

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH**



**OA No-3254/2019
MA No-3576/2019**

New Delhi, this the 19th day of November, 2019

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

1. Mahesh Kumar Yadav
Age about 34 years
Designation Staff Nurse, Group 'C'
S/o Shri Santu Ram Yadav
Post Kolahera, Tehsil Thanagazi
District Alwar-301024(Rajasthan)
Jai Pal Singh (Retired as Electrician)
2. Yogesh Kumar Yadav
Age about 30 years, Group 'C'
S/o Shri Roshan Lal
R/o village Bagdola, Sector 8
Dwarka, new Delhi-110077.
3. Anil Kumar Sharma
Age about 32 years, Group 'C'
S/o Shri Ramesh Chand Sharma
R/o Behind New Bus Stand
Mansarovar Colony, Rajgarh
District Alwar (Rajasthan)
4. Thakur Dutt
Age about 33 years, Group 'C'
S/o Shri Narottam Lal
R/o V&PO, Dahina Gaon
Tehsil Roopwas
District Bharatpur-321402 (Rajasthan)
5. Irengbam Sakuntala Chanu
Age about 31 years, Group 'C'
S/o Shri Irengbam Naba Meitei
R/o 160, Sarai Julena
Opp. Fortis Escort Hospital

New Delhi-110025.



6. Poonam D/o Shri Satbir Singh
Age about 33 years, Group 'C'
R/o 3/25, Veena Enclave
Nangloi, New Delhi-110041.

7. Promila Dixon
D/o Shri Dixon B. Lal
Age about 27 years, Group 'C'
R/o Flat No.37, Type 2, DJB Flat
Rithala, Rohini, Delhi.

8. Seems W/o Shri Deepak Rohal
Age about 36 years, Group 'C'
R/o V&PO Machhrouli, Tehsil Samalka
District Panipat (Haryana).

9. Hmangte Khamrengnei Kom
Age about 36 years, Group 'C'
D/o Shri Hmangte Ngirthingbum Kom
R/o Flat No.B-2, Premises No.98/9
Ghitorni, New Delhi-110030.

10. Preeti, D/o Shri Jai Prakash Singh
Age about 28 years, Group 'C'
R/o House No.1802/31, Shastri Colony
Near Gohana Road, Sonipat-131001 (Haryana)

11. Meenakshi W/o Shri Sandeep Nilothi
Age about 30 years, Group 'C'
C/o Shri Rajpal, House No.13/150
Gali No.3, Arya Nagar, Bahadurgarh
Jhajjar (Haryana).

12. Manoj Kumar
Age about 28 years, Group 'C'
S/o Shri Mangtu Ram
R/o WZ-1374, Nangal Raya
New Delhi-110046.

13. Basanti Kumari
Age about 31 years, Group 'C'
D/o Shri Devi Singh Lamba
R/o WZ-103, 3rd Floor, Om Vihar



Phase-2, Uttam Nagar, Near State Bank
Of India ATM Wali Gali
Delhi-110059.

14. Seema Rani
Age about 30 years, Group 'C'
W/o Shri Surender Khatri
R/o H. No.378, VPO Banker
Narela, New Delhi-110040.
15. Manisha Devi
Age about 30 years, Group 'C'
D/o Shri Ram Singh Yadav
R/o Swati Working Girls Hostel
Mandir Marg, New Delhi-110001.
16. Reena W/o Shri Sandeep Mann
Age about 31 years, Group 'C'
R/o 1122, Lijay Ram Estate, Alipur
Delhi-110036.
17. Ashwini Kumar Sharma
Age about 30 years, Group 'C'
S/o Shri Ashok Kumar Sharma
R/o Main Market Lakhero-ka-Mohalla
Thananazi, District Alwar-30122 (Rajsathan)
18. Josephine Massey
Age about 30 years, Group 'C'
W/o Shri Manish Massey
R/o 135-B, Pocket 'E', Dilshad Garden
Delhi-10095.
19. Arunima S. Ram
Age about 31 years, Group 'C'
D/o Shri Samual B. Ram
R/o R-35, 'R' Block, Mohan Garden
Uttam Nagar, Near Nawada Metro Station
New Delhi-110059.
20. Ajay Kumar Bhuria
Age about 33 years, Group 'C'
S/o Shri Durga Dutt Bhuria
R/o WZ-1644, Nangal Raya
Delhi Cantt, New Delhi-110046.



