

Central Administrative Tribunal  
Principal Bench

1) O.A. No. 126 of 2002

with

2) O.A. No. 52 of 2002

3) O.A. No. 54 of 2002

New Delhi, dated this the 5th March, 2002

HON'BLE MR. JUSTICE ASHOK AGARWAL, CHAIRMAN  
HON'BLE MR. S.R. ADIGE, VICE CHAIRMAN (A)

1) O.A. No. 126/2002

Kumari Seema  
D/o Sh. Vijay Singh,  
Working as E.C.G Technician,  
Aruna Asaf Ali Govt. Hospital,  
5, Rajpur Road,  
New Delhi. .... Applicant.  
(By Advocate: Shri S.K. Sinha)

Versus

1. Govt. of NCT of Delhi,  
through  
the Principal Secretary (Health, & Family  
Welfare)  
Indraprastha Sachivalaya,  
New Secretariat, ITO,  
New Delhi.
2. Director of Family Welfare,  
Govt. of NCT of Delhi,  
Indraprastha Sachivalaya,  
New Secretariat, ITO,  
New Delhi.
3. The Medical Superintendent,  
Govt. of NCT of Delhi,  
Aruna Asaf Ali Govt. Hospital,  
5, Rajpur Road,  
New Delhi.
4. Delhi Subordinate Services Board,  
4th Floor, UTCS Building,  
Karkardooma,  
Shahdara,  
Delhi-32 ... Respondents.  
(By Advocate: Shri Mohit Madan proxy counsel for  
Mrs. Avnish Ahlawat)

2) O.A. No. 52/2002

1. Ms. Shabana,  
D/o Mr. Ali Hasain,  
working as Staff Nurse,  
Aruna Asaf Ali Govt. Hospital,  
5, Rajpur Road,  
New Delhi
2. Ms. Sincy Cherian,

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- D/o Mr. M.M:Cherian,  
working as Staff Nurse,  
Aruna Asaf Ali Govt. Hospital,  
5,Rajpur Road,  
New Delhi
3. Mr.Ajay Dixit,  
S/o Mr. V.K.Dixit,  
working as Jr.Radiographer,  
Aruna Asaf Ali Govt. Hospital,  
5,Rajpur Road,  
New Delhi
4. Mr. Dablu Biswas,  
S/o Mr. S.K.Biswas,  
working as OT Technician,  
Aruna Asaf Ali Govt. Hospital,  
5,Rajpur Road,  
New Delhi
5. Mr. Shital Prasad,  
S/o Mr. Kishori Lal,  
working as OT Assistant,  
Aruna Asaf Ali Govt. Hospital,  
5,Rajpur Road,  
New Delhi
6. Ms. Simi Joseph,  
D/o Mr. P.Y.Joseph,  
working as Staff Nurse,  
Aruna Asaf Ali Govt. Hospital,  
5,Rajpur Road,  
New Delhi
7. Ms. Sajini, NV.,  
D/o Mr. N.R.Vasudevan,  
working as Staff Nurse,  
Aruna Asaf Ali Govt. Hospital,  
5,Rajpur Road,  
New Delhi
8. Ms. Bindu M.,  
D/o Mr. Philip M,  
working as Staff Nurse,  
Aruna Asaf Ali Govt. Hospital,  
5,Rajpur Road,  
New Delhi
9. Ms.Naaz Shaikh,  
D/o Mr. Miya Jaan,  
working as Staff Nurse,  
Aruna Asaf Ali Govt. Hospital,  
5,Rajpur Road,  
New Delhi
10. Ms.Babita,  
D/o Mr. Altar Singh,  
working as Staff Nurse,  
Aruna Asaf Ali Govt. Hospital,  
5,Rajpur Road,  
New Delhi

