

HIGH COURT MATTER

GOVT. OF N.C.T. OF DELHI
OFFICE OF THE MEDICAL DIRECTOR
GURU TEG BAHADUR HOSPITAL
DILSHAD GARDEN, DELHI-110095
(ESTABLISHMENT-I BRANCH)

FileNo.:F.3(5008)/89/Estt./DDUH/Vol-II/5516
Comp. No.:260749 260749

Dated:- 27/03/2026

SANCTION ORDER

The Hon'ble Central Administrative Tribunal in OA no. 813/2023 titled as Saroj Nagar, DNS (DDU/GTB Hospital) Versus others had decided the OA vide its judgment dated 15.12.2023.

The concluding/operative part of the judgment of the Hon'ble Central Administrative Tribunal is as follows:-

"The issue that needs to be adjudicated is whether the applicant has followed the process as available or she has bypassed the process to take advantage of the situation. I am of the opinion that the applicant has duly applied after taking prior permission from the authorities, to appear in the entrance exam for the MSC nursing course and she was permitted to appear in the exam on 16.04.2014 as well as 03.05.2014 by the concerned authorities with an advice that on selection, she would have to apply for study leave to the competent authority, which she did vigorously on getting information from Rajkumari Amrit Kaur College of Nursing on 24.07.2014. Being the deadline of 28.07.2014, she applied for study leave on the very next date on 25.07.2014 and her application remained pending for decision before the competent authority. She pursued it repeatedly but no relief was granted to her as the matter was lying among the respondents for decision indefinitely. The onus of indecisiveness or delay may not lie on the applicant only because she took every precaution in applying, appearing and finally successfully completing the course. It is worth mention that the facility of study leave is granted by the Government to their employees to upgrade their skills which facilitate their professional delivery and serve the purpose in the larger interest. It is also worth mentioning that the applicant was doing her Pilot and Final Research Study with her employers only, so at no point of time she has shown any disrespect to her employers or procedure laid down for the leave in reference.

8. In view of the facts and circumstances of the case, I hereby quash and set aside the impugned order dated 25.08.2022 and 18.11.2022 with consequential reliefs to the applicant and accordingly direct the respondents to grant her ex post facto approval for study leave as has been granted in similar other cases, restore her earned leave, refund the recovered amount due to shortfall of earned leave and re-fix her salary treating the period under reference as study leaves."

The judgment of the Hon'ble Tribunal was challenged before the Hon'ble High Court of Delhi through Writ Petition (C) 8985/2025.

The Hon'ble High of Delhi upheld the judgment of the Central Administrative Tribunal & dismissed the Writ Petition(C) ,filed by GTB Hospital/GNCTD, vide its

judgment dated 04.07.2025.

The ex-post facto approval of the Hon'ble LG-Delhi was conveyed for grant of study leave to Smt. Saroj Nagar, DNS (Now retired w.e.f. 31.03.2024 A/N on attaining the age of superannuation.) from 28.07.2014 to 27.07.2016 with consequential benefits accordingly vide GTBH order dated 05/02/2026.

In view of the position stated above, pay of Smt. Saroj Nagar, DNS(Now retired) is fixed as follows:-

S.No.	Particulars	Existing pay(Rs.) as per order 18.1.2022	Revised pay (Rs.)
1.	Existing Pay Band	PB-3 (Rs.15600-39100) GP Rs. 5400	PB-3 (Rs.15600-39100) GP Rs. 5400.
2.	Pay on 20/12/2014 i.e. commencement of un authorized absence	22310+5400	22310+5400
3.	Pay on 01/07/2015	22310+5400	23150+5400
	After 7 th CPC pay Pay on 01/01/2016 on level -10	22310+5400 (73200 as per 7 th CPC)	75400
4.	Revised pay in pay matrix w.e.f.27.05.2016	73200	75400
5.	01.07.2016	22310+5400	24010+5400 for allowance purpose only
6.	Pay on 01/07/2016	73200	77700
7.	Pay on 01/07/2017	75400	80000
8.	Pay on 01/07/2018	77700	82400
9.	Pay on 01/07/2019	80000	84900
10.	Pay on 01/07/2020	82400	87400
11.	Pay on 01/07/2021	84900	90000
12.	Pay on 01/07/2022	87400	92700
13.	Pay on 01/07/2023	90000	95500
	Retired on 31.03.2024		

This has been vetted by the Account Functionaries-GTBH and issues with the prior approval of the HOO-GTBH.

Digitally signed by
Prahlad
Date: 27-03-2026
13:04:24

SECTION OFFICER (E-I)

To:-

1. PAO-VIII, GTB Hospital Complex, Delhi.
2. The DDO, GTBH.
3. Smt. Saroj Nagar, Ex. DNS , (email id:- SAROJNAGAR64@GMAIL.COM)
4. Nursing Suptt.-GTBH
5. TO(IT) with the direction to upload on website of GTBH.

