

WPMS No. 747 of 2020

**Hon'ble Manoj K. Tiwari, J.**

Mr. Vinay Kumar, Advocate for the petitioner.

Mr. Suyash Pant, Brief Holder for the State of Uttarakhand.

Heard learned counsel for the parties.

The petitioner was admitted in MBBS Course in Government Medical College, Haldwani and he was required to pay subsidized fee of Rs. 15,000/- per annum during the entire course duration with the understanding that he will serve in the remote hill areas of State of Uttarakhand for a minimum period of five years.

Petitioner completed MBBS course in the month of June, 2018. The Director General, Health and Family Welfare, Uttarakhand vide order dated 13.09.2019 asked the petitioner to submit his joining in the office of Chief Medical Officer, Chamoli.

Learned counsel for the petitioner submits that petitioner has submitted his joining report in the office of Director General, Medical, Health on 24.02.2020, however, his joining has not been accepted so far.

Mr. Suyash Pant, learned Brief Holder appearing for the State points out that petitioner had submitted joining pursuant to the notice dated 10.02.2020, whereby he was asked to refund a sum of Rs. 30 lacs as per the condition of the bond. He further submits that in his application dated 24.02.2020, petitioner has put a condition that he may be posted in District Dehradun.

Learned counsel for the petitioner submits that the Director General, Medical, Health and Family Welfare has not passed any order on the joining report submitted by the petitioner.

Learned counsel for the petitioner further submits that petitioner is ready and willing to serve in any part of State of Uttarakhand including district Chamoli and he will report for duties within 48 hours of passing of the order by the Director General.

Grievance of the petitioner is that petitioner's request for grant of NOC for participating in the counseling for admission to post graduate medical courses is not being considered.

Having regard to the facts and circumstances of the case, the writ petition is disposed of with direction to the Director General, Medical, Health and Family Welfare, Uttarakhand to assign the place of posting to the petitioner within 48 hours. Petitioner shall report for duties at the place so assigned within next 48 hours. After joining at the assigned place, petitioner shall make a fresh request for grant of NOC. If he makes such request, the Director General shall consider petitioner's request in the light of the pandemic, which is prevailing today, and pass appropriate order, in accordance with law within 10 days thereafter.

Let a certified copy of this order be issued to learned counsel for the parties, today itself, on payment of usual charges.

Navin

**(Manoj K. Tiwari, J.)**

25.03.2020