

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI**

O.A. No. 1108/2019
M.A. No. 1218/2019

This The 5th day of April, 2019

**HON'BLE MR. V. AJAY KUMAR, MEMBER (J)
HON'BLE MS. ARADHANA JOHRI, MEMBER (A)**

1. Tejinder Pal Singh,
S/o Sh Jagtar Singh,
Aged about 32 years (Group 'C')
R/o 1537/13, 2nd Floor, Govindpuri,
Kalkaji, New Delhi – 110 019
Place of Posting – DGD PVR Saket Complex, CDMO
South District, under DHS, Delhi.
2. Amit Sharma,
S/o Sh. Dayanand Sharma
Aged about 32 years (Group 'C')
Post- Pharmacist
R/o C-8/42, Yamuna Vihar, Delhi – 110 053.
Place of posting -DGD Khajoori Khas,
Khajoori Khas Village, Delhi-90,
(North East District)
3. Nidhi,
D/o O.P. Hasija
Aged about 31 years (Group 'C')
R/o 1506/40, Maksudabad Colony,
Najafgarh, New Delhi,
Place of posting – Seed Puhc Gopal Nagar, Najafgarh
under DHS, Delhi.
4. Shant Sahu,
S/o Sh. Balram Sahu
Aged about 33 years (Group 'C')
Post-Pharmacist
R/o. Pithoria wala Kirana Shop,
Near Moti Nagar Thana,
Ravi Shankar Ward, Sagar, M.P.-470 002.
Place of posting-School Health Scheme,

DHS, GNCTD, Delhi,
Karkardooma, Delhi.

5. Balvinder Kaur,
D/o Shri Gurnam Singh
Aged about 28 years (Group 'C')
Post-Pharmacist
R/o DA-540, Shalimar Bagh, Delhi
Place of posting – DGD Khyala, CDMO
West District, under DHS, Delhi.
6. Sumedha Saini,
D/o I.D. Saini,
Aged about 32 years, (Group 'C')
Post – Pharmacist,
R/o 117, 4th Floor, Masjid Moth, South Ex. Part-II
New Delhi – 110 049.
Place of posting - DGD Mayur Vihar Phase-I,
CDMO East District, under DHS, Delhi.
7. Sangeeta Rawat,
D/o Late D. S. Rawat
Aged about 29 years (Group 'C')
Post-Pharmacist
R/o C-47, (F-16), Ganesh Nagar,
Pandav Nagar Complex, Delhi-110 092.
Place of posting - DGD Bank Enclave,
CDMO East District, under DHS, Delhi.
8. Sandeep Kumar,
S/o Sh Hari Krishan
Aged about 30 years (Group 'C')
Post – Pharmacist
R/o 1/3, Main Road, Mandoli Ext.
New Delhi – 110 093.
Place of Posting – School Health Scheme,
North East District, under DHS, Delhi
9. Mahendra Prasad Saini,
S/o Sh. Kalu Ram Saini
Aged about 30 years (Group 'C')
Post - Pharmacist
R/o F-75/15, Pul – Pehladpur, Badarpur,

New Delhi – 110 044.
Place of posting – DDG Gali Guliyan,
CDMO Central District, under DHS, Delhi.

10. Swati Raina,
D/o Sh. Sunil Raina
Aged about 32 years (Group 'C')
Post-Pharmacist
R/o 91-A, Pocket-C, Siddhartha Ext.
New Delhi – 110 014.
Place of Posting – CDMO Central District
Under DHS, Delhi.

11. Santosh,
S/o Sh. Rajkumar
Aged about 33 years (Group 'C')
Post – Pharmacist
R/o BPO Khatiwash Tahsil
District Jhajjar, Haryana.
Place Of Posting – DGHC, Dhansa Dispensary
under DHS, Delhi.

12. Pankaj Prasad,
S/o Sh. Rewti Prasad
Aged about 33 years (Group 'C')
POST – Pharmacist
R/o B-41, DDA Flats, Phase-I,
Katwaria Sarai,
New Delhi- 110016
Place of posting – DGD Chhattarpur,
CDMO South District, under DHS, Delhi.

13. Tarun Kumar Bhatia,
S/o Sh. Harish Kumar Bhatia,
Aged about 29 years (Group 'C')
Post-Pharmacist
R/o – C-15, Jhilmil Colony, Delhi-95.
Place of posting-DGG Chander Nagar,
CDMO East District, under DHS, Delhi.

14. Anu Marwaha,
D/o Shri Ramesh Marwaha

Aged about 32 years (Group 'C')
 POST – Pharmacist
 R/o C-447, Street No. 17, Bhajanpura,
 Delhi – 110 053.
 Place Of Posting – DGD Bank Enclave,

15. Chitranjan, S/o. Sh. B. N. Mehto
 Aged about 33 years (Group 'C')
 R/o C-267, Block No. 5, Albert Square,
 Gole Market, New Delhi – 110 001
 Place of posting-DGD Motia Khan,
 CDMO Central District, under DHS, Delhi.

16. Ambreen Naqvi,
 D/o Lt. Iftekhar Ahmad Naqvi,
 Aged about 30 years (Group 'C')
 Post : Pharmacist
 R/o J-3/21, Khirki Ext. Malviya Nagar,
 New Delhi-110017
 Place of posting: DGD Chirag Delhi,
 CDMO South District, under DHS, Delhi.

17. Balbir Singh,
 S/o Sh. Mahendra Singh
 Aged about 33 years (Group 'C')
 Post –Pharmacist
 R/o 5934/4, Gali No. 1, Dev Nagar, Karol Bagh,
 New Delhi – 110 005.
 Place Of Posting – AAMC (MD)
 CDMO Central District, Nabi Karim, Paharganj,
 New Delhi – 110 055.

