

CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH

Original Application No.820/98

New Delhi, this the 1st day of December, 1998.

Hon'ble Mr. K. Muthukumar, Member (A)

Hon'ble Mr. J.S. Dhaliwal, Member (J)

Dr. Mrs. Prem Lata Mehndiratta,
Wife of Dr. M.M. Mehndiratta,
B-II 103, Kidwai Nagar East,
New Delhi-110 023.

...Applicant

(By Advocate Mrs. Rekha Aggarwal)

-Versus-

1. Government of N.C.T. of Delhi,
through the Secretary (Health),
5, Sharnath Marg,
New Delhi-110 054.

2. Principal,
Maulana Azad Medical College,
New Delhi-110 002.

...Respondents

(By Advocate Shri Ajesh Luthra, proxy for Mrs.
Jyotsna Kaushik)

O R D E R (ORAL)

By Hon'ble Mr. K. Muthukumar, Member (A):

The grievance of the applicant is that despite her being appointed as Research Officer on an ad hoc basis in the grade of Rs.2000-3500 as prescribed in the draft recruitment rules w.e.f. 17.8.94, the respondents have not been able to finalise the recruitment rules so long with the result that the applicant is continuing to be on ad hoc basis without any hope of regularisation or further advancement in her career. She has made several representations in this behalf to the respondents. The respondents have averred that as the recruitment rules for the post of Research Officer have not been finalised the applicant could not be regularised. It is stated that the recruitment rules were forwarded to the competent authority and the applicant was informed accordingly.

(9)

The learned counsel for the applicant submits that these recruitment rules were forwarded as early as 1991 and there was only a limited controversy about the number of years of service in the feeder cadre required for promotion to the post of Research Officer. The applicant though initially appointed as Research Assistant and had served for more than 11 years since 1983 was given ad hoc promotion only in 1994, i.e., after a lapse of 11 years and in spite of that the recruitment rules to the post of Research Officer are yet to be notified, with the result that the applicant apprehends that there will be further stagnation and also there is no certainty of her continuance in the job till such time her appointment is regularised.

2. We have heard the learned counsel for both the parties. Since a short point is that in the absence of necessary recruitment rules which have come in the way of the applicant being considered for regular appointment and since there is no averment in the reply that the respondents have any basic objection to the recruitments rules being notified for some reason or other, we are inclined to dispose of this OA with the following directions:

- 1) The respondents are directed to finalise the draft recruitment rules as proposed in 1991 on ^umerits and decide the number of years of service that are required to be satisfied for the post of Research Officer within a period of four months
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and notify the same within a month thereafter if the said rules are approved by the competent authority. Thereafter it is open to the respondents to proceed with the filling up that post on regular basis in accordance with the rules.

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- ii) As far as ~~for~~ other prayers in the O.A. are concerned, they are not considered for the present since they are dependent on the notification of the recruitment rules.

3. No order as to costs.

(J.S. Dhaliwal)
Member (J)

(K. Muthukumar)
Member (Admin)

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