



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

COCp-902-2020(O&M)
Date of decision: 12.03.2026

Rohit Goyal

... Petitioner

Versus

Virendra Kumar

... Respondents

CORAM: HON'BLE MR. JUSTICE VIKRAM AGGARWAL

Present: Ms. Molly A. Lakhanpal, Advocate,
for the petitioner.

Mr. Satya Pal Jain, Addl. Solicitor General of India, with
Ms. Anita Balyan, Senior Panel Counsel,
for the respondent-UOI,
(through Virtual mode).

VIKRAM AGGARWAL, J. (ORAL)

The instant contempt petition alleges willful disobedience of the order dated 24.01.2019 (Annexure P-1), passed in CWP-PIL-13455-2015:-

“However, having argued the matter at length, learned counsel for the parties have reached a consensus that as the issues/concerns raised in this petition require in-depth analysis at the hands of the Experts’ Body, it would rather be expedient if the matter is relegated to the Central Advisory Board (hereinafter referred as the ‘Board’) constituted under Section 60 of the Rights of Persons with Disabilities Act, 2016, for consideration, in the first instance. Accordingly, it is suggested by the learned counsel for the parties that as the representation furnished by the petitioner, dated 15.10.2014 (Annexure P-9) is still pending and no orders were passed thereupon owing to the pendency of this petition, the Board shall deal therewith and pass appropriate orders.

In the wake of the above, we are of the view that it would be purposeless to keep this petition pending, and accordingly we deem it appropriate to dispose of the same with a direction to the Board to examine the matter in the first



instance. For, we are also of the view that even though the petitioner herein had approached this Court in public interest, but yet there is a possibility that the persons who are identically situated and circumstanced may have a counter opinion/version or a different perspective vis-a-vis the matter in issue. Accordingly, the petition is disposed of with a direction to the Board/respondent No. 1 to consider and decide the representation dated 15.10.2014 (Annexure P-9), as indicated above, after affording an opportunity of hearing to all the stakeholders, as expeditiously as possible preferably within six months from today.”

2. On 12.02.2026, the following order was passed:-

“The instant contempt petition alleges willful disobedience of the directions issued by a Division Bench vide order dated 24.01.2019 passed in CWP-PIL-13455-2015;

“In the wake of the above, we are of the view that it would be purposeless to keep this petition pending, and accordingly we deem it appropriate to dispose of the same with a direction to the Board to examine the matter in the first instance. For, we are also of the view that even though the petitioner herein had approached this Court in public interest but yet there is a possibility that the persons who are identically situated and circumstances may have a counter opinion/version or a different perspective vis-a-vis the matter in issue. Accordingly, the petition is disposed of with a direction to the Board/respondent No.1 to consider and decide the representation dated 15.10.2014 (Annexure P-9), as indicated above, after affording an opportunity of hearing to all the stakeholders, as expeditiously as possible preferably within six months from today.”

2. Despite repeated opportunities, no response is forthcoming nor the said directions have been complied with.

3. Since the stand taken by learned counsel representing the respondent was that they had already written to the concerned Ministry and no response is thereafter forthcoming, this Court requested the presence of Sh. Satya Pal Jain,



learned Additional Solicitor General of India. Sh. Jain has appeared and has submitted that he will seek instructions.

4. It is a matter of grave concern that after 7 years of directions having been passed, the same have not been complied with.

5. Be that as it may, one final opportunity is granted to the respondent to comply with the orders, failing which the Joint Secretary of the Concerned department shall appear before the Court to explain, as to why further proceedings be not carried out.

6. Adjourned to 12.03.2026.

To be taken up in the urgent list.”

3. In compliance of the aforesaid order, compliance report by way of affidavit of Ms. Debala Bhattacharjee, Under Secretary, Department of Empowerment of Persons with Disabilities, Ministry of Social Justice and Empowerment, Government of India, filed in the Registry, is taken on record. As per the same, in compliance of the directions issued in the writ petition, virtual meeting of the Sub-Committee for Locomotor Disabilities was held on 18.02.2026 under the Chairmanship of the Joint Secretary of the Department, and a personal hearing was granted to the petitioner. In the said meeting, the following deliberations took place:-

“3. The deliberations were as follows:

3(a) Shri Rohit Goyal (petitioner) spoke about his personal experiences. He shared that he has 100% locomotor disability (both arms and one leg amputated) due to an accident in childhood, yet he completed his MBA in Finance and cleared several competitive examinations without availing extra time or a scribe. Despite this, he repeatedly faced barriers in recruitment because of the way job-identification criteria are framed. He described instances where, even after selection or medical clearance, he was denied appointment because his specific disability type did not appear in the identified list or online application forms. In some cases, medical boards were reluctant to assess his abilities since his particular combination of



disabilities was not explicitly listed. He also highlighted that the system often focuses on physical traits like "manipulation with fingers" instead of what the person can actually do, such as writing or typing with assistive devices. Shri Goel emphasized that medical boards and recruiters should focus on functional abilities and give due weight to the role of technology and rehabilitation in enabling full participation.

3(b) Observations by the members:

It was noted that the concerns raised by the petitioner as valid and his detailed representation will be helpful for the Committee to review the current list and filling the gaps wherever applicable.

i. It was noted in the discussion that many legal cases arise due to procedural gaps and lack of clarity in the identification framework. Some participants felt that an ombudsman-like system could help reduce litigation, but the Chairperson clarified that the Chief Commissioner for Persons with Disabilities (CCPD) already has the mandate to handle such matters using the quasi judicial power.

ii. The representative from CCPD mentioned that in some sectors-like the medical field the approach is now shifting toward functional assessment rather than rigid physical requirements, and that similar approach would benefit other sectors too.

4. The Chairperson appreciated all contributions and said that Shri Rohit Goyal's journey is both inspiring and instructive. He observed that many challenges stem from systemic attitudes that underestimate the potential of persons with disabilities, and that such mindsets need to change. The current revision exercise of the identification list, once finalized, he said, should reflect a more practical and inclusive understanding of ability.

5. The Chairperson emphasized that the revised list will be released after due consultation from stakeholders. He has also explicitly mentioned taking



Mr. Goyal's inputs, amongst others, in the course of undergoing revision exercise whenever required.

6. The meeting ended with a vote of thanks to the Chair.”

4. It is, therefore, clear that for the time being, the grievances of the petitioner stand redressed. Under the circumstances, no further orders are required to be passed, at this stage, and the instant contempt petition stands disposed of.

5. However, if at a later stage, it is found that the said directions are not being complied with in letter and spirit, the petitioner would be at liberty to move an application for revival of the present contempt petition.

6. Pending application(s), if any, also stands disposed of.

(VIKRAM AGGARWAL)
JUDGE

March 12, 2026
Rajan

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