



**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

**OA No. 1722/2020
MA No. 1534/2021
MA No. 2232/2020
MA No. 2233/2020**

This the 05th day of July, 2021

(Through Video Conferencing)

**Hon'ble Mr. Justice L. Narasimha Reddy, Chairman
Hon'ble Ms. Aradhana Johri, Member (A)**

1. Renu Bhatti, W/o Yaqub Masih, Aged about 43 years, R/o H.No.B-506 Block-B Dakshinपुरी Dr.Ambedkar Nagar, Sector-5 near coal depot Pushpa Bhawan Delhi-110062, working as Nursing-Officer, Maharishi Valmiki Hospital, Pooth Khurd, Delhi-110039
2. Malisa Susan K. Mathew, W/o Jimmy Francis, Aged about 43 years, R/o H.No.127/128,PK-5,sec 25, Rohini, Delhi, working as Nursing-Officer, Maharishi Valmiki Hospital, Pooth Khurd, Delhi-110039
3. Shagufta Bano, W/o Suhail Iqbal, Aged about 43 years, R/o H.No.F-332, GaliNo.17, chand bagh, karaval nagar Delhi-110094, working as Nursing-Officer, Maharishi Valmiki Hospital, Pooth Khurd, Delhi-110039
4. Lovely Rani Arora, W/o Jitender Ghai, Aged about 42 years, R/o H.No.11/59, Geeta colony, Delhi-110031, working as Nursing-Officer, Maharishi Valmiki Hospital, Pooth Khurd, Delhi-110039
5. Chander Kanta Gautam, W/o Ashwani Kumar, Aged about 41 years, R/o H.No.1225 C Vyas vala chowk panna paposian, Narela, Delhi-110040 working as Nursing-Officer, Maharishi Valmiki Hospital, Pooth Khurd, Delhi-110039
6. Reenu Chauhan, W/o Narender singh, Aged about 40 years, R/o H.No.70, Sarai Pipal Thala, Near Adarsh Nagar Metro Station, Delhi-110033, working as Nursing-Officer, Maharishi Valmiki Hospital, Pooth Khurd, Delhi-110039
7. Umesh Sharma, S/o Surindernath Sharma, Aged about 45 Years, R/o H. No. A-2/15, Sector - 181, Rohini Delhi - 110089 working as Refractionist, Maharishi Valmiki Hospital, Pooth Khurd, Delhi-110039



8. Vijay Kumar Ojha, S/o BP Ojha, Aged about 44 Years, R/o H. No. W2-1317 Nangalraja, Delhi, working as Senior Radiographer, Maharishi Valmiki Hospital, Pooth Khurd, Delhi-110039
9. Arvind Kumar Mishra, S/o Dev Datta Mishra, Aged about 42 Years, R/o H. No. W2 - 830 Nangalraja, Delhi-46, working as ECG Technician, Maharishi Valmiki Hospital, Pooth Khurd, Delhi-110039
10. Sulekha Bhattacharya, D/o S.K. Bhattacharya, Aged about 42 Years, R/o H. No. G-S/17, Sector-15 Rohini, Delhi-89, working as ECG Technician, Maharishi Valmiki Hospital, Pooth Khurd, Delhi-110039
11. Manoj Kumar, S/o Het Ram, Aged about 42 Years, R/o H. No. D-13/198 IInd Floor Sec-7 Rohini, Delhi-110085, working as O.T. Technician, Maharishi Valmiki Hospital, Pooth Khurd, Delhi-110039
12. Sudesh Bhatt, S/o Vidhya Dutt Bhatt, Aged about 43 Years, R/o H. No. 154-155, 3rd Floor, Pocket E-19, Sector-3, Rohini, Delhi-110085, working as O.T. Technician, Maharishi Valmiki Hospital, Pooth Khurd, Delhi-110039
13. Vivek Singh, S/o Rameshwar, Aged about 42 Years, R/o H. No. 72 PKT 14 Sector-20, Rohini, Delhi-86, working as O.T. Technician, Maharishi Valmiki Hospital, Pooth Khurd, Delhi-110039
14. Nagesh Mishra, S/o Umesh Mishra, Aged about 43 Years, R/o H. No. 153/B Pratap enclave Mohan Garden, Uttam Nagar, Delhi, working as O.T. Technician, Maharishi Valmiki Hospital, Pooth Khurd, Delhi-110039
15. Gopal Sharma, S/o Rajesh Sharma, Aged about 42 Years, R/o H. No. F-46, Gal No.6, Wazirabad, Delhi-110084, working as O.T. Technician, Maharishi Valmiki Hospital, Pooth Khurd, Delhi-110039
16. Naveen Kumar Mishra, S/o R.S. Mishra, Aged about 41 Years, R/o H. No. 64, Tufe I Mahaishivalmiki Hospital, working as O.T. Technician, Maharishi Valmiki Hospital, Pooth Khurd, Delhi-110039
17. Sushma Rani, D/o Kishan Chand, Aged about 49 Years, R/o Flat No. 501, Allure tower, Omaye Height SNP Sonapat Naryana, working as Nursing-officer, SRHC Hospital, Narela, Delhi-110040



