

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH**

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**CP No.063/00182/2018 IN
OA No.063/00886/2018 &
MA No.063/01896/2018 &
MA No.063/01897/2018 &
MA No.063/00119/2019**

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)**

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1. Shiv Ram son of Shri Beli Ram, aged 50 years, Driver. CRI, Kasauli, HP, Pin-173204.
2. Prem Singh son of Late Sh. Saibu Ram, aged 50 years, Driver, CRI, Kasauli, HP, Pin- 173204.
3. Bhupender Singh son of Late Sh. Prma Nand, aged 51 years, Telephone Operator, CRI, Kasauli HP Pin- 173204.
4. Bijender son of Shri Baddri Parsad, aged 29 years, MTS, CRI Kasauli, HP, Pin 173204.
5. Mrityunjay Kumar son of Shri Bhagwan Dass, aged 28 years, MTS, CRI, Kasauli, HP, 173204.
6. Bakshi Ram Sharma son of Shri Fina Ram, aged 59 years, Library Attendant, CRI Kasauli, HP-173204.
7. Rajpal Singh son of Shri Tundi Ram aged 59 years, Daftri, CRI Kasauli-173204.
8. Diksha Jaswal daughter of Sh. Ramesh Chand, aged 25 years, MTS, CRI Kasauli ,HP-173204.
9. Baldev Singh Katoch son of Late Sh. Parma Nand, aged 58 years, MTS, CRI Ksauli HP-173204.
10. Basant son of Sh. Jai Parkash, aged 26 years, MTS, CRI Kasauli, HP-173204.
11. Rohit Thakur son of Sh. Parshotam Singh. MTS, aged 24 years, CRI Kasauli, HP-173204.
12. Jeevan Shama son of Late Sh. Narayan Dutt, aged 52 years, Chowkidar, CRI Kasauli, HP-173204.
13. Kali Ram son of Late Sh. Theba Ram, aged 57 years, MTS, CRI Kasauli, HP-173204.

14. Amar Singh son of Shri Parma Nand, aged 55 years, MTS, CRI Kasauli, HP-173204.
15. Sewa Ram son of Sh. Lekh Ram, aged 55 years, MTS, CRI Kasauli, HP-173204.
16. Dilbag Singh son of Sh. Vijay Singh, aged 223 years, MTS, CRI Kasauli-173204.
17. Nupur Raina daughter of Sh. Jitender Raina, aged 29 years, MTS, CRI Kasauli ,HP-173204.
18. Chandra Thakur daughter of Sh. Dila Ram, aged 26 years, MTS, CRI Kasauli,HP -173204.
19. Rameshwar Mehta son of Shri Om Parkash Mehta, aged 36 years, UDC, CRI Kasauli, HP -173204.
20. Sanjay Bedi son of Sh. Gogi Ram, aged 41 years, LDC, CRI, Kasauli,HP -173204.
21. Baldev Raj son of Sh. Shankar Singh, aged 42 years, LDC, CRI Ksauli, HP-173204.
22. Prem Singh Shandilya son of Shri Lachhmi Singh, Library Attendant (Retired), aged 64 years, CRI Kasauli,HP-173204.
23. Harswaroop son of Late Shri Ram Swaroop, aged 63 years, Daftri (Retired) CRI Kasauli HP-173204.
24. Tirath Ram Sharma son of Shri Tula Ram, aged 63 years, Library Attendant (Retired) CRI Kasauli-173204.
25. Baldev Singh son of Shri Dharam Singh, aged 64 years, Daftri (Retired) CRI Kasauli-173204.
26. Daulat Ram son of Shri Dila Ram, aged 63 years, Library Attendant (Retired) CRI Kasauli-173204.

Applicants no.22 to 26 C/o Shiv Ram, Driver, CRI Kasauli, Distt. Solan H.P. (All Group-C).

....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. Dr. S.Venkates, Director General of Health Services, Ministry of Health & Family Welfare, Nirman Bhawan, New Delhi-110011.
- 3.Dr. A.K.Tahlan, Director, Central Research Institute, Kasauli, Himachal Prdesh-173204.

(By Advocate: Mr. Sanjay Goyal)

....RESPONDENTS

ORDER (Oral)

SANJEEV KAUSHIK, MEMBER (J):-

MA No.063/01896/2018 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. 63/886/2018 whereby the O.A. was allowed and the impugned order (Annexures 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 be granted 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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