

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

(117)

CWP-7840-2024**Date of decision: - 08.04.2024****Mukesh Sharma****....Petitioner****Versus****State of Haryana and others****.....Respondents****CORAM : HON'BLE MR. JUSTICE VIKAS BAHL**

Present:- Mr. Raj Kumar Makkad, Advocate, and
Mr. Shiv Charan Bhola, Advocate, for the petitioner.

Ms. Rajni Gupta, Additional Advocate General, Haryana.

VIKAS BAHL, J. (ORAL)

1. This is a Civil Writ Petition filed under Article 226 of the Constitution of India for the issuance of a writ in the nature of mandamus for directing the respondents to provide the deemed date reservation in promotion in Divyang Category to the post of Havaldar Clerk and all other promotion, in divyang quota as per eligibility in all promotion cadre as per the entitlement, in terms of Notifications dated 25.03.2022 (Annexure P-4), 01.07.2022 (Annexure P-5) and 11.07.2023 (Annexure P-6) issued by Government of Haryana and Section 34 of the RPWD Act dated 28.12.2016 (Annexure P-7). Other prayers have also been made in the present writ petition.

2. Learned counsel for the petitioner has submitted that for the grievances raised by the petitioner, the petitioner had given a representation dated 20.09.2023 (Annexure P-8) and at this stage, the petitioner would be satisfied, in case, competent authority of respondent

No.1-State considers the same, in accordance with law, within a specified time frame and in case, the plea raised by the petitioner is found to be meritorious, then, grant the appropriate relief to the petitioner.

3. Learned counsel appearing for the respondent-State has submitted that competent authority of respondent No.1-State would consider the said representation dated 20.09.2023 (Annexure P-8), filed by the petitioner, in accordance with law and the same would be done within a period of four months from the date of certified copy of this order.

4. Keeping in view the above-said facts and circumstances, the present petition is disposed of, with a direction to competent authority of respondent No.1-State to consider the representation dated 20.09.2023 (Annexure P-8) filed by the petitioner within a period of four months from the date of receipt of the certified copy of this order and in case, competent authority of respondent No.1-State is of the view that the plea raised by the petitioner is meritorious, then, the appropriate relief be granted to the petitioner, as expeditiously as possible. In case, competent authority of respondent No.1-State is of the view that the plea raised by the petitioner is meritless, then, a speaking order rejecting the claim be passed within the aforesaid period of four months.

5. It is made clear that this Court has not opined on the merits of the case and competent authority of respondent No.1-State would consider and decide the matter independently, in accordance with law.

April 08, 2024
naresh.k

(VIKAS BAHL)
JUDGE

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No