



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

**O.A. No. 1477/2021
M.A. No. 1897/2021**

This the 4th day of August, 2021

(Through Video Conferencing)

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

Sh. Parmanand
Animal Attendent,
Department of Micro Biology,
Lady Hardinge Medical College,
And Smt. S. K. Hospital, New Delhi.

... Applicant

(By Advocate: Mr. Prince Arora)

Versus

1. Union of India
Through its Secretary,
Ministry of Health & Family Welfare,
(Deptt. of Health),
Nirman Bhawan, New Delhi.
2. Director General of Health Services,
Nirman Bhawan, New Delhi.
3. Principal and Medical Superintendent,
Lady Hardinge Medical College and
Smt. S.K. Hospital,
New Delhi.

... Respondent

(By Advocate: Mr. Vijendra Singh)



O R D E R (ORAL)

Mr. R.N. Singh, Member (J):

Mr. Prince Arora, learned counsel for the applicant submits that the applicant who retired from the services of the respondents on 31.06.2021, has filed the present OA under Section – 19 of the Administrative Tribunals Act, 1985, seeking therein the following relief(s):-

“(a) Call for the records of the case;

(b) Pass an appropriate order or direction directing respondents to count the past service of the applicant rendered by him from 29.03.1984 to 30.06.2021 in Lady Harding Medical College as Lab Attendant/Animal Attendant prior to his absorption in the same college in pursuance of the judgement and order dated 04.12.1992 of this Hon’ble Tribunal towards all pensionary and retrial benefits as the applicant has retired on 30.06.2021.

(c) Pass an order directing the respondents to exercise, if necessary, its power Under Rule 88 of CCS (Pensionary) Rules 1972 by relaxing the provisions of Rule 17 and allow the applicant to deposit his contribution to CPF for the period of his service rendered prior to the permanent absorption, for the purposes of pensionary and other retrial benefits;

(d) Pass such further or other orders which the Hon’ble Tribunal deems fit and proper in the facts and circumstances of the case.”

2. Learned counsel for the applicant submits that the claim of the applicant is squarely covered by the judgment of this Tribunal in OA No. 3251/2001. He further submits that for the aforesaid relief the applicant has already preferred various representations including the one dated 26.06.2021.

3. Issue notice. Mr. Vijender Singh, learned counsel appearing for the respondents, on advance service, accepts notice.



4. Learned counsel for the applicant submits that the applicant shall be satisfied, if the present OA is disposed of at this stage, with a direction to the respondent No. 3 to consider the applicant's aforesaid representation and to dispose of the same by passing a reasoned and speaking order in a time bound manner. To such a request of the learned counsel for the applicant, there is no objection from the learned counsel appearing for the respondents.

5. In view of the aforesaid, without going into the merit of the present case and limitation, if any involved, the present OA is disposed of with a direction to the respondent No. 3 to consider the representation of the applicant dated 26.06.2021 and to dispose of the same by passing a reasoned and speaking order, as expeditiously as possible and in any case within 10 weeks from the date of receipt of copy of this order.

6. The OA is disposed of in the aforesaid terms. No costs. Pending MA also stands disposed of.

(Mohd. Jamshed)
Member (A)

(R.N. Singh)
Member (J)