

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI

O.A. No. 1547/92

New Delhi this the 10th day of July, 1997

Hon'ble Shri S.R. Adige, Member (A)

Hon'ble Smt. Lakshmi Swaminathan, Member (J)

Dr. (Mrs.) Diljeet Kaur Mokha,
w/o Mr. T.S. Mokha, 57, Masjid Road,
New Delhi-110014

(By Advocate Mrs Meera Chhibber)

... Applicant

Vs.

1. Union of India through Ministry of Labour
Shram Shakti Bhawan, New Delhi.

2. E.S.I. Corporation through the Director General
Panchdeep Bhawan, Kotla Road, New Delhi.

3. The Director (Medical),
E.S.I. Hospital Complex, Basai Darapur,
Ring Road, New Delhi.

... Respondents

(By Advocate Shri G.R. Nayyar)

ORDER (ORAL)

(Hon'ble Shri S.R. Adige, Member (A))

The applicant impugns the order dated 11.5.92 terminating her services as part time Doctor w.e.f. 10.6.92 and prays for declaration that her initial appointment as Insurance Medical Officer was against permanent and substantive post. Consequential benefits have also been prayed for.

2. We have heard Mrs Chhibber for the applicant and Shri Nayyar for the respondents.

3. Shri Nayyar has invited our attention to the Hon'ble Tribunals order dated 21.5.93 in OA 1596/91 (Dr. Meera Sharma & Ors. v. UOI & Ors) and connected cases, in which order dated 3.3.92 passed by the Hon'ble Supreme Court in SLP No. 16099/91 had been referred to.

4. Shri Nayyar informs us that ESIC have issued a notification on 5.7.97 for appointment on regular basis to the post of Insurance Medical Officer and states that in the background of that notification, cases of part time Doctors such as applicant for regular appointment will be considered by ESIC subject to their fulfilling the prescribed eligibility criteria and also subject to such relaxation as is

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permissible under the rules and judicial pronouncements on the subject.

In this connection, it will be open to the applicant to make a formal application pursuant to the said notification.

5. Shri Nayyar also states that pursuant to the Hon'ble Supreme Court order dated 3.3.92, applicant and others similarly situated shall be continued in their existing capacity till they are replaced by regular incumbents.

6. Noting these submissions the OA is disposed of. No costs.

Lakshmi Swaminathan
(Smt. Lakshmi Swaminathan)

Member (J)

Adiga
(S. R. Adiga)
Member (A)

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