

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No.24123 of 2018

Date of Decision: 20.09.2018

Dr.Sudhir

.....Petitioner

Vs.

State of Haryana and others

.....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present:- Mr.Abhishek Sethi, Advocate, for the petitioner.

RITU BAHRI, J. (ORAL)

Petitioner is praying for quashing of the impugned order dated 24.04.2018 (Annexure P-9) whereby the application of the petitioner for grant of a No Objection Certificate for pursuing a Post Graduate Medical Science Course as an in Service Candidate with full pay with continuity of service has been rejected.

Learned counsel for the petitioner submits that petitioner was selected as Medical Officer and vide order dated 30.08.2014 (Annexure P-1) he was posted at ESI Dispensary, Daultabad. He further submits that as per letter dated 05.06.2018 (Annexure P-2), there were 4 sanctioned posts of Medical Officer in ESI Dispensary Daultabad, Gurugram. Thereafter, vide order dated 12.10.2015 (Annexure P-3) this dispensary was certified to be fallen in the rural area and petitioner worked there for 3 years 1 month and 3 days at ESI dispensary, Daultabad, Gurugram. Thereafter, on 12.10.2017, the petitioner was transferred from ESI Dispensary, Daultabad to ESI Dispensary, Rai, in the District Sonipat and the petitioner has been working

as a medical officer there till date. The grievance of the petitioner is that his service rendered by him at ESI Dispensary, Daultabad as well as period spent at ESI Dispensary, Rai, Sonipat, should be counted for the purpose of calculating rural service so as to enable him to make eligible for sponsorship by the Government of Haryana for pursuing Post Graduate (Degree/DNB/Diploma) Courses for HCMS/HCDS Doctors as per instructions dated 19.03.2018 (Annexure P-5). A detailed legal notice dated 18.08.2018 (Annexure P-10) has been given to the Additional Chief Secretary, Government of Haryana, but no action has been taken in this regard.

Without commenting upon the merits of the case, the present writ petition is disposed of by giving directions to the respondents to look into the representation of the petitioner dated 18.08.2018 (Annexure P-10) and pass appropriate orders keeping in view the period spent by him in rural areas within a period of three months from the date of receipt of this copy of order.

(RITU BAHRI)
JUDGE

20.09.2018

anil

Whether speaking/reasoned Yes/No

Whether reportable Yes/No