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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI

C.C.P. NO. 423/93 in
O.A. NO. 786/93

New Delhi this the 27th day of January, 1994

CORAM :

THE HON'BLE MR. JUSTICE V. S. MALIMATH, CHAIRMAN
THE HON'BLE MR. S. R. ADIGE, MEMBER (A)

Budh Ram S/O Shri Rai Singh,
R/O RZ-238-F, Raj Nagar-II,
Palam Colony, New Delhi. ... Petitioner

By Advocate Shri V. P. Sharma

Versus

1. Shri A. K. Mukherjee,
Director General, Health Services,
Nirman Bhawan, New Delhi.
2. Shri B. N. Barakakaty,
Director, C.G.H.S.,
Govt. of India, Nirman Bhawan,
New Delhi. ... Respondents

By Advocate Shri P. P. Khurana

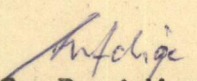
ORDER (ORAL)

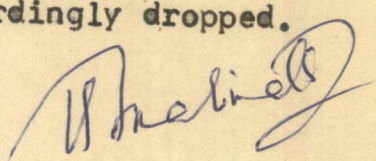
Hon'ble Mr. Justice V. S. Malimath —

The petitioner having since re-engaged, there is no substantial grievance subsisting as on today. But Shri Sharma, learned counsel for the petitioner, submitted whereas the services of the petitioner were terminated on 30.9.1993, the respondents have engaged eight fresh hands by order dated 8.10.1993. This was not permissible. As it is not the case of the respondents that they were juniors to the petitioner and as they appear to be outsiders, they were not justified in engaging them by order dated 8.10.1993 after reverting the petitioner on 30.9.1993 without offering fresh engagement to the petitioner in preference to those eight persons. In these

circumstances, all that we need do now is to drop these proceedings making it clear that as the petitioner has since been engaged, his services cannot be terminated as long as there is work to continue all or any of the eight persons since engaged by order dated 8.10.1993. This of course will depend on the petitioner's performance.

2. These proceedings are accordingly dropped.


(S. R. Adige)
Member (A)


(V. S. Malimath)
Chairman

/as/