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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

O.A.NO.2885/2001

WEDNESDAY, THIS THE 10TH DAY OF APRIL, 2002

HON'BLE SHRI JUSTICE ASHOK AGARWAL, CHAIRMAN
HON'BLE SHRI S.A.T. RIZVI, MEMBER (A)

1. Vivek Gupta
R/O 7D/3, Shiv Mandir Marg,
Babbarpur, Shahdara, Delhi-32
2. Ms. Sarwastika Sharma
R/O 1/11/11286, Naveen Shahdara
Delhi

..Applicant

(By Advocate: Shri S.K. Sinha)

Versus

1. Delhi Administration
through the Secretary
(Health and Family Welfare)
I.P. Estate, ITO,
New Delhi
2. Chief Medical Officer
Govt. of Delhi, Directorate of Health Services
DAD Building, B-Block, Prashant Vihar,
New Delhi (Mobile Health Scheme)
3. PHC-cum-Addl. Secretary (Health)
Technical Recruitment Cell,
Govt. of NCT of Delhi
Jawahar Lal Nehru Marg
New Delhi

..Respondents

Q.R.D.E.R. (ORAL)

Shri Justice Ashok Agarwal:-

Applicants have been working as Pharmacists on contract basis in different hospitals under the Govt. of NCT w.e.f. July, 1998. It is their grievance, which has been raised in the present OA, that they are not being paid salary at par with those paid to Pharmacists who have been appointed on regular basis. They have also claimed benefit of other service conditions which are applicable to Pharmacists who have been appointed on regular basis. In support of their plea, reliance is placed on an order passed by this Tribunal in which one



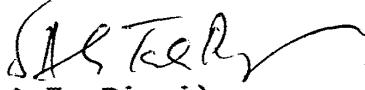
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(2)

of us (Chairman) was a party in OA-2255/99 and other connected OAs decided on 16.2.2000 at Annexure A-1. By the order, a direction was issued to the respondents to pay the applicants therein same pay which were being paid to Pharmacists who have been appointed on regular basis. Aforesaid directions issued in the aforesaid bunch of OAs are, therefore, applicable to the applicants herein also. As has been done in the aforesaid OA, we further direct that services of the applicants should be continued till regularly appointed Pharmacists are appointed. In this regard, Smt. Sumedha Sharma, the learned Advocate appearing on behalf of the respondents cannot and does not have any objection. We direct accordingly.

2. Respondents, in the circumstances, will pay the applicants the same salary and allowances from 1.5.2002 as are being paid to the regularly employed Pharmacists. Prayer for grant of provident fund, pension, gratuity, medical attendance treatment etc., which is claimed is, however, ~~is declined.~~ ~~not directed to be granted to the applicants.~~

3. Present OA is disposed of in the aforesated terms. No costs.


(S.A.T. Rizvi)
Member (A)

/sunil/


(Ashok Agarwal)
Chairman