

**Central Administrative Tribunal
Principal Bench, New Delhi**



**O.A. No.284/2021
MA No.359/2021**

This the 25th day of February, 2021

(Through Video Conferencing)

**Hon'ble Mr. A. K. Bishnoi, Member (A)
Hon'ble Mr. R.N. Singh, Member (J)**

1. Ms. Lata Grover
Aged about 48 years
D/o Shri Jagdish Grover
R/o E-339-A, East Vinod Nagar
Delhi-110 091.
 2. Shri Ishwar Das
Aged about 65 years
S/o Late Shri Govind Ram
R/o 17/291, Trilok Puri
Delhi -110 091.
- ... Applicants

(Through Advocate Shri T.D. Yadav)

Versus

1. Union of India
Through Secretary
Family Welfare, Nirman Bhawan
New Delhi.
2. Professor & Head
Department of Microbiology
Lady Harding Medical College
New Delhi.
3. The Principal/Director
Lady Harding Medical College
And Associate Hospital
New Delhi.
4. Additional Project Director
Delhi State Aids Control Society
Govt. of NCT of Delhi
Dharam Shala Block

Dr. BSA Hospital, Rohini, Sector-6
Delhi.



5. National Aids Control Organization
Director, M/o Health & Family Welfare
6th and 9th Floor
Chandralok Building
36, Janpath, New Delhi. ... Respondents

(Through Advocate Shri Hanu Bhaskar)

ORDER (Oral)

Hon'ble Mr. R. N. Singh, Member (J):

In the present Original Application, the applicants are aggrieved by the action of the respondents in not granting him minimum pay scale at par with regularly engaged/recruited Government employee.

2. Learned counsel for applicants submits that the applicants, who are initially appointed as Lab Technician on adhoc basis vide orders dated 25.03.1994 and 18.11.1993 respectively in the pay scale of Rs.1320-30-1560-40-2040 for five months. However, suddenly the respondents have changed the entitlement of the applicants and have granted consolidated salary on monthly basis. The applicants have prayed for the following reliefs in the present OA :-

- “(i) To direct the respondents to grant minimum pay scale at par regularly engaged/recruited Government employee holding on same post as lab technician to the petitioners w.e.f.01.07.2009 in



view of W.P. (C) No.8476 of 2009 decided on 22.05.2009, W.P. (C) No.6798 of 2002 decided on 06.11.2013 and W.P. (C) No.717 of 2015 with 35 connected writ petitions decided on 28.03.2017 passed by Hon'ble Court High Court.

- (ii) To direct the respondents to grant all consequential benefits like arrears, pay and allowance to the petitioners with 15% interest.
- (iii) To pass any other order's as may be deemed just fit and proper in the fact and circumstances of the case.
- (iv) To award costs."

3. Learned counsel for the applicants further submits that for redressal of their grievances, the applicants have made representation dated 27.03.2018 followed by reminders dated 20.03.2019 and 05.02.2020. However, the same have not been considered and disposed of by the respondents till date.

4. Shri Hanu Bhaskar, learned counsel, who appears for respondents on advance service, on instructions, submits that in the present matter the Lady Harding Medical College i.e. respondent no.2 & 3 have no role to play and in fact it is for the Ministry of Health and Family Welfare, Government of India i.e. respondent no.1 to take a final decision, and the respondent no.1 requires atleast three months to take a final decision on the said representation.

5. In view of the aforesaid, without going into the merits of the claim of the applicants, the present OA is



disposed of with direction to the respondent no.1 to consider the applicant's aforesaid representation and reminders and to dispose of the same by passing a reasoned and speaking order as expeditiously as possible and in any case within 12 weeks of receipt of a copy of this order.

6. The OA is disposed of in the aforesaid terms. No costs. Pending MA also stands disposed of accordingly.

(R.N. Singh)
Member (J)

(A. K. Bishnoi)
Member (A)

cc/uma/pinky

