

(6)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI.

Regn.No. DA-334/92

Date of decision: 6.11.92

Dr. Lata Shukla

.... Applicant

Versus

Secretary, Ministry of
Health & Others

.... Respondents

For the Applicant

.... Shri Sanjay Jain, Advocate

For the Respondents

.... Shri Gajraj Singh, Advocate

CORAM:

The Hon'ble Mr.P.K. Kartha, Vice Chairman(J)

The Hon'ble Mr.B.N. Dhoundiyal, Administrative Member

1. Whether Reporters of local papers may be allowed
to see the Judgment? *Y*

2. To be referred to the Reporters or not? *N*

JUDGMENT

(of the Bench delivered by Hon'ble
Shri P.K. Kartha, Vice Chairman(J))

We have gone through the records of the case
and have heard the learned counsel for both the parties.
The applicant, who is working as Senior Resident(Obstetrics
and Gynaecology), G.T.B. Hospital, under the Delhi Admn.,
has prayed in this application that the respondents be
directed to treat her appointment as regular and that
the respondents be directed not to terminate her services.

On

.... 2...

7

2. The undisputed facts of the case are that the applicant was fully qualified for appointment as Senior Resident and that there was a vacancy in which she could be so appointed. The respondents have appointed her on ad hoc basis for a fixed number of days or till regular appointment is made, whichever is earlier. The respondents have not stated that her work and conduct were not upto the mark.

3. After hearing both the sides, we dispose of the present application with the direction to the respondents to continue the applicant in the post of Senior Resident Doctor and she should not be replaced except by regularly appointed doctors. Any such replacement should also be made on the basis of the principle of 'last come, first go'.

4. The parties to bear their own costs.

B. N. D. *[Signature]*
(B. N. Dhomdiyal) 6/11/92
Administrative Member

ansd
6/11/92
(P. K. Kartha)
Vice-Chairman(Judl.)