



Central Administrative Tribunal Principal Bench, New Delhi

O.A. No.3978/2018
M.A. No.5347/2018
M.A. No.2099/2020

Friday, this the 18th day of December, 2020

Through video conferencing

Hon'ble Justice L. Narasimha Reddy, Chairman
Hon'ble Mr. Mohd. Jamshed, Member (A)

Dr. R B S Tyagi
s/o late Shri Niader Singh Tyagi
Director (VS) age 59 years (Group A)
r/o A-74, Sector 51
NOIDA (Uttar Pradesh)

...Applicant

(Mr. Sahib Gurdeep Singh, Advocate)

Versus

1. Union of India through Secretary
Ministry of Health & Family Welfare
Govt. of India
Nirman Bhawan, New Delhi
2. Ministry of Agriculture & Farmer's Welfare
Govt. of India
Through its Secretary
Department of Animal Husbandry
Dairying & Fisheries
Dr. Rajendra Prasad Road, Krishi Bhawan
New Delhi – 110 001
3. The Commissioner
North Delhi Municipal Corporation
Dr. S P Mukherjee Civic Centre
J L Nehru Marg
New Delhi – 110 002
4. The Commissioner
South Delhi Municipal Corporation
Dr. S P Mukherjee Civic Centre
J L Nehru Marg
New Delhi – 110 002
5. The Commissioner
East Delhi Municipal Corporation

419, Udyog Sadan, Patpar Ganj Industrial Area
Delhi

..Respondents

(Mr. Rajeev Kumar, Advocate for respondent Nos. 1 & 2, Mr. R V Sinha with Mr. Amit Sinha, Advocates for respondent No.3, Mr. Manjeet Singh Reen, Advocate for respondent No.5 – None for respondent No.4)



ORDER (ORAL)

Mr. Justice L. Narasimha Reddy:

The applicant retired from service of South Delhi Municipal Corporation on 31.12.2018. He filed this O.A. with a prayer to direct the respondents to continue him in service till he attains the age of 65 years. The applicant contends that the conditions of service of General Duty Medical Officer (GDMO) in Central Health Service (CHS) apply to the Veterinary Doctors in the Municipal Corporation of Delhi also and once the age of retirement of the GDMOs in CHS is enhanced to 65 years, there is no reason to deny the same benefit to him.

2. All the respondents filed their separate counter affidavits. According to them, a stipulation of age limit of GDMO is subject to several conditions and at any rate, the same do not apply to the Veterinary Doctors.

3. We heard Mr. Sahib Gurdeep Singh, learned counsel for the applicant, Mr. Rajeev Kumar, learned counsel for respondent Nos. 1 & 2, Mr. R V Sinha with Mr. Amit Sinha, learned counsel for respondent No.3, Mr. Manjeet Singh Reen,



learned counsel for respondent No.5 at length, through video conferencing. There is no representation on behalf of respondent No.4

4. The issue in the O.A. is whether the applicant is entitled to continue in service till he attains the age of 65 years. He seeks to draw parity with GDMOs in CHS. This Tribunal decided this very question in several O.As. Recently, in **Dr. Om Prakash v. Union of India & others** (O.A. No.1269/2020), the same plea was raised and it was rejected vide order dated 11.09.2020. Following the same, another O.A. 1660/2020 was also dismissed.

5. We do not find any merit in this O.A. It is accordingly dismissed.

6. Pending M.As., if any, shall stand disposed of.

There shall be no order as to costs.

(Mohd. Jamshed)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

December 18, 2020
/sunil/vb/sd