



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

206

CWP No.31343 of 2025 (O&M)
DATE OF DECISION : 30th MARCH, 2026

Ramandeep Kaur Randhawa

.... Petitioner

Versus

State of Punjab & others

.... Respondents

CORAM : HON'BLE MR. JUSTICE ASHWANI KUMAR MISHRA
HON'BLE MR. JUSTICE ROHIT KAPOOR

* * * *

Present : Mr. Kanwaljit Singh, Sr. Advocate with
Mr. Ajaivir Singh, Advocate;
Mr. Shazia K. Singh for petitioner.

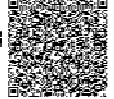
Mr. Maninder Singh Garcha, Addl. A.G. Punjab with
Ms. Ambika Chaudhary, Asst. A.G. Punjab &
Ms. Mehak Kanwar, Advocate for respondent No.1-State.

Mr. Sahil, Advocate for
Mr. Nitin Kaushal, Advocate for respondent No.2.

* * * *

ASHWANI KUMAR MISHRA, J. (Oral)

1. Petitioner is the daughter of Daljit Singh, who is a police personnel and sustained a gunshot injury in police action (terrorist operation) on 13.12.2023. The injury sustained by him has been classified as femoral neuropathy with limited range of motion of left hip and left knee. This injury has caused disability to the petitioner's father and a certificate has been issued by the competent authority of the Government of India describing the disability as locomotive disability. The disability certificate dated 03.09.2024 (Annexure P-6) issued by the Chief Medical Officer, Ludhiana records the disability to be 50% temporary disability in relation to his one arm on account of gunshot injury sustained on 13.12.2023. The benefit of such disability is claimed



by the petitioner for securing the admission in MBBS Course. The authorities of the State of Punjab have, however, declined such protection to the petitioner on the ground that the disability is temporary in nature and requires review after two years. The respondents also assert that the certificate of disability relied upon by the petitioner is dated 01.10.2025 (Annexure P-7) which is after last date fixed for making of application i.e. 30.09.2025. While entertaining the writ petition we passed a detailed order dated 17.10.2025 noticing the contention of the petitioner which for the sake of convenience is reproduced hereunder:

“Grievance of the petitioner is with regard to non-consideration of his claim for admission to MBBS course on account of Disability Certificate having been obtained after the last date fixed for filing of the application.

Learned Senior counsel for the petitioner contends that the Disability Certificate of petitioner is dated 03.09.2024 which was of a date prior to the last date fixed for making application i.e. 24.07.2025. The authorities, however, were not satisfied with this Disability Certificate as the same was not happily worded. This Certificate is Annexure P-6 and contains the satisfaction of the Chief Medical Officer (CMO) that this is a case of Locomotive Disability and the diagnosis in this case is gunshot injury limited range of motion of left hip and left knee. He further submits that the disability has been quantified as 50% in relation to one arm. The finding contained in the Disability Certificate reads as under:-

*“(A) He is a case of **Locomotor Disability***

*(B) The diagnosis in his case is **allege h/o gunshot injury 13.12.23 limited range of motion of left hip and left knee***



*(C) He has 50% (in figure) **fifty** percent (in words) Temporary Disability in relation to his One Arm (OA) as per the guidelines (Guidelines for the purpose of assessing the extent of specified disability in a person included under RPwD Act, 2016 notified by Government of India vide S.O. 1338 (E) Dated 12.03.2024). This certificate recommended for 2 year(s), and therefore this certificate shall be valid till 31.08.2026.”*

The authorities, at the time of document verification, expressed doubt with regard to genuineness and correctness of the Disability Certificate on account of which the petitioner again appeared before the CMO and a subsequent confirmation was issued on 01.10.2025, wherein the substance of the report is as under:-

*“(A) He is a case of :**Locomotor Disability**.*

*(B) Name of affected body part: **One Leg (OL)**.*

*(C) The diagnosis in his case is **Alleged h/o gunshot injury 13/12/2023, femoral neuropathy with limited range of motion of left hip and left knee**.*

