Mr. Harish Nain, AAG, Haryana, who is present in Court, accepts notice on behalf of respondent-State and raises no objection in deciding the legal notice dated legal notice dated 02.06.2022 (Annexure P/5) in a time bound manner by passing an appropriate speaking order.

In view of the request made, without expressing any opinion on the merits of the case or the claim being made by the petitioner in his legal notice, respondent No.2 is directed to decide the legal notice dated 02.06.2022 (Annexure P/5) by passing a speaking order within a period of eight weeks from the receipt of copy of this order.

Present writ petition stands disposed off.

September 19, 2022

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(HARSIMRAN SINGH SETHI)

JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No