

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI



OA NO.1155/2004
MA NO.960/2004

New Delhi this the 27th August, 2004

HON'BLE SHRI S.A.SINGH, MEMBER(A)

1. Bhupender Singh,
S/o Shri Laturi Singh,
R/o N-9, A-31, Lal Bagh,
Azad Pur, Delhi-33.
2. Dilip Kumar,
S/o Shri Ramadhar Prasad,
R/o C/o Shri Laturi Singh,
R/o N-9, A-31, Lal Bagh,
Azad Pur, Delhi-33.

...Applicant.

(By Advocate: Shri Ashwani Bhardwaj)

Versus

1. Govt. of NCT of Delhi
through Secretary (Health),
I.P.Estate, Delhi Secretariat,
Delhi.
2. Director of Health Services,
Govt. of NCT of Delhi,
F-17, Karkardooma, Delhi.
3. Medical Superintendent
Baba Saheb Ambedkar Hospital,
Rohini Sector-6,
Delhi-110 085

...Respondents.

(By Advocate: Shri Vijay Pandita)

ORDER (ORAL)

By Shri S.A.Singh, Member (A)

The applicants, who were Nursing Orderlies with the Respondent No.3, have filed this OA seeking direction to the respondents to engage them on the posts till the posts are filled up by regular appointments, as done by the respondents in the case of other similar persons.

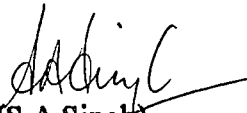
2. In an earlier Contempt Petition filed in OA No.2393/2003 the Tribunal observed that the applicants in that OA, who are similarly situated persons were allowed to report for duty as per the statement made by respondent no.2.



3. Learned counsel for respondents submits that they have passed an order dated 19.4.2004 in compliance of the order dated 16.1.2004 passed by this Tribunal in the Contempt Petition. They have adjusted 16 Ex. Daily Wagers on contract basis. He also states that the applicants have not reported for duty even though four months have elapsed and have filed this OA. The applicants being daily wagers have no legal right to be appointed and also no representation has been filed in this regard.

4. I have the heard the parties and perused the documents on record.

5. In view of the matter, the applicants, if they so desire, may report to the respondents within a week from date of receipt of a copy of this order and respondents are directed to consider them at par with the 16 ex. daily wagers adjusted by respondents on contract basis vide respondents' order dated 19.4.2004 and allow them to join subject to vacancies. With the above direction, the O.A. stands disposed of.


(S.A. Singh)
Member(A)

/kdr/