

CENTRAL ADMINISTRATIVE TRIBUNAL

PRINCIPAL BENCH

NEW DELHI.

OA 2058/98

MA 2428/99

MA 2338/99

New Delhi this the 13th day of December, 1999

Hon'ble Shri S.R. Adige, Vice Chairman(A)
Hon'ble Smt. Lakshmi Swaminathan, Member(J)Hakim Wadudul Hasan,
S/O Maulana Nurul Hasan,
388, Gali Nimwali, Kalan Mahal,
Daryaganj, New Delhi-2

..Applicant

(By Advocate Shri A.K.Behra)

versus1. Union of India through
the Secretary,
Ministry of Health & Family Welfare,
Nirman Bhawan, New Delhi.2. The Director General of Health Services,
Govt. of India, Nirman Bhawan,
New Delhi.3. The Secretary,
Union Public Service Commission,
Dholpur House, Shahjahan Road,
New Delhi.

..Respondents

(By Advocate Shri Madhav Panikar)

O R D E R (ORAL)

(Hon'ble Shri S.R. Adige, Vice Chairman (A)

Applicant impugns the respondents order dated 4/7-9-98 (Annexure A.1) and seeks regularisation as Unani Physician w.e.f. 9.8.83 with all consequential benefits including arrears and interest of pay and allowances/ at the rate of 18% per annum.

2. We have heard applicant's counsel Shri Behra and respondents counsel Shri Madhav Panikar. similar

3. It is not denied that under somewhat/circumstances, OA 2999/92 filed by Hakim Syed Ahmed was dismissed by the Tribunal vide order dated 7.7.98, against which he filed CW No. 4467/98 in the Delhi High Court who vide their order dated 21.7.99 had directed the respondents to send ACR dossiers of Hakim Syed Ahmed to UPSC for consideration for the purpose of regularisation.

In pursuance of the Delhi High Court dated 23.9.99, Shri Panikar informs us that the ACR dossiers of Shri Hakim Ahmed have been sent to UPSC for consideration for the purposes of regularisation.

4. It is clear that the present applicant Hakim Wadudul Hasan cannot be denied similar treatment, and under the circumstances the impugned order dated 4/7-9-98 is quashed and set aside. Respondents are directed to send ACR dossiers of the applicant to UPSC for consideration for the purposes of regularisation.

5. While doing so, the UPSC should be informed that the criminal case No. 4448/91 under Section 498 A IPC has ended in ^{his} applicant's acquittal on being found not guilty of the charge. These directions should be implemented within two months from the date of receipt of a copy of this order. No costs.

Lakshmi Swaminathan
(Smt. Lakshmi Swaminathan)
Member (J)

S. R. Adige
(S. R. Adige)
Vice Chairman (A)