

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

OA 993/2017

Reserved on: 27.03.2017
Pronounced on: 30.03.2017

**Hon'ble Mr. P.K. Basu, Member (A)
Hon'ble Dr. Brahm Avtar Agrawal, Member (J)**

Ms. Jyoti
D/o Shri Naresh Chander Dabas
R/o K-810, Near Shivam House,
Mahipalpur,
New Delhi-110037 ... Applicant

(Through Shri Rajesh Sharma, Advocate)

Versus

1. The Commissioner
South Delhi Municipal Corporation,
Civic Centre, Delhi
2. The RMS,
Lajpat Nagar Colony Hospital
Lajpat Nagar,
New Delhi ... Respondents

ORDER

Mr. P.K. Basu, Member (A)

The applicant was engaged by South Delhi Municipal Corporation (SDMC) on contractual basis as an 'A' Grade Staff Nurse. Her contractual engagement expired on 16.04.2016. Vide order dated 19.04.2016, the competent authority directed that her contractual engagement is not extended beyond 16.04.2016. This OA has been filed challenging the impugned order dated 19.04.2016 seeking setting aside of that order.

2. In the OA, the applicant has alleged malafide against the CMO, Dr. R.N. Prashad, stating that it is at his instance that she has been removed. It is alleged that the applicant had filed an FIR on 18.04.2016 against Dr. R.N. Prashad. It is also stated that a PIL has been filed before the Hon'ble Chief Justice of Delhi High Court (Annexure A-18). On the other hand, Dr. Prashad has filed a complaint against the applicant (Annexure A-2) in which it has been alleged that the applicant refused to attend to two patients, one of whom had pain abdomen and another a man with dog bite (both emergency cases).

3. While the allegations and counter allegations may go on, we have to see the legality of the impugned order. The applicant was on contractual engagement and the engagement was not continued beyond 16.04.2016. There is nothing illegal in this order and a contractual employee does not have a right to continue and the respondents have a right to discontinue contractual labour services on administrative grounds.

4. In view of above discussion, we find no merit in this OA and it is, therefore, dismissed in limine. No costs.

(Dr. Brahm Avtar Agrawal)
Member (J)

(P.K. Basu)
Member (A)

/dkm/