*(D) He has 50% (in figure) **fifty** percent (in words) disability and the nature of certificate is **Temporary and valid till 31/08/2026** as per the guidelines for the purpose of assessing the extent of specified disability in a person included under the Rights of Persons with Disabilities Act, 2016 notified by Government of India vide **S.O. 1338 (E)** dated **12.03.2024**.”*

Learned Senior counsel for the petitioner further argues, with reference to the above documents, that the Certificate of the petitioner was prior to the last date of filing application and merely because the petitioner was re-examined again for verification of his Disability Certificate would not mean that the Disability Certificate itself is of a date later to the last date fixed for filing of the application.



Learned State counsel, on instructions, submits that the Certificate relied upon is dated 01.10.2025 and therefore the authorities have rightly not considered the claim.

Having examined the matter, we find substance in the petitioner's claim inasmuch as the Disability Certificate is of a date prior to the last date fixed for filing of the application. This Certificate was valid till 31.08.2026. The subsequent Certificate has come into existence only on account of the instructions of the respondents according to which the petitioner had to get his disability re-evaluated.

Having acted upon the instructions of the respondents, the petitioner cannot be non-suited only on the ground that the subsequent clarification bears a date after the last date of making of the application.

It is undisputed that the category in which the petitioner has been provisionally admitted is of the ward of a disabled police person. Petitioner's father is admittedly employed in Punjab Police and has suffered a gunshot injury in an encounter. The Disability Certificate issued by the authorities records temporary disability to be above 45%. The certificate of disability has been issued under Rule 18 of the Rights of Persons with Disability Rules, 2017 (for short, 'Rules of 2017').

*Learned Senior counsel for the petitioner has placed reliance upon a judgment of the Delhi High Court in **Bhavya Nain v. High Court of Delhi, 2020 (2) SCT 590** wherein a similar Certificate of a temporary disability was construed as sufficient to extend the benefit available to persons suffering from disability under the Act of 2016. Similar view has been taken in a subsequent judgment of the Madhya Pradesh High Court in **Arpit Kumar Bhana v. Union Bank of India and others, Writ Petition No.22228 of 2023** decided on **04.04.2025**.*



Learned Senior counsel for the petitioner also places reliance upon Rule 19 of the Rules of 2017 which reads as under:-

“Certificate issued under Rule 18 to be generally valid for all purposes:-A person to whom the certificate issued under Rule 18 shall be entitled to apply for facilities, concessions and benefits admissible for persons with disabilities under schemes of the Government and of non-Governmental organizations funded by the Government.”

On the strength of Rule 19, aforesaid, it is urged that the Disability Certificate issued under Rule 18 of the Rules of 2017 includes certificate of temporary disability as well as permanent disability. Submission is that Rule 19 of the Rules of 2017 does not restrict the benefit under the Act of 2016 only to a person, who is issued a Certificate of permanent disability. Learned counsel further contends that there is, otherwise, no restriction in the prospectus that limits the benefit only to persons with permanent disability in the category.

Matter requires consideration.

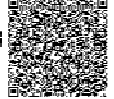
Notice of motion.

Ms. Samdisha Kaur, AAG, Punjab and Mr. Nitin Kaushal, Advocate accept notice on behalf of respondent-State and respondent No.2 respectively and pray for some time to file their response and seek instructions in the matter.

Adjourned to 01.12.2025.

As an interim measure, it is provided that the petitioner would be accorded consideration in the category of ward of disabled Police personnel, subject to further orders to be passed in this petition.”

