

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

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**CWP-1760-2023 (O&M)
Date of decision: 30.01.2023**

Balwant Singh

...Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Manoj Makkar, Advocate for the petitioner.

Mr. R.S. Budhwar, Addl. AG Haryana.

HARNARESH SINGH GILL, J. (ORAL)

Prayer in the present petition is for issuance of a writ in the nature of mandamus directing the respondents to release the benefit in view of Haryana Government Instruction No.22/592020-1GS-III dated 25.03.2022 (Annexure P-8) for grant of reservation in promotion to the persons with Benchmark Disabilities under the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995, hereinafter referred as 'the Act', and letter No. TE/99/78-B/Promotion/Estt.-2/9586 dated 08.06.2022 (Annexure P-9) issued by respondent No.2.

Learned counsel for the petitioner submits that the petitioner has retired from the post of Joint Director on 31.07.2020 and prays that the benefits, which are being given to the employees in the State of Haryana, who falls under the Act be also given to the petitioner. As per the disability certificate dated 16.06.2022 (Annexure P-10), the petitioner is 45%

permanent disable in relation to his Right Lower Limb. The petitioner has approached the respondent-Department but the said benefit has not been granted to him.

Learned counsel for the petitioner further submits that the petitioner has represented the department vide representation dated 17.06.2022(Annexure P-11) and the petitioner would be satisfied, if representation is decided by the respondents, within a stipulated period in view of Annexure P-8.

Notice of motion.

On the asking of this Court, learned State counsel accepts notice on behalf of the respondent-State.

In view of the above, the present petition is disposed of with a direction to the respondents to decide the representation dated 17.06.2022(Annexure P-11) of the petitioner within a period of four months in view of Haryana Government Instruction No.22/592020-1GS-III dated 25.03.2022 (Annexure P-8) from the date of receipt of certified copy of this order, by passing a speaking order, in accordance with law.

(HARNARESH SINGH GILL)
JUDGE

30.01.2023

Mangal Singh

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No