

Central Administrative Tribunal
Principal Bench: New Delhi

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O.A. No. 2263/2001

New Delhi this the 10th day of April, 2002

Hon'ble Mr. V.K. Majotra, Member (A)
Hon'ble Mr. Kuldip Singh, Member (J)

1. Ajay Kumar Gulati,
S/o Shri M.L. Gulati,
J-1/16, DDA Flats, Kalkaji,
New Delhi-110 019

2. William Bhan

3. Sunil Kumar Sehrawat

4. Ms. Bitty K. Kuruvilla

5. Manoj Kumar Dubey

All C/o Ajay Kumar Gulati
S/o Shri M.L. Gulati,
J-1/16, DDA Flats, Kalkaji,
New Delhi-110 019

-Applicants

(By Advocate: Dr. Surat Singh)

Versus

1. Government of NCT of Delhi
Through Secretary, Health
Old Secretariats
Delhi

2. The Medical Superintendent
Lok Nayak Jai Prakash Hospital
New Delhi-110 002.

3. Director (Administration)
Lok Nayak Jai Parkash Hospital,
New Delhi- 110 002

-Respondents

(By Advocate: Shri Ajesh Luthra)

O R D E R

Hon'ble Mr. V.K. Majotra, Member (A)

Applicants have challenged Annexure A-1 dated 10.8.2001 alleging that the applicants do not hold the requisite qualification from a recognised institution for the post of Lab Assistants. Applicants have been directed to furnish their submission in the matter. Applicants have

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sought direction to respondents to regularise their services as Lab Assistants and also to quash Memorandum dated 10.8.2001.

2. The learned counsel of the respondents stated that so far as applicant No.3 Shri Sunil Kumar Sehrawat is concerned, respondents have not issued any such Memorandum to him and that in regard to the other applicants, no final orders have been passed by the respondents. Annexure A-1 is only in the nature of a show cause notice and as such it is an interlocutory stage only. The learned counsel also stated that the applicants have obtained MLT certificate from institutions which have not been recognised by All India Council for Technical Education (AICTE). "Learned counsel of the respondents admitted that although the MLT training course passed by the applicants is not recognised by AICTE yet it is recognised by Director General of Health Services and is a better course than courses run by several private institutions which have been recognised by AICTE. However, the learned counsel admitted that whereas applicant No.3 Shri Sunil Kumar Sehrawat has not been issued any show cause notice, action against the other applicants is only at an interlocutory stage and no final orders have been passed.

*The words
"Learned
counsel
for the
applicants"
submitted
Substituted
Vide order
dt. 13.5.2002
in MA No.
1006/2002
in O.A. No.
2263/2001*

3. As no final orders have been issued by the respondents and Annexure A-1 against applicants 1,2,4 & 5 are only show cause notices, the present OA cannot be entertained at this interlocutory stage. Whereas the name of Shri Sunil Kumar Sehrawat, applicant No.3 is ordered to be deleted from the array of parties, respondents are

*Revised
17/5/02*

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directed, in the interest of justice, to pass reasoned and speaking orders on applicants' representations against Annexure A-1 within a period of two months from the receipt of this order, if such representations have already been made, and if not, within two months of receipt of such representations. In the facts and circumstances of the case, we are refraining from adjudicating on the issue whether MLT course cleared by the applicants is recognised.

4. The OA is disposed of in the above terms. No costs.

Kul
(Kuldeep Singh)

Member (J)

V.K. Majotra
(V.K. Majotra)
Member (A)

cc.