

**Central Administrative Tribunal
Principal Bench, New Delhi**

**O.A. No. 2952/2019
with
M.A. No. 3266/2019**

This the 4th day of October, 2019

**Hon'ble Mr. A. K. Bishnoi, Member (A)
Hon'ble Mr. R.N. Singh, Member (J)**

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| 1. | Ms. Josy M.J.
D/o Shri Jose George
H.No.2390, Pocket – 1
Mayur Vihar Phase-1
Delhi-110091. | 33 years
Staff Nurse
Group-C |
| 2. | Ms. Chitra Thomas
W/o Sh. Sunil Thomas
Methodist Church Shahdara
1-Bhola Nath Nagar
North East Delhi
Delhi-110 032 | 44 years
Staff Nurse
Group-C |
| 3. | Ms. Bharti Nayak
W/o Sh. Samerendra Nayak
R/o House No. 432
Sun Light Colony-2
Hari Nagar, Ashram,
South Delhi, Delhi-110 014 | 36 years
Staff Nurse
Group-C |
| 4. | Ms. Mamta
D/o Sh. Tarachand Ghial
R/o House No. A-213,
Neb Sarai, IGNOU,
South Delhi,
Delhi – 110 068 | 32 years
Staff Nurse
Group-C |
| 5. | Ms. Victoria Shawel
W/o Sh. Neeraj Shawel
H.No. CB-353, 3 rd Floor
Ring Road, Naraina,
New Delhi-110 028. | 38 years
Staff Nurse
Group-C |
| 6. | Smt. Gurvinder Kaur | 41 years |

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| | W/o Shri J.M. Singh
Plot No. 2, H.No. 434,
2 nd Floor, Sector-11,
Dwarka, New Delhi. | Staff Nurse
Group-C |
| 7. | Ms. Garima Pursani
D/o Sh. Paras Ram Pursani
H.No. 3/226, Subhash Nagar
New Delhi-110027. | 36 years
Staff Nurse
Group-C |
| 8. | Ms. Heikham Shantibala Devi
D/o Shri Heikham Ibohal Anal
H.No. 4-C, C.B. Block,
Hari Nagar, New Delhi. | 39 years
Staff Nurse
Group-C |
| 9. | Ms. Jaisymol Samuel
W/o Sh. Jogy George
H.No. 7-A, DDA Flats
Shivaji Enclave
Rajouri Garden
New Delhi. | 37 years
Staff Nurse
Group-C |
| 10. | Ms. Jobhita George
W/o Shri Shiv Varma
H.No. 107, Gali No. 08,
East Guruangad Nagar
Near Gurudwara, Delhi. | 38 years
Staff Nurse
Group-C |
| 11. | Ms. Pooja
D/o Sh. Devki Pant
R/o House No. 6
SOS Children Village
Amar Nagar
Faridabad
Haryana-121 003 | 33 years
Staff Nurse
Group-C |
| 12. | Ms. Mutum Baleka Devi
D/o Shri M. Brajamari Singh
R/o Patsoi, Part One (1)
N.C. Road, P.O. G.C.C.R.P.F.
Langjing, Imphal-795113
(Manipur). | 40 years
Staff Nurse
Group-C |
| 13. | Ms. Ambika
W/o Sh. Hemant Kumar
H.No. C-173,
Pandav Nagar, | 40 years
Staff Nurse
Group-C |

Delhi-110092.

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| 14. | Ms. Dhanya Murali
D/o Shri Murali Sankaran
Flat No. 202
Grace Apartment
RZ-8, Gali No. 5, Rajnagar Part-1
Palam Colony, New Delhi. | 36 years
Staff Nurse
Group-C |
| 15. | Smt. Jeba Sheeba
W/o Sh. Justin Ravi
H.No. B-36, Ground Floor,
Matiala Extension,
Uttam Nagar,
New Delhi-110059 | 36 years
Staff Nurse
Group-C |
| 16. | Ms. Rabeka Peter
D/o Shri Sunday Peter
H.No. C-22/B, I.I.G. Flat
Brij Vihar,
Post Chander Nagar,
Distt. Ghaziabad (UP) | 38 years
Staff Nurse
Group-C |
| 17. | Ms. Seltun Nobimi Anal
D/o Shri Settin Ranikham Anal
H.No. 100, 4 th Floor,
Humayun Park,
New Delhi-110029. | 36 years
Staff Nurse
Group-C |
| 18. | Smt. B. Hebzibah,
W/o Shri Victor Sanut
H.No. 82/83, Sector B-7,
Rohini, Delhi. | 47 years
Staff Nurse
Group-C |
| 19. | Ms. Roseleen Victor
W/o Sh. Victor
H.No. 20, 1 st Floor,
Savitri Nagar
(Malviya Nagar), New Delhi. | 46 years
Staff Nurse
Group-C |
| 20. | Smt. Neera Prabha
W/o Sh. Patrick Kujur
H.No. 45/6, Gali No. 110/112
B-Block, Sant Nagar,
Burari, Delhi-110 035. | 40 years
Staff Nurse
Group-C |
| 21. | Smt. Elizabeth Abraham | 36 years |

