



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

110

**CWP-25437-2025 (O&M)
Date of decision: 29.08.2025**

Manju

....Petitioner

Versus

State of Haryana and others

....Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. G.S. Gopera, Advocate
for the petitioner.

Mr. Piyush Khanna, Addl. A.G., Haryana
for respondents No.1 and 2.

Mr. Vikrant Pamboo, Addl. A.G., Haryana
for respondents No.3 to 5.

HARPREET SINGH BRAR J. (Oral)

1. Prayer in this writ petition filed under Articles 226/227 of the Constitution of India, is for issuance of a writ in the nature of mandamus, directing the respondents No.1 to 3 to ensure protection of the petitioner at the hands of respondent No.5 and his other fellow officials by implementing the provisions of law, particularly Section 20 of the Rights of Persons with Disabilities Act, 2016 and Haryana Rights of Persons with Disabilities Rules, 2019, framed therein especially in view of the fact that the petitioner/victim, a 100% blind i.e. visually handicapped as per the Disability Certificate dated 11.8.2022 (Annexure P-1) is unnecessary being harassed and victimized by the respondent No.5 and the action, in accordance with law is not being taken by the



respondents No.1 to 4, without any reasonable cause or justification in violation of the fundamental rights of the petitioner enshrined under Articles 14, 16 and 21 of the Constitution of India. Further prayer has been made to direct respondents No.1 to 4 to decide the representation dated 20.8.2024 (Annexure P-6), submitted by the petitioner against unreasonable and unjustified conveying of adverse remarks in the ACR by respondent No.3 vide letter dated 01.08.2024 (Annexure P-5) expeditiously to enable the petitioner to avail her constitutional remedy as per law as respondent No.3 is keeping silence and no decision is being taken for the last more than one year. Further prayer has been made to issue a writ of prohibition, restraining respondents No.1, 3 and 4 from effecting promotion from the post of Clerk without deciding the representations submitted by the petitioner and her husband against respondent No.5.

2. Learned counsel for the petitioner submits that he would be satisfied if the representation dated 20.08.2024 (Annexure P-6) of the petitioner is decided by respondent No.3 by passing a speaking order in a time bound manner.

3. Learned State counsel as well as learned counsel for respondents No.3 to 5, appearing on advance notice, submits that they have no objection, in case a direction is issued to respondent No.3 for time-bound consideration and decision of the representation dated 20.08.2024 of the petitioner by passing a speaking order.



4. Therefore, in view of the limited prayer made by learned counsel for the petitioner, the respondent No.3 is directed to consider the representation dated 20.08.2024 (Annexure P-6) of the petitioner in accordance with the provisions enshrined in Rights of Persons with Disabilities Act, 2016 and Haryana Rights of Persons with Disabilities Rules, 2019 and pass a speaking order, after affording an opportunity of hearing to the petitioner, within a period of 03 months from the date of receiving a certified copy of this order. Further, the decision taken thereof shall be conveyed to the petitioner. Needless to say, if the petitioner is found entitled to the relief sought, the same shall be granted forthwith by respondent No.3.

5. Disposed of, accordingly.

(HARPREET SINGH BRAR)
JUDGE

29.08.2025

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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No