

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.16730 OF 2019

ORDER:

This writ petition is being disposed of at the admission stage with the consent of both parties.

This writ petition is filed seeking a writ of Mandamus to direct the 3rd respondent to post the petitioner in the existing vacancies available either in the 5th respondent or 6th respondent College/Hospital as Assistant Professor (Ophthalmology) by passing appropriate orders on the representation dated 24.06.2019 during the counselling scheduled to be held on 07.08.2019 by taking into consideration her health condition.

Heard learned counsel for the parties.

It has been contended by the petitioner that she was initially appointed as Civil Assistant Surgeon on 02.06.2011 and she is fully eligible and qualified to be appointed as Assistant Professor, as she is having requisite qualification of Post Graduation in Ophthalmology. The petitioner further contended that she has submitted a representation to the respondents on 24.06.2019 to consider her case for appointment as Assistant Professor in Ophthalmology, but so far neither the said representation is being considered nor the respondents are considering her case for appointment as Assistant Professor in Ophthalmology.

Counsel for the petitioner submitted that to the options being called for by the 3rd respondent - Director of Medical Education, the petitioner has submitted his option to work as Assistant Professor and thereafter in the provisional seniority list of doctors, who have acquired Post Graduation Qualification in MS (Opthal) and willing to work under administrative control of the 3rd respondent, annexed to the proceedings dated 03.08.2019 of the 3rd respondent - Director of Medical Education, a copy of which is placed before this Court, the name of the petitioner finds place at Sl.No.15. Therefore, counsel for the petitioner submits that appropriate orders be passed in the writ petition directing the 3rd respondent to consider the representation dated 24.06.2019 submitted by the petitioner and pass appropriate orders in accordance with law.

Government Pleader appearing for the respondents had submitted that the case of the petitioner would be considered and appropriate orders would be passed on the representation submitted by the petitioner.

This Court, having considered the submissions of learned counsel for the parties, is of the considered view that this writ petition can be disposed of directing the 3rd respondent to consider the representation, dated 24.06.2019, submitted by the petitioner and pass appropriate orders in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

With the above directions, the writ petition is disposed of. No order as to costs.

Pending miscellaneous petitions, if any, shall stand closed.

ABHINAND KUMAR SHAVILI, J

6th August 2019
v v

