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IN THE HIGH COURT OF DELHI AT NEW DELHI
W.P.(C) 8425/2022 & CM APPLs. 45186/2025, 45234/2025,
73179/2025, 78958/2025
NEERAJ KUMARPetitioner

Through: Mr. Abhik Chimni (Amicus Curiae),
Mr. Gurupal Singh, Ms. Pranjal
Abral, Mr. Ayan Dasgupta and Ms.
Moksha Sharma, Advocates with
Petitioner (in-Person).

versus

DR ARCHANA SINGH & ORS.Respondents
Through: Mrs. Avnish Ahlawat, SC (GNCTD
Services) with Mr. N.K. Singh, Ms.
Aliza Alam and Mr. Mohnish
Sehrawat, Advocates.

CORAM:
HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER
16.02.2026

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1. The Petitioner was appointed as Senior Resident with Respondent No.
2 on 3rd June, 2020. The appointment letter was issued to him on 27th
August, 2021 in the following terms:

“OFFICE OF THE MEDICAL SUPERINTENDENT
DEEP CHAND BANDHU HOSPITAL
GOVERNMENT OF NCT OF DELHI
KOKIWALA BAGH, ASHOK VIHAR, PHASE-IV
NEW DELHI-110052
(SR/JR CELL)

No. F.32(3)/342/DCBH/SR/Intr/2019/ 4766-67

Dated: 27/8/21

OFFER OF APPOINTMENT

*On recommendation of the Selection Committee, Medical
Superintendent, Deep Chand Bandhu Hospital is pleased to offer the
post of Senior Residents to following doctors on the pay of Rs. 67,700/-*



per 7th CPC + usual allowances and admissible from time to time in basis:

S. No.	Name	Category	Deptt.	Address
1	Dr. Upasana Puri	UR	E.N.T.	S-665, IIIrd Floor, Gali No. 8, School Block, Shakarpur, New Delhi
2	Dr. Manisha Yadav	OBC	E.N.T.	B-3/44, A-172A, Duggal Farm Kakrola, New Delhi-110078
3	Dr. Neeraj Kumar	UR	Skin	C-1133, Vikas Puri, New Delhi
4	Dr. Ridhima Sakhuja	UR	Eye	C-85/84, Asaf Ali Road, New Delhi-110070
5	Dr. Mohan Kumar Pervez	UR	Surgery	H. No. C-17, Prahlad Vihar, Rohini

1. The appointment is temporary and is initially for a period of 1 year may be extended up to maximum period of 3 years subject to satisfactory work and conduct report.
2. His/her appointment is subject to his/her oath of allegiance/faithfulness to the constitution of India or making solemn affirmation to the effect that he is having one wife and is not married to a lady who is already having one living husband.
3. In case of unauthorized absence of duty for more than 3 days, his/her services may be terminated without any prior notice.
4. No TA/DA will be admissible to join the duty.
5. He/she should submit the details of bank account while joining for salary purpose.
6. He/she should submit proof of permanent address.
7. The appointment may be terminated at any time by one month notice given by either side i.e. the appointee or the appointing authority. No notice will be required if terminated on disciplinary ground.
8. In case appointee avails any kind of leave during notice period, the date of resignation would be postponed further according to the period of leave.
9. In case appointee does not serve the notice for resignation, one month salary would be deducted.
10. Private practice of any kind is not allowed.
11. Courts of Delhi/New Delhi shall have the jurisdiction in



- connection with any dispute litigation.*
12. *Earned leave will be granted as per rules.*
 13. *Leave encashment on termination of service is not allowed.*
 14. *Discipline: He/She will have to wear white coat with the name badge while on duty. He/She will have to attend his duties punctually and regularly.*
 16. *If any of the declaration given or information furnished by the candidate proves to be false, or if they are found to have wilfully suppressed any material/information he is liable to be removed from the services or any other such action which the hospital authorities may deem fit may be initiated.*
 17. *All the selected candidates shall have to attend a compulsory training on Bio Medical Waste Management. For venue and schedule of the programme, must contact MOIC, BMWM, DCB Hospital.*
 18. *The employee will not be entitled to any other financial benefit viz allowances, perks, bonus etc. other than the monthly remuneration (tax will be deducted at source, if necessary).*
 19. *If above mentioned doctors accepts the appointment on the above terms and conditions, he/she should report to the undersigned within 07 days of issue of the appointment letter along with following documents:*
 1. *Acceptance letter.*
 2. *Original documents along with three passport size recent photographs.*

Sd/-
(DR. ARCHANA SINGH)
I/c, RESIDENTS

Dated: 27/8/21''

2. Thereafter, a show cause notice dated 22nd April, 2022 was issued to the Petitioner alleging habitual late coming and unauthorized absence from duty affecting patient care services. Upon submission of his reply, the services of the Petitioner were terminated *vide* order dated 13th May, 2022.
3. At the outset, Ms. Aliza Alam, counsel for Respondents, submits that the subject matter of the writ petition squarely falls within the jurisdiction of the Central Administrative Tribunal¹, and therefore, the petition ought not to be entertained by this Court.



4. She further submits that the writ petition came to be entertained at a time when the COVID-19 pandemic was prevalent, which may explain the continuation of proceedings before this Court.

5. It is further noted that the grievance raised by the Petitioner has, to a considerable extent, already been redressed, as is evident from the order dated 18th July, 2025, which reads as follows:

“CM APPL. 35633/2025 (Condonation of delay in filing reply to CM APPL. 1945/2025) & CM APPL. 42302/2025 (Condonation of delay in filing reply to CM APPL. 18024/2025)”

These applications have been filed by the respondents for condonation of delay in filing replies to the applications [CM APPL. 1945/2025 & CM APPL. 18024/2025] filed by the petitioner.

