

Central Administrative Tribunal
Principal Bench: New Delhi

CP No. 432/2000 In
CP No. 475/2000
OA No. 2552/97

New Delhi this the 19th day of March, 2001

Hon'ble Mr. V.K. Majotra, Member (A)
Hon'ble Mr. Shanker Raju, Member (J)

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CP-432/2000

1. Dr. Radha Dubey
W/o Shri Sandeep Kumar
R/o 7369, Prem Nagar,
Shakti Nagar
New Delhi-110007.

2. Dr. Renu Jain
D/o Shri S.K. Jain,
R/o D-34, Sector-36
Noida-201303.

-Petitioners

(By Advocate: Shri Amitesh Kumar)

Versus

1. Mr. R. Chandramohan,
Secretary (Health),
Govt. of NCT, Delhi.
Sachivalaya Complex,
Indraprastha Estate,
New Delhi.

2. Mr. R.N. Baishya,
Director of Health Service,
E-Block, Saraswati Bhawan
Cannaught Place
New Delhi.

-Respondents

(By Advocate: Shri Rajinder Pandita)

CP-475/2000

Dr. Anjali Chattopadhyaya Goswami
67, Delhi Administration Flats
Greater Kailash, Part I
New Delhi-110048

-Petitioner

In

Dr. Radha Dubey & Ors.

-Applicants

(By Advocate: Ms. Anuradha Priyadarshini)

Versus

1. Mr. R. Chandramohan,
Secretary, Medical
Govt. of NCT of Delhi.
5, Sham Nath Marg
Indraprastha Estate,
Delhi-110054

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(2)

2. Mr. R.N. Baishya,
Director of Health Services, Delhi
E-Block, Saraswati Bhawan
Cannaught Place
New Delhi.

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-Respondents

(By Advocate: Shri Rajinder Pandita)

ORDER (Oral)

Mr. V.K. Majotra, Member (A)

We have heard the learned counsel of both sides. OA No. 2552/97 was disposed of by order dated 21.5.98 with the following directions:

"a) The respondents shall grant the applicants the same pay scale and allowance and other service benefits, like, leave, increment on completion of one year and other benefits of service conditions/as are admissible to Medical Officers who are appointed on regular basis in the corresponding pay scales.

b) The artificial break of one or two days in service, if any, during the contract period, shall be ignored and they shall be deemed to have continued in service from the date of their first appointment till regular appointments are made by the respondents in accordance with the relevant rules/instructions. In the circumstances of the case, respondents shall also consider giving age relaxation to the applicants in accordance with the rules, if they are candidates before the UPSC for regular appointment, to the extent of the number of years of service they have rendered on contract/ad hoc basis.

c) The above directions shall be implemented within three months from the date of receipt of a copy of this order..

No order as to costs".

2. Later on, MA-711/2000 vide order dated 3.8.2000 clarified the order dated 21.5.98 in the main OA to the extent that the applicants shall be entitled to the benefits of the regular pay scale from the dates of their respective initial appointments. The respondents were

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directed to take further necessary action within two months from the date of receipt of a copy of the order. Shri Rajinder Pandita, learned counsel of the respondents filed compliance affidavit dated 18.3.2001 contending that vide Annexure R-1 dated 1.3.2001 respondents have accorded regular pay scale and service benefits to the applicants with effect from the date of their initial appointment instead of date of judgment. He also drew our attention to Annexure R-II whereby amounts of Rs.1,44,433/-, Rs.1,46,015/-, Rs.1,12,280/- have been paid to Dr. Radha Dubey, Dr. Renu Jain and Dr. Anjali Chatopadhyaya Goswami, respectively.

4. The learned counsel of the petitioners have stated that whereas according to the applicants each of them were entitled to payments of Rs.2,50,000/- approximately, they have been paid a less amounts vide Annexure R-II.

5. In our view, the applicants having been accorded regular pay scales and other service benefits from the date of their respective initial appointments, the Court's orders seem to have been complied with. If according to the applicants some amounts are yet to be paid to them, they may file a representation giving detail of their claims to the respondents within a period of 30 days from now and the respondents would decide the applicants' claims within a period of another two months by passing speaking orders. If the applicants still remain aggrieved, they would have the liberty to seek redressal in the Court under the relevant provisions of law.

6. The C.P.s. ~~are~~ accordingly dismissed. Notices in the present petitions are discharged.

S. Raju
(Shanker Raju)
Member (J)

V.K. Majotra
(V.K. Majotra)
Member (A)