

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH**

O.A. No. 377/2018

M.A. No. 394/2018

New Delhi, this the 30th day of January, 2018

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

1. Anandi Dev, aged 40 years
S/o Sh. Lal Ji Chaturvedi,
Working as Health Malaria Inspector
(on contract basis) in
Northern Railway, Delhi
R/o B-276, Ayurvigyan Nagar,
New Delhi-49.
2. Om Prakash Bharti, aged 35 years
S/o Shri B.N. Ram,
Working as Health Malaria Inspector
(on contract basis) in
Northern Railway, Delhi
R/o 1/4254, Ram Nagar Ext.,
Shahdara, Delhi-32.
3. Ms. Meenu Rani, aged 36 years
D/o Shri Deep Chand,
Working as Health Malaria Inspector
(on contract basis) in
Northern Railway, Delhi
R/o C-9/84, Yamuna Vihar,
Delhi-53.
4. Sanjeev Kumar, aged 35 years
S/o Shri Raj Kumar,
Working as Health Malaria Inspector
(on contract basis) in
Northern Railway, Delhi
R/o RZ-19/209, Street No.4, J-Block,
West Sagarpur, New Delhi-46.
5. Abhimanyu, aged 30 years,
S/o Shri Pooran Chand,
Working as Health Malaria Inspector
(on contract basis) in
Northern Railway, Delhi
R/o Vill. & PO Ballabgharh,
Tehsil Bhusawer, Distt. Bharatpur (Raj.).

6. Dipitish Kumar, aged 37 years
S/o Shri Satish Pal,
Working as Pharmacist
(on contract basis) in
Northern Railway, Muradabad.
R/o Vikash Nagar, Near Ram Leela Ground,
Muradabad.
7. Ms. Renu, aged 32 years
D/o Sh. Dhirendra Singh,
Working as staff Nurse (on contract basis)
in Northern Railway, Muradabad.
R/o H-127 B, Railway Harthala Colony,
Muradabad.
8. Ms. Namita Jain, aged 32 years
D/o Late Sh. M. Kukman,
Working as staff Nurse (on contract basis)
in Northern Railway, Lucknow.
R/o 19, Maqkara, Nagratganj, Lucknow.
9. Avinash Singh, aged 31 years,
S/o Sh. Ram Jatan Singh,
Working as Staff Nurse (on contract basis)
in Northern Railway, Lucknow.
R/o Type-I/133, SGPGI, MS, Lucknow.
10. Ms. Minakshi Singh, aged 31 years,
W/o Sh. Rajeev Kumar Singh,
Working as Staff Nurse (on contract basis)
Northern Railway, Lucknow.
R/o C-3274, Sector 6,
Rajaji Ji Puram, Lucknow(UP).
11. Ms. Reena Singh, aged 38 years
D/o Shri Tearath Singh,
Working as Staff Nurse (on contract basis)
Northern Railway, Lucknow.
R/o Type-I/133, SGPGI, MS, Lucknow.
12. Ms. Poonam Bharti, aged 36 years
W/o Shri Shiv Murat Rao,
Working as Staff Nurse (on contract basis)
Northern Railway, Lucknow
R/o Gram Balipur, Post Kurem Distt. Balia(Bihar).

13. Ms. Bharti Mohan, aged 35 years
D/o Shri Man Mohan,
Working as Staff Nurse (on contract basis)
Northern Railway, Lucknow
R/o H.No. 300, Near Raj Vidhya Mandir,
Milan Vihar, Muradabad.
14. Himanshu Sharma, aged 33 years
S/o Sh. Pradeep Kumar Sharma,
Working as Staff Nurse (on contract basis)
Northern Railway, Lucknow.
R/o C-34/3, RDSO Colony,
Manak Nagar, Lucknow.
15. Ravi Prakash Shukla, aged 30 years
S/o Shri Vinod Kumar Shukla,
Working as Staff Nurse (on contract basis)
Northern Railway, Lucknow
R/o Vill. Khatouli, PO Bhijhna
Distt. Barabanki.
16. Vinay Chand John, aged 33 years
S/o Shri Chareli John
Working as Staff Nurse (on contract basis)
Northern Railway, Lucknow
R/o 538/389 Kha deen Dayal Nagar,
Khadsa, Lucknow.
17. Ms. Sunita Devi, aged 29 years
D/o Shri Ram Kumar Rawat,
Working as Staff Nurse (on contract basis)
Northern Railway, Lucknow
R/o Vill. Barauli,. PO Newan,
Distt. Lucknow.

.. Applicants

(By Advocate : Shri Yogesh Sharma)

Versus

1. Union of India through
The General Manager,
Northern Railway,
Baroda House,
New Delhi.

2. The Chief Medical Director,
Northern Railway Head Quarters,
Baroda House,
New Delhi.

3. The Secretary,
Ministry of Railway,
Railway Bhawan, New Delhi.

.. Respondents

ORDER (ORAL)

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

Heard the learned counsel for the applicants.

2. MA 394/2018 filed for joining together is allowed.

3. The applicants, who are contractual Paramedical Staff under the respondents, filed the O.A. seeking the following relief(s):

- “(i) That the Hon’ble Tribunal may graciously be pleased to pass an order declaring to the effect that the whole action of the respondents not granting the pay and allowances to the applicants at par with regular staff is totally illegal, arbitrary and discriminatory and consequently pass an order directing the respondents grant the Basic Pay, Grade pay, Dearness Allowances, House Rent, Transport Allowances, Hospital Patient Care Allowances, Washing Allowances and Maternity leave (Female employees) to the applicants with all the consequential benefits with arrears of difference of pay and allowances from the date of appointment.
- (ii) Any other relief which the Hon’ble Tribunal deem fit and proper may also be granted to the applicants along with the costs of litigation.”

4. It is submitted that the applicants made number of representations, including Annexure A/1 dated 04.12.2017, ventilating their grievances to the respondents. However, no orders have been passed thereon till date.

5. In the circumstances, the O.A. is disposed of at the admission stage itself, without going into the other merits of the case, by directing the respondents to consider Annexure A/1 representation dated 04.12.2017 of the applicants, keeping in view the various annexures enclosed to the O.A., and to pass appropriate reasoned and speaking orders thereon, in accordance with law, within 90 days from the date of receipt of a copy of this order. No order as to costs.

Let a copy of the O.A. be enclosed to this order.

(NITA CHOWDHURY)
Member (A)

(V. AJAY KUMAR)
Member (J)

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