

Sr. No.527

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH
CWP-8590-1999 (O&M)
Date of decision: 12.05.2022

Dr. Ashok Kumar Yadav	Vs.	...Petitioner
State of Haryana and others		...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: None for the petitioner.

Mr. R.D.Sharma, DAG, Haryana.

Mr. Gautam Kailey, Advocate for respondent No.3.

ARUN MONGA, J. (ORAL)

Petition herein, *inter alia*, is for issuance of a writ in the nature of mandamus directing the respondents to consider the claim of the petitioner for the post of HCMS-II after giving him the benefit of 5 years of the Rural Area Service or in the alternative regularize the services of the petitioner as per government policy dated 07.03.1996 (Annexure P-5).

2. Petition was admitted on 07.02.2002.

3. When called out for hearing, there is no representation on behalf of the petitioner. It seems that by sheer effluxion of time and pendency of the writ petition for more than 22 years before this Court, either it has been rendered infructuous or even otherwise the petitioner seems to have lost interest in pursuing the same.

4. In any case, it appears that even on merits, claim of the petitioner is not admissible in view of the following stand taken in para 2 of the preliminary objections of written statement filed on behalf of respondents No.1 and 2, which is reproduced herein for ready reference:

“2. That the petitioner was appointed vide appointment letter 1/1-5EII-93/4326 dated 01.06.93 for a period of six months or till the recommendees of Haryana Public Service Commission or their

duties (whichever is earlier). The petitioner joined his duty on 19.06.1993. The respondent No.1 advertised the post of Medical Officers on regular basis through Haryana Public Service Commission in the year 1994 and 1998 and the petitioner applied for the post and appeared in the interview conducted by the Haryana Public Service Commission in the year 1995 and 1998 but he could not succeed in these interviews. There is no intention of State of Haryana to regularize the services of the Class-II officers/Medical Officers who were appointed on adhoc basis after 31.03.1993. Therefore, the services of the petitioner cannot be regularized.”

5. Having heard the arguments of learned State counsel canvassed on the lines of pleadings in the return, I am in agreement with the stand taken by the respondents as aforesaid. No grounds are made out to interfere.

6. Dismissed.

12.05.2022
vandana

(ARUN MONGA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No