

CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH



O.A.N0.063/00596/2020
 Decided on: 04.09.2020

HON'BLE MR. SANJEEV KAUSHIK, MEMBER (J)

1. Sh. Krishan Singh s/o Laik Ram aged 67 retired Ex. Technician resident Vill. Nandoh P.O. Jabli Teh. Kasauli Distt. Solan. -173209.
2. Sh. Tilak Raj s/o Sh. Bal Mukand aged 74 retired Head Clerk resident V.P.O Garkhal Teh. Kasauli Distt. Solan-173201.
3. Sh. Amar Nath s/o Lt. Sh. Shyam Lal aged 65 retired Head Clerk resident Vill. Itawa P.O. Kasauli Teh. Kasauli, Solan -173202.
4. Sh. Vinod Kumar S/o Late Bala Ram, aged 63 yrs retired Technician resident of V.P.O. Kalka, Distt. Panchkula-133204.
5. Sh. Arun Kumar S/o Dhani Ram, aged 65 yrs retired Stocker resident of Vill. Chabal PO Garkhal Distt. Solan-173201.
6. Sh. Prem Nath Verma s/o Lt. Deep Ram, aged 68 yrs, Technical Supervisor resident of Vill. Bharyali, PO Masul Khana, Distt. Solan HP. -173215.
7. Sh. Narinder Singh s/o Lt. Deep Ram, aged 65 yrs, retired Mechanician resident of Vill. Bharyali, PO Masul Khana, Distt. Solan HP. 173215.
8. Sh. Bishi Ram s/o Sh. Het Ram, aged 64 yrs, retired Mechanician, resident of vill. Dhar (guhag), PO Chandi Distt. Solan (HP). 173225.



9. Sh Sukh Dev s/o Lt. Jai Bala, aged 64 yrs, retired Labeling Supervisor, resident of vill. Mashobra P.O. Kasauli Distt. Solan (HP)-173204.
10. Sh. Jeet Ram s/o Sh. Nihala Ram aged 66 yrs, retired Technical Supervisor, resident of H.No. 218 Madhuban colony Tank road Solan (HP).173211.
11. Sh Prithvi Raj Sharma s/o Munshi Ram aged 62 yrs, retired Boiler Attendant, resident of VPO Kanoh Tehsil. Barsar Distt. Hamirpur (HP) 174305.
12. Sh. Som Nath s/o Sh. Haru Ram aged 65 yrs, retired Tin Smith, resident of Village Mandhana, P.O. Baroti Wala, Distt Solan-174103
13. Smt. Narayani Devi w/o Lt. Narayan Dutt aged 63 yrs, Technical Supervisor, resident of Vill Samol PO Garkhal Distt. Solan (HP)-173201.
14. Sh. Basant Ram s/o Lt. Devi Ram aged 65 yrs, retired Mechnician, resident of Near 10+2 School, Mashobara, Kasauli Solan (HP) . 171007.
15. Sh. Hari Nand s/o Sh. Atma Ram aged 67 yrs, retired Packer, resident of vill. Anda P.O. Kot Beja Teh. Kasauli Solan (HP). 173204.
16. Sh. Santosh Singh s/o Sh Atma Ram aged 63, retired Head Chowkidar, resident of Vill. Itawa Jodidhar PO and Teh. Kasauli, Solan-173204.
17. Sh Radhe Shyam s/o Sh. Bal Mukand aged 62 retired Boiler Attendant, resident of Vill Garkhal Gaon, PO Garkhal, Kasauli, Solan-173201.
18. Sh. Prem Dutt s/o Sh. Puran Chand aged 70yrs, retired Mechanician, resident of Vill Garkhal Gaon, PO Garkhal, Kasauli, Solan-173201.
19. Sh. Sunil Kumar s/o Lt. Sh. Uday Singh, Lab. Attendant resident V.P.O Kasauli Distt. Solan. 173202.



