

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

**CP No. 347/2015  
in  
OA No. 2434/2012**

this the 11<sup>th</sup> day of October, 2019

**Hon'ble Mr. S.N. Terdal, Member(J)**  
**Hon'ble Mr. A.K. Bishnoi, Member (A)**

Delhi Nurses Union  
B.O. GB Panth Hospital  
New Delhi.

Through its General Secretary

1. Liladhar Ramchandani  
R/o A-1A/32, Street No. 9  
Chanakya Palace, Opp. Janak Puri C-1, New Delhi
2. Krishna Kumari Nanda  
W/o Late Sh. Praveen Kumar  
R/o 83, Ganpati Apartment, Gautam Nagar, New Delhi.
3. Kusum Kelly  
W/o Sh. Satish Kumar Kelly  
R/o H.No. 47, 2<sup>nd</sup> Floor, Gagan Vihar, Delhi – 51.
4. Prem Sharma  
W/o Sh. Nirmal Kumar Sharma  
R/o X-203, Anupam Apartment, East Arjun Nagar, Delhi – 31.
5. Neelam Rani Julka  
W/o Sh. Rajesh Kumar Julka  
R/o B-29A, 1<sup>st</sup> Floor, Kalkaji, Delhi – 19.

...Applicants

(By Advocate : Mr. Virender Kumar for Mr. M.K. Bhardwaj)

**Versus**

Govt. of NCT of Delhi & Ors. Through

1. Sh. K.K. Sharma  
Chief Secretary  
Govt. of NCT of Delhi  
New Secretariat, I.P. Estate, New Delhi.
2. Sh. Arun Baroka  
Principal Secretary  
Health and Family Welfare Dept.  
Govt. of NCT of Delhi  
Medical Supdt., GB Pant Hospital, New Delhi.

...Respondents

(By Advocate : Mr. Amit Yadav)

**ORDER (ORAL)**

**Mr. S.N. Terdal:**

Heard.

2. In the writ petition filed by the Respondents against the order of this Tribunal by order dated 26.08.2014, Hon'ble High Court has given the following directions:-

"Such being a case, whilst not expressing any opinion as to the correctness of the adhoc promotions made (since none of the incumbents were made party to the proceedings), this Court is of the opinion that the petitioner should carry out the exercise to first determine if any vacancies are to be earmarked for various reserved categories in each promotional post, i.e. Nursing Sister, Assistant Nursing Sister, Deputy Nursing Sister and Nursing Superintendant, and if so to what extent, and thereafter take steps to fill all the regular vacancies (including the vacancy falling to the share of the reserved category in accordance with the determination made) as expeditiously as possible.

The entire exercise should be completed within four months from today."

3. Learned counsel for the respondents has produced an order dated 16.08.2019 passed in identical cases in CP No. 792/2017 in OA No. 3321/2016 wherein this Tribunal after recording reasons has specifically stated that "*What becomes enforceable now is, the order passed by the Hon'ble High Court.*"

4. We are in respectful agreement with order dated 16.08.2019 and, therefore, we are of the view that the order of this Tribunal dated 05.12.2013 has merged with the above-said order of the Hon'ble High Court. Accordingly, we close this CP with liberty to the applicant to seek appropriate remedy, if so advised, as per the order dated 16.08.2019. Notices issued to the respondents are discharged.

**(A.K. Bishnoi)**  
**Member (A)**

**(S.N. Terdal)**  
**Member (J)**

/anjali/