F.3(5008)/89/Estt/DDU/Vol-II/5516
E-file No. 260749
GOVERNMENT OF N.C.T. OF DELHI
OFFICE OF THE MEDICAL DIRECTOR
GURU TEG BAHADUR HOSPITAL

DILSHAD GARDEN, DELHI - 110095

Dated

The Hon'ble Central Administrative Tribunal has decided the OA no. 813/2023 titled as Saroj Nagar, DNS (DDU/GTB Hospital) Versus 1. The Chief Secretary, GNCT of Delhi 2. The Secretary, H&FW Department, GNCT of Delhi, 3. The Deputy Secretary, HR-Nursing, H&FW Department, GNCT of Delhi, 4. Medical Superintendent, DDU Hospital, Delhi, 5. Medical Superintendent, GTB Hospital, Delhi, vide its judgment dated 15.12.2023.

The concluding/operative part of the judgment of the Hon'ble Central Administrative Tribunal is as follows:-

"The issue that needs to be adjudicated is whether the applicant has followed the process as available or she has bypassed the process to take advantage of the situation. I am of the opinion that the applicant has duly applied after taking prior permission from the authorities, to appear in the entrance exam for the MSC nursing course and she was permitted to appear in the exam on 16.04.2014 as well as 03.05.2014 by the concerned authorities with an advice that on selection, she would have to apply for study leave to the competent authority, which she did vigorously on getting information from Rajkumari Amrit Kaur College of Nursing on 24.07.2014. Being the deadline of 28.07.2014, she applied for study leave on the very next date on 25.07.2014 and her application remained pending for decision before the competent authority. She pursued it repeatedly but no relief was granted to her as the matter was lying among the respondents for decision indefinitely. The onus of indecisiveness or delay may not lie on the applicant only because she took every precaution in applying, appearing and finally successfully completing the course. It is worth mention that the facility of study leave is granted by the Government to their employees to upgrade their skills which facilitate their professional delivery and serve the purpose in the larger interest. It is also worth mentioning that the applicant was doing her Pilot and Final Research Study with her employers only, so at no point of time she has shown any disrespect to her employers or procedure laid down for the leave in reference.

8. In view of the facts and circumstances of the case, I hereby quash and set aside the impugned order dated 25.08.2022 and 18.11.2022 with consequential reliefs to the applicant and accordingly direct the respondents to grant her ex post facto approval for study leave as has been granted in similar other cases, restore her earned leave, refund the recovered amount due to shortfall of earned leave and re-fix her salary treating the period under reference as study leaves."

The judgment of the Hon'ble Tribunal was challenged before the Hon'ble High Court of Delhi through Writ Petition (C) 8985/2025.

The Hon'ble High Court of Delhi upheld the judgment of the Central Administrative Tribunal & dismissed the Writ Petition(C) filed by GTB Hospital/GNCTD vide its judgment dated 04.07.2025.

In view of the above judgment, ex-post facto approval of the Hon'ble LG-Delhi is hereby conveyed for grant of study leave to Smt. Saroj Nagar, DNS (Now retired w.e.f. 31.03.2024 A/N on attaining the age of superannuation.) from 28.07.2014 to 27.07.2016 with consequential benefits accordingly.

This is issued in compliance of the Hon'ble LG of Delhi order in this regard.

Digitally signed by
Sandip Dutta
Date: 05-02-2026
16:36:58

(SANDIP DUTTA)
DMS (ADMN)/HEAD OF OFFICE-GTBH

1. The Special Secretary to LG-Delhi, Govt. of NCT of Delhi.
2. The Secretary (Health), Govt. of NCT of Delhi.
3. The Medical Director, DDU Hospital.
4. The PAO-VIII, GNCTD.
5. The Controller of Accounts, GTB Hospital.
6. Smt. Saroj Nagar, DNS(Now retired), 127,DDA, SFS Flat, Jai Hind Apartment, Sector-2, Pocket-I, Dwarka, New Delhi-75.
7. The Nursing Superintendent (Officiating), GTBH.
8. The Technical Officer(IT), GTB Hospital to upload this order on the website of GTBH.



OFFICE OF THE MEDICAL SUPERINTENDENT

DEEN DAYAL UPADHYAY HOSPITAL
GOVT. OF NCT OF DELHI
HARI NAGAR, NEW DELHI - 110064

No. F.3 (5008)/89/Estt/DDUH/Vol-II/5516/ 18781-85 Dated 25-8-22

ORDER

Reference request of Smt. Saroj Nagar, DNS, DDUH for EX-Post facto sanction of Study leave for the period 20.12.14 to 26.05.16, resting with her letter dated 27.10.21 she is informed that her request was examined at the level of Secretary, H&FW, GNCTD who has observed that it does not have enough merit to be processed further. It was also stated that Services Department had already made it clear that Ex-Post facto approval of Study Leave was not permissible and in a similar case, Hon'ble LG, Delhi also rejected Ex-Post Facto sanction of Study Leave.

