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**CENTRAL ADMINISTRATIVE TRIBUNAL,
ERNAKULAM BENCH**

**Contempt Petition No.180/00041/2018
in Original Application No.180/00816/2015**

Tuesday, this the 9th day of April, 2019

C O R A M :

**HON'BLE Mr.E.K.BHARAT BHUSHAN, ADMINISTRATIVE MEMBER
HON'BLE Mr.ASHISH KALIA, JUDICIAL MEMBER**

Mrs.Shyla Anto,
Retired Nursing Sister,
Smt.Suchetha Kripalani Hospital, New Delhi.
Kollannoor House, Kodenchery P.O.,
Kozhikode Dist. - 673 580.

...Petitioner

(By Advocate – Mr.S.Radhakrishnan)

v e r s u s

1. Ms.Preethi Sudan,
The Secretary,
Health & Family Welfare,
Nirman Bhavan, New Delhi – 1.
2. Dr.Rajiv Garg,
The Director General of Health Services,
Lady Harding Medical College &
Smt.Suchetha Kripalani Hospital,
Shaheed Bhagath Singh Marg, New Delhi – 1.
3. Mr.Neeraj Sachdeva,
The Deputy Director (Admn.),
Lady Harding Medical College &
Smt.Suchetha Kripalani Hospital,
Directorate General of Health Services,
Shaheed Bhagath Singh Marg, New Delhi – 1.

...Respondents

(By Advocate Mr.N.Anilkumar, SCGSC)

This application having been heard on 9th April 2019, the Tribunal on the same delivered the following :

ORDER (ORAL)

Per : Mr.E.K.BHARAT BHUSHAN, ADMINISTRATIVE MEMBER

Heard learned counsel for the parties. We have examined the compliance affidavit dated 26.3.2019 wherein an Office Order dated 1.5.2018 has been annexed as Annexure R-4. It is stated that the increments as prayed for by the petitioner have been granted. Further in the affidavit it is stated that the petitioner is required to represent the issue relating to the Fixed Medical Allowance (FMA) before the 2nd or 3rd respondent in the prescribed form giving prescribed undertaking in terms of OM dated 31.1.2018 for consideration. It is seen that the directions contained in Annexure P-1 order has been complied with. However, it would be substantially complied with only when suitable amendment in accordance with the increments granted are made in the Pension Payment Order (PPO) as well.

2. In the light of the above, the C.P is closed with a direction to the respondents to suitably amend the PPO within two months from the date of receipt of a copy of this order, during which time the representation referred to above relating to FMA shall also be considered and decision taken thereon be conveyed to the petitioner. No costs.

(Dated this the 9th day of April 2019)

(ASHISH KALIA)
JUDICIAL MEMBER

(E.K.BHARAT BHUSHAN)
ADMINISTRATIVE MEMBER

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List of Annexures in C.P.No.180/41/2018 in O.A.No.180/00816/2015

- 1. Annexure P-1** – True copy of the order in O.A.No.180/816/2015 dated 20.12.2017.
 - 2. Annexure P-2** – True copy of the representation dated 15.1.2018.
 - 3. Annexure R-1** – True copy of the calculation sheet provided by the counsel for the petitioner.
 - 4. Annexure R-2** – True copy of the due drawn statement of the petitioner for the period from 28.4.2010 to 5.12.2012.
 - 5. Annexure R-3** – True copy of the Expenditure Sanction dated 19.6.2018.
 - 6. Annexure R-4** – True copy of the Office Order dated 1.5.2018.
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