20. Hari Ram Gupta s/o Shyam Gopal Gupta aged 67 yrs retired Technician resident of VPO Garkhal Teh. Kasauli Solan-173201.
21. Sh. Rajinder Singh s/o Lt. Pram Singh aged 64 yrs retired MTS resident of Vill. Kathech PO Kot Beja Teh Kasauli Solan. -173204.
22. Smt. Bimla Devi w/o late Sh. Shyam Lal, aged 59 years retired MTS, resident of Vill. Itawa P.O. Kasauli Teh. Kasauli Distt. Solan.173202.
23. Smt. Leela Devi w/o Late Sh. Hari Dass, retired Technician resident of Vill. Manlokala P.O. Manlokala Teh. Ramsehar Distt. Solan. 174102.
24. Smt Ram Dai w/o Lt. Sh. Sant Ram IV s/o aged 63 retired Lab. Asstt. Resident Vill. Chadra P.O. Balera Teh. Arki Distt. Solan.-173208.
25. Marchu Ram s/o Lt. Sh. Maru Ram aged 62 Ex. Technician resident Vill. Kot P.O. Kot Hetwar, Teh. Ghumarwin, Bilaspur-174021.
26. Sh. Nanak Dass s/o Lt. Manthu Ram aged 65 retired Lab Att. resident Vill. Nagal Bhoga P.O. Kalka Teh. Kalka Distt. Panchkula133204.
27. Sh. Prem Lal s/o Sh. Hansu Ram aged 65 retired Ex. Technician resident Vill. Gchri Panjian P.O. Dabhla Teh. Ghumarwin Distt. Bilaspur174021.
28. Smt. Jyoti Suclan w/o Lt. Sh. Jaspal Singh aged 45 Ex. Animal Att. resident Vill. Shai P.O. Dharampur Distt. Solan.-173209.
29. Sh. Dharam Singh s/o Sh. Ganga Ram aged 72 retired Driver resident Vill. Hurang P.O. Kanda Teh. Kasauli Distt. Solan.173201.
30. Smt. Meena Kumari w/o Lt. Tula Ram, aged Ex. Boiler Att. resident Vill. Tikathatti P.O. Garkhal Teh. Kasauli Distt. Solan.173201.



31. Sh. Laiq Ram Verma s/o Sh. Hari Nand Verma aged 63 retired Store Officer resident Vill. Rihar P.O.Kaithlee Ghat Teh. Kandaghat Distt. Solan-173213.
32. Smt. Satya w/o Late Sh. Tara Dutt Ex.Carpenter resident Vill. Gorti P.O. KotBeja Teh. Kasauli, Solan - 173204.
33. Sh. Vijay Kumar Chauhan s/o Asha Ram aged 62 retired J.H.T. resident Vill. Shakighat P.O. Jubbar Teh. Kasauli Distt. Solan. 173204.
34. Sh. Ram Chander s/o Dhani Ram aged 68 retired Chowkidar resident Vill. Jadla P.O. Kakad Hatti Teh. & Distt. Solan. 173211.
35. Sh. Mohan Singh s/o Sh. Gurubachan Singh aged 69 reitred Lab. Asstt. resident Vill. Shai P.O. Dharampur Teh. Kasauli Distt. Solan. 173209.
36. Triveni Devi w/o Lt. Vinod Kumar-I s/o Sh. Ramji Lal aged Ex. Safaiwala resident Vill. H.No. 64C Adhat Bazar, Kasauli Distt. Solan.-173201.
37. Sh. Prem Chand s/o Sh. Kanshi Ram, Ex. Peon resident Vill. Radiyana Teh. & Distt. Solan-173211.
38. Sh. Arun Thapa s/o Jung Bahadur aged 62 retired Chowkidar resident Vill. Dorigaon Teh. Bhatiyal, Kakira Jarai, Distt. Chamba-176316.
39. Sh. Laiq Ram s/o Dila Ram, Ex LDC resident o/o Controller of Communication Acc. H.P. Telecom circle, Block 18-A, 50A Complex, Shimla-171001.
40. Shivani Mridula d/o Rama Shanker Gupta aged 24 Ex. LDC resident c/o Sh. Kamlesh Kumar Attri, VPO Garkhal, Tehsil Kasauli, Solan -173201.
41. Sh. Sandeep Kumar s/o Lt. Sh. Bimal Kumar, Ex. LDC resident o/o CPMA, Sector-17-E, Chandigarh-160017