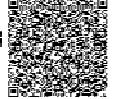
2. Faced with the above observations an affidavit dated 16.01.2026 has been filed by the State of Punjab through the Director,



Principal, Government Medical College, Patiala. The substance of objection to petitioner's claim is the use of word 'temporary' in the disability certificate as also the language implied in Section 2(s) of the Rights of Persons with Disabilities Act, 2016 (hereinafter referred to as Act of 2016) which attaches the expression 'long term' with the nature of disability. The respondents, therefore, submit that in order to make out a case for appropriate protection under the Act of 2016, the disability must be shown to be permanent in nature. Since the certificate issued in favour of the petitioner's father is only for a period of two years, therefore, the petitioner cannot be treated as ward of a person suffering with disability. The respondents heavily relied upon the Division Bench judgment of the Jammu and Kashmir High Court in ***Sajad Ahmad Mir & others Vs. UT of J&K & others, 2025 AIR J&K 71***. In the context of claim of disability the Division Bench observed as under in paragraphs 18 and 19 as under:

“18. Viewed in the aforesaid background, it is difficult for us to say that to avail the benefit of reservation for admission in professional institutions under the category of physically challenged persons, a candidate must have benchmark disability which is only of permanent in nature. A long-term disability, which may not have chances of variation in near future, could also be considered to be a disability suffered by a person seeking benefit of reservation.

19. We are in agreement with learned counsel for the petitioners that the Act does not make any distinction between a permanent or temporary disablement. However, we, on the analysis of different provisions reproduced hereinabove, have found that the purpose and object of providing reservation to the physically challenged persons



for admission in professional institutions is to provide such persons equal chances of participation in society with others. A disability temporary duration which has the chances of variation in degree in immediate future may not come within the definition of a person with benchmark disability. As we have noticed above, if we read Section 2(r) and 2(s) along with other provisions of the Act of 2016, the intent and object of providing reservation centers round permanent disability. This benefit is given to an individual who has to carry the weight of disablement through his entire life and the one who would be deprived of equal chances of participation in society. The purpose and object of providing reservation, concessions and other facilities to the persons with disabilities would not be achieved if the benefit is given to the persons afflicted with temporary disablements which are likely to dissipate or reduce in degree with passage of time or with appropriate treatment. A person with temporary disablement also does not carry a stigma as is carried by a person suffering with permanent disability. If the benefit of reservation is held available even to the persons with temporary affliction of disability, not only the purpose and object of legislation would be defeated but also the benefit would be availed by the persons with such temporary afflictions at the cost of those who have suffered and are suffering permanent disablement with stigma in their life. It is because of this reason, the concept of benchmark disability is coined for the purpose of granting the benefit of reservation only to the persons with permanent and long term disabilities. We are alive to a situation where the disability with forty percent or more is certified to be one which has the chances of variation in future. In such situation it would be appropriate to treat even such disablement as permanent disablement provided the Medical Authority certifies that the disablement suffered by the



candidate is a long-term disablement. However, in the absence of any guidelines on the issue, it would be difficult for us to say as to how long would be a 'long-term disablement'. We can only say that if the disability suffered by a person which meets the benchmark requirement of 40% is likely to subsist for more than ten years, it must be taken as long-term disablement and cannot be termed as temporary disablement so as to exclude such persons from the benefit of reservation.”

3. The respondents also contend that the Division Bench judgment of Jammu and Kashmir High Court was unsuccessfully assailed before the Hon’ble Supreme Court with dismissal of Special Leave to Appeal (Civil) No.15880 of 2025 vide order dated 26.08.2025. The order passed by the Hon’ble Supreme Court is reproduced hereunder:

“Delay condoned.

We have heard learned counsel, Ms. Vrinda Bhandari for the petitioners and learned standing counsel, Mr. G. M. Kawoosa for the respondents at length and on several dates.

We are afraid that we are unable to grant any relief to the petitioners herein.

Hence, the Special Leave Petition stands dismissed.

Consequently, the interim order stands vacated.

Pending application(s), if any, shall stand disposed of.

