



2026:CGHC:24532

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NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****Reserved for orders on : 06.05.2026****Order passed on : 18.06.2026****WPC No. 6594 of 2025**

1 - Niteen Kumar Singh S/o Dil Kumar Singh Aged About 27 Years R/o Pradhanpara Darima, District- Surguja Chhattisgarh,

2 - Sahil Kari S/o R.K. Xalxo Aged About 28 Years R/o Kanchan Ganga, Phase-2, Near Mobile Tower Danganiya, Raipur, District- Raipur Chhattisgarh,

3 - Chandra Prakash Ravi S/o Manoj Kumar Ravi Aged About 27 Years R/o House No.2/169, Mahua Para, Fundurdihari Ambikapur, District- Surguja Chhattisgarh.

4 - Sakshi Kanwar D/o Man Singh Kanwar Aged About 25 Years R/o 2-D, 2nd D Type Hospital Sector Ward No.6, Dallirajhara Post-Dallirajhara District- Balod, Chhattisgarh,

... Petitioner(s)**versus**

1 - State Of Chhattisgarh Through- The Secretary, Department Of Health And Family Welfare And Medical Education Mahanadi Bhawan Mantralaya, Atal Nagar Nava Raipur District Raipur Chhattisgarh,

2 - The Director Directorate Of Health And Family Welfare Government Of Chhattisgarh, Raipur, District- Raipur Chhattisgarh,

3 - The Director Directorate Of Medical Education Dks Bhawan Parisar Raipur, District- Raipur Chhattisgarh

4 - The Registrar Chhattisgarh Medical Council Raipur District- Raipur Chhattisgarh,

5 - Vice Chancellor Pt. Deendayal Upadhyay Memorial Health Science And Ayush University Of Chhattisgarh, Raipur, District- Raipur Chhattisgarh,

6 - Dean Chhattisgarh Institute Of Medical Sciences (Cims) Bilaspur, District- Bilaspur Chhattisgarh

... Respondent(s)

(Cause-title is taken from Case Information System)

For Petitioners : Mr. Ashutosh Mishra, Advocate

For State : Mr. Soumitra Kesharwani, Panel Lawyer

For Resp. No. 4 : Mr. Komal Prasad Sahu, Advocate holding brief on behalf of Dr. Sudeep Agrawal, Advocate

For Resp. No. 5 : Mr. Sumit Verma, Advocate

(Single Bench)

Hon'ble Shri Justice Amitendra Kishore Prasad

CAV Order

1. The present writ petition has been filed by the petitioners, who completed their MBBS Course from Chhattisgarh Institute of Medical Sciences in the year 2024 and thereafter successfully completed their compulsory rotating medical internship in May, 2025. At the time of admission, the petitioners had executed a bond undertaking to serve under the Government Medical Service for a period of two years in accordance with the applicable

admission rules. It is the specific grievance of the petitioners that despite the categorical stipulation contained in Rule 10, Sub-Rule VI of the Chhattisgarh Medical, Dental and Physiotherapy Under Graduate Admission Rules, 2025, which mandates that appointment orders are required to be issued by the State authorities within a period of six months from completion of the course, failing which the bond obligation automatically stands cancelled, the respondent authorities neither issued any appointment orders within the prescribed period nor granted the mandatory No Objection Certificate (NOC) to the petitioners, despite repeated representations and requests made in this regard. It has further been averred that instead of adhering to the statutory mandate and recognizing the automatic extinguishment of the bond obligations upon expiry of the stipulated period, the respondents proceeded to issue notice dated 08.12.2025 initiating counselling for compulsory two-year Government service in respect of students whose MBBS course and internship period fell within the year 2025. According to the petitioners, since they had already completed their MBBS course earlier and had completed their compulsory rotating internship in May, 2025, and as no appointment orders had been issued within the period prescribed under the Rules, their bond obligations had already stood cancelled by operation of law. However, despite such legal position, the respondents failed to issue the requisite NOC in favour of the petitioners, thereby depriving them of pursuing

higher studies and other professional opportunities. Being aggrieved by the arbitrary inaction on the part of the respondents, non-compliance of the statutory provisions, and the consequential infringement of their fundamental rights guaranteed under Articles 14, 19(1)(g), and 21 of the Constitution of India, the petitioners have approached this Court seeking appropriate directions for issuance of NOC, acknowledgment of automatic cancellation of the bond, and grant of following reliefs :

“10.1. Issue an appropriate writ, order or direction commanding the respondent authorities to forthwith issue the No Objection Certificate (NOC) in favour of the petitioners as mandated under Rule 10, Sub-Rule VI of the Chhattisgarh Medical, Dental and Physiotherapy Under Graduate Admission Rules, 2025;