18. Subhash Chandra S/o Tiku Ram, Aged about 41 years, R/o Qtr No.-14 Type-3 Maharishi Valmiki Hospital, Pooth Khurd, Delhi-110039, working as Nursing-Officer, Maharishi Valmiki Hospital, Pooth Khurd, Delhi-110039
19. Neelam, W/o Virenderr Singh, Aged about 41 years, R/o VPO Gorar, Distt Sonipat, Haryana working as Nursing-Officer, Maharishi Valmiki Hospital, Pooth Khurd, Delhi-110039
20. Grace Bhatti, W/o Mushtaq Masih, Aged about 41 years, R/o H.No.C-2/33, Street No.35 block-B near kheri baba mandir Nangli Vihar Ext. Najafgarh, Delhi-110043, working as Nursing-Officer, Maharishi Valmiki Hospital, Pooth Khurd, Delhi-110039
21. Anjali Mehra, W/o Raj, Aged about 40 years, R/o H.No.B-6-75/76, third floor sec 7 Rohini, Delhi, working as Nursing-Officer, Maharishi Valmiki Hospital, Pooth Khurd, Delhi-110039
22. Pooja Gaur, D/o Ravi Dev Gaur, Aged about 37 Years, R/o H. No. 51, Vill Bhallwa, New Delih-110033, working as O.T. Technician, Maharishi Valmiki Hospital, Pooth Khurd, Delhi-110039
23. Pinki Jain, D/o Subhash Chand, Aged about 37 Years, R/o H. No. 540/29 Vijay Nagar, Gohana Road, Sonipat, working as Lab Assistant, Maharishi Valmiki Hospital, Pooth Khurd, Delhi-110039
24. Shivani Gupta, D/o Hariom Gupta, Aged about 41 Years, R/o H. No. C-7/103-B, Keshav Puram, New Delhi-110035, working as Junior Radiographer, Maharishi Valmiki Hospital, Pooth Khurd, Delhi-110039
25. Dinesh Kumar Parewa, S/o Bhoor Singh parewa, Aged about 37 Years, R/o H. No. 74, PKT- Aoo, Sector-2, Rohini, Delhi, working as Nursing-officer, SRHC Hospital, Narela, Delhi-110040
26. Poonam Rana, D/o Braham Prakash, Aged about 37 Years, R/o H. No. 2, Back DF Primary School, Near Shiv Mandir Gali, Bakhtawarpur, Delhi,110036, working as Nursing-officer, SRHC Hospital, Narela, Delhi-110040
27. Suman Lata, D/o Jagdish, Aged about 44 Years, R/o H. No. 21/722 Gobind Nagar, Gali No. 1, Sonipat, Haryana, working as Nursing-officer, SRHC Hospital, Narela, Delhi-110040