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11. Ms. Sumati Kachhap,  
D/o Mr. Karma Kachhap,  
working as Staff Nurse,  
Aruna Asaf Ali Govt. Hospital,  
5, Rajpur Road,  
New Delhi
12. Mr. Siddharth Kumar Gautam,  
S/o Mr. R.P. Gautam,  
working as Sr. Radiographer,  
Aruna Asaf Ali Govt. Hospital,  
5, Rajpur Road,  
New Delhi
13. Ms. Neelam,  
D/o Mr. Surinder Kumar,  
working as Staff Nurse,  
Aruna Asaf Ali Govt. Hospital,  
5, Rajpur Road,  
New Delhi
14. Ms. Nirmal Rani,  
D/o Mr. Ratan Singh,  
working as Staff Nurse,  
Aruna Asaf Ali Govt. Hospital,  
5, Rajpur Road,  
New Delhi
15. Mr. Parveen Kumar Dabas,  
S/o Mr. V.P. Dabas,  
working as Sr. Radiographer,  
Aruna Asaf Ali Govt. Hospital,  
5, Rajpur Road,  
New Delhi
16. Ms. Mamta Goyal,  
D/o Sh. Ashok Kumar Goyal,  
(O.T. Assistant)  
Aruna Asaf Ali Govt. Hospital,  
5, Rajpur Road,  
New Delhi
17. Ms. Monika,  
D/o Mr. Bua Ram,  
working as Staff Nurse,  
Aruna Asaf Ali Govt. Hospital,  
5, Rajpur Road,  
New Delhi
18. Ms. Meenakshi Sharma,  
D/o Mr. R.P. Sharma,  
working as Lab. Assistant,  
Aruna Asaf Ali Govt. Hospital,  
5, Rajpur Road,  
New Delhi
19. Mr. Pramod Kumar,  
S/o Mr. Teg Singh,  
working as ECG Technician,  
Aruna Asaf Ali Govt. Hospital,  
5, Rajpur Road,  
New Delhi

V.S.

20. Ms. Arti,  
D/o Mr. Shankar Lal,  
working as Staff Nurse,  
Aruna Asaf Ali Govt. Hospital,  
5, Rajpur Road,  
New Delhi
21. Ms. Kamlesh,  
W/o Mr. Anil Kumar  
working as Staff Nurse,  
Aruna Asaf Ali Govt. Hospital,  
5, Rajpur Road,  
New Delhi
22. Ms. Madhu Luthra,  
D/o Mr. Anand kPrakash Luthra,  
working as Staff Nurse,  
Aruna Asaf Ali Govt. Hospital,  
5, Rajpur Road,  
New Delhi
23. Ms. Geeta Rani,  
D/o Mr. Virendra Kumar,  
working as Staff Nurse,  
Aruna Asaf Ali Govt. Hospital,  
5, Rajpur Road,  
New Delhi
24. Ms. Parveen Kumari,  
D/o Mr. Sadiq Masih,  
working as Jr. Radiographer,  
Aruna Asaf Ali Govt. Hospital,  
5, Rajpur Road,  
New Delhi
25. Ms. Urmila Devi,  
D/o Mr. Narayan,  
working as Staff Nurse,  
Aruna Asaf Ali Govt. Hospital,  
5, Rajpur Road,  
New Delhi
26. Ms. Sunita Devi,  
D/o Mr. B.P. Singh,  
working as Staff Nurse,  
Aruna Asaf Ali Govt. Hospital,  
5, Rajpur Road,  
New Delhi
27. Ms. Babie Chingzasian,  
D/o Mr. H. Haukung,  
working as Staff Nurse,  
Aruna Asaf Ali Govt. Hospital,  
5, Rajpur Road,  
New Delhi
28. Ms. Punam John,  
D/o Mr. John,  
working as Staff Nurse,  
Aruna Asaf Ali Govt. Hospital,  
5, Rajpur Road,  
New Delhi

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29. Ms. Rekha Michael,  
W/o Mr. Michael,  
working as Staff Nurse,  
Aruna Asaf Ali Govt. Hospital,  
5, Rajpur Road,  
New Delhi
30. Ms. Muanching Tungdim,  
D/o Langginmang Tungdim,  
working as Staff Nurse,  
Aruna Asaf Ali Govt. Hospital,  
5, Rajpur Road,  
New Delhi  
(By Advocate: Shri S.K. Sinha)

Versus

1. Govt. of NCT of Delhi,  
through  
the Principal Secretary (Health, & Family  
Welfare)  
Indraprastha Sachivalaya,  
New Secretariat, ITO,  
New Delhi.
2. Director of Family Welfare,  
Govt. of NCT of Delhi,  
Indraprastha Sachivalaya,  
New Secretariat, ITO,  
New Delhi.
3. The Medical Superintendent,  
Govt. of NCT of Delhi,  
Aruna Asaf Ali Govt. Hospital,  
5, Rajpur Road,  
New Delhi.
4. Delhi Subordinate Services Board,  
4th Floor, UTCS Building,  
Karkardooma,  
Shahdara,  
Delhi-32 ... Respondents.  
(By Advocate: Shri Mohit Madan proxy counsel for  
Mrs. Avnish Ahlawat)