10.2. Issue a writ of mandamus directing the respondents to pass necessary orders acknowledging the automatic cancellation of the bond executed by the petitioners at the time of their admission in the MBBS Course, in terms of the statutory provision contained in Rule 10, Sub-Rule VI;

10.3. Issue an appropriate writ, order or direction commanding the respondent

authorities particularly to respondent No.5 university to Confer Degree to the petitioners herein;

10.4. Grant any other relief/reliefs which this Hon'ble Court may deem fit, just and proper under the facts and circumstances of the case;”

2. The facts, as pleaded in the present petition, reveal that the petitioners were bona fide students of Chhattisgarh Institute of Medical Sciences, Bilaspur, and pursued the M.B.B.S. Course during the academic session 2019–2024. After successfully completing the prescribed academic curriculum, clinical training, and examinations conducted in accordance with the governing medical education regulations, the petitioners completed their MBBS Course in the year 2024 and thereafter became eligible to undergo compulsory rotating medical internship as mandated under the applicable regulations framed by the National Medical Commission. In pursuance thereof, the petitioners underwent compulsory rotating medical internship in terms of the National Medical Commission (Compulsory Rotating Medical Internship) Regulations, 2021, for the period commencing from May, 2024 to May, 2025 at the affiliated hospitals and institutions attached with Chhattisgarh Institute of Medical Sciences, Bilaspur. Upon successful completion of the internship training, Internship Completion Certificates were issued by the Dean of the institution

certifying completion of internship by the petitioners. Prior to admission into the MBBS Course, the petitioners, along with other similarly situated students, were required to execute a compulsory service bond as a condition precedent for admission into the Government medical institution. Under the terms and conditions of the said bond, the petitioners undertook to serve under the Government Medical Service for a period of two years after completion of the MBBS Course and internship, subject to issuance of appointment orders by the competent authorities within the stipulated period prescribed under the governing rules. Execution of the said bond was mandatory in nature and formed an integral condition of admission imposed by the respondent authorities. Despite successful completion of the MBBS Course in the year 2024 and completion of compulsory internship in May, 2025, no appointment orders were issued in favour of the petitioners within the time prescribed under the applicable rules. Neither any posting order nor any communication regarding Government service was issued by the respondent authorities within six months from completion of the MBBS Course. Simultaneously, the respondent authorities also failed to issue the requisite No Objection Certificate (NOC), despite repeated requests made by the petitioners for the same. Aggrieved by the inaction and indifference on the part of the respondent authorities, the petitioners submitted several representations before the competent authorities requesting issuance of appointment orders

in accordance with the bond conditions and the applicable statutory rules. Despite repeated representations and personal approaches made by the petitioners, no action was taken by the authorities and no appointment orders were issued. Upon expiry of the statutory period of six months prescribed under the governing Rules, the petitioners submitted further representations requesting issuance of a No Objection Certificate (NOC) and formal acknowledgment regarding cancellation of the bond executed at the time of admission. The petitioners specifically pointed out that in view of the applicable statutory provisions, the bond obligations had already stood extinguished by operation of law owing to failure on the part of the Government to issue appointment orders within the prescribed period. However, the respondent authorities neither considered nor decided the said representations and continued to withhold issuance of the NOC and bond cancellation order without any justification. Rule 10, Sub-Rule VI of the Chhattisgarh Medical, Dental and Physiotherapy Under Graduate Admission Rules, 2025 specifically provides that after completion of the MBBS Course, the Government through the Medical Education Department is required to issue appointment orders to such graduate doctors within a period of six months, failing which the bond furnished by the candidate shall automatically stand cancelled. Thus, by operation of the statutory rule itself, the bond obligations undertaken by the petitioners automatically ceased to exist upon

failure of the respondents to issue appointment orders within the stipulated period. Despite the clear statutory mandate, the requests made by the petitioners for issuance of NOC and acknowledgment of cancellation of bond were arbitrarily ignored by the respondent authorities. Subsequently, in complete disregard of the aforesaid statutory provisions, the respondent authorities issued a notice dated 08.12.2025 initiating counselling for compulsory two-year Government service in respect of students who had completed the MBBS Course during the year 2025. The issuance of the said notice clearly demonstrated arbitrary and discriminatory action on the part of the respondent authorities, particularly when the petitioners' bond obligations had already stood automatically cancelled by operation of law due to non-issuance of appointment orders within the prescribed period. Aggrieved by the persistent inaction and arbitrary conduct of the respondent authorities, and by failure to issue the mandatory No Objection Certificate despite automatic cancellation of the bond obligations under Rule 10, Sub-Rule VI of the Chhattisgarh Medical, Dental and Physiotherapy Under Graduate Admission Rules, 2025, the petitioners have preferred the present writ petition seeking issuance of appropriate writ, order, or direction commanding the respondents to issue the requisite No Objection Certificate, acknowledge cancellation of the bond obligations, and grant consequential reliefs in favour of the petitioners.

