



**Central Administrative Tribunal
Principal Bench, New Delhi**

O.A. No. 1965/2020

This the 03rd day of December, 2020

(Through Video Conferencing)

**Hon'ble Mr. Justice L. Narasimha Reddy, Chairman
Hon'ble Mr. A. K. Bishnoi, Member (A)**

Dr. Sumit Gulia,
Group A, S/o Shri Haridey Nath Gulla,
Aged about 34 years,
R/o L-359, Model Town,
Panipat-Haryana-132103.

...Applicant

(By Advocate: Mr. Aseem Kumar Katoch)

VERSUS

1. Govt. of NCT of Delhi,
Through its Principal Secretary,
Health & Family Welfare Department,
9th Level A Wing Delhi Secretariat,
I.P. Estate, New Delhi – 110002.
2. Govt. of NCT of Delhi,
Office of Medical Superintendent,
Babu Jagivan Ram Memorial Hospital,
Jahangirpuri, Delhi – 110033.
3. Govt. of NCT of Delhi,
Through its Chief Secretary,
Delhi Secretariat,
New Delhi – 110002.

...Respondents

(By Advocate: Ms. Esha Mazumdar)

ORDER (Oral)



Justice L. Narasimha Reddy:-

The Government of National Capital Territory of Delhi (GNCTD) initiated steps for appointment of General Duty Medical Officers (GMDO) for its Health Department by issuing a notification dated 06.07.2020. The applicant was one of the candidate and he was selected. Through an order dated 08.07.2020, the Government of NCT of Delhi direct that only the selected candidates must report for duty by 31.07.2020 and if a candidate does not join by that time, the candidature would be cancelled and their dossiers would be returned to the UPSC. The applicant contends that he was selected as GDMO and as of now he is pursuing post graduation and contends that this course would be completed by May, 2021 and the post graduation qualification acquired by him would be of utmost beneficial for the department. His grievance is that the respondents did not pass any order to permit him to join duty on completion of post graduation.

2. We heard Mr. Aseem Kumar Katoch, learned counsel for the applicant and Ms. Esha Mazumdar, learned counsel for the respondents, through video conferencing.

3. The selection was entrusted to UPSC and the applicant was one of the selected candidates against the UR category. On 06.07.2020, the respondents issued an



order directing that the selected candidates must report for duty by 31.07.2020 positively, otherwise their candidature would be cancelled. This was obviously because of the need in the hospital due to pandemic situation that warranted the joining of duties by the Doctors. The applicant did not report to duty by stating that he is pursuing post graduation. What consequences would follow on non joining duty, is yet to be known. The matter is said to be now pending with Hon'ble Lieutenant Governor.

4. We find that the OA is premature. In case the respondents accord permission to the applicant on completion of his course, nothing further needs to be done. On the other hand, if the candidature of the applicant is cancelled, he is to work out the remedies.

5. We do not find any merit in the OA. It is accordingly dismissed. There shall be no order as to costs.

(A.K. Bishnoi)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

/sunil/rk/ankit/sd