



**108 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CWP-34596-2025 (O&M)
Date of Decision:21.11.2025
....PETITIONER(S)

DR MANOJ

VERSUS

STATE OF HARYANA AND OTHERSRESPONDENT(S)

**CORAM:- HON'BLE MR. JUSTICE ASHWANI KUMAR MISHRA
HON'BLE MR. JUSTICE ROHIT KAPOOR**

Present: Mr. Ankit Chahal, Advocate
for the petitioner.

Mr. Saurabh Mohunta, DAG, Haryana.

Ms. Nihar Bala, Advocate and
Ms. Sunanda Rani, Advocate for
Mr. H. S. Gill, Advocate
for respondents No.5 and 6.

ASHWANI KUMAR MISHRA, J. (ORAL)

1. The petitioner is a Casualty Medical Officer working with the Government of Haryana. He has secured sufficient marks to obtain admission in a Post-Graduate (PG) Course. In order to apply as an in-service candidate, the petitioner requires a 'No Objection Certificate' (for short, 'NOC') from his employer, i.e. the State of Haryana. This certificate has been withheld on the ground that disciplinary proceedings are pending against the petitioner. Aggrieved thereby, the petitioner has approached this Court.

2. It transpires that during the COVID-19 pandemic, the petitioner was on duty in the emergency ward of the Government Hospital. A Member of the Legislative Assembly (for short, 'MLA') visited the hospital and was annoyed that the petitioner did not rise upon

his arrival. A Show Cause Notice (for short, 'SCN') was issued to the petitioner as the State proposed to impose a minor punishment under Rule 8 of the Haryana Civil Services (Punishment and Appeal) Rules, 2016. The petitioner submitted his reply in June 2024, stating that he did not recognize the MLA and that his failure to stand was unintentional and did not amount to discourtesy. However, no final order has been passed till date.

3. We are anguished and amazed at the action of the State in issuing the SCN to a Government Doctor who was on emergency duty during the COVID-19 period only because he did not rise when the MLA arrived. To expect a doctor to rise when an MLA enters the emergency ward of the hospital and to propose disciplinary action against him if he does not rise is highly disturbing. The petitioner's explanation that he did not recognize the MLA or that he did not do anything to inflict insult has been completely ignored. In our view it is insensitive on the part of the State to proceed against the petitioner on such a charge. It would be equally arbitrary to deny him the right to pursue higher medical education by withholding the NOC only because SCN is pending against him.

4. Pursuing medical education is a tough challenge. Students must perform exceptionally well even to secure admission in MBBS Course. It is well-known that medical courses require deep dedication and commitment over prolonged periods. After completing MBBS and joining Government service, a doctor is expected to provide medical facilities to the masses. Public representatives and others responsible must extend respect and basic courtesies to such dedicated professionals.

With anguish, we note that frequent reports surface in newspapers of dedicated medical professionals being ill-treated by relatives of patients or public representatives without valid cause. Time has come when such undesirable incidents are checked and due recognition is extended to sincere medical professionals. It would be wholly unjust and manifestly arbitrary to allow adverse action against a Doctor merely because he did not rise upon the arrival of an MLA. Keeping such proceedings pending for years and denying the petitioner an NOC on such basis, therefore, cannot be sustained.

5. The respondent-State is, therefore, directed to issue the NOC to the petitioner forthwith.

6. In view of the above, the present writ petition succeeds and is allowed, with costs quantified at ₹50,000/- to be deposited with *Poor Patient Welfare Fund, PGIMER, Chandigarh* by the respondent-State.

7. Pending application(s), if any, stand(s) disposed of.

[ASHWANI KUMAR MISHRA]
JUDGE

[ROHIT KAPOOR]
JUDGE

NOVEMBER 21, 2025
Rahul Joshi

1. Whether Speaking/reasoned	Yes/No
2. Whether Reportable	Yes/No