

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH**

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**CP No.063/00183/2018 IN
OA No.063/00887/2018 &
MA No.063/01898/2018 &
MA No.063/01899/2018 &
MA No.063/00121/2019**

Chandigarh, this the 21st day of January, 2019

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

...

1. Ravi Kant S/o Sh. Baldev Singh, aged 34 years, Armature Winder cum Welder, working in Central Research Institute, Kasauli, District Solan, Himachal Pradesh-173204.
2. Saravjeet Singh S/o Sh. Davinder Singh, aged 30 years, Technician, working in Central Research Institute, Kasauli, District Solan, Himachal Pradesh-173204.
3. Kamaljeet S/o Sh. Rattan Chand, aged 30 years, Technician, working in Central Research Institute, Kasauli, District Solan, Himachal Pradesh-173204.
4. Khem Chand S/o Late Sh. Santosh Kumar, aged 34 years, Technician, working in Central Research Institute, Kasauli, District Solan, Himachal Pradesh-173204.
5. Punit Attri S/o Sh. Upender Kumar Attri, aged 27 years, Technician, working in Central Research Institute, Kasauli, District Solan, Himachal Pradesh-173204.
6. Amar Singh S/o Late Sh. Jagat Ram, aged 55 years, Mechnician, working in Central Research Institute, Kasauli, District Solan, Himachal Pradesh-173204.
7. Prem Nath S/o Sh. Roop Ram, aged 57 years, Mechnician, working in Central Research Institute, Kasauli, District Solan, Himachal Pradesh-173204.
8. Gulshan S/o Sh. Prem Chand, aged 32 years, Mechnician, working in Central Research Institute, Kasauli, District Solan, Himachal Pradesh-173204.
9. Vikash S/o Sh. Dilbag Singh, aged 27 years, Mechnician, working in Central Research Institute, Kasauli, District Solan, Himachal Pradesh-173204.
10. Narpat S/o Late Sh. Ratti Ram, aged 55 years, Boiler Attendant, working in Central Research Institute, Kasauli, District Solan, Himachal Pradesh-173204.

11. Bhag Chand S/o Late Sh. Dila Ram, aged 57 years, Boiler Attendant, working in Central Research Institute, Kasauli, District Solan, Himachal Pradesh-173204.

12. Durgesh Kumar S/o Late Sh. Devi Dyal, aged 58 years, Boiler Attendant, working in Central Research Institute, Kasauli, District Solan, Himachal Pradesh-173204.

13. Ishwar Dutt S/o Sh. Dev Dutt Attri, aged 57 years, Boiler Attendant, working in Central Research Institute, Kasauli, District Solan, Himachal Pradesh-173204.

14. Surender Kumar S/o Late Sh. Jeet Ram, aged 31 years, Boiler Attendant, working in Central Research Institute, Kasauli, District Solan, Himachal Pradesh-173204.

15. Manoj Kumar Paswan S/o Sh. Feku Paswan, aged 28 years, Boiler Attendant, working in Central Research Institute, Kasauli, District Solan, Himachal Pradesh-173204.

16. Annu Saini S/o Sh. Bhim Singh, aged 25 years, Boiler Attendant, working in Central Research Institute, Kasauli, District Solan, Himachal Pradesh-173204.

17. Sumit Kumar S/o Sh. Krishan Singh, aged 25 years, Boiler Attendant, working in Central Research Institute, Kasauli, District Solan, Himachal Pradesh-173204.

18. Rohit Yadav S/o Sh. Munna Yadav, aged 22 years, Boiler Attendant, working in Central Research Institute, Kasauli, District Solan, Himachal Pradesh-173204.

19. Devi Dutt S/o Late h. Mansa Ram, aged 57 years, Stocker (Now Workshop Att.) working in Central Research Institute, Kasauli, District Solan, Himachal Pradesh-173204.

20. Pardeep Kumar Kaushal S/o Sh. Sham Singh, aged 53 years, Stocker (Now Workshop Att.) working in Central Research Institute, Kasauli, District Solan, Himachal Pradesh-173204.

21. Chand Lal S/o Late Sh. Madan Lal, aged 48 years, Stocker (Now Workshop Att.) working in Central Research Institute, Kasauli, District Solan, Himachal Pradesh-173204.

22. Narinder Kumar S/o Late Sh. Anant Ram, aged 54 years, Stocker (Now Workshop Att.) working in Central Research Institute, Kasauli, District Solan, Himachal Pradesh-173204.

23. Naresh Kumar S/o Sh. Suresh Kumar, aged 49 years, Stocker (Now Workshop Att.) working in Central Research Institute, Kasauli, District Solan, Himachal Pradesh-173204.

24. Kiran Deep S/o Sh. Madan Lal, aged 24 years, Workshop Attendant, working in Central Research Institute, Kasauli, District Solan, Himachal Pradesh-173204.

25. Kartik Thakur S/o Sh. Raj Kumar, aged 24 years, Workshop Attendant, working in Central Research Institute, Kasauli, District Solan, Himachal Pradesh-173204.

26. Shubham Sharma S/o Sh. Rajender Kumar Sharma, aged 24 years, Workshop Attendant, working in Central Research Institute, Kasauli, District Solan, Himachal Pradesh-173204.