3. Learned counsel appearing for the petitioners submits that the

action as well as continued inaction on the part of the respondent authorities is wholly arbitrary, unreasonable, and violative of Article 14 of the Constitution of India. It is contended that the entire controversy in the present case is squarely governed by Rule 10, Sub-Rule VI of the Chhattisgarh Medical, Dental and Physiotherapy Under Graduate Admission Rules, 2025, which unequivocally mandates that after completion of the MBBS Course, the Government through the Medical Education Department is required to issue appointment orders to such graduate doctors within a period of six months, failing which the bond furnished by the candidate shall automatically stand cancelled. Learned counsel submits that the petitioners completed their MBBS Course in the year 2024 and thereafter completed their compulsory rotating internship in May, 2025, yet no appointment orders were issued to them within the statutory period prescribed under the Rules. Consequently, by operation of law itself, the bonds executed by the petitioners at the time of admission stood automatically cancelled and extinguished. Despite the clear statutory mandate, the respondent authorities have continued to act as though the bond obligations are still subsisting, which is *ex facie* illegal and unsustainable in law. Learned counsel further submits that at the time of admission into Chhattisgarh Institute of Medical Sciences, Bilaspur, the petitioners were compelled to execute compulsory service bonds requiring them to render two years of Government service in rural

areas upon completion of the MBBS Course and internship. It is submitted that under the applicable Rules, the bond amount was fixed at Rs. 25,00,000/- for unreserved category students and Rs. 20,00,000/- for reserved category students. Learned counsel draws attention of this Court towards Rule 11 of the Rules of 2025, which provides that in the event a candidate fails to appear in the third round of counselling for compulsory Government service or declines to serve, such candidate would be liable to deposit the aforesaid bond amount. However, it is argued that the liability contemplated under Rule 11 can arise only when the State first fulfills its own statutory obligation under Rule 10(6) by issuing appointment orders within the prescribed period of six months. Since the respondents themselves failed to comply with the mandatory requirement of issuing appointment orders within the stipulated period, they cannot subsequently compel the petitioners to participate in counselling or threaten recovery of the bond amount. Learned counsel for the petitioners further submits that the respondents have acted contrary to the doctrine of legitimate expectation. According to learned counsel, the petitioners had executed the compulsory service bonds only on the legitimate assurance and expectation that the State Government would act in accordance with the governing statutory framework and issue appointment orders within the period prescribed under Rule 10(6). It is submitted that after compelling the petitioners to execute bonds containing severe financial consequences, the respondents

failed to discharge their reciprocal statutory obligations and thereafter attempted to impose liability upon the petitioners for no fault attributable to them. Such arbitrary conduct on the part of the State authorities, according to learned counsel, strikes at the very root of fairness in administrative action and is therefore violative of Article 14 of the Constitution of India. It is further contended that despite repeated representations submitted by the petitioners requesting issuance of appointment orders, the respondent authorities neither responded to the said representations nor took any decision thereupon. Even after expiry of the statutory period of six months, when the petitioners approached the authorities seeking issuance of No Objection Certificates (NOC) and acknowledgment regarding cancellation of bond obligations, the respondents maintained complete silence and failed to consider the legitimate grievances raised by the petitioners. Learned counsel submits that such conduct on the part of the authorities clearly demonstrates administrative apathy, non-application of mind, and arbitrary exercise of power. The failure of the respondents to either decide the representations or communicate any reason for withholding issuance of NOC has rendered the impugned inaction wholly illegal and unsustainable in law. Learned counsel further submits that the impugned notice dated 08.12.2025, whereby counselling for compulsory two-year Government service has been initiated, is wholly without jurisdiction and directly contrary to Rule 10, Sub-Rule VI of the

