

**CWP-4910-2025****1****IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH****CWP-4910-2025****Date of decision : February 27, 2025**

Sushil

....Petitioner

Versus

State of Haryana and another

....Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARIPresent : Mr. Rohit, Advocate, for the petitioner
(Through VC)

Mr. Bhupender Singh, DAG, Haryana

KULDEEP TIWARI,J. (ORAL)

1. Through the instant petition, prayer is made for issuance of mandamus upon the respondent no. 2, i.e. Deputy Commissioner, Fatehabad to issue guardian certificate in respect of the petitioner, in favour of his real brother namely Sandeep Kumar, who is looking after the petitioner, being 100% permanently mentally disabled person.

2. Learned State counsel after having instructions from the quarter concerned, informed this Court that till date despite representation, the petitioner has not filed any application under the apt provision of law. He further submitted that the petitioner is required to approach the Social Welfare Department, Fatehabad. He further submits that in case, the petitioner approaches the authority concerned, the latter shall decide the application within one month thereafter.

3. At this stage, learned counsel for the petitioner submits that the petitioner was directed by the officials of Social Welfare Department to

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file the application through online portal. However, that portal is not working, therefore, he may be granted permission to file the application by hand/physically with the department concerned.

4. The prayer made by the learned counsel for the petitioner is found to be innocuous and bonafide, therefore, the petitioner is allowed to file the application either through online portal, or by handing over the same physically to the department concerned.

5. In view of the above, the instant petition is **disposed of** with a direction that in case the petitioner, approaches the District Social Welfare Department, Fatehabad, within 10 days from today, the later shall make all efforts to decide the application within one month thereafter.

6. Ordered, accordingly.

February 27, 2025

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**(KULDEEP TIWARI)
JUDGE**

Whether speaking/reasoned ?
Whether Reportable ?

Yes/No
Yes/No