



CWP-8025-2026

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

CWP-8025-2026

Date of Decision : 17.03.2026

JAGBIR

.....Petitioner

VERSUS

PUNJAB AND HARYANA HIGH COURT AND OTHERS

.....Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Ms. Gurneet Sagoo, Advocate,
for the petitioner.

Mr. Bikramjit Singh Patwalia, Advocate,
for respondent no.1.

Mr. Bhupender Singh, Addl.AG, Haryana.

KULDEEP TIWARI, J.(Oral)

1. Through the instant petition, filed under Article 226/227 of the Constitution of India, a challenge is thrown to the notice dated 18.09.2025, to the extent that posts of peon under the category of 'persons with disabilities' have been reduced from 12 to 09. The petitioner further seeks issuance of a direction upon respondents to amend and increase the number of posts of peon under 'Persons with disabilities' from 9 to 10, as per circular dated 01.05.2019 and to further consider his claim for the said post under the said category.

2. Learned counsel for the petitioner draws attention of this Court towards the advertisement issued on 25.08.2024 (Annexure P-1), wherethrough, total 300 vacant posts of peon on the establishment of this



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High Court, were advertised and out of that, total 12 posts were reserved for 'persons with disabilities'. The fraction of those 12 posts, is extracted hereinafter:-

“Lower Limb Disability:-	3
Upper Limb Disability:-	3
Impaired hearing:-	2
Low Vision:-	2
Intellectual Disability/ challenged (MILD IQ)	2

3. Thereafter, the respondent no.1-High Court, decided to decrease the total number of advertised posts of peon from 300 to 235, and a revised bifurcation of said 235 posts was also issued vide notice (Annexure P-5). Accordingly, at present, 09 posts are lying reserved under the category of 'persons with disabilities'. The relevant is extracted hereinafter:-

“General category:	190
SC/ST/BC:	24
Ex-servicemen	12
Persons with disabilities:	09
(i) Lower Limb Disability:	02
(ii) Upper Limb Disability:	02
(iii) Impaired hearing:	02
(iv) Low Vision:	02
(v) Intellectual Disability/ challenged (MILD IQ)	01”

4. She further submits that the petitioner, undoubtedly applied under 'Lower Limb Disability' category. Earlier, 03 posts were reserved under this category, however, due to a reduction in the total number of posts, only 02 posts are now reserved for the said category.

5. She also submits that as per the notification instead of 9 posts, total posts 10 posts are required to be reserved for 'persons with



disabilities' category.

6. She, finally, submits that the case of the petitioner be considered under the category in which he applied.

7. Mr. Bikramjit Singh Patwalia, Advocate, who is on an advance notice, has caused appearance on behalf of respondent no.1-High Court, through a validly executed power of attorney in his favour. The same is taken on record.

8. He, at the outset, draws attention of this Court towards High Court Establishment (Appointment & Condition of Service) Rules, 1973, which prescribes 4% reservation for 'persons with disabilities'. He also refer to the exercise conducted by the respondent no.1-High Court, in calculating 4% reservation against the present reduced advertised posts of 235 posts of Peons from 300 posts, wherein the total number of posts comes out to be 9.4. Therefore, 09 posts are reserved under the category of 'persons with disabilities'.

9. He, further, on instructions from Ms. Kanchan and Mr. Naveen, Junior Assistants, submits that the case of the petitioner would be considered under the category in which he has applied for.

10. This Court has considered the submissions, as made by learned counsel for both the parties and has perused the entire case file.

11. Learned counsel for the petitioner is unable to point out any error in calculating the reserved posts, requiring this Court to pass the asked for *mandamus* for increasing the number of posts of peon, under the category of 'persons with disabilities' from 9 to 10.



12.

Further, the grievance of the petitioner, as raised through the instant petition, is based on presumptions only, as it has already been clarified by learned counsel for respondent no.1-High Court that the case of the petitioner would be considered under the category in which he has applied for.
13.

In view of above, no further direction is required to be passed in the instant matter.
14.

Disposed of, accordingly.

March 17, 2026

dharamvir

(KULDEEP TIWARI)

JUDGE

Whether speaking/reasoned.

:

Yes/No

Whether Reportable.

:

Yes/No