

CENTRAL ADMINISTRATIVE TRIBUNAL
Principal Bench

O.A. No. 1793 of 1992

New Delhi, dated the 16th July, 1997

HON'BLE MR. S.R. ADIGE, MEMBER (A)
HON'BLE Mrs. LAKSHMI SWAMINATHAN, MEMBER (J)

Dr. Vandita Bansal,
CGHS Meerut,
W/o Dr. U.C. Bansal,
R/o 43, Sector 37,
NOIDA-201303.

... APPLICANT

By Advocate: None appeared

VERSUS

U.O.I. through

1. The Secretary (FY-1),
Dept. of Defence Production,
Ministry of Defence,
Sena Bhawan,
New Delhi-110011.

2. Director General
Ordnance Factory Service,
Ordnance Factory Board,
10-A, Auckland Road,
Calcutta-700001.

... RESPONDENTS

By Advocate: None appeared

ORDER (Oral)

BY HON'BLE MR. S.R. ADIGE, MEMBER (A)

Applicant seeks a direction to promote her as Senior Medical Officer (SMO) (Rs.3000-4500) retrospectively w.e.f. 30.7.85 on completion of four years service on the basis of the agreement arrived at between Ministry of Health & F.W. and the JAC of service doctors dated 21.8.89(Ann. R-1).

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2. None appeared for applicant when the case was called out. None appeared for respondents either. As this is an old case we are disposing it of on the basis of available material on records.

3. A perusal of paragraph 2.1 of the aforesaid agreement (Annexure-R1) makes it clear that CHS medical officers in the scale of Rs.2200-4000 were to be promoted as Senior Medical Officers in the scale of Rs.3000-4500 on the completion of four years regular service on the basis of seniority-cum-fitness.

4. Further more para 7 of the said agreement makes it clear that no part of these arrangements would apply to doctors working under the Ministry of Defence or under the Ministry of Home Affairs or any other Ministry of the Govt. of India, and the doctors working in organisations other than Ministry of Defence and MHA to whom the terms of that agreement would extend are given in paragraph 6 of the said agreement.

5. Admittedly applicant joined the Ordnance Health Service on 30.7.84 and became permanent on 30.7.86. As a member of the Ordnance Health Service she was working under the Ministry of Defence (Respondents No.1 & 2) and hence manifestly applicant cannot claim

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promotion as SMO on completion of four years
regular service w.e.f. 30.7.98.

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6. The other two reliefs namely contingency grant of Rs.100/- from 1.7.87 to 31.3.88 and enhanced contingency grant of Rs.250/- p.m. and PG qualification pay of Rs.100/- p.m. from 27.3.98 have no connection with the relief 1 sought. In this connection Rule 10 of the CAT (Procedure) Rules lays down that an application shall be based upon a single cause of action and may seek one or more reliefs provided that they are consequential to one another. Reliefs 2 and 3 are not consequential to Rule 1 and therefore do not merit consideration.

7. In the result this OA fails and is dismissed.
No costs.

8. Later, after the above orders were dictated respondents' counsel Shri S.M. Arif appeared.

Lakshmi Suminathan
(MRS. LAKSHMI SUMINATHAN)
MEMBER(J)

S. R. Adige
(S. R. ADIGE)
MEMBER(A)

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