

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

**C.P. No. 642/2015 In
O.A No. 1679/2012**

New Delhi this the 1st day of February, 2017

Hon'ble Mr. P. K. Basu, Member (A)

Hon'ble Dr. Brahm Avtar Agrawal, Member (J)

1. Ms. Ruchi D/o Mr. Vijay Kumar
Aged about 30 yrs
R/o 349, Site-1
Vikas Puri,
New Delhi-110 018
2. Sukhbir Singh S/o Late Mr. Syam Lal
Aged about 34 yrs
R/o. 2109/7, Church Compound
Turkman Gate,
New Delhi.
3. D Raja Shekhar S/o Mr. D Udandaiah
Aged about 31 yrs.
R/o C-102 Manguak Apartments
Plot No.25, Sector-06
Dwarka,
New Delhi-110 075
4. Harsh Patuna S/o Mr. Dhani Ram Patuna
Aged about 27 yrs
R/o House No. 313/96 Type-II,
Mirdard Lane
MAMC Complex,
New Delhi 110 002. ..Petitioners

(By Advocate: Mr. Yogesh Mahur for Mr. Gyanendra Singh)

Versus

1. Sh. K. K. Sharma
Government of NCT of Delhi
Chief Secretary
Delhi Government Secretariat
Indraprastha Estate, New Delhi-110 002
2. Shri S. K. Sharma
Directorate of Health & Family Welfare
Govt. of NCT of Delhi
F-17, Karkardooma, Delhi-110 092

3. Shri. Kulen Das
Office of the Medical Superintendent
Super Speciality Hospital
C-28, Janakpuri, Delhi-110 058Respondents

(By Advocate: Mr. Deeptakirti Verma & Ms. Aparna Iyer)

O R D E R (O R A L)

Hon'ble Mr. P. K. Basu, Member (A)

Learned counsel for the respondents' states that they have filed additional affidavit dated 17.01.2017 which is on record. It is affirmed through that affidavit that they have been paying the minimum of the Pay Band namely Rs.5200/- + Grade Pay + Dearness Allowance + Nursing Allowance (for Nurses), Patient Care Allowance (for other than nurses), Uniform Allowance, Washing Allowance, House Rent Allowance, Transport Allowance as per order dated 19.11.2012.

2. The contention of the learned counsel for the petitioners is that instead of the basic of the Pay Grade namely Rs.5200/- the petitioners should be paid the minimum which is paid to the direct recruits when recruited in the pay band of PB-I. However, we find that in the Original O.A the issue before the Tribunal was basically grant of benefits as per judgment in **Mrs. Victoria Messy v. National Capital Territory of Delhi & Others** (O.A No. 1330/2007 with connected case) decided on 23.07.2008 and in **Sonia Gandhi & Others v. Govt. of NCT of Delhi & Others** (W.P. (C) No. 6798/2002). The issue raised now is a fresh one.

3. We are satisfied that the respondents have implemented the directions of the Tribunal in O.A No. 1679/2012. In case, the

petitioners are aggrieved by the order of the respondents, they are at liberty to file a fresh O.A claiming the minimum that is being paid to the Direct recruits.

4. The C.P. is accordingly closed. Notices are discharged.

(Dr. B. A. Agrawal)
Member (J)

(P. K. Basu)
Member (A)

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