

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH

OA 862/2001

WITH

OA 142/2001

MA 104/2001

OA 2640/2000

MA 3077/2000

OA 991/2001

New Delhi, this the 5th day of September, 2001

Hon'ble Smt. Lakshmi Swaminathan, Vice-Chairman (J)  
Hon'ble Shri Govindan S. Tampi, Member (A)

OA 862/2001

1. Dr. Rajeey Kumar  
S/o Shri Bhim Sen  
Medical Officer  
Shalimar Bagh, Delhi.

R/o 970, Mukerjee Nagar  
Delhi - 110009.

2. Dr. Vinod Kumar Rastogi  
S/o Shri R.C. Rastogi  
Medical Officer  
Central Jail Hospital, Tihar  
New Delhi 58.

R/o WZ-77, Dayal Sarrodd  
Uttam Nagar  
New Delhi 110059

3. Dr. Rishi Prakash Yadav  
S/o Shri S.P. Yadav  
Medical Officer  
North Zone  
Shalimar Bagh, Delhi.

R/o 568, C-8, Sector-8  
Rohini, New Delhi - 85

4. Dr. Neeraj Chaudhary  
S/o Shri M.C. Chaudhary  
Medical Officer  
Directorate of Health Services  
Delhi.

R/o C-3/42 Ashok Vihar, Ph. II  
Delhi - 52

5. Dr. Vijay Pal Khari  
S/o Shri D.P. Khari  
Medical Officer  
A.A. Ali Hospital  
Delhi.

R/o WP-425, Wazirpur Village  
Ashok Vihar  
Delhi - 52

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1. Dr. Murtaza Fazal Abbas  
S/o Late Mr. Fazal Abbas  
Medical Officer  
North Zone  
Shalimar Bagh  
Delhi.

R/o B-53-A, Gangotri Apartments  
Alaknanda, New Delhi.

2. Dr. Attar Singh Yadav  
S/o Shri C.R. Yadav  
Medical Officer  
RDRM Hospital  
Jaffarpur, New Delhi  
R/o Vill. & P.O. Surehra  
New Delhi - 43.

3. Dr. Garima Jaiswal  
W/o Shri Rahul Kumar  
Medical Officer  
Mobile Health Scheme  
South Zone

R/o A1/10, Panchsheel Enclave  
New Delhi - 110 017.

4. Dr. Girish Chandra Prabhat  
S/o Shri Parma Singh  
Medical Officer  
L.N.J.P. Hospital,  
New Delhi

R/o WZ-75 Mukhram Park Extn.  
Tilak Nagar  
New Delhi

5. Dr. Jyoti Prakash  
S/o Shri K.K. Mahto  
Medical Officer  
West Zone

R/o 1526, Sector-A  
Pocket B&C  
Vasant Kunj, New Delhi.

6. Dr. B.V. Sudhir  
S/o Shri K.V.V. Setty  
Medical Officer  
North Zone

R/o F-30, ITI Pusa Campus  
New Delhi - 12.

7. Dr. Jasbir Singh  
S/o Shri R.L. Bhati  
Medical Officer  
West Zone

R/o C-3, Kailash Colony  
New Delhi - 48.

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8. Dr. Anupama Singh  
W/o Dr. Vikas Chopra  
Medical Officer  
West Zone  
R/o A-158, Surajmal Vihar  
New Delhi

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OA 2640/2000

1. Dr. Amit Vikram  
S/o Dr. S.S. Yadav  
Medical Officer  
East Zone, Gita Colony, Delhi.

R/o L-124, Sector-11  
NOIDA (UP)

2. Dr. Pradeep  
S/o Shri P.D. Sharma  
Medical Officer  
North Zone, Shalimar Bagh  
New Delhi.

R/o Block CA/95-C, DDA Flats  
Hari Nagar  
New Delhi - 110 064.

3. Dr. Anup Aggarwal  
S/o Late Shri S.K. Aggarwal  
Medical Officer  
North Zone, Shalimar Bagh  
New Delhi.

R/o 568, Pocket C-8, Sector-8  
Rohini, New Delhi - 85.

4. Dr. Anupa Aggarwal  
Medical Officer  
North Zone, Shalimar Bagh  
New Delhi.

R/o 409F, Janak Park  
Harinagar, New Delhi.

5. Dr. Bharat Kumar Aggarwal  
S/o Shri Krishan Kumar  
Medical Officer  
North Zone, Shalimar Bagh  
New Delhi.

R/o A-2/21, Janakpuri  
New Delhi - 110 058.

6. Dr. Anita Gupta  
Medical Officer  
North Zone, Shalimar Bagh,  
New Delhi.

R/o 24/14 GF, Old Rajinder Nagar  
New Delhi - 110 060.

