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The High Court Of Madhya Pradesh
WP-20188-2021

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(DR. RONAK SHARMA AND OTHERS Vs THE STATE OF MADHYA PRADESH AND OTHERS)

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Gwalior, Dated : 23-09-2021

Shri Gaurav Mishra, Advocate for the petitioners.

Shri R.D.Jain, Senior Advocate with Shri Sangam Jain, Advocate for respondent no.2 through Video Conferencing.

Heard on the question of admission and interim relief.

Issue notice to respondent no.1 by RAD mode on payment of process fee within seven working days, returnable within four weeks.

Shri Sangam Jain, Advocate accepts notice on behalf of respondent no.2. Two sets of writ petition along with annexures have already been supplied to him.

The present petition has been filed being aggrieved by the arbitrary selection process adopted by the MPPSC for the purpose of appointment of Medical Officers in the State of M.P.

Learned counsel for the petitioners has invited attention to advertisement dated 14/6/2021 (Annexure P/1), wherein under the caption "Selection Process", it has been categorically mentioned that the selection shall be on the basis of interview which would be of 100 marks and that written examination shall be conducted only if deemed necessary. Taking exception to the aforesaid endorsement, learned counsel submitted that selection cannot be made solely on the basis of interview without any written examination, as it would be in flagrant violation of Article 14 of the Constitution. To buttress his submissions, he has relied upon a decision rendered by Constitution Bench (Five Judges Bench) of the Apex Court in the case of *Ajay Hasia Vs. Khalid Mujib Sehravardi and others* (AIR 1981 SC 487). He further submitted that interviews are going to commence w.e.f. 27/9/2021 and if allowed to be conducted, the purpose of this petition and their chance of getting selected would be frustrated.

Meanwhile, further proceedings in pursuance of notification dated 17/9/2021 (Annexure P/5) of holding interviews w.e.f. 27/9/2021 till 11/11/2021, shall be kept in abeyance till the next date of hearing.

Learned counsel for respondent no.2 prays for and is granted six days' time to file reply.

List this case **on 30/9/2021**.

(S. A. DHARMADHIKARI)
JUDGE

(and)



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