

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

107

CWP-24051-2023

Date of Decision : May 14, 2025

KULDEEP SINGH

-PETITIONER

V/S

STATE OF PUNJAB AND OTHERS

-RESPONDENTS

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. N.S. Dandiwal, Advocate for
Mr. R.S. Sekhon, Advocate
for the petitioner.

Mr. Pardeep Bajaj, D.A.G., Punjab.

KULDEEP TIWARI, J. (ORAL)

1. Through the instant writ petition, prayer is made for issuance of directions upon the respondents No.3 and 4, to appoint the petitioner as nominative representative of Hardeep Singh (mentally ill person) for taking care of him and managing his property/family pension, on account of demise of parents of the petitioner and Hardeep Singh.

2. The Co-ordinate Bench of this Court, through its drawing the order dated 20.10.2023, directed the State of Punjab to issue appropriate instructions to the Chief Medical Officer, Civil Hospital, Ferozepur, to constitute a Team of Experts and to report as regards the medical fitness and condition of Hardeep Singh.

3. In deference to the directions (supra), a short reply was filed before this Court on 12.05.2025. The short reply reveals that, a Team of Experts/Board of Doctors of Civil Hospital, Ferozepur, was constituted by the Senior Medical Officer (officiating), Civil Hospital, Ferozepur, for conducting examination of Hardeep Singh. On 15.05.2024, the Board of

Doctors medically examined Hardeep Singh. The relevant extract of his medical examination report, which is enclosed with short reply, is as under:-

“...He is a case of Mental Retardation - Profound (now mention as. Intellectual disability Profound), Patient has been issued the certificate regarding the same vide 1301 dated 9/4/19 - SMO, CH, Ferozpur.

Patient does Not communicate, Patient is currently not answering the questions asked. He is not able to understand simple commands, like raising his hand/show his tongue etc.

Patient is even not able to take care self and is totally dependent on others for the same.

He lacks mental capacity due to the above illness, He does not understand the information that is relevant to take the decision....”

4. Today, the learned State counsel has informed this Court that, the Local Level Committee headed by the District Magistrate/Deputy Commissioner of the District concerned, as constituted by the Board of Trustees under Section 13 of The National Trust for the Welfare of Persons with Autism, Cerebral Palsy, Mental Retardation and Multiple Disabilities Act, 1999, is bestowed the powers to adjudicate the prayer made in the present writ petition.

5. In view of the above, the instant writ petition is disposed of with a direction upon the authority (supra) to, in case the petitioner files the apposite application before it, make all endeavours to decide the same within one months of its receipt, especially considering the medical report of Hardeep Singh.

6. **Disposed of accordingly.**

(KULDEEP TIWARI)
JUDGE

May 14, 2025
devinder

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No