Rules of 2025. It is argued that once the statutory period of six months expired without issuance of appointment orders, the bond obligations automatically stood cancelled by operation of law, and therefore the respondents ceased to have any authority to compel the petitioners to participate in counselling or render compulsory Government service. The impugned notice, according to learned counsel, amounts to an impermissible attempt on the part of the respondents to revive obligations which had already stood extinguished under the statutory Rules. Such action is nothing but a colourable exercise of power undertaken in complete disregard of the mandatory statutory provisions governing the field. Learned counsel also submits that the petitioners, having completed their MBBS Course and compulsory internship, are fully qualified medical graduates entitled to pursue higher studies, private employment, or any other professional opportunities available to them in accordance with law. However, due to arbitrary withholding of the No Objection Certificate and non-recognition of cancellation of the bond obligations, the petitioners have been prevented from pursuing their professional careers and academic advancement. It is argued that such arbitrary restriction imposed by the respondents directly infringes the petitioners' fundamental rights guaranteed under Articles 19(1)(g) and 21 of the Constitution of India, which encompass the right to practice a profession of one's choice and the right to livelihood and dignity. Learned counsel submits that the petitioners cannot be made to

suffer indefinitely on account of the administrative failures and inaction attributable solely to the respondent authorities. It is further argued that no prejudice whatsoever would be caused to the State Government if the reliefs sought by the petitioners are granted, particularly when the statutory Rules themselves provide for automatic cancellation of the bond in the event of failure to issue appointment orders within six months. Once the bond obligations ceased to exist by operation of law, the respondents lost all authority to enforce the same or to compel the petitioners either to participate in counselling or to deposit the bond amount. Learned counsel submits that the State cannot be permitted to take advantage of its own wrong by first failing to comply with the mandatory statutory provisions and thereafter seeking to enforce punitive conditions against the petitioners. In support of the aforesaid submissions, learned counsel for the petitioners has placed reliance upon the **order dated 16.06.2023** passed by this Court in **WPC No. 5469 of 2021, Doctors Rakhi Pandey vs State of Chhattisgarh** and others, wherein similar issues relating to compulsory service bond obligations were considered by this Court. Reliance has also been placed upon the **judgment dated 22.01.2024**, rendered by the High Court of Madhya Pradesh in **WP No. 1594 of 2024, Doctors Manisha Agrawal vs State of Madhya Pradesh and others** along with connected matters, wherein the Court, while interpreting similar bond conditions and statutory provisions, granted relief in favour of the petitioners

therein. On the strength of the aforesaid judgments, learned counsel submits that the present writ petition deserves to be allowed and the respondents be directed to issue No Objection Certificates and formally acknowledge cancellation of the bond obligations in favour of the petitioners.

4. Per contra, learned State counsel vehemently opposes the submissions advanced on behalf of the petitioners and submits that the present writ petition is wholly misconceived, devoid of merit, and liable to be dismissed at the threshold. Learned State counsel submits that the petitioners have failed to demonstrate existence of any enforceable legal right warranting interference by this Court in exercise of jurisdiction under Article 226 of the Constitution of India. According to the State, the petitioners are seeking to evade and avoid the contractual and statutory obligations voluntarily undertaken by them at the time of admission into the MBBS Course, after having availed the benefit of admission under the State quota in Government medical institutions. Learned State counsel submits that the petitioners were admitted into the MBBS Course at Chhattisgarh Institute of Medical Sciences, Bilaspur in the year 2019 and, at the time of their admission, the governing field was occupied by the Chhattisgarh Medical, Dental and Physiotherapy Under Graduate Admission Rules, 2018. It is submitted that under Rule 10(A) of the Rules, 2018, every candidate admitted to Government Medical Colleges was mandatorily required to execute a bond

undertaking that after successful completion of the MBBS Course and internship, such candidate would serve under the State Government as a Medical Officer in Government Health Centres or Government Medical Colleges for a period of two years. Learned State counsel submits that the petitioners voluntarily executed the bonds without any protest or objection and accepted all terms and conditions contained therein. The amount of the bond was fixed at Rs. 25,00,000/- for unreserved category candidates and Rs. 20,00,000/- for reserved category candidates. Having accepted admission and all consequential benefits flowing therefrom, the petitioners cannot now be permitted to challenge or avoid the very conditions on the basis of which such admission was granted. Learned State counsel further submits that the very object and purpose behind incorporating the bond condition in the Admission Rules was to ensure availability of qualified medical practitioners in rural and remote areas of the State, particularly in Government Primary Health Centres, Community Health Centres, and Government Medical Colleges facing acute shortage of doctors. It is argued that the policy underlying the bond condition is a welfare-oriented measure intended to strengthen public healthcare infrastructure and provide medical services to rural populations. According to learned counsel, the State never intended to create unnecessary restrictions upon the professional advancement of medical graduates, but the bond condition was incorporated solely to ensure that doctors educated in

