

2024:PHHC:020424
IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CWP-17266-2016 (O&M)
Date of decision: 12.02.2024

Dr. Vikrant Bajaj and another

..Petitioners

Versus

State of Punjab and others

..Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present: Mr. Anupam Bhardwaj, Advocate for the petitioners.

Mr. Charanpreet Singh, AAG, Punjab.

Mr. Ravi Sharma, Advocate for respondent Nos.6 and 7.

AMAN CHAUDHARY J.

1. The prayer in the present Civil Writ Petition under Articles 226/227 of the Constitution of India, is for the issuance of a writ in the nature of mandamus, directing the respondents to issue a certificate of teaching experience.
2. Reply on behalf of respondent Nos.2, 4 and 5 filed in the Court, is taken on record.
3. Learned counsel would contend that the primary grievance of the petitioner is that certificate of teaching experience from January 2011 till date for having taught students who did their DNB from Institute of Mental Health, Amritsar are not being issued to the petitioners, despite their being a recommendation made by the Director, Institute of Mental Health, Amritsar to the Managing Director, Punjab Health Systems Corporation on 26.11.2015 (Annexure P-10), specifically relating to the petitioners and two other similarly situated teachers. He makes a reference to reply filed on behalf of respondent Nos.2, 4 and

5, in particular to para 3 thereof, wherein it has been stated that the Government is willing and ready to issue the certificate of teaching experience as Medical Officers, the posts on which they were appointed and are working. Therefore, the case can be remanded to the authorities to take a final decision and issue the certificates for the post of Assistant Professor, as the post of Medical Officer stood abolished vide letter dated 13.12.2002 (Annexure P-6). He thus, at this stage, on instructions, submits that the petitioner is sanguine of it being considered in a positive manner, in case, a direction is given to the respondents to consider the case of the petitioners in view of recommendation dated 26.11.2015 (Annexure P-10) and decide the same in a time bound manner by granting them an opportunity of hearing.

4. Learned State counsel has no objection to the limited prayer made.

5. In view of the aforesaid and without commenting upon the merits of the case, this petition is hereby disposed of with a direction to respondents to consider the case of the petitioners by taking note of the recommendation dated 26.11.2015 (Annexure P-10) and decide the same within a period of 3 months and if found entitled, necessary benefits be granted forthwith. However, in the eventuality of the relief being denied, a speaking order be passed, after associating the petitioners therewith.

(AMAN CHAUDHARY)
JUDGE

12.02.2024

ashok

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No