

(2020) 09 SHI CK 0242
In the High Court Of Himachal Pradesh
Case No : Civil Writ Petition No. 04 Of 2018

Ashok Kumar

APPELLANT

Vs

State Of Himachal Pradesh And Others

RESPONDENT

Date of Decision : 16-09-2020

Acts Referred:

Citation : (2020) 09 SHI CK 0242

Hon'ble Judges : Tarlok Singh Chauhan, J; Jyotsna Rewal Dua, J

Bench : Division Bench

Advocate : Ramakant Sharma, Ajay Vaidya

Final Decision : Disposed Of

Judgement

Tarlok Singh Chauhan, J

1. The instant petition has been filed for the grant of following substantive reliefs:-

(i) "That the respondents may very kindly be directed to appoint the requisite number of Doctors and allied staff in Community Health Center Talai, Tehsil Jhandutta, District Bilaspur, H.P. in the interest of justice.

(ii) That the respondents No.1 & 2 may be directed to provide/create facility for treatment of Snake bite in CHC Talai, Tehsil Jhandutta, District Bilaspur, H.P. immediately.

(iii) That the respondents No.3 & 4 may also be directed to start Panchakarma in its Ayurvedic Hospital Talai immediately in the interest of justice.

(iv) That the respondent No.5 may kindly be directed to appoint/post the requisite number of Dental Doctor in CHC, Talai, Tehsil Jhandutta, District Bilaspur, H.P."

2. Respondents No.1, 2 and 5 in their reply have clearly stated that steps for filling up various posts have been initiated by them and the same has been

referred to in paras 7, 8 and 10 of the preliminary submissions, which read as under:-

"7. That it is submitted that X-ray plant has already been installed at CHC Talai, but is presently non-functional due to non-posting of Radiographer in the said Medical Institution in view of the overall shortage of the persons in the said category in the Department. It is submitted that as per the detail given vide Annexure-A above, as against the 191 vacancies of Radiographer in the State, the process for filling up of 189 vacancies of the category is in hand and is pending at the level of Recruitment Agency concerned, and all out efforts shall be made to post 1 Radiographer at CHC Talai as and when new recruitment to the post of Radiographer are made in the Department. Further, in so far as the matter regarding purchase of Ultrasound Machine is concerned, the same as per report is not feasible as the said Institution is presently running in the PHC Building and is not having proper space as per the specification under the PC & PNDT Act. Moreover, the post of Radiologist has also not been created at CHC Talai and the Ultrasound Machine can only be purchased after the creation of said post and posting of the Radiologist thereto.

8. That it is submitted that in view of the overall vacancy position of various categories of staff in the Replying respondent Department throughout the State of HP, the vacancies of various categories do also exist in CHC Talai. However, from amongst the existing resources, keeping in view the various vacancies as also the requests being made by the people of the area including Annexures P-2 and P-3, the continuous efforts have been made to strengthen the staff position of CHC Talai including Pharmacists and Staff Nurses etc. from amongst the existing sources. Besides, the matter for filling up the vacancies under various categories is under active consideration with the State and the Department and all out efforts are being made to fill up such vacancies from amongst the new recruitments, process whereof is already in hand as per the chart, Annexure-A, above.

10. That it is submitted that the respondents State and the Department has tried and is also trying its hard to provide the Health Care Facilities to the best possible extent in larger interests of public and patients, within its available means and resources, and accordingly, the continuous efforts are being made for filling up the vacant posts of different categories of staff in the Department (varies on day to day basis), in all the Health Institutions including the CHC Talai from amongst the existing strength of the Department by way of transfer/promotions as well as from amongst the new recruitment likely to be made in future."

3. Consequently, the present petition is disposed of with a direction to the respondents to make continuous efforts to strengthen the staff position not only at CHC Talai, but also in all CHCs, PHCs and other Hospitals in the State of Himachal Pradesh. Pending application(s), if any, also stand disposed of.