

2024:PHHC:138478



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

222

**CWP-1979-2022 (O&M).
Date of Decision: 22.10.2024.**

VIJAY WALIA AND ANOTHER

... Petitioner(s)

Versus

STATE OF PUNJAB AND OTHERS

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ.

Present: Mrs. Veena Kumari, Advocate,
Mr. Davinder Singh, Advocate,
for the petitioners.

Ms. Niharika Sharma, AAG, Punjab.

VINOD S. BHARDWAJ, J)ORAL).

1. Prayer made in the present petition is for seeking issuance of directions to the respondents to modify the impugned order dated 29.10.2021 (Annexure P-6) in view of the Scheme pertaining to disabilities notified on 09.01.2021 (Annexure P-3). A further prayer has been made to allow the petitioner No.1 who is 100% visually impaired, free travelling along with an escort in all the Government buses including A.C. Volvo in view of Clause 4.1 of the Scheme.

2024:PHHC:138478



2. Learned counsel appearing for the petitioner contends that the petitioner No.1 suffers from 100% visual disability whereas petitioner No.2 is physically handicapped. Disability Certificates dated 26.08.2020 and 18.08.2019 have also been appended with the present paper book (Annexures P-1 and P-2) reflecting the disability of the petitioners. She contends that Scheme namely 'The Punjab Divyangjan Shaktikaran Yojna, 2021, was notified vide Notification No.11/5/2017-1SS/(6SS)/92 dated 09.01.2021 by the State of Punjab for ensuring protection of the rights of persons with disabilities and to provide equal opportunities to enable their full and effective participation and inclusion in the Society. As per Clause 4.1 of the aforesaid Scheme, there is a provision of free concessional travel in Government buses along with one accompanying attendant. Clause 4.1 of Scheme reads thus:-

"4.1 Free Concessional Travel in Government Buses

Free travel in Government buses is currently being given to blind persons in the State. One accompanying attendant shall be given free travel along with blind passengers."

3. It is contended that the said concession had not been extended to the petitioners even though a representation had been submitted by them in this regard.

4. Even though a reply on behalf of respondent No.4 has been filed, however, a reference to the same is not being adverted to, at this

2024:PHHC:138478



stage, since the State counsel, on instructions from the person assisting her submits that the Finance Department is already seized of the issue under the said scheme and has granted an in-principal approval to the same by granting reimbursement to the Transport Department. She contends that an appropriate decision in this regard shall be taken by the competent authority within a period of two months from today.

5. In view of the aforesaid statement, the present petition is disposed of as having been rendered infructuous. The respondent-State shall, however, take an appropriate decision with respect to the aforesaid prayer of the petitioner for the grant of concession in travel in the State Transport Undertakings along with one accompanying attendant within a period of two months as undertaken.

6. The petitioners shall, however, be at liberty to take recourse to an appropriate remedy in case they are not satisfied with the final decision taken by the respondent authorities.

October 22, 2024.
raj arora

(VINOD S. BHARDWAJ)
JUDGE

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