

**Central Administrative Tribunal
Principal Bench**

OA No.3468/2019

New Delhi, this the 4th day of December, 2019

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

Dr. Apoorv Sehgal (Age about 32 years)

Group Á', Senior Resident,

S/o Dr. RK Sehgal,

R/o E-13, Dilshad Garden,

Delhi-110095

- Applicant

(By Advocates: Mrs. Harvinder Oberoi with Mr. Gagan Chawla)

Vs.

1. Govt. of NCT of Delhi,
Through Secretary,
Department of Health and Family Welfare,
Delhi Secretariat, Delhi

2. Medical Superintendent,
Guru Teg Bahadur Hospital,
Dilshad Garden, Delhi

3. Additional Medical Superintendent,
Head of the Orthopedic,
Guru Teg Bahadur Hospital,
Dilshad Garden, Delhi

- Respondents

(By Advocate : Mr. Kapil Agnihotri)

: O R D E R (ORAL) :

Justice L. Narasimha Reddy, Chairman:

The applicant is working as Senior Resident in Guru Teg Bahadur Hospital, the 3rd respondent herein. It is stated that he would be able to complete three years' term as Senior Resident, if

only he continues for 65 days more and that unless he completes the term, he would not be able to get qualified for being appointed as teaching faculty. Reliance is placed upon an order dated 27.03.2019 passed by this Tribunal in OA No. 3920/2017.

2. This OA was listed yesterday. We wanted the learned counsel for the respondents to verify as to whether there is any difference between the facts of the case in OA No. 3920/2017 on the one hand and those of the present case on the other hand. He submitted that a policy decision was taken by the Government of India to restrict the senior residency upto certain period so that other candidates also would get a chance. However, he is not able to differentiate the facts of both the cases.

3. We heard Mrs. Harvinder Oberoi, learned counsel for the applicant and Mr. Kapil Agnihotri, learned counsel for the respondents.

4. In OA No. 3920/2017, we discussed this very aspect at length and held that the senior residency for a medical doctor would become meaningful, only if it is for a period of three years and if it falls short of that, the entire exercise becomes futile. We granted relief to the applicants therein.

5. Following the same, we allow the OA and direct the respondents to continue the applicant as Senior Resident till he

completes three years of service in that capacity. There shall be no order as to costs.

Order 'dasti'.

(Mohd. Jamshed)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

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