

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

208

CWP-30798-2018

Date of Decision :-11.09.2023

Sukhbir Singh and another

...Petitioners

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Sandeep Thakan, Advocate for the petitioners.

Ms. Shruti Jain Goyal, Senior DAG, Haryana.

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Harsimran Singh Sethi, J. (Oral)

Learned counsel for the petitioners submits that in the present petition, the grievance of the petitioners is that though, they are physically handicapped employees, who are entitled for the benefit of reservation in promotion as well keeping in view the settled principle of law but the State is not accepting their claim, which is causing prejudice to the petitioners.

Learned counsel for the respondents submits that though, at the time when the petitioners filed the present petitions, the stand of the State was that there is no reservation in promotion but keeping in view the settled principle of law, which has come into existence after the filing of the present petitions regarding the grant of benefit to the handicapped employees in promotion as well, data is being collected by the respondent-State but as the matter relates to whole of the State of Haryana, the same has to be processed so as to notify the posts against which the benefit in promotion can be given to the specially abled employees.

Learned counsel for the respondents further submits that the process of collecting the data for notifying the posts against which the promotions are to be made is already under process and will take another six months to complete.

Learned counsel for the petitioners submits that the respondents be directed to complete the said process in a time bound manner as the petitioners are before this Court from the last five years despite having law in their favour.

Keeping in view the above, present petitions are disposed of with the direction to the respondent-State to complete the process of notifying/identifying the posts, on the basis of the data already collected or will be collected hereinafter, within a period of six months as undertaken by the learned State counsel and grant the benefit of promotion on the basis of reservation to the petitioner within the said period of six months in case they are eligible for the grant of the said benefit otherwise, a reasoned speaking order be passed giving the reasons as to why the petitioners are not entitled for the benefit of promotion under reservation in physically handicapped quota.

September 11, 2023
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(HARSIMRAN SINGH SETHI)
JUDGE

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