

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.27081 of 2016 (O&M)

Date of Decision: 30.01.2017

Naresh Sharma

... Petitioner

VS.

Union of India & Ors.

... Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT

HON'BLE MR.JUSTICE HARI PAL VERMA

Present: Mr. Rajeev Anand, Advocate for the petitioner

SURYA KANT, J. (Oral)

(1) The petitioner along with her associates were working as Welfare Officers in different Command/Military Hospitals. They approached the Central Administrative Tribunal, Chandigarh Bench, Chandigarh (in short, 'the Tribunal') for issuance of a direction to grant them pay scales at par with Staff Nurses in the Military Nursing Services and/or to direct the Government of India to constitute a Commission/Committee to look into the disparity in their pay scale and other service conditions.

(2) The Tribunal has declined to interfere in the matter on the premise that there was nothing on record to establish disparity between the petitioners and the Staff Nurses as their qualifications and sphere of work are totally different. As regards the constitution of Commission/Committee, the Tribunal has observed and rightly so that it does not possess any power to issue such direction for determining the pay scales of employees of Red Cross Society and/or for redressal of their other grievances *re:* service conditions.

(3) Having argued the case for some time, learned counsel for the petitioners submits that owing to the poor conditions of service, to which the

petitioners and her associates while in service were subjected to, the matter requires sympathetic re-consideration at the hands of the authorities. He pleads that the petitioners may be granted liberty to submit another comprehensive representation(s) which the authorities may be directed to sympathetically re-consider regardless of rejection of their claim by the Tribunal.

(4) In the light of the above-stated prayer, we dispose of the writ petition with liberty to the petitioner(s) to submit a fresh representation(s) to the competent authority, to whom, we direct to re-visit the whole issue and consider their claim with compassion.

(5) It shall be appreciated if some appropriate decision is taken within four months from the date of receipt of such representation(s).

(6) Ordered accordingly.

(Surya Kant)
Judge

30.01.2017
vishal shonkar

(Hari Pal Verma)
Judge

1. *Whether speaking/reasoned?*
2. *Whether reportable?*

Yes
No