42. Sh. Pankaj K. Sharma s/o Sh. Nand Kishor Sharma aged 46 Ex. LDC c/o Sh. Kamlesh Kumar Attri, VPO Garkhal, Tehsil Kasauli, Solan -173201.
43. Sh. Mohit Singhroha s/o Sh. RajKumar Singhroha, EX. MTS c/o Sh. Kamlesh Kumar Attri, VPO Garkhal, Tehsil Kasauli, Solan -173201.
44. Sh. Om Prakash s/o Lt. Sh. Sant Ram aged 67 retired Chowkidar resident Vill. Nalwa P.O. Kasauli, Teh. Kasauli Distt. Solan-173201.
45. Sh. Nand Lal s/o Lt. Sh. Man Singh aged 73 retired Lab. Asstt. resident Vill. Kasauli Gaon P.O. Garkhal Teh. Kasauli Distt. Solan.-173201.
46. Sh. Ghanshyam Kaushal s/o Lt. Sh. Fula Ram Kaushal aged 71, Lab Assistant, resident V.P.O Jabli Teh. Kasauli Distt. Solan.-173209.
47. Sh. Hardev Dutt Attri s/o Sh. Jai Kishan aged 63 retired Senior Care Taker resident Vill. Gahi Teh. Kasauli Jabli, Distt. Solan-173209.
48. Sh. Ram Babu Meena s/o Sh. Jai Chand Meena aged 47 retired LDC, c/o Sh. Kamlesh Kumar Attri, VPO Garkhal, Tehsil Kasauli, Solan -173201.
49. Smt. Kulwant Kaur w/o Lt. Sh. Jasbeer Singh Bhatia aged 65 retired O/S resident Vill. Kimughat P.O. Garkhal Teh. Kasauli Distt. Solan-173201.
50. Smt. Sarla Attri w/o Lt. Sh. Bishan Dutt Attri, retired O/S resident Vill. Garkhal Gaon P.O. Garkhal Teh. Kasauli Distt. Solan-173201.
51. Smt. Savitri Sharma w/o Lt. Sh. Kamal Kishor aged 61 retired JHT resident Vill. Kimughat P.O. Garkhal Teh. Kasauli Distt. Solan-173201.
52. Sh. Mukesh Dutt Sharma s/o Sh. Raj Kumar Sharma aged 52 retired Senior Stast. Asstt. resident V.P.O Garkhal Teh. Kasauli Distt. Solan-173201.



53. Smt. Ishwari Devi w/o Late Sh. Inder Dutt Attr, Head Cleerk, r/o Village & P.O. Garahal, Distt Solan - 173201.
54. Ajit Pal s/o Late Sh. Om Parkash Sharma, VPO Kuthar, Tehsil Kasauli, Distt Solan-173236.
55. Smt. Meena Chandel w/o Sh. Rahul Kaundal, A.T.O., Village Manaun, P.O. Kasauli Distt Solan (H.P.)- 173211.
56. Shri Karan Jorwal s/o Alop Singh, working as LDC in the office of Director, CRI, Kasauli-173202.
57. Suraj Pal s/o Sh. Late Sh. Leela, Ex- Chowkidar, r/o House No. 1750/8, Upper Mohalla, Balmiki Basti, Kalka, Haryana -133003.
58. Sh. Sanjay Kumar s/o Sh. Dina Nath, Statical Assistant r/o VPO Sanwar, Tehsil Kasuali- H.P.- 173201.
59. Roshan Lal s/o Sh. Gurditta Ram, R/o Village Thandu Jhangar, P.O. Kot Baija, Solan-173204.
60. Bimla Devi w/o Late Sh. Ramesh Chand, Village Deepur, P.O. Hatwar, Distt Bilaspur- H.P-174201.
61. Durga Dutt s/o Nathu Ram, Lab Attendant, R/o Village Changar Palasn, Kotji Pura, Bimlaspur-174001.
62. Dharam Dutt s/o Sh. Shobha Ram, MTS r/o VPO Sainthal, Tehsil Joginder Nagar-Mandi-H.P.-175032.
63. Seeta Devi w/o Late Sh. Bhagwani, MTS, Village Manjhla Madhyana, P.O. Kot Beja Tehsil Kasauli- H.P.173204.
64. Joginder Singh S/o Late Sh. Bans Ram, r/o Village Malot, P.O. Ladhri Sarel, Tehsil Ghumarwin, Distt Bilaspur-173204.
65. Som Lal s/o Sh. Nek Ram, Packing Supervisor, r/o VPO, Garkhal, Kasauli-H.P. 173201.