Smt. Saroj Nagar, DNS is further informed that decision regarding treatment of her unauthorized period of absence from 20.12.14 to 26.05.16 shall be conveyed to her separately and any resultant over payment of salary would have to be refunded by her for purpose of regularization of her absence period.


Dr. M.P. CHAURASIA
AMS/HOO, DDUH

To,

Smt, Saroj Nagar, DNS, DDUH.

Copy to:

- 1) Deputy Secretary HR-Nursing, H&FW Department, 9th-Level, C-Wing, IP Estate, Delhi Secretariat, New Delhi-110002.
- 2) PA to MD
- 3) DDO, DDUH.
- 4) Guard File.


Dr. M.P. CHAURASIA
AMS/HOO, DDUH

4071c

GOVT. OF NCT OF DELHI
OFFICE OF THE MEDICAL DIRECTOR
DEEN DAYAL UPADHYAY HOSPITAL
HARI NAGAR, NEW DELHI - 110064

F.3(5008)/89/Estt./DDUH/Vol.II/5516/24246-52

Date: 18/11/2022

ORDER

In pursuance of order No. F.3(5008)/89/Estt./DDUH/Vol.II/5516/18781-85 dated 25/08/2022 and order of even number 19534-37 dated 08/09/2022 treating the period of un-authorized absence from 20/12/2014 to 26/05/2016 as EOL on Private Affairs, the pay of Smt. Saroj Nagar, DNS is hereby re-fixed as under :

S.N.	Particular	Existing Pay	Revised Pay
1.	Existing Pay Band & Grade Pay	PB-3 (Rs.15600 – 39100) Grade pay Rs.5400/-	PB-3 (Rs.15600 – 39100) Grade pay Rs.5400/-
2.	Pay on 20/12/2014 i.e. commencement of un authorized absence	22310+5400	22310+5400
3	Pay on 01/07/2015	23150 + 5400	22310 + 5400
4	Pay on 27/05/2016	23150 + 5400	22310 + 5400
5	Pay on 01/07/2016	23150 + 5400	22310 + 5400

In pursuance of notification No. G.S.R. 721(E) dated 25th July, 2016 issued by Govt. of India, Ministry of finance Department of Expenditure published in Gazette of India Extra Ordinary Part II, Section 3, sub section (1) duly endorsed by Finance Department, Govt. of Delhi vide their endorsement No. F(21)/Fin. (Estt.-III/07 CPC/2016/DSV/870 dated 16.08.2016 and after receiving the options from the officer, the pay of Smt. Saroj Nagar, DNS, is hereby re-fixed in the revised pay matrix w.e.f. **27.05.2016** i.e. date of joining duty after un-authorized absence under VII th Central Civil Service (Revised) Rules 2016 as under :-

S.N.	Particulars	Existing Pay	Revised Pay
1	Existing Pay Band	PB-3 (15600-39100) + GP 5400/-	PB-3 (15600-39100) + GP 5400/-
2	Existing Pay in Pay Band	23150	22310
3	Existing Grade Pay	5400	5400
4	Existing Total Pay (Basic Pay + Grade Pay) (2 + 3)	28550	27710
5	Pay after multiplication by a fitment factor of 2.57	73374	71215
6	Level Corresponding to Grade pay	Level-10	Level 10

7	Pay on 01/01/2016	73200	22310+5400
8	Revised pay in pay matrix (either equal to or next higher in Level) w.e.f. 27/05/2016	73200	73200
9	Pay on 01/07/2016	73200	73200
10	Pay on 01/07/2017	73200	75400
11	Pay on 01/07/2018	73200	77700
12	Pay on 01/07/2019	73200	80000
13	Pay on 01/07/2020	73200	82400
14	Pay on 01/07/2021	73200	84900
15	Pay on 01/07/2022	73200	87400
16	Date of Next Increment	01/07/2023	

As vetted by Accounts Functionaries Rs 12,45,327/- (Rupees Twelve Lakh Forty Five Thousand Three Hundred and Twenty Seven Only) is to be recovered on account of over payment of salary for the period 20.12.14 to 26.05.16 i.e Period of Unauthorized absence now treated as EOL Private Affairs.

The above pay fixation is subject to audit observation and in case of any overpayment has been made; the same will be recovered without any notice.

Monika Suri
18-11-22

(Dr. Monika Suri)

Addl. MS / Head of Office

Date: 18-11-22

F.3(5008)/89/Estt./DDUH/Vol.II/CDNo.000472294/ 24246-53

Copy forwarded to the following for information and necessary action:

1. The Pay & Accounts Office-XX, GBSSS No.1, Rajouri Garden, New Delhi-110027.
2. The Sr. AO / DDO, DDU Hospital with the request to recover the excess payment, under intimation to GOC..
3. Smt Saroj Nagar, DNS, DDUH.
4. Service Book of Officer concerned
5. Guard File.

Monika Suri
18-11-2022

(Dr. Monika Suri)

Addl. MS / Head of Office

o/c.