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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE JURISDICTION**

PUBLIC INTEREST LITIGATION NO. 133 OF 2007

WITH

CIVIL APPLICATION NO. 87 OF 2009

WITH

CIVIL APPLICATION NO. 175 OF 2014

WITH

CIVIL APPLICATION NO. 59 OF 2008

WITH

CIVIL APPLICATION NO. 57 OF 2018

WITH

CIVIL APPLICATION NO. 56 OF 2018

AND

CIVIL APPLICATION (ST) NO. 35428 OF 2013

Dr. Rajendra Sadanand Burma & Anr.	}	Petitioners
Versus		
The State of Maharashtra & Ors.	}	Respondents

Dr. Uday Warunjikar with Mr. Sumit Kate and Mr. Aditya Kharkar for the petitioner in WRIT PETITION/3589/2011 (Not on Board).

Mr. Bandu Sane, applicant in-person in CAI/59/2008.

Mr. Bhushan P. Malgaonkar, applicant in-person in CAI/175/2014.

Ms. Neha Bhide, 'B' Panel Counsel for State.

Mr. Y. R. Mishra with Mr. N. R. Prajapati for respondent no. 6 (UoI).

Dr. Duryodhan Chavan, Assistant Director, Public Health, Mr. Pravin Bagade, Law Officer, Public Health, Mr. Kamble, ICDS and Ms. Tanvi Karvarkar, Tribal Department present.

SALUNKE
JV

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**CORAM: S. V. GANGAPURWALA, Act.CJ.&
SANDEEP V. MARNE, J.**

DATE: JANUARY 19, 2023

P.C.:

- 1.** The learned AGP has submitted a compliance report as on 12th January 2023.
- 2.** Mr. Bandu Sane, the applicant-in-person in CAI/59/2008 and Dr. Warunjikar, learned advocate for the petitioner in WP/3589/2011, referring to the charts submitted in the compilation, point out that still there are large number of vacancies which are not filled in. In November 2022, advertisement was issued for filling in the posts of medical officers. They are not yet filled in.
- 3.** The learned AGP submits that the process has commenced and medical is being done of these candidates and appointment orders are also being issued. In all 226 medical officers are being appointed throughout the State and some would be appointed in the districts Nandurbar and Melghat also.
- 4.** Mr. Sane states that two days prior, he had been to the entire area of Melghat and has observed that in many of the primary health centres, doctors are not available. There are 11 primary health centres in Melghat. Mr. Sane also shows that there are vacancies of Gynecologists in this region. The other apprehension is that those doctors who are sent on deputation did not join and report at the posted places. In such a case, the Government is required to take stern action against such doctors who fail to join the place of deputation.
- 5.** It is submitted that tomorrow, after five months, the meeting of Core Committee is scheduled. The applicant-in-person (Mr. Sane) is also member of the Core Committee. He can place all these facts before the Committee, which, naturally, the Committee will have to consider.

6. The learned AGP, before the next date, place on record the number of medical officers appointed as per the recruitment process initiated in November 2022. The State authorities are required to take utmost steps to appoint the medical officers, more particularly the Gynecologists as per the sanctioned strength as early as possible. The life of children is precious. The State authorities shall consider in right earnest and appoint all medical officers as per the sanctioned strength in the primary health centres, more particularly in tribal region where the presence of medical officers would be most required.

7. Place the matter on 28th February 2023.

(SANDEEP V. MARNE, J.)

(ACTING CHIEF JUSTICE)