28. Meenakshi Chaudhary, W/o Ajay, Aged about 35 years, R/o H.No.A-97, Gali No..4 Sanjay nagar near Mahindra park, Delhi-110033, working as Nursing-Officer, Maharishi Valmiki Hospital, Pooth Khurd, Delhi-110039
29. Parvesh Rana, S/o Jagbir Singh Rana, Aged about 40 Years, R/o H. No. 92, VPO-Mungeshpur, Delhi-110039, working as Lab Technician, Maharishi Valmiki Hospital, Pooth Khurd, Delhi-110039
30. Anita, S/o Ramanand, Aged about 40 Years, R/o H. No. 223, Near SBI, Pooth Khurd Delhi - 110039, working as Lab Technician, Maharishi Valmiki Hospital, Pooth Khurd, Delhi-110039
31. Rajender Kumar, S/o Chhotelal, Aged about 36 Years, R/o H. No. 362, VPO – Mungeshpur, Delhi -110039, working as Senior Radiographer, Maharishi Valmiki Hospital, Pooth Khurd, Delhi-110039
32. Aditya Kumar, S/o Hawasingh, Aged about 35 Years, R/o H. No. 116, VPO - Mungeshpur, Delhi-110039 working as Junior Radiographer, Maharishi Valmiki Hospital, Pooth Khurd, Delhi-110039
33. Kuldeep Singh, S/o Nakshater Singh, Aged about 38 Years, R/o H. No. 258 Behind MCD Park, Pooth Khurd Delhi-39 working as O.T. Technician, Maharishi Valmiki Hospital, Pooth Khurd, Delhi-110039
34. Vinod Kumar, S/o Mahavir Singh, Aged about 45 Years, R/o H. No.G-5/20 Sector-15, Rohini-110085 working as O.T. Technician, Maharishi Valmiki Hospital, Pooth Khurd, Delhi-110039
35. Sham Sher Singh, S/o Shobha Chand, Aged about 47 Years, R/o H. No. B-170, Raja Vihar, Sameypur, Badhi Delhi-110042, working as O.T. Technician, Maharishi Valmiki Hospital, Pooth Khurd, Delhi-110039
36. Kamaljeet, S/o Jaipal, Aged about 35 Years, R/o H. No. Vill Mandouri Post Office mandoura Distt. Sonipat, HR working as Lab Assistant, Maharishi Valmiki Hospital, Pooth Khurd, Delhi-110039
37. Vikas Shokeen, S/o Rishipal Shokeen, Aged about 38 Years, R/o H. No. 218, Gali No. - 21, Magolpur Kalan, Delhi-110085 working as Lab Assistant, Maharishi Valmiki Hospital, Pooth Khurd, Delhi-110039



38. Soni, D/o Vinod Choudhary, Aged about 30 Years, R/o H. No. 12, Gali No. 2 Rajiv Nagar Begaropur, Delhi-86 working as Lab Assistant, Maharishi Valmiki Hospital, Pooth Khurd, Delhi-110039
39. Shailendra Dubey, S/o SHO Bhanath Dubey, Aged about 30 Years, R/o H. No. Subedar Ka Dura, Post Nawabganj, Atrampur, Distt-Allahabad (U.P.)-229412 working as ECG Technician, Maharishi Valmiki Hospital, Pooth Khurd, Delhi-110039
40. Neelam Kumari, D/o Dharam Singh, Aged about 41 Years, R/o H. No. 2617, Sect. 23, Sonapat, Naryana, working as Nursing-officer, SRHC Hospital, Narela, Delhi-110040
41. Parveen Kumar, S/o Jaikishan, Aged about 35 Years, R/o H. No. Village Nasirpur Cholka, P.O. Khanda Tehsil-Kharkhuda, Distt-Sonipat, Haryana-131402 working as CSSD Technician, Maharishi Valmiki Hospital, Pooth Khurd, Delhi-110039
42. Ajay Kaushik, S/o B.L. Kaushik, Aged about 33 Years, R/o H. No. B-1921, 1st Floor, Gurudwara, Shastri Nagar, Delhi-110052, working as Pharmacist, Bhagwan Mahavir Hospital
43. Harish Kumar, S/o Sh. Ram Partap, Aged about 32 Years, R/o H. No. A-10, Hanuman Road, Adarsh Nagar, Delhi- 110033 working as Junior Radiographer, Bhagwan Mahavir Hospital
44. Hitesh, S/o Mahipal Singh, Aged about 31 Years, R/o H. No. 1014, Bhattpura Panna, Village Karala Delhi-110081, VPO working as JMLT, Bhagwan Mahavir Hospital
45. Shalini, D/o Shiv Shankar Sharma, Aged about 28, Years, R/o Flat No. 11, D. Pocket-10 B, Block-6, DDA LIG Flats, Jasola, Okhla, South Delhi-110025, working as Radiographer, Govt. of National Capital Territory of Delhi, Sanjay Gandhi Memorial Hospital
46. Parmod Kumar, S/o Jai Singh Saini, Aged about 34 Years, R/o H. No. C-2/29, Swarn Park, Mundka, Delhi-110041 working as Lab. Assistant, Sanjay Gandhi Memorial Hospital
47. Ruchi Yadav, D/o Krishan Singh, Aged about 32 Years, R/o H. No. B/45 Tyagi Vihar, Nangloi Delhi-110041 working as Junior Radiographer, Bhagwan Mahavir Hospital
48. Chanderpall, S/o Wattan Singh, Aged about 50 Years, R/o H.No. F-2/163-164, Mangolpuri, New Delhi -110083, working as



