

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH
JABALPUR

Original Application No.200/00959/2018

Jabalpur, this Tuesday, the 30th day of October, 2018

HON'BLE MR. RAMESH SINGH THAKUR, JUDICIAL MEMBER

Anil Kumar Patel, aged about 40 years, S/o Shri Sadhulal Patel, W/a Office Attendant, Department of Deputy Director, All India Institute of Medical Science, Bhopal (MP) – 462020.

-Applicant

**(By Advocate – Shri Akash Chouhdary, proxy counsel of
Shri Praveen Dubey)**

V e r s u s

1. The All India Institute of Medical Sciences, Bhopal (An Autonomous Body, Under Ministry of Health & Family Welfare, Government of India, through its Director, Saket Nagar, Bhopal, Madhya Pradesh 462020.

2. The Deputy Director (Administration), All India Institute of Medical Sciences, Saket Nagar, Bhopal, Madhya Pradesh 462020

-Respondents

(By Advocate – Shri N.K. Mishra appearing on advance notice)

O R D E R (O R A L)

Heard.

2. The applicant has filed this Original Application seeking following reliefs:

“8.(i) To issue a direction to the Respondents to consider the pending representation (Annex.A/6) of the Applicant, for grant of relaxation & time for acquisition/submission

of higher academic qualification of Class-X and thereafter, consider his case for regular appointment on the post of Hospital Attendant Grade-III;

ii) To call for all the relevant records, for kind perusal of this Hon'ble Tribunal;

iii) Any other relief's deemed fit on facts and circumstances of the instant case."

3. The applicant was appointed on the post of Office Attendant (outsource) in the year 2014 and is continuing as such till date. At the time of his appointment, the qualification of 8th class passed was prescribed for appointment to the post of Office Attendant. However, the said qualification has been enhanced to class 10th after framing the Recruitment Rules. Now, the respondents have prepared a list of employees, who are not fulfilling the academic qualification, as per new Recruitment Rules for the purpose of termination.

4. The applicant submits that he is appearing in Class-X examination through Open school, result of which is expected in the month of January, 2019. He has made a representation dated 09.10.2018 (Annexure A-6) requesting the authority to continue his services till his result of class 10th is declared.

5. Learned counsel for the applicant submits that the applicant would be satisfied if the respondents are directed to

decide the applicant's representation dated 09.10.2018 in a time-bound manner and till such time the status quo regarding the continuity of the applicant may be maintained.

6. Considering the limited prayer made by learned counsel for the applicant, I am of the view that this O.A may be disposed of at the admission stage itself with a direction to the respondents to decide applicant's representation dated 09.10.2018 within a period of 60 days from the date of receipt of a copy of this order. Till the time decision is taken on his representation, the status quo regarding continuity of the applicant shall be maintained.

7. The O.A is disposed of in the above terms. No costs.

**(Ramesh Singh Thakur)
Judicial Member**

am/-