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In the Central Administrative Tribunal

Calcutta Bench

O.A. No. 350/1286/2018

1. Sangeeta Kumari, W/o Mr. Anil Arya, aged about 40 years, at present residing at National Institute of Homoeopathy Quarter, JC Block, Salt Lake, Sector - III, Kolkata - 700098.
2. Payel Aich Sarkar, D/o Krishna Chandra Aich Sarkar, aged about 35 years, at present residing at 183/3A, P. N. Mitra, Brick Field Road, Newalipore, Kolkata - 700053.
3. Priyanka Bera, D/o Shri Ashok Kumar Bera, aged about 36 years, at present residing at A-60, Nandan Kanan, Flat No. F/B, 1st floor, Santoshpur, Kolkata - 700075.
4. Sangita Roy, D/o Late Krishna Chandra Roy, aged about 30 years, at present residing at J-9, 'SIRPA', 426, Prince Anwar Shah Road, Kolkata - 700045.
5. Manimala Biswas, D/o Gobinda Biswas, aged about 35 years, at present residing at 21, Vivekananda Sarani, P.O. Italgacha, P.S. Dum Dum, Kolkata - 700079.

All the applicants are working as Nurse Grade - II, under the overall control of the Director, National Institute of Homoeopathy.

...Applicants

- Vs -

1. Union of India through the Secretary, Ministry of Health & Family Welfare, Govt. of India, having office at Nirman Bhawan, B-Block, GPO Complex, INA New Delhi, Pin - 110001.

Ad

2. Secretary, Ministry of Ayush,
Ayush Bhawan, B-Block, GPO Complex,
INA New Delhi, Pin - 110023.
3. President, Governing Body, National Institute of Homeopathy,
Minister of State, (Independent Charge), Ministry of Ayush,
Ayush Bhawan, B-Block, GPO Complex,
INA New Delhi, Pin - 110023.
4. The Secretary to the Govt. of India,
Ministry of Finance, Department of Expenditure,
North Block, New Delhi - 110001.
5. The Director, National Institute of Homoeopathy,
Block GE, Sector III,
Salt Lake, Kolkata - 700106.

...Respondents

AS

CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH

O.A/350/1286/2018
MA/350/641/2018

Date of Order: 15.11.2018

Coram: Hon'ble Mr. A.K Patnaik, Judicial Member

Sangeeta Kumari & Others
-vs-
National Institute of Homeopathy

For the Applicant(s): Mr. C. Sinha, Counsel

For the Respondent(s): None

A.K Patnaik, Member (J):

Heard Mr. C. Sinha, Ld. Counsel for the applicants.

2. This O.A. has been filed under Section 19 of the Administrative Tribunals Act, 1985 with the following prayers:
3. M.A. No. 641/2018 filed for joint prosecution of this case is allowed and disposed of.
4. This O.A. has been filed under Section 19 of the Administrative Tribunals Act, 1985 with the following prayers:

“a) Liberty may be granted to file and maintain the Original Application jointly under Rule 4(5)(a) of CAT (Procedure) Rules, 1987.
b) To direct the respondents to grant grade pay of Rs. 4600/- in P.B 2 of Rs. 9300-34800/- w.e.f the respective date of joining of the applicants in the post of Nurse Grade-II (Staff Nurse) as prescribed in terms of First Schedule, Part-B, Section-II read with First Schedule, Part-B, Section-I of the Central Civil Services (Revised Pay) Rules, 2008 with all consequential benefits.

Al

c) Any other order or order(s) as the Hon'ble Tribunal seems fit and proper."

5. The case of the applicants in short is that they are aggrieved by the non-grant of Grade Pay of Rs. 4600/- as prescribed under First Schedule, Part-B, Section -II read with First Schedule, Part-B, Section -I of CCS (RP) Rules, 2008, which has already been implemented in other hospitals. Ld. Counsel for the applicants submitted that ventilating his grievance the applicants had preferred representation under Annexure-A/7, which is pending consideration before Respondent No.2. Ld. Counsel for the applicant submitted that the grievance of the applicants may be redressed if Respondent No. 2 is directed to consider their representation within a specific time frame as per the recommendation of the 6th CPC as well as CCS (RP) Rules [Annexure-3].

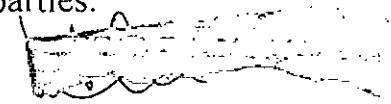
6. Having heard Ld. Counsel for the parties, without going into the merit of the matter, I dispose of this O.A. by directing Respondent No. 2 to consider the representation under Annexure-A/7, if the same has been filed and is still pending consideration, keeping in mind the recommendation made by the 6th CPC as well as CCS (RP) Rules [Annexure-A/3] and pass a reasoned and speaking order as per rules and regulations governing the field within a period of six weeks from the date of receipt of copy of this order. I make it clear that if after such consideration the grievance of the applicants is found to be genuine then expeditious steps be taken within a further period of six weeks to extend those benefits as prayed by the applicants in their representation. I make it clear that if in the meantime the said representation has already been disposed of then the result thereof be communicated to the applicants within two weeks.

7. With the aforesaid observation and direction, this O.A. stands disposed of. No costs.



8. As prayed for by the Ld. Counsel for the applicant, copy of this order, along with paperbook be transmitted to Respondent No. 2, for which, he undertakes to deposit the cost with the Registry within a week.

9. Copies of this order be handed over to the Ld. Counsel for the parties.



(A.K. Patnaik)
Member(J)

RK/PS

