



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

O.A. No. 3656/2019

This the 13th day of August, 2021

(Through Video Conferencing)

**Hon'ble Mr. R.N. Singh, Member (J)
Hon'ble Mr. Mohd. Jamshed, Member (A)**

1. Anita,
Serving as SSO, Group 'C',
Aged About 59 Years,
W/o Sh. Rajesh Kumar,
R/o 2nd B, 84-A, Sadhna, Vaishali,
Ghaziabad, U.P. 201010
2. Sangeeta Suneja,
Serving as Assistant, Group 'C',
Aged About 54 Years,
D/o Late Sh. L.R. Suneja,
R/o K-IV-47, Old Double Storey,
Lajpat Nagar-IV,
New Delhi-110024
3. Surjeet Kaur,
Serving as Assistant, Group 'C',
Aged About 52 Years,
W/o Sh. Hiral Lal,
R/o B-202, New Moti Nagar, New Delhi-110015
4. Kanwaljeet Singh,
Serving as Assistant, Group 'C',
Aged About 56 Years,
S/o Late Sh. Pritam Singh,
R/o BE-50, 2nd Floor, Hari Nagar Clock Tower,
Delhi
5. Sangita Dewan,
Serving as Assistant, Group C,
Aged About 53 Years,
W/o Sh. Laxman Dasss,
R/o Shop No. 10, Main Market, Subhash Nagar,
New Delhi-110027

6. Mini Prasad,
Serving as Assistant, Group 'C',
Aged About 51 Years,
W/o Sh. Prasad P. Joseph,
R/o 36-G, VNagar, Ayaathil,
P.O Lollam, Kerala-691021



7. Kumari P.R.,
Serving as Assistant, Group 'C',
Aged About 58 Years,
W/o Sh. Omana Kuttan K.
R/o 22-A, 3rd Floor, ESI Hospital Colony,
Sec-15, Rohini, Delhi-110089

... Applicants

(through : Shri M.K. Bhardwaj)

Versus

1. Employees State Insurance Corporation
through its the Director General,
ESIC, Panchdeep Bhawan,
CIG Road,
New Delhi.

2. The Regional Director,
Regional Office,
ESIC, Rajendra Bhawan,
Rajendra Place,
New Delhi

... Respondents

(through : Shri Manish Kumar Saran)

ORDER (Oral)

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

The applicants have filed the present OA under section 19 of the Administrative Tribunals Act, 1985 praying therein for the following reliefs :-



- “(i) To quash and set aside the impugned order No. 917 dated 06.12.2019 and direct the respondents to allow the applicants to continue under Old Pension Scheme, CCS (Pension) Rules, 1972.
- ii) to direct the respondents to allow the applicants to continue the benefit of Old Pension Scheme, EL/HPL etc. as per Order No. 844 of 2016 dated 31.10.2016.
- iii) To declare the service rendered by the applicants as LDC from 1989/ 1993 as regular for all purposes including pension, seniority etc.
- iv) To allow the OA with exemplary cost.
- v) To pass such other and further orders which their lordships of this Hon'ble Tribunal deem fit and proper in the existing facts and circumstances of the case.”

2. The matter is listed for final hearing. However, at the outset, Shri M.K. Bhardwaj, learned counsel for the applicants submits that during the pendency of the OA, the applicants have been accorded certain benefits. All the benefits, however, as prayed in the OA have not been

accorded. He submits that the applicants are identically placed as the applicants in the Order/Judgment dated 03.12.2018 in OA No. 1778/2012 titled **Sumer Singh vs. UOI & Ors.** (Annexure A-6).



3. In the aforesaid facts and circumstances, Shri M.K. Bhradwaj, learned counsel for the applicants submits that the OA may be disposed of with liberty to the applicants to agitate their remaining grievances, if any, in accordance with law.
4. In view of the submissions of the learned counsel for the applicants, the OA is disposed of with liberty to the applicants to agitate their grievances, if any surviving, in accordance with law.
5. The OA is disposed of in the aforesaid terms. Pending MA also stands disposed of accordingly. There shall be no order as to costs.

(Mohd. Jamshed)
Member (A)

(R.N. Singh)
Member (J)

/cc/anjali/daya