

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

Date of Order: March 23, 2018

+ **W.P.(C) 2844/2018 & CMs 11408-09/2018**

YOSHI & ORS.Petitioners

Through: Mr. Ankit Panwar, Advocate

versus

ESIC & ORS.Respondents

Through: Nemo

**CORAM:
HON'BLE MR. JUSTICE SUNIL GAUR**

ORDER
(ORAL)

1. Petitioners claim that they are Bachelors of Dental Surgery (BDS) who had passed out from respondent-*Employees State Insurance Corporation Dental College (hereinafter referred to as 'ESIC Dental College')* in the years 2015-2016. It is the case of petitioners that they had tendered service bonds in their respective dental colleges to render five years' compulsory service, but as per the said bonds, it was the option of respondent-*ESIC* to call upon students to render compulsory service or not.

2. Learned counsel for petitioners submits that after petitioners had passed out, for the first time, Memorandum of 2nd February, 2018 (*Annexure P-2*) has been issued by respondent-*ESIC* requiring the passed out students to render compulsory service, but till date, no follow up notification requiring submission of applications, etc., has been issued by respondent-*ESIC*. It is submitted on behalf of petitioners that they are

eager to render compulsory service of five years as per the bonds submitted by them and so, respondent-*ESIC* be called upon to consider petitioners' application for rendering compulsory service under the bonds, which they had submitted.

3. Learned counsel for petitioners submits that an advance notice of this petition was given to the nominated counsel of respondent-*ESIC*. There is no appearance on behalf of respondent-*ESIC*.

4. In the facts and circumstances of this case, it is deemed appropriate to dispose of this petition with permission to petitioner to submit their respective applications to first respondent in terms of Memorandum of 2nd February, 2018 (*Annexure P-2*) volunteering to render compulsory service for five years in terms of their bonds, within a period of two weeks. If such applications are received by first respondent, then the applications be considered by first respondent in terms of the applicable rules and regulations within a period of six weeks or before finalizing similar applications seeking to render compulsory service under the service bonds in question. The fate of such applications be conveyed to petitioners within two weeks thereafter, so that petitioners may avail of the remedies as available in law, if need be.

5. With the aforesaid directions, this petition and the applications are disposed of.

Copy of this order be given *dasti* to learned counsel for petitioners.

(SUNIL GAUR)
JUDGE

MARCH 23, 2018

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