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SINGH NAYAL

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\* IN THE HIGH COURT OF DELHI AT NEW DELHI

+ W.P.(C) 3276/2021 & CM APPL. 10001/2021

DEEPTI LENKA & ANR.

..... Petitioners

Through: Mr. Sanjay Kumar Singh, Advocate.

versus

UNION OF INDIA & ORS.

..... Respondents

Through: Mr. Anurag Ahluwalia, CGSC with  
Mr. Amit Gupta, GP, Mr. Abhigyan  
Siddhant, Advocates for UOI.  
Mr. Parijat Singh, Ms. Pallak Bhagat  
& Mr. Devesh Mishra, Advocates for  
R-3 (M-9810055169)

**CORAM:**

**JUSTICE PRATHIBA M. SINGH**

**ORDER**

% **15.04.2021**

1. This hearing has been done through video conferencing.
2. This matter has been taken up today as 14<sup>th</sup> April, 2021 was declared a holiday on account of 'Ambedkar Jayanti'.

**CM APPL.10001/2021 (for exemption)**

3. Allowed, subject to all just exceptions. Application is disposed of.

**W.P.(C) 3276/2021**

4. The grievance of the Petitioners in the present case is that Petitioner No.1 is suffering from a disability but is not being considered for allocation of a petrol pump.
5. The Petitioners had complained to the Chief Commissioner for Persons with Disabilities (Divyangjan), who has, vide the impugned order

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dated 24<sup>th</sup> December 2020, rejected the Petitioners' prayer. However, the Commissioner has recommended that the Respondent consider revising/reframing their policy.

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6. Mr. Anurag Ahluwalia, Id. CGSC, submits that Respondent No.1 ought to be deleted from the array of parties, inasmuch as the Cabinet Secretary has no role to play in the matter.

7. Considering the nature of the matter, Respondent No.1 shall be read as the Union of India through Secretary, Ministry of Petroleum and Natural Gas, New Delhi. Let the amended memo of parties be filed within one week.

8. Issue notice. Mr. Ahluwalia, Id. CGSC accepts notice on behalf of Respondent Nos.1 and 2.

9. Let counter affidavits be filed, both by the Ministry of Petroleum and Natural Gas and the Ministry of Social Justice & Empowerment, as to whether a policy has been framed for allocation of petrol pumps under the Rights of Persons with Disabilities Act, 2016.

10. Hindustan Petroleum Corporation Limited shall also file its counter affidavit within six weeks. Rejoinder thereto, if any, be filed within four weeks thereafter.

11. List on 25<sup>th</sup> August, 2021.

**PRATHIBA M. SINGH, J.**

**APRIL 15, 2021/dk/T**

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