



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CM-18775-CWP-2024 in/and CWP-25171-2024 (O&M)

Date of decision : 21.11.2024

Dr. Gaurav Garg

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE SHEEL NAGU, CHIEF JUSTICE
HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Arun Sheemar, Advocate,
for the petitioner.

Mr. Salil Sabhlok, Senior DAG, Punjab.

Mr. Anil Chawla, Senior Panel Counsel, UOI.

SHEEL NAGU, CHIEF JUSTICE (Oral)

CM-18775-CWP-2024

In view of the reasons mentioned in the application, duly supported by an affidavit of the petitioner, hearing of the writ petition is pre-poned and the petition is taken up today itself.

Application is, accordingly, allowed.

CWP-25171-2024 (O&M)

1. The present petition has been filed by an in-service aspirant for admission to Post Graduate course in medical science. The petitioner is claiming marks, which are awarded for serving in remote/difficult/rural areas.

Presently, he is substantively holding the post of Medical Officer in the State



of Punjab and for the time being is posted at CHC, Bhikhi Block Khiala Kalan, District Mansa. He had worked in District Jail Hospital, Mansa from 01.09.2023 to 28.08.2024, for a period of about one year. The petitioner wants this hospital to be categorized as remote/difficult/rural area and, as such, is challenging letter dated 26.11.2020 (Annexure P-6), which is Policy of the State Government, categorizing posting in various hospitals as normal, difficult, more difficult/remote area.

2. The grievance of the petitioner is that District Jail Hospital, Mansa, where he remained posted for about one year, has not been categorized as difficult/remote area, for giving him advantage of maximum 10% marks as incentive marks for admission to Post Graduate course, for which in-service candidates are entitled.

3. Having heard learned counsel for the rival parties, this Court is of the considered view that to categorize a particular posting as normal/difficult/more difficult/remote/rural area solely lies within the policy domain of the State Government. The petitioner has not brought out any particular ground, on which the policy contained in letter dated 26.11.2020 (Annexure P-6) is arbitrary or discriminatory or violative of any of his fundamental rights. While exercising jurisdiction under Article 226 of the Constitution of India, scope for interference in policy matters is extremely limited.

4. The petitioner, however, is free to make representation raising his grievance before the competent authority, i.e. respondent No.1, which if made within a period of 15 days from today shall be considered and decided.



5. At this juncture, learned counsel for the State of Punjab has informed the Court that an exercise is underway, where the policy of categorization (Annexure P-6) is being revised.
6. Be that as it may, the State of Punjab is directed to consider the grievance of the petitioner, if raised by him by way of a representation.
7. Declining to interfere on merits, this petition stands disposed of with the aforesaid liberty.
8. Miscellaneous application (CM-18776-CWP-2024) also stands disposed of.

(SHEEL NAGU)
CHIEF JUSTICE

(ANIL KSHETARPAL)
JUDGE

November 21, 2024
narotam

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No