
(2021) 12 UK CK 0089

In the Uttarakhand High Court

Case No : Writ Petition (M/S) No. 1834 Of 2017

Dr. Vaibhav Nauriyal

APPELLANT

Vs

State Of Uttarakhand & Others

RESPONDENT

Date of Decision : 08-12-2021

Acts Referred:

Citation : (2021) 12 UK CK 0089

Hon'ble Judges : Manoj Kumar Tiwari, J

Bench : Single Bench

Advocate : G.S. Negi

Final Decision : Dismissed

Judgement

Manoj Kumar Tiwari, J

1. Petitioner pursued M.B.B.S. Course from Government Medical College, Haldwani in the year 2014 on subsidized fee and he has executed a bond that he will serve in remote hill areas of Uttarakhand for minimum 5 years. Upon completing M.B.B.S. Course, petitioner was desirous of pursuing master's course. Since respondent no. 2 was not issuing N.O.C. to the petitioner for participating in the counseling scheduled to be held on 02.08.2017 for admission to DNB-CET Course, therefore, petitioner filed this writ petition in the month of July, 2017, seeking a direction to the respondents to provide him N.O.C.

2. A Co-ordinate Bench of this Court passed an interim order on 28.07.2017, whereby Director General, Medical Health & Family Welfare, Dehradun was directed to issue provisional 'No Objection Certificate' to the petitioner, within 24 hours. A further direction was issued to Principal, Government Medical College, Haldwani to give original certificates to the petitioner, without waiting for 'No Objection Certificate', on an undertaking given by the petitioner that he will return the original certificates to respondent no. 3 within a period of two months.

3. A counter affidavit has been filed by Dr. Rajendra Kumar Pandey, Acting

Director General, Medical Health & Family Welfare, Dehradun. In paragraph no. 15 of the said counter affidavit, it has been stated that, pursuant to direction issued by a Co-ordinate Bench of this Court, N.O.C. has been issued to the petitioner by Director General of Health vide letter dated 29.07.2017.

4. Upon issuance of N.O.C., petitioner must have participated in the counseling scheduled to be held in the month of July, 2017. More than 4 years have gone by and the petitioner must have completed master's course, if given admission in 2017.

5. In such view of the matter, the relief, as claimed in the writ petition, does not survive.

6. Accordingly, the writ petition is dismissed as infructuous.