

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

107

CWP-3191-2024 (O&M)

Decided on : 14.02.2024

Keerti Gupta

. . .Petitioner

Versus

State Of Haryana And others

. . . Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

PRESENT: Mr. Vikas Garg, Advocate for the petitioner.

Mr. Harish Nain, AAG, Haryana.

HARSIMRAN SINGH SETHI, J. (Oral)

1. In the present petition, the grievance of the petitioner is that the 'No objection Certificate' has been given to the petitioner by administrative department to compete for the post of senior residency in department of Biochemistry as advertised by respondent No. 3-University but the same is conditional that in case the petitioner is selected against any such advertised posts (Annexure P-1) the period which the petitioner will spend working on the said post will not be counted as the service period towards the post of medical officer in a HCMS cadre and the petitioner will also be bound to follow all the conditions of post graduate bond letter.

2. Learned counsel for the petitioner submits that the said condition is arbitrary and illegal.

3. I have heard learned counsel for the petitioner and have gone through the record with his able assistance.

4. Once the petitioner is working on the post of a medical officer and the petitioner intends to apply and compete for another post, how can the petitioner assert that in case, the petitioner joins on the new post, the period of working against the said new post be treated as service period towards the post of medical officer. Learned counsel for the petitioner was

requested to produce/show any rule that in case the petitioner is selected and joins against the new advertised post of Senior Resident then any service done by the petitioner as a Senior Resident is to be treated as service period on the post of medical officer. Learned counsel for the petitioner has not been able to show any such rule, hence, in the absence of any such rule, the condition imposed by the department, cannot be treated as arbitrary or illegal.

5. Keeping in view the facts and circumstances of the present case recorded herein above, no ground is made out for the grant of any relief to the petitioner as being claimed by him through present petition, hence, the present petition **stands dismissed**.

6. Pending civil miscellaneous application, if any, stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

14.02.2024

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Whether speaking/reasoned: Yes/~~No~~
Whether Reportable: ~~Yes~~/No