

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH

OA 1393/2001

New Delhi, this the 19th day of October, 2001

Hon'ble Shri Kuldip Singh, Member (J)  
Hon'ble Shri Govindan S. Tampi, Member (A)

1. Dr. Kumud Bharti  
Medical Officer  
Aruna Asaf Ali Govt. Hospital  
Raj Pur Road, Delhi - 110 054.

R/o D-II/5, Court Lane,  
Rajniwas Marg, Civil Lines  
Delhi - 110 054.

2. Dr. Vio Solomi Pou  
Medical Officer  
Aruna Asaf Ali Govt. Hospital  
Raj Pur Road, Delhi - 110 054.

C/o Shri Harpreet Singh  
L-29, Shastri Nagar, Delhi-110 052.

...Applicants

(By Advocate Shri H.D.Birdi with  
Sh.Y.D.Nagar)

V E R S U S

Govt. of NCT of Delhi  
through its Secretary  
Delhi Sachivalya, IP Estates  
New Delhi - 110 002.

...Respondents

(By Advocate Shri A.K.Chopra  
through proxy counsel Shri R.K.Singh)

O R D E R (ORAL)

By Hon'ble Shri Govindan S.Tampi,

The relief sought by the two applicants, who are Doctors originally appointed on contract, are as follows :-

(i) to direct the respondents to grant the pay scale with all allowances of the post of Medical Officers (i.e.Rs.8000-275-13500/-) to the applicants from the date of their first/initial appointment with attendant benefits of service conditions without break till such time regular appointment is made to fill the posts.

(ii) As and when regular incumbents join the post of Medical Officers, they be first posted to fill up the available vacant posts and only then to replace the applicants depending upon the length of service.

(iii) to pass order or give direction to the respondent Govt to give age relaxation to the extent of length of service rendered by the applicant on contract and ad hoc basis in case the applicants apply for appointment against regular posts as and when recruitment is made.

2. The plea of the applicants is that they had only been given a consolidated pay and no allowances or other benefits which are available to other Doctors who are similarly placed. They have also relied upon a number of decisions of the Tribunal in the case of Doctors, where such benefits have been given.

3. Replying on behalf of the respondents, Shri R.K.Singh, ld. proxy counsel points out that orders have been passed on 11-8-2001 by the Delhi Administration placing the individuals in the pay scale of Rs. 8000-275-13500/- from the date of their initial appointment.

4. We have considered the matter. The plea raised on behalf of the applicants is that the latest order does not show that they will be entitled to all allowances. We feel that this is a plea, which need not have made when in terms of the Govt's order, individuals have been placed in the scale of pay. When an individual has been placed on a particular pay scale, it goes without mentioning that the allowances attendant thereto shall also be paid, unless it is specifically barred. Still, as the applicants are repeatedly making a submission, we direct that the order dated 11-8-2001 be read as including allowances attached to the said scale. The applicants would also

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be entitled for the arrears from the date of their initial appointment", as they had worked in the post. OA is accordingly disposed of.

/vikas/

(Govindan S. Tampi)  
Member (A)

(Kuldip Singh)  
Member (J)