



**HIGH COURT OF CHHATTISGARH AT BILASPUR**

**WPPIL No. 112 of 2017**

The Chhattisgarh High Court, Legal Service Committee

**versus**

State of Chhattisgarh & others

alongwith

WPPIL/87/2021

**Order Sheet**

<p><b>24/03/2026</b></p>	<p>Heard Mr. Abhishek Sinha, learned Senior Advocate assisted by Mr. Ghanshyam Patel, who appears as Amicus Curiae. Also heard Mr. Shashank Thakur, learned Additional Advocate General for the State and Ms. Anmol Sharma, learned counsel for the respondent-Union of India.</p> <p>On the last date of hearing, i.e. on 04.02.2026, this Court had directed the Secretary, Government of Chhattisgarh, Health &amp; Family Welfare Department, Raipur, to file his fresh affidavit.</p> <p>In compliance of the above direction, the affidavit has been filed on 23.03.2026, the relevant portion of which reads as under:</p> <p><i>“i. It is respectfully submitted that, in view of non-selection of</i></p>

*candidates for the post of Psychiatrists pursuant to the earlier advertisement dated 22.04.2025, fresh steps have been initiated for recruitment of MD Psychiatrists, and in this regard:*

*A proposal for fresh recruitment of 06 posts of MD Psychiatrist through the Chhattisgarh Public Service Commission (CGPSC) has been forwarded by Deputy Director, Director Health Services, Chhattisgarh, to Under Secretary, Public Health & Family Welfare, vide communication dated 05.03.2026.*

*The matter has been referred to the Administrative Department for obtaining approval of the Finance Department vide letter dated 05.03.2026.*

*The recruitment process shall be undertaken strictly in accordance with the applicable recruitment rules, reservation policy, and prescribed eligibility criteria. Upon receipt of requisite approval from the Finance Department, the matter shall be placed before the CGPSC, which shall formulate and notify the detailed recruitment process, including the schedule for advertisement, submission of applications, and conduct of interviews/selection proceedings. The State respondents undertake to extend full cooperation to ensure expeditious completion of the recruitment process in compliance with the directions of the Hon'ble Court*

*ii. That, the aforesaid action is reflected in the communication dated 05.03.2026 issued by the Directorate of Health Services, Chhattisgarh, which is annexed herewith as*

*ANNEXURE A/1.*

*iii. That, recruitment for the posts of Counselor (Mental Health) and Clinical Psychologist has been undertaken through CGPSC, and candidates have been duly shortlisted. The names of shortlisted candidates as per recommendation of PSC has been forwarded by the Under Secretary, Public Health & Family Welfare to Director Health Services, vide letter dated 13/02/2026. Thereafter, all those 9 candidates were called for document verification. On 09/03/2026, vide letter dated 03/03/2026, the document verification of shortlisted candidates (including 09 candidates under Clinical Psychologist) was conducted on 09.03.2026, and thereafter recommendations for issuance of appointment orders have been forwarded to the State Government vide communication dated 13.03.2026. That the relevant communication dated 13.02.2026, communication dated 03.03.2026 & dated 13.03.2026 reflecting the aforesaid process are collectively annexed herewith as ANNEXURE A/2 (collv.)*

*iv. That, recruitment for the post of Pathologist has also been completed through CGPSC in accordance with the prescribed procedure, wherein one candidate, namely Dr. Kartavya Kumar Verma, has been recommended for selection. That, document verification of the said selected candidate was conducted on 09.03 2026, and thereafter a proposal for issuance of appointment order has been forwarded to the State Government. That the relevant communications dated 13.03.2026 in this regard are annexed herewith as ANNEXURE A/3.*

*v. That, apart from the annexures already placed on record, the State Government has undertaken further*

*consequential steps in continuation of the recruitment process for various categories of posts under the Directorate of Health Services. In this regard, communications and notice dated 03.03 2026 have been issued whereby, after grant of COVID-19 bonus marks in terms of Government orders dated 07.12.2021 and 03 02 2023, the provisional/final merit list for Class-III and Class-IV posts (including Staff Nurse, Rural Health Coordinator Male/Female, Ward Boy and Ward Aaya) has been prepared and uploaded on the departmental website, inviting claims and objections within the stipulated period. The said exercise has been undertaken after due scrutiny by the competent committee and in accordance with the prescribed procedure. Copies are annexed herewith as ANNEXURE A/4 (Communication dated 03.03 2026) and ANNEXURE A/5 (Notice dated 03.03.2026 regarding publication of merit list and invitation of objections).*