7. Dr. Archana Prakash  
W/o Shri Vijay Prakash  
Medical Officer  
South Central Zone  
Begumpur, New Delhi.

R/o 409F, Janak Park  
Harinagar, New Delhi.

Dr. Bharat Kumar Aggarwal  
S/o Shri Krishan Kumar  
Medical Officer

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R/o S-13, Tara Apartments  
New Delhi - 110 019

- 8. Dr. Supriya Kumari  
W/o Dr. Ravi Jaiswal  
Medical Officer  
South Central Zone  
Begumpur  
New Delhi.

R/o 134, Doctors' Hostel No. II  
West Kidwai Nagar  
New Delhi.

- 9. Dr. Anuja Vasudeva  
W/o Dr. Suraj Prakash  
Medical Officer  
South Central Zone  
Begumpur, New Delhi.  
R/o L-5, Green Park, N. Delhi-16.

- 10. Dr. Indrani Mandal  
W/o Dr. S. Mandal  
Medical Officer  
South Zone, Mobile Health Scheme.

R/o I-1907, C.R. Park  
New Delhi - 19.

- 11. Dr. T. Anuradha  
W/o Shri Sunil Khairnar  
Medical Officer  
Chirag Delhi Dispensary  
New Delhi.  
R/o 14-D, DDA Flats, Munirka, N.D-67.

- 12. Dr. Ajanta Basuah Das  
W/o Shri M.K. Das  
Medical Officer  
Begumpur Dispensary  
New Delhi

R/o 36-A, Vijay Mandal Enclave  
Sarvapriya Vihar, New Delhi - 16.

- 13. Dr. Alka Shavnik  
W/o Dr. Vivek Sharma  
Medical Officer  
Mobile Health Scheme  
South Zone, Ber Sarai  
New Delhi.

R/o E-36 Saket  
New Delhi - 110 017.

- 14. Dr. Dushyant Mittal  
S/o Shri R.K. Mittal  
Medical Officer  
DA Dispensary  
Dakshinpur, New Delhi.

R/o 11/273, DDA Flats  
Ambedkar Nagar  
New Delhi - 62.

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R/o 134, Doctors' Hostel No. II  
West Kidwai Nagar

R/o 36-A, Vijay Mandal Enclave  
Sarvapriya Vihar, New Delhi - 16.

Dr. Alka Shavnik  
W/o Dr. Vivek Sharma

Mobile Health Scheme  
South Zone, Ber Sarai

1. Dr. Indu Saikia  
S/o Shri K.N. Saikia  
Medical Officer  
West Zone  
A-II Block, Paschim Vihar  
Delhi - 63.

R/o GH1/64, Archana Apts.  
Paschim Vihar  
Delhi - 63.

16. Dr. Geeta Dada  
W/o Dr. Taju Dada  
Medical Officer  
Malviya Nagar Hospital  
New Delhi - 17.

R/o CI/3, AIIMS Campus  
New Delhi - 29.

17. Dr. Devalina Sikdar  
W/o Dr. S.K. Sikdar  
Medical Officer  
JNU Health Centre  
South Central Zone, New Delhi.

R/o 843, Laxmi Bai Nagar  
New Delhi - 23.

18. Dr. Neeta Singla  
W/o Shri Anil Goel  
Medical Officer  
South Central Zone, New Delhi.

R/o 3140, Sector B-4  
Vasant Kunj,  
New Delhi - 70.

19. Dr. Armodina R. Sangma  
W/o Dr. Sandip Deb  
Sunlight Colony Dispensary  
New Delhi.

R/o D-007, Pragati Vihar Hostel  
Lodhi Road  
New Delhi - 3.

20. Dr. Manoj Kumar Gupta  
S/o Shri G.P. Gupta  
Medical Officer  
North Zone  
Shalimar Bagh  
New Delhi - 52.

R/o C-187, Vikas Puri  
New Delhi - 110018.

21. Dr. Ganesh Adhikari  
S/o Shri N.S. Adhikari  
Medical Officer  
DA Dispensary  
A-2, Paschim Vihar,  
New Delhi - 63.

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22. Dr. Anuradha Singh  
 D/o Maj. Gen (Retd) J.C. Bhatla  
 Medical Officer  
 Jhawda Kalan Dispensary  
 A-2, Paschim Vihar  
 New Delhi - 63.

R/o D-10, Patel Garden  
 Najafgarh Road  
 New Delhi - 59.

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23. Dr. Jasvinder Kaur  
 W/o Mr. Gurjeet Saini  
 Medical Officer  
 Rawata DA Dispensary  
 A-2, Paschim Vihar  
 New Delhi - 70.

