

CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH

OA No.247/2002 with OA 346/2002

New Delhi, this 11th day of September, 2002

Hon'ble Shri M. P. Singh, Member (A)
Hon'ble Shri Shanker Raju, Member (J)

~~OA No. 247/2002
vs. Shri M. P. Singh and~~

OA No. 247/2002

Ms. Sethu Surendran and
15 others, all working as
Technical Assistants/Lab Technicians/
Lab Assistants in DDU Hospital,
New Delhi (as per details given in OA) .. Applicants

OA No. 346/2002

Kamal Jit & 3 others
all working as Junior
Radiographers in DDU Hospital
(as per details given in OA) .. Applicants

(Shri K. N. R. Pillay, Advocate)

Versus.

Govt. of NCT of Delhi, through

1. Secretary (Medical)
Deptt. of Health & Family Welfare
Delhi Sachivalaya
IP Estate, New Delhi

2. Medical Superintendent
DDU Hospital
Hari Nagar, New Delhi .. Respondents

(Shri Ajay Gupta, Advocate)

ORDER (oral)
Shri M. P. Singh, Member (A)

Both the aforementioned OAs involve a common issue and the facts are similar. Therefore, we proceed to dispose of the same through this common order.

In OA 247/2002, there are 16 applicants working as Technical Assistants/Lab Technicians and Lab Assistants in DDU Hospital, New Delhi.

In OA 346/2002, there are four applicants working as Junior Radiographers in DDU Hospital, New Delhi.

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All these applicants seek directions to the respondents in the following terms:

- (i) They should be given regular pay scales and other benefits as admissible to regular employees;
- (ii) They should be given age relaxation to the extent of the services put in by them on temporary/ad hoc basis; and
- (iii) They should be posted in vacant posts till regular recruits become available and only after all the vacant posts are filled should applicants be replaced

3. We have heard the learned counsel for the parties and considered the pleadings.

4. We have separately disposed of OA 3111/2001 with three other connected OAs by a common order dated 12.7.2002 in respect of the OT Technicians working in Dr. B. S. Ambedkar Hospital, New Delhi with certain directions. Since we are of the considered view that the applicants in the present two OAs are also situated like the applicants in OA 3111/2001 (supra) etc., the present OAs, i.e. OA 247/2002 and OA 346/2002, are disposed of in the following terms:

- (i) Respondents are directed that in the event of appointing candidates on regular basis to the posts of Technical Assistants/Lab Technicians/Lab Assistants and Junior Radiographers, the claim of the applicants herein for the said posts should also be considered. While doing so, their experience of service already rendered should be taken into account and proper weightage should be given to the same. Age relaxation may be made as per DoPT guidelines and judicial pronouncements on the subject. Till regular appointments are made, applicants' services should not be terminated.
- (ii) Respondents to make payments of salary as admissible to regular employees in the aforesaid grades to the applicants within a period of two weeks from the date of receipt of a copy of this order, if not already paid. The applicants will be entitled to future

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pay on the principle of equal pay for equal work at par with regular employees.

Copy of this order be placed in other OA file.

No costs.

(Shanker Raju)
Member (J)

MPS
(M. P. Singh)
Member (A)

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