



**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

**O.A. No. 2069/2021
MA No.2620/2021**

this the 21st day of September, 2021

(Through Video Conferencing)

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

1. Neeraj Kumar Ratra, X-ray Technician,
Group 'C' Aged about 43 years,
S/o Late Sh. Harbans Lal Ratra,
R/o H.No. 580, Ganesh Nagar No. II,
Street No. 2, Shakarpur, Delhi-110092.
2. Neeraj Saxena, X-ray Technician,
Aged about 28 years,
S/o Sh. Gopal Krishan Saxena,
R/o 4428 A/8, Jai Mata Market, Tri Nagar, Delhi-110035.
3. Badloo Prasad, X-ray Technician,
Aged about 29 years,
S/o Sh. Houseela Prasad,
R/o A-295, New Seemapuri, Delhi-110095.

... Applicants

(By Advocate : Shri M.K. Bhardwaj)

Versus

1. Union of India,
Through its Secretary,
Ministry of Health and Family Welfare,
Nirman Bhawan, New Delhi.
2. Lady Harding Medical College & SSK Hospital,
Through its Director,
Shaheed Bhagat Singh Marg,
New Delhi-110001.
3. The Additional Medical Superintendent,
Kalawati Saran Children Hospital,
Bangla Sahib Marg, New Delhi-110001.

... Respondents

(By Advocate : Shri Ranjan Tyagi)



O R D E R (ORAL)

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

Shri M.K. Bhardwaj, learned counsel for the applicants submits that applicants, three in numbers, have been promoted to the post of X-ray Technician. However, the applicants are being granted lessor pay than that of the similarly placed persons promoted from Dark Room Assistant to X-ray Technician. In this regard, he invites our attention to Annexure A-4, i.e. Order/Corrigendum dated 21/22.02.2002, which reads as under:-

“In partial modification of this office order No. KSCH/Admn. 3976 dated 09.10.2001, Shri Prem Masih, Dark Room Asstt. is promoted to the post of X-Ray Tech in the scale of Rs. 5000-150-8000/- (Provisional) on regular basis w.e.f. 09.10.2001. This issues with the approval of Principal & Medical Supdt.”

2. He further invites our attention to Office Order dated 18.08.2017 (Annexure A-3 [colly.]) vide which the applicant's pay has been fixed on his promotion from the post of Dark Room Assistant to the post of X-ray Technician.



3. In the aforesaid background, the applicants have prayed for the following reliefs :-

- “(i) To declare the action of respondents in not granting to the applicants the pay scale of Rs. 5000-8000 (Rs. 35400-1,12,400, Level-6 as per 7th CPC) from due date, as illegal, arbitrary and unjustified and issue appropriate directions to grant the said scale of Rs. 5000-8000 (Rs. 35400-1,12,400, Level-6 as per 7th CPC) from due date/ the date from which they have been appointed to the post of X-ray Technician in KSCH, Ministry of Health & Family Welfare with all arrears of pay.
- (ii) To allow the OA with exemplary costs.
- (iii) To pass any such other order as this Hon’ble Tribunal may deem fit and proper in the facts and circumstances of the case.

4. The applicants have filed the MA No.2620/2021 seeking permission to file the aforesaid OA jointly.

5. Shri M.K. Bhardwaj, learned counsel for the applicants submits that the applicants are similarly placed and they have prayed for the identical reliefs. He also submits that for redressal of their grievances, the applicants have preferred representations dated 16.12.2020 (Annexure A-1 colly.), however, the respondents have not considered and disposed of the said representations till date.

6. Issue notice. Shri Ranjan Tyagi, learned counsel, who appears for respondents on advance service, accepts notice.



7. Shri Bhardwaj, learned counsel for the applicants submits that the applicants shall be satisfied, if the present OA is disposed of at this very stage with a direction to the respondents to consider the applicants' aforesaid representations and to dispose of the same in a time bound manner.

8. In the aforesaid facts and circumstances, the MA No.2620/2021 is allowed. The present OA is disposed of with a direction to the respondents to consider the applicants' aforesaid pending representations dated 16.12.2020 (Annexure A-1 colly.) and to dispose of the same by passing a reasoned and speaking order as expeditiously as possible and in any case within eight weeks of receipt of a copy of this order. It is made clear that by passing the present order, we have not gone into the merits of the OA .

9. The OA is disposed of in the aforesaid terms. No order as to costs.

(R.N. Singh)
Member (J)

(A.K. Bishnoi)
Member (A)

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