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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 7368/2016, CM Nos.30253-30254/2016**

SHEENAM

..... Petitioner

Through: Mr.Jawahar Narang, Mr.Prashant, Advs.
versus

UNION OF INDIA & ANR

..... Respondents

Through: Mr.Rajesh Gogna, CGSC, with
Mr.Chandragupta Yadav, Adv. for R-1-2

CORAM:

HON'BLE MS. JUSTICE INDIRA BANERJEE

HON'BLE MR. JUSTICE V. KAMESWAR RAO

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23.08.2016

CM No.30254/2016

Exemption allowed, subject to all just exceptions.

Application stands disposed of.

W.P.(C) 7368/2016 & CM 30253/2016

1. This writ petition is directed against a condition in a public notice for grant of Short Service Commission (SSC) in the Army Dental Corps (AD), which provides that eligible candidates desiring to join the Army Dental Corps on Short Service Commission will have to appear in the All India Post Graduate Dental Entrance Examination conducted by the Ministry of Health and Family Welfare through the All India Institute of Medical Sciences (AIIMS), for admission to various post graduate courses. The merit list of the aforesaid examination is to be used for screening of

candidates to be called for interview for the purpose of grant of SSC in AD Corps.

2. The advertisement is annexed to the writ petition as Annexure P-1. The advertisement prescribes the qualification for candidates. Candidates are required to be BDS/MDS with minimum 55% marks in final year of BDS from a College/University recognized by the Dental Council of India(DCI). Furthermore, the candidates should have completed one year rotary internship recognized by DCI within 31st March, 2016 and must in possession of permanent dental registration certificate of State Dental Council (DCI) which should be valid at least till 31st December, 2016.

3. We are given to understand that the petitioner fulfils the eligibility criteria. The petitioner has, however, not appeared in All India Post Graduate Dental Entrance Examination, 2016 conducted by AIIMS, New Delhi under the aegis of Ministry of Health and Family Welfare held on 13th December, 2015.

4. The petitioner is, therefore, aggrieved by the condition which requires that only those candidates who had appeared in the entrance examination held on 13th December, 2015, would be eligible to apply.

5. The merit list for All India Post Graduate Dental Entrance

Examination conducted by the Ministry of Health and Family Welfare is only to be used for the purpose of screening of candidates to be called for interview for the posts for which they have applied.

6. Learned counsel appearing on behalf of the respondents submits that an examination is scheduled to be conducted by the Ministry of Health and Family Welfare in December, 2016 and the petitioner will be eligible to take the examination, if he so desires, and if he qualifies, he may be considered for appointment for Short Service Commission in the Army Dental Board.

7. The condition of further screening is a matter of policy with regard to recruitment with which this Court does not ordinarily interfere in exercise of its extraordinary jurisdiction under Article 226 of the Constitution of India.

8. The writ petition, therefore, fails and the same is dismissed.

INDIRA BANERJEE, J

V. KAMESWAR RAO, J

AUGUST 23, 2016
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