

Court No. - 20

Case :- WRIT - A No. - 9104 of 2023

Petitioner :- Dr Surendra Kumar Jangid

Respondent :- Union Of India Thru. Secy. Ministry Of Health And Family Welfare, New Delhi, And 2 Others

Counsel for Petitioner :- Deepak Shukla, Prashant Kumar Singh

Counsel for Respondent :- A.S.G.I.

Hon'ble Manish Mathur, J.

1. Heard learned counsel for petitioner and Mr. S.B. Pandey learned Senior Counsel assisted by Mr. Varun Pandey, learned counsel for opposite parties.

2. Petition has been filed seeking quashing of orders dated 25.09.2023 and 03.11.2023 whereby opposite parties have refused to issue a no objection certificate to petitioner to enable him to join at another hospital.

3. It has been submitted that earlier petitioner was appointed on the post of Assistant Professor in AIIMS Raebareili on 23.05.2022 but thereafter sought appointment in AIIMS Bhopal where he has also been selected on the post of Associate Professor but required a no objection certificate from AIIMS Raebareili which has been refused.

4. Learned counsel appearing for opposite parties on the basis of instructions has submitted that petitioner's application has been rejected on the ground that in his appointment letter dated 23.05.2022, there is a specific stipulation that his application for any post outside will not be forwarded for a period of two years from the date of joining the post. It is submitted that since the aforesaid condition was not being fulfilled, petitioner was denied a no objection certificate. He has however adverted to office memorandum dated 06.06.2013 issued by the Government of India to submit that petitioner's grievances can be addressed by the President of the governing body of AIIMS Raebareili in case a representation is so made.

5. Considering aforesaid submission, liberty is granted to petitioner to file an appropriate representation before the President AIIMS Raebareili within a period of two days from today. In case the said representation was received by the said authority, the same shall be considered and decided within a

period of four days thereafter.

6. With the aforesaid directions, petition stands **disposed of**.

Order Date :- 29.11.2023

Satish