

**Central Administrative Tribunal
Principal Bench**

OA No.1956/2017

New Delhi, this the 31st May, 2017

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

Dr. Krati Mehrotra, W/o Abhinav Dewan
Aged about 30 years
H.No. 115, Pocket – C -13
Sector – 3, Rohini,
New Delhi-110085.

..Applicant

(By Advocates: Ms. Sonia Sharma)

Versus

1. Dr. Baba Saheb Ambedkar
Hospital through the Medical Director
Rohini, Sector-6
New Delhi-110085.
2. Govt. of NCT of Delhi
Ministry of Health, New Delhi
Through Secretary

..Respondents

ORDER (ORAL)

Justice Permod Kohli :-

The applicant was working as Senior Resident on ad hoc basis in the Department of Dermatology at Deep Chand Bhandhu Hospital, Govt. of NCT of Delhi, Kokiwala Bagh, Ashok Vihar, Phase IV, New Delhi. She applied for and was allowed to participate in the

interview held on 18.03.2016. On the basis of the selection in the said interview, the applicant was given offer of appointment for a period of 45 days or till the regular recruit joins, whichever is earlier vide letter dated 22.03.2016. It is the case of the applicant that her engagement was thereafter extended. However, there is no document on record which indicate that the engagement of the applicant was formally extended by any specific order. The applicant has been ordered to be terminated vide the impugned order dated 23.05.2017 w.e.f. 24.04.2017. From the perusal of this letter it becomes, however, clear that the applicant continued at least up to 24.04.2017.

2. The grievance of the applicant is many fold. It is stated that the applicant was required to be granted maternity leave as she is to deliver a baby but this aspect has not been considered. It is also stated that in the absence of maternity leave, the applicant had to avail casual leave which was granted for eight days only and during this period her services have been dispensed with.

3. The other grievance of the applicant is that she has not been paid salary for the month of April, 2017. The relief claimed in the present OA is for quashment of the order dated 23.05.2017 whereby her ad hoc services have been dispensed with w.e.f. 24.04.2017 with a further prayer for allowing her to continue in service and also to grant maternity leave of 26 weeks.

4. Admittedly, the applicant is out of service since 24.04.2017. There is no document indicating her continuance beyond that or formal extension after initial 45 days' engagement.

5. Under these circumstances, we dispose of this OA at the admission stage itself with the following directions:-

- (i) The applicant is permitted to make a detailed comprehensive representation projecting all her grievance within a period of two weeks to the respondent No.1.
- (ii) On receipt of the representation, the respondent No.1 shall consider the same sympathetically and pass a reasoned and

speaking consequential order within a period of four weeks thereafter.

6. Needless to say that in the event the applicant is granted the relief, she will be re-called to service. The respondents are also directed to pay the unpaid salary of the applicant within a period of four weeks.

(K.N. Shrivastava)
Member(A)

(Justice Permod Kohli)
Chairman

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