

CWP-12606-2023

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

(135)

**CWP-12606-2023**  
**Date of decision:- 01.06.2023**

**Sanjay Jain**

**...Petitioner**

**Versus**

**State of Haryana and others**

**...Respondents**

**CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL**

Present:- Mr. Brijesh Kumar, Advocate  
for the petitioner.

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**SUVIR SEHGAL, J. (Oral)**

1. By way of present writ petition, petitioner has approached this Court *inter alia* seeking issuance of a writ in the nature of mandamus directing respondent No.3 to decide his appeal dated 16.03.2023, Annexure P-8, whereby he has challenged the decision of the Medical Authority.

2. Counsel for the petitioner submits that the petitioner, who is working as a Senior Scale Stenographer in the Department of Rural Health, Haryana, suffers neurological disorder and his physical disability has been wrongly assessed at 54%, whereas it is of a higher degree. Counsel submits that the petitioner has preferred an appeal dated 16.03.2023, Annexure P-8, before the Director General, Health Services, Haryana-respondent No.3. By making a reference to para 5 of the notification dated 05.08.2021, Annexure P-9, counsel submits that despite the fact that the appeal has to be decided

within a period of sixty days, but it is still pending. He submits that the petitioner would be satisfied in case a direction is issued to the respondent concerned to take a final decision on the appeal.

3. Notice of motion.
4. On asking of the Court, Mr. Saurabh Mohunta, DAG, Haryana accepts notice on behalf of the respondents.
5. Given the nature of order being passed, this Court does not deem it necessary to call for a return from the respondents.
6. Having heard counsel for the parties, but without examining the claim as raised in the writ petition or in the appeal, this petition is disposed of with a direction to respondent No.3 to decide the appeal, Annexure P-8, within a period of thirty days from the date of receiving of a copy of this order. The final order passed on the appeal, Annexure P-8, be communicated to the petitioner immediately on its decision.

01.06.2023  
*Kamal*

(SUVIR SEHGAL)  
JUDGE

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|---------------------------|--------|
| Whether Speaking/Reasoned | Yes/No |
| Whether Reportable        | Yes/No |