

12

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH

R.A. NO. 393/2000  
M.A. NOS. 2809, 2810, 2811/2000  
in  
O.A. NO. 2510/1999

New Delhi this the 27th day of November, 2000.

HON'BLE SHRI JUSTICE ASHOK AGARWAL, CHAIRMAN

HON'BLE SHRI S.A.T. RIZVI, MEMBER (A)

1. Ms. Bitty K. Kuruvilla D/O Chako Kuruvilla,  
398 LNJP Hospital Campus,  
Mirdard Lane, Delhi-2.
2. Ajay Kumar Gulati S/O M.L. Gulati,  
R/O J-1/16 DDA Flats Kalkaji,  
New Delhi-19.
3. Sunil Kumar Sehrawat S/O Ranvir Singh,  
RZ-19 Naya Bazar Najafgarh,  
New Delhi-43.
4. Willim Bhan S/O Rev Chander Bhan,  
H.No. 41A, St. Paul's Church,  
Christan Colony, Fatempur Beri,  
New Delhi-110030.
5. Ms. Shalini sharma D/O O.P. Sharma,  
B-121, Delhi Administration Flats,  
Timarpur, Delhi.

All working as Laboratory Assistants  
in Lok Nayak Jay Prakash Hospital,  
New Delhi.

... Applicants

( By Shri Vinod Sehrawat, Advocate )

-versus-

1. Government of National Capital  
Territory of Delhi through  
Secretary, Health, Old Secretariat,  
Delhi.
2. Medical Superintendent,  
Lok Nayak Jai Prakash Hospital,  
New Delhi-110002.
3. Administrative Officer,  
O/o Medical Superintendent,  
Lok Nayak Jai Prakash Hospital,  
New Delhi-110002.
4. Chairman, Delhi Subordinate Services  
Selection Board, UTCS Building,  
Behind Karkardooma Courts,  
Vishwas Nagar, Shahdara,  
Delhi-110032.

... Respondents

12

- 2 -

O R D E R (ORAL)

Shri Justice Ashok Agarwal :

By the present RA applicants seek modification of an order passed on 10.2.2000 in OA No.2510/1999. A direction is sought for regularising the services of applicants. An injunction is also sought restraining the respondents from holding the examination which has already been held on 22.10.2000. A further order is sought restraining the respondents from terminating the services of applicants.

2. By the aforesaid order passed by the Tribunal, following directions have been issued :

".....that in the event of respondents appointing candidates on regular basis the claims of the applicants for the said post should be considered. While considering the same, their experience of the services already rendered should be taken into account and proper weightage should be given to the same. Similarly age relaxation should also be considered provided they are within the age limit on the date of their initial appointment. Till regular appointments are made, services of the applicants should not be terminated."

3. In our view, aforesaid order is clear and unambiguous. The same protects the services of applicants only till such time that regularly appointed candidates are made available. In our judgment, no case is made out for modifying the aforesaid order. Similarly, no case is made out for grant of other reliefs claimed in the present RA.

4. Present RA, in the circumstances, is summarily rejected.

5. In view of the dismissal of the RA, MA No.2809/2000 for condonation of delay, <sup>is granted</sup> MA No.2810/2000 <sup>is rejected</sup> for stay, and MA No.2811/2000 for exemption from filing certified copies, <sup>is granted</sup> ~~are also dismissed~~.

S A T Rizvi

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

Ashok Agarwal

( Ashok Agarwal )  
Chairman

/as/