

**Dr. Abhishek Singh Thakur Vs. State & Ors.**

**CWP No.3520/2026**

24.03.2026 Present: Mr. Onkar Jairath, Advocate, for the petitioner.

Mr. Y.P.S. Dhaulta, Additional Advocate General and Ms. Seema Sharma, Deputy Advocate General and Mr. Rajat Chaudhary, Assistant Advocate General, for the respondents.

Reply be filed within three weeks. List thereafter.

**CMP No.5092/2026**

**Heard.**

The petitioner successfully completed MBBS course from Indira Gandhi Medical College (IGMC), Shimla, in 2013–2019 batch. He qualified the NEET-PG examination under the State quota as a direct candidate. He was admitted to the MD (Medicine) course at IGMC, Shimla, in the year 2020 as a direct candidate. The petitioner successfully completed the said course in August 2023. During the period of his post-graduation, the petitioner also served as a Junior Resident at the aforesaid institution.

2. On completion of MD (Medicine), the petitioner was appointed as Medical Officer (Specialist Medicine) and joined his duties as such on contract basis on 07.08.2023 at Civil Hospital Arki, District Solan. This was in lieu of the compulsory post-PG bond executed by the petitioner. The petitioner completed the mandatory bond service period on

08.08.2025. He joined as Senior Resident (Medicine) at SLBSGMC Nerchowk, Mandi, as a General Duty Officer on contract basis as direct candidate on 08.08.2025. It is the case of the petitioner that on completion of two years of contract service on 08.08.2025, he became eligible for regularization in terms of the applicable State Policy.

3. The petitioner appeared in the NEET-SS examination as a direct candidate on 16.12.2025 and qualified the same on 17.03.2026. The petitioner was allotted DM Medical Gastroenterology seat at IGMC Shimla through the All India Quota as a direct candidate.

4. Petitioner's grievance is that even though he represented to respondent No. 2 on 18.06.2026 (Annexure P-5) for issuance of a No Objection Certificate for joining the above-mentioned Super Specialty course at IGMC Shimla as an in-service candidate, the same has not been issued to him. Consequently, he is not in a position to take admission to the Super Specialty course. The last date for admission is stated to be 25.03.2026.

5. In compliance to the order passed in this writ petition on 23.03.2026, the learned Additional Advocate General has placed on record office instructions from the Joint Director, Health Services (Admin.), Himachal Pradesh, conveying that the petitioner is not a regular GDO; has not completed three years of continuous service, which is

mandatory for pursuing a Super Specialty course as per Clause 11.1.2(b) of the PG/SS Policy dated 15.10.2025; It is stated that three years of petitioner's service would be completed on 05.08.2026.

The office instructions placed on record further indicate that the petitioner has completed his post-PG bond period, including one year of mandatory field posting. The No Objection Certificate is being denied to the petitioner, presumably by invoking Clause 11.1.2(b) of the PG/SS Policy dated 15.10.2025, which reads as under: -

*“b) Those candidates who had initially joined as Direct Candidates but subsequently turned GDO or those who have joined GDOship after doing Post Graduation from elsewhere shall be considered for Sponsorship to Super Specialty courses subject to the conditions that the GDO should be regular and should have served the State for at least three years including one year mandatory field posting.”*

There is *prima facie* force in the argument advanced by the learned counsel for the petitioner that the above clause refers to consideration of GDOs for sponsorship to Super Specialty courses, whereas in the instant case, the petitioner does not seek sponsorship, he has been selected for admission to the Super Specialty course as a direct candidate under the All India Quota. He wishes to join the said course while retaining lien on his service with the respondent-State. The learned counsel also submitted that during the

continuance of the said course, the petitioner shall continue to serve the respondent-State.

In view of above, let a provisional No Objection Certificate, as an in-service candidate, be issued by the respondents, in favour of the petitioner by 5:00 P.M today, to enable him to join the said course at IGMC Shimla. The application stands disposed of.

**Jyotsna Rewal Dua**  
**Judge**

24<sup>th</sup> March, 2026 (Rohit)