

IN THE HON'BLE CENTRAL ADMINISTRATIVE TRIBUNAL  
ADDITIONAL BENCH AT ALLAHABAD

ANNEXURE NO. I

IN

CIVIL CONTEMPT APPLICATION NO. OF 2000.

( Arising o-ut of O.A. No. of )

A.K. Bharadwaj --- Applicant.

Versus

Dr. K.D. Saini & another --- Opp.-Parties.

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Open Court

Nisulk Pratilipi.

CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD BENDH

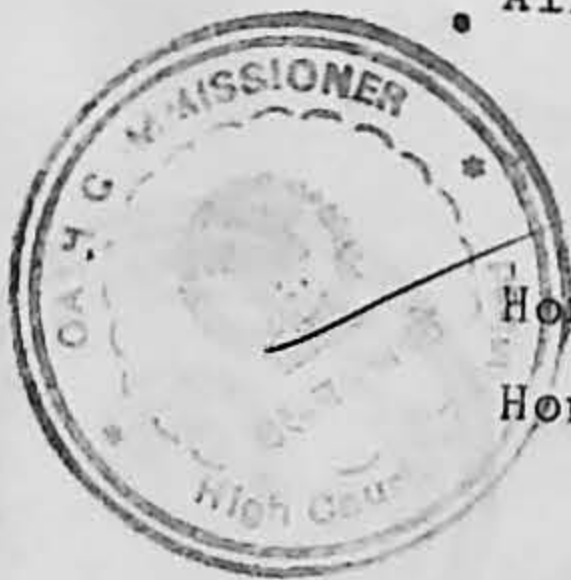
A L L A H A B A D

Allahabad this the 01st day of May 2000.

Original Application No. 104 of 1994

Hon'ble Mr. S.K.I. Naqvi, Judicial Member

Hon'ble Mr. M.P. Singh, Administrative Member.



A.K. Bharadwaj,

S/o Shri R.N. Sharma,

Aged about 38 years,

R/o 407, Brahmapuri, Muzaffarnagar --- Applicant.

Versus

1. Union of India through the  
 Director General, of Health Services,

*A.K. Bharadwaj*

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Directorate General of Health Services,  
Government of India, Ministry of Health,  
and Family Welfare, Nirman Bhawan, New Delhi.

2. The Deputy Director,  
Central Government of Health Scheme,  
Ministry of Health and Family Welfare,  
102, Soti Ganj, Meerut.

3. Shri Karan Nayyar,  
Lower Division Clerk in the Office  
of the Deputy Director, Central Government  
Health Scheme, Ministry of Health and  
Family Welfare, 102, Soti Ganj, Meerut.

--- Respondents.

C/R Km. Sadhana Srivastava.

ORDERHon'ble Mr. S.K.I. Naqvi, Member - J.

Vide order dated 23-01-1990, copy of which has  
been annexed as Annexure A-3, on the recommendation of  
D.P.C., Shri A.K. Bharadwaj, applicant who was working  
as L.D.C. was appointed as Junior Hindi Translator in  
the pay scale of Rs. 1400 - 2300 as transfer on deputation  
basis and Shri A.K. Bharadwaj, joined accordingly. This  
period of transfer on deputation was extended from time

A.K. Bharadwaj



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to time and ultimately the deputation terminated vide order dated 14-01-1994, copy of which has been annexed as Annexure A and Shri A.K. Bharadwaj was reverted to the post of L.D.C. with effect from 23-01-1994 in the pay scale of Rs. 950 - 1500 which has been impugned in this Original Application along with communication dated 20-12-1993, copy of which has been annexed as Annexure B, through which order on representation of Shri A.K. Bharadwaj was communicated to the effect that the question of his absorption should come only when deputation method fails.

2- The respondents have contested the case and is mainly pleaded that since the applicant did not furnish his willingness, therefore, his case is still pending. Heard arguments, placed from either side and perused the record.

xx-4- We find from Annexure A-9, dated 03-05-93 through which the applicant submitted to respondent his request and for being observed as Junior Hindi Translator which indicates his willingness as well. This position has not been denied in the Counter Affidavit.



A. K. Bharadwaj

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5- During the course of argument, learned counsel for the applicant pointed out that under similar circumstances the incumbents to the post of Junior Hindi Translator at Delhi and Nagpur have already been favourably considered and the discrimination is being done to the applicant.

6- Under the above circumstances, we find that it is fit matter to direct the respondents to re-consider the case ~~for~~ of the applicant for absorption/  
regular appointment as it has been done at Delhi and Nagpur under similar circumstances and it should not have been kept pending awaiting the willingness of the applicant, which is said to have already been communicated through application dated 03-05-93, copy of which has been annexed with the Original Application as Annexure A-9 and, therefore, the respondents are accordingly directed to pass detailed, speaking and reasoned o-rder within three months from the date of communication of this order and if the applicant is found fit for absorption ss it was done in the ~~mx~~



A.K. Bhandari



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similar circumstances at Delhi and Nagpur, his seniority  
be protected. The O.A. is decided with the above  
direction.

7- Nor order as to costs.

(Seal)

Sd/ (A).

Sd/ (J).

TRUE COPY

Sd/ Illegible 9/5/2000.

Section Officer  
Central Administrative Tribunal,  
A L L A H A B A D.

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A. K. Bhargava