

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

R.A.No.240/2000 in O.A.No.1113/99

Hon'ble Shri Justice V.Rajagopala Reddy, VC(J)
Hon'ble Shri Govindan S. Tampi, Member(A)

New Delhi, this the 18th day of October, 2000

Dr. Ajay Kumar Sachdeva
Associate Professor of G.I.Surgery
G.B.Pant Hospital
New Delhi.
r/o 8/6, West Patel Nagar
New Delhi - 110 008. ... Applicant
(By Shri R.Venkataramani, Sr. Advocate with Shri
Ashwani Bhardwaj, Advocate)

Vs.

1. Union of India through
the Secretary
Ministry of Health & Family Welfare
Nirman Bhawan
New Delhi.
2. Union Public Service Commission
Dholpur House
Shajahan Road
New Delhi.
3. Dr. Adarsh Chaudhary
Professor General Surgery
G.B.Pant Hospital
New Delhi.
4. Dr. Anil Kumar Aggarwal
Assistant Profesor of General Surgery
G.B.Pant Hospital
New Delhi. .. Respondents
(By Shri V.S.R.Krishna and Mrs. Meera Chhibber,
Advocate)

O R D E R (Oral)

By Justice V. Rajagopala Reddy:

Heard the counsel for the parties.

2. It is contended by the learned counsel for the applicant Shri V.S.R. Krishna that the direction given in paragraph 24 of the Judgement dated 25.5.2000 could not be complied with as there are no sanctioned posts of Director-Professor, and Professor in the superspeciality of G.I.Surgery in the GB Pant Hospital. The learned counsel for the respondents however submits that two posts of Asstt./Associate

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Professor have been newly sanctioned in G.I.Surgery by the proceedings dated 5.12.1999 by the Government of NCT of Delhi. Hence the direction may be modified only for filling up the posts of Asstt./Associate Professor in G.I.Surgery instead of Director-Professor and Professor. The learned counsel for the applicants, however, submits that though the posts of Associate Professor had been sanctioned by the Govt. of NCT of Delhi, no decision has yet been taken for encadrement of the said posts by the Government of India.

3. We have given careful consideration to the contentions. From the proceedings dated 5.12.1999 of the Govt. of NCT of Delhi, it cannot be doubted that two posts of Assistant/Associate Professors in the scale of Rs.10000-15200 have been sanctioned in the G.B.Pant Hospital in New Delhi. The encadrement of the posts by the Government of India, therefore, has to follow.

4. Accordingly paragraphs 23 and 24 of the judgement are modified as under:

For the words "Director-Professor" in paragraph 23 and "to fill up the post of Director-Professor and Professor in the superspeciality of GI Surgery, in the GB Pant Hospital, in accordance with the decision taken by the Government in the proceedings dated 19.05.1994, by way of direct recruitment, in accordance with the recruitment rules" substitute the words "Assistant Professor/Associate Professor" in paragraph 23 and the

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words to fill up the post of Assistant/Associate Professor in the superspeciality of GI Surgery, in the GB Pant Hospital, in accordance with the recruitment rules ^{in para 24.} ~~are substituted.~~

5. RA is accordingly disposed of. No costs.

/RAO/

GOVINDAN S. TAMPI
MEMBER(A)

Om Bhupathy
(V.RAJAGOPALA REDDY)
VICE CHAIRMAN(J)