

CWP No. 17631 of 2023

2023:PHHC:105294

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(111)

CWP No. 17631 of 2023

Date of Decision : 16.08.2023

Prem Kumar Sharma

...Petitioner

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Gopal Sharma, Advocate for the petitioner.

Harsimran Singh Sethi J. (Oral)

The present petition has been filed claiming the promotion to the post of Director in Local Audit Department, Haryana on the basis of reservation as envisaged under Rights of Person with Disabilities Act, 2016.

Learned counsel for the petitioner argues that the petitioner being a specially abled person having 71% of the disability, is entitled for promotion under 4% Reservation provided for the disabled, which benefit is not being granted to the petitioner and that too without any valid justification, hence, respondents be directed to grant the petitioner the benefit of promotion under 4% Reservation provided for the disabled persons.

Learned counsel for the petitioner submits that the petitioner has already raised the said grievance in the representation dated

13.07.2023 (Annexure P-14) but the same is still pending consideration with the respondents and the petitioner will be satisfied, at this stage, in case a direction is issued to the respondents to decide the same by passing an appropriate speaking order in a time bound manner.

Notice of motion.

On the asking of the Court, Mr. Pankaj Middha, learned Additional Advocate General, Haryana, who is present in Court, accepts notice on behalf of the respondent-State and submits that in case, the representation dated 13.07.2023 (Annexure P-14) has been received in the office of the concerned authorities and the same is still pending consideration with the authorities concerned, the same will be decided by the competent authority within a period of eight weeks of the receipt of certified copy of this order by passing an appropriate speaking order and in case, after the passing of the speaking order, the petitioner is found entitled for any benefit along with the other benefits, which are available to a disabled person, the same will also be extended to him within a further period of four weeks.

Learned counsel for the petitioner submits that keeping in view the statement of learned State counsel, the present petition may kindly be disposed of having been not pressed any further.

Ordered accordingly.

August 16, 2023
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No