

**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR**

S.B. Civil Writ Petition No. 12766/2022

Dr. Bharti Damor D/o Shri Vikram Singh, Aged About 29 Years,
Resident Of Village/post Bori, Tehsil Garhi, District Banswara
(Raj.), Posted As Medical Officer At Phc Bhimpur, Block Partapur,
District Banswara.

----Petitioner

Versus

1. State Of Rajasthan, Through The Secretary (Group Ii),
Department Of Medical And Health Rajasthan, Jaipur.
2. Deputy Secretary, Medical And Health Services, (Group
Ii), Govt. Of Rajasthan, Jaipur.
3. The Secretary, Department Of Personnel, Secretariat,
Rajasthan, Jaipur.
4. Director (Public Health), Department Of Medical And
Health, Directorate, Health Bhawan, Jaipur.
5. Principal, Jln Medical College, Ajmer.
6. Chief Medical And Health Officer, Banswara.
7. Block Chief Medical Officer Partapur, District Banswara.

----Respondents

For Petitioner(s) : Mr. Y.P. Khileree.

For Respondent(s) :

HON'BLE MR. JUSTICE ARUN BHANSALI

Order

15/09/2022

It is submitted by learned counsel for the petitioner that the petitioner was relieved by communication dated 17.05.2019 (Annex.8) for joining the PG Course, 2019 by Director (Health), Medical & Health Services, Rajasthan Jaipur, pursuant to which, the petitioner joined her PG course and completed the same.

Whereafter, when the petitioner reported back for joining, she was handed over an order dated 06.07.2020, wherein her services had been terminated under Rule 29 of the Rajasthan Medical & Health Service Rules, 1963 for unauthorized absence.

Submission has been made that once the petitioner was relieved by the competent authority, there is no question of petitioner being unauthorizedly absent.

Further submissions have been made that the respondents have been passing orders in similar circumstances, wherein on 01.07.2022 and 05.08.2022 (Annex.14) similarly placed candidates have been permitted to join by the Secretary of the department.

In view of the submissions made, issue notice. Issue notice of stay application also. Both are made returnable on 12.10.2022.

In the meanwhile, the petitioner may approach the Secretary of the department by way of a representation raising all the issues as raised in the present writ petition including relying on the orders dated 01.07.2022 & 05.08.2022 (Annex.14).

It is expected of the Secretary to pass an appropriate order on the said representation made by the petitioner within a period of one week from the date a representation is made by the petitioner.

(ARUN BHANSALI),J