



CWP-5482-2025

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-5482-2025

Date of Decision: 07.03.2025

RAM NIWAS

..... PETITIONER

VERSUS

STATE OF HARYANA AND OTHERS

....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present: Mr. Pankaj Mehta, Advocate
for the petitioner.

Mr. Rohit Arya, DAG, Haryana.

TRIBHUVAN DAHIYA, J. (ORAL)

The petition has been filed seeking a writ of *mandamus* directing the respondent Department to extend the petitioner's service for two years due to disability.

2. Learned State counsel, on instructions received from the second respondent vide memo, dated 06.03.2025, which is retained on the case file as Annexure 'A', contends that the petitioner's disability could not be assessed at PGIMS, Rohtak, as he has not undergone cataract surgery of his left eye so far, as advised by the Medical Board. Its opinion dated

28.02.2025, is to the following effect:

The board of two ophthalmologists reviewed the case again on 28.02.2025, it was seen that patient Sh. Ram Niwas had still not under gone cataract surgery with PCIOL left eye. So the board is of the opinion that the final visually handicap assessment can be given only after the cataract surgery with PCIOL left eye and the patient is hereby again directed to undergo the required surgery in left eye.

3. Apparently, there is no material on record to even *prima facie* establish that the petitioner is suffering from seventy per cent or more disability, to be entitled to extension in service for two years beyond fifty-eight years of age, and the interim order, dated 28.02.2025, is accordingly vacated.
4. Learned counsel for the petitioner is not in a position to state as to when the petitioner will undergo the surgery advised by the Medical Board.
5. In view thereof, there is no ground to entertain the petition at this stage.
6. Dismissed.

07.03.2025

Seema

(TRIBHUVAN DAHIYA)

JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No