HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

S.B. Civil Writ Petition No. 19884/2024

Praveen Kumar S/o Shri Madan Lal, Aged About 26 Years, R/o Shanishwar Mandir Ke Pas, Khudala, Post Falna, Tehsil Bali, Falna, Pali, Rajasthan.

----Petitioner

Versus

1. State Of Rajasthan, Through The Principal Secretary, Energy Department, Government Of Rajasthan, Secretariat, Jaipur, Rajasthan.
2. Managing Director, Jodhpur Vidyut Vitran Nigam Limited, Office New Power House, Bhagat Ki Kothi, Jodhpur, Rajasthan.
3. Secretary (Admn.), Jodhpur Vidyut Vitran Nigam Limited, Office New Power House, Bhagat Ki Kothi, Jodhpur, Rajasthan.
4. Deputy Director (Headquarter), Jodhpur Vidyut Vitran Nigam Limited, Office New Power House, Bhagat Ki Kothi, Jodhpur, Rajasthan.

----Respondents

For Petitioner(s)	:	Mr. Manvendra Singh Ms. Saumya Choudhary
For Respondent(s)	:	

HON'BLE MR. JUSTICE ARUN MONGA

Order (Oral)

04/12/2024

1. The petitioner before this Court seeks his reinstatement on the post of L.D.C. in terms of an order dated 24.07.2024 (Annex.1) passed by the State Commissioner for the Specially-abled Person, by which the respondents have been directed to reinstate the petitioner on a suitable post.

2. The relevant facts as pleaded in the petition are that the petitioner, who was working as Helper (ITI) under the guidance of lineman of the respondent-JVVNL, suffered an electric shock. He was taken to the hospital and his right hand had to be amputated.

2.1 As per the provisions of Section 20(4) of the Right of Persons with Disabilities Act, 2016, the petitioner was to be reinstated on the post equivalent to the post on which he was working, and yet the petitioner was not reinstated. Therefore, the petitioner moved an application before the Commissioner for Persons with Disabilities praying for reinstatement.

2.2 The Commissioner allowed the aforesaid application vide order dated 24.07.2024 and ordered for reinstatement of the petitioner on a suitable post and equivalent to the one he was earlier working on.

2.3 The aforesaid order of the Commissioner was to be complied with within a period of one month from the date of receipt of the order. The same was not complied with. The petitioner then served legal notice but to no avail. Hence, this petition.

3. In the aforesaid backdrop, I have heard learned counsel for the petitioner and perused the case file.

4. From the narrative of the facts as pleaded in the petition, it is borne out that the petitioner has been running from pillar to post to get the benefit of the order dated 24.07.2024 passed by the State Commissioner for Specially-abled Persons. Pursuant thereto, he has also filed an application before the Commissioner for implementation of the order passed in his favour, but to no avail.

5. In the premise, I am of the view that since the State Commissioner is already seized of the matter, it is deemed appropriate to dispose of the instant petition with a direction that the pending application for execution of the order dated 24.07.2024 be taken up and taken to its logical conclusion. Needless to say that the State Commissioner shall exercise his powers to ensure the implementation of the earlier order dated 24.07.2024 in accordance with the provisions of Right of Persons with Disabilities Act, 2016.

6. Needful be done within a period of 30 days of the petitioner approaching the State Commissioner with web-print of the instant order.

7. All pending application(s), if any, shall also stand disposed of.

(ARUN MONGA),J

48-skm/-

Whether fit reporting : Yes / No