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CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI

O.A.NO. 3273/2001

M.A.No. 2713/2001

Friday, this the 7th day of December, 2001  
Hon'ble Shri Justice Ashok Agarwal, Chairman  
Hon'ble Shri S.A.T. Rizvi, Member (A)

1. Dr. Rajesh Kohli,  
S/o Shri M.L. Kohli  
Medical Officer,  
Central Jail Tihar,  
New Delhi

R/o F-1, Rajouri Garden,  
New Delhi - 110 027

2. Dr. Mahesh Chauhan,  
S/o late Dr. V.V. Singh,  
Medical Officer,  
Central Jail Tihar,  
New Delhi

R/o D-II/99, Janakpuri,  
New Delhi - 110 058

3. Dr. Hukam Singh Meena,  
S/o Shri R.L. Meena,  
Medical Officer,  
Central Jail Tihar,  
New Delhi

R/o D-39, Malka Ganj,  
Delhi - 110 054

..Applicants

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

Versus

The Govt. of N.C.T. of Delhi  
Through the Secretary (Medical)  
Health & Family Welfare Department,  
Delhi Secretariat,  
I.P. Estate,  
New Delhi - 110 002

..Respondent

O R D E R (ORAL)

Justice  
Shri/Ashok Agarwal:

MA-2713/2001 for joining together in a single  
petition is granted.

2. Applicants, 3 in number, have been appointed as  
Medical Officers in the Department of Health and Family

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Welfare, Govt. of NCT of Delhi on contractual basis. They were initially not being paid pay and allowances payable to regularly appointed Medical Officers. They were also not offered normal conditions of service applicable to regularly appointed Medical Officers. They were given artificial breaks after their contractual periods were over. They were thus continued in service after giving them artificial breaks. Medical Officers similarly placed had filed several OAs wherein orders have been issued directing payment of regular pay and allowances payable to regular Medical Officers. Respondents were also directed to continue their service till regularly appointed Medical Officers were available. By an order passed on 25.7.2001 (Annexure A-IV), directions have been issued to provide pay and allowances payable to regularly appointed Medical Officers and also to those who had not approached the Tribunal. Aforesaid order, however, does not provide the further relief of not discontinuing their service till regularly appointed Medical Officers are made available. Services of the applicants, in the circumstances, are liable to be discontinued after their present contractual period is over. Hence the applicants have instituted the present OA. In our view, applicants have made a prima facie case for grant of relief of not being discontinued from service till regularly appointed Medical Officers become available. Their claim of being offered continuous service without giving artificial breaks is one of the reliefs which has been granted in various OAs which have earlier been filed.

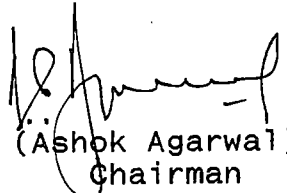
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3. In the circumstances, we find that the ends of justice will be duly met by disposing of the OA at this stage itself even without issue of notice with a direction to the respondent to treat this OA as a representation of the applicants and consider passing suitable orders granting continuation of service to all Medical Officers who have been employed on contractual basis till such time ~~when~~ regularly appointed Medical Officers become available. Pending consideration of this representation, we issue an order of injunction against the respondent restraining him from terminating the services of the applicants.

4. Present OA is disposed of in the aforesaid terms.

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

  
(Ashok Agarwal)  
Chairman

/sunil/