

Central Administrative Tribunal  
Principal Bench, New Delhi.

OA-1090/2004

New Delhi this the 14<sup>th</sup> day of October, 2004.

Hon'ble Shri V.K. Majotra, Vice-Chairman(A)  
Hon'ble Shri Shanker Raju, Member(J)

Dr. Arvind Kumar,  
Senior Medical Officer,  
Delhi Government Dispensary,  
Mayapuri, DHS/South West District,  
New Delhi.

..... Applicant

(through Sh. S.K. Tiwari, Advocate)

Versus

1. Department of Health  
Ministry of Health & Family Welfare,  
Government of India through  
its Secretary,  
Nirman Bhavan,  
New Delhi-1.

2. The Director,  
Health Services,  
Directorate of Health Services,  
Govt. of NCT of Delhi,  
F-17, Karkardooma,  
Delhi.

..... Respondents

Order (Oral)

Hon'ble Shri V.K. Majotra, Vice-Chairman(A)

Respondents have not availed of the opportunity to file reply despite sufficient time having been consumed by them for the purpose. None has appeared today on behalf of respondents. Right of the respondents for filing reply is forfeited. We proceed to

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(6)

adjudicate in the matter in terms of Rule 16 of the Central Administrative Tribunal (Procedure) Rules, 1987.

2. Learned counsel of the applicant stated that vide order dated 14.9.2004 respondents have dropped the charges against the applicant which were levelled against him vide O.M. dated 11.9.1997. In this view of the matter, he contended that applicant's first prayer regarding quashing and setting aside the impugned order dated 11.12.1997 stands satisfied. Learned counsel stated that now there is no hindrance in the way of consideration of claims of the applicant for grant of regular promotions with retrospective effect and with consequential benefits arising there from including seniority.

3. Charge sheet dated 11.12.1997 having been dropped against the applicant, we are of the considered view that at this stage, the obstacle of the departmental enquiry having been removed, and in the interest of justice, respondents can be called upon to consider applicant's claim for regular promotions with retrospective effect and with consequential benefits within a period of three months from the date of communication of these orders.

Ordered accordingly.

S. Raju  
(Shanker Raju)  
Member(J)

V.K. Majotra  
(V.K. Majotra)  
Vice-Chairman(A)

14.10.04

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