27. Sanjay S/o Sh. Dharampal, aged 28 years, Workshop Attendant, working in Central Research Institute, Kasauli, District Solan, Himachal Pradesh-173204.

28. Ankush Guleria S/o Sh. Jagmohan Singh, aged 23 years, Workshop Attendant, working in Central Research Institute, Kasauli, District Solan, Himachal Pradesh-173204.

29. Bhim Dutt Sharma S/o Sh. Mansa Ram, aged 53 years, Head Carpenter, working in Central Research Institute, Kasauli, District Solan, Himachal Pradesh-173204.

30. Ved Prakash Verma S/o Sh. Tula Ram, aged 51 years, Carpenter, working in Central Research Institute, Kasauli, District Solan, Himachal Pradesh-173204.

31. Rattan Chand S/o Sh. Indru Ram, aged 53 years, Carpenter, working in Central Research Institute, Kasauli, District Solan, Himachal Pradesh-173204.

32. Joginder Kumar S/o Sh. Nand Lal, aged 45 years, Carpenter, working in Central Research Institute, Kasauli, District Solan, Himachal Pradesh-173204.

33. Gian Singh S/o Late Sh. Nand Lal, aged 44 years, Carpenter, working in Central Research Institute, Kasauli, District Solan, Himachal Pradesh-173204.

34. Mahesh Kumar S/o Sh. Kartar Singh, aged 29 years, Carpenter, working in Central Research Institute, Kasauli, District Solan, Himachal Pradesh-173204.

35. Padam Singh S/o Sh. Lekh Ram, aged 46 years, Carpenter, working in Central Research Institute, Kasauli, District Solan, Himachal Pradesh-173204.

36. Vijay Kumar S/o Late Sh. Mast Ram, aged 58 years, Foreman, working in Central Research Institute, Kasauli, District Solan, Himachal Pradesh-173204.

37. Jitender Kumar S/o Sh. A.N. Grover, aged 46 years, Technician now T.S., working in Central Research Institute, Kasauli, District Solan, Himachal Pradesh-173204.

38. Sohan Lal Rattan S/o Sh. Puran, aged 45 years, Technical Supervisor, working in Central Research Institute, Kasauli, District Solan, Himachal Pradesh-173204.

39. Naresh Kumar Attri son of Late Sh. Maya Dutt Attri, age 59 years working as Packer/Packing Supervisor, CRI, Kasauli, District Solan, Himachal Pradesh-173204

40. Om Parkash son of Late Sh. Asha Ram, aged 56 years working as Packer/Labelling Supervisor, CRI, Kasauli, District Solan, Himachal Pradesh-173204

41. Ramesh Chander son of Late Sh. Puran, aged 58 years, Care taker/Sr. care taker, CRI Kasauli, District Solan, Himachal Pradesh-173204.

(All Group 'C' employees)

....PETITIONERS

(Present: Mr. V.K. Sharma, Advocate)

VERSUS

1. Ms. Preeti Sudan, Secretary (H&FW), Ministry of Health & Family Welfare, Nirman Bhawan, New Delhi-110011.

2. Dr. S. Venkates, Director General of Health Services, Ministry of Health & Family Welfares, Nirman Bhawan, New Delhi-110011.

3. Dr. A.K. Tahlan, Director, Central Research Institute, Kasauli, District Solan, Himachal Pradesh-173209.

....RESPONDENTS

(By Advocate: Mr. Sanjay Goyal)

ORDER (Oral)

SANJEEV KAUSHIK, MEMBER (J):-

MA No.063/1898/2018 is allowed and the petitioners are allowed to file the present joint Contempt Petition.

The present Contempt Petition has been filed for non-compliance of directions of this Tribunal as contained in order dated 1.8.2018 passed in O.A. NO. 63/887/2018 whereby the O.A. was allowed and the impugned order (Annexure A-1) was set aside and the petitioners were held entitled for grant of Patient Care Allowance in terms of the decision dated 17.08.2012 rendered in O.A. NO. 147/HP/2012-

Jitender Singh & Ors. Vs. Union of India and Ors. within a period of three months from the date of receipt of certified copy of the order.

2. Respondents have filed a compliance affidavit annexing therewith documents marked as Annexure R-1 & R-2, wherein it has been stated that in compliance to directions of this Tribunal, the matter was referred to Department of Expenditure, Ministry of Finance by the Ministry of Health and Family Welfare for concurrence/approval and it has been agreed to grant Patient Care Allowance to all the petitioners in the O.As in terms of order passed in O.A. NO. 147/HP/2012 subject to obtaining advice from the Ministry of Law and Justice. It is further submitted that the matter has already been forwarded to Ministry of Law and Justice. Learned counsel for respondents submits that 6 weeks further time may be granted to the authorities to implement the order as concurrence has already been granted by the Ministry of Finance.

3. In view of above we are satisfied, that the respondents are in the process of implementing the order of this Tribunal and there is no deliberate disobedience on their part. As prayed, further 6 weeks are granted to the respondents to comply with the order of this Tribunal. The C.P. stands disposed of accordingly. Notice issued is discharged. Pending M.As also stand disposed of, as such.

(P. GOPINATH)
MEMBER (A)

(SANJEEV KAUSHIK)
MEMBER (J)

Dated: 21.01.2019.

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