

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CWP No.617 of 2017
Date of Decision :05.04.2019**

Harjit Singh and others

.....Petitioners

Versus

State of Punjab and others

..... Respondents

**CORAM: HON'BLE MR.JUSTICE KRISHNA MURARI, CHIEF JUSTICE
HON'BLE MR.JUSTICE ARUN PALLI, JUDGE**

Present : Mr. Parteek Pandit, Advocate for the petitioners.
Mr. Avinit Avasthi, AAG, Punjab.

KRISHNA MURARI, CHIEF JUSTICE (Oral):

Challenge in this petition has been made to Punjab Health and Family Welfare Technical (Group-C) Service Rules 2016 being illegal, arbitrary and ultra vires of Articles 14 and 16 of the Constitution of India on the ground that it provides 100% direct recruitment for the post of Multipurpose Health Worker (male) thereby blocking the only realistic promotional channel available to Class-IV employees like the petitioner.

An affidavit has been filed by the Deputy Director, Health Services, which is taken on record, stating that the matter of promotion of the petitioners from Class-IV to MPH(W)(M) is already under consideration of the department since 2014 and now the State Government has been requested vide letter No.929 dated 26.03.2019, to consider the amendment in the service rules of MPH(W)(M) and it is proposed that 1% post of the

total sanctioned posts may be filled from amongst the Class-IV employees working under the control of DHS on regular basis and are having MPHW diploma before appointment or after the appointment and other eligibilities condition.

Learned counsel for the petitioners submits at this stage that since the matter is under active consideration, the petition may be disposed of by directing the State Government to take a decision in a time bound manner.

In view of the aforesaid statement made by learned counsel for the petitioners we dispose of the writ petition by directing the State of Punjab to take appropriate decision in the matter, within a period of three months from today. The petition stands finally disposed of with the aforesaid observation and direction.

(KRISHNA MURARI)
CHIEF JUSTICE

(ARUN PALLI)
JUDGE

05.04.2019

Manoj Bhutani

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No