

(2020) 07 SHI CK 0363
In the High Court Of Himachal Pradesh
Case No : Civil Writ Petition No. 1821 Of 2020

Dr. Varsha Rathore

APPELLANT

Vs

State Of Himachal Pradesh And Another

RESPONDENT

Date of Decision : 06-07-2020

Acts Referred:

Citation : (2020) 07 SHI CK 0363

Hon'ble Judges : Ajay Mohan Goel, J

Bench : Single Bench

Advocate : Dilip Sharma, Manish Sharma, Ajay Vaidya

Final Decision : Allowed

Judgement

Ajay Mohan Goel, J

1. By way of this petition, the petitioner has prayed for the following reliefs:-

"It is, therefore, humbly prayed that the present writ petition may be allowed and any appropriate writ, order or direction may kindly be issued to the following effect:-

i) That the condition as contained under proviso to clause 2 of Annexure P-6 to the extent of requirement of field posting/service of 1 year before being considered for the post of Senior Resident may be quashed and set aside qua the category of direct candidate(s);

ii) That respondent State may be directed to allow the petitioner to apply for the post of Senior Resident without insisting for service of 1 year in peripheral area/field posting;

iii) That consequent to applying as above, the petitioner may be directed to be considered along with other eligible persons for the post of Senior Resident (Radio Diagnosis), IGMC, Shimla, in accordance with rules applicable in this regard;

- iv) Any other relief which this Hon'ble Court deems fit and proper in the facts and circumstances of the case may also kindly be granted in the interest of justice;
- v) Cost of the petition may kindly be awarded."

2. When this case was taken up today for consideration, learned Senior Counsel appearing for the petitioner, on instructions, submits that the petitioner wishes to deposit the bond amount as per the bond which stands entered into between the petitioner and the State so that she is in a position to compete for posts of Senior Residents, without any strings of bond, as a direct category candidate and that she is no more interested in pursuing this writ petition on merit in view of the fact that one year has already elapsed since she completed her Post Graduation, so she be permitted to withdraw this petition with liberty to deposit the bond money.

3. The petition, therefore, as prayed for, is permitted to be withdrawn with liberty to the petitioner to deposit the bond money in terms of the bond which has been executed between her and the State. Learned Senior Counsel appearing for the petitioner, on instructions, states that an appropriate request in this regard shall be made by the petitioner to the Director, Medical Education and Research, Government of Himachal Pradesh within a period of one week from today. It is ordered that in the event of any such request being made by the petitioner within one week from today, the appropriate authority shall convey to the petitioner the amount as well as the bank account number in which said amount is to be deposited by the petitioner, within two weeks as from the date of receipt of request of the petitioner. Learned Senior Counsel for the petitioner, at this stage, further submits that as from the date of intimation as to how much amount has to be deposited by the petitioner, and in which bank account, the same is to be deposited, needful shall be done by the petitioner within a period of three weeks. His statement is taken on record.

4. In view of the above, the petition is permitted to be withdrawn, with liberty as prayed for, so also pending miscellaneous application(s), if any. No order as to costs.