

(2)

**CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH**

CP 393/2007

In

OA No.1552/2003

New Delhi this the 31<sup>st</sup> day of October, 2007

**Hon'ble Mr. Justice M. Ramachandran, Vice Chairman (J)  
Hon'ble Mrs. Neena Ranjan, Member ( A)**

Smt. Usha,  
W/o Shri Naveen Sinandi,  
R/o 759, Chabi Ganj, Kashmiri Gate.

(By Advocate Shri M.K.Bhardwaj )

.. Applicant

**VERSUS**

**Union of India and Ors through :**

1. Shri Naresh Dayal  
Secretary Health,  
Ministry of Health and Family Welfare,  
Nirman Bhawan, New Delhi.
2. Shri R.K. Srivastava,  
Director General of Health,  
Govt. of India, DGHS, Nirman Bhawan,  
New Delhi.
3. Dr. Shiv Lal,  
Director, NICD,  
22, Sham Nath Marg, Delhi-110054

.. Respondents

**O R D E R (ORAL)**

**( Hon'ble Mr. Justice M. Ramachandran, Vice Chairman (J) :**

By an order dated 10.9.2007 (Annexure A-6) the claim urged by the applicant stands dismissed. Obviously it was with reference to observation made in OA 1552/03.

2. Shri Bhardwaj learned counsel submits that it is an express contempt since the Department had taken the stand that even if there are orders passed by the Tribunal, it would not be of effect so long as it is not read in consonance with the judgment in State of Karnataka and Ors Vs.

**Uma Devi & Ors.**

3. We feel that the order is not worded properly but on going through the orders of this Tribunal as also the High Court, we cannot find the presence of any positive directions. Perhaps a person engaged on contract basis in a projects have hardly any clearly defined right or precedence in respect of further appointment. Taking notice of the conspectus of the facts and circumstances, we do not think there is any contempt of orders. CP is dismissed.

*Neena Ranjan*

( Mrs. Neena Ranjan )  
Member (A)

*DR*

( M. Ramachandran )  
Vice Chairman (J)

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