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Central Administrative Tribunal, Principal Bench, New Delhi

O.A.No.2461/2004

New Delhi, this the 16th day of February, 2005

Hon'ble Mr. Justice V.S. Aggarwal, Chairman
Hon'ble Mr. S.A. Singh, Member(A)

Dr. Shadab Zafar,
Medical Officer & Incharge,
MCD Unani Dispensary,
Jhatikra, New Delhi-43

.....Applicant

(By Advocate: Ms. Yasmin Zafar with Ms. Gayatri Aggarwal and Mrs. Kusum)

Versus

1. Director General,
Council of Scientific & Industrial Research,
Anusandhan Bhawan,
2, Rafi Marg, New Delhi-1
2. Administrative Officer,
National Institute of Science Communication
& Information Resources (NISCAIR),
14, Satsang Vihar Marg, New Delhi-67
and
Dr. K.S. Krishnan Marg, (Near Pusa Gate)
New Delhi-12

....Respondents

(By Advocate: Shri Harpreet Singh)

Order(Oral)

Justice V.S. Aggarwal, Chairman

The applicant is seeking the following reliefs:

“a) quash the stipulation and deprivation in the E-mail dated 29th September, 2004 from the Section Officer NISCAIR “that the benefit of 15 years plus is given to only those candidates who are in regular job in Government/Undertaking/Autonomous bodies since you



are working as medical officer (Unani) in MCD on contractual basis due to which you have been found illegible by the screening committee, which means the illegibility of a candidate having good academic qualification, International and national publication for the post Scientist will not be taken into consideration and being exempted by the clause-1 of column 22, as advertised in Employment News Dated 15-21 May, 2004 by the respondent No.2.

b) Issue appropriate order and directions to the respondent to favourably consider the applicant after giving the age relaxation for only 15 days being the medical officer (Unani) in M.C.D. since April 26, 2002 continuous and regularly and to issue call letter to appear in the Written Test and Interview which is going to be held on 9th & 10th October 2004."

2. During the pendency of the petition, this Tribunal on 7.10.2004 had directed to provisionally allow the applicant to appear in the interview subject to the final outcome of the O.A.

3. In pursuance of the said direction, the applicant had been permitted to appear in the interview.

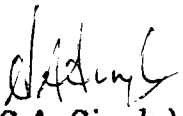
4. Learned counsel for the respondents informs us that they shall be declaring the result shortly and thereafter if the applicant has any grievance, he may take recourse in the law.


5. The applicant's learned counsel in this regard has no objection. She states that the applicant will take recourse in the law, if so advised, after the result is declared.

6. At this stage, therefore, the petition is dismissed as withdrawn

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with liberty to the applicant to take recourse in the law.


(S.A. Singh)
Member(A)


(V.S. Aggarwal)
Chairman

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