



Central Administrative Tribunal
Principal Bench, New Delhi

OA No.968/2021
MA No. 1222/2021

New Delhi, this the 7th day of May, 2021

Through video conferencing

Hon'ble Mr. Tarun Shridhar, Member (A)

1. Yogesh Tomar s/o Sh. Naresh Pal Tomar,
R/o B-14, Indra Puri Loni,
Ghaziabad, Uttar Pradesh-201102
Post: Medical Record Clerk, Group 'C'.
2. Sonia Dixit w/o Sh. Yogesh Dixit,
R/o C-359/B, Keshavpuram,
Delhi – 110 035.
Post: Statistical Clerk, Group 'C'
3. Baljit Singh Arora s/o late Sh. Balwant Singh,
R/o 4-D/49, 3rd Floor, Old Rajinder Nagar,
New Delhi – 110 060.
Post: Family Welfare Worker, Group 'C'
4. Khajan Singh s/o Sh. Bihari Lal,
R/o J-306, Mangal Puri,
Delhi – 110 083
Post: Computer, Group 'C'
5. Krishna Kumar Nandanwar
s/o Sh. Yadaorao Nandanwar,
R/o G-71/5, G-Block Dilshad Colony,
Delhi – 110 095.
Post: Medical Record Clerk, Group 'C'
6. Anita Kumari w/o Sh. Prem Singh,
R/o B-248, DDA Flats,
Motia Khan Paharganj,
Delhi – 110 055
Post: Statistical Clerk, Group 'C'
7. Gurmeet Kaur w/o Sh. Jalpal Singh,
R/o C-111, Z, DDA Flats,
Jahangir Puri, Delhi-110 033.
Post: Medical Record Clerk, Group-CApplicants

(By Advocate: Mr. Anuj Aggarwal)



Versus

1. Kasturba Hospital
Through its Medical Superintendent,
Near Jama Masjid Metro Station,
Gate No.1, New Delhi – 110 006.
2. North Delhi Municipal Corporation (NDMC)
Through its Commissioner (North)
Dr. SPM Civic Centre, Minto Road,
New Delhi-110 002. ...Respondents

(By Advocate: Ms. Anupama Bansal)

ORDER (ORAL)

The limited issue involved in this OA is an abrupt discontinuance of the Hospital Patient Care Allowance (HPCA) which was being paid to the applicants as employees of Kasturba Hospital. Learned counsel for the applicants points out that this allowance was stopped without affording any opportunity or giving any notice to the applicants. Thus, this action on the part of the respondents is violative of the principles of natural justice. He further points out that no written order has been issued while discontinuing this allowance and the respondents have merely stopped paying it along with the monthly salary to the employees. He submits that this action of the respondents is discriminatory as similarly placed employees in other Hospitals under the control of the respondent no.2 are being paid this allowance.

2. Learned counsel for respondents points out that only very recently a notice to this effect has been received by the



respondents and the applicants should have waited for a reasonable period of time for respondents to take a decision on the request for resumption of Hospital Patient Care Allowance which has been discontinued since 01.04.2020.

3. At this stage, in my considered view it will be appropriate to dispose of this OA with the direction to Respondent No. 2 to consider this OA as representation of the applicants and take a reasoned and considered decision on the issue of payment of HPCA to the applicants and other employees who may be eligible for this. While taking such a decision the respondent no.2 shall be guided by the principles of natural justice as also the fact there should be no discriminatory treatment to the detriment of the present applicants. I expect the respondent tno.2 to take an expeditious decision in this matter, in any case certainly not later than a period of eight weeks from the date of receipt of a certified copy of this order.

4. With the above directions, the instant OA stands disposed of. There shall be no order as to costs.

(Tarun Shridhar)
Member (A)

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