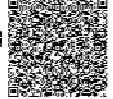
4. On behalf of the petitioner, reliance is placed upon the judgment of Delhi High Court in ***Bhavya Nain Vs. High Court of Delhi, 2020(2) SCT 590***; judgment of Madhya Pradesh High Court in ***Arpit Kumar Bhana Vs. Union Bank of India and others***, passed in ***Writ Petition No.22228 of 2023*** decided on ***04.04.2025***; Division Bench



judgment of this court in *Harneet Kaur Vs. Baba Farid University of Health Science, BFUHS, Faridkot, Law Finder Doc ID # 1298680* and judgment of Delhi High Court in *Anmol Kumar Mishra (Minor) Vs. Union of India and Ors., 2021 SCC Online Del 5148*.

5. We have heard learned senior counsel for the petitioner and respondents and perused the material on record.

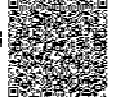
6. The facts, as have been noticed above, are not in dispute. The father of petitioner has sustained a gunshot injury while in action and issuance of disability certificate to him is not disputed. We may also note at this stage that initially the certificate of disability was issued to petitioner's father on 03.09.2024 (Annexure P-6) in which the incident of gunshot injury sustained on 13.12.2023 with limited range of motion of left hip and left knee was diagnosed but in the subsequent part of the certificate, the disability was specified as temporary and in relation to his one arm. This fact has been noticed in our previous order reproduced hereinabove. It appears that when the disability certificate was produced the respondents objected to it as Clause (C) of the disability certificate dated 03.09.2024 (Annexure P-6) was inconsistent with the findings recorded in Clause (B) thereof. This led to the petitioner seeking certificate dated 01.10.2025 (Annexure P-7), which has been issued acknowledging the inadvertent error on part of the Chief Medical Officer, Ludhiana in issuing the earlier certificate dated 03.09.2024. It is also to be noticed that the defect was otherwise pointed out to the petitioner only on 30.09.2025 and it got rectified on the very next date i.e. 01.10.2025.



7. One of the issues raised is also the admissibility of the disability certificate on the ground that it has been obtained on a date subsequent to the last date of making of the application.

8. In order to appreciate the respective submissions advanced, it would be worthwhile to note that the Act of 2016 is beneficial piece of legislation enacted to give effect to United Nation Convention on the rights of persons with disabilities and for matters connected therewith or exceptional death. The object which led to promulgation of the Act indicates that the United Nations General Assembly adopted in its convention on the Rights of the Persons with Disabilities dated 13th day of December, 2006 to evolve principles which would ensure respect for inherent dignity, individual autonomy etc. for persons suffering with disability and the object was to exclude non-discrimination and to secure full effective participation and inclusion in the society. Respect for difference and acceptance of persons with disabilities as part of human diversity and humanity was also emphasized. Equality of opportunity accessibility; equality between men and women and respect for the evolving capacity of children with disability and respect for the right of children with disabilities to preserve their identities, was sought to be secured. India is a signatory to the said Convention and it is with the object of securing such rights for its citizens that the Act came to be promulgated.

9. We have been taken through the Act of 2016 and the Rights of Persons with Disabilities Rules, 2017 (hereinafter referred to as Rules of 2017) by learned senior counsel for the petitioner to submit that the



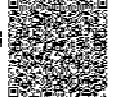
Act is centered around disability of a citizen and the specification of disability nowhere talks of temporary disability. Section 2(r) and 2(s) would be of help in determining the issues raised in the present petition and are reproduced hereunder:

“(r) “person with benchmark disability” means a person with not less than forty per cent. of a specified disability where specified disability has not been defined in measurable terms and includes a person with disability where specified disability has been defined in measurable terms, as certified by the certifying authority;

“(s) “person with disability” means a person with long term physical, mental, intellectual or sensory impairment which, in interaction with barriers, hinders his full and effective participation in society equally with others;

10. Section 2(zc) refers to specify disability as being the disability specified in the schedule. The Schedule to the Act contains list of specified disability including locomotor disability. A perusal of the Schedule would indicate that physical disability on various counts as also disability in the nature of visual impairment; intellectual disability; mental behavior; disability caused due to chronic neurological conditions as well as multiple disabilities stand specified in it. The last clause of the Schedule permits the Central Government to notify any other disability as being a specified disability. It is not disputed that various other disabilities have also been included ever since the promulgation of the Act. In the disability specified, there is no reference to the term ‘temporary’.

