

NOTES OF THE REGISTRY

ORDERS OF THE TRIBUNAL

Order dated 17.05.2004

For hearing

DS
21/5/04

Bench

List this matter on
24.05.2004 as the first
Case of the waiting list.

[Signature]
Vice-Chairman
[Signature]
Member (S)

For hearing as a
Part heard matter.

DS
10/6/04

Bench

24.05.2004

Heard in P.M.

Adjourned to 21.06.2004.

[Signature]
Vice-Chairman
[Signature]
Member (S)

Order dated 5.7.2004

Heard Shri B.D.Pradhan, learned counsel
for the applicant and Shri S.Behera, learned
Addl.Standing Counsel for the Respondents.

By filing this O.A., the applicants have
ventilated their grievance with regard to
non-payment of Patient Care Allowance, although
they are para-medical staff. They have,
therefore, prayed for direction to be issued
to Respondents to pay them Hospital Patient
Care Allowance at the revised rate with effect
from 1.12.1987, as per Govt. of India

10

OA 87/98

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notification dated 25.1.1986 under Annexure-1

From the records available and from the oral submissions made by both the sides, the admitted fact of the case is that the matter regarding payment of patient care allowance has been a matter of litigation before various Benches of the Tribunal. The Tribunal, while allowing the prayer of the applicants observed that para-medical staff working in the C.R.P.F. Hospitals are entitled to receive the benefit of patient care allowance. However, the matter was carried in appeal before the Hon'ble Supreme Court by the Respondents-Department. Finally, the Apex Court disposed of the SLP vide their order dated 17.9.2001 ruling that no interference under the provision of Article 136 is called for in this case. In the circumstances ~~the xxx~~ as per the established law, para-medical staff working in the CRPF hospitals are entitled to patient care allowance and accordingly, the Respondents should have by now implemented the said order and we hope and trust that if the case of the applicants herein comes within the purview of the law as established by the Hon'ble Supreme Court, the Respondents will grant them the benefit of patient care allowance. We also direct that if the order in compliance of the direction of the Hon'ble Apex Court has not been issued by the Respondents, the same should be ~~so~~ issued within a period of thirty days of the date of receipt of this order.

The O.A. is disposed of as above.
No costs.

VICE-CHAIRMAN

MEMBER (JUDICIAL)

Five copies of final order dt. 5-7-04 issued to counsel for both sides.

DS
7/7/04

7/7/04
S.O.