



2026:AHC:35991

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - A No. - 19790 of 2025

Dr. Alka Rai

.....Petitioner(s)

Versus

State Of U.P. And 4 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Udai Shankar Chauhan
Counsel for Respondent(s)	:	C.S.C.

Court No. - 33

HON'BLE VIKAS BUDHWAR, J.

1. Heard Sri U.S. Chauhan, learned counsel for the writ petitioner and and Sri Rahul Malviya, learned Standing Counsel for the State.
2. This Court on 14.01.2026 has sought instructions.
3. Instructions have been produced under the signature of Chief Medical Officer, Azamgarh dated 02.02.2026.
4. Sri Rahul Malviya, learned Standing Counsel has made a statement at bar hat he is possessed with the instructions and he is in a position to argue the matter and he does not propose to file any affidavit, the writ petition be decided on the basis of the documents available on record. With the consent of the parties, the writ petition is being decided at the fresh stage.
5. The case of the writ petitioner is that an advertisement came to be published on 12.12.2024 for recruitment on the post Ayush Medical Officer under NHM. According to the writ petitioner, he being fully eligible and qualified in all respects applied in pursuance of the said advertisement, however, the writ petitioner was not being called for interview in pursuance of the said advertisement on the date so fixed for interview being 26/27/29/30.12.2025. This led to filing of the present writ petition.
6. The writ petition was entertained on 14.1.2026 pursuant whereto instructions have been produced.

7. Learned counsel for the writ petitioner has sought to argue that the writ petitioner is fully eligible and qualified in all respects as he not only possesses Bachelors of Ayurvedic Medicine and Surgery-BAMS from Veer Bahadur Singh Purvanchal University, Jaunpur but he has studied the internship completion certificate from Shivalik Ayurvedic Medical College dated 17.02.2024 as well as a certificate of internship issued by the Mandaliya Zila Chikitsalaya, Azamgarh dated 13.02.2024 for the period from 16.05.2023 to 11.02.2024 and also an experience certificate from Atharv Nursing and Paramedical College and Hospital dated 18.11.2024, thus, it was not open for the respondents to have deprived the writ petitioner to participate in the interview.

8. Sri Rahul Malviya, learned Standing Counsel on the strength of the instructions dated 02.02.2026 submits that the writ petitioner does not possess experience of six months of State Ayurvedic or Allopathic Hospital or Dispensary and the certificate so relied upon by the writ petitioner to show experience are of internship completion certificate that too from a private institute and, thus, the writ petitioner was rightly found to be ineligible.

9. I have heard the submission so made across the bar and perused the record.

10. Apparently, as per the advertisement the essential qualification for Ayurvedic Medical Officer is as under.-

11. Essential Qualification:-

(i) a degree in Ayurveda of a University established under law in India, (ii) registration as a Vaidya with Board of Indian Medicine, Uttar Pradesh.

12. Experience for Ayurvedic Medical Officer:-

At least six months provisional experience of State Ayurveda or Allopathic Hospital or Dispensary.

13. Importantly, as per the writ petitioner, he obtained Bachelor of Ayurveda Medicine and Surgery (BAMS) from Veer Banadur Singh Purvanchal University, Jaunpur, Roll No. 18390000220, a copy whereof

is at page 24 of the paper book which reads as under.-

"This is to certify that Dr. Alaka Rai son/daughter of Mr./Mrs. Sharma Rai, Shivalik Ayurvedic Medical College, Bijarva, Banicat, Azamgarh is hereby awarded the Degree of B.A.M.S. on she having passed the examination for the said Degree held in 2022 month of July and thereafter having completed the compulsory Rotatory Internship of one year in February month of 2024 for the said Degree."

14. Page 25 talks about internship completion Certificate which is as under.-

"This is to certify that Ms. Alaka Rai D/o Mr. Sharma Rai is student of Bachelor of Ayurvedic Medicine and Surgery of this institution admitted to the B.A.M.S. Course Year 2016-17 and her Final Year Examination Pass in the Year July 2022 and completed her 12 Months Compulsory rotatory Internship.