R/o D6/4068, Vasant Kunj  
 New Delhi - 70.

24. Dr. Sarojini Anita Kujur  
 W/o Dr. Ananta Kumar Naik  
 Medical Officer, DAD Sultanpuri  
 New Delhi - 63.

R/o Room No. 47, Doctors' Hostel-I  
 Safdarjung Hospital  
 New Delhi - 29.

25. Dr. Ashish Arora  
 S/o Late Shri Raj Kumar  
 Medical Officer  
 Mayapuri DAD Dispensary  
 Paschim Vihar, Delhi.

R/o 1184/7, Maiwala St.  
 Karol Bagh,  
 New Delhi - 60.

26. Dr. Deepmala Kaul  
 W/o Dr. Prakash Lalchandani  
 Medical Officer  
 Guru Gobind Singh Hospital  
 Delhi.

R/o 19-C, DDA (SFS) Flats  
 Mayapuri Road  
 New Delhi - 64.

27. Dr. Archana Kaushik  
 W/o Dr. Sanjay Kaushik  
 Medical Officer  
 VIKASPURI DAD Dispensary

R/o A-3/12, Janakpuri  
 New Delhi - 58.

28. Dr. Vandana Malhotra  
 W/o Shri B.B. Malhotra  
 Medical Officer  
 Guru Gobind Singh Hospital  
 Delhi.

R/o 1184/7, Maiwala St.  
 Karol Bagh,  
 New Delhi - 60.  
 R/o 19-C, DDA (SFS) Flats  
 Mayapuri Road  
 New Delhi - 64.

R/o D-II/29, Ansari Nagar  
New Delhi - 29.

29. Dr. Supriya R. Deshpande  
W/o Dr. Sudhir Kumar  
Medical Officer  
North Zone  
Sha. Bagh, New Delhi.

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R/o 30/37, Old Rajinder Nagar  
Delhi - 60.

30. Dr. Shyamla Sinha  
W/o Dr. Rajiv Ranjan Kumar  
Medical Officer  
South Central Zone  
Delhi.

R/o Doctors' Hostel No. 2/188  
Safdarjung Hospital  
New Delhi - 23.

31. Dr. Namita Kumari  
W/o Dr. Sudhir Kumar Majhi  
Medical Officer  
South Central Zone  
Delhi.

R/o Doctors' Hostel No. 2/137  
Safdarjung Hospital  
New Delhi.

32. Dr. Deepa Rai  
W/o Dr. Navin Chander  
Medical Officer  
South Central Zone  
Begumpur, New Delhi.

R/o 1-A Masjid Moth  
(Opp. Neeti Bagh)  
New Delhi.

33. Dr. Seema Konwar  
W/o Dr. M.K. Soikia  
Medical Officer  
South Central Zone.

R/o Room No. 430  
Resident Doctors' Hostel  
AIIMS, Masjid Moth,  
NDSE-II, New Delhi - 49.

34. Dr. Ashok Dua  
S/o Shri R.P. Dua  
Medical Officer  
North Zone  
Shalimar bagh  
New Delhi.

R/o 69, New Lajalpur Colony  
Near Krishna Nagar  
Delhi - 51.

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35. Dr. Bhavila R. Anand  
W/o Shri Sanjeev Anand  
Medical Officer  
Patel Nagar Hospital  
New Delhi  
R/o 3/2 Palika Nikunj  
Telegraph Lane  
Janpath, New Delhi.

36. Dr. Kavita  
W/o Dr. S.K. Choudhary  
Medical Officer  
Health Centre, Sarai Kalekhan  
New Delhi.  
R/o 307, Sector-37  
Faridabad (HARYANA).

37. Dr. Indupal Singh Sahni  
S/o Mr. Prit Pal Singh Sahni  
Medical Officer  
South Central Zone  
New Delhi  
R/o 1439, Gopal St.  
Sangat Roshan  
Paharganj, Delhi - 17.

38. Dr. Vinita Jayaswal  
W/o Dr. K.K. Choudhary  
Medical Officer  
LNJP Hospital  
New Delhi  
R/o 44, Videsh Sanchar Enclave  
Greater Kailash-I  
New Delhi - 48.

39. Dr. Harinder Sahni  
W/o Dr. Rakesh  
Medical Officer  
LNJP Hospital  
R/o 1439, Gopal Street  
Sangat Roshan  
Paharganj, New Delhi - 55.

