

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No.3372/2026

[Arising out of impugned final judgment and order dated 05-01-2026 in CWP No.20930/2025 passed by the High Court of Himachal Pradesh at Shimla]

SHYAM CHANDRAN

Petitioner(s)

VERSUS

STATE OF HIMACHAL PRADESH & ORS.

Respondent(s)

FOR ADMISSION

Date : 27-01-2026 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE K.V. VISWANATHAN
HON'BLE MR. JUSTICE VIPUL M. PANCHOLI

For Petitioner(s) :Mr. John Mathew, AOR

For Respondent(s) :

UPON hearing the counsel the Court made the following
O R D E R

1. Heard Mr. John Mathew, learned counsel appearing for the petitioner.

2. In the present case, the petitioner who had to serve out a bond period by taking a posting in the State has prior to the commencement of his period of service, been selected to DM/MCH Super Specialty. Learned counsel Mr. Mathew submits that the last day for verification of the educational qualification certificates is 31.01.2026 at Sree Chitra Tirunal Institute for Medical Sciences & Technology, Trivandrum. The High Court has apart from pointing out that the petitioner has not challenged the order of rejection dated 02.01.2026 (Annexure- P18 page 155) has also held that the

petitioner has a liberty to challenge the order of rejection. However, the petitioner is running against time. Mr. Mathew submits that for the General Duty Officers, there is a Clause at Page 160 (PDF Page 201 of the paper-book) namely Clause 8 which reads as under:

"As per clause 11(b) of PG/SS Policy dated 15.10.2025 for pursuing Super Specialty course "Those candidate's who had initially joined as Direct Candidates but subsequently turned GDO or those who have joined GDQship after doing Post Graduation from elsewhere shall be considered for Sponsorship to Super Specialty course 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. Further as .per clause 6.1:-"Provided further that such GDOs who get selected as per Clause: 6.5, for doing Super Speciality before completion of the bond period of Post Graduation as such in that event the candidate already being bonded to serve the State as per the provisions of this policy for doing Post Graduation for 4/5 years alongwith bond amount of Rs. 40 Lakhs on such selection for the Superspecialty course will have to furnish, an undertaking on judicial paper to serve the balance/remaining bond period for doing Post Graduation alongwith the bond period applicable after doing Super Speciality course for serving the State as the case may be. For this purpose both the bond periods shall be clubbed together for serving the State for a period equal to ba|ance/remaihing bond period of PG course + mandatory period- of bond in respect of Superspecialty course apart from the mandatory one year of field posting and the candidates shall furnish a fresh bond in the form of legal undertaking to serve the State for the clubbed period failing which the candidate shall have to pay Rs.90 Lakhs to the State Government. The candidate shall also furnish an undated cheque from a scheduled bank amounting

to Rs.90 Lakhs in the name of DHS/DME. The DHS/DME shall be at liberty to get the cheque encashed in event of violation of the bond conditions."

3. Mr. Mathew submits that principles analogous to that Clause should also apply persons like the petitioner and if that Clause is applied on furnishing a further bond that after Super Specialty, the candidate would serve the State and with deposit of an undated cheque for an amount of Rupees Ninety Lakhs, permissions can be accorded.

4. Considering the urgency, list the matter tomorrow at 10:30 A.M. A copy to be served on the standing counsel.

5. We request the learned Advocate General to appear through video conferencing. Learned Advocate General may take instructions and report on this matter tomorrow.

6. List tomorrow as first on board.

(VIJAY KUMAR)
ASTT. REGISTRAR-cum-PS

(MANOJ KUMAR)
COURT MASTER (NSH)