

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

O.A. No.1493/2020

This the 19th day of October, 2020

(Through Video Conferencing)

**Hon'ble Mr. A.K. Bishnoi, Member (A)
Hon'ble Mr. R.N. Singh, Member (J)**



Bijendra Kumar-Group C,
S/o Late Jasram Singh,
Aged about 52 years,
R/o C-1/28-B, Madhu Vihar,
Dwarka,
New Delhi-110059.

...Applicant

(By Advocate : Shri Apurb Lal)

Versus

1. Indian Council of Medical Research,
Through its Director General Cum Secretary,
V. Ramalingaswami Bhawan,
Ansari Nagar,
Post Box No.4911,
New Delhi-110029
2. The Director,
Institute of Pathology,
Safdarjung Hospital Campus,
Post Box No.4909,
New Delhi-110029.

...Respondents

ORDER (ORAL)

Hon'ble Mr. R.N. Singh, Member (J) :-

The applicant is stated to have been engaged on daily wage basis as Laboratory Assistant under the



respondents on 30.09.1997. He approached this Tribunal earlier vide OA No.1907/2000, seeking regularisation of his services as Laboratory Assistant and on 15.05.2001 the said OA was disposed of with a direction to the respondents to consider the claim of the applicant for regularisation as Laboratory Assistant, as expeditiously as possible. Shri Lal, learned counsel for applicant submits that in pursuance of the aforesaid direction of this Tribunal, the applicant was interviewed by the respondent No.2 for the purpose of regularisation and the applicant was appointed as Laboratory Assistant w.e.f. 21.11.2008. The learned counsel for the applicant argued that as the applicant was initially engaged in September, 1997 and keeping in view the OM of 17.02.2020 (Annexure-A/3), the applicant is entitled to be considered for being regulated, in accordance with old pension scheme.

2. However, it is an admitted case of the applicant that till date, the applicant has not raised such claim before the respondents by way of any representation or in view of the aforesaid OM dated 17.02.2020 (Annexure-A/3).

3. In view of the aforesaid, at this stage, Shri Lal, learned counsel for applicant submits that the applicant



shall be satisfied if the present OA is disposed of, at this very stage, with a liberty to the applicant to make an appropriate representation, agitating his grievance, as raised in the present OA within two weeks with a direction to the respondents to consider such representation in a time bound manner.

4. We are of the considered view that if such a request of the applicant through his counsel is accepted, no prejudice is likely to be caused to the respondents.

5. In view of the aforesaid, without going into the merits of the claim of the applicant, we dispose of the present OA with a liberty to the applicant to make an appropriate representation within 2 weeks from the date of receipt of copy of this order and it is directed that on receipt of such a representation, the respondents shall consider and dispose of the same by passing a reasoned and speaking order, as expeditiously as possible and in any case, within 10 weeks from receipt of such representation from the applicant.

6. The OA is disposed of in the aforesaid terms. No orders as to costs.

(R.N. Singh)
Member (J)

(A.K. Bishnoi)
Member (A)