

**CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH**  
**JABALPUR**

**Original Application No.200/01058/2018**

Jabalpur, this Thursday, the 22<sup>nd</sup> day of November, 2018

**HON'BLE MR. NAVIN TANDON, ADMINISTRATIVE MEMBER  
HON'BLE MR. RAMESH SINGH THAKUR, JUDICIAL MEMBER**

1. Smt. Anjana Sharma (Staff Nurse), W/o Shri Rambabu Sharma, aged about 51 years, R/o Jawahar Navodaya Vidhayalaya, Picchore, Dabra, District Gwalior (M.P.).
2. Smt. Rekha Khangai (Staff Nurse), W/o Shri Hemant Datar, aged about 45 years, R/o Jawahar Navodaya Vidhayalaya, Junapani, District Khargon (M.P.) 451111.
3. Smt. Shakuntal Dixit (Staff Nurse), W/o Shri Rajesh Kumar Dixit, aged about – 54 years, R/o Jawahar Navodaya Vidhayalaya, Birkhadi, Bhind, District Bhind (M.P.).
4. Smt. Jayanti Rai (Staff Nurse), W/o Shri Santosh Kumar Rai, aged about – 41 years, R/o Jawahar Navodaya Vidhayalaya, Hatta, District Damoh (M.P.).
5. Smt. Satyabhama Sahoo (Staff Nurse), W/o Shri Vishal Nimje, aged about 42 years, R/o Jawahar Navodaya Vidhayalaya, Waraseoni, District Balaghat (M.P.).
6. Smt. Manjusha P. Ghatole (Staff Nurse), W/o Shri Prakash Ghatole, aged about – 43 years, R/o Jawahar Navodaya Vidhayalaya, Kanhiwara, District Seoni (M.P.).
7. Smt. Anjali Nasre (Staff Nurse), W/o Shri Narendra Nasre, aged about – 44 years, R/o Jawahar Navodaya Vidhayalaya, Prabhat Pattanam, District Betul (M.P.) -Applicants

**(By Advocate – Shri Bharat Dubey)**

**V e r s u s**

1. The Union of India through the Secretary, Govt. of India, Ministry of Human Resource Department of School Education and Literacy, Shastri Bhawan, New Delhi 110001.
  2. Navodaya Vidyalaya Samiti through its Commissioner, Government of India, B-15, Institution area, GB Nagar, Sector 62, Noida (U.P) Pin 201307.
  3. Deputy Commissioner, Navodaya Vidyalaya Samiti, Regional Office, A-135A, Gate No.2, Alkapuri, Habibganj, Bhopal (M.P) Pin 462024
- Respondents**

### **O R D E R (O R A L)**

#### **By Navin Tandon, AM.**

MA No.200/01258/2018 has been filed by the applicants with the prayer to prosecute the matter jointly.

2. Since the applicants are identically placed and have sought for the similar reliefs, MA is allowed. Applicants are permitted to prosecute the matter together.
3. The applicants have sought for the following reliefs in this O.A:

#### **“8. Relief(s) Sought:**

In view of the facts and circumstances mentioned in Para 6 above, the Applicant prays for the following relief:

- a) To the direct the respondent No. 2 & 3 to decide the representation by speaking order of the applicants in the light of Rule 7 (A)(i)(ii) of Central Civil Services (Revised Pay) Rules, 2008 (Annexure A-1) and the judgment passed by this Hon'ble Tribunal Coordinate Bench at Chandigarh, Haryana vide O.A. No.825/2016

dated 05/01/2018 in the case of “Smt. Tejwinder Kaur & Ors. Vs. Union of India and others” whereas, the applicants would be entitled to pay Scale of Rs. 12540/- + 4600 (Grade Pay) = 17140/- as have been granted to a new entrant joining as TGT on or after 01.01.2006 because the pay of a senior employee cannot be less than their junior.

- b) That the respondents be directed to re-fix the pay of the applicants in compliance of Rule 7 (A)(i)(ii) of Central Civil Services (Revised Pay) Rules, 2008 (Annexure A-1), i.e. notification dated 29.08.2008 by taking as Rs. 7450/- (existing basic pay on that day) and then adding Rs. 4600/- (Grade Pay) and which arrives to be Rs. 18457/- (13857/-+4600/-) w.e.f. 01.01.2006, in the minimum pay scale of a Trained Graduate Teachers as recommended by 6<sup>th</sup> Pay Commission i.e. while considering the basic pay as stipulated in THE FIRST SCHEDULE, PART A, SECTION II, SERIAL NO. XII (1) pertaining to Staff Nurse as per the mandate of Hon'ble Central Administrative Tribunal, Principal Bench – Delhi in OA No.825/2016 decided on 05.01.2018 wherein similarly situated person has been granted the aforesaid benefits.
- c) Any other relief to which the applicant is found entitled in law and equity may also be granted to the applicant.”

4. Learned counsel for the applicants submits that applicant No.1 has given her representation dated 19.03.2018 (Annexure A-6) and similar representations have been given by other applicants for redressal of their grievances raised in this Original Application, which are still pending with the

respondents. He further submits that applicants would be satisfied if the respondents are directed to consider and decide their representations in a time-bound manner.

5. Considering the limited prayer made by learned counsel for the applicants and without going into the merits of the case, we dispose of this Original Application at the admission stage itself with a direction to the competent authority of the respondents to consider and decide representation of the applicants, within a period of 60 days from the date of receipt of a certified copy of this order by passing a reasoned and speaking order. The orders so passed shall also be communicated to the applicants also.

**(Ramesh Singh Thakur)  
Judicial Member**

**(Navin Tandon)  
Administrative Member**

am/-