

(2020) 09 CAT CK 0122

In the Central Administrative Tribunal

Case No : Original Application No. 1349 Of 2020, Miscellaneous Application No. 1697 Of 2020

Pooja & Others

APPELLANT

Vs

National Capital Territory Of Delhi

RESPONDENT

Date of Decision : 28-09-2020

Acts Referred:

Citation : (2020) 09 CAT CK 0122

Hon'ble Judges : L. Narasimha Reddy, J;A.K. Bishnoi, Member (A)

Bench : Division Bench

Advocate : Kamalakshmi S. Chauhan, Esha Mazumdar

Final Decision : Disposed Of

Judgement

L. Narasimha Reddy, J

MA No.1697/2020

This MA is filed with a prayer to file joint OA. For the reasons mentioned in the MA, the same is ordered.

OA No.1349/2020

1. The applicants state that they have been engaged as Radiographers and Lab Assistants in the Guru Gobind Singh Hospital, the 2nd respondent herein, at different points of time, in the year, 2014. They contend that on implementation of the recommendations of the 7th Central Pay Commission (CPC), they are being paid the minimum pay attached to that post. Their grievance is that from the date of their appointment, till July, 2017 they have been paid fixed wages and not in terms of the minimum pay scale. They place reliance upon the judgment of this Tribunal in Sindhu and Ors. vs. GNCTD & Ors. in OA Nos.2947/2013 and others and seek the relief in the form of a direction to the respondents to extend the benefit in terms of the aforesaid judgment.

2. We heard Ms. Kamlakshi S. Chauhan, learned counsel for the applicants and

Ms. Esha Mazumdar, learned counsel for the respondents at the stage of admission.

3. The appointment of the applicants is on contractual basis. The terms and conditions, subject to which they are appointed, or the modification of the terms over the period are not immediately before us. Even according to the applicants, the respondents are paying the minimum of the pay scale attached to the regular post on implementation of the recommendations of the 7th CPC. The question as to whether they are entitled to be extended the similar benefits for any period earlier thereto, needs to be examined by the respondents. We do not propose to express any final view in this behalf.

4. We, therefore, dispose of the OA directing the respondents to pass orders on the representation of the applicants dated 06.12.2019 within a period of three months from the date of receipt of copy of the order. There shall be no order as to costs.