



**HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR**



S.B. Civil Writ Petition No. 6372/2025

Dr. Priyanka P. Nair D/o Sh. N. Prasanna Kumaran Nair, Aged About 30 Years, R/o Prasadam Arpookara East, Kottayam, Kerala.

-----Petitioner

Versus

1. The State Of Rajasthan, Through Its Principal Secretary, Department Of Medical And Health Service, Govt. Of Rajasthan, Secretariat Jaipur, Rajasthan.
2. The Director Of Medical Education Department, Govt. Of Rajasthan, Health Education Bhawan, Near Pink Square Mall, Govind Marg, Jaipur, Rajasthan.
3. Principal Secretary, Department Of Medical And Health Education, Govt. Of Rajasthan, Secretariat Jaipur, Rajasthan.
4. S.ml.s. Medical College Jaipur, Rajasthan. Through Principal

-----Respondents

Connected With

S.B. Civil Writ Petition No. 6381/2025

Dr. Kana Ram S/o Shri Bhagwan Sahay Sharma, Aged About 28 Years, R/o Village Alisar, Via Kala Dera, Tehsil Chomu, Jaipur Rajasthan. 303801

-----Petitioner

Versus

1. The State Of Rajasthan, Through Its Principal Secretary, Department Of Medical And Health Service, Govt. Of Rajasthan, Secretariat Jaipur, Rajasthan.
2. The Directorate Of Medical Education Department, Govt. Of Rajasthan, Health Education Bhawan, Near Pink Square Mall, Govind Marg, Jaipur, Rajasthan. 302001
3. Principal Secretary, Department Of Medical And Health Education, Govt. Of Rajasthan, Secretariat Jaipur, Rajasthan.
4. S.m.s. Medical College, Jaipur, Rajasthan, Through Principal





----Respondents

For Petitioner(s) : Mr. Nirmal Kumar Goyal
For Respondent(s) : Mr. Yash Joshi for
Mr. Vigyan Shah, AAG



HON'BLE MR. JUSTICE ANUROOP SINGHI

Order

06/01/2026

1. Learned counsel for the parties are *ad idem* that the issue under consideration stands duly settled by the order No. F (71/DME/Acad./SR/NOC/2025-00682/2042), dated 01.12.2025 issued by the Office of Commissioner, Medical Education Department and have further relied upon an order dated 16.12.2025 passed by this Court whereby, similar controversy has been decided. The order dated 16.12.2025, reads as under:-

"1. Learned counsel for the petitioner has submitted a copy of the order No. F (71/DME/Acad./SR/NOC/2025-00682/2042), dated 01.12.2025, issued by the Office of Commissioner, Medical Education Department. The said order reads as under:-

"राजस्थान सरकार

निदेशालय चिकित्सा शिक्षा विभाग

चिकित्सा शिक्षा भवन पिनक एकवाईर गॉल के पास गोविन्द भार्ग जयपुर

ई-मेल addidir.medical.edu@rajasthan.gov.in

No.F(71/DME/Acad./SR/NOC/2025-00682/2042 Date:

01/12/2025



-आदेश: -

राज्य में पीजी एवं सुपरस्पेशियलिटी के अभ्यर्थियों द्वारा दो वर्ष के सर्विस बॉण्ड की अनुपालना की जाती है। उक्त अभ्यर्थियों को केंद्र सरकार अथवा राज्य सरकार में चयन होने पर ज्यॉइनिंग हेतु अनापत्ति प्रमाण पत्र (NOC) एवं बॉण्ड में छूट की मांग की जाती है। इस संबंध में राजस्थान सेवा नियमों के अनुसार यह निर्देशित किया जाता है कि यदि "कोई अभ्यर्थी फेन्ट्रीय सरकार, राज्य सरकारों, पूर्ण रूप से अथवा आशिक रूप से केन्ट्रीय सरकार अथवा राज्य सरकार द्वारा अधिकृत संस्थान अथवा अन्य किसी अर्द्ध-राजकीय संगठन में नियोजन प्राप्त करने हेतु राज्य सेवा छोड देता है, तो उस पर भरे हुए बांड की शर्ते प्रभावी नहीं होगी" के अनुसार अनापत्ति प्रमाण पत्र (NOC) एवं थॉण्ड में छूट दी जावेगी।

उक्त आदेश जारी दिनांक से प्रभायी रहेगा।

(नरेश कुमार गोयल)
आयुक्त
चिकित्सा शिक्षा विभाग"

2. Referring to the said order, learned counsel for the petitioner submits that as the petitioner herein, has been issued an appointment order dated 27.06.2023 by the Ministry of Health and Family Welfare (CHS.I Section), Government of India, hence, in light of the order dated 01.12.2025, he deserves to be exempted from the bond conditions furnished by him to the State Government.

3. The fact that the petitioner was issued the appointment order dated 27.06.2023 by the Ministry of Health and Family Welfare (CHS.I Section), Government





of India, is not disputed by the counsel for the respondent.

4. Accordingly, considering the order dated 01.12.2025 issued by the Officer of Commissioner, Medical Education Department, State of Rajasthan, the present writ petition is allowed with the direction to the respondents not to bind the petitioner with the terms and conditions of the bond furnished by him and to release the documents of the petitioner forthwith.

5. Pending application, if any, stands disposed of."

2. In the present case, the petitioner was issued the appointment order dated 12.08.2022 by Railway Board, Ministry of Railway, Government of India.

3. Accordingly, considering the order dated 01.12.2025, the present writ petition is allowed with the direction to the respondent to not to bind the petitioner with the terms and conditions of the bond furnished by him and to release the documents of the petitioner forthwith. Further as the petitioner has submitted the bank guarantee with the respondents in pursuance to the order dated 06.10.2025 passed by this Court, an appropriate application be moved by the petitioner before the respondent-Authorities seeking withdrawal of the same, which, on the said application being made be returned to the petitioner within a period of 7 days of the receipt of the application.

4. Accordingly, the writ petition stands disposed of.

(ANUROOP SINGHI),J

JAYANT KUMAR /82-83

