



**Central Administrative Tribunal  
Principal Bench, New Delhi**

**CP No. 351/2019  
in  
OA No. 528/2019**

this the 24<sup>th</sup> day of February, 2020

**Hon'ble Mr. A.K. Bishnoi, Member (A)  
Hon'ble Mr. R.N. Singh, Member (J)**

1. Ajay Mitra,  
S/o Shri S.D. Shastri, R/o  
H.No.A/9, Gali No.1,  
Braham Puri, Delhi-110053  
Age : 52 years, Group „D“  
Working at Admin Section RTI Cell  
National Institute of Malaria Research  
Sector-8, Dwarka, New Delhi-110077.
2. Khem Singh,  
S/o Shri Kunwar Singh,  
R/o A-1/101, Gali No.5,  
Rajapuri, Uttam Nagar,  
New Delhi-110059  
Age : 59 years, Group „D“  
Working at Guest House  
National Institute of Malaria Research  
Sector-8, Dwarka, New Delhi-110077.
3. L.B. Mehta,  
S/o Shri L. Sita Ram,  
R/o B-309, Brij Vihar,  
Ghaziabad  
Age : 51 years, Group „D“  
Working at Reception  
National Institute of Malaria Research  
Sector-8, Dwarka, New Delhi-110077.
4. Mangal Sain,  
S/o Late Shri Harcharan Singh,  
R/o D-153, Gali No.11,  
Bharati Vihar, New Delhi-110094  
Age : 48 years, Group „D“ Working at  
Vector Control Lab  
National Institute of Malaria Research  
Sector-8, Dwarka, New Delhi-110077.



5. Noor Hasan,  
S/o Bhola Khan,  
R/o H.No. 140, B-Block, Sangam  
Vihar, Loni Ghaziabad, Uttar Pradesh  
Age : 57 years, Group „D"  
Working at Admin-I  
National Institute of Malaria Research  
Sector-8, Dwarka, New Delhi-110077.
6. L.N. Mishra,  
S/o Late Shri Maksudan Mishra,  
R/o H.No.G-70, A/1, Om Vihar Phase-5,  
Uttam Nagar, New Delhi-110059  
Age : 51 years, Group „D"  
Working at Accounts Section  
National Institute of Malaria Research  
Sector-8, Dwarka, New Delhi-110077.
7. Surendra Nath Rai,  
S/o Surya Bhan Rai,  
R/o 26A Block-B, Arjun Park,  
Najafgarh, New Delhi-110043  
Age : 50 years, Group „D"  
Working at GIS Lab  
National Institute of Malaria Research  
Sector-8, Dwarka, New Delhi-110077.
8. Abrar Ali,  
S/o Shri Abdul Kareem,  
R/o House No.396, Village Pipleda Post Masori Dist.-  
Hapur, UP-245101 Age : 48 years, Group „D"  
Working at Despatch Section National  
Institute of Malaria Research Sector-8,  
Dwarka, New Delhi-110077.
9. Satyaveer Sharma,  
S/o Shri Raj Kishore Sharma,  
R/o H.No.531-A, South Ganesh Nagar, Gali  
No.10, Delhi-110092  
Age : 48 years, Group „D"  
Working at ECR Division  
National Institute of Malaria Research  
Sector-8, Dwarka, New Delhi-110077.



10. Krishan Pal,  
S/o Nirmal Singh,  
R/o Village Nangla Bari, Post Rataul, Tehsil  
Khekra, Distt. Baghpat, Uttar Pradesh  
Age : 48 years, Group „D“  
Working at CIF Lab  
National Institute of Malaria Research  
Sector-8, Dwarka, New Delhi-110077.
  
11. Devendra Singh,  
S/o Late Dhan Singh,  
R/o L-12, Gali No.4,  
Som Bazar Road, Rajapuri, Uttam Nagar,  
New Delhi-110059 Age : 48 years, Group  
„D“ Working at Admin-I  
National Institute of Malaria Research  
Sector-8, Dwarka, New Delhi-110077.
  
12. Keshar Singh,  
S/o Late Bahadur Singh,  
R/o H.No.540-A, Nayakhand I  
Inderapuram, Ghaziabad, Uttar Pradesh  
Age : 49 years, Group „D“  
Working at Guest House  
National Institute of Malaria Research  
Sector-8, Dwarka, New Delhi-110077.
  
