

Central Administrative Tribunal, Principal Bench

Original Application No. 2001 of 2002

New Delhi, this the 31st day of July, 2002

Hon'ble Mr. Justice Ashok Agarwal, Chairman  
Hon'ble Mr. S.A.T. Rizvi, Member (A)

Dr. Nirankar Singh  
Chief Medical Officer,  
Aruna Asaf Ali Government Hospital  
Rajpur Road,  
Delhi-54

.... Applicant

(By Advocate: Dr. K.S. Chauhan with Shri Chand Kiran and  
Shri G.R. Chauhan)

Versus

1. Govt. of NCT of Delhi,  
through its Chief Secretary,  
Delhi Secretariat,  
I.P. Estate, New Delhi-2

2. Govt. of NCT of Delhi,  
through its Principal Secretary,  
(Health & Family Welfare)  
Delhi Secretariat,  
I.P. Estate, New Delhi-2

.... Respondents

O R D E R (ORAL)

By Mr. S.A.T. Rizvi, Member (A)

The applicant who was regularly appointed as Medical Officer in the Generalist Cadre on 3.4.84, was promoted in due course and became Chief Medical Officer sometime in April, 1993. He is in possession of Post-Graduate qualifications in Anaesthesia, Orthopedics and Rehabilitation. Based on these qualifications and the length of service rendered by him, the applicant wants to be treated as a Specialist Doctor.

2. In OA No. 2746/99 with OA No. 2843/99, both decided on 19.10.2000 (Annexure A-3) and on which the learned counsel places reliance, the applicants were appointed as Junior Specialists on contract basis on payment of consolidated salary of Rs. 15,000/- per month

without N.P.A. Specialist Gr.II doctors in Central Health Service were at the same time placed in the pay scale of Rs.10000-15200 with usual allowances and N.P.A. The aforesaid Junior Specialists appointed on contract basis felt aggrieved by the discrimination made in the payment of salary and allowances to them and approached this Tribunal by filing these OAs. By the aforesaid order, the Tribunal directed the respondents to allow the applicants in those OAs to continue in service and to pay them in accordance with the same pay scales as were applicable to Junior Specialists Gr.II doctors.

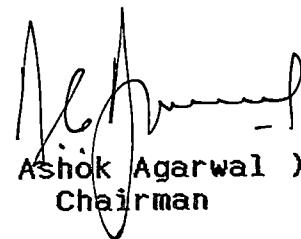
3. The learned counsel appearing on behalf of the applicant submits that by virtue of the qualifications possessed by the applicant and the length of service rendered by him, he is placed similarly to the Junior Specialists who had approached the Tribunal by filing the aforesaid OAs. On this basis, the prayer made is that the applicant should be treated as a Specialist Doctor. The applicant has filed a representation in the matter on 16.2.2002 (Annexure A-10), without any response thereto so far.

4. Having regard to the submissions made by the learned counsel and the aforesated facts and circumstances, we find that the interests of justice will be duly met in the present case by disposing of this OA at this very stage even without issuing notices with a direction to the respondents to consider the aforesaid representation and to pass a reasoned and a speaking order.

thereon expeditiously and in any event within a period of three months from the date of receipt of a copy of this order. We direct accordingly. We also direct that in addition to the aforesaid representation, the present OA will also be treated as an additional representation at the time of consideration of the applicant's claim ~~before~~ <sup>& before</sup> passing the orders as above. O.A. is disposed of in the aforesated terms.



( S.A.T. Rizvi )  
Member (A)



( Ashok Agarwal )  
Chairman

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