

(2019) 08 J&K CK 0023

In the Jammu And Kashmir High Court

Case No : Writ Petition (C) No. 2334 Of 2019, CM No. 4694, 6084 Of 2019

Dr. Shami Kumar & Dr. Gaurav Singh Manhas

APPELLANT

Vs

State Of Jammu & Kashmir & Ors

RESPONDENT

Date of Decision : 17-08-2019

Acts Referred:

Citation : (2019) 08 J&K CK 0023

Hon'ble Judges : Tashi Rabstan, J

Bench : Single Bench

Advocate : Ankush Manhas, H.A. Siddiqui

Final Decision : Disposed Off

Judgement

Tashi Rabstan, J

1. Through the medium of this writ petition, the petitioners are seeking a direction to respondents 1 and 2 for issuance of No Objection Certificate in favour of petitioners so as to enable them to participate in the selection process for the tenure engagement of Registrars in Government Medical College, Jammu.

2. The facts-in-brief, as projected in the writ petition, are that pursuant to Notification No.JMC/Es-1/109/237 dated 03.06.2019 the petitioners being eligible in all respects applied for the tenure post of Registrars in Government Medical College, Jammu. It is averred that one of the conditions of the advertisement notice was that the in-service doctors were to be allowed to participate in the selection process only if they route their application forms through the Administrative Department. Accordingly, the Director Health Services, Jammu was not forwarding the application forms of petitioners to respondent No.3, whereas the last date for submission of application forms was 22.06.2019. Hence, the present writ petition.

3. When this case was listed, a coordinate Bench of this Court vide order dated 18.06.2019 directed the respondents to accept the application forms of

petitioners.

4. Now petitioner No.2 has filed CM No.6084/2019 seeking a direction to respondents to allow him to join against the post of Senior Resident in the discipline of Radiodiagnosis in Government Medical College, Jammu pursuant to his selection against the said tenure post. It is averred that the select list was issued on 29.07.2019 and the same would reveal that petitioner No.2 has been selected against the discipline for which he has applied.

5. Today, when the matter was taken up for hearing, Mr. Ankush Manhas, learned counsel appearing for petitioners, stated at the Bar that the name of petitioner No.1 be deleted from the array of petitioners as he has failed to get selected in the aforementioned selection process. His statement is taken on record. Accordingly, name of petitioner No.1 is deleted from the array of petitioners and this writ petition shall stand dismissed so far as it relates to petitioner No.1.

6. At this stage, Mr. Ankush, now appearing for petitioner No.2, stated at the Bar that his client would feel satisfied if this writ petition is disposed of with a direction to respondents to consider the case of petitioner No.2 for issuance of formal appointment order in his favour within certain time frame. His statement is taken on record.

7. Accordingly, this writ petition is disposed of with a direction to respondents to consider the case of petitioner No.2 for issuance of formal appointment order in his favour against the post of Senior Resident in the discipline of Radiodiagnosis in Government Medical College, Jammu subject to fulfilment of eligibility criteria and, of course, in terms of the rules admissible to the field. Let consideration order be passed within a period of two weeks from today. Till then the post-in-question shall not be filled up by any other candidate. Connected MPs, accordingly, stand disposed of.