

CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH

Original Application No. 179 of 1998

New Delhi, this the 9th day of October, 1998

HON'BLE SMT. LAKSHMI SWAMINATHAN, MEMBER (J)  
HON'BLE SH. K MUTHUKUMAR, MEMBER (A)

Dr. Pragati Singh, Aged 25 years,  
D/O Sh. S P Singh, Medical Officer,  
Directorate of Health Services, NCT  
of Delhi. R/O 31, Gyan Kunj, Laxmi  
Nagar, Delhi - 110 092.

---APPLICANT.

(By Advocate : K N R Pillai)

Versus

1. Govt. of NCT of Delhi-through:

The Secretary, (Medical) 5,  
Shamnath Marg, Delhi - 110 054.

2. The Director of Health Services  
(Delhi) E-Block, Saraswati  
Bhavan, Cannaught Place, New  
Delhi.

---RESPONDENTS.

(By Advocate : Rajinder Pandita)

O R D E R (ORAL)

Hon'ble Smt. Lakshmi Swaminathan, Member (J)

The applicant is aggrieved by the action of the respondents in not giving her the pay scale and other benefits as admissible to Junior Medical Officers (JMO) performing similar duties because she had been appointed initially on contract basis by the OM dated 15.12.1996 for a period of one year.


2. The Tribunal, by order dated 19.1.1998, has passed a status quo order which has been continued till date. Learned counsel for the respondents submits that the applicant is continuing to discharge her functions as Medical Officer with the respondents in terms of the interim order and the conditions laid down in the OM dated 15.12.1996.


3. Both the learned counsel for <sup>the B.</sup> parties submit that the facts and issues raised in this OA are similar to the facts and directions given by the Tribunal in Dr. J P Palia and Others Vs. Govt. of NCT of Delhi & Others (OA No. 2564/97) with connected cases which was decided by order dated 23.4.1998. This judgement has been upheld by the Hon'ble Delhi High Court in the case of Govt. of NCT & Ors. Vs. Dr. B S Chauhan (CWP No. 3641/98 with connected cases, including Dr. Palia's case) decided on 11.9.1998.

4. In view of the above, this application is allowed on the same lines, as has been <sup>directed</sup> given in Dr. Palia's case (Supra). The respondents shall grant the applicant the same pay scale and allowances and also the same benefits of leave, increment on completion of one year, maternity leave and other benefits of service conditions, as are admissible to Medical Officers appointed on regular basis in the corresponding pay scale. Notwithstanding the break of one or two days in service stipulated in her contract, she shall be deemed to have continued in service from the date of her first appointment till regular appointment is made by the respondents to this post in accordance with the extant rules and instructions. In the circumstances of the case, respondents shall also consider giving age relaxation to the applicant in accordance with the rules, if she is

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a candidates before UPSC for regular appointment; to the extent of the number of years of service she has rendered on contract/adhoc basis. This shall be implemented within three months from the date of receipt of a copy of this order. No order as to costs.

  
(K MUTHUKUMAR)  
MEMBER (A)

  
(SMT. LAKSHMI SWAMINATHAN)  
MEMBER (J)

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