13. Purshottam Dutt Uniyal,  
S/o Shiv Mani,  
R/o A-1365, Gali No.2,  
Madhu Vihar, Delhi-110059  
Age : 49 years, Group „D“  
Working at Director Office  
National Institute of Malaria Research  
Sector-8, Dwarka, New Delhi-110077.
  
14. Rajesh Kumar,  
S/o Shri Bal Kishan,  
R/o Village Dutpura,  
Delhi-110096  
Age : 49 years, Group „D“  
Working at Duplicating Section,  
National Institute of Malaria  
Research Sector-8, Dwarka, New  
Delhi-110077.



15. Rakam Singh, S/o  
Harpal Singh,  
R/o Village Puthi, Parischit Garh,  
PO-Khaj, Distt. Meerut, U.P.  
Age : 47 years, Group „D“ Working  
under Dr. Arun Sharma  
National Institute of Malaria Research  
Sector-8, Dwarka, New Delhi-110077.
  
16. Sadaruddin,  
S/o Late Shri Ghasita,  
R/o H.No.355, Gali No.15A,  
Vijay Park, Delhi-110053 Age  
: 48 years, Group „D“  
Working at GEMB  
National Institute of Malaria Research  
Sector-8, Dwarka, New Delhi-110077.
  
17. Kanwarjit Singh, S/o  
Sukhbeer Singh,  
R/o Village Chittora, Post Noorpur,  
Distt. Ghaziabad, Uttar Pradesh Age :  
56 years, Group „D“  
Working at Lab  
National Institute of Malaria Research  
Sector-8, Dwarka, New Delhi-110077.
  
18. Prakash Chandra Joshi,  
S/o Late Devi Dutt Joshi,  
R/o 1054/3A, Raj Nagar,  
Delhi-110077  
Age : 55 years, Group „D“  
Working at Transport Section  
National Institute of Malaria Research  
Sector-8, Dwarka, New Delhi-110077.
  
19. Madan Singh,  
S/o Gopal,  
R/o H.No.3B 1106, Gali No.2, Vishwas Park, Raja Puri, Uttam Nagar,  
Delhi-110054  
Age : 45 years, Group „D“  
Working at Publication Section National  
Institute of Malaria Research Sector-8,  
Dwarka, New Delhi-110077.



20. Umesh Kumar,  
 S/o Om Prakash,  
 R/o H.No.F.No.17, Nehru Garden,  
 New Roshan Pura, Najafgarh, New  
 Delhi-110043  
 Age : 49 years, Group „D“  
 Working at Electric Section  
 National Institute of Malaria Research  
 Sector-8, Dwarka, New Delhi-110077.

21. Hira Kant Jha, S/o  
 Jiva Kant Jha,  
 R/o C-2/7 Budh Vihar Phase-I,  
 Near Som Bazar Road,  
 Delhi-110086  
 Age : 46 years, Group „D“  
 Working at Lab  
 National Institute of Malaria Research  
 Sector-8, Dwarka, New Delhi-110077.

22. Shiv Darshan Singh Rawat,  
 S/o Trilok Singh Rawat, R/o  
 H.No.537, Gali No. \_\_\_\_\_  
 Lakhpat Colony Part-II Badarpur,  
 New Delhi-110044  
 Age : 46 years, Group „D“  
 Working at Accounts Section  
 National Institute of Malaria Research  
 Sector-8, Dwarka, New Delhi-110077.

23. Anil Kumar,  
 S/o Shyam Chand,  
 R/o VPO Bhigan, H.No.545,  
 Distt. Sonipat, Haryana  
 Age : 46 years, Group „D“  
 Working at Accounts Section  
 National Institute of Malaria Research  
 Sector-8, Dwarka, New Delhi-110077.

24. Jyotsana Rani Das,  
 S/o Late Sh. Dharma Kanta Das, R/o Vill. Kamarkuchi, P.O. Tepesia  
 PS Sonapur, Distt. Kamrup (M) Assam-782402  
 Age : 51 years, Group „D“ Working  
 at Guwahati Station of  
 National Institute of Malaria Research  
 Assam.



25. Jagdish Chand,  
S/o Dhuri Chand,  
R/o R-48, Hastshal Village,  
Delhi-110059  
Age : 49 years, Group „D"  
Working at AO Office  
National Institute of Malaria Research  
Sector-8, Dwarka, New Delhi-110077.

