

**Central Administrative Tribunal
Principal Bench**

**OA-1293/2018
MA No-1426/2018**

New Delhi, this the 28th day of March, 2018

**Hon'ble Mr. Justice Permod Kohli, Chairman
Hon'ble Mr. K.N. Shrivastava, Member (A)**

Dr. Harshleen Kohli,
D/o Mr. B.S. Kohli,
Aged about 26 years,
R/o 3/9-10, SF, Ramesh Nagar,
New Delhi-110015.

... Applicant

(through Sh. Amit Verma for Ms. Aishwarya Bhati)

Versus

1. Govt. of NCT of Delhi,
Through its Secretary,
Department of Health and Family Welfare,
9th Level, A Wing, Delhi Secretariat
IP Estate, New Delhi – 110 002

2. The Director, Directorate of Health Services,
Govt. of NCT of Delhi
F-17, Karkardooma, Delhi – 110 002

3. Additional Medical Superintendent
Guru Gobind Singh Govt. Hospital
Govt. of NCT of Delhi
Raghbir Nagar, New Delhi – 110 027

... Respondents

(through Mr. R N Singh, Advocate)

ORDER(ORAL)

Hon'ble Mr. Justice Permod Kohli

Notice. Mr. R N Singh, learned counsel appears and accepts notice on behalf of respondents.

2. The applicant is presently working as Junior Resident in Guru Gobind Singh Government Hospital, New Delhi, having been engaged on 03.11.2017. The initial engagement was for a period of six months which is likely to expire on 02.04.2018. The applicant apprehends that her term will not be extended beyond that. Her further contention is that Junior Residents are required to be engaged for at least a period of

one year, which is the minimum eligibility condition for appointment to various posts, including Senior Resident. This issue has been considered in judgment dated 13.05.2016 passed by this Tribunal in OA No. 421/2016 wherein following observations/directions have been issued:

“10. In the circumstances, we are of the view that under the 1992 policy of the Government as adopted by the respondent-GNCTD, the applicants are entitled to continue as Junior Residents for a maximum period of one year, if they apply for the same.....“

3. The controversy here is squarely covered by the aforesaid judgment. The applicant is entitled to the same relief, i.e., for continuation of tenure up to a period of one year.

4. Learned counsel, Sh. R.N. Singh has raised issue that if the applicant has already done six months' junior residency in some other hospital, she is not entitled to continue. Learned counsel for the applicant submits that except engagement in this hospital, the applicant has never been engaged as Junior Resident in any other hospital.

5. Be that as it may, if such is the situation, the respondents are at liberty to verify the same. If the applicant has already done six months junior residency in some other hospital, the respondents may pass appropriate reasoned and speaking order within a period of two months. OA stands disposed of.

In view of the aforesaid order, no separate order is required to be passed in M.A. No.1426/2018, which is accordingly disposed of.

Order **Dasti**.

(K.N Shrivastava)
Member (A)

(Justice Permod Kohli)
Chairman

/ns/