

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

CWP-23676-2022

Date of decision: 29.01.2024

RAM KISHAN

...PETITIONER

Vs.

STATE BANK OF INDIA AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Mr. Parveen Kumar, Advocate for
Mr. Abhimanyu Singh, Advocate
for the petitioner.

Mr. Gaurav Goel, Advocate
for the respondents-bank.

JAGMOHAN BANSAL, J (ORAL)

1. The petitioner through the instant petition under Articles 226/227 of the Constitution of India is seeking direction to respondents to release salary of the petitioner from December, 2021 onwards.
2. The petitioner is working with respondents-bank on the post of Award Staff (Chief Associates). He suffered from brain hemorrhage on 10.06.2021. As per petitioner, he is unable to join his office on account of disability which is covered by Section 20 of Rights of Persons with Disabilities Act, 2016.
3. Counsel for petitioner submits that in terms of Disabilities Act, 2016, the petitioner is entitled to salary despite non-joining office.
4. Mr. Gaurav Goel, counsel for the respondents submits that petitioner has not submitted latest medical certificate in support of his disability and he has filed representation dated 13.09.2022 (Annexure P-7). As the petitioner is not joining office, he is not entitled to salary.

5. Without commenting upon merits of the case, the petition is disposed of with a direction to respondent No. 3-bank to decide representation of the petitioner (Annexure P-7) within 8 weeks from today. Respondent No. 3 shall consider question of applicability of the Right of Persons with Disabilities Act, 2016 before passing any order with respect to salary of the petitioner. It is made clear that petitioner would submit requisite documents in support of his claim within 2 weeks from today.

29.01.2024
manoj

[JAGMOHAN BANSAL]
JUDGE

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