



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

O.A. No. 1425/2021

M.A. No. 1859/2021

M.A. No. 1860/2021

This the 30th day of July, 2021

**Hon'ble Mr. R.N. Singh, Member (J)
Hon'ble Ms. Aradhana Johri, Member (A)**

1. Gopal Dutt
S/o Madhu Nand
Aged about 41 years
R/o H.No.255, Type-I
Gulabi Bagh, Delhi-07
Presently posted as
Bearer, G.B. Pant Hospital,
JLN Marg, New Delhi-02
Sub: Pension
Group-D'
Mob.875012502

2. Sanjay Kumar
S/o Late Suraj Bhan
Aged about 47 years
R/o-5/33, Vijay Vihar
Uttam Nagar, New Delhi-59
Presently posted as Nursing Orderly
G.B Pant Hospital,
JLN Marg, New Delhi-02
Sub: Pension
Group-D'

3. Pawan Kumar
S/o Mathura,
Aged about 38 years
H.No.A9, Ward No.12
Bhiwani, Haryana-127032
Presently posted Nursing Orderly
G.B Pant Hospital,
J.L.N Marg, New Delhi-02
Sub: Pension
Group-D'



4. **Rahul Chauhan**
S/o Mahesh
Aged about 37 years,
R/o H.No.C/9, G.B. Pant
Staff Quarter, J.L.N Marg
New Delhi-02
Presently posted as Chowkidar
G.B. Pant Hospital
J.L.N Marg, New Delhi-02
Sub: Pension
Group-D'
5. **Rajesh Kumar**
S/o Girwar Singh
Aged about 43 years
R/o H.No.362/11, Near Jain Park
Adarsh Nagar, Sonipat, Haryana-131001
Presently posted as Nursing orderly
G.B Pant Hospital, J.L.N Marg New Delhi-02
Sub: Pension
Group-D
6. **Sudhir Kumar**
S/o Phool Singh
Aged about 45 years
R/o I 3103
Sector-16, Rohini, New Delhi-85
Presently posted as Nursing Orderly
G.B. Pant Hospital
J.LN. Marg, New Delhi-02
7. **Tarun**
S/o Puran Singh
Aged about 38 years
R/o H.No.634/2
Near Haryana Gramin Bank
Old Faridabad, Haryana 121002
Presently posted as Nursing Orderly
G.B.Pant Hospital
J.LN. Marg, New Delhi-02
Sub: Pension
Group-D'
8. **Komal**
D/o Laxmi Chand



Aged about 41 years
 R/o H.No.2/77
 Aryapura, Sabji Mandi
 New Delhi-110007
 Presently posted as Chowkidar
 G.B. Pant Hospital, J.L.N. Marg, New Delhi-02
 Sub: Pension
 Group-D'

9. Vijender
 S/o Surender Kumar
 Aged about 38 years
 R/o WZ-52, 80 yards
 Tilak Nagar, Delhi-18
 Presently posted as Safai Karamchari
 G.B. Pant Hospital
 J.L.N. Marg, New Delhi-02
 Sub: Pension
 Group-D
10. Rakesh Kumar
 S/o Late Ram Kumar
 Aged about 45 years
 R/o Kheri Jhussar (18)
 Jhajjar, Haryana-124505
 Presently posted as Nursing Orderly
 G.B.Pant Hospital
 J.L.N. Marg, New Delhi-02
 Sub: Pension
 Group-'D'
11. Manoj Kumar
 S/o Nand Lal
 Aged about 44 years
 R/o H.No.497, Bawana
 Delhi-110039
 Presently posted as Safai Karamchari
 G.B.Pant Hospital
 J.LN. Marg, New Delh-02
 Sub: Pension
 Group-D
12. Raj Kumar
 S/o Dharm Singh
 Aged about 47 years
 R/o H.No.D/2/17



Kunwar Singh Nagar
 Nangloi, Delhi-41
 Presently posted as Safai Karamchari
 G.B.Pant Hospital
 J.L.N.Marg, New Delhi-02
 Sub: Pension
 Group-D'

13. Raj Kumar
 S/o Sushil Kumar
 Aged about 40 years
 R/o B/256, Ashok Ngr
 Main Mandoli Road
 Shahdara, New Delhi-93
 Presently posted as Nursing Orderly
 G.B. Pant Hospital
 J.L.N. Marg, New Delhi-02
 Sub: Pension
 Group-D'
14. Sunil Kumar
 S/o Late Bhagat Ram
 Aged about 46 years
 R/o 5/58, Trilok puri, Delhi-91
 Presently posted as Nursing orderly
 G.B.Pant Hospital
 J.L.N. Marg, New Delh-02
 Sub: Pension
 Group-B'
15. Heera
 S/o Jaman Singh
 Aged about 42 years
 R/o H.No.3/81/96
 Mirdard Line M.D.M Campus-02
 New Delhi-02
 Presently posted as Mate
 G.B.Pant Hospital
 J.L.N.Marg, New Delhi-02
 Sub: Pension
 Group-B'
16. Manjeet Kumar
 S/o Charan Singh
 Aged about 38 years
 R/o H.No.335,



