

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH**

...
**M.A. No. 60/669/2019 in
ORIGINAL APPLICATION NO. 060/318/2019**

Chandigarh, this the 23rd day of April, 2019

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**CORAM: HON'BLE MR. SANJEEV KAUSHIK, MEMBER (J) &
HON'BLE MRS. P. GOPINATH, MEMBER (A)**

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1. Nisha Mani Handa, Aged 51 years, D/o Sh. Dalip Singh, working as Senior Programmer, Group A' Computer Section, PGIMER, Sector 12, Chandigarh –160012.
2. Parvesh Bhutani, Aged 50 years S/o Sh. H.C. Bhutani, working as Computer Programmer, Computer Section, PGIMER, Sector 12, Chandigarh.
3. Santosh Kumar Thapa, aged 52 years, S/o Sh. Sudagar Mal, working as Computer Programmer, Dental Department, PGIMER, Sector 12, Chandigarh.
4. Jatinder Kumar, aged 45 years S/o Sh. Kartar Chand, working as Computer Programmer, Computer Section, PGIMER, Sector 12, Chandigarh.
5. Punit Verma, aged 45 years, S/o Late Sh. Gopi Chand, working as Computer Programmer, Computer Section, PGIMER, Sector 12, Chandigarh.
6. Chandan Preet Kaur, aged 38 years, W/o S. Gurpreet Singh, working as Computer Programmer Computer Section, PGIMER, Sector 12, Chandigarh.
7. Gagandeep Sharma, aged 43 years, S/o Sh. Rameshwar Datt, working as Computer Programmer, Computer Section, PGIMER, Sector 12, Chandigarh.
8. Jatinder Handa, aged 47 years S/o Sh. Hans Raj, working as Computer Programmer, Computer Section, PGIMER, Sector 12, Chandigarh.
9. Lal Bahadur Chandel, aged 43 years, S/o Sh. Dhan Raj Singh, working as Computer Programmer, Computer Section, PGIMER, Sector 12, Chandigarh.
10. Sanjay Saini, aged 43 years, S/o Sh. Raj Krishan Saini, working as Computer Programmer, Computer Section, PGIMER, Sector 12, Chandigarh.
11. Perneet Kumar Sharma, aged 38 years, S/o Sh. J.N. Sharma, working as Computer Programmer, Computer Section, PGIMER, Sector 12, Chandigarh.
12. Manbir Singh, aged 34 years, S/o Sh. Mahender Singh, working as Computer Programmer, Computer Section, PGIMER, Sector 12, Chandigarh.
13. Om Parkash, aged 34 years, S/o Sh. Ran Saran, working as Computer Programmer, Computer Section, PGIMER, Sector 12, Chandigarh.

Applicants No. 2 to 13 are Group-B and Pin Code of Sector 12 Chandigarh is 160012

.....APPLICANTS
(By Advocate: Shri R.K. Sharma)

VERSUS

1. Union of India through Secretary to Government of India, Ministry of Health and Family Welfare, Nirman Bhawan, New Delhi -110001.

2. Post Graduate Institute of Medical Education and Research, Sector 12, Chandigarh through Director -160012

....RESPONDENTS

ORDER (oral)

SANJEEV KAUSHIK, MEMBER (J)

Heard.

2. The present M.A. has been filed for correction of factual error crept in the final order dated 2.4.2019 while disposing of O.A. NO. 60/318/2019.

3. Mr. R.K. Sharma, learned counsel for the applicants submitted that it has been inadvertently recorded in paragraph no. 4 of the order that while accepting the recommendations of the Coordination Committee with regard to cadre review for cadre restructuring, the same have been approved in the cadre of applicants also vide order dated 4.8.2018 and 12.9.2018 whereas while considering the case for restructuring, the Co-ordination Committee has considered only case of Physiotherapists and Operation Theatre staff and have not considered the case of the applicants, who are working in the Computer Section, thus discrimination has been alleged that no cadre review or restructuring has been carried out in their cadre. Thus, it was

prayed that a direction be issued to respondents to carry out review for cadre restructuring in the Computer Section also where the applicants are working.

4. In view of above, a factual error has crept in the order, therefore, we recall our order dated 2.4.2019 and pass the following fresh order. M.A. No. 60/669/2019 stands disposed of.

1. Heard.

2. MA No. 060/00589/2019 is allowed and the applicants are allowed to join together to file this single O.A.

3. The solitary prayer in the present O.A. is for issuance of a direction to the respondents to implement the recommendations of the Coordination Committee for bringing uniformity in the Recruitment Rules in various non-faculty posts with respect to their nomenclature, qualifications, pay scales and year of service etc. in AIIMS, New Delhi, PGIMER Chandigarh and JIPMER Puducherry for the cadre of Computer Section, in a time bound manner.

4. Learned counsel submitted that Coordination Committee made recommendations in the cadre of Physiotherapists and Operation Theatre staff with regard to cadre review for cadre restructuring vide order dated 4.8.2018 and 12.9.2018 (Annexure A-5 & A-6), therefore, it is prayed that same direction be issued to respondents to review for cadre restructuring qua the applicants who are working in Computer Section without there being any discrimination.

5. Considering the limited prayer made as noticed above by the learned counsel for the applicants, we dispose of the O.A., in limine, by directing the Respondent No.2 to place the case of applicants before the Coordination Committee with regard to cadre review for restructuring in the cadre of Computer Section and pass order, according to law as has been done in case of other cadres within a period of 6 months from the date of receipt of a certified copy of this order. The order so passed be duly communicated to the applicants.

6. Needless to mention, the disposal of the O.A. shall not be construed as an expression of any opinion on the merit of the case. No costs.

Let copy of this order be issued to the parties afresh.

(P.GOPINATH)
MEMBER (A)

(SANJEEV KAUSHIK)
MEMBER (J)

Dated: 23.04.2019
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