11. At this juncture it would be relevant to refer to Chapter VII of the Rules of 2017 which talks of certificate of disability. Rule 17

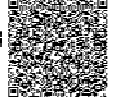


refers to making application for certificate of disability. Rule 18 provides for issue of certificate of disability and while Rule 19 specifies that certificate issued under Rule 18 to be generally valid for all purposes.

Rules 18 and 19 of the Rules of 2017 are reproduced hereunder:

“18. Issue of certificate of disability.- (1) On receipt of an application under rule 17, the medical authority or any other notified competent authority shall, verify the information as provided by the applicant and shall assess the disability in terms of the relevant guidelines issued by the Central Government and after satisfying himself that the applicant is a person with disability, issue a certificate of disability in his favour in Form V, VI and VII, as the case may be. (2) The medical authority shall issue the certificate of disability within a month from the date of receipt of the application. (3) The medical authority shall, after due examination - (i) issue a permanent certificate of disability in cases where there are no chances of variation of disability over time in the degree of disability; or (ii) issue a certificate of disability indicating the period of validity, in cases where there is any chance of variation over time in the degree of disability. (4) If an applicant is found ineligible for issue of certificate of disability, the medical authority shall convey the reasons to him in writing under Form VIII within a period of one month from the date of receipt of the application. (5) The State Government and Union territory Administration shall ensure that the certificate of disability is granted on online platform from such date as may be notified by the Central Government.

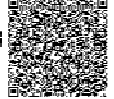
19. Certificate issued under rule 18 to be generally valid for all purposes.- A person to whom the certificate issued under rule 18 shall be entitled to apply for facilities, concessions and benefits admissible for persons with disabilities under



schemes of the Government and of non-Governmental organizations funded by the Government.”

12. By virtue of Rule 20, the validity of certificate of disability issued under the repealed Act 1995 has been made applicable in the new regime and such certificate is to continue to remain valid even after commencement of the Act for the period specified in the certificate.

13. When we analyzed the statutory scheme we find the object of the Act is to protect a class of persons who are suffering with disability. The disability under the statute stands specified. The Rules of 2017 contemplates the medical authority to issue a certificate after examination of the citizen. Sub-Rule (3) of Rule 18 makes out a distinction between the disabilities. A permanent certificate of disability is to be issued where there is no chance of variation of disability over time in the degree of disability. The other kind of certificate of disability is to indicate the period of its validity where there is any chance of variation over time in the degree of disability. By virtue of Rule 19 a certificate of either kind i.e. permanent certificate or a certificate issued for a fixed period or validity, would constitute the basis for extending the benefit under the Act. The judgment of Jammu and Kashmir High Court in *Sajad Ahmad Mir and others (supra)* draws the source of its observation from the use of expression ‘long term’ in Section 2(s). The expression ‘long term’ refers to physical, mental, intellectual and sensory impairment, which in interaction with barriers, hinders the full and effective participation in society of a citizen. In our view the expression long term is embedded in the very concept of disability inasmuch as specified disability referred to in the Schedule by its very nature is of a



long term duration. The locomotor disability or other kind of physical disability, like cerebral palsy, leprosy cured, dwarfism, acid attack victims and muscular dystrophy are the disabilities which are to continue for a long period of time. It is for this reason that the expression 'temporary disability' does not find place anywhere in the Act of 2016 or the Rules of 2017. The concept of temporary disability, in our view, cannot be construed in a manner which is inconsistent with the very scheme of the Act and the Rules. When the legislature used the expression specified disability, it did not made out a distinction between permanent disability and temporary disability. Even in the Rules the discretion extended to the medical authority was to either issue a permanent certificate of disability where there is no chance of variation in the degree of disability or a certificate of disability indicating the period of validity where such disability has any chance of variation in degree of disability over a period of time. It is with this object that Rule 19 makes no distinction between the medical authority issuing the permanent certificate of disability or a certificate of disability indicating the period of its validity.

