

HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
Appellate Side

Present:
THE HON'BLE JUSTICE JAY SENGUPTA

WPA 18172 of 2024

Dr. Rafikul Sheikh
Versus
The State of West Bengal & Ors.

For the petitioners	:	Mr. Amiya Kr. Dutta Mr. Swadesh Priya Ghosh ...Advocates
For the WBUHS	:	Mr. D. N. Maiti Mr. A. Santra ...Advocates
For the State	:	Sk. Md. Galib Mr. Kapil Guha.
Heard on	:	08.08.2024
Judgment on	:	08.08.2024

JAY SENGUPTA, J:

Affidavit of service filed on behalf of the petitioner is taken on record.

An undertaking given by the petitioner in the form of an affidavit, as filed in Court, is also taken on record.

The undertaking given by the petitioner is in respect of discharge of additional two years of rural/remote service after completion of the regular bond period of five years.

Copies of the same are handed over to the learned counsels for the other side.

Learned counsel for the petitioner submits as follows. *WPA 21439 of 2023* was filed challenging a government 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 & Family Welfare, Govt. 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 respondent 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 respondent giving such undertakings were directed to be provided with "Trainee Reserve" facility by the State. The order granting by the "Trainee Reserve" facility by the State was also to mention the condition of discharge of additional two years of rural/remote service. The present petitioner stands on exactly same footing and therefore, is entitled to the same benefit. Similar orders were passed by this Court in *WPA 14444 of 2024* and *WPA 16344 of 2024*.

Learned counsel appearing on behalf of the WBUHS submits that similar undertaking needs to be provided by the present petitioner. Incidentally, although his clients were not party in the above referred parent writ petition, they had complied with all the directions.

In view of the above, the respondent authorities are directed to be provided "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 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.

Urgent certified website copy of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Jay Sengupta, J)