

**In the Court of State Commissioner for Persons with Disabilities
National Capital Territory of Delhi**

25-D, Mata Sundari Road, Near Guru Nanak Eye Centre, New Delhi-110002

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[Vested with powers of Civil Court under the Rights of Persons with Disabilities Act, 2016]

Case No. 3310/1111/2024/01/2967-2969

Dated:- 23/04/2025

In the matter of:

Shri K.K. Sharma,
A-501, Anand Lok Apartments,
Mayur Vihar Phase-I,
Delhi – 110 091.
(E-mail : keval.sharma3@gmail.com)

..... Complainant

Versus

Ms. Anita Babu,
President,
Anand Lok Co-operative Group Housing Society,
Anand Lok Apartments,
Mayur Vihar Phase-I,
Delhi – 110 091.

The Honorary Secretary,
Managing Committee,
Anand Lok Co-operative Group Housing Society,
Anand Lok Apartments,
Mayur Vihar Phase-I,
Delhi – 110 091.

..... Respondents

Date of Hearing : 16.04.2025

Present: Shri K.K. Sharma, Complainant
Shri Aashraya Sharma, Advocate on behalf of complainant
Advocate Vikas Rathee and Advocate Aastha, on behalf of
Respondents

ORDER

Shri K.K. Sharma, a person with 40% Parkinson's disease filed a complaint dated 14.01.2024 with the office of the Chief Commissioner for PwDs which was forwarded to this Court vide e-mail dated 18.01.2024. The complainant alleged that he was insulted and humiliated by Smt. Anita Babu, President of the Managing Committee of Anand Lok Co-operative Group Housing Society, in which the complainant resides.



2. The complainant submitted that the Respondent Smt. Anita Babu screamed at him when he visited the Society office on 12.01.2024 for obtaining RFID for his new car due to shaking of the right side of his body including his hand and leg for unfortunate symptoms of Parkinson's disease and ordered to stop shaking his legs. The complainant further submitted that despite explaining the reasons as the tremors are a symptom of parkinson's, Mrs Babu told in the condescending tone to send his wife to speak, in the presence of several managing committee members and the office support staff. She even refused to consider his application and straightway attacked him for his disability, violating his right to individual autonomy and the right to live with dignity.

3. The complainant has lodged a formal complaint with the Society. In response, Smt. Indrani, Honorary Secretary replied that nobody was aware about his disability and once it was informed, no one said anything on this issue. Just for asking as to why the complainant was shaking his legs while talking to a lady does not imply that the President wanted to humiliate the complainant. The complainant requested to take cognizance of the matter and initiate punitive action against the President of the Society.

4. The matter was taken up with the Managing Committee of the Society vide this Court letter dated 27.01.2024. Smt. Anita Babu, President of said Society vide e-mail dated 12.02.2024 replied that the allegation levelled against her is false and vexatious and is a deliberate attempt to harass her. She further informed that while discussing the matter with the members, the complainant was incessantly shaking his leg. She requested him not to shake his leg while talking to the members, to which he responded that he is suffering from Parkinson disease. After listening to this, she made no comment and immediately left the room while others were still talking to the complainant.

5. The reply from the President of the Society was sent to the complainant vide this Court letter dated 19.02.2024, for information. Vide e-mail dated 22.02.2024, the complainant submitted that he was not satisfied with the reply of President of the Society as no enquiry was conducted by the Society Members to this incident.

6. This Court vide letter dated 09.04.2024 advised the Managing Committee of the Society to investigate the complaint impartially and send the report. The Honorary Secretary of the Society vide report dated 30.04.2024 submitted that all the members of the Managing Committee of the Society agreed that the matter should be settled amicably but the Committee does not have the power to compel anyone. It was further submitted that the complainant had no complaint against the Managing Committee as a whole and requested to close the case. The complainant vide email dated 30.04.2024 informed the Court that he attended the inquiry conducted by the Society but Smt. Anita Babu, President of the Society did not attend. Her wilful absence shows disrespect towards authority. This is evident that she has no intention of taking this matter seriously and requested for a hearing in the matter.



7. After non-satisfaction of the complainant, this Court has issued a Notice for hearing the matter under Section 82 of the RPWD Act, 2016 to both the parties. During the hearing, the complainant reiterated his submissions and argued that the President of the Society insulted him in public and requested a written apology from her. Representative of respondent submitted that they had already filed the submissions and requested some more time to file a detailed reply.

8. The Court observed that a considerable time had already elapsed. Therefore there is no need to allow more time to file further reply. They can add what else they can, during the hearing. Further, Court also observed that the President has deliberately not attended the inquiry convened by the Society and also not attended personally hearing scheduled by this Court which shows her lackadaisical approach towards a Person with Disability.

9. Taking into account the submissions of the complainant and the respondent, the Court directs the President of the Society to be more sensitive towards the Complainant, a Person with Disability and submit a written apology with him under intimation to this Court within 15 days of the date of receipt of this order.

10. Given under my hand and the seal of the Court this 21st day of April, 2025.



(Vinod P. Kavle)

State Commissioner for Persons with Disabilities

**Court of Commissioner (Disabilities)
National Capital Territory of Delhi
25-D, Mata Sundri Road, New Delhi-02**