Government institutions at subsidized cost render public service for a limited duration in return. Learned State counsel further submits that the reliance placed by the petitioners upon Rule 10, Sub-Rule VI of the Chhattisgarh Medical, Dental and Physiotherapy Under Graduate Admission Rules, 2025 is misconceived and deserves rejection. It is argued that the expression "completion of MBBS Course" cannot be interpreted in isolation and necessarily includes successful completion of compulsory rotating medical internship as prescribed under the norms of the National Medical Commission. In this regard, learned State counsel has referred to the Frequently Asked Questions relating to Competency Based Medical Education (CBME) curriculum and communication dated 01.08.2023 issued by the Undergraduate Medical Education Board of the National Medical Commission, wherein it has been clarified that the MBBS Course consists of four and a half academic years followed by one year compulsory rotating internship. It is therefore contended that the MBBS Course can be said to have been completed only upon successful completion of internship. Learned State counsel submits that in the present case, the petitioners completed their internships between 21.05.2025 and 03.06.2025 and immediately thereafter the Dean of Chhattisgarh Institute of Medical Sciences, Bilaspur vide communication dated 18.06.2025 forwarded the names of the petitioners to the Commissioner, Medical Education for issuance of appointment orders. Acting promptly thereupon,

the Commissioner, Medical Education vide letter dated 10.09.2025 forwarded the cases of the petitioners to the State Government for issuance of appointment orders. Thereafter, the Directorate of Health Services initiated the counselling process by issuing notice dated 08.12.2025 inviting all eligible candidates, including the petitioners, to participate in online counselling scheduled between 09.12.2025 to 12.12.2025 for allotment of postings under compulsory Government service. It is contended that the entire process was undertaken expeditiously and strictly in accordance with the governing Rules and procedure prescribed by the State Government. Learned State counsel further submits that the petitioners themselves participated in the counselling proceedings without raising any objection whatsoever in relation to the bond conditions or alleged automatic cancellation thereof. After conclusion of the counselling process, appointment orders dated 24.12.2025 were issued in favour of the petitioners posting them at various Community Health Centres and Primary Health Centres situated in districts Bijapur and Narayanpur for rendering services under the compulsory service bond. It is contended that once the petitioners voluntarily participated in the counselling process and accepted the process of allotment, they are estopped from turning around and challenging the same at a subsequent stage. Learned counsel submits that the doctrine of approbation and reprobation squarely applies in the present case and the petitioners cannot be permitted to simultaneously accept the

benefits of admission under the Rules while rejecting the obligations flowing therefrom. Learned State counsel further argues that the doctrine of election clearly prohibits a party from accepting and rejecting the same instrument at different stages according to convenience. It is submitted that the petitioners, after securing admission in Government medical colleges under the State quota and executing the bonds voluntarily, cannot now seek exemption from the very service obligations undertaken by them. The petitioners cannot be permitted to approbate and reprobate simultaneously by taking advantage of the admission process while refusing to discharge their reciprocal obligations towards the State. It is further contended by learned State counsel that despite issuance of appointment orders dated 24.12.2025, the petitioners deliberately failed to join at their respective places of posting in Community Health Centres and Primary Health Centres situated in Bijapur and Narayanpur districts. Such conduct, according to the State, constitutes a clear violation of the bond conditions as well as Rule 10(A) of the Rules, 2018. Consequently, the petitioners became liable to pay the bond amount of Rs.25,00,000/- in case of unreserved category candidates and Rs.20,00,000/- in case of reserved category candidates. Learned counsel submits that under the applicable Rules, the said amount is recoverable as arrears of land revenue and unless the petitioners deposit the requisite amount, they are not entitled to issuance of No Objection Certificate (NOC). Learned State

counsel further submits that the impugned counselling notice dated 08.12.2025 and consequential appointment orders dated 24.12.2025 were issued strictly in accordance with the Rules governing the field and after following due process. Significantly, the petitioners have not challenged the appointment order dated 24.12.2025 in the present writ petition. In absence of challenge to the said appointment orders, the petitioners cannot seek a declaration that their bonds stood automatically cancelled. Learned counsel submits that the respondents have acted strictly within the four corners of law and there is no arbitrariness, illegality, mala fide, or violation of constitutional rights as alleged by the petitioners. Lastly, learned State counsel submits that the relief sought by the petitioners, if granted, would defeat the very object of compulsory rural service policy framed by the State Government for strengthening healthcare facilities in rural and tribal areas of the State. It is therefore prayed that the writ petition being devoid of merit, substance, and any enforceable legal right deserves to be dismissed.

