

IN THE HIGH COURT OF JHARKHAND AT RANCHI

W.P(S). No. 5242 of 2024

Amit Kumar Singh aged about 40 years, son of Awadhesh Kumar Singh, Resident of H/1, Police Line, J.C. Mallick More, Hirapur, Prem Chandra Nagar, P.O&P.S Dhanbad, District Dhanbad Jharkhand**Petitioner**

Versus

1. The State of Jharkhand through the Secretary, Department of Law & Justice, Department of Law & Justice, P.O P.S Dhurwa, District Ranchi, Jharkhand
2. The Registrar, Civil Court, Dhanbad, at Civil Court, Dhanbad, P.O Dhanbad,(Head Office), P.S Dhanbad, District Dhanbad, Jharkhand

.....**Respondents**

CORAM: HON'BLE MR. JUSTICE DEEPAK ROSHAN

For the Petitioners : Mr. Ankit Burman, Advocate

For the Respondents: Mr. Rakesh Kr. Roy, AC to GAIII

03/ Dated: 06.05.2026

1. The instant writ application has been preferred by the petitioner to consider the candidature of the petitioner for appointment on the post of Grade-IV employee (Peon) pursuant to Advertisement No. 01 of 2023; whereby the petitioner has appeared for interview but his case was not considered for appointment in spite of the fact that the petitioner is a person with disability and is covered under reserved category as stipulated in the advertisement.
2. After going through the advertisement which is at Annexure 2, it appears that there is no specific reservation for physically disabled person.
3. The argument of the learned counsel of the petitioner is that Section 34 of the Rights of Persons with Disability Act, 2016 stipulates that in every advertisement there should be reservation for disabled persons; accordingly, the State Government should be directed to create a post for disabled persons.
4. Learned counsel for the respondent submits that though counter-affidavit has not been filed but by going through the advertisement,

it appears that there was no special quota for disabled persons. Though the reservation was there for BC-I, BC-II, SC and ST category; however, there was no reservation for physically disabled person, as such no right is created.

5. Having regard to the aforesaid facts and circumstances, on the one hand; the entire process for appointment is already over around two years ago, and further, there is no reservation for them, therefore, this Court under Article 226 cannot give any direction to the respondents to appoint this petitioner or even to consider the appointment of this petitioner. It is for the government to create reservation for those people, which is a policy decision and this Court cannot issue any mandamus.
6. Accordingly, no relief can be granted to the petitioner, as such this writ application stands dismissed.

(Deepak Roshan, J.)

Abha/-

06.05.2026