

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,
Aurna 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 kof Delhi,
Aurna 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,

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



(6)

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

WAD

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

3

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,
Aurna 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. Aynish 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

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 Lakhhera
(O.T. Tech)
S/o. Sh. C.L. Lakhhera
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.



3. The Medical Superintendent,
Govt. of NCT of Delhi,
Guru Govind Singh Govt. Hospital,
Raghuvir Nagar.
New Delhi.

4. Delhi Subordinate Services Board,
4th Floor, UTCS Building,
Karkardooma,
Shahdara,
Delhi-32 ... Respondents.
(By Advocate: Mrs. Jasmine Ahmed)

(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)

/ug/

Attest
Agarwal
C.O.C