

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Civil Writ Petition No. 2967 of 2014 (O&M)

DATE OF DECISION : April 22, 2015

Arun Kumar

..... PETITIONER(S)

VERSUS

The State of Punjab & ors.

.... RESPONDENT(S)

CORAM : HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. R.K. Chopra, Sr. Advocate, with
Ms. Shikha Jaidka, Advocate, for the petitioner.
Mr. Rakesh Verma, Sr. Deputy Advocate General,
Punjab.
Mr. A.K. Sharma, Advocate, for respondent No.3.

ARUN PALLI, J. (Oral)

On 19.02.2014, this Court had passed the following
order:-

"Learned counsel for the petitioner submitted that post of Medical Officer is governed by Punjab Civil Medical Service (Class-I) Rules, 1972, whereas the post of Ayurvedic Medical Officer is governed by Punjab Ayurvedic (Group ₹A') Service Rules, 2008. In both the Rules, age limit for entry into service has not been prescribed. Reference has been made to Punjab Civil Services (General and Common Conditions of Service) Rules, 1994. Rule 5 thereof provides that for direct recruitment to non-technical post, the age limit is 18 to 30 years, whereas for technical post, the maximum age prescribed as on the first day of January of the year immediately preceding the last date fixed for submission of applications is 33 years. Learned counsel further submitted that the government has not fixed any specific age limit for both the aforesaid posts. Despite same Rules being applicable for both the posts as far as age is concerned, still while calling applications is for

appointment as Medical Officer, the maximum age has been fixed as 45 years, whereas for Ayurvedic Medical Officer, the same has been fixed as 38 years. The duration of course of study for both the posts is same.

Notice of motion for 25.2.2014.

Mr. Suvir Sehgal, Addl. Advocate General, Punjab, who is present in court, accepts notice.

To be shown in the urgent list."

At the outset, learned senior counsel for the petitioner submits that since, pursuant to the advertisement (Annexure P-4), selections followed by appointments to the posts of Medical Officers and Ayurvedic Medical Officers, have already been made, during the pendency of this petition, thus, nothing substantive survives in this petition. Particularly as the selection and consequent appointments are not in question in this petition. He submits that since the matter has become infructuous, the same be dismissed as such.

Dismissed as infructuous.

APRIL 22, 2015
Kang

(ARUN PALLI)
JUDGE