

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH**

...
ORIGINAL APPLICATION NO.060/00306/2019
Chandigarh, this the 12th day of April, 2019

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**CORAM:HON'BLE MR. SANJEEV KAUSHIK, MEMBER (J) &
HON'BLE MS. P. GOPINATH, MEMBER (A)**

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Dr. Jatinder Paul Bansal, age about 35 years, s/o Sh. Shashi Kumar Bansal, Assistant Medical Officer (Allopathic) Class III (Group C) Police Lines, Sector 26, Chandigarh – 160019.

....Applicant

(Present: Mr. H.K. Aurora, Advocate)

Versus

1. The Administrator, Union Territory, Chandigarh – 160019.
2. The Chandigarh Administration, Chandigarh through its Principal Secretary, health, UT Secretariat, Sector 9, Chandigarh – 160009.
3. The Director, Health Services, Government Multi Specialty Hospital, Sector 16, UT, Chandigarh – 160015.

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Respondents

(Present: Mr. Arvind Moudgil, Advocate)

ORDER (Oral)

SANJEEV KAUSHIK, MEMBER (J)

1. The present O.A. has been filed by the applicant with a prayer to direct the respondents to decide his pending representation in terms of judgments Annexures A-1 to A-7 and the statutory Recruitment Rules (Annexure A-9) for regularization from the date of his initial appointment on contract basis and to grant him all the consequential benefits.
2. Learned counsel vehemently argued that the issue of regularization has already been considered by this Court qua other similarly placed employee in the case of **Anjali Gupta and Others**

Vs. The Administrator, U.T. Chandigarh and Others (O.A. No. 93/CH/2009 decided on 17.08.2010), which travelled up to the Hon'ble Jurisdictional High Court in CWP filed at the hands of the Chandigarh Administration, that was ultimately dismissed vide order dated 21.01.2019, whereby while upholding the order of this Tribunal, the Chandigarh Administration was directed to grant all the consequential benefits to the doctors, by counting their contractual period also for the purpose of seniority, promotion, arrears of salary, fixation of pay etc. He informed this Court that the other similarly placed doctor seeking the benefit of judgment in the case of Anjali Gupta (supra) filed O.A. titled **Dr. Shelly Vs. The Administrator, U.T. Chandigarh** (O.A. NO. 060/00722/2017) before this Court, which was disposed of vide order dated 06.12.2017 to consider her claim, and she has been granted the benefits, in compliance of the order of this Court. It is further submitted that subsequently various OAs filed by the similarly placed persons have been disposed of with a direction to the respondents to consider the claim in the light of judgment in Anjali Gupta (supra). He prayed that the applicant will be satisfied if a direction is issued to the respondents to take a call on his representation dated 19.02.2019 (Annexure A-23 colly) in view of laid down by this Court in the case of Dr. Anjali Gupta (supra), as affirmed by the Hon'ble Jurisdictional High Court.

3. Issue notice to the respondents.

4. At this stage, Mr. Arvind Moudgil, Advocate, who is in receipt of advance notice, appears. He does not object to the disposal of

the O.A. in the above terms. He prays that the respondents be granted two months time so that they can consider and take a view on the claim of the applicant, in view of judgments relied upon by him.

5. In the wake of above consensual agreement between the parties, the O.A. is disposed of with a direction to the respondents to take a call on the indicated representation of the applicant and decide the same in view of judgment in the case of Dr. Anjali Gupta (supra) and other judgments relied upon by him. The needful be done, by passing a reasoned and speaking order, within a period of two months from the date of receipt of a copy of this order. The order so passed be duly communicated to the applicant.

6. Needless to mention, that the disposal of the O.A. shall not be construed as an expression of any opinion on the merit of the case. No costs.

(P. GOPINATH)
MEMBER (A)

(SANJEEV KAUSHIK)
MEMBER (J)
Dated: 12.04.2019

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