26. Mohd.  
Yasin, S/o  
Sherdin,  
R/o Village & Part Khirki,  
Tehsil Modi Nagar, Distt. Ghaziabad  
Age : 48 years, Group „D"  
Working at Hindi Section  
National Institute of Malaria Research  
Sector-8, Dwarka, New Delhi-110077.

27. Dharam Singh,  
S/o Kishan Lal,  
R/o H.No.101, Chandra Vihar,  
Mandawali, New Delhi-110092  
Age : 54 years, Group „D"  
Working at Lab  
National Institute of Malaria Research  
Sector-8, Dwarka, New Delhi-110077.

28. Gauri Dutt,  
S/o Khemanand,  
R/o R F788/4, Raj Nagar,  
Palam, New Delhi  
Age : 50 years, Group „D"  
Working at RTI Cell,  
National Institute of Malaria Research  
Sector-8, Dwarka, New Delhi-110077.

29. Momin Ali  
S/o Shahid Ali,  
R/o House No.396, Village Pipleda,  
Post Masori, Dist.Hapur,  
UP-245101  
Age : 45 years, Group „D"  
Working at Bill Section  
National Institute of Malaria Research  
Sector-8, Dwarka, New Delhi-110077.



30. Shakeel Ahmad,  
S/o Salimuddin,  
R/o Village Arifur, PO Jalabuddin  
Distt. Ghaziabad, Uttar Pradesh  
Age : 44 years, Group „D“ Working  
at Lab  
National Institute of Malaria Research  
Sector-8, Dwarka, New Delhi-110077.
31. Jitender Singh,  
S/o Veer Singh,  
R/o Village Ramgarh,  
Zila Gautam Budh Nagar, UP  
Age : 46 years, Group „D“  
Working at Admin-I  
National Institute of Malaria Research  
Sector-8, Dwarka, New Delhi-110077.
32. Nawab Singh,  
S/o Chidda Singh,  
R/o Village Chajjupur, Zila Hapur,  
Uttar Pradesh  
Age : 46 years, Group „D“  
Working at Transport Section  
National Institute of Malaria Research  
Sector-8, Dwarka, New Delhi-110077.
33. Prakash Narayan,  
S/o Jhau Lal,  
R/o Khasra No.69/11, Block No. \_\_\_\_\_  
Gali No.20, Kausik Enclave, Burari,  
Delhi-110062  
Age : 44 years, Group „D“  
Working at Accounts Section  
National Institute of Malaria Research  
Sector-8, Dwarka, New Delhi-110077.
34. Sanjeev Kumar,  
S/o Late Shri Janak Singh,  
R/o NIMR, PU, Zirakpur,  
Dhakauli, Chandigarh  
Age : 47 years, Group „D“  
Working at Field & Lab  
National Institute of Malaria Research, Chandigarh.



35. Subhash,  
 S/o Late Shri Bishan Singh,  
 Village Eklandi Pokhraj Distt.  
 Ghaziabad (UP)  
 Age : 43 years, Group „D“  
 Working at Lab  
 National Institute of Malaria Research  
 Sector-8, Dwarka, New Delhi-110077.

36. Permander Kumar,  
 S/o Late Shri Sai Singh,  
 R/o H.No.268, Village & Post Barv dela,  
 Delhi-110039  
 Age : 49 years, Group „D“  
 Working at Publication Section  
 National Institute of Malaria Research  
 Sector-8, Dwarka, New Delhi-110077.

37. Shishu Pal Singh,  
 S/o Late Shri Sadho Singh Negi,  
 R/o Village Barkhet Mulla,  
 PO Budhyar Gaon, Distt. Pauri Garwal,  
 Uttarakhand  
 Age : 51 years, Group „D“  
 Working at Library  
 National Institute of Malaria Research  
 Sector-8, Dwarka, New Delhi-110077.

38. S. Indrani,  
 W/o Seelvamuthu,  
 R/o H.No.144, R.K. Puram,  
 Pursawalkam, Vepery,  
 Chennai-600007  
 Age : 57 years, Group „D“  
 Working at National Institute of Malaria Research, Chennai.

39. V. Malinga,  
 W/o G. Veerappan,  
 R/o 57, Manavazad Street,  
 Kulasekpuram, Chimalaynagar,  
 Virvambakkam, Chennai-600092  
 Age : 53 years, Group „D“  
 Working at National Institute of Malaria Research  
 Chennai.



