

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Appeal No. 457 of 2016**

Dr. Laxmeshwar Soni S/o Late Shri Deenbandhu Soni, Aged About 40 Years
Working As Medical Officer, Civil Hospital, Dharamjaigarh, District Raigarh,
(Chhattisgarh)

---- Appellant**Versus**

1. State of Chhattisgarh Through Secretary, Department of Health And Family Welfare, Mahanadi Bhavan, Mantralaya, Naya Raipur, District Raipur, (Chhattisgarh)
2. Director, Health Service, Chhattisgarh, Old Nursing Hostel Premises, D.K.S. Campus, Raigarh Chhattisgarh
3. Chief Health And Medical Officer, Raigarh, District Raigarh Chhattisgarh
4. Chief Medical Officer, Civil Hospital Dharamjaigarh, District Raigarh Chhattisgarh
5. Pt. Jawahar Lal Nehru, Medical College, Raipur Chhattisgarh

---- Respondents

For Appellant	: Shri Praveen Das, Advocate.
For State/Respondent	: Shri Yashwant Singh Thakur, Additional Advocate General.

Hon'ble Shri Deepak Gupta, Chief Justice
Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board**Per Deepak Gupta, Chief Justice****26/09/2016**

1. The preliminary objection is that this writ appeal is not maintainable since it is directed against an interlocutory order passed on 31.8.2016 in Writ Petition (S) No.4215 of 2016.
2. Without going into the aforesaid question as to whether there is any

element of finality attached to it or not, on merits, we find no reason to admit or entertain this appeal.

3. The Appellant is a doctor. He was granted admission for the Post Graduate Degree. He filled up a bond that after he completes his Post Graduate course, he would serve at any place as directed by the State Government. The main grievance of the Appellant is that as per the Rules, his posting order was to be passed within six months from his attaining the Post Graduate Degree. Reliance in this behalf has been placed on Rule 14(6) framed by the State Government.

4. The purpose of the policy is that people including Government Servants who get admission in Post Graduate courses in medical colleges by paying a nominal fees must serve in the rural areas after they become Post Graduates. This Court cannot lose sight of the fact that in remote areas, no Post Graduate doctors are willing to serve. The tribal people also have a right to the best medical aid. The mere fact that the posting has not been made within a period of six months is no ground for the Petitioner not to serve in the rural areas.

5. We find no merit in the appeal. It is rejected accordingly.

**Sd/-
(Deepak Gupta)
Chief Justice**

**Sd/-
(Sanjay K. Agrawal)
Judge**