

Sr. No.223
IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

LPA-906-2024 (O&M)
Date of decision:08.05.2024

Iqbal Singh **...Appellant**
Vs.
Union of India and others **...Respondents**

CORAM: **HON'BLE MR. JUSTICE G.S.SANDHAWALIA, ACTING CHIEF JUSTICE**
HON'BLE MS. JUSTICE LAPITA BANERJI

Present: **Mr. Ramneek Vasudeva, Advocate,**
For the appellant.

Ms. Neha Jain, Sr. Panel Counsel,
For respondents No.1 to 6-UOI.

G.S.SANDHAWALIA, ACTING CHIEF JUSTICE (ORAL)

1. Learned counsel for the respondents, at the outset, has placed on record the appointment letter dated 30.04.2024 issued to the appellant for the post of Nursing Assistant (Radiographer) at the ECHS Polyclinic, Moga. The same reads as under:-

“Station Headquarters (ECHS)
Ferozepur Cantt
PIN-900346
30 Apr 2024

1385/23/CE/ECHS

Iqbal Singh
S/o Sardar Bohar Singh
#42, Vill-Khambe, Teh-Dharamkot
Distt-Moga

APPOINTMENT LETTER FOR THE POST OF NURSING
ASSISTANT (RADIOGRAPHER) AT ECHS POLYCLINIC
MOGA IN COMPLIANCE OF HON'BLE HIGH COURT OF
PUNJAB AND HARYANA AT CHANDIGARH COURT
ORDER DATED 24 APRIL 2024

1. Please refer the following:-
(a) Gol, MoD letter No 24(6)/03/US(WE)/D(Res) dt 22 Sep 2003 pertaining to policy on contractual employment in ECHS.

(b) Advertisement dated 12 August 2023 published in Times of India and Punjab Kesari inviting applications for contractual employment in ECHS Polyclinics functioning under Station Headquarters Ferozepur Cantt.

(c) Your application dated 28 August 2023 for the post of Nursing Assistant (Radiographer) at ECHS Polyclinic Moga.

(d) Interviews held on 05 October 2023 at 159 General Hospital Ferozepur

2. In response to the advertisement published in Times of India and Punjab Kesari dated 12 August 2023, you had applied for the post of Nursing Assistant (Radiographer) at ECHS Polyclinic Moga vide your application dated 28 August 2023. After the screening of applications of all candidates, you were shortlisted and called for interview by selection Board of Officers.

3. In the interviews held on 05 October 2023, you were earmarked as 'Reserve' based on your demonstrated performance and credentials before the selection Board of Officers and Ms Ruchika was earmarked as 'Selected' by the same Board of Officers. Subsequently, upon approval of the Board Proceedings by the Competent Authority and grant of final vigilance clearance by Central Organisation ECHS, following actions were undertaken by this office:-

(a) Ms Ruchika was appointed Nursing Assistant (Radiographer) at ECHS Polyclinic Moga with effect from 28 March 2024 vide this office letter No 1385/23/CE(iii)/ECHS dt 27 March 2024 as she had been selected by the selection Board of Officers.

(b) Your services as Nursing Assistant (Radiographer) at ECHS Polyclinic Moga were not renewed beyond 19 March 2024 as you were earmarked 'Reserve' by the selection Board of Officers.

4. In compliance of Hon'ble High Court of Punjab and Haryana at Chandigarh order dated 24 April 2024 in the LPA No 906 of 2024, you are being appointed Nursing Assistant (Radiographer) at ECHS Polyclinic Moga with effect from 01 May 2024 for a period of 11 months. Your appointment as Nursing Assistant (Radiographer) at ECHS Polyclinic Moga is on contractual basis for a period of 11 months with effect from 01 May 2024 to 31 March 2025.

5. You will report to the undersigned within seven days from the date of issue of this letter along with following documents for signing of the contract deed:-

- a) Medical fitness certificate.
- b) Police Verification report.
- c) Copy of PAN card and Aadhar Card.

6. please acknowledge receipt.

(SK Srivastav)
Col.
O/C ECHS
For Adm Comdt. ”

XXX XXX

2. Perusal of the order would go on to show that appellant has been appointed on a contractual basis with effect from 01.05.2024 to 31.03.2025. Since the present appeal is arising out of interim order passed in CWP-7516-2024, whereby interim protection had not been granted by the learned Single Judge, we are of the considered opinion that the present appeal has been rendered infructuous in view of the compliance done by the Union of India. It is expected that respondents shall adhere to the concession given during the terms of the contract as such. It is open to the appellant to file an appropriate application before the writ court for any further relief, if he so desires.
3. Disposed of accordingly.

(G.S. SANDHAWALIA)
ACTING CHIEF JUSTICE

(LAPITA BANERJI)
JUDGE

May 08, 2024
vandana

Whether speaking/reasoned:	Yes
Whether reportable:	No