

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

O.A.No.264/08

Wednesday this the 21st day of January 2009

C O R A M :

HON'BLE Mr.GEORGE PARACKEN, JUDICIAL MEMBER

N.Prakasan,
S/o.late Narayanan,
Dhobi, Naval Armament Depot, N.A.D., Aluva.
Residing at Ambalappady,
Periyar Vihar, Quarter No.89/6,
N.A.D., Aluva.

...Applicant

(By Advocate Mr.A.G.Aditya Shenoy)

Versus

1. Union of India represented by its Secretary,
Ministry of Defence, New Delhi.
2. The Director General of Medical Services,
A.G's Branch, Ministry of Defence, New Delhi.
3. The Flag Officer Commanding in Chief,
Southern Naval Command for SSO (CP),
Kochi - 682 004.
4. Secretary to Government of India,
Ministry of Health and Family Welfare,
New Delhi.

...Respondents

(By Advocate Mr.T.P.M.Ibrahim Khan,SCGSC)

This application having been heard on 21st day of January 2009 the Tribunal on the same day delivered the following :-

ORDER

HON'BLE Mr.GEORGE PARACKEN, JUDICIAL MEMBER

The applicant has filed this Original Application under Section 19 of the Administrative Tribunal Act, 1985 seeking a direction to the 3rd respondent, namely, the Flag Officer Commanding in Chief, Kochi, to grant the benefit of Patient Care Allowance to him from the date of Annexure A-2 or at least from the date of Annexure A-1, till 2.9.2005.



2. As admitted by the counsel for the parties, this O.A is covered by the earlier Annexure A-6 order of this Tribunal dated 21.11.2007 in O.A.710/06 and connected cases in which the following directions were issued :-

"7. In the above facts and circumstances of the case, the O.As are allowed. It is declared that the applicants herein are entitled to the grant of HPCA/HCA as was granted to the Group C & D (non ministerial) employees excluding staff nurses employed in AMC units having 30 beds or more, from the same date as their counterparts have received. The respondents shall, therefore, pay the arrears on account of PCA payable to the applicants from 8.11.1985 to 17.11.2005 and all similarly placed persons within a period of two months from the date of receipt of a copy of this order. No costs."

3. In the above facts and circumstances of the case, I allow this O.A and direct the respondents to treat the applicant in a similar way as in the case of those applicants in O.A.710/06 and connected cases and grant the benefits as admissible to the applicant within a period of two months from the date of receipt of a copy of this order. There shall be no order as to costs.

(Dated this the 21st day of January 2009)


GEORGE PARACKEN
JUDICIAL MEMBER

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