40. Mrs. K. Bhagya Latha,  
D/o K.G. Krishnan, R/o  
H.No.MIG 52F, Bharthi  
Dasan Colony,  
K.K. Nagar, Chennai-600078  
Age : 58 years, Group „D“  
Working at National Institute of Malaria Research  
Chennai.
41. Rajendra Prasad Tiwari, S/o Sri Chandra  
Tiwari, R/o E-723, East Ist Lane, ITI  
Doorvani Nagar, Bangalore-560016  
Age : 55 years, Group „D“  
Working at National Institute of Malaria Research  
Bangalore.
42. Roop Chandra,  
S/o Shri Kishore Kumar,  
R/o Village Balur, Part-Mirza,  
Distt. Siwan, Bihar-841239  
Age : 54 years, Group „D“  
Working at National Institute of Malaria Research  
Ranchi.

.... Contempt Petitioners

(By Advocate: Shri Vaibhav Kalra with Ms. Neha Bhatnagar)

Versus

1. Sh. Prof. Balram Bhargava,  
Secretary,  
Department of Health Research,  
Through its Secretary,  
2<sup>nd</sup> Floor, IRCS Building, Red Cross Road, New Delhi-110003.
2. Sh. Girish Chandra Murmu,  
Secretary,  
Department of Expenditure, Ministry of Finance,  
Through its Secretary,  
Ministry of Finance, North Block, New Delhi-110001.
3. Sh. Dr. Alok Srivastava  
Secretary  
Ministry of Law & Justice,  
Through its Secretary,  
4<sup>th</sup> Floor, A-Wing, Shastri Bhawan, New  
Delhi-110001.



4. Sh. Dr. C. Chandramouli  
Secretary  
Department of Personnel Training,  
Through its Secretary,  
North Block, Central Secretariat, New Delhi-110001.
5. Sh. Prof Balram Bhargava  
Secretary  
Indian Council of Medical Research,  
Through its Director General,  
Ansari Nagar, New Delhi-110029.
6. Sh. Dr. Neena Valecha  
Secretary  
National Institute of Malaria Research,  
Through its Director,  
Sector-8, Dwarka, New Delhi-110077. .. Contemnors

(By Advocates : Mr. Sheshwat and Mr. Hanu Bhaskar)

### **ORDER (ORAL)**

#### **Mr. R.N. Singh :**

The present contempt petition has been filed alleging wilful disobedience the direction of this Tribunal in order dated 21.02.2019 in the aforesaid OA. The operative portion of the order dated 21.02.2019 reads as under :-

“5. It is submitted that the applicants and their Association have made number of representations ventilating their grievances to the respondents. Though the respondents have not passed any final orders, however, vide Annexure A-49 dated 10.10.2018, it appears that the respondents are in the process of considering the cases of the applicants for regularisation and, accordingly, prayed for a direction to the respondents to take a final view on the issue, within a fixed timeframe.

6. In the circumstances, the O.A. is disposed of at the admission stage itself, without going into the merits of the case, by directing the respondents to consider the claims of the applicants in terms of the Annexure A-49 dated 10.10.2018 and to take a final view and to pass appropriate speaking and reasoned orders thereon, in accordance with law, within 90 days from the date of receipt of a certified copy of this order. No order as to costs.”



2. It is admitted case of the petitioners that in pursuance of this direction, the respondents have passed an order dated 21.10.2019 and 31.10.2019 (Annexure –AX-3 colly) and subsequently the respondents have also issued order dated 01.11.2019 for regularisation of the services of the petitioners.
3. The learned counsel for the petitioners submits that the respondents have regularised the services of the petitioners. However, such regularisation has been given from prospective effect and not from retrospective effect though retrospective regularisation has been done in the case of similarly placed persons.
4. Be as it may, once the direction of this Tribunal was for consideration and that too without going into merit of the claim of the petitioners, we are of the considered view that substantial compliance of direction of this Tribunal has been made by the respondents. Accordingly, the CP is closed and notices issued to the respondents are discharged. However, the petitioners shall be at liberty to agitate their grievances, if any, in accordance with law.

**(R.N. Singh)**  
**Member (J)**

*'anjali'*

**(A.K. Bishnoi)**  
**Member (A)**