



IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

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CWP-19882-2020 (O&M)  
Decided on :08.05.2024

BALINDER SINGH . . .petitioner  
Versus  
STATE OF HARYANA AND ANR . . . Respondents

**CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI**

PRESENT: Mr. Gunjan Mehta, Advocate for the petitioner.

1. Mr. Harish Rathee, Sr. DAG, Haryana.

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**HARSIMRAN SINGH SETHI, J. (Oral)**

Learned counsel for the petitioner submits that the petitioner was working on the post of Assistant District Attorney and is a handicapped person. Learned counsel for the petitioner submits that the petitioner was entitled for the grant of benefit of further promotion under the handicapped quota which was not given to the petitioner and the petitioner approached the State Commissioner, Persons with Disabilities and ultimately the direction was issued by the Commissioner under Persons with Disabilities Act, 1965 to the department concerned for considering the claim of the petitioner for promotion on the post in question by granting him the reservation under Persons with Disabilities Act, 1965, but no benefit of promotion has been granted to the petitioner.

After notice of motion, the respondents have filed the reply wherein in paragraph No. 7, the respondents have stated that the recommendation of the State Commissioner, Persons with Disabilities for promotion in disabled category keeping in view the settled principle of law are still under consideration with the Chief Secretary to Haryana and on receiving the requisite clarification from the office of the Chief Secretary to



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Haryana , further necessary action be taken in this regard.

Upon this, learned counsel for the petitioner submits that after the filing of the present petition, the fresh instructions for the grant of benefit of promotion to the physically disabled employees in the reserved quota have been issued on 25.03.2022 but still the claim of the petitioner has not been finalized which action on the part of the respondents is totally arbitrary and illegal.

Learned counsel for the respondents submits that within three months from the date of receipt of copy of this order, the final decision will be taken with regard to the claim of the petitioner for promotion on the post in question under the reserved quota by passing an appropriate speaking order and in case, it is found feasible to extend the relief to the petitioner, the same will be extended to him within a further period of three months otherwise due reasons will be mentioned in the speaking order.

Learned counsel for the petitioner submits that keeping in view the statement made by learned counsel for the respondents recorded herein above, the present petition may kindly be disposed of having been not pressed any further.

Ordered accordingly.

Pending civil miscellaneous application, if any, stands disposed of.

(HARSIMRAN SINGH SETHI)  
JUDGE

**08.05.2024**

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*Whether speaking/reasoned: Yes/No*  
*Whether Reportable: Yes/No*