

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.33112 of 2018

ORDER:

Heard the learned counsel for the petitioners and the learned Government Pleader for Health, Medical & Family Welfare.

With the consent of both the parties, this Writ Petition is being disposed of at the stage of admission itself.

When the matter is taken up for hearing, learned counsel for the petitioners submits that the issue raised in this writ petition is squarely covered by the common order dated 22.02.2019 passed by this Court in W.P.No.22972 of 2018 & batch and contends that the present writ petition be disposed of in terms of the above said order.

Learned Government Pleader does not dispute the said submission.

In view of the above submissions and for the reasons alike in the common order dated 22.02.2019 in W.P.No.22972 of 2018 & batch, this Writ Petition is also disposed of directing the State Government to take a decision as to whether the petitioners are entitled for the benefit of relaxation of upper age limit by duly taking into account the fact that the petitioners have rendered more than ten years of service on contract basis and pass appropriate orders. The State Government must also

examine specifically the applicability of G.O.Ms.No.190 dated 08.08.2017 in respect of Medical Officers likely to be recruited pursuant to Notification No.1/A/2018 dated 28.08.2018 as to enhancing the upper age limit up to 44 years as it was done in terms of G.O.Ms.No.190 dated 08.08.2017 as the said *Ad hoc* Rule was issued in exercise of power available under Article 309 of the Constitution of India. It is always open to the State Government to further relax the upper age limit by taking into account the contract service rendered by the Medical Officers for the last more than ten years.

As a sequel, miscellaneous petitions pending in this writ petition, if any, shall stand closed. No order as to costs.

ABHINAND KUMAR SHAVILI, J

26.04.2019.
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