

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

C.P. No.245/2017 in
O.A. No.3449/2013

New Delhi, this the 27th day of March, 2018

HON'BLE MR. V. AJAY KUMAR, MEMBER (J)
HON'BLE MS. NITA CHOWDHURY, MEMBER (A)

Smt. Seema
W/o Shri Sanjay Kumar
R/o 113, D-DDA,
Mansarovar Park, Delhi. .. Petitioner

(By Advocate: Ms. Meghna De and Shri Sachin Kumar
for Shri Rajiv Aggarwal)

Versus

1. Shri S.C.L. Das
The Principal Secretary (Health)
Govt. of NCT of Delhi, Delhi Secretariat,
I.P. Estate, New Delhi-110002.
2. Dr. G.P. Kaushal
The Medical Superintendent,
Aruna Asaf Ali Government Hospital,
Govt. of NCT of Delhi,
5, Rajpur Road, Delhi-110054. .. Respondents

(By Advocate: Shri Vijay Pandita)

ORDER (ORAL)

By Mr. V. Ajay Kumar, Member (J)

Heard both the sides.

2. The O.A. No. 3449/2013 was disposed of by this Tribunal
on 14.03.2016 as under :

“10. It is not in dispute that the applicant is similarly situated
like the applicants in **Pramod Kumar's** case (supra), and even the

SLP filed against the aforesaid Writ Petition was dismissed by the Hon'ble Apex Court.

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12. In the above circumstances, the present OA is disposed of with a direction to the respondents to pay the minimum pay scale with DA w.e.f. 01.01.2006, as granted to the similarly situated counterparts of the applicant, in terms of the Hon'ble Delhi High Court in Writ Petition (C) No.3676/2011, decided on 01.03.2013. However, the applicant is entitled for payment of arrears, if any, from the date of filing of the OA only. The aforesaid exercise shall be completed within two months from the date of receipt of a copy of this order. No costs".

3. The Writ Petition No.3676/2011 filed in **Pramod Kumar's** case was dismissed by the Hon'ble High Court on 01.03.2013 as under:

"15. We thus dismiss the writ petition but clarify that the respondents would be entitled to receive pay as contractual employees as per the decision of the Division Bench of this court in Victoria Massey's case.

16. No costs.

4. Alleging non-implementation of the orders passed in the O.A., the applicant preferred the instant CP No.245/2017.

5. The respondents through their compliance affidavit submitted that they have fully implemented the orders of this Tribunal and with regard to arrears, vide Annexure R-2 dated 24.11.2017 the respondents have stated that the applicant has been drawing pay and other applicable allowances as per the 6th CPC w.e.f. 01.09.2008.

6. The learned counsel further submits that though the applicant is entitled for payment of arrears only from the date of filing of the O.A., they have paid the arrears w.e.f. 01.09.2008 on par with others and, accordingly, prays for closure of the CP.

7. In the circumstances and in view of substantial compliance of the orders of this Tribunal, the CP is closed and notices are discharged.

(NITA CHOWDHURY)
Member (A)

(V. AJAY KUMAR)
Member (J)

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