

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH**

OA No-917/2020

New Delhi, this the 22nd day of July, 2020



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

R.R. Dhruv
 S/o Late Sh. M.R. Dhruv
 R/o A-2/101,
 Sector-11, Rohini,
 Delhi – 110085.
 Aged about 67 years
 Retired Pharmacist
 From Bhagwan Mahavir Hospital
 Pitampura, Delhi – 110034

... Applicant

(through Sh. Sourabh Ahuja)

Versus

1. Govt. of N.C.T. of Delhi
 Through its Chief Secretary,
 Delhi Sachivalaya,
 Players Building, New Delhi
2. Secretary
 Health & Family Welfare
 Department of Health & Family Welfare
 GNCT of Delhi
 9th Level, A-Wing, IP Extension
 Delhi Secretariat, Delhi-110002.
3. Medical Superintendent
 Bhagwan Mahavir Hospital,

GNCT of Delhi
Pitampura, New Delhi – 110085

4. Pay and Account Officer
PAO – XXV, DTC Bus Depot
GNCT of Delhi,
Peeragarhi, Delhi.

... Respondents

(through Ms. Esha Mazumdar)

ORDER(ORAL)

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

Learned counsel for the applicant in the present OA, filed under Section 19 of the Administrative Tribunals Act, 1985, has prayed for the following reliefs:-

“a. Direct the respondents to extend the benefit of Hon'ble Delhi High Court Judgment dated 23.01.2020 in Gopal Singh's case (W P (C) no. 10509/2019) to the Applicant by granting one notional increment for the period of service w.e.f. 01.07.2013 to 30.06.2014 (Date of Applicant's superannuation) and also to re -fix the Applicant's pension consistent with the recommendations of the 7th CPC, apart from arrears & other consequential benefits. And

b. Award cost in favor of the Applicant and against the respondents.

And/ or

c. Pass any other order/direction which this Hon'ble Tribunal deem fit and proper in favor of the applicant and against the respondents in the facts and circumstances of the case.”





2. Mr. Ahuja, learned counsel for the applicant, argues that applicant is entitled for the reliefs referred to hereinabove in view of the binding decisions of the Hon'ble High Court of Delhi, i.e., 23.1.2020 in W.P. (C) No.10509/2019 titled **Gopal Singh vs. Union of India and others** (Annexure A/3) and dated 13.1.2020 in W.P. (C) No. 5539/2019, titled **Arun Chhibber vs. UOI and others** (Annexure A/4). He further submits that for redressal of his grievance, the applicant had preferred his representation dated 6.3.2020 (**Annexure A/1**). However, the respondents in place of considering the same and passing appropriate orders thereon have returned the same in original to the applicant.

3. Mr Ahuja, learned counsel for the applicant, submits that the applicant shall be satisfied if the OA is disposed of at this very stage with direction to the respondents to accept the representation of the applicant and consider and dispose of the same by passing an appropriate reasoned and speaking order in a time bound manner.

4. We are of the considered view that if such request of the applicant is accepted, no prejudice is likely to be caused to the respondents.



5. In such facts and circumstances, the OA is disposed of with liberty to the applicant to prefer a representation again to the respondents within two weeks and if such representation is preferred by the applicant within such time, the respondents are directed to consider and dispose of the same by passing a reasoned and speaking order as expeditiously as possible and in any case within two months from the date of receipt of such representation.

6. The OA is disposed of in the aforesaid terms. No costs.

7. However, we make it clear that while passing the present Order, we have not expressed our opinion on the merits of the claim of the applicant.

(R.N. Singh)
Member(J)

(A.K. Bishnoi)
Member(A)

ravi/ns/akshaya