5. Learned counsel appearing for respondent No. 4, Chhattisgarh Medical Council, supports submission made by learned State counsel and submits that the role of the Medical Council is limited only to registration and regulatory functions in accordance with the applicable statutory provisions and the Council has no authority in matters relating to execution, enforcement, or cancellation of service bonds executed by MBBS students with

the State Government. It is submitted that issuance of appointment orders, No Objection Certificates (NOC), and enforcement of compulsory Government service conditions fall exclusively within the domain of the State Government and Medical Education Department.

6. Learned counsel appearing for respondent No. 5, Pt. Deendayal Upadhyay Memorial Health Sciences and Ayush University of Chhattisgarh, also adopts submission advanced on behalf of learned State counsel and also submits that the University functions merely as the affiliating and degree-granting authority and has no independent role in relation to compulsory Government service bonds or issuance of appointment orders. It is further submitted that the University acts upon communications and directions issued by the competent authorities of the State Government and Medical Education Department, and therefore no cause of action survives against respondent No. 5 in the present proceedings.
7. Having heard learned counsel for the parties at considerable length and after carefully considering the entire material available on record, this Court finds that the controversy involved in the present writ petition lies within a narrow compass and primarily revolves around interpretation and applicability of Rule 10(6) of the Chhattisgarh Medical, Dental and Physiotherapy Under Graduate Admission Rules, 2025.

8. Learned counsel appearing for respondents No. 4 and 5 have supported the stand taken by the State Government and have contended that since the petitioners failed to join at their respective places of posting pursuant to the appointment orders issued by the respondent authorities, they have violated the terms and conditions of the compulsory service bonds executed by them at the time of admission into the MBBS Course. It has been submitted that in view of such violation, the petitioners are liable to deposit the prescribed penalty amount under the governing Rules and unless and until the said amount is deposited, no No Objection Certificate (NOC) can be issued in their favour. According to the respondents, the petitioners, after having availed admission in Government medical colleges under the State quota and after having voluntarily executed the bonds without protest, cannot now seek to evade the obligations arising therefrom. It has thus been urged that the writ petition is devoid of merit and deserves dismissal at the threshold.
9. The central question which arises for consideration before this Court is whether the petitioners, who admittedly completed their MBBS Course and compulsory rotating internship within the period mentioned in the petition, are liable to deposit the penalty amount contemplated under the Rules despite failure of the respondent authorities to issue appointment orders within the statutory period of six months. Consequentially, this Court is also required to determine whether the respondents are justified in

withholding issuance of No Objection Certificates (NOC) in favour of the petitioners and whether the appointment orders issued subsequent to expiry of the prescribed statutory period can be enforced against them.

10. In order to appreciate the rival contentions raised by the parties, this Court deems it appropriate to first advert to the relevant statutory framework governing the field. Rule 10 of the Chhattisgarh Medical, Dental and Physiotherapy Under Graduate Admission Rules, 2025 deals with execution of compulsory service bonds by candidates admitted to Government medical colleges. Rule 10(1), Rule 10(2), Rule 10(3), Rule 10(6), Rule 10(7), and Rule 10(10) are of particular relevance for adjudication of the present dispute and are quoted hereunder :

“10. Bond for candidates taking admission in MBBS course to serve under the State Government -

(i) It shall be compulsory for a student admitted to MBBS course of Government Medical Colleges, that after successful completion of the under graduation course, he shall work as a Medical Officer in Government Health Centre or Government Medical College as Junior Registrar/Demonstrator /Junior Resident for a period of one year as directed by the Government.

This shall not be compulsory for other courses (BDS, BPT).

(ii) Bond to work under the Government (Format Schedule V) At the time of admission a candidate shall have to furnish a bond in the prescribed form that he/she agrees to the provisions of Rule 10(1) and that in case he/she opts not to work under the Government he/she will deposit the bond amount as prescribed in Rule 10(3). Only after he/she has deposited the full amount due will be issued a No Objection Certificate as prescribed.

(iii) The amount of the bond will be Rs. 25,00,000/- (Rs. Twenty lakhs only for unreserved category candidates) and the amount of the bond will be Rs. 20,00,000/- (Rs. Twenty lakhs only) for reserved category students.

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(vi) After completion of MBBS course, within a period of six months, CG Government, Medical Education Department will issue appointment order to such graduate doctors, failing which the bond filled by the candidate will be deemed to be automatically cancelled.

(vii) After fulfilling the service period condition as per rule 10 (1) or after all dues have been deposited as per rule 10 (3) or after obtaining a bank guarantee from the candidate for the balance period, as the case may be (depending on the option exercised by the candidate), the Commissioner shall issue a No Objection Certificate to the candidate.

