

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI

O.A.No.2460/2003  
with  
O.A.No.2100/2003

Wednesday, this the 10th day of March, 2004

Hon'ble Shri Justice V.S.Aggarwal, Chairman  
Hon'ble Shri S.K.Naik, Member (A)

OA-2460/2003

1. Dr. Ranjana Kumari  
w/o Shri Shubhendu Kumar  
r/o A-51, Pandara Road  
New Delhi-3
2. Dr. Abha Rani  
d/o Sh. Ram Singh  
r/o B-8A, Shashi Garden  
Gali No.7  
Mayur Vihar, Phase-I  
New Delhi-91
3. Dr. Savita Singh  
c/o Sh. A.K.Rana  
r/o 245/4B, Railway Officers' Colony  
Pachkuiyan Road  
New Delhi-1
4. Dr. Amit Kumar Mondal  
s/o late Sh. A.K.Mondal  
R/o E-204, Saraswati Kunj  
25, I.P.Extension, Patparganj  
Delhi-92
5. Dr. Grijesh Kumar  
s/o Sh. Lakhani Chand Pepal  
r/o 67-A, Kundan Nagar  
Laxmi Nagar, Delhi-92
6. Dr. Madhhulika Gupta  
d/o late Sh. J.C.Gupta  
r/o B-1, Kanti Nagar  
Delhi-51
7. Dr. Rajendra K. Chopra  
s/o late Sh. Dina Nath Chopra  
r/o S-E 108 Shastri Nagar  
Delhi-51

...Applicants

(By Advocate: Shri Amitesh Kumar)

Versus

1. Govt. of NCT of Delhi  
through the Secretary, Medical  
5, Sham Nath Marg, Delhi-54
2. The Secretary  
Deptt. of Health & Family Welfare  
Govt. of NCT of Delhi  
Sachivalaya Complex, IP Estate  
New Delhi

- 17 3. The Director of Health Services, Delhi  
Govt. of NCT of Delhi  
F-17, Karkardooma, Delhi

..Respondents

(By Advocate: Shri Ajesh Luthra)

OA-2100/2003

1. Dr. Radha Dubey  
w/o Shri Sandeep Kumar  
r/o 7369, Prem Nagar  
Shakti Nagar, New Delhi-7
2. Dr. Renu Jain  
d/o Sh. S.K.Jain  
r/o D-34, Sector-36, Noida-201303

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F-17, Karkardooma, Delhi

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(By Advocate: Shri Ajesh Luthra)

## O R D E R (ORAL)

Justice V.S. Aggarwal:

By this common order, both the original applications (OA-2460/2003 and OA-2100/2003) can conveniently be disposed of together.

2. Facts are simple. Earlier, OA-2600/97 had been filed by Dr. Susmita Aich and others. The same was disposed of by this Tribunal on 21.5.1998. Operative part of the same reads:-

"a) The respondents shall grant the applicants the same pay scale and allowances and other service benefits,

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like, leave, increment on completion of one year and other benefits of service conditions/ as are admissible to Medical Officers who are appointed on regular basis in the corresponding pay scales.

b) The artificial break of one or two days in service, if any, during the contract period, shall be ignored and they shall be deemed to have continued in service from the date of their first appointment till regular appointments are made by the respondents in accordance with the relevant rules/instructions. In the circumstances of the case, respondents shall also consider giving age relaxation to the applicants in accordance with the rules, if they are candidates before the UPSC for regular appointment, to the extent of the number of years of service they have rendered on contract/ ad hoc basis.

c) The above directions shall be implemented within three months from the date of receipt of a copy of this order."

other  
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It is not in dispute that similar original applications had been filed and similar orders had been passed.

3. The applicants have a grievance that the respondents have not paid the pay and allowances to them for the past many months, i.e., from April 2003, when the petitions were filed.

4. During the course of submissions, learned counsel for respondents informed us that the arrears had been paid upto 31.12.2003. Pertaining to months of January and February 2004, the bills are being prepared and the payments shall be made. Keeping in view this statement, we do not intend to pass any further specific order.

5. Learned counsel for applicants informed us that after the decision of this Tribunal in the year 1998,

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149 there was no specific order that was being passed and presently an order has been passed appointing the applicants upto 31.3.2004. It was explained that in fact the decision of this Tribunal referred to above is not being violated but it is because of the administrative and technical reasons that such orders have been passed to pay to the applicants the same. Once it is stated that the respondents intend to comply with the directions of this Tribunal, we accept the said explanation hoping that the undue delay shall not occur while making the payments of the arrears.

6. It has further been ~~st~~<sup>st</sup> pointed that on certain occasions, the GPF, CGEIS, etc. had been deducted from the salary and thereafter it has not been so deducted. Learned counsel for the respondents informed us that the decision in this regard is to be taken as to whether the applicants, who are not the permanent employees, can insist on the deduction of the GPF and other similar deductions. We hope that the decision in this regard shall be taken preferably within four months of the receipt of a copy of the present order. The decision so taken should be communicated to the applicants.

7. The last submission in this regard was that the conveyance allowance has not been paid to some of the applicants. The answer forthcoming was that it has been paid to some of the similarly situated doctors. So far as Dr. Ranjana Kumari and Dr. Radha Dubey are concerned, for the period for which they shall submit

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their claims, the payments shall be paid in accordance with law.

8. Both the OAs are disposed of with these observations.

( S. K. Naik )  
Member (A)

( V. S. Aggarwal )  
Chairman

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