

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

CWP-7807-2021

Date of decision: September 21, 2021

Dr Arun Kumar

.....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present:- Mr. Aditya Yadav, Advocate for the petitioner.

Mr. Saurabh Mohunta, DAG Haryana.

ARUN MONGA, J (ORAL)

Petitioner herein, *inter alia*, seeks issuance of a writ seeking appropriate direction to the respondent-Department to allow him to join on the post of Medical Officer in the Health Department, Haryana, despite having selected and issued appointment letter dated 06.07.2020 (Annexure P-1).

Apropos order dated 14.09.2021 passed by this court, learned State counsel submits that as per advertisement/notification dated 01.01.2020, the entire selection process has already been concluded and whatever vacancies were left unfilled, are now likely to be re-advertised in due course and for this purpose, a Selection Committee has already been constituted. Petitioner was given joining period (was to join before 27.08.2020) within which he was to report on duty along with an NOC from his earlier employer (BSF), which since he failed to, accordingly his post has rightly been declared vacant. The said post cannot be filled so belated on the basis of earlier selection process. Particularly, once the steps have already been initiated to fill the same by way of a subsequent recruitment process. In any case, petitioner has even otherwise, till

date not obtained the requisite NOC, and is therefore not in a position to join as of today.

In the premise, no grounds to interfere are made out.

Disposed of with liberty to the petitioner to apply afresh in case, he is interested to serve as Medical Officer in the State of Haryana as and when proposed subsequent advertisement is published by the State.

(ARUN MONGA)
JUDGE

September 21, 2021

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Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No