3) O.A. No. 54 of 2002

1. Miss Sonia Gandhi,  
D/o Sh. B. S. Gandhi,  
(Staff Nurse)  
F-4/4, Sector 16,  
Rohini,  
Delhi.
2. Miss Pratima Kumari,  
D/o Sh. P. N. Pathak,  
(Staff Nurse)  
B-2, 267, Sultanpuri,  
Delhi-41

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3. Mr. Gaurav Sharma,  
S/o Shri N.N.Sharma,  
(ECG Tech.),  
G-27/237, Sector-3,  
Rohini, New Delhi.
4. Mr. Kapil Sagar  
S/O Sh. H.L.Sagar  
(ECG. Tech.)  
B-618, Avantika  
Sector-1, Rohini  
New Delhi.
5. Mr. Narayan Singh  
S/o Sh. Budh Ram  
(O.T. Tech.)  
26/4 A, P&T Qtr.  
Type II K.B. Marg,  
New Delhi.
6. Miss Suman Lata Gautam  
D/o Sh. K.C. Gautam  
(Lab. Asstt.)  
G-2 Palika Niwas  
Delhi.
7. Mr. Gajendra Prasad Lakhera  
(O.T. Tech)  
S/o. Sh. C.L. Lakhera  
F-85, Mohammadpur  
New Delhi-110 066.
8. Ms. Sanjay Kumar  
S/o. Sh. Sita Ram Rai  
(O.T. Tech)  
BE-150, Hari Nagar,  
St-5, New Delhi-64.
9. Mr. Parmod Kumar  
S/o. Sh. Shiv Dayal  
(Jr. Radio)  
R/o 26, Jain Mandir Compound  
Near Raja Bazar  
Shivaji Stadium, Connaught Place  
New Delhi-1.

versus

1. Govt. of NCT of Delhi,  
through  
the Secretary Health,  
Indraprastha Sachivalaya,  
New Secretariat, ITO,  
New Delhi.
2. Director of Health Services,  
Govt. of NCT of Delhi,  
F-17, Karkardooma,  
Shahdara,  
Delhi.

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3. The Medical Superintendent,  
Govt. of NCT of Delhi,  
Guru Govind Singh Govt. Hospital,  
Raghuveer Nagar.  
New Delhi.
4. Delhi Subordinate Services Board,  
4th Floor, UTCS Building,  
Karkardooma,  
Shahdara,  
Delhi-32 ... Respondents.  
(By Advocate: Mrs. Jasmine Ahmed)

ORDER (Oral)

Ashok Agarwal, J

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

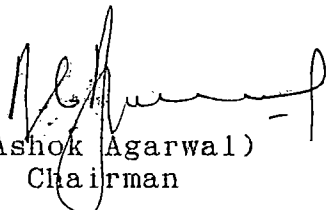
2. Applicants who have been employed either on contract basis or daily wage basis, by the present OAs, claim regularisation.

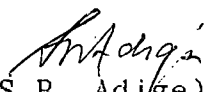
3. We have heard the learned counsel for the contending parties and we feel that ends of justice will be met by disposing of the present OAs with a direction that in the event of respondents appointing candidates on regular basis the claims of the applicants for the said post should be considered. While considering the same, their experience of the service already rendered should be taken into account and proper weightage should be given to the same. Similarly age relaxation should also be considered provided they are within the age on the date of their initial appointment. Till regular appointments are made, services of the applicant should not be terminated.



4. It has inter alia been contended on behalf of the applicants that their salaries have not been paid since six months. This, in our view, is most improper. Applicants should be paid for the work they have already rendered.

5. In the circumstances, we direct the respondents to make payments of the salary due to the applicants within a period of two weeks from the date of receipt of a copy of this order. The applicants will be entitled to future pay on the principle of equal pay for equal work at par with regular employees with effect from April, 2002.

  
(Ashok Agarwal)  
Chairman

  
(S.R. Adige)  
Vice Chairman (A)

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