

(1)

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH**

**CP 6/2005
MA 1590/2005
MA 2116/2005
OA 2571/2003**

New Delhi, this the 31st day of October, 2005

**HON'BLE MR. V.K. MAJOTRA, VICE-CHAIRMAN (A)
HON'BLE MR. MUKESH KUMAR GUPTA, MEMBER (J)**

N.K. Gupta (Retired as Accountant)
S/o Lt. Shir M.R. Gupta
No.550/4, Jacaumpura
Gurgaon (Haryana) ...Applicant/Petitioner

(By Advocate Shri Susheel Sharma)

VERSUS

1. Shri J.V.R. Prasad Rao
Secretary,
Ministry of Health and Family Welfare
Nirman Bhawan,
New Delhi – 110 001.
2. Shri S.P. Aggarwal
Director General of Health Services,
Nirman Bhawan, New Delhi – 110 011.
3. Shri N.K. Chaturvedi,
Medical Superintendent,
Dr. Ram Manohar Lohia Hospital,
New Delhi. ...Respondents.

(By Advocate Shri V.S.R. Krishna)

O R D E R (ORAL)

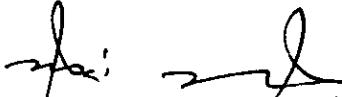
By Shri V.K. Majotra, Vice-Chairman (A):-

Learned counsel heard.

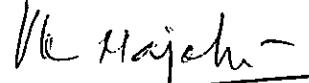
2. Learned counsel of the respondents filed copy of notification dated 28.9.2005 whereby Dr. Ram Manohar Lohia Hospital Office Superintendent Group (B) Post Recruitment Rules have been notified. Learned counsel for applicant stated that in implementation of Tribunal's directions, respondents also require to consider applicant's claim for promotion to the post of Office

V.K. Majotra

Superintendent so that he could be promoted prior to 31.10.2004 when applicant no.1 retires. Learned counsel for respondents has also shown us communication dated 27.10.2005 of Dr. Ram Manohar Lohia Hospital, New Delhi addressed to Director General of Health Services (MH Section), Nirman Bhawan to the effect that after notification regarding the amendment of the Recruitment Rules, DPC was held on 25.10.2005 in which applicant's case was also considered. As such learned counsel for respondents stated that though respondents have caused some delay in implementing the directions of this Tribunal, they tender unconditional apology for the same. We accept respondents' apology in regard to the delay in implementation of Tribunal's directions and in view of the fact that the Recruitment Rules have been amended as also the DPC has been conducted in which applicant's case was also considered, we find that no contempt is made out. As such CP is dismissed. Notices to respondents are discharged.


(Mukesh Kumar Gupta)
Member (J)

/gkk/


(V.K. Majotra)
Vice-Chairman (A)

31.10.05