21. Priya Vaibhav
Age about 27 years, Group 'C'
D/o Shri Gopal Sharma
R/o 781/D, Ward No.6, Mehrauli
New Delhi-110030.
22. Manika Kumar
Age about 29 years, Group 'C'
D/o Shri Bhushan Singh Yadav
R/o RZ-672/43-A, Gali No.27-G
Sadh Nagar-II, Near Palam Extension
New Delhi-110045.
23. Leena K.K.
Age about 29 years, Group 'C'
W/o Shri Suresh K.K.
R/o P-43/7, Albert Ekka Colony
Timarpur, Delhi-110054.
24. Savita, Age about 30 years, Group 'C'
W/o Shri Gaurav
R/o H. No.878, Main Sagar Pur
Street no.5/11, New Delhi-110046.
25. Naresh Kumari
Age about 28 years, Group 'C'
D/o Shri Veer Singh
R/o 657, 2nd Floor, GTB Enclave, Janta Flat
Dilshad Garden, Delhi-110093.
26. Savita W/o Shri Abhishek Kumar
Age about 32 years, Group 'C'
R/o H. No. 298, Mohalla Kot
Near Primary Kot School
Sonipat (Haryana).
27. Anish Chandran
Age about 36 years, Group 'C'
S/o Shri K.P. Ramchandran
R/o B-3/48, U.D.A.P. Colony, Nehru Nagar
New Delhi-110065.
28. Suman Lata Meena
Age about 33 years, Group 'C'
D/o Shri Jai Narayan Meena

R/o Room No.210, Swati Girls Hostel
Mandir Marg, New Delhi-110001.



29. Rakesh Kumar Yadav
Age about 34 years, Group 'C'
S/o Shri A.S. Christopher
R/o village Aaviwari, Tehsil Neem-ka-Thana
District Sikar (Rajasthan).

30. Ramkenwiliu
Age about 30 years, Group 'C'
D/o Shri Kaingamwangso
r/o H. No.152, Green Valley Apartment
Block 'D', Sector 18, Rohini, Delhi.

31. Nuanuam D/o Shri Thang Suan Khug
Age about 36 years, Group 'C'
R/o H.No.106-B, Ground Floor
Oasis Library, Munirka, New Delhi-110067.

32. Neerja Sharma
Age about 29 years, Group 'C'
S/o Shri Pradeep Kumar Sharma
R/o H.No.1117, Sector 7
R.K. Puram, New Delhi.

33. Sanjana Tyagi
Age about 32 years, Group 'C'
S/o Shri Ramneek Tyagi
R/o House No.164, Gali No.5
Shiv Puri, Niwari Road
Modi Nagar.

34. Sonu Tayal, Age about 31 years, Group 'C'
S/o Shri
R/o Flat No.56/B, LIG Flats
Madhuban Enclave, Rohtak Road
Punjabi Bagh, New Delhi-110063.

35. Rekha Negi, Age about 31 years, Group 'C'
D/o Shri Man Singh Negi
R/o H. no.E-46/4, SF-8
Lajpat Nagar, Ghaziabad (U.P.)

36. Poonam, Age about 27 years, Group 'C'



D/o Shri Ram
R/o A-162, Deoli Extension, New Delhi.

37. Taruna Paswan
Age about 27 years, Group 'C'
D/o Shri Shivjee Paswan
R/o H. Nos.128-129, Block 'C'
Rajeev Nagar, Begum Pur
Opp. Sector 22 Rohini 22
Delhi-110086.

38. R.K. Kherodasana Devi
Age about 34 years, Group 'C'
W/o Shri K.M. Bipin Chandra Singh
R/o Near Mother Dairy, Sunlight Colony
Ashram, New Delhi-110014.

39. Deepak, Age about 29 years, Group 'C'
S/o Shri Iswar Singh
R/o Ismala, 11-b, District Rohtak (Haryana)

40. Jyotika Lal, Age about 31 years, Group 'C'
D/o Shri Sushil S. Lall
R/o House No.A-751, 'B' Block
Rohini, Sector 35, Delhi.

