

(8)

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

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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 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

... Respondents

(By Advocate: Shri Vijay Pandita)

OA.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

... Applicant

(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)

.... Respondents

(By Advocate: Shri Vijay Pandita)

S.P.

OA.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

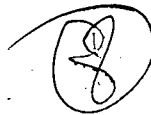
... Respondents

(By Advocate: Shri Ajay Gupta)

OA.2510/99

1. Ms. Bitty K. Kuruvilla
D/o Chako Kuruvilla
398 L.N.J.P. Hospital Campus
Mirdard 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, Fatempur Beri
New Delhi-30.

[Handwritten signature]



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.

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 Vijay Pandita)

O R D 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

(19)

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 Shastri)
Member (A)

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Attested
14 March
CO-ET