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(x) Penalty for not complying with rule 10 (1) If a candidate opts to serve under the Government and is found guilty of not complying with rule 10(1), the entire amount of the bond as mentioned in rule 10 (iii) shall be recovered from the candidate as arrears of land revenue by the appointing office under sub-rule (vi) above. Such candidate shall not be granted No Objection Certificate as mentioned in rule 10(vii) until the entire amount due is recovered.”

11. A conjoint reading of the aforesaid provisions demonstrates that while the Rules obligate students admitted in Government medical institutions to render compulsory Government service for a period of two years after completion of MBBS Course and internship, the

Rules simultaneously cast a corresponding statutory obligation upon the State Government to issue appointment orders to such graduate doctors within a period of six months from completion of the course and internship. Most significantly, Rule 10(6) unequivocally stipulates that if appointment orders are not issued within the prescribed period of six months, the bond furnished by the candidate shall automatically stand cancelled. Thus, the Rules not only impose obligations upon students but also prescribe corresponding duties upon the State authorities, together with consequences for non-compliance thereof.

12. From perusal of the pleadings and documents brought on record, certain facts emerge as undisputed. It is not disputed that the petitioners were admitted into the MBBS Course at Chhattisgarh Institute of Medical Sciences during the academic session 2019–2024. It is further not disputed that after successful completion of the MBBS Course, the petitioners underwent compulsory rotating medical internship in accordance with the Regulations framed by the National Medical Commission and completed the same between 21.05.2025 and 03.06.2025 respectively. It is also not disputed that the Dean of the institution communicated completion of internship and eligibility of the petitioners for appointment to the competent authorities vide communication dated 18.06.2025. Therefore, the factual position regarding successful completion of MBBS Course and internship by the petitioners stands conclusively established from the records.

13. The records further reveal that despite completion of internship and communication thereof by the Dean of the institution, no appointment orders were issued in favour of the petitioners within the statutory period prescribed under Rule 10(6) of the Rules of 2025. It further transpires that till issuance of notice dated 08.12.2025, no counselling proceedings were initiated by the respondents and no posting orders were issued to the petitioners for compulsory Government service. The petitioners, on the contrary, repeatedly approached the authorities by submitting representations requesting issuance of appointment orders in terms of the Rules so that they could discharge the obligations contemplated under the bond. However, despite repeated representations, no decision was taken by the respondents within the prescribed statutory period. The materials placed on record unmistakably demonstrate that the delay in issuance of appointment orders is solely attributable to the respondent authorities and not to any conduct on the part of the petitioners.
14. This Court also finds substance in the grievance raised by the petitioners that even after expiry of the statutory period of six months, the respondent authorities failed to take any decision on their request for issuance of No Objection Certificates and acknowledgment regarding cancellation of the bond obligations. Instead of complying with the statutory consequences flowing from Rule 10(6), the respondents sought to initiate counselling proceedings vide notice dated 08.12.2025 and thereafter issued

appointment orders dated 24.12.2025 posting the petitioners in various Community Health Centres and Primary Health Centres situated in districts Bijapur and Narayanpur.

15. The chronology of events clearly reveals that the respondents attempted to enforce the bond obligations only after expiry of the period prescribed under the Rules and after the statutory consequences under Rule 10(6) had already come into operation. At this stage, it would be apposite to examine the language employed in Rule 10(6) of the Rules of 2025. The Rule specifically provides that after completion of MBBS Course and internship, appointment orders are required to be issued by the Chhattisgarh Medical Education Department within six months, **“failing which the bond filled by the candidate will be deemed to be automatically cancelled.”**
16. The phraseology employed in the Rule leaves no room for ambiguity. The legislature, in its wisdom, has consciously used the expression “shall” while prescribing the obligation upon the State Government and further employed the phrase “deemed to be automatically cancelled” for prescribing the consequence of failure to comply with such obligation. The legal effect of a deeming provision is well settled in law.
17. Once the contingency contemplated under the Rule occurs, the consequence provided therein follows automatically without requiring any further adjudication or formal declaration. Thus,

once six months elapsed from the date of completion of MBBS Course and internship without issuance of appointment orders, the bonds executed by the petitioners stood extinguished by operation of law itself. The cancellation contemplated under Rule 10(6) is automatic, self-operative, and mandatory in nature. The respondents, therefore, ceased to possess any authority thereafter either to compel the petitioners to participate in counselling proceedings or to enforce the terms of a bond which had already stood cancelled by statutory fiction. Any subsequent action undertaken by the respondents after expiry of the statutory period cannot revive an obligation which had already ceased to exist under the Rules governing the field.

