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HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (C) No. 918 of 2018**

1. Dr. Nilesh Kumar Jaiswal S/o Late Shri B.L.Jaiswal, aged 35 years, R/o village and post Ramnagar, Tahsil and District Surguja, Chhattisgarh.
2. Dr. Parmeshwar Kumar Rathia S/o Shri Mohan Singh Rathia, aged 28 years, R/o village Chainpur, Post Ghinara, Police Station and Tahsil Kartala, District KORba, Chhattisgarh.

---- Petitioners**Versus**

1. State of Chhattisgarh, acting through Principal Secretary, Department of Health & Family Welfare, Mantralaya, Mahanadi Bhawan, New Raipur, Chhattisgarh.
2. Director of Medical Education, Old Nurses Hostel, DKS Bhawan Parisar, Raipur, Chhattisgarh.

---- Respondents**Writ Petition (C) No. 938 of 2018**

1. Dr. Tarun Banjare S/o Shri J.L.Banjare, Aged about 31 years, R/o village and Post Chhacchanpairy, Tahsil Abhanpur, District Raipur, Chhattisgarh.
2. Dr. Someshwar Kahara S/o Shri Bhimsen Kahara, aged 29 years, R/o Ratanpur, Tahsil Kota, District Bilaspur, Chhattisgarh.

---- Petitioners**Versus**

1. State of Chhattisgarh, acting through Principal Secretary, Department of Health & Family Welfare, Mantralaya, Mahanadi Bhawan, New Raipur, Chhattisgarh.
2. Director of Medical Education, Old Nurses Hostel, DKS Bhawan Parisar, Raipur, Chhattisgarh.

---- Respondents**Writ Petition (C) No. 939 of 2018**

1. Dr. Rajendra Choudhary S/o Shri Mahavir Choudhary, aged 29 years, R/o village Jognipali, Tahsil Saraipali, District Mahasamund, Chhattisgarh.
2. Dr. Jyoti Yadav D/o Shri R.K.Yadav, aged 29 years, R/o Near Jaiswal Bhawan, Bauripara, Ambikapur, Tahsil Ambikapur, District Surguja, Chhattisgarh.

---- Petitioners**Versus**

1. State of Chhattisgarh, acting through Principal Secretary, Department of Health & Family Welfare, Mantralaya, Mahanadi Bhawan, New Raipur, Chhattisgarh.
2. Director of Medical Education, Old Nurses Hostel, DKS Bhawan Parisar, Raipur, Chhattisgarh.

---- Respondents

For Petitioner	:	Shri Kripesh G. Kela, Advocate.
For Respondents/State	:	Shri Prafull N Bharat, Additional Advocate

Hon'ble Shri Thottathil B. Radhakrishnan, Chief Justice
Hon'ble Shri Sharad Kumar Gupta, Judge

Order on Board

13/04/2018

1. The Petitioners in these writ petitions work in the Chhattisgarh Institute of Medical Sciences, Bilaspur. Their plea is that they are deprived of bonus or incentive marks in terms of the Chhattisgarh Medical Post Graduate Entrance Rules, 2018; for short '2018 Rules', merely because they are working in the said institution. This was the situation for the year 2017 as well.
2. Examining the materials and hearing the learned counsel for the parties, we see that the Petitioners are unable to obtain the bonus or incentive marks, not on the ground that they are working in a particular institution, but, that institution is not in a rural area, difficult area, scheduled area or core area as identified in the 2017 Rules or the 2018 Rules. Therefore, the Petitioners cannot make out any case to insist that they should also be included among those who are entitled to bonus or incentive marks.
3. No case of arbitrary or hostile exclusion from a group is established for us to interfere in the writ jurisdiction. We are also not impressed by the plea that there was no distinction in the matter of in-service candidates for at least nearly 6 years before 2016, when the Petitioners entered the service. These writ petitions therefore fail.
4. In the result, these writ petitions are dismissed.

Sd/-
 (Thottathil B. Radhakrishnan)
CHIEF JUSTICE

Sd/-
 (Sharad Kumar Gupta)
JUDGE