



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

CP No. 78/2020
in
OA No. 1563/2014

This the 29th day of November, 2022

Hon'ble Mr. Justice Ranjit Vasant Rao More, Chairman
Hon'ble Mr. Mohd. Jamshed, Member (A)

1. Sushil Kumar
S/o Sh. Banwari Lal
Jr. Radiographer
R/o H.No. 245 PKT – 9,
Sector 21, Rohini, Delhi – 85
2. Kamaljit
S/o Jagan Nath
Jr. Radiographer
R/o H.No. 1349, Gali No. I/B,
Swatantra Nagar, Narela, Delhi
3. Sunil Kumar K.
S/o Sh. Karunakaran
Jr. Radiographer,
R/o N-65, Vijay Vihar,
Uttam Nagar, New Delhi
4. Bhawana Dasila
W/o Sh. Govind Singh
Lab Assistant
R/o LIG Flat No. 223
PKT – B, Phase- 2,
Sector – 14, Dwarka, New Delhi.
5. Rahul Kaushal,
S/o Sh. Jagdish Kaushal,
Lab Assistant,
R/o E-55, Avantika,
Sector – 1, Rohini, Delhi

...Petitioners

(By Advocate : Mr. Praveen Swarup)



Versus

1. Sh. Vijay Kumar Dev
Chief Secretary
The Govt of NCT of Delhi
Delhi Secretariat,
I.P. Estate, New Delhi – 2
2. Sh. Sanjeev Khirwar
Principal Secretary (Health)
GNCT Delhi,
Delhi Secretariat,
I.P. Estate, New Delhi-2
3. Dr. A.K. Mehta,
Medical Director/MS
DDU Hospital, GNCT Delhi,
Hari Nagar, New Delhi- 64

...Respondents

(By Advocate: Mr. D.K. Singh for Ms. Purnima Maheshwari)



ORDER (ORAL)

Justice Ranjit Vasant Rao More :

Vide Order dated 05.04.2019 passed in OA No. 1563/2014, this Tribunal directed the respondents to examine whether the case of the petitioners is identical to the case of the beneficiaries under the order dated 07.03.2019 passed by Govt. of NCT of Delhi or not and if so, the respondents shall consider the feasibility of extending the same reliefs to the petitioners also.

2. One Dr. M.P. Chaurasiya, Additional Medical Superintendent, DDU Hospital, New Delhi, has filed an affidavit on 29.08.2022, wherein the following averments are made in para Nos. 2 and 3:-

“2. That the Policy qua Equal pay for equal work dated 10.03.2021 has already been placed on record vide Diary No. 1406 dated 22.03.2021 wherein the decision reads as under: “All the contractual Nursing/Paramedical staff shall be paid consolidated pay at minimum of the pay in grade in the relevant pay as the same is fixed in respect of new entrant as per Finance Department OM dated 30.12.2011. The same shall be applicable to all contractual employees w.e.f. 01.08.2014 (as per the orders of Hon’ble CAT Court in OA – 2947/2013 upheld by Hon’ble High Court in WP C – 717/2015) and arrears shall also be paid to them accordingly. Furthermore, all the judgments of Hon’ble Courts in the similar matters would also be complied with”.

3. That thereafter all the arrears of the Contractual employees have been cleared w.e.f. 01.08.2014 and the Sanction letter has also been placed on record vide DDU Hospital order no. F.3P(4649)/2021/Estt./DDUH/5633-5637 dated 20.03.2021. The payment has been remitted in their account qua the arrears.”



Thus, it is made clear that learned counsel for the petitioners is not disputing that the petitioners have received arrears w.e.f. 01.04.2014. However, he submitted that the petitioners are entitled for arrears w.e.f. 2006 and the petitioners as well as the beneficiaries have been granted arrears w.e.f. 2014 as per the order dated 07.03.2019 passed by Govt. of NCT of Delhi. Therefore, nothing survives in the CP and the same is closed.

3. Needless to mention that if the petitioners claim arrears w.e.f. 2006, they shall be at liberty to file appropriate proceedings before appropriate forum. All the points and contentions of respective parties are kept open expressly. There shall be no order as to costs.

(Mohd. Jamshed)
Member (A)

(Justice Ranjit Vasant Rao More)
Chairman

/akshaya/