For the reasons stated, the applications are allowed.

CM APPL. 1945/2025 (for directions), CM APPL. 18024/2025 (for directions) & CM APPL. 18039/2025 (for directions)

1. *These applications concern the issuance of an Experience Certificate and a No Objection Certificate [“NOC”] by the respondent, to enable the petitioner to seek alternative employment.*

2. *By an order dated 14.01.2025, it was directed that the respondent would issue an Experience Certificate and an NOC at this stage, in respect of the admitted period for which the petitioner worked, i.e. 27.08.2021 till 13.05.2022, without prejudice to the rights and contentions of the parties in the writ petition.*

3. *The parties have thereafter joined issue as to the contents of the Experience Certificate and NOC issued by the respondent.*

4. *One of the principal grievances of the petitioner is that the experience certificates dated 15.01.2025, and 20.01.2025 issued by the respondent characterised his service as “ad hoc”, whereas the letter of appointment dated 27.08.2021 specifically refers to his appointment on “regular basis”. The order also mentions that the appointment is temporary and initially for a period of one year, but may be extended up to a maximum period of three years, subject to the satisfactory work and conduct. The Experience Certificate-cum-NOC issued by the respondents on 20.01.2025, reads as follows:-*

¹ “CAT”



**“EXPERIENCE CUM NO OBJECTION
CERTIFICATE**

This is to certify that Dr. Neeraj Kumar, D.O.B. : 16.08.1983, has worked as Senior Resident on rotational duty basis in the Department of Skin w.e.f. 03.09.2021(Date of Joining) to 12.05.2022 on regular basis. The term 'Regular' here means that Dr. Neeraj Kumar was appointed for the post of Senior Resident (Skin) for a maximum period of 03 years as it is a tenure post.

Dr. Neeraj Kumar was selected for the post of Senior Resident (Skin) on ad hoc basis, an offer of appointment was issued on 27.08.2021 and he joined this hospital w.e.f. 03.09.2021. He was terminated from the post of Senior Resident w.e.f. 13.05.2022 as his Work and Conduct was unsatisfactory.

This hospital has no objection if Dr. Neeraj Kumar takes up alternative employment.

This certificate is issued in compliance to the directions of the Hon'ble High Court of Delhi, dated 13.01.2025 in W.P.(C) 8425/2022.

This issues with prior approval of the Competent Authority.”

5. *Having regard to terms of appointment letter dated 27.08.2021, Ms. Aliza Alam, learned counsel, states that the reference to “ad hoc basis” in the second paragraph of the abovementioned communication will be deleted.*

6. *It is agreed by the petitioner in person, and Ms. Alam that an Experience Letter-cum-NOC will be issued to the petitioner in the following terms:*

**“EXPERIENCE CUM NO OBJECTION
CERTIFICATE**

This is to certify that Dr. Neeraj Kumar, D.O.B.: 16.08.1983, has worked as Senior Resident on rotational duty basis in the Department of Skin in terms of letter of appointment dated 27.08.2021 w.e.f. 03.09.2021 (Date of Joining) to 13.05.2022 (date of termination) on regular basis. The term “Regular” here means that Dr. Neeraj Kumar was appointed for the post of Senior Resident (Skin) for a maximum period of 03 years as it is a tenure post.

The work and conduct of Dr. Neeraj Kumar was



found unsatisfactory by the Hospital

This hospital has no objection if Dr. Neeraj Kumar takes up alternative employment.

This certificate is issued in compliance to the directions of the Hon'ble High Court of Delhi, dated 13.01.2025 and 18.07.2025 in W.P.(C) 8425/2022.”

7. *The certificate with these contents will be issued to the respondent by Tuesday, i.e. 22.07.2025.*

8. *The reference to the order of termination, and the work and conduct of the petitioner, have been incorporated in the proposed certificate at the specific request of the petitioner.*

9. *The applications are disposed of.*

10. *A copy of the order be given dasti under the signature of the Court Master.*

W.P.(C) 8425/2022

List on 07.11.2025, in the category of “Old/Targeted cases”.

6. The Experience-cum-No Objection certificate as directed by the Court has since been issued.

7. The said certificate categorically records that the Hospital has no objection to the Petitioner taking up alternative employment. Consequently, the Petitioner’s career prospects are not impeded on this count.

8. At the same time, it is noticed that the Experience-cum-No Objection Certificate also records that “*the work and conduct of Dr. Neeraj Kumar was found unsatisfactory by the hospital.*” While such a remark has the potential to cause prejudice to the Petitioner, it is significant to note that the inclusion of this observation was made at the specific request of the Petitioner himself. This is evident from paragraph 8 of the order dated 18th July, 2025, which, for emphasis, is reproduced once again:

“8. The reference to the order of termination, and the work and conduct of the petitioner, have been incorporated in the proposed certificate at the specific request of the petitioner.”

9. In the aforesaid backdrop, when queried by the Court as to what grievance survives for consideration, the Petitioner submits that he has not



been issued an experience certificate for the period from 3rd June, 2020 to 2nd September, 2021, that his salary for the months of April and May, 2022 remains unpaid, and that certain subsequent hospitals under the Government of NCT of Delhi, where he has worked thereafter, have also not fully released his salary till date.

10. In the considered opinion of this Court, the aforesaid grievances pertain to service-related claims, including salary and experience certification, which appropriately fall within the jurisdiction of CAT. Accordingly, the present writ petition is disposed of with liberty to the Petitioner to approach the CAT, if so advised.

11. All rights and contentions of the parties are left open.

12. The grievance insofar as it relates to the impugned termination order stands redressed by virtue of the consent order extracted hereinabove.

13. The present petition is disposed of along with pending applications.

SANJEEV NARULA, J

FEBRUARY 16, 2026

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