

**Central Administrative Tribunal
Principal Bench, New Delhi**

O.A.No.3448/2017

Thursday, this the 28th day of September 2017

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

Dr. Shiv Prasad Gautam, aged 56 years
s/o late Mr. Lalman
working as CMO (NFSG)
CGHS Wellness Centre, Pandara Road
New Delhi – 3
r/o D-II/60, Kaka Nagar,
New Delhi – 110 003

..Applicant
(Mr. Anil Singal, Advocate)

Versus

1. Union of India through the Secretary
Ministry of Health & Family Welfare
Govt. of India, Nirman Bhawan, New Delhi
2. The Additional Secretary & Director General (CGHS)
Ministry of Health & Family Welfare
Govt. of India, Nirman Bhawan, New Delhi

..Respondents
(Mr. C C S Pillai, Advocate for Mr. K M Singh, Advocate)

O R D E R (ORAL)

Justice Permod Kohli:

Notice.

2. Mr. C C S Pillai for Mr. K M Singh, learned counsel, appears and accepts notice on behalf of respondents.
3. The applicant was initially appointed as Junior Medical Officer in Central Government Health Scheme (CGHS) w.e.f. 10.01.1986 on monthly basis. It is stated that he was selected by conducting interview by the

competent authority. His appointment was later declared as *ad hoc* vide order dated 02.11.1988 and finally, the services of the applicant were regularized vide order dated 27.09.1994. The grievance of the applicant is that services of his juniors / colleagues, who were also similarly circumstanced, have been regularized with effect from the date of their initial engagement, i.e., 10.01.1986, whereas the similar benefits have been denied to him. The applicant has also relied upon the decision of this Tribunal dated 01.05.2012 passed in O.A. No.2592/2008 – **Dr. A.K. Bhardwaj v. Union of India & others**, which has been upheld by the Hon'ble Delhi High Court in W.P. (C) No.525/2013 vide order dated 02.03.2015. In this regard, the applicant made a representation dated 28.03.2017 (Annexure A-1) but no decision has been taken thereon till date.

4. In view of the above circumstances, this O.A. is disposed of at the admission stage itself with direction to the respondents to take decision on the aforesaid representation of the applicant by taking into consideration the judgments referred to hereinabove, within a period of three months from the date of receipt of a copy of this order, by passing a reasoned and speaking order.

(K.N. Shrivastava)
Member (A)

September 28, 2017
/sunil/

(Justice Permod Kohli)
Chairman