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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

% *Date of Decision: 19th December, 2022*

+ W.P.(C) 17312/2022

Ms. SAKSHI YOGESH PAWAR AND ORS Petitioners

Through: Ms. Sonika Gill, Advocate.

versus

UNION OF INDIA AND ORS. Respondents

Through: Mr. Naginder Benipal, Senior
Panel Counsel with Ms. Seema Singh,
Government Pleader and Mr. Ankit Siwach,
Advocate for R-1 and 2.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

JUDGEMENT

JYOTI SINGH, J. (ORAL)

1. Present writ petition lays a challenge to orders dated 18.03.2016 and 29.03.2016, whereby Petitioners have been denied the revised pay scale and a mandamus is sought directing the Respondents to grant the revised pay scale of Rs.9300-34800/- in PB-II with Grade Pay of Rs.4600/- w.e.f. 01.01.2006 or from the date of appointment, whichever is later, with all consequential benefits including arrears at par with Staff Nurses working in IIT, Delhi.

2. After hearing the counsels for the parties, it is an undisputed position obtaining between the parties that similarly placed Staff Nurses working in IIT, Delhi had filed a writ petition being W.P.(C) 7537/2019, in this Court and during the pendency of the petition, Respondents have issued an Office Order dated 11.04.2022 whereby, pursuant to the Board of Governors Resolution No. BG/15/2022 passed in the Meeting dated 09.03.2022, pay scales of the Staff Nurses

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in IIT, Delhi have been revised and Grade Pay of Rs.4600/- has been approved w.e.f. 01.01.2006. The order has been filed along with the writ petition.

3. In response to a query by the Court as to why similar benefits cannot be granted to the Petitioners, who are working as Staff Nurses in IIT Bombay Hospital, Bombay, learned counsel appearing on behalf of Respondent No.1/Ministry of Human Resources Development submits that so far, no representation has been made by the Petitioners to Respondent No. 1 and therefore, no decision has thus far been taken in this respect. Learned counsel, however, submits that Respondent No. 1 is willing to examine the matter, if the Petitioners make a representation to this effect.

4. In view of the fact that no representation has been made by the Petitioners, this Court deems it appropriate that the matter is examined by Respondent No. 1, especially when benefits of revised pay scale have been given to the Staff Nurses working at IIT, Delhi.

5. Accordingly, it is directed that the present writ petition will be treated as a representation by Respondent No. 1 and a decision shall be taken thereon, within a period of four weeks from today.

6. Needless to state a reasoned and speaking order shall be passed by Respondent No. 1, which shall be communicated to the Petitioners, who shall be at liberty to take recourse to remedies available to them, in accordance with law, in case of any surviving grievance.

7. Writ petition is disposed of in the aforesaid terms.

JYOTI SINGH, J

DECEMBER 19, 2022/sn