

**Central Administrative Tribunal
Principal Bench**

**CP No.186/2017
in
OA No.3423/2016**

New Delhi, this the 1st day of February, 2019

**Hon'ble Mr. Justice L. Narasimha Reddy, Chairman
Hon'ble Mr. Pradeep Kumar, Member (A)**

Rajesh Sagar,
Aged 44 years,
Group 'C',
S/o Shri R.S. Sagar,
R/o 16/904-E, Tank Road,
Khalsa Nagar, Delhi-110005.

...Applicant

(None)

Versus

Dr. (Prof) Adesh K. Gadpayle,
Medical Superintendent,
Dr. RML Hospital,
New Delhi-110001.

...Respondent

(By Advocate : Shri Gyanendra Singh)

ORDER (ORAL)

Justice L. Narasimha Reddy, Chairman :-

The applicant filed OA No.3423/2016 challenging the action of the respondents in not calling him to duty as Junior ECG Technician w.e.f. 01.10.2016. It is alleged that applicant was engaged as Junior ECG Technician on contractual basis and despite there being a provision for continuation, his services were discontinued on the

ground that the term has expired. An interim order was passed on 07.10.2016, directing maintenance of status quo. This contempt case is filed alleging that the respondents did not honour the order of the Tribunal.

2. On behalf of the respondents, counter affidavit and supporting documents have been filed. It is stated that the applicant was relieved from duty from 01.10.2016 and as on the date of the interim order of status quo, he was not on duty at all.

3. There is no representation on behalf of the applicant. We heard Shri Gyanendra Singh, learned counsel for respondents.

4. This is not a case where the applicant was appointed on regular basis. Admittedly, it was on contractual basis, for a fixed term. On expiry of the term, the respondents refused to extend the same. The order of status quo was passed on 07.10.2016.

5. Even the prayer in the OA is to the effect that the action of the respondents in not calling the applicant for duties from 01.10.2016, is illegal. That being the case,

we cannot expect the applicant to be in service, the date on which the order of status quo was passed.

6. Hence, the contempt case is closed.

(Pradeep Kumar)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

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