

**Central Administrative Tribunal
Principal Bench**

OA No.1091/2018

New Delhi, this the 14th day of March, 2018

Hon'ble Mr. V. Ajay Kumar, Member (J)
Hon'ble Ms. Nita Chowdhury, Member (A)

Sushma Johar,
Deputy General Manager, Group 'C',
Aged about 55 years,
W/o Mr. Laxmi Narayan Johar,
R/o H.No.159, Mukherjee Nagar (West),
Delhi-110009.
Date of Appointment as Cashier: 17.12.1990
Date of Promotion/Appointment as
Deputy General Manager: 22.12.2004
In Departmental Canteen, Lok Nayak Hospital,
Govt. of NCT of Delhi,
2, Jawaharlal Nehru Marg,
New Delhi-110002.

...Applicant

(By Advocate : Shri Pardeep Kumar)

Versus

1. Government of NCT Delhi
[through/service to be effected upon its:
Chief Secretary, At: 5th level, Delhi Secretariat,
I.P. Estate, New Delhi-110002.]
2. Department of Health and Family Welfare,
Government of N.C.T. Delhi
[through/service to be effect upon its:
Principal Secretary, at 9th level,
Delhi Secretariat, I.P. Estate,
New Delhi-110002.]
3. Finance (A/cs) Department,
Government of N.C.T. Delhi,
[through/service to be effected upon its: Secretary,
At: A-Wing, 4th level, Delhi Secretariat,
I.P. Estate, New Delhi-110002]

4. Service Department, Government of NCT Delhi,
[through/service to be effected upon its: Secretary,
At: Services Department, 7th Level, Delhi
Secretariat, I.P. Estate, New Delhi-110002]
5. Lok Nayak Hospital, Government of NCT Delhi
[through/service to be effected upon its:
Medical Superintendent,
At: 2 Jawahar Lal Nehru Marg,
New Delhi-110002.]
6. Ministry of Personnel, Public Grievances and Pensions,
Government of India,
[through/service to be effected upon its:
Secretary, Department of Personnel & Training,
Lok Nayak Bhawan, Khan Market,
New Delhi-110 003.

...Respondents

ORDER (ORAL)

Mr. V. Ajay Kumar, Member (J) :-

Heard the learned counsel for applicant.

2. The applicant, who is presently working as DGM, Departmental Canteen, Lok Nayak Bhawan, Government of NCT of Delhi, filed the OA seeking the following reliefs :-

- “i. Directing Respondents to forthwith give effect to/implement the provisions contained in O.M. no.13/10/2001-Dir.(C) dated 22.12.2004 [Annexure A-7) O.M. no.3/4/2005-Dir.(C) dated 10.04.2006 [Annexure A-9] read with O.M. no. 3/6/07-Dir(C) dated 15.10.2008 [Annexure A-14], with all consequential reliefs and benefits to the Applicant;

- ii. Directing Respondents to forthwith w.e.f. 22.12.2004 revise first financial benefit granted to the Applicant under 'ACPS' in restructured post/pay scale hierarchy in the pay scale of Rs.5000-8000 [pre-revised] with effect from 01.01.2006 revised as P.B. II Rs.9300-34800 Grade Pay Rs.4200/- with all consequential reliefs as benefits including arrears with simple interest @ 9% per annum to the Applicant;
- iii. Directing Respondents to forthwith w.e.f. 17.12.2010 revise 2nd financial benefit granted to the Applicant under 'MACPS' in Grade Pay hierarchy i.e. Rs.4600/- with all consequential reliefs and benefits including arrears with simple interest @ 9% per annum to the applicant.
- iv. Cost of this Application may also be granted to the Applicant;

Pass any such further or other orders as this Hon'ble Tribunal may deem fit and proper in the facts and circumstances of the case to grant complete relief to the Applicant."

3. It is submitted that the applicant has been making number of representations ventilating his grievances to the respondents and though the identical claim made by the Association was referred to the Govt. of NCT of Delhi latest on 20.07.2017, as referred in Annexure-A/19 dated 14.08.2012, but no final orders have been passed by the respondent No.1, GNCTD.

4. In the circumstances, OA is disposed of without going into the merits of the case, by directing the respondents to consider the claim of the applicant vide the representation dated 04.05.2017

(enclosed to the OA) and to pass a reasoned and speaking order thereon within a period of 90 days from the date of receipt of a certified copy of this order, in accordance with law. No costs.

5. Let a copy of the OA be enclosed to this order.

(Nita Chowdhury)
Member (A)

(V. Ajay Kumar)
Member (J)

‘rk’