



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH : NAGPUR.**

WRIT PETITION NO.5875 of 2023

Dr. Pranav Prabhakar Lapse and another

vs.

State of Maharashtra, Public Health Department, Mumbai through its Secretary and others.

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Ms K. K. Pathak, Advocate for petitioner.

Ms S. S. Jachak, Assistant Government Pleader for respondent nos.1 to 4.

CORAM :- A.S.CHANDURKAR AND MRS. VRUSHALI V. JOSHI, JJ.

DATE :- 5th SEPTEMBER 2023

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Considering the limited relief prayed for, notice to respondent nos. 1 to 4 is made returnable forthwith. Ms. S.S.Jachak, learned Assistant Government Pleader waives service of notice for the said respondents. Service of notice on the respondent nos. 5 and 6 is dispensed with.

2. The petitioners are serving as Medical officers (Group-A) and are posted at Primary Health Centre, Botekasa, Taluka-Korchi, District Gadchiroli. They pray that the proposal that has been forwarded by the respondent no.5- District Health Officer, Zilla Parishad, Gadchiroli, to the respondent no.2-Commissioner, Health Services in the matter of up-gradation of the said Primary Health Centre into A-1 category be directed to be decided at the earliest.

3. The petitioner no.1 has appeared in NEET-PG-2023 examination while the petitioner no.2 is to appear in the said examination in the next academic year. It is submitted that service rendered with the Primary Health Centre is categorised as A-1 and 10% marks are admissible. Since the proposals dated 01.07.2022, 31.03.2023, 12.05.2023, 15.06.2023 and 11.08.2023 are pending with the respondent no.2, it is prayed that a direction be issued to decide the same expeditiously.

Corrected as per
Court's orders
dated
08.09.2023 &
12.09.2023

Corrected as
per Court's
orders dated
08.09.2023 &
12.09.2023

4. Considering the fact that the proposals in question are pending with the respondent no.2 since 01.07.2022 and as the petitioner no.1 is participating in the admission process pursuant to NEET-PG-2023 examination, it is directed that the respondent no.2 shall consider the proposals dated 01.07.2022, 31.03.2023, 12.05.2023, 15.06.2023 and 11.08.2023 as forwarded by the District Health Officer, Zilla Parishad, Gadchiroli within a period of fifteen days of receiving copy of this order and decide the same in accordance with law. Decision taken be accordingly communicated to the petitioners.

5. The writ petition is disposed of in aforesaid terms. No costs.

(MRS. VRUSHALI V. JOSHI, J.)

(A.S.CHANDURKAR, J.)

Andurkar.