

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

OA 625/2003

New Delhi, this the 17th day of September, 2003

Hon'ble Mr. Justice V.S. Aggarwal, Chairman
Hon'ble Mr. R.K. Upadhyaya, Member (A)

Sh. Vinod Kumar
S/o Sh. Rohtas
H.No. 566, Gali No. 37
Tri Nagar, Delhi - 35.

...Applicant

(By Advocate Sh. M.L. Chawla)

V E R S U S

1. Lt. Governor
through Chief Secretary
Govt. of NCT of Delhi
Old Secretariat, Delhi.
2. The Secretary (Health),
Govt. of NCT
Secretariat Raj Niwas Marg
Delhi.
3. Director
G.B. Pant Hospital
New Delhi.
4. Medical Superintendent
G.B. Pant Hospital, New Delhi.

...Respondents

(By Advocate Sh. Ajesh Luthra)

O R D E R (ORAL)

By Mr. Justice V.S. Aggarwal, Chairman

G.B. Pant Hospital had notified 27 unreserved posts of Nursing Orderlies vide public advertisement dated 10-11-1998. Large number of persons applied in response to the said advertisement. The candidates were called for an interview to be conducted by the Screening Committee. A panel was formed and 67 candidates were taken on the panel from general category.

2. Applicant was one of the candidates. By virtue of the present application, he seeks a direction to appoint him on the post of Nursing Orderly because his position is stated to be 65th and

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he contends that juniors in the panel have been given the appointments.

3. In the reply it has been pointed out and pleaded that the panel was operated and the last candidate appointed from the general category was at Sl. No. 36. The panel was exhausted by the competent authority on 22-8-2000. There are 28 persons above the applicant in the panel in the merit list.

4. Learned counsel for the applicant urged that the panel had been extended illegally because in the advertisement that had appeared only 27 general category candidates had to be appointed. In this process, the chances of the applicant to try for the next selection have been lost and in any case the extended panel should be quashed.

5. We have carefully gone through the said submission. In the first instance it requires a mention that all those persons who had been appointed beyond the 27 general category posts that were advertised, had not been arrayed as parties before us. It would not be appropriate to pass any adverse order against them at their back. The applicant, if so advised, may file a fresh petition arraying all those persons as a party and in that event the said matter can be looked into.

6. As regards claim of the applicant to be so appointed, we have already referred to the facts of the case. The applicant is at Sl. No. 65 in the panel. The panel has been extended and the last person was at Sl. No. 36. When such is the situation, the applicant is still far below in the merit list to

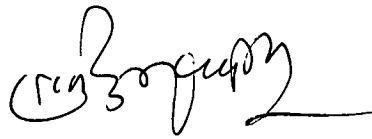
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be so appointed. Therefore, the prayer made by the applicant must be held to be without merit.

7. Resultantly OA, subject to aforesaid, is disposed of.



(R.K. Upadhyaya)
Member (A)

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(V.S. Aggarwal)
Chairman