

(5)

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH: NEW DELHI

OA.No.2255 of 1999 with MA.No.2274 of 1999  
along with  
OA.No.2474/99, OA.No.2509 of 1999,  
OA.No.2510/1999 with MA.No.2525/1999  
and OA.2511/1999

Dated this 16th day of February 2000

HON'BLE MR.JUSTICE ASHOK AGARWAL, CHAIRMAN  
HON'BLE MRS. SHANTA SHAstry, MEMBER (A)

OA.2255/99

1. Ms. Shagun Malik  
D/o B.L. Malik  
Working as Laboratory Assistant  
in Deen Dayal Upadhyay Hospital  
Government of NCT of Delhi  
Hari Nagar  
New Delhi.
2. Manoj Kumar Dubey  
S/o Parmeshwar Dubey  
Working as Laboratory Assistant  
in Lok Nayak Jai Prakash Narayan Hospital  
New Delhi.
3. Lalit Kumar  
S/o Narayan Lal  
Working as Pharmacist  
in Lok Nayak Jai Prakash Narayan Hospital  
New Delhi.
4. Devender Singh  
S/o Mahender Singh  
Working as Pharmacist  
in Lok Nayak Jai Prakash Narayan Hospital  
New Delhi.
5. Kamal Adlakha  
S/o Swinder Kumar  
Working as Pharmacist  
in Lok Nayak Jai Prakash Narayan Hospital  
New Delhi.
6. Sunita  
D/o Asa Nand  
Working as Pharmacist  
in Lok Nayak Jai Prakash Narayan Hospital  
New Delhi.

... Applicants

(By Advocate: Ms Renu George)

Versus

1. Government of National Capital  
Territory of Delhi  
Through Secretary, Health  
Old Secretariat  
Delhi.

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2. The Medical Superintendent  
Lok Nayak Jai Prakash Hospital  
New Delhi-110002.
3. The Medical Superintendent  
Deen Dayal Upadhyay Hospital  
Hari Nagar  
New Delhi.
4. The Administrative Officer  
O/o Medical Superintendent  
Lok Nayak Hospital  
New Delhi-110002.
5. The Administrative Officer  
O/o Medical Superintendent  
Deen Dayal Upadhyay Hospital  
Hari Nagar  
New Delhi.
6. Chairman  
Delhi Subordinate Services  
Selection Board  
UTCS Building  
Behind Karkardooma Courts  
Vishwas Nagar  
Shahdara  
Delhi-110032

(By Advocate: Shri .Vijay Pandita)

QA-2474/99

Ayasha Praween Khan  
D/o A.R. Khan  
C/o Mr Mohd. Farooq Khan  
Maintenance Department  
Jamia Hamdard  
Hamdard Nagar  
New Delhi-110062

### ... Respondents

(By Advocate: Shri Sanjay Prakash &  
Shri A.K. Mishra)

## VERSUS

1. Lok Nayak Hospital  
New Delhi-110001.  
(Through its Medical  
Superintendent & Director)
2. Ministry of Health  
Government of National Capital  
Territory of Delhi  
Old Secretariat, Delhi  
(Through the Chief Secretary)

(By Advocate: Shri Vijay Pandita)

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0A.2509/99

Ms. Shivani Taneja  
D/o Sh. Deepak Taneja  
No.7 Service Officers Enclave  
New Delhi-110010 ... Applicant

(By Advocate: Shri Vibhu Shankar)

## Versus

1. Government of National Capital Territory of Delhi Through Secretary, Health Old Secretariat Delhi.
2. The Medical Superintendent Lok Nayak Jai Prakash Hospital New Delhi-110002.
3. The Administrative Officer O/o Medical Superintendent Lok Nayak Hospital New Delhi-110002.
4. The Chairman Delhi Subordinate Services Selection Board UTCS Building Behind Karkardooma Courts Vishwas Nagar Shahdara Delhi-110032

(By Advocate: Shri Ajay Gupta)

0A.2510/99

1. Ms. Bitty K. Kuruvilla  
D/o Chako Kuruvilla  
398 L.N.J.P. Hospital Campus  
Mirpard Lane  
Delhi-2.
2. Ajay Kumar Gulati  
S/o Shri M.L. Gulati  
R/o J-1/16 DDA Flats Kalkaji  
New Delhi-19.
3. Sunil Kumar Sehrawat  
S/o Ranvir Singh  
RZ-19 Naya Bazar Najafgarh  
New Delhi-43.
4. William Bhan  
S/o Shri Rev Chander Bhan  
H.No.41A St. Paul's Church  
Christian Colony, Fatehpur Beri  
New Delhi-30.

W. J.

5. Ms. Shalini Sharma  
 D/o Shri C.P. Sharma  
 B-121 Delhi Administration Flats  
 Timarpur  
 Delhi-54.

All working as Laboratory Assistants  
 in Lok Nayak Jai Prakash Narayan Hospital  
 New Delhi-110002.

... Applicants

(By Advocate: Shri Vibhu Shankar)

Versus

1. Government of National Capital Territory of Delhi  
 Through Secretary, Health  
 Old Secretariat  
 Delhi.
2. The Medical Superintendent  
 Lok Nayak Jai Prakash Hospital  
 New Delhi-110002.
3. The Administrative Officer  
 O/o Medical Superintendent  
 Lok Nayak Hospital  
 New Delhi-110002.
4. Chairman  
 Delhi Subordinate Services  
 Selection Board  
 UTCS Building  
 Behind Karkardooma Courts  
 Vishwas Nagar  
 Shahdara  
 Delhi-110032

... Respondents

(By Advocate: Shri Ajayupta)

OA.2511/99

Ms. Neelima Batra  
 D/o Sh. Dayal Dass Batra  
 H.No.E-9/7 Malviya Nagar  
 New Delhi-110017.

... Applicant

(By Advocate: Shri Vibhu Shankar)

Versus

1. Government of National Capital Territory of Delhi  
 Through Secretary, Health  
 Old Secretariat  
 Delhi.
2. The Medical Superintendent  
 Lok Nayak Jai Prakash Hospital  
 New Delhi-110002.

*[Handwritten signature]*

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3. The Administrative Officer  
O/o Medical Superintendent  
Lok Nayak Hospital  
New Delhi-110002.
4. Chairman  
Delhi Subordinate Services  
Selection Board  
UTCS Building  
Behind Karkardooma Courts  
Vishwas Nagar  
Shahdara  
Delhi-110032

(By Advocate: Shri Vijay Pandita)

### Q R R E R (oral)

Mr. Justice Ashok Agarwal

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 limit on the date of

their initial appointment. Till regular appointments are made, services of the applicants should not be terminated.

4. It has inter alia been contended on behalf of the applicants that their salaries have not been paid since March 1999. 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 March 2000.

(Ashok Agarwal)  
Chairman

(Mrs. Shanta Shastray)  
Member (A)

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Attested  
Agarwal  
cc - DS