

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI.

O.A. 225/1995
M.A. 804/98

(15)

New Delhi this the 29th day of October, 1999.

Hon'ble Shri S.R. Adige, Vice Chairman(A)
Hon'ble Smt. Lakshmi Swaminathan, Member (A)

Sh. Jagmal Yadav
S/O Sh. Shadi Ram
Laboratory Asstt. Clinical
Pathology Laboratory,
Dr. Ram Manohar Lohia Hospital,
New Delhi.

.. Applicant

(None for the applicant)

Versus

1. Union of India
through Ministry of Health,
Govt. of India, New Delhi.
2. Medical Superintendent,
Dr. Ram Manohar Lohia Hospital,
New Delhi.
3. Chief Administrative Officer,
Dr. Ram Manohar Lohia Hospital,
New Delhi.
4. Sh. Kishore Chand (Nursing Orderly),
Lab. Technician,
Dr. Ram Manohar Lohia Hospital,
New Delhi.
5. Sh. Vishnu Karomakar (Theatre Orderly)
Lab. Technician,
Dr. Ram Manohar Lohia Hospital,
New Delhi.

.. Respondents

(By Advocate Sh. Madhav Panikar)

O R D E R (ORAL)

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

Applicant impugns the respondents Circular dated 18.11.93/4.1.94 and prays that the appointments made in the light of the aforesaid circular be quashed.

2. The main grounds taken in the OA is that the impugned circular is in violation of Recruitment Rules. It is contended that in the R.R.s a candidate can be eligible for consideration for promotion as Laboratory Technician

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only if he has two years experience, but the impugned circular prescribed only one year experience.

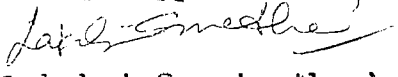
3. None appeared for the applicant even on the second call when the case was called out. Shri Panikar has appeared for the respondents and has been heard.

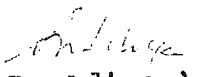
4. Shri Panikar has pointed out that copy of the R.Rs. filed by the applicant (Annexure C) in supporting^{ing} his contention does not reflect the correct state of facts and has invited our attention to the R.Rs. filed by the respondents themselves from which it is clear that Diploma in Medical Lab. Technology with one year experience or Science Graduate is sufficient to acquire eligible for consideration for appointment as a Direct Recruit.

5. We have also perused the Minutes of the Selection Board dated 9, 10 and 11th August, 1994 which confirms that only one year experience is required and not two years experience in case of those possessing a diploma in Medical Lab. Technology.

6. In the result, the OA warrants no interference and the same is accordingly dismissed. No costs.

7. After the above order was distated in open Court, Shri Surat Singh appeared for the applicant.


(Smt. Lakshmi Swaminathan)
Member(J)


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

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