*vi. That, while earnest steps are being taken to ensure expeditious recruitment of Psychiatrists, certain practical and systemic challenges persist. It is submitted that permission granted by the National Medical Commission vide letter dated 03.09.2022 for commencement of the MD (Psychiatry) course at Pt. J.N.M. Medical College, Raipur, provides for a limited intake of only 03 seats, thereby resulting in a constrained availability of qualified specialists. The limited postgraduate capacity, coupled with the time-intensive nature of specialized training and stringent regulatory requirements relating to faculty, infrastructure, and clinical material, has resulted in a restricted pool of eligible candidates. These factors have posed challenges in filling the vacant posts despite continuous efforts. A copy of the said communication*

*dated 03.09.2022 is annexed herewith as ANNEXURE A/6,*

*vii. That it is further respectfully submitted that, in terms of Rule 15 of the Chhattisgarh Medical Post-Graduate Admission Rules, 2025, a statutory obligation has been cast upon candidates admitted to MD/MS courses under the State quota or All India quota in Government medical colleges to mandatorily serve under the Department of Health and Family Welfare, Government of Chhattisgarh for a period of two (02) years upon successful completion of their postgraduate course. For ensuring compliance of the said obligation, candidates are required to execute a bond of 250,00,000/- in case of unreserved category and 240,00,000 in case of reserved category. It is submitted that the said provision has been incorporated with the object of augmenting availability of specialist doctors in the State health services, including in remote and underserved areas. In view of the same, two (02) MD Psychiatrists on bond posting namely, Dr Anvesha Pal (MD Psychiatry) and Dr. Jai Agrawal (MD Psychiatry) have been appointed, who have duly joined their duties on 12.01 2026 and 05 01 2026, respectively Copy of the relevant pages of Chhattisgarh Gazette Notification, dated 7 November, 2025, exhibiting the said facts is hereby marked and annexed herewith as ANNEXURE A/7.*

*4. That in view of the facts and circumstances stated hereinabove, it is respectfully submitted that the State Government has been taking all earnest, continuous and bona fide steps to comply with the directions issued by this Hon'ble Court, including initiation of fresh recruitment process for Psychiatrists, processing of appointments for other mental health professionals, and ensuring interim arrangements for*

*uninterrupted mental health services*

5. *That it is further submitted that the recruitment to specialized posts such as Psychiatrists is governed not only by administrative processes but also by the availability of eligible candidates, which is inherently dependent upon regulatory frameworks, limited postgraduate intake, and statutory conditions governing medical education and service obligations. Despite these constraints, the State is making all possible efforts to expedite recruitment and strengthen mental healthcare infrastructure.”*

Learned *Amicus Curiae*, Mr. Abhishek Sinha, submits that although the posts of MD Psychiatrists were earlier advertised, the State has once again initiated the process of seeking financial sanction, which is likely to cause further delay. It is contended that repeated insistence on financial approval, despite prior sanction, unnecessarily prolongs the recruitment process.

In response, learned Additional Advocate General, Shashank Thakur, submits that obtaining such approvals is a procedural requirement each time a fresh recruitment process is initiated.

Upon consideration of the affidavit, it appears that the proposal for recruitment to six posts of MD Psychiatrist has already been forwarded on 05.03.2026 and is presently pending approval before the Finance Department. Once financial approval had earlier been granted, seeking such approval afresh appears to be a matter

of formality and ought not to occasion undue delay. The process must, therefore, proceed with due expedition.

This Court expects and trusts that the State shall make earnest efforts to complete the recruitment process for the post of MD Psychiatrist at the earliest and avoid any unwarranted delay. The continued pendency of recruitment for such specialized posts, particularly in the field of mental healthcare, results in serious prejudice to the public at large. Seeking time on procedural grounds in such circumstances does not appear to be justified.

Let a further affidavit be filed by the Secretary, Department of Health & Family Welfare, Government of Chhattisgarh, in compliance with the earlier directions issued by this Court and also with respect to the updated status of the recruitment process.

List these matters on **28th April, 2026**.

Sd/-  
(Ravindra Kumar Agrawal)  
**JUDGE**

Sd/-  
(Ramesh Sinha)  
**CHIEF JUSTICE**

Amit

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