
(2021) 11 UK CK 0185

In the Uttarakhand High Court

Case No : Writ Petition (S/B) No. 543 Of 2021

Dr. Dipesh Mudgil

APPELLANT

Vs

State Of Uttarakhand & Others

RESPONDENT

Date of Decision : 27-11-2021

Acts Referred:

Citation : (2021) 11 UK CK 0185

Hon'ble Judges : Manoj Kumar Tiwari, J; Narayan Singh Dhanik, J

Bench : Division Bench

Advocate : B.M. Pingal, Tarun Lakhera, Ramji Srivastava

Final Decision : Disposed Of

Judgement

Manoj Kumar Tiwari, J

1. Petitioner was selected by Uttarakhand Medical Service Selection Board for the post of Medical Officer (Ordinary Grade) and was offered appointment, vide order dated 14.06.2021. By the said order, petitioner was posted in District Rudraprayag.

2. According to the petitioner, his mother was critically ill in the month of July, 2021 and she remained hospitalized up to 20.07.2021, therefore, petitioner could not report for duties in District Rudraprayag. It is further his case that on 07.08.2021, he made a representation to Director General, Medical Health & Family Welfare, Uttarakhand stating that his mother was ill and by the said representation he requested to allow him to join. Similar representation was made by the petitioner on 04.10.2021, however, the Secretary, Department of Medical Health has issued an order on 14.09.2021, whereby candidature of such persons, who were offered appointment as Medical Officer, but, have not jointed duties, has been cancelled. Thus, feeling aggrieved by the said order, petitioner has approached this Court.

3. Learned counsel for the petitioner submits that petitioner is too keen to serve

in hill areas of Uttarakhand. He further submits that whatever delay was caused in reporting for duties at the place where petitioner was appointed, was on account of reasons wholly beyond control of the petitioner. He further submits that petitioner will give an undertaking in the form of an affidavit to the Competent Authority in the Department that he will render service in remote hill areas of State of Uttarakhand for a minimum period of 10 years.

4. Having regard to the willingness shown by the petitioner to serve in remote areas of hill districts in Uttarakhand, the Writ Petition is disposed of with liberty to petitioner to make representation to Secretary, Medical Health, Government of Uttarakhand, within two weeks from today. If petitioner makes such representation, the concerned Secretary shall consider petitioner's request and pass appropriate order, in accordance with law, within four weeks thereafter.