

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

CWP-6554-2020 (O&M)
Date of decision:- 19.07.2023

Dr. Gaurav Naib

...Petitioner(s)

Versus

State of Punjab and others

...Respondent(s)

CORAM: **HON'BLE MR. JUSTICE RAVI SHANKER JHA, CHIEF JUSTICE**
HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. Dinesh Mahajan, Advocate,
for the petitioner.

Mr. Abhay Pal Singh, Deputy Advocate General, Punjab.

Mr. Nitin Kaushal, Advocate,
for respondents No. 2 and 3.

Mr. Ravi Sharma, Advocate,
for respondent No. 4.

Mr. Jatinder Pal Singh, Advocate,
for the applicant-intervenor.

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RAVI SHANKER JHA, C.J. (ORAL)

The petitioner has filed this writ petition praying for quashing the notification dated 14.02.2020 as well as the revised instructions dated 25.06.2019.

The aforesaid notification/instructions lead to grant of incentive marks to in-service candidates as well as categorization of the places of posting as difficult and more difficult/remote areas in the State of Punjab.

The petitioner has also assailed the incentive marks granted to the doctors rendering emergency services.

The respondent-authorities have filed an affidavit stating therein that the said notifications have subsequently been withdrawn and modified by the orders/notifications dated 07.10.2020 (Annexure R-1) and 26.11.2020 (Annexure R-3) filed alongwith the affidavit.

In view of the aforesaid orders/notifications issued by the respondent-authorities rescinding and modifying the impugned notifications, nothing further survives for adjudication in the present writ petition which is accordingly disposed of leaving the issue/question of law regarding the validity of categorization open for consideration in appropriate proceedings.

It is also observed that in the present writ petition the petitioner has also challenged the admissions granted on the basis of the impugned notification(s) to eight persons. This Court, while passing an interim order on 16.07.2020 in CWP-7559-2020, had considered the interim prayer made in the writ petition and clarified that the admissions granted to the eight persons on the basis of the impugned instructions shall not be disturbed, at that stage, and would be subject to the decision in the writ petition.

Looking to the undisputed fact that as on the date the admissions were granted to the eight persons on the basis of instructions that were in vogue and existence on the date of grant of admissions and these instructions have subsequently been withdrawn by the State of Punjab, we do not disturb the admissions granted to the said eight persons.

With the aforesaid observations, the writ petition stands disposed of.

(RAVI SHANKER JHA)
CHIEF JUSTICE

(ARUN PALLI)
JUDGE

19.07.2023
Amodh Sharma

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