18. Sandeep Rana,
 S/o Sh. Vikram Singh,
 Aged about 33 years (Group 'C')
 Post-Pharmacist,
 R/o. Vill. + Post – Daha, District Bagpat,
 U.P.- 250 611
 Place of posting-DGD, Khanpur,
 CDMO South District, under DHS, Delhi.

19. Mukesh Sharma,
 S/o Sh. Ram Pal Sharma

Aged about 34 years (Group 'C')
Post- Pharmacist
R/o. C-9/138, Sultanpuri,
New Delhi-110 086.
Place Of Posting- CDMO Nabi Karim,
Under DHS, Delhi.

20. Atul Kumar
S/o Sh. Rajender Prasad
Aged about 31 years (Group 'C')
Post- Pharmacist
R/o LIG Flat No. 148, Pocket-5,
Sector-2, Rohini, Delhi.
Place Of Posting - AAP, Saraswati Vihar,
North West Zone.

21. Vikas, S/o Shri Ram Kumar
Aged about 32 years (Group 'C')
Post - Pharmacist
R/o M-49, Krishna Vihar,
New Delhi 110 086.
Place Of Posting – Aam Admi Mohalla Clinic
Kamla Nagar, Central District Delhi.

22. Anil Kumar,
S/o Sh. Ratti Ram
Aged about 36 years (Group 'C')
Post-Pharmacist
R/o 382/1, Main Gali, Ashram,
Mandawali, Fazalpur, Delhi -110092
Place Of Posting : DGD Laxmi Nagar East,
CDMO Office, East District.

23. Jyoti Jain,
D/o Sh. Sushil Kumar Jain
Aged about 31 years (Group 'C')
Post-Pharmacist
R/o 60/24, Shiv Nagar, Near Hindu
College of Management, Sonipet, Haryana.
Place Of Posting - DGD Paharganj
Central District.

24. Jitendra Kumar Mishra,
 S/o Sh. Santosh Kumar Mishra
 Aged about 31 years (Group 'C')
 Post - Pharmacist
 R/o H.NO. FF-5, D-8/15, DLF Ankur Vihar,
 Loni, Ghaziabad, U.P. – 201 102
 Place Of Posting – DGD Trade and Taxes
 CDMO Central District, Under DHS, Delhi.

25. Anjali Devi, D/o Shri Jagbir Singh,
 Aged about 29 years (Group 'C')
 Post- Pharmacist
 R/o H. NO – 307, Ranholla Village, Nangloi
 New Delhi – 110 041
 Place of Posting – DGF Tilanpur, Kotla
 CDMO West District, under DHS, Delhi.

26. Amit Joshi,
 S/o Shri Harish Joshi
 Aged about 29 years (Group 'C')
 Post -Pharmacist
 R/o House no. 363, Block-A,
 Street No. 6,Dhankhad Nursing Home
 Kaushik Enclave,, Burari, Delhi-110 084.
 Place of posting – CDMO North District.

All the applicants are working on the post of Pharmacist with the respondents.

.... Applicants

(By Advocate : Mr. Nilansh Gaur)

VERSUS

1. National Capital Territory of Delhi
 Through Chief Secretary
 Delhi Secretariat, IP Estate,
 Delhi – 110002.
2. The Secretary (Health)
 Health & Family Welfare
 NCT of Delhi, 9th Level
 'A' Wing, Delhi Secretariat
 New Delhi-110002.

3. The Director

Directorate General of Health Services
F-17, Karkardooma, Delhi.

...Respondents

(By Advocate : Mr. H. A. Khan, Additional Standing Counsel)

ORDER (ORAL)

Hon'ble Sh. V. Ajay Kumar, Member (J)

Heard Shri Nilansh Gaur, the learned counsel for the applicants and Mr. H. A. Khan, Additional Standing Counsel on receipt of advance notice.

2. M.A No. 1218/2019 filed for joining together is allowed.

3. The applicants, who are working as Pharmacists under the respondents, filed the O.A. seeking the following relief(s):-

“8.1 Direct the respondents to comply with the decision of the Ld. Central Administrative Tribunal was passed vide order dated 12.08.2014 in O.A. No. 2947/2013 (along with batch of OAs) as upheld by the Hon'ble Delhi High Court vide judgment dated 28.03.2017 passed in W.P.(C) No. 717/2015 (along with other writ petitions) and extend the benefit of the same to the applicants, by fixing the pay of the applicants at par with the pay of the new entrant/regular entrant working on the same post from the date of initial appointment, alongwith arrears of pay and interest as per Law with all consequential benefits; and

8.2 Direct the Respondents to extend the benefit of order dated 07.03.2019 to the applicants being identically situated contractual employees and accordingly fix their pay at par with regular/new entrant from the date of their initial appointment alongwith arrears of pay and interest admissible as per law; and

8.3 Direct the respondents to grant the benefit of automatic revision of DA at par with identically situated Contractual Staff as well as the new/regular entrants working as Contractual Staff; and

8.4 Any other relief with this Hon'ble Tribunal may deem fit and appropriate, in the circumstances of the case."

4. It is submitted that the applicants made Annexure A-I (Colly), representations dated 15.03.2019, ventilating their grievances to the respondents. However, no orders have been passed thereon till date.

5. In the circumstances, the O.A. is disposed of at the admission stage itself, without going into the merits of the case, by directing the respondents to consider the said Annexure A-I (Colly), representations dated 15.03.2019 of the applicants and to pass appropriate reasoned and speaking orders thereon, in accordance with law, within 90 days from the date of receipt of a certified copy of this order. No order as to costs.

Let a copy of the O.A. be enclosed to this order.

(Aradhana Johri)
Member (A)

(V. Ajay Kumar)
Member (J)

/Mbt/