



HIGH COURT OF UTTARAKHAND AT NAINITAL
HON'BLE THE CHIEF JUSTICE MR. MANOJ KUMAR GUPTA
AND
HON'BLE SRI JUSTICE SUBHASH UPADHYAY
16TH JULY, 2026
WRIT PETITION (M/B) NO. 582 OF 2026

Dr. Kuldeep Singh

.....Petitioner.

Versus

State of Uttarakhand & others

....Respondents.

Counsel for the Petitioner	:	Mr. Dushyant Mainali, learned counsel.
Counsel for the State	:	Mr. B.S. Parihar, learned Additional Chief Standing Counsel with Mr. S.M.S. Mehta, learned Standing Counsel.

JUDGMENT : (per Mr. Manoj Kumar Gupta, C.J.)

1. The petitioner had done MBBS from Government Medical College, Haldwani after taking the benefit of concessional fees. He had furnished a bond that after completing MBBS, he would offer his services in remote hilly regions of Uttarakhand for a period of five years.

2. Clause 7 of the bond reads as follows:-

"7- In the event of medical student immediately after graduation reusing to five year service in remote area of hilly region of Uttarakhand offered may be released from Service Liability by the administration of the medical college on filling payment of the Bond Money of Rupees Thirty Lacs. If a medical student after complete graduation applied for release from service for reasons whatsoever and his/ her release is sanctioned by the Government as per rules, he/ she shall be released only after he/ she has refunded the Bond Money at the rate of Rupees Six lacs per year or part thereof unfulfilled liability limited to the Bond Money of Rupees Thirty lacs. Refund Bond money will be deposited by the student in the account of concerned medical college."

3. The case of the petitioner is that after completing



his MBBS, he has rendered service in remote hilly areas of the State from 09.04.2016 to 31.12.2016 as Medical Officer at Primary Health Centre, Type-I, Bhingrada Pati, Champawat, and from 27.12.2017 to 29.05.2018 in the same capacity at Primary Health Centre, Type-A, Regudu, Barakot, Champawat.

4. The petitioner, thereafter, got admission in PG course and, for which, he was granted no objection certificate by the Department. On basis of the same, the petitioner has completed his PG course and, thereafter, again, he had served as General Surgeon at Sub-District Hospital, Lohaghat, Champawat from 23.09.2021 to 09.11.2022.

5. The petitioner is now aggrieved by a communication dated 07.05.2026, issued by respondent no.4 to respondent no.5, stating that the petitioner had failed to comply with the conditions of the Bond and, therefore, a sum of Rs.30.00 Lakhs be recovered from him. The default is stated to have occurred on account of failure on part of the petitioner in rendering five years' of service in Government Hospitals at remote areas of hilly region of the State.



6. The case of the petitioner is that in terms of Clause 7 of the Government Order dated 23.07.2008, only three years' service was required to be rendered by a candidate who has completed his PG course by taking admission against a private seat, incurring own expenses, and in such a case, bond amount would be also Rs.15.00 Lakhs only. The said period of three years has to be counted by excluding the periods of service rendered in remote hilly areas post the admission in MBBS course and prior to joining the PG course. He submits that the respondents should, therefore, take into consideration the entire period of service rendered by the petitioner at remote hilly places of the State after completing his MBBS course and before taking admission in PG course as well as the period of service rendered by him after completing PG course. According to the petitioner, if the aforesaid periods are added, there would be short-fall of only nine months of service and for which, the petitioner is ready to compensate the State in a proportionate sum as provided under Clause 7 of the Government Order. The petitioner has, accordingly, also prayed for a writ of mandamus commanding the respondents to adjust the period of 834 days' service rendered by the petitioner in remote hilly region of the State while calculating the mandatory period of three years.



7. Clause 7 of the Government Order dated 23.07.2008 is as follows:-

“7. एम०बी०बी०एस० करने के उपरान्त स्नातकोत्तर पाठ्यक्रम यथा एम०डी०/ एम०एस० इत्यादि में अपने व्यय पर प्रवेश के लिए लिखित रूप से प्रमाण पत्र प्रस्तुत करने पर स्नातकोत्तर पाठ्यक्रम पूर्ण करने के उपरान्त तीन वर्ष की सेवा पर्वतीय जिलों (दुर्गम/ अतिदुर्गम) किसी राजकीय चिकित्सालयों में देकर तथा हज़ारों के रूप में रुपये 15.00 लाख एकमुश्त सरकार के पास जमा करना होगा”

8. Learned counsel for the petitioner in support of his contention that after completing the PG course, in all three years' service has to be rendered, has placed reliance on our order dated 24.03.2026, passed in Special Appeal No.01 of 2023, **“State of Uttarakhand & others vs. Dr. Mehul Singh Gunjyal & others”**, while disposing of a modification application. The relevant observations are as follows:-

“13. Accordingly, we clarify that the right of the State Government to recover the bond amount in terms of clause 7 of the Government Order and the conditions of bond, would not get affected in any manner, in case, the petitioners fail to comply with the conditions of the bond regarding rendering of three years service after completing the P.G. course, subject to the directions already given that the period of service already rendered after completion of MBBS and before admission in P.G. course, would be taken into consideration while calculating the period of three years.”

(emphasis supplied)

9. Learned State Counsel has placed on record the written instructions received by him from Joint Director (Administration). He submits that the representation filed by the petitioner is under consideration by the Department.

10. In view of the same, we dispose of the instant



writ petition directing the competent authority to pass speaking order on the representation of the petitioner dated 06.06.2026 within a period of four weeks from today taking into consideration the order passed in Writ Petition (M/S) No.1224 of 2024, ***“Dr. Lalit Kumar vs. State of Uttarakhand & others”*** and other connected matters, and the observations made in our order dated 24.03.2026 in Special Appeal No.01 of 2023. The recovery in pursuance of the impugned order shall remain in abeyance till the representation is decided, subject to the petitioner depositing the differential amount calculated at the rate of Rs.6.00 Lakh per year for the period which, admittedly, falls short of the period prescribed under the Government Order.

11. Pending application, if any, also stands disposed of.

MANOJ KUMAR GUPTA, C.J.

SUBHASH UPADHYAY, J.

Dated: 16th July, 2026

NISHANT

NISHANT KUMAR