



COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)
Department of Empowerment of Persons with Disabilities (Divyangjan)
Ministry of Social Justice and Empowerment
Government of India

Case No. CCPD/15761/1111/24

Dated: 18/03/2025

Case No. CCPD/15761/1111/24

In the matter of —

Ms. Kajal Sharma

Email: kajal.rpwd@gmail.com

Contact No. 9650075201

... Complainant

Versus

Commissioner of Police,

Delhi Police Headquarters,

New Delhi

E-Mail: cp.sanjayarora@delhipolice.gov.in

delpol.services@delhipolice.gov.in

... Respondent

1. Gist of Complaint:



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1.1 Ms. Kajal Sharma a person with 100% Cerebral Palsy (Both lower and upper limbs) filed a complaint dated 26.09.2024 regarding harassment, abusive language and threatening by her neighbour Shri Sudhir Kaushal who runs a Jewellery shop named 'Kaushal jewellers' on ground floor of complainant's building. The Complainant submitted that she is totally dependent on her caregiver Shri Parul Sharma her brother. She complained that the shop owner Mr. Kaushal has been objecting whenever the caregiver parked his car in the street.

1.2 The Complainant further submitted that the threats and harassment seem linked to an earlier offer by Mr. Kaushal to buy the flat of the Complainant at market rate to open a jewellery showroom. Only after the offer was rejected, he started this disruptive behaviour. The Complainant further stated that Mr. Kaushal has also been using abusive language against her and her brother and threatening to puncture the car tyres for the past two weeks.

1.3 The Complainant requested the CCPD office to intervene and direct the local police (Mandawali Police Station, East Delhi) to ensure the safety of the Complainant and her caregiver, and take suitable action against Mr. Kaushal under the Rights of Persons with Disabilities Act 2016 (In short the Act), as his abusive comments have caused humiliation and significantly affected the health of the Complainant and family members.

2. Notice issued to the Respondent:

2.1 The matter was taken up with the Respondent and a notice dated 26.09.2024 under Section 75 and 77 of the Act, was issued to forward their comments on affidavit. However, despite lapse of statutory time and a reminder dated 29.10.2024, no response was received from the Respondent.



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3. Hearing (I):

3.1 A hearing was conducted by the Hon'ble Commissioner, Persons with Disabilities on 13.02.2025 through hybrid mode at the O/o the Chief Commissioner for Persons with Disabilities. The following parties/representatives were present during the hearing:

Sl. No.	Name of the parties /Representatives	Parties	Mode
1.	Kajal Sharma	Complainant	Online
2.	Parul Sharma (Representative)	Complainant	Online
3.	Rohitash kumar, Assistant Commissioner of Police, Mayur Vihar, New Delhi.	Respondent	Physical

3.2 During the hearing the representative of the Complainant reiterated her complaint that there is a Jewellery shop named 'Kaushal jewellers' on ground floor of complainant's building and past few weeks the shop owner Sudhir Kaushal has started objecting when complainant's caregiver parks his car in the street. She however, confirmed that the Delhi Police acted on the intervention of this court and the neighbour has sought to compromise by writing an apology letter.



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3.3 The representative of the Respondent filed their written reply dated 13.02.2025, which contained the report dated 12.02.2025 of Sub inspector Shri Manoj Kumar Solanki from Mandawali Police Station. The report stated that Mr. Kaushal has accepted his wrongful behaviour and sought an apology through letter to the Complainant. The Complainant has also accepted the apology and has requested to withdraw her complaint on the condition that if Mr. Kaushal makes any mistake in future, the Complainant be allowed to file a fresh complaint against him. Copies of the written apology letter of Mr. Kaushal, acceptance of apology and withdrawal of complaint by the Complainant was enclosed with report.

4. Observations and Recommendations:

4.1 The Court informed the Respondent about the statutory provision under Section 92 of the Act, which provides that whoever intentionally insults or intimidates with intent to humiliate a person with disability in any place within public view shall be punishable with imprisonment for a term which shall not be less than six months but which may extend to five years and with fine. This Court observes that the behaviour of the neighbour was totally unacceptable.

4.2 The Court advised the Respondent to ensure preventive action against any such recurrence.

4.3 In view of the request made by the Complainant to withdraw the complaint and also that the matter has been resolved amicably. This Court concludes that no further action is warranted as such, the case is disposed of with liberty to the complainant to approach this Court on any recurrence of such incidents.

Yours faithfully,



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(S. Govindaraj)
Commissioner

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