



HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 3472 of 2023

SANJAY KUMAR MARKAM **versus** STATE OF CHHATTISGARH

**WPS/3646/2023,WPS/3771/2023,WPS/6220/2023,WPS/3705/2023,
WPS/7160/2023,WPS/2829/2024,WPS/2886/2024,WPS/2885/2024,
WPS/2888/2024,WPS/2884/2024,WPS/2953/2024,WPS/5115/2024,
WPS/5236/2024,WPS/5250/2024,WPS/187/2025,WPS/1229/2025,
WPS/2101/2025**

Order Sheet

02.05.2025	Ms. Chetna Sharma, appears on behalf of Mr. Rajnish Singh Baghel, Ms. Diksha Gouraha, Mr. Anuroop Panda, Mr. Anand Shukla, Dr. Sudeep Kumar Agrawal, Mr. Vivek Kumar Agrawal and Mr. Vinod Kumar Sharma, Advocates for the respective petitioners. Mr. S. P. Kale, Additional Advocate General for the State. Ms. Somya Das, Advocate on behalf of Mr. Rakesh Kumar Jha, Advocate for the intervenor. Mr. Tushar Dhar Diwan, Central Government Advocate for Union of India/respondent No. 1 in WPS No. 7160 of 2023. Mr. Dhiraj Kumar Wankhede, Advocate for respondent No. 2 in WPS No. 1229 of 2025. In this bunch of petitions, the petitioners have obtained employment on the basis of disability in view of the

provisions contained under the Right of Persons with Disabilities Act, 2016 (in short “Act of 2016”).

Learned counsel for the petitioners would submit that after going through with the examination only, the petitioners have been given employment, despite that they have been served with impugned notice. He would further submit that this Court has passed the interim order that no coercive steps shall be taken against the petitioners pursuant to letter dated 16.05.2023 (Annexure P-2) till the next date of hearing.

Learned counsel for the State would submit that in pursuance of the order passed by the Hon'ble Division Bench of this Court, notice has been issued to the petitioners.

From bare perusal of the letter dated 26.04.2023 (Annexure P/1) only the certificate has to be ascertained at this stage itself, therefore, it is directed that the interim order passed by this Court is modified to the extent that the respondent shall be at liberty to proceed against the petitioners but they will not pass the final order without leave of this Court.

It is directed that petitioners' medical examination shall be conducted strictly in accordance with the law under the Act of 2016 in a fair and transparent manner and a report to this effect shall be submitted before this Court in a sealed envelope.

The Secretary, Department of Health and Family Welfare is directed to constitute a State Medical Board for examining the petitioners medically and submit a report with

<i>Bhumika</i>	regard to their all disabilities which they are suffering. It is directed that all the above exercises shall be carried out within 06 weeks from the date of receipt of copy of this order. It is made clear that neither the petitioners nor respondents shall adopt any delayed tactics to comply with the direction given by this Court. List these cases on 10th July, 2025. Interim relief, if any, granted earlier shall continue till the next date of hearing as modified by this Court today. Sd/- (Narendra Kumar Vyas) Judge
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