14. The issue needs to be examined from a different aspect also. In the event a certificate of disability specifying the period of its validity is not to be treated as specified disability under the Act of 2016 or the Rules of 2017 then the very object of the aforesaid Act and the Rules would be substantially curtailed. There can be chances where the extent of disability, over a period of time, may vary. Though a person may be suffering with benchmark disability on a particular date and is entitled to beneficial protection under the Act, but would be denied such relief only



because at some later point of time the extent of disability may vary. This construction may not be consistent with the object of the Act itself.

15. The attention of the Division Bench in the judgment of ***Sajad Ahmad Mir & others (supra)*** does not appear to have been invited to the very scheme which deals with disability and not a particular illness *per se*. The disability by its very nature is a handicap which incurs a disqualification for a citizen over a long period of time, and the mere fact that the extent of disability may vary, would not deny him/her the benefit of provisions under the Act. The use of expression disability includes a conscious decision not to use the word illness under the Act. An illness may be temporary in nature and one may get cured over a period of time. Unlike it, the specified disability of the nature indicated in the Schedule is likely to continue with some variations occurring later in point of time. It is with this intent and purpose that the Delhi High Court in ***Bhavya Nain (supra)*** observed that the disability of any kind, including temporary disability, would be entitled to protection under the Act of 2016. While agreeing with the view expressed by the Delhi High Court in ***Bhavya Nain (supra)*** we would like to say that for the purposes of extending benefit of the Act of 2016 we can conveniently skip the terminology ‘temporary disability’. This is so as temporary disability is otherwise not used as a term anywhere in the Act or the Rules. The Act refers only to disability which may be permanent in nature or disability which may vary over a period of time. The recording of phrase ‘temporary’ as a prefix to the expression ‘disability’, in our considered view, is inconsistent with the provisions of the Act and the Rules and is at best surplusage, which could be ignored.

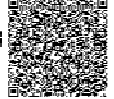


16. In the facts of the case we otherwise find that the Police Commissioner for not being satisfied with the nature of certificate issued, called for an explanation of the Chief Medical Officer, Ludhiana who had issued this certificate. A communication dated 05.06.2025 issued by the Commissioner of Police, Ludhiana addressed to Civil Surgeon, Ludhiana has been placed before the Court which is taken on record. Its contents are not disputed by the respondent-State. The petitioner has otherwise referred to its contents in para 4 of the writ which are not disputed. This document reveals that the Medical Officer, Ludhiana in response to the communication received from the Commissioner of Police, Ludhiana, has clarified the disability in following terms:

“As per record of Sh. Daljit Singh, s/o Sh. Sukhdev Singh, has been issued disability of fifty percent by medical board comprising of members Dr. Amandpreet Kaur and Dr. Saurav Singla dated 3/9/2024 with alleged history of gunshot injury & limited range of motion of left hip & knee. for 2 years temporary disability as the affected condition may worsen in regard to his injury, therefore disability is temporary and with passage of time, disability may worsen, hence reassessment is after 2 years w.r.t. 31/5/2026. This is for information and necessary action as per rules applied.”

17. As per the medical opinion, extracted above, the nature of disability of the petitioner's father may worsen. Once this be the medical opinion, it would be preposterous to assume the disability on part of petitioner's father to be a temporary disability so as to deny the petitioner a benefit under the Act of 2016.

18. In view of the deliberations and discussions held above, we are with utmost respect to the Division Bench of Jammu and Kashmir



High Court, inclined to take different view from what is expressed in *Sajad Ahmad Mir (supra)*.

