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CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH

O.A. No. 1845/2002, New Delhi this the 30th day of Sep., 2002  
MA No. 1470/2002

Hon'ble Dr. A. Vedavalli, Member (J)  
Hon'ble Shri Govindan S. Tampi, Member (A)

1. Sh. Har Prasad  
S/o Late Sh. Naipal Singh,  
R/o Village Mialk, Tehshil - Meerut,  
Uttar Pradesh.
2. Sh. Mai Chand  
S/o Late Sh. Sohan Lal,  
R/o Village Jataula, P.O. Asaoti,  
Tehshil Palwal,  
District Faridabad.
3. Sh. Saroj Kumar  
S/o Nand Dutt,  
R/o Village Khamana, P.O. Dawarikhal,  
Landwon, Uttaranchal.
4. Sh. K.L. Ahuja,  
S/o Sh. K.R. Ahuja,  
R/o Village Ambala Cantt.  
Tehsil Ambala,  
Haryana
5. Sh. C.M. Arya,  
S/o Sadhu Ram Arya,  
R/o Pursottam Pura,  
Tehsil Kotputli,  
Distt. Jaipur,  
Rajasthan.

...Applicants

(All applicants are working as Nursing Assistants in the  
office of Sports Authority of India)

(By Shri S.K. Gupta, counsel for applicant)

VERSUS

1. Union of India Through  
Secretary,  
Ministry of Finance,  
Deptt. of Expenditure,  
Implement Cell,  
New Delhi.
2. Secretary,  
Ministry of Sports,  
Deptt. of Youth Affairs & Sports,  
Shastri Bhawan,  
New Delhi.

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3. Secretary,  
Sports Authority of India,  
Jawahar Lal Nehru Stadium,  
New Delhi-110003.

...Respondents

ORDER (ORAL)

By Hon'ble Dr. A. Vedavalli, Member (J)

Heard. The applicants who are working as Nursing Assistants in the office of respondent No.3 are aggrieved by the alleged arbitrary action on the part of the respondents in not extending the benefit of pay scales which has been recommended by the Vth Central Pay Commission under the Head of "Nursing Staff". They seek the following reliefs in this OA :

- i) To direct the respondents to place the applicants in the pay scale of Rs.5000-8000/- with effect from 1.1.96 on the basis of recommendation made by the Vth Central Pay Commission and being entitled for pay scale of Rs.1600-2600/- w.e.f. 1.1.96 with all consequential benefits like arrears of pay.
- ii) To direct the respondents to extend the benefits of Nursing Allowance to the present applicants.
- iii) To further direct the respondents to pay Uniform Allowance and Washing Allowance at the revised pay scale w.e.f. 1.8.97 with its arrears etc.
- iv) To pass such and further order as may be deemed fit and proper.

2. When the matter came up for admission today, learned counsel for the applicant Shri S.K. Gupta has submitted that a representation dated 13.09.2001 (Annexure A-7) submitted to the respondent No.3 by all Nursing Assistants is still pending and has not been disposed of by the respondents as on date. Learned counsel states that he has no objection for the OA being disposed of at the admission stage itself

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with a direction to the respondents to dispose of the said representation with a particular time frame to be fixed by the Tribunal and with liberty to approach this Tribunal again if any further grievance survives thereafter.

3. On consideration of the matter and in the interests of justice, OA is disposed of at the admission stage with the following directions to the respondents:-

i) The respondents are directed to examine the aforesaid representation dated 13.9.2001 on its merits in the light of the relevant rules, instructions and judicial pronouncements on the subject taking into consideration the grounds given in the present OA also as additional grounds and dispose of the aforesaid representation with a detailed and speaking order in accordance with law within two months from the date of receipt of a copy of this order under intimation to the applicant. In case any grievance still survives thereafter, the applicants are granted liberty to approach this Tribunal again in appropriate proceedings, if so advised, in accordance with law.

ii) Registry is directed to send a copy of the OA along with the copy of this order to the respondents.

OA is disposed of as above.

( GOVINDAN S. TAMPI )  
M (A)

vks

A. V. Vedavalli  
( DR. A. VEDAVALLI )  
M (J)