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| | W/o Sh. Rajeev Pokkandath
H.No. C-204, First Floor
DDA Flats, Kalkaji,
New Delhi-110019. | Staff Nurse
Group-C |
| 22. | Ms. Lhingnulam Kipgen
D/o Otjalal Kipgen
H.No. 2973/13,
Ranjit Nagar,
New Delhi-110008. | 38 years
Staff Nurse
Group-C |
| 23. | Smt. Ranju Kumari
W/o Sh. Anant Kumar
H. No. WZ-314,
Narayana Village,
New Delhi-110028. | 46 years
Staff Nurse
Group-C |
| 24. | Smt. Mariamma Chacko
W/o Sh. Raju Massey
H.No. B-162,
East of Kailash,
New Delhi-110065 | 45 years
Staff Nurse
Group-C |
| 25. | Ms. Ningthoujam Krishnakumari Devi
D/o Shri B. Prem Kumari
H.No. 909, 1 st Floor
Akshar Dham Apartment
Dwarka, Sector-19
New Delhi-110075 | 42 years
Staff Nurse
Group-C |
| 26. | Ms. Shamjetshabam Madhumati
D/o Shri Shamjetshabam
H.No. 2625, 1 st Floor,
Gali No. 2, Shadipur Main Bazar
Patel Nagar, New Delhi-110 008 | 35 years
Staff Nurse
Group-C |
| 27. | Ms. Catherine Meishana
D/o Shri A.S. Qrestes
H.No. 70-A/1, 4 th Floor,
Main Market Garhi
Nearby HOMC School
East of Kailash
New Delhi-110065. | 38 years
Staff Nurse
Group-C |
| 28. | Ms. Rupinder Kaur
W/o Gurnal Singh
H.No. 1/6077, East Rohtas Nagar | 32 years
Staff Nurse
Group-C |

Shahdara, Delhi-110 032.

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| 29. Ms. Upasana
D/o Shri Kuldeep Sharma
H.No. 3/3,
East Guru Angad Nagar
New Delhi-110008. | 31 years
Staff Nurse
Group-C |
| 30. Smt. Sunita Rani
W/o Shri Vinod Kumar,
H.No. Y-42, Budh Vihar, Phase-I
New Delhi-110056. | 31 years
Staff Nurse
Group-C |
| 31. Ms. Sreeja Unni
W/o Shri Sreekanth Menon
H.No. 315-D. L.I.G. Flats,
G.T.B. Enclave, Pocket-E
Nand Nagari, Delhi-110093 | 30 years
Staff Nurse
Group-C |
| | ...Applicants |

(By Advocate: Sh. Fidel Sebastian)

VERSUS

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| 1. The Medical Superintendent
RML Hospital
New Delhi-110 001. | |
| 2. The Secretary
Ministry of Health & Family Welfare
Nirman Bhawan
New Delhi-110 011. | |
| | ...Respondents |

(By Advocate: Sh. Gyaneshwar)

ORDER (Oral)

Hon'ble Mr. R.N. Singh, Member(J):

Heard.

2. The applicants, 31 in numbers, who are working as Staff Nurse in Group-C post under Respondent No. 1 on contract basis for approximately 10 years or more, have filed this OA, seeking the following reliefs:-

“(i) direct the respondents to regularise/confirm the services of the applicants on the posts of Staff Nurses and pay them all the consequential benefits thereof including difference of arrears of salary, etc;

(ii) allow the present Original Application with costs in favour of the applicants; and

(iii) pass any other order/s as this Hon’ble Tribunal may deem fit and proper in the facts of the case in the interest of justice and in favour of the applicants.”

3. The applicants have filed the MA No. 3266/2019 seeking permission to file the aforesaid OA jointly on the ground that the applicants are similarly placed. The facts in the present OA and reliefs sought by the applicants are also of same nature.

4. Learned counsel for applicants submits that before approaching this Tribunal by way of present OA, the applicants got a legal notice dated 12.08.2019 (Annexure A-1) issued to the respondents. However, no response has been received from the respondents or from their counsels on such legal notice.

5. Learned counsel for applicants further submits that there has been an extraordinary circumstances for the applicants in approaching this Tribunal even before expiry of 60 days, a six months' as required under CPC or the AT Act respectively in as much as the respondents are likely to fill up the posts on regular basis by selecting others and ignoring the applicants.

6. Learned counsel for applicants submits that the applicants shall be satisfied if the present OA is disposed of with the direction to respondents to consider the aforesaid legal notice dated 12.08.2019 and dispose of the same by appropriate decision of the Competent Authority thereof in a time bound manner.

7. In view of the aforesaid, we are of the considered view that if such request of applicants is acceded to at this stage, no prejudice will be caused to respondents.

8. In view of the above, we dispose of the OA with a direction to the Respondent No. 1 to consider the applicants' aforesaid legal notice dated 12.08.2019 (Annexure A-1) and dispose of the same by passing an appropriate reasoned and speaking order within a period

of 8 weeks from the date of receipt of a certified copy of this order. Pending MA is also disposed of accordingly.

9. No order as to costs.

(R.N. Singh)
Member (J)

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(A.K. Bishnoi)
Member (A)