19. We are fortified in the view that we have taken above from the provisions contained in Chapter X of the Act of 2016. Section 56 contemplates issuance of guidelines for assessment of specified disability. As per Section 57 designated certifying authorities are also required to be designated by the appropriate government, who would be competent to issue the certificate of disability. The jurisdiction of the authorities with reference to its area has also to be specified. It is not in issue that the certificate of disability issued to petitioner's father is not by the competent authority. Section 58 is of significance as per which any person with specified disability may apply, in such manner as may be prescribed by the Central Government, to a certifying authority having jurisdiction, for issuing of a certificate of disability. Section 58 in its entirety is reproduced hereunder:

58. Procedure for certification.—(1) Any person with specified disability, may apply, in such manner as may be prescribed by the Central Government, to a certifying authority having jurisdiction, for issuing of a certificate of disability.

(2) On receipt of an application under sub-section (1), the certifying authority shall assess the disability of the concerned person in accordance with relevant guidelines notified under section 56, and shall, after such assessment, as the case may be,—

(a) issue a certificate of disability to such person, in such form as may be prescribed by the Central Government;

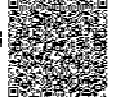


(b) inform him in writing that he has no specified disability.

(3) The certificate of disability issued under this section shall be valid across the country

20. Sub-Section (2) of Section 58 provides that on receipt of an application made under sub-Section (1) the certifying authority shall assess the disability of the concerned person in accordance with the relevant guidelines notified under Section 56 and shall, after such assessment, as the case may be, issue a certificate of disability to such person, in such form as may be prescribed by the Central Government. The form in which such certificate is to be issued has been prescribed by the Central Government by making the Rules of 2017. In the Rules of 2017, the certificate is required to be issued indicating the disability either to be permanent or indicating the period of validity of the certificate where there is any chance of variation over time in the degree of disability. The form prescribed under the Rule does not refer to issuance of a certificate specifying the disability to be temporary. Once that be the provision in law the mentioning of disability certificate to be 'temporary' is not consistent with the provisions of the Act and is thus liable to be ignored.

21. Coming to the second part of the State's objection that the certificate of disability issued to petitioner's father is after the cut-off date, we find such objection not to be sustainable in law. The reason for our saying so is simple. The disability on part of the petitioner's father is undisputed. Such disability qualifies to the benchmark under the Act is also not questioned. The certificate of disability initially issued to the



petitioner's father is of a date prior to the last date fixed i.e. 30.09.2025. The initial disability certificate is of 03.09.2024 (Annexure P-6). This certificate contains an inadvertent error inasmuch as the diagnosis made by the Medical Board of petitioner's father suffering with locomotor disability on account of gunshot injury limiting range of motion of left hip and left knee and thereby qualifying to be disability of 50% is inconsistent with the ultimate conclusion wherein the disability is defined as temporary disability in relation to one arm. This error in the certificate was noticed by the respondents and the petitioner was confronted with it on 30.09.2025. On the very next date, the corrected disability certificate has been produced. This clearly was an error on part of the Chief Medical Officer, Ludhiana for which the petitioner cannot be made to suffer. On facts we find that the principle that a certificate issued after the cut-off date ought to be excluded, to be wholly inapplicable. The disability certificate in the present case is of a date prior to the last date fixed for the purpose and merely because an inadvertent recording of fact by the State official has been rectified on a date subsequent to the last date, would not render the certificate inadmissible. In fact the certificate would be treated to have been issued to the petitioner on 03.09.2024 (Annexure P-6) with correction made therein on 01.10.2025 (Annexure P-7). The subsequent certificate only removes the defect recorded in the earlier certificate and will relate back to the earlier date i.e. 03.09.2024. In such circumstances the disability certificate otherwise could not have been discarded on the ground that it was obtained on a date later than the last date.



22. In view of the discussions aforesaid, this petition succeeds and is allowed.
23. All pending misc. application(s), if any, also stand disposed of.

(ASHWANI KUMAR MISHRA)
JUDGE

30th March, 2026
'raj'

(ROHIT KAPOOR)
JUDGE

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