

(2023) 03 SIK CK 0027
In the Sikkim High Court
Case No : Writ Petition (PIL) No. 01 Of 2023

Navraj Tiwari

APPELLANT

Vs

State Of Sikkim And Ors

RESPONDENT

Date of Decision : 16-03-2023

Acts Referred:

Rights Of Persons With Disabilities Act, 2016 — Section 33, 34

Citation : (2023) 03 SIK CK 0027

Hon'ble Judges : Biswanath Somadder, CJ; Meenakshi Madan Rai, J

Bench : Division Bench

Advocate : Sajal Sharma, Kazi Sangay Thupden, Roshni Chettri, Shreya Sharma, Puja Kumari Singh, Prerana Rai, Thinlay Dorjee Bhutia, S. K. Chettri, Sujan Sunwar, Sangita Pradhan, Natasha Pradhan

Judgement

Biswanath Somadder, CJ

Having heard the learned advocates for the parties, it appears that this Public Interest Litigation is centered around applying the provisions of the Rights of Persons with Disabilities Act, 2016, particularly, sections 33 and 34 thereof, within the State of Sikkim. The said two provisions are in respect of identification of posts for reservation by the appropriate Government and reservation by the appropriate Government of a certain percentage of posts in every Government establishment.

We are of the view that a report in the form of an affidavit is required to be filed by the competent authority of the State of Sikkim, on or before the next date, stating therein specifically as to whether the State of Sikkim has complied with the provisions of sections 33 and 34 of the Rights of Persons with Disabilities Act, 2016, or whether they are in the process of taking steps towards complying with the said provisions.

Let this matter appear after six weeks under an appropriate heading for further consideration.