

(2017) 11 UK CK 0024
In the Uttarakhand High Court
Case No : 522 of 2017

Dr. Malvika Sawai

APPELLANT

Vs

State of Uttarakhand and others

RESPONDENT

Date of Decision : 10-11-2017

Acts Referred:

Citation : (2017) 11 UK CK 0024

Hon'ble Judges : K.M. Joseph, V.K. Bist

Bench : Division Bench

Advocate : C.K. Sharma, ?Pradeep Joshi, ?Parikshit Saini

Judgement

1. Petitioner has approached this Court seeking the following reliefs:

"i) Issue a writ order or direction in the nature of mandamus commanding and directing the respondent to extend the contract period of the petitioner for further one year in continuation of the Government order dated 13.10.2016.

(ii) Issue a writ order or direction in the nature of mandamus commanding and directing the respondents to take a decision on the representation of the writ petitioner in view of the recommendation of the Principal, Government Medical College, Haldwani dated 28.10.2016 within a shortest possible time. (iii) Issue a writ, order or direction in the nature of mandamus commanding and directing the respondents to count the period for which the petitioner is out of job because of the inaction on the part of the respondents in not extending the contract period for further one year.

2. Briefly put, the case of the petitioner is as follows:

Petitioner, after completing her M.B.B.S., passed M.D./M.S. in General Surgery. She executed a bond to serve the State of Uttarakhand for a period of two years. In short, her case is that she is allotted to the Government Medical College, Haldwani and she has completed one year. She would submit that actually she should be permitted to continue in the Government Medical College, Haldwani

and that there are vacancies of Senior Residents in the Government Medical College, Haldwani.

3. Per contra, the case of the Government appears to be that, out of the period of two years, she has to serve for a period of one year in the Medical Education Department and the other year, she has to serve in the Department of Medical Health and Family Welfare in Government Hospitals.

4. We have disposed of the similar case, namely, Writ Petition (S/B) No. 524 of 2017. We see no reason to take a different view.

5. In the circumstances, after hearing learned counsel for the parties, we dispose of the writ petition as follows:

There will be a direction to the first respondent to consider the case of the petitioner for appointment in terms of the bond. The decision will be taken within a period of one week from the date of production of certified copy of this judgment.

6. Let certified copy of this judgment be issued today itself.