OA 991/2001

1. Dr. Nivedita Prasad  
W/o Dr. Ramesh Kumar  
Medical Officer  
Central Jail, Tihar,  
New Delhi  
R/o B-320, Pragati Vihar Hostel  
Lodhi Road  
New Delhi

2. Dr. Karuna Singh  
W/o Shri Nem Singh  
Medical Officer  
Central Jail, Tihar,  
New Delhi

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R/o A-1035-36, G.D.Colony  
Mayur Vihar, Phase-III  
Delhi - 110 096.

3. Dr. Monica Sharma  
W/o Shri B.B.Barnawal  
Medical Officer  
Central Jail, Tihar  
New Delhi.  
R/o A-27, New Krishna Park  
Vikaspuri, New Delhi - 110 018.

4. Dr. Taramati Alda  
W/o Shri K.K.Jamuda  
Medical Officer  
Central Jail, Tihar  
New Delhi.  
R/o A-19/T1, Dilshad Garden  
G.T.Road  
Delhi - 110 095.

...Applicants

(By Advocate Shri K.N.R.Pillai)

V E R S U S

GOVT. OF DELHI : THROUGH

1. Secretary (Medical)  
Deptt. of Health & Family Welfare  
Delhi Secretariat (Players Bldg.)  
I.G. Idoor Stadium  
New Delhi.
2. The Director of Health Services (Delhi)  
E-Block, Saraswati Bhawan  
Connaught Place  
New Delhi.

...Respondents

(By Advocate Shri Harvir Singh in  
OA 862/2001 and OA 2640/2000,  
Shri Rajender Pandita in OA 142/2001  
and Shri George Paracken in OA 991/2001)

O R D E R (ORAL)

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

We have heard learned counsel for the parties  
in the aforesaid four cases.

2. Learned counsel for the parties have  
submitted that the relevant facts and issues raised in  
the aforesaid four OAs are similar. Accordingly, they  
have been heard together and are being disposed of by  
a common order.

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

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3. The claims of the applicants in the above cases are based on the principles laid down by the Hon'ble Supreme Court in Dr. (Mrs.) Sangeeta Narang & Ors. Vs. Delhi Administration & Ors. (ATR 1988 (1) CAT 556). This has been followed by the Tribunal (PB) in a number of cases, most notable of which is Dr. J.P.Palia & Ors. Vs. Govt. of NCT of Delhi (OA 2564/97 decided on 23-4-1998 with connected matters), in which one of us (Smt. Lakshmi Swaminathan, VC (J) was also a Member). This has also been upheld by the Hon'ble Delhi High Court and the Supreme Court and has, therefore, become final and binding. Thereafter, the judgement of the Tribunal in Dr. J.P.Palia's case (supra) has been followed in a catena of judgements by the Tribunal. Admittedly, the facts and issues raised in the aforesaid four applications are similar to the facts and issues raised in Dr. (Mrs.) Sangeeta Narang's case (supra) and Dr. J.P.Palia's case (supra).

4. In the circumstances, the aforesaid judgements of the Tribunal, which have been upheld by the Supreme Court, are fully applicable to the present cases. Shri Rajinder Pandita, learned counsel, has also submitted an order issued by the Govt. of NCT of Delhi dated 25-7-2001, copy placed on record. In this order, the respondents have stated, inter alia, that the judgements in OA 2108/99 filed by Dr. Aparna Sehgal & Ors. Vs. Govt. of NCT of Delhi, decided on 8-5-2000, which has in turn followed the aforesaid judgements of the Supreme Court and the Tribunal, are to be implemented to avoid infructuous litigations within the period of 15 days. It was further stated

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that this decision of the respondents will be brought to the notice of the Tribunal in all pending cases.

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5. In the light of what has been stated above, the applications are allowed and are accordingly disposed of with the following directions :-

The respondents to continue the services of the applicants till regular appointments are made in accordance with the Law and Rules. The applicants shall be treated to have continued their services from the date of their first appointment, ignoring the artificial breaks of one or two days in their service. They are also directed to grant age relaxation to the applicants, wherever necessary, to the extent of their services put in by them on contract basis, wherever they applied for regular appointments. The applicants shall also be granted the same scale of pay, allowances, leave, increments, medical facilities and other benefits of service conditions, as applicable to Medical Officers who have been appointed on regular basis from the dates of their initial appointments. Such other directions given in the aforesaid orders which are applicable to the applicants shall also be implemented by the respondents. No order as to costs.

6. Let a copy of this order be placed in each of the above cases, namely, OA 142/2001, OA 2640/2000, OA 991/2001.

(Govindan S. Tampi)  
Member (A)

(Smt. Lakshmi Swaminathan)  
Vice-Chairman (J)

/vikas

Court Officer

Central Administrative Tribunal

Prin. Secy, New Delhi

Parliament House,

Constitution Marg,

New Delhi-110001

are applicable