

4.

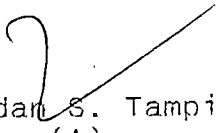
May 14, 2003
CP 171/2003 in OA 1384/2002


Present Shri Javdev Singh for Dr. Surat Singh, counsel
for applicant

Heard.

Learned proxy counsel for applicant states that OA-1384/2002 was disposed of by this Tribunal's order dated 24.5.2002 with directions to the respondents to examine the representations of the applicant and pass a speaking order thereon. He further submits that despite a period of two months granted by the Tribunal, the respondents have not complied with the directions. MA-2192/2002 filed by the respondents for extension of time to implement the aforesaid order has also been dismissed.

Keeping in view the above said facts, issue notice to respondent No.3 only, returnable on 8.7.2003.


(Govindan S. Tampi)
Member (A)


(Kuldip Singh)
Member (J)

/sun 1/

8-7-2003

C.M. - ~~101~~ II

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CP 171/2003

OA 1384/2002

Present. Dr. Surat Singh, learned Counsel
through proxy Counsel Shri. Arun Palhi
Counsel for the petitioner.

List on 16-7-2003.

✓
(Govindan S. Tampi)
Member (A)

K
(Suldeep Singh)
Member (J)

13

16-7-2003

CP- 171/2003 in

OA - 1384/2002

3

Present:

Dr. Suresh Singh through learned
proxy counsel Shri Arun Kumar, for
the petitioner

Shri Rajinder Nischal, learned
counsel for respondents was present
earlier.

At the request of learned
proxy counsel for petitioner who submits
that ld. Counsel has some personal difficulty.

list on 28.7-2003.

Vb

(V.K. Mehta)
M(A)

VS

(Smt. Leekshmi Sreenivasan)
V(CJ)

CP 171/2003 in
OA 1384/2002
28/7/2003

CP dismissed by an oral order
dictated in the open court
P.T.O

3A

by a Bench of His Highness the
rel. and His Highness S.K. Naik, m(A).

By
✓ Co. eff.

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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

CP No.171/2003 in
OA 1384/2002

New Delhi this the 28th day of July, 2003.

Hon'ble Smt.Lakshmi Swaminathan, Vice Chairman (J)

Hon'ble Shri S.K.Naik, Member (A)

Srikrishna Das,
S/O Shri Deokrishna Das
R/O A-40, Gulab Bagh,
New Delhi-110059

..Applicant

(By Advocate Dr.Surat Singh, learned
counsel through proxy counsel
Shri Arun Rathi)

VERSUS

1. Dr.R.N.Salhan,
Medical Superintendent,
Dr.Ram Manohar Lohia Hospital,
New Delhi.

..Respondent No.3

(By Advocate Shri Rajinder Nischal
learned counsel for Respondent 3)

O R D E R ((ORAL))

(Hon'ble Smt.Lakshmi Swaminathan, Vice Chairman (J)

We have heard both the learned counsel for the
parties in CP 171/2003 in OA 1384/2002.

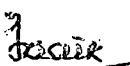
in O.A. 172

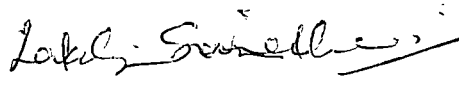
2. Notice on CP was issued to respondent No.3 i.e.
Medical Superintendent, Dr.Ram Manohar Lohia Hospital,
New Delhi. That authority has issued memoranda dated

8/7/03

4.3.2003 and 24.6.2003 (Annexures R-1 and II) to the competent authority i.e. Director General of Health Services for taking an appropriate decision in the matter as ^{a 12/} one time measure, keeping in view the relevant facts and circumstances of the case. Admittedly, the applicant was overaged at the time of his initial appointment with respondent No.3 and belongs to general category. However, it is also an admitted fact that he has been continuing working as Psychiatric Social Worker for a long number of years i.e. about 20 years and that is why respondent No.3 had written the aforesaid memo dated 24.6.2003 to the competent authority to take an appropriate decision in the matter as ^{a 13/} one time measure in seeking relaxation of the Recruitment Rules.

3. In view of the above facts and circumstances of the case, we do not consider that any contempt has been made out against respondent No.3 who has already taken necessary action on his part in terms of the aforesaid order of the Tribunal dated 24.5.2002. However, as the matter is pending with the competent authority for quite some time and also keeping in view the nature of ^{the 13/} question involved in this case, we dispose of this CP with a direction to the respondents to take a final decision in the matter within four months from the date of receipt of a copy of this order, with intimation to the applicant. In this view of the matter, CP 171/2003 is dismissed. Notice issued to the alleged contemner is discharged. File be consigned to the record room.


(S.K. Naik)
Member (A)


(Smt. Lakshmi Swaminathan)
Vice Chairman (J)

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