
(2021) 03 CAT CK 0137

In the Central Administrative Tribunal

Case No : Original Application No. 667 Of 2021, Miscellaneous Application No. 863 Of 2021

Amita Markus

APPELLANT

Vs

Union Of India & Others

RESPONDENT

Date of Decision : 24-03-2021

Acts Referred:

Administrative Tribunals Act, 1985 — Section 19

Citation : (2021) 03 CAT CK 0137

Hon'ble Judges : R.N. Singh, J;Aradhana Johri, Member (A)

Bench : Division Bench

Advocate : Ramesh Rawat, Manmohan Kumar Jha

Final Decision : Disposed Of

Judgement

R. N. Singh, Member (J)

1. Heard the learned counsel for the parties.

2. In the present OA filed under Section 19 of the A.T. Act, 1985, the applicants have prayed for the following reliefs:-

"(a) direct the respondents to grant the pre-revised pay of PB-1 with grade pay of Rs.2800 and revised pay matrix at Level 4 (Rs.25,500-81,100) to all Senior Medical Record Technicians working in the ESI Corporation with effect from the dates as has been granted to their counter parts working in Central Government Hospitals and if required direct the respondents to make necessary amendments in the recruitment rules for grant of such grade pay/pay matrix;

(b) as a consequence of grant of prayer (a), direct the respondents to grant the arrears of pay and allowances to the applicants w.e.f. the respective dates;

(c) cost of litigation be directed to be paid by the respondents, the quantum of which this Hon'ble Tribunal may decided keeping in view the mental agony of the applicant.

(d) pass such other or further order(s) as this Hon'ble Tribunal may deem fit and proper in the facts and circumstances of the case."

3. At the outset, learned counsel for the applicants has argued that for redressal of grievances as raised in the present OA, the applicants have preferred representations (Annexure A-1 (colly)) and the same are lying pending consideration of the respondents. He further submits that the applicants are entitled for reliefs sought in the present OA.

4. Issue notice. Shri Manmohan Kumar Jha, learned proxy counsel for Shri Krishan Kant Sharma, counsel for respondents, who appears on advance service, accepts notice. He further submits that the respondent no.1 is only a proforma party.

5. At this stage, learned counsel for the applicants submits that the applicants shall be satisfied, if the present OA is disposed of at this very stage, with a direction to the respondents to consider the applicants' aforesaid pending representations (Annexure A-1 (colly)) and to dispose of the same by passing a reasoned and speaking order in a time bound manner.

6. We are of the considered view, if such request of the learned counsel for the applicant is accepted, no prejudice is likely to be caused to the respondents.

7. In view of the aforesaid, without going into the merit of the claim of the applicants, the present OA is disposed of with direction to the respondent nos.2 & 3 to consider the applicants' aforesaid pending representations (Annexure A-1 (colly)) and to dispose of the same by passing a reasoned and speaking order as expeditiously as possible and in any case within six weeks of receipt of a copy of this order.

8. The OA is disposed of in the aforesaid terms. No costs.

9. Pending MA also stands disposed of.