

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

125

**CWP-24522-2022 (O&M).
Date of Decision: 21.10.2022.**

Rajni

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present: Mr. Karan Sachdeva, Advocate, for the petitioner.

VINOD S. BHARDWAJ. J.

The present writ petition has been filed under Articles 226/227 of the Constitution of India, 1950 seeking issuance of a writ in the nature of mandamus directing the respondent No.2 for issuing Unique Disability I.D. to the petitioner with an alternative direction to respondent No.2 to take a decision on the legal notice dated 25.03.2022 (Annexure P-4).

counsel appearing on behalf of the petitioner, *inter alia*, contends that the petitioner had been appointed as Anganwadi Worker on 07.07.2021 by the Department of Social Security, Women and Child Development Department, Punjab. Unfortunately, the right kidney of the petitioner was completely damaged in the year 2005 whereupon a

Disability Certificate was issued to the petitioner vide Certificate No.1150 dated 24.10.2008. He further submits that even the Bus Pass under the handicapped quota has been issued to the petitioner on 18.01.2012. He contends that the petitioner applied for her promotion from the post of Anganwadi worker to Supervisor in the Social Security, Women and Child Development Department, Punjab, however, the candidature of the petitioner is not being considered for the reason that she does not hold the Unique I.D. which is issued by the office of Civil Surgeon. He contends that the office of respondent No.2 – Civil Surgeon, Ferozepur, itself verified the fact that the letter dated 22.09.2021, has been duly issued by his office demonstrating 60% disability. He submits that the as the respondent Authorities failed to issue the disability certificate, the petitioner served a legal notice dated 25.03.2022 (Annexure P-4) to the Deputy Commissioner, Ferozepur as well as to the Civil Surgeon, Ferozepur, requesting for the same. He contends that, at this juncture, the petitioner would be satisfied in case the respondent i.e. the Deputy Commissioner, Ferozepur/Civil Surgeon, Ferozepur, as the case may, are directed to look into the grievances espoused by the petitioner and to issue the Unique Disability Certificate after evaluating the claim of the petitioner as per applicable laws in a time bound manner.

Notice of motion.

Mr.Saurav Verma, Addl. A.G. Punjab, who is present in the Court is requested to and accepts notice on behalf of the respondents and he has no objection to the aforesaid prayer being granted.

Accordingly, with the consent of the parties and without examining the claim of the petitioner on merits, the present writ petition is disposed of with a direction to the Deputy Commissioner, Ferozepur/Civil Surgeon, Ferozepur, to treat the present petition as a representation along with the legal notice dated 25.03.2022 (Annexure P-4) and to pass a reasoned and speaking order on the same after affording an opportunity of hearing to the concerned parties within a period of 3 months from the receipt of certified copy of this order.

Needless to mention here that in the event of the competent Authority coming to a conclusion regarding the validity and genuineness of the claim of the petitioner, the necessary Unique Identification Certificate shall thereafter be issued forthwith and preferably within a period of one month after adjudication.

October 21, 2022
raj arora

(VINOD S. BHARDWAJ)
JUDGE

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