Junior Radiographer, Maharishi Valmiki Hospital, Pooth Khurd, Delhi-110039.

... Applicants

(By Advocate : Ms. Chitrangda and Mr. Karan Singh Bhati)

Versus

1. Govt. of NCT of Delhi, Department of Health and Family Welfare, 9th Level, 'A' Wing, Delhi Secretariat, I.P. Estate, New Delhi – 110002, through its Secretary
2. Delhi Subordinate Services Selection Board, FC-18, Institutional Area, Karkardooma, Near Railway Reservation Center, Delhi-110092, through its Chairman
3. Maharishi Valmiki Hospital, Government of N.C.T Delhi, Pooth Khurd, Delhi-39, through its Medical Superintendent
4. Satyawadi Raja Harish Chandra Hospital, Government of N.C.T Delhi, Narela, Delhi - 110040, through its Medical Superintendent
5. Bhagwan Mahavir Hospital, Government of N.C.T Delhi, H-4, 5, Near Pitam Pura Club, Near Keshav Maha Vidhyalaya, Near Apeejay School, Pitampura, Delhi - 110034, through its Medical Superintendent
6. Sanjay Gandhi Memorial Hospital, Government of N.C.T Delhi, S-Block Mangolpuri, Delhi- 83, through its Medical Superintendent

... Respondents

(By Advocate : Ms. Esha Mazumdar)

O R D E R (ORAL)

Justice L. Narasimha Reddy, Chairman :

The applicants were engaged as Nursing Staff on contractual basis some years ago by the respondents. They are being continued from time to time. Recently, the Government of Delhi has taken a decision to discontinue the service of the contractual employees. An order was passed in that behalf directing that consequent upon joining of the Staff Nurses appointed on regular basis, those working on contractual basis shall be discontinued. Another order was passed on 03.09.2020 in this behalf. The applicants filed this OA stating that the steps taken by the respondents to discontinue them cannot be sustained in law.

2. The applicants submit that their selection was in accordance with the prescribed procedure and they rendered the service for the past more than a decade. It is also stated that when the respondents sought to impose the condition of a clearance in the selection as a one time measure, the same was assailed before the Hon'ble High Court and the matter is pending. The OA was adjourned on earlier occasion to enable the learned counsel for the respondents to obtain the instructions.

3. We heard Ms. Chitrangda, learned counsel for the applicants and Ms. Esha Mazumdar, learned counsel for the respondents.

4. The applicants feel aggrieved by the steps taken by the respondents to discontinue the contractual nursing staff. There did



exist such a cause when the OA was filed. It is brought to our notice on 01.07.2021, the Competent Authority passed an order directing that the contractual nursing staff shall be continued up to the end of June, 2022. The order also contemplates the facility of one time clearance of the selection process for the contractual employee.

5. Though certain reservations were expressed about the nature of steps which the respondents contemplate, we do not propose to address them at this stage. Once the interests of the applicants are protected upto 20.06.2022, we do not find any basis to entertain the OA.

6. The OA is accordingly disposed of directing the respondents to extend the benefit of order dated 01.07.2021 passed by the competent authority to the applicants also. Pending MAs also stands disposed of. There shall be no order as to costs.

(Aradhana Johri)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

Sd/lg/ankit/deeksha