66. Indra Seal w/o Late Sh. Subodh Seal, MTS r/o House no. 109, Nabha House, Kasauli- 173201
67. Kirpi Devi w/o Late Sh. Sunder Ram, MTS, r/o VPO, Kasauli, Tehsil Kasauli, Solan-H.P.-173201.
68. Om Parkash s/o Sh. Simroo, Head Clerk r/o House No. 111/10 Parade Mohalla Ahata Sultan, Kalka-133302.
69. Hari Ram s/o Sh. Nihalu Ram, O.S., r/o Village Nali, P.O. Mashulkhana, Distt Solan-173220.
70. Smt. Maya Devi w/o Late Sh. Baboo Lal, VPO Kalka, Panchkula- Haryana, 133201.
71. Nirmala Shandilya w/o Late Sh. Bhaginder Singh R/o Village Badaha, P.O Garkhal, Solan-173201.
72. Parveen Kumar Dass s/o Sh. Chander Shekhar Dass, aged 42 years, LDC C/o Kamlesh Kumar Attri, VPO Garkhal, Tehsil Kasauli, Solan -173201

(Group -C employees)

APPLICANTS

(BY : MR. K.B. SHARMA, ADVOCATE)

VERSUS

1. Union of India through the Secretary to Government of India, Ministry of Health & Family Welfare, Nirman Bhawan, New Delhi. Pin 110011.
2. The Secretary, Department of Expenditure, Ministry of Finance, North Block, New Delhi-110011.
3. Director General of Health Services, Ministry of Health & Family Welfares, Nirman Bhawan, New Delhi. Pin 110011.
4. Director, Central Research Institute, Kasauli, District Solan, Himachal Pradesh. Pin 173204.

RESPONDENTS



ORDER (ORAL)
HON'BLE MR. SANJEEV KAUSHIK, MEMBER (J)

M.A.No.063/809/2020 is allowed and the applicants are permitted to file a joint Original Application (OA).

2. The applicants have approached this Tribunal, inter-alia, for grant of patient Care allowance from due date in view of earlier decision of this Tribunal dated 17.8.2012/11.9.2012 (Annexure A-3) in O.A.No.147/HP/2012 titled **JITENDER SINGH & OTHERS VS. UNION OF INDIA & OTHERS**, as upheld by H.P. High Court in CWP No. 4793 of 2013 titled **UOI ETC. VS. JITENDER SINGH & OTHERS** decided on 2.5.2017 (Annexure A-4) and O.As No.063/852/2018 - **VIJAY KUMAR ETC. VS. UOI ETC.** decided on 24.7.2018 (Annexure A-6) and O.A.No.063/00972/2018 (**PREM SINGH ETC. VS. UOI ETC.** decided on 17.8.2018 (Annexure A-7) etc. for which they have already submitted various representations, Annexure A-12 (Colly) which have remained unanswered.

3. Learned counsel for the applicants submitted that the applicants would be satisfied if the O.A. is disposed of by issuance of direction to the respondents



to consider and take a decision on the pending representations of the applicants in the light of judicial pronouncements on the issue relied upon by them, within some time bound manner.

4. In the wake of the aforesaid factual scenario, I dispose of this O.A. with a direction to the competent authority amongst the respondents to consider and decide the indicated representations, Annexure A-12, by taking into consideration the judicial pronouncements relied upon by the applicants within a period of three months from the date of receipt of a copy of this order. If the applicants are found to be similarly situated, they be extended due benefits else a speaking and reasoned order be passed and conveyed to them in writing within indicated time. The disposal of the O.A. may not be construed to mean expression of any opinion on the merits of the case. No costs.

**(SANJEEV KAUSHIK)
MEMBER (J)**

Place: Chandigarh
Dated: 04.09.2020

HC*