41. Hiyang Gandhini
Age about 31 years, Group 'C'
C/o Shri Surender, House No.128-C
Third Floor, Right Door
Kilokari, New Delhi-110014.

42. Poonam Devi, Age about 30 years, Group 'C'
D/o Shri Shiv Ram Thakur
R/o D-45, B.K. Dutt Colon, Near Jor Bagh
Metro Station, New Delhi-110003.

43. Rakesh Kumar Sharma
Age about 30 years, Group 'C'
S/o Shri Ashok Kumar Sharma
R/o 576, Janta Flats
Dilshad Garden, New Delhi.

44. Akhilesh Kumar Yadav
Age about 32 years, Group 'C'



**S/o Shri Om Prakash Yadav
R/o Yadav Bhawan, Bagdola, Sector 8
Dwarka, new Delhi-110077.**

45. **Jai Shankar**
Age about 28 years, Group 'C'
S/o Shri Hotam Singh
R/o Bowapur, Vaishali, Ghaziabad (U.P.)

46. **Deepika Singh**
Age about 28 years, Group 'C'
W/o Shri Gopal Singh
R/o Flat No.14, 2nd Floor, Plot Nos.37-38
Gali No.1, Block 'E', West Vinod Nagar
Near Ambedkar Park, Delhi-110092.

47. **Tingneivzh Dimngel**
Age about 32 years, Group 'C'
D/o Shri Sehset Dimngel
R/o House No. 108/B, Munirka
New Delhi-110067.

48. **Kranti Devi, Age about 33 years, Group 'C'**
W/o Shri Hansraj
R/o Village Panaul, Tehsil Ghumarwin
District Bilaspur-174021.

49. **Sonia Choudhary**
Age about 28 years, Group 'C'
D/o Shri Rajbeer Singh
R/o House No.388/10, Extension-2
Block 'C', Nangloi, New Delhi-110041.

50. **Bhawna, Age about 33 years, Group 'C'**
D/o Shri Om Prakash
R/o House No.F/555, Madipur
J.J. Colony, New Delhi-110063.

51. **Ram Singh Yadav**
Age about 28 years, Group 'C'
S/o Shri Shankar Lal
R/o House No.H-B-39, Gali No.8
Dr. Ambedkar Colony
Near Chhattarpur Mandir
New Delhi-110074.



52. Mahesh Kumar Yadav
Age about 29 years, Group 'C'
S/o Shri Lal Chand Yadav
R/o VPO Gadoj, Tehsir Behror
District Alwar-301701 (Rajasthan)
53. Kailash Pilanian
Age about 31 years, Group 'C'
S/o Shri Ram
R/o House No. 519, 2nd Floor, Janta Flats
GTB Enclave, Delhi-110093.
54. Nemkhoching C/o Shri Ramesh
Age-38 years, Group-C
Adventish Wockhardt Hospital,
Opp. Chowpathy Athwalines
Surat-395001 (Gujarat).
55. Aseem Shandhiyarani Devi
Age- 34 years, Group-C
D/o Shri Aseem Kumarjit Singh
R/o House No. 28, Gali No. 19, Block A-2
West Sant Nagar, Burari, Delhi-110084.
56. Anoop M.L.
Age – 33 years, Group –C
S/o Sh. M.K. Luka
R/o House No. 691, 2nd Floor, Pocket 'D'
Dilshad Garden, Delhi-110095.
57. Remya Raju, W/o Sh. Siju S.
Age – 35 years, Group C
R/o House No. L-87/1, Phase-II, Sector 4, Vijay Vihar
Kabir Mandir Gali, Rohini, Delhi-110085.
58. Satyawadi D/o Sh. Sudhir Mehto
Age 33 years, Group C
R/o House No. 67, Kasturba Gram,
Tahir Pur, Delhi-110095.
59. Veenu, W/o Sh. Vikas Mor
Age 32 years, Group C
R/o House No. 1010/13, Gali No. 54
Sanjay Colony, Sector 23, Faridabad (Haryana).



