



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

S.B. Civil Writ Petition No. 9288/2021

Dr. Swetabh Purohit S/o Kailash Lal Purohit, Aged About 36 Years, Rooprajat Township, Pal Balaji, Inside Bhadu Market, Jodhpur.

----Petitioner

Versus

1. State Of Rajasthan, Through The Secretary, Medical Education, Government Of Rajasthan, Jaipur.
2. The Secretary Department Of Personnel, Government Of Rajasthan, Jaipur.
3. The Principal Rnt Medical College, Udaipur, Rajasthan.
4. The Rajasthan Public Service Commission, Through Secretary, Ajmer, Rajasthan.
5. Dr. Monika Keena D/o Shri Bheem Singh, aged about 33 years, R/o D-4A, Rotary Circle, Jodhpur (Raj.).

----Respondents

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For Petitioner(s)	:	Mr. B.K. Vyas
For Respondent(s)	:	Mr. K.S. Rajpurohit, AAG Mr. Mahaveer Bishnoi

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**JUSTICE DINESH MEHTA**

**Order**

**20/09/2021**

**I.A. No.1/2021**

The matter comes upon an application filed by Dr. Monika Keena, who is reserved candidate No.1.

For the reasons stated, the application seeking impleadment, is allowed and Dr. Monika Keena is impleaded as respondent No.5.

**SBCWP No.9288/2021**

1., By way of present writ petition, the petitioner has prayed as under:-



*"It is, therefore, most respectfully prayed that this writ petition may kindly be allowed, and by an appropriate writ, order or direction; the respondents may kindly be directed not to terminate the service of petitioner on account of non joining of service in pursuant to the order dated 02.07.2021.*

*It is further prayed that by an appropriate order the petitioner may be allowed to join the service after completion of DM Pulmonary and Critical Care Medical (Special 3 Year Course) from Vardhman Mahavir Medical College & Safdarjung Hospital, New Delhi."*

2. The petitioner is pursuing his super speciality course of DM Pulmonary and Critical Care Medicine (Special 3 Year Course) from Vardhman Mahavir Medical College & Safdarjung Hospital, New Delhi, which will be completed in December, 2023.

3. Mr. Mahaveer Bishnoi, learned counsel appearing for respondent No.5, at the outset submits that the petitioner's above referred Course will complete in December, 2023 and till such time, neither the State can be expected to wait nor can such a direction be issued inasmuch as, maximum time for which period of joining can be extended is six months, as per Circulars dated 19.01.1996 and 18.10.1997, issued by the Department of Personnel.

4. In view of the facts obtaining in the present case, this Court is of the considered view that the petitioner cannot keep the State wait for completion of his above referred super speciality course, which is going to be over in December, 2023.

5. That apart, since the maximum period, which can be allowed to join is six months, in the opinion of this Court, the interim order dated 22.07.2021 cannot be continued beyond the period of six months.

6. The writ petition is, therefore, dismissed.

7. The stay granted by this Court is vacated.



8. The petitioner may, however, be at liberty to apply for extension of joining period by way of giving reasons. In case any such application is filed by the petitioner within 15 days, the competent authority will be free to extend the joining period by 31.12.2021.

9. In case no such request is received, the respondents shall be free to operate waiting list/reserve list in accordance with law.

**(DINESH MEHTA),J**

47-skm/-



सत्यमेव जयते