18. The submission advanced by the respondents that the petitioners voluntarily participated in the counselling process and are therefore estopped from seeking relief before this Court also does not merit acceptance. The records clearly reveal that the petitioners had consistently represented before the authorities seeking appointment within the prescribed period and had thereafter sought issuance of NOC upon expiry of the statutory period. Participation in counselling proceedings initiated belatedly by the respondents after expiry of six months cannot operate as waiver of a statutory right accrued in favour of the petitioners under Rule 10(6).
19. It is trite law that there can be no estoppel against a statute. Once

the statute itself declares that the bond shall stand automatically cancelled upon non-issuance of appointment orders within six months, such statutory consequence cannot be nullified merely because the petitioners participated in counselling proceedings initiated after expiry of the prescribed period. Equally untenable is the contention of the respondents that the petitioners are liable to deposit penalty amount for failure to join pursuant to appointment orders dated 24.12.2025.

20. In the considered opinion of this Court, once the bond obligations themselves stood extinguished prior to issuance of the said appointment orders, the consequential appointment orders become unenforceable and incapable of creating any binding legal obligation upon the petitioners. The very foundation for imposition of penalty under the Rules is existence of a valid and subsisting bond obligation. Once the bond stood automatically cancelled by operation of Rule 10(6), the respondents lost authority to invoke penal consequences against the petitioners. Therefore, the insistence of the respondents upon payment of Rs.25,00,000/- in case of unreserved category candidates and Rs.20,00,000/- in case of reserved category candidates is wholly arbitrary, illegal, and contrary to the statutory framework governing the field.
21. This Court also cannot lose sight of the fact that the petitioners are young medical graduates who have successfully completed

rigorous academic and internship requirements under the regulatory framework of the National Medical Commission. The arbitrary withholding of No Objection Certificates and continued insistence upon non-existent bond obligations directly impedes their right to pursue higher education, employment opportunities, and professional advancement. The respondents, after failing to discharge their own statutory obligations within the prescribed timeline, cannot be permitted to prejudice the professional careers of the petitioners by relying upon obligations which have already stood extinguished by operation of law. Such action on the part of the respondents is clearly arbitrary and violative of Articles 14, 19(1)(g), and 21 of the Constitution of India.

22. This Court is fortified in the aforesaid view by the **order dated 16.06.2023** passed by this Court in **Doctors Rakhi Pandey vs State of Chhattisgarh and others**, wherein similar issues relating to compulsory service bond obligations were considered. This Court also finds support from the **judgment dated 22.01.2024** rendered by the High Court of Madhya Pradesh in **Doctors Manisha Agrawal vs State of Madhya Pradesh and others** along with connected matters, wherein while interpreting analogous statutory provisions, it was held that once the State authorities fail to issue appointment orders within the prescribed period, the bond obligations automatically stand cancelled and cannot thereafter be enforced against the candidates.

23. Accordingly, in light of the foregoing discussions and considering the mandatory provisions contained in Rule 10(6) of the Chhattisgarh Medical, Dental and Physiotherapy Under Graduate Admission Rules, 2025, this Court has no hesitation in holding that since the respondents failed to issue appointment orders to the petitioners within a period of six months from the date of completion of MBBS Course and internship, the bonds executed by the petitioners stood automatically cancelled by operation of law. Consequently, the appointment orders dated 24.12.2025 issued in favour of the petitioners after expiry of the statutory period of six months are held to be unenforceable and of no legal consequence. The same shall not bind the petitioners in any manner whatsoever.
24. It is further held that the petitioners cannot be compelled either to join at the places of posting pursuant to the said appointment orders or to participate in counselling proceedings initiated vide notice dated 08.12.2025. The petitioners shall not be liable to deposit any penalty amount of Rs.25,00,000/- in respect of unreserved category candidates or Rs.20,00,000/- in respect of reserved category candidates pursuant to the bonds executed by them at the time of admission.
25. The respondents are directed to forthwith issue No Objection Certificates (NOC) in favour of the petitioners without insisting upon payment of any bond amount or penalty. Respondent No. 5,

Pt. Deendayal Upadhyay Memorial Health Sciences and Ayush University of Chhattisgarh, is further directed to confer MBBS Degrees upon the petitioners, if not already conferred, in accordance with law and without insisting upon production of any NOC relating to compulsory service bond obligations.

26. With the aforesaid observations and directions, the writ petition stands allowed.

No order as to costs.

Sd/-

(Amitendra Kishore Prasad)
Judge

Shayna / Vishakha