



**CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH, KOLKATA**

No. O.A. 426 of 2015

Date of order: 1.10.2018

Present : Hon'ble Ms. Bidisha Banerjee, Judicial Member
Hon'ble Dr. Nandita Chatterjee, Administrative Member

1. Pushkar Singh Jat,
Son of Ramdave Jat,
Aged about 39 years,
Working as Nurse Grade – I,
Office of the National Institute of Homeopathy,
Block-GE, Sector – III, Salt Lake,
Kolkata – 700 106,
Residing at National Institute of Homeopathy
Staff Quarter, Type – III,
No. 5 J.C. Block, Sector – III, Salt Lake,
Kolkata – 700 098.
2. Baisakhi Roy,
Wife of Barun Kr. Deb,
Aged about 31 years,
Working as Nurse Grade – I,
Office of the National Institute of Homeopathy,
Block-GE, Sector – III, Salt Lake,
Kolkata – 700 106,
Residing at National Institute of Homeopathy
Staff Quarter, Type – III,
No. 3 J.C. Block, Sector – III, Salt Lake,
Kolkata – 700 098.
3. Nita Sen,
Wife of Saibal Kumar Sen,
Aged about 37 years,
Working as Nurse Grade-I,
Office of the National Institute of Homeopathy,
Block-GE, Sector – III, Salt Lake,
Kolkata – 700 106,
Residing at AC 33, Saratayan Apartment,
Arjunpur, Flat No. 3C, Block – B,
Kolkata – 700 059.

.. Applicants

- VERSUS -

1. Union of India,
Through the Secretary to the Govt. of India,
Ministry of Ayush, B-Block, Ayush Bhawan,

[Signature]

INA, New Delhi – 110 023.

2. The Secretary to the Govt. of India,
Ministry of Finance,
Department of Expenditure,
North Block,
New Delhi – 110 001.
3. The Director,
National Institute of Homeopathy,
GE Block,
Sector – III, Salt Lake,
Kolkata – 700 106.

.. Respondents

For the Applicant : Mr. C. Sinha, Counsel

For the Respondents : Mr. A. Banerjee, Counsel

ORDER (Oral)

Per Dr. Nandita Chatterjee, Administrative Member:

Heard Ld. Counsel for the applicant and respondents.

2. This Original Application has been filed under Section 19 of the Administrative Tribunals Act, 1985 seeking the following relief:-

"(a) An order granting leave to the applicants under Rule 4(5)(a) of the Central Administrative Tribunals (Procedure) Rules, 1987 to move this application jointly.

(b) An order holding that denial of Grade Pay of Rs. 4800/- in PB-2 is bad in law and the applicants are entitled to Grade Pay of Rs. 4800/- in PB-2 or not below Rs. 4200/- in PB-2 w.e.f. 1.1.2006.

(c) An order directing the respondents to grant Grade Pay of Rs. 4800/- in PB-2 to the applicants with effect from 1.1.2006 with all consequential benefits.

(d) An order directing the respondents to produce/cause production of all relevant records.

(e) Any other order or further order/orders as to this Hon'ble Tribunal may seem fit and proper."

3. Prayer for joint prosecution of this application is allowed.



4. Ld. Counsel for the applicant submits that the applicants have prayed for commensurate scale with Grade Pay of Rs. 4600/- to the Staff Nurse and Rs. 4800/- to the Nursing Sister akin to those paid in PGIMER, AIIMS, JIPMER, CNCRI, NIOH etc. and have represented on 20.1.2014 and 4.8.2014 accordingly.

5. Ld. Counsel for the respondents submits that it is the Union of India, particularly the Ministry of Ayush, who is competent to decide this matter. Hence, with the consent of the parties and without entering into the merits of the matter, we hereby accord liberty to the applicants to file a comprehensive representation before the competent respondent authority in this regard within a period of two weeks from the date of receipt of a copy of this order. Upon receipt of such representation, the competent respondent authority will thereafter issue a reasoned and speaking order in accordance with law within a period of six weeks of receipt of the same. Decision arrived at should be communicated immediately to the applicants and consequent benefits, if any, be released within six weeks thereafter.

6. With these directions, the O.A. is disposed of. No costs.

(Dr. Nandita Chatterjee)
Administrative Member

(Bidisha Banerjee)
Judicial Member

SP