



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

206

CWP-4686-2019

Date of Decision: 12.09.2025

SHUBHAM

...Petitioner

Vs.

UNION OF INDIA AND ANOTHER

...Respondents

CORAM:- HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present:- Mr. Neeraj Sharma, Advocate for the petitioner

Mr. Sudhir Nar, Sr. Panel Counsel for UOI

JAGMOHAN BANSAL, J. (ORAL)

1. On 22.02.2019, the following order was passed by this Court:-

“Inter alia contends that in violation of the Reservation Policy dated 15.01.2018 issued by the Government of India (Annexure P-5), respondents have invited applications for recruitment to the posts of Junior Technician (Lab) vide the impugned advertisement dated 11.12.2018 (Annexure P-1), by reserving the posts for specially abled, only in the Category of OA (one arm) and OL (one leg).

Learned counsel for the petitioner states that petitioner is a specially abled person suffering from 75% disability as reflected from certificate Annexure P-4. But only OA and OL are being given reservation benefit of disability.

Notice of motion, returnable for 26.03.2019.

In the meanwhile, one post in the reserved category

meant for disable person shall be kept vacant by the respondents.”

2. As per reply, the post of Junior Technician (Lab) under PWD Category is earmarked for PWD of Category One Leg or One Arm on the basis of instructions issued by Ministry of Social Justice and Empowerment vide O.M. No.16-15/2010/DD.III dated 29.07.2013. The relevant extracts of the reply reads as:-

“That while identifying the list of various posts / jobs by the GOI, Ministry of Social Justice and Empowerment vide OM No. 16-15/2010/DD.III dated 29.07.2013 for PWD it has been provided that:

"The list of posts identified by the Expert Committee is only indicative and not exhaustive. If a post has duties and responsibilities similar to an identified post, that post should be construed to be identified. The Departments and the Public Sector Undertaking are free to identify more posts in their organizations, over and above, this list",

The post of Junior Technician (Lab) existing in the institute is a direct recruitment post. The government has not identified this post. It was found that the nature and functions of the post of Junior Technician (Lab) is identical to that of the post of Senior Laboratory Technologist identified by government vide said notification dated 29.07.2013, for granting reservation and concession to the persons with disabilities in respect to OA (One Arm) and OL (One Leg) category, but there is a variation in nomenclature in the post. Accordingly this institute, after considering the similarity of jobs description / nature of duties with that of post of Senior Lab. Technologist identified by Government, the post of Junior Technician (Lab) for the persons with disabilities for the category of OA (One Arm) and OL (One Leg) in the direct recruitment.

Thus the 03 posts shown reserved for PWD for the category of OA (One Arm) and OL (One Leg) are correctly shown strictly with reference to the government instructions on providing reservation to PWD.”

3. The respondent has further submitted that petitioner appeared in the written test held on 27.04.2019 and result was declared on 01.05.2019. He did not qualify the test, thus, there is no question to consider him for the post irrespective of reservation under particular category of PWD.
4. Without commenting on question of reservation for particular category of PWD, the petition stands disposed of as petitioner has not qualified written test.
5. Pending application(s), if any, stands disposed of.

(JAGMOHAN BANSAL)
JUDGE

12.09.2025
Deepak DPA

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No