

June 28, 2024
AD 23
Ct. 17
SG

WPA 16344 of 2024

Dr. Amjad Ali
vs.
The State of West Bengal and others

Mr. Amiya Kumar Dutta
Mr. Swadesh Priya Ghosh
... for the petitioner.

Mr. Biswabrata Basu Mallik
Mr. Tamal Taru Panda
... for the State.

Mr. D.N. Maiti
Mr. A. Santra
... for the respondent No.5.

Affidavit of service filed in Court is taken on record.

Undertaking given by the petitioner in respect of discharge of additional two years of rural/remote service after completion of the bond period of five years, as filed on behalf of the petitioner, is also taken on record. Copies of the same are supplied to the learned Advocates for the other side.

Learned counsel for the petitioner submits as follows. WPA 21439 of 2023 was filed challenging a notification dated 09.08.2023 whereby the State directed that Covid-19 related duty should be considered as rendering service in difficult area in order to avail in-service quota for in-service candidates to the Health and Family Welfare, Government of West Bengal till the cut-off date of 31.03.2023. With the consent of the parties,

an order was passed in the said writ petition on 29.04.2024. Some of the added respondents undertook that they would discharge additional two years of rural/remote service after completion of regular bond period of five years. The University was directed to register their thesis papers, if necessary, by relaxing the last date of registration. The added respondents giving such undertakings were directed to be provided with trainee reserve facility by the State. The order was also mentioned about the condition of discharge of additional two years of rural/remote service. In WPA 14444 of 2024, this Court by an order dated 21.06.2024, passed similar directions. The present petitioner stands on exactly same footing, having served during the Covid-19 period and therefore, is entitled to the same benefit.

Learned counsel for the WBUHS submits that similar undertakings have been provided by the present petitioner herein. Although his clients were not party in the earlier writ petition, they had complied with all the directions.

In view of the above, the respondent authorities are directed to provide trainee reserve facility to the petitioner. The order granting trainee reserve facility by the State shall also contain the conditions that the petitioner shall discharge additional two years of rural/remote service after completion of the regular bond period of five years. All the conditions of the bond shall apply to the additional two years of service.

With these observations, the writ petition is disposed of.

Parties shall act on a server copy of this order duly downloaded from the official website of this Court.

[Jay Sengupta, J.]