60. Kavita Negi, D/o Sh. Diwan Singh
Age 28 years, Group C
R/o House no. 1/209, Khichri Pur
Near Kalyan Puri Bus Terminal, Delhi-110091.
61. Pooja Kumari, /o Shri
Age 30 years, Group C
R/o House no. D-178, Gali No. 7, Block D
Sanjay Mohalla, Bhajanpura, Delhi-110053.
62. Josmy Stephen, D/o Shri Stephen
Age 31 years, Group C
R/o Room No. AB-128, First Floor
Shalimar Bagh, Delhi.
63. Neha Bhardwaj, D/o Shri Vijay Kumar
Age 27 years, Group-C
R/o S. S. Apartment, Maujiwala Kuan
New Railway Road, Gurugram (Haryana).
64. Suman W/o Shri Parvesh Khatri
Age 31 years, Group C
R/o House No. 370, Near Gugan Chowk
Pooth Kalan, Delhi-110086.
65. Mahendra Singh Meena
Age 34 years, Group C
S/o Shri Bhura Lal Meena
R/o Village Dholera, Alwar Reni-301409(Rajasthan).
66. Tanu D/o Shri Narender Singh
Age 28 years, Group C
R/o Kharman (55), Tehsil Bahadurgarh
District Jhajjar-124507(Haryana).
67. Murlidhar Gujar, S/o Shri Sadhu Ram Gujar
Age 35 years, Group C
R/o V&PO Jodhula via Maid, Tehsil Viratnagar
Jaipur (Rajasthan).
68. Monica, D/o Shri Satish Kumar
Age 28 years, Group C
R/o House No. 2563, Upper Ground Floor
Near Chhoti Chopal, Shadipur, Delhi.



69. Shalini, D/o Sh. Rakesh Kumar
 Age 28 years, Group C
 R/o 3-D Sector, 19, Block, Gole Market
 Peshwa Road, New Delhi-110001. ... Applicants

(through Sh. N.K. Chauhan)

Versus

1. The Secretary
 Ministry of Health & Family Welfare (Nursing Section)
 Nirman Bhawan, New Delhi-110001.
2. The Director General of Health Services
 Directorate General of Health Services
 Government of India, Nirman Bhawan
 New Delhi-110001.
3. The Medical Superintendent
 Dr. Ram Manohar Lohia Hospital
 Baba Kharak Singh Marg
 Near Gurudwara Bangla Sahib
 Connaught Place, New Delhi, Delhi-110001.
 ... Respondents

ORDER(ORAL)

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

Heard learned counsel for the applicants.

2. The present OA has been filed by the applicants, 69 in numbers, claiming equal pay for equal work. Learned counsel for the applicant submits that the applicants were employed with the respondent no. 3, i.e., Dr. R.M.L. Hospital, New Delhi, as Staff Nurse on contract basis from various dates in the year 2015.



He further submits that the applicants have been discharging the similar duties and have been given similar responsibilities as that of the regular Staff Nurse under the respondent no. 3. It is the case of the applicants that the applicants have preferred a joint representation dated 09.05.2019 (Annexure A/2) praying therein to consider their claim for grant of equal pay as admissible to the regularly employed Staff Nurse under respondent no. 3. However, such representation has not been considered and disposed of by the competent authority under respondents till date.

3. Learned counsel for the applicants further submits that under the Right to Information Act, 2005, the applicants have been informed that such representation of the applicants have been forwarded to respondent no. 1 and the response therefrom is still awaited.

4. In the aforesaid background, the applicants have filed MA No. 3576/2019 stating therein that the applicants are similarly placed and their grievances are identical and therefore, vide such MA, they have sought permission to file the aforesaid OA jointly. In the aforesaid background, the MA seeking permission to file aforesaid OA jointly, is allowed.



5. Learned counsel for the applicants submits that the applicants shall be satisfied if the present OA is disposed of with direction to the respondents to consider the applicants' aforesaid representation and to dispose of the same by passing a reasoned and speaking order keeping in view the relevant rules, instructions and law on the subject.

6. We are of the considered view that if the OA is disposed of without going into the merits of the case, even at this stage, no prejudice is likely to be caused to the respondents.

7. In view of the above, the OA is disposed of with direction to the respondents to consider the applicants' aforesaid representation and to dispose of the same by passing a reasoned and speaking order within ten weeks of receipt of a certified copy of this order. No costs.

(R.N. Singh)
Member(J)

(A.K. Bishnoi)
Member(A)

/ns/