

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH, JABALPUR

Original Application No. 247/2002

Jabalpur, this the 20th day of June 2003.

Hon'ble Mr. D.C. Verma, Vice Chairman (J)

Hon'ble Mr. Anand Kumar Bhatt, Administrative Member

Raghudas S/o Shri Babulal, aged 43
years, Cook, Regional leprosy
Training and research Institute,
Lalpur, Raipur (Chhatisgarh).

APPLICANT

(By Advocate - Mr. M.N. Banerjee)

VERSUS

1. Union of India through its Secretary
Ministry of Health and Family Welfare,
New Delhi.
2. Director General of Health Services,
Leprosy Division, Nirman Bhavan,
New Delhi - 110 001.
3. Director, Regional Leprosy Training
and Research Institute, Lalpur, Raipur
(Chhatisgarh)


RESPONDENTS

(By Advocate - Mr. Om. Namdeo)

ORDER (ORAL)

Per : Hon'ble Mr. D.C. Verma, Vice Chairman (J)

The applicant joined the service on 20-7-82 and is presently working as Cook in Regional Leprosy Training and Research Institute Lalpur, Raipur under the Ministry of Health and Family Welfare. The applicant is being paid in the pay scale of Rs. 2550-3200 w.e.f. 1-1-96. Prior to this, the pay scale of the applicant was Rs. 196-232, which was subsequently revised to Rs. 750-940 w.e.f. 1-1-96. The grievance of the applicant is that similarly situated persons who are also working as



Cook in the same Ministry and performing the same duty in Safdarjang Hospital, New Delhi are being paid the pay scale of Rs. 2610-3540 w.e.f. 1-1-96. The similarly situated persons who are working in the Ram Manohar Lohia Hospital, New Delhi are also been given the same pay scale which has been given by Safdarjang Hospital, New Delhi.

2. The grievance of the applicant is that he be also given the pay scale of Rs. 2610-3540. In respect of his grievance, the applicant has sent representation and reminders also, but the same has not been replied by the respondents. Finally, the reminder was sent on 9-1-2002, a copy of which has been annexed with the OA.

3. The submission of the learned counsel for the applicant is that the case of the applicant was recommended by the Director for grant of pay scale of Rs. 2610-3540 to the applicant as the same pay scale was granted to the similarly situated persons who are working in Safdarjang Hospital, New Delhi and Ram Manohar Lohia Hospital, New Delhi. The respondents have yet not taken any decision on the said recommendation dated 16-11-2000. As six months time has expired without any response, the applicant has approached this Tribunal.

4. Counsel for the parties have been heard at length. We are of the view that the relief claimed by the applicant is with respect of new pay scale on



the ground that similarly situated persons have been given higher scale. It is for the department to examine the same and pass an appropriate order, initially in consultation with the appropriate authority regarding allotment of new pay scale. Only thereafter, the applicant has to come to the Tribunal. Respondents should have taken a decision in the matter. Without expressing any view on the merit/claim of the applicant, we are disposing of the OA at this admission stage with a direction to the respondents to consider and examine the claim of the applicant alongwith the recommendation of Director (Annexure A-4) and thereafter, pass an appropriate order within a period of four weeks from the date of communication of this order. Decision so taken, shall be communicated by the respondents to the applicant.

5. The OA stands decided accordingly. Cost easy.



(A.K.BHATT)
MEMBER (A)



(D.C.VERMA)
VICE CHAIRMAN (J)

NK.

पूठकन सं ओ/न्या.....जबलपुर, दि.....

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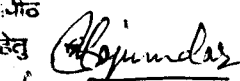
(1) सचिव, उच्च न्यायालय काउन्सिलेशन, जबलपुर

(2) अध्यक्ष श्री. श्री. श्री. के काउंसल

(3) प्रत्यर्थी श्री. श्री. श्री. के काउंसल

(4) मंत्रपाल, के प्र.ज. जबलपुर न्यायाधीश

सूचना एवं आवश्यक कार्यवाही हेतु


उप रजिस्ट्रार

M.N. BARETHI A.C.
O.M. NAMDEO.

Issued
on 26.6.07