

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH**

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**CP No.063/00173/2018 IN
OA No.063/00852/2018 &
MA No.063/01817/2018 &
MA No.063/01818/2018 &
MA No.063/00112/2019**

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. Vijay Kumar S/o Late Shrinand, aged 57 years, Laboratory Technician,
2. Jai Krishan S/o Sh. Keshav Dutt, aged 56 years, Laboratory Attendant
3. Hanuman Singh S/o Khushal Singh, aged 59 years, Laboratory Technician, aged 59 years, Laboratory Technician,
4. Vijay Kumar-I S/o Sh. Jai Pash Chand aged 37 years, Laboratory Assistant
5. Chaman Lal-II S/o Sh. Deep Kumar, aged 33 years, Laboratory Attendant
6. Durga Dass S/o late Sh. Hari Ram, aged 47 years, working as Laboratory Attendant
7. Roshan Lal S/o Late Sh. Shanti Parkash, aged 59 years, Laboratory Assistant
8. Prem Nath S/o Sh. Chamola Ram, aged 53 years, Laboratory Attendant
9. Partap Singh S/o Sh. Parma Nand, aged 53 years, Laboratory Technician
10. Sushil Kumar S/o Sh. Gurusaran Das, aged 56 years, Laboratory Attendant
11. Rama Kant S/o Sh. Surinder Jain, aged 44 years, Laboratory Technician
12. Suchita Sharma S/o Sh. Bhupinder Singh, aged 36 years, Technical Supervisor,
13. Jasvinder Singh S/o Sh. Hem Raj, aged 36 years, Technical Supervisor,

14. Pradeep Dutt S/o Sh. Shankar Dutt, aged 47 years, Laboratory Assistant
15. Ram Bax S/o Sh. Mast Ram, aged 51 years, Laboratory
16. Vishwas S/o Ram Chander, aged 51 years, Laboratory Attendant
17. Ajit Singh-I S/o Sunder Singh, aged 53 years, Laboratory Assistant
18. Ved Parkash Attri S/o Sh. Ram Karam, aged 45 years, Laboratory Assistant
19. Rajinder Kumar S/o late Sh. Amer Nath, aged 55 years, Safai Karamchari (now MTS)
20. Radha Krishan S/o Sh. Nek Ram, aged 55 years, Lab Attendant,
21. Pradeep Waithan S/o Sh. H.P. Waithan, aged 47 years, ATO
22. Devendra Barthun S/o Shiromani Bartha, aged 34 years, Tehnical Supervisor,
23. Davinder Kumar S/o Sh. Mehar Singh, aged 45 years, Technical Supervisor
24. Sajiv Sood S/o Sh. Onkar Chand Sood, aged 49 years,
25. Sumir Raibhalla S/o Sh. Kuldeep Rai Bhalla
26. Manoj Kumar Sharma S/o Late Sh. Devi Dutt Sharma,
27. Sanjay Singh Meena S/o Sh., Chirangi Lal, aged 50 years, ATO
28. Manoj Kumar S/o Late Sh. Sohan Lal, aged 53 years, Safai Karamchari now MTS
29. Jai Pal Singh S/o Sh. Prem Nath, aged 53 years, Safai Karamchari, now MTS,
30. Budh Ram S/o Sh. Basti Ram, aged 58 years, Technical Supervisor
31. Deepak Kumar-I S/o Sh. Chunni Lal, aged 59 years, Lab Assistant,
32. Jaswant S/o Sh. Sohan Lal, aged 49 years, Lab Attendant,
33. Sita Ram S/o Sh. Rirdu Ram, aged 56 years, Lab Attendant
34. Pappu Singh S/o Sh. Kali Charan, aged 44 years, MTS,
35. Chaman Lal S/o Sh. Dil Ram, aged 48 years, Laboratory Attendant

36. Devender Kumar Sharma S/o Sh., Raj Kumar Sharma, aged 46 years, Technical Supervisor,

37. Fagulal V. Kumbhani S/o Sh. Vishnu R. Kumbhani, aged 47 years Technical Supervisor, now ATO

38. Subir Kumar SIL S/o Sh. Sudhir Kumar SIL, aged 44 years, Khalasi,

39. Bala Dutt S/o Sh. Itli Ram, aged 59 years, Lab Attendant

40. Bhupinder Kumar S/o Sh. Baldev Singh, aged 34 years, Lab Attendant,

41. Jagdish Kumar s/o Late Sh. Mukhtara Ram, age 58 years, Lab Attendant

42. Sh. Rakesh Kumar s/o Sh. Data Ram, age 42 years, Lab Attendant,

43. Sh. Sudarshan Kumar S/O Late Sh. Joga Ram, age 52 years, Lab Assistant

44. Smt. Preeti Thakur w/o Sh. Deva Nand Thakur, Technical Supervisor, now ATO

45. Mr. Aashish Chaurasia son of Sh. Vinod Kumar Chaurasia, age 37 years, Technical Supervisor

All working in the office of Director, Central Research Institute, Kasauli, District Solan, Himachal Pradesh. (All Pin Code No. 173204 and 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 Pradesh-173204.

....RESPONDENTS

(By Advocate: Mr. Sanjay Goyal)

ORDER (Oral)

SANJEEV KAUSHIK, MEMBER (J):-

MA No.063/01817/2018 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 24.7.2018 passed in O.A. NO. 63/852/2018 whereby the O.A. was allowed and the impugned orders (Annexures A-1 & A-2) were 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 -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.
'sk'

