

Court No. - 19

Case :- MISC. SINGLE No. - 9485 of 2018

Petitioner :- Dr. Vindo Kumar Gupta & 6 Ors.

Respondent :- State Of U.P. Thru. Prin. Secy., Medical Education & 2 Ors.

Counsel for Petitioner :- Lalaprasad Misra, Prafulla Tiwari

Counsel for Respondent :- C.S.C., Sanjay Bhasin

Hon'ble Vivek Chaudhary, J.

Heard Dr. L.P. Misra, learned counsel for the petitioners, Sri Ramesh Kumar Singh, learned Additional Advocate General for respondent no. 1 & 2 and Sri Sanjay Bhasin, learned counsel for respondent no. 3, Director General Medical Education and Training, U.P. Lucknow.

Submission of learned counsel for the petitioners is that Regulation 9(4) of Regulations of 2004 of the Medical Council of India, as amended in the year, 2012, provides that a doctor who has worked for a period of 1, 2 or 3 years in the rural or difficult areas in the state, will be provided weightage of 10%, 20% and 30% marks as applicable. Hence, submission is that the State Government has provided weightage of 30% to such doctors who have worked for a period of three years and weightage of 10% and 20% is not given to the doctors who have worked for 1 & 2 years in the rural/difficult areas.

With the consent of learned counsels for the parties, following order is being passed :-

1. State Government shall issue a fresh list of all such persons who have worked with the state government as doctors, as aforesaid, for a period of 1, 2 & 3 years and giving weightage of 10%, 20% 30% respectively as per Regulation 9(4) of Regulations of 2004 of the Medical Council of India, as amended in the year 2012.

2. These persons who are given weightage of 10%, 20% & 30%, will be placed in the merit list at appropriate place and a fresh list shall also be published on the web portal of the Director General Medical Education and Training, Lucknow.

3. Counselling, which is already held to the extent that the first person placed at highest in the merit list from the persons who are given weightage of

10%,20% & 30% will not be disturbed and thereafter, a fresh counselling will take place.

4. The entire result of the first counselling, including persons such as petitioners, as per the scheduled would be declared on 12th April,2018.

5. The National Informatics Centre and King George Medical University shall cooperate with the respondents for proper implementation of this order.

6. With the aforesaid observations, present writ petition is disposed of.

7. Let a copy of this order be provided to learned counsels for the parties on payment of usual charges by today itself.

Order Date :- 6.4.2018

AKS

(Vivek Chaudhary,J.)