

**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)**

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

	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.

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

	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.

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

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)

/akshaya/

(A.K. Bishnoi)
Member (A)