(A) Date of Commencement 13.10.2022 Date of Completion 13.04.2023

S.N.	Department	Date		Schedule of 6 months
		From	Upto	
i.	Kaya Chikitsa	13.10.2022	12.12.2022	2 Months
ii.	Shalya Tantra	13.12.2023	12.01.2023	1 Month
iii.	Shalakya Tantra	13.01.2023	12.02.2023	1 Month
iv.	Stree Prasuti Tantra	13.02.2023	14.03.2023	1 Month
v.	Kaumarbhritya	15.03.2023	29.03.2023	15 Days

vi.	Panchakarma	30.03.2023	13.04.2023	15 Days
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15. Page 26 is the certificate issued by the Mandaliya Zila Chikitsalaya, Azamgarh which read as under.-

"प्रमाणित किया जाता है कि अल्का राय पुत्री शर्मा राय ने शिवालिक आयुर्वेदिक मेडिकल कालेज एण्ड हास्पिटल जनपद-आजमगढ़ (उ०प्र०), मण्डलीय जिला चिकित्सालय, आजमगढ़ उ०प्र० से विभिन्न विभागों में अनिवार्य इंटर्नशिप दिनांक 16.05.2023 से 11.02.2024 तक 6 माह प्रशिक्षण प्राप्त किया।

क्र.सं.	विभाग	अवधि	आरम्भ तिथि	पूर्ण तिथि
01	कार्डियोलॉजी/मेडिसिन	01 माह	16.05.2023	15.06.2023
02	लोकोमोटर/आर्थो	15 दिन	16.06.2023	30.06.2023
03	इमरजेन्सी	15 दिन	01.07.2023	15.07.2023
04	सर्जरी	16 दिन	15.07.2023	31.07.2023
05	ई०एन०टी०	07 दिन	01.08.2023	07.08.2023
06	आपथोमोलॉजी	07 दिन	08.08.2023	15.08.2023
07	आब्स एवं गायनेकोलॉजी (म०जि०चि०)/बाल रोग	02 माह	20.09.2023	27.12.2023
08	कम्युनिटी मेडिसिन	01 माह	10.01.2024	11.02.2024

उक्त अल्का राय पुत्री शर्मा राय ने शिवालिक आयुर्वेदिक मेडिकल कालेज एण्ड हास्पिटल जनपद-आजमगढ़ उ०प्र० उक्त अवधि चिकित्सालय में उपस्थित थे। इनका कार्य एवं आचरण उत्तम रहा।”

16. Page 27 is the experience certificate dated 08.11.2024 of the Atharv Nursing Paramedical College and Hospital.-

“प्रमाणित किया जाता है कि डा० अल्का राय पुत्री श्री शर्मा राय, ग्राम-बरहतीर जगदीशपुर पोस्ट-जहानागंज, जनपद-आजमगढ़ की निवासी है, जो अर्थव हास्पिटल मेंहनगर आजमगढ़ में आयुष चिकित्सक के पद पर नियमित रूप दिनांक 01.03 2024 से 30.10.2024 कूल माह 08 तक कार्यात थी। चिकित्सीय सेवाएं हास्पिटल में सन्तोषजनक रहा है।”

17. A bare look of the BAMS Certificate would reveal that the same came to be issued on 07.10.2024 and the examination for the degree was held in the month of July, 2022 and thereafter, the petitioner had completed the compulsory rotatory internship of one year in February, 2024, the internship completion certificate dated 17.02.2024 itself depicts that the same is for the period 13.10.2022 to 13.04.2023 and the internship of the Mandaliya Zila Chikitsa, Azamgarh is for 16.05.2023 to 11.02.2024 and the Atharv Nursing and Paramedical College and Hospital experience certificate is for a period of eight months from 01.03.2024 to 03.10.2024. As per the advertisement, the writ petitioner ought to have possessed experience certificate of at least six months of State Ayurvedic or Allopathic Hospital or Dispensary. There is a different between internship and the experience. Importantly, the internship period was from July, 2022 to February, 2024 as it is apparent from BAMS certificate and further, the certificate so relied upon by the writ petitioner dated 17.02.2024 of Shivalik Ayurvedic Medical College is internship completion certificate dated 13.10.2022 to 13.04.2023 and so much so the internship certificate of Mandaliya Zila Chikitsa Azamgarh is for the period 16.05.2023 to 11.02.2024. The said certificates are internship certificates which post completion entitles awarding of a degree of BAMS.

18. Here, the only document personifying experience is a certificate at page 27 of Atharv Nursing Paramedical College and Hospital dated 08.11.2024 which is a private institute. Incidentally, the experience so needed is of six months from Ayurvedic or Allopathic Hospital or

Dispensary. Since the experience is from a private hospital/dispensary and the said qualification prescribing the experience from a Government Hospital or Dispensary is not under challenge, thus, this Court is not required to delve further in the said issue.

19. Accordingly, in the opinion of the Court, there is no illegality committed by the respondents in not inviting the writ petitioner to participate in the interview on the ground of ineligibility. Resultantly, interference is declined, the writ petitioner is **dismissed**.

20. Let a copy of the instructions be served upon the learned counsel for the writ petitioner.

21. Instructions filed today are taken on record and marked as Appendix 'A'.

(Vikas Budhwar,J.)

February 18, 2026

Rajesh