VPO Katura, Delhi-39
 Presently posted as Chowkidar
 G.B. Pant Hospital, J.L.N. Marg, New Delhi-02
 Sub: Pension
 Group-D'

17. Savitri
 D/o Sultan Singh
 Aged about 46 years
 R/o A-52, Vijay Vihar,
 Phase-, Rohini, Near Rethala
 New Delhi-85
 Presently posted as Safai Karamchari
 G.B.Pant Hospital, J.LN.Marg, New Delhi-02
 Sub: Pension
 Group-B'
18. Sunil Kumar
 S/o Raj Pal Singh
 Aged about 44 years,
 R/o-239-A, Patparganj Village
 Mayur Vihar, Delhi-91
 Presently posted as Safai Karamchari
 G.B.Pant Hospital
 J.LN.Marg, New Delhi-02
 Sub: Pension
 Group--D
19. Shailendra Kr. Singh
 S/o Mathura Prasad
 Aged about 40 years
 R/o 769/6, Navkar Aprartment
 22nd Floor, Doodhwali Gali, Mehrauli
 Presently posted as Nursing orderly
 G.B.Pant Hospital
 J.L.N.Marg, New Delhi-02
 Sub: Pension
 Group-'D
20. Dinesh Kr. Sharma
 S/o Ramveer Sharma
 Aged about 41 years,
 R/o-124/144, Mir Dard Lane
 Type-II, MAMC Campus, N.D-02
 Presently posted as St. Bearer
 G.B.Pant Hospital
 J.L.N.Marg, New Delhi-02



Sub: Pension
Group-'D

21. Pramod
S/o Raju
Aged about 41 years
R/o village Dundahera
P.O-Khera
Distt.-Baghpat, UP-250101
Presently posted as Safai Karamchari
G.B.Pant Hospital, J.LN.Marg, New Delhi-02
Sub: Pension
Group-D

22. Narender
S/o Harbansh Lal
Aged about 46 years
R/o H.No.3889, Gali No.20
Dharampuri, Ajit Nagar, New Delhi-31
Presently posted as nursing orderly
G.B.Pant Hospital, J.L.N.Marg, New Delhi-02
Sub: Pension
Group-D'

23. Sunita Devi
D/o Late Ashok
Aged about 43 years,
R/o-E-10A-63, CPJ-1
New Seelampur, Delhi-110053
Presently posted as Safai Karmchari
G.B. Pant Hospital
J.L.N.Marg, New Delhi-02
Sub: Pension
Group-'D'

...Applicants

(By Advocate: Shri Ranjit Sharma)

VERSUS

1. The Govt. of N.C.T. Delhi
Through the Principal Secretary
Department of Health,
At New Secretariat,
I.P.Estate, I.T.O, New Delhi-01



2. Director (Administration)
 G.B. Pant Hospital
 Govt. of N.C.T, Delhi
 J.L.N.Marg, New Delhi-02

...Respondents

(By Advocate: Ms. Avani Kaushal for Ms Esha Mazumdar)

ORDER (Oral)

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

O.A. No. 1425/2021

In the present OA, the applicants have prayed for following relief:-

“i. Direct the respondents to grant benefits of Old Pension Scheme to the applicants along with GPF and other consequential benefits”

2. Learned counsel for the applicants submits that the aforesaid relief, prayed for by the applicants in the present OA, is squarely covered by the judgments dated 13.12.2019 of the Hon'ble High Court of Delhi in W.P. (C) No. 13129/2019 (Annexure A-7) and also by the order/judgment of the Hon'ble High Court of Delhi (Annexure A-8) dated 15.01.2021 in W.P. (C) No. 8208/2020 & connected cases and order/judgment dated 04.03.2020 of this Tribunal in OA No. 3297/2018 (Annexure A/5).

3. Learned counsel for the applicants Sh. Sharma argues that once the issue has already been decided by this Tribunal as well as the Hon'ble High Court of Delhi, it was incumbent upon the



respondents to extend the benefits of such judgments at their own to the present applicants also. However, he contends that in spite of representations dated 24.04.2020, 26.05.2020 and 30.05.2020 (Annexure A-2 Colly) preferred by the applicants, the respondents have neither redressed the grievances of the applicants nor have responded to such representations.

4. Issue notice. Ms. Avani Kaushal, who appears on advance service on behalf of Ms. Esha Mazumdar, learned counsel for the respondents, accepts notice.

5. In the aforesaid facts and circumstances, we are of the considered view that the present OA can be disposed of at this very stage with direction to the respondents to consider the applicants' aforesaid representations and to dispose of the same by passing a reasoned and speaking order in a time bound manner.

6. In view of the aforesaid, without going into the merit of claim of the applicants, the present OA is disposed of with direction to the respondents to consider the applicants' aforesaid pending representations (Annexure A-2 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 from the receipt of a copy of this Order.



7. OA is disposed of in aforesaid terms. No costs.

MA No. 1859/2021

The applicants filed the present MA seeking permission to file the aforesaid OA jointly. For the reasons given therein in the MA, the MA is allowed.

MA No. 1860/2021

The present MA has been filed by the applicants seeking certain exemptions. In view of the facts and circumstances, the MA is disposed of.

(Aradhana Johri)
Member (A)

(R.N. Singh)
Member (J)

ravi/mbt/pinky