



**Central Administrative Tribunal  
Principal Bench, New Delhi**

**O.A. No. 734/2020  
with  
M.A. No. 938/2020**

**This the 17<sup>th</sup> day of March, 2020**

**Hon'ble Mr. A.K. Bishnoi, Member (A)  
Hon'ble Mr. R.N. Singh, Member (J)**

1. Badri Dutt, Age 51 Years  
Working as School Attendant, Group "C"  
S/o Ganga Dutt  
R/o D-80, Suraksha Vihar,  
Vikas Nagar, Uttam Nagar, New Delhi
2. Suresh Kumar, Age 51 Years  
Working as School Attendant, Group "C"  
S/o Sh. Sahir ram  
R/o House No 288, Chirag, Delhi
3. Sukhvir, Age 49 Years  
Working as School Attendant, Group "C"  
S/o Sh. Ram Kumar  
R/o VPO Patli Haryana
4. Bibhas Manik, Age 49 years  
Working as School Attendant  
S/o Sh. D.N. Manik  
R/o C-2, Rajpur Khurd, Delhi
5. Hari Singh, Age 49 Years  
Working as School Attendant, Group "C"  
S/o Sh. Ramji Lal  
R/o 25/248, Trilok Puri, Delhi
6. Uday Kumar, Age 47 Years  
Working as School Attendant, Group "C"  
S/o Late Sh. Sukhdev Prasad  
R/o House No 443-A, Chirag, New Delhi
7. Raj Rajeshwar Singh, Age 44 Years,  
Working as School Attendant, Group "C"  
S/o Sh. Mahipal Singh  
R/o DDA, Flat Madangir, Delhi



8. Dharmender Kumar, Age 44 Years  
Working as School Attendant, Group "C"  
S/o Late sh. Rajiender  
R/o VPO Bawana, Delhi-110039
9. Brajesh Kumar, Age 43 Years  
Working as School Attendant, Group "C"  
S/o Late Sh. Jagan Singh  
R/o 618, Chirag Delhi.
10. Urmila, Age 37 Years  
Working as School Attendant, Group "C"  
D/o Sh. Ramesh Kumar  
R/o A-32/3, Masoodpur, Delhi.
11. Anita Devi, Age 52 Years  
Working as School Attendant, Group "C"  
D/o Sh. Subhash Chand  
R/o 305/4, Mehrauli, Delhi.
12. Anil Kumar, Age 43 Years  
Working as School Attendant, Group "C"  
S/o Sh. Surya Bhan Yadav  
R/o C-69, Vijay Vihar, Phase-I, Rithala
13. Vandana Manik, Age 51 Years  
Working as School Attendant, Group "C"  
D/o Sh. D.N. Manik  
R/o C-2, Rajpur Khurd, Delhi

...Applicants

(By Advocates: Sh. Yogesh Kumar Mahur  
with Sh. Harkesh Parashar)

## **VERSUS**

1. Govt. of NCT of Delhi  
Through its Chief Secretary  
A-Wing, 5<sup>th</sup> Floor, Delhi Secretariat,  
I.P. Estate, New Delhi
2. Commissioner SDMC  
South Delhi Municipal Corporation  
9<sup>th</sup> Floor Civic Centre  
New Delhi-110002.



3. The Commissioner  
NDMC  
Central Establishment Department  
13<sup>th</sup> Floor, Dr. Shyama Prasad Mukherjee  
Civic Centre, J.L.N. Marg,  
New Delhi-110002
4. The Chairman  
Education Committee  
South Delhi Municipal Corporation  
Dr. Shyama Prasad Mukherjee Civic Centre  
Minto Road, E-Block,  
23<sup>rd</sup> Floor, JLN Marg,  
New Delhi – 110002

...Respondents

### **ORDER (Oral)**

**Hon'ble Mr. R.N. Singh, Member (J):**

Heard the learned counsels for the applicants.

2. The applicants, 13 in numbers, have filed the present OA u/s 19 of the Administrative Tribunal Act, 1985, seeking the following reliefs:-

*“i. Direct the Respondents to consider the Applicants for promotion to the post of LDC (now re-designated as Junior Secretariat Assistant) as per the Recruitment Rules 2007 vide notification dated 19.03.2007 referring Class IV employees.*

*ii. Direct the respondents to create promotional avenues for the School Attendants to the post of LDC, either by making the new RR's or by amending the existing RR's by including School Attendants in the feeder cadre for the post of LDC under promotion quota.*

*Or Alternatively*

*iii. Direct the Respondents to make avenues of promotion for the School Attendants to the post of LDC by holding cadre review so as to ensure that*



*the Applicants are not left out without promotion in the lifetime of their services and to allow the OA with exemplary costs.*

*iv. To pass any such other order as this Hon'ble Tribunal may deem fit and proper in the facts and circumstances of the case."*

3. Learned counsel for the applicants submit that the applicants, for redressal of their grievance as raised in the present OA, have preferred the representations dated 06.08.2019 [Annexure A-5 (Colly)] to the respondents. However, the said representations are still pending consideration of the respondents.

4. Learned counsel for the applicants submits that the applicants shall be satisfied, if the present OA is disposed of at this very stage with directions to the respondents to consider the aforesaid representations of the applicants and to dispose of the same in a time bound manner.

5. We are of the considered view that if such request of the learned counsel for the applicants is accepted at this stage, no prejudice is likely to be caused to the respondents.

6. In view of the aforesaid, without going into the merits of the claim, the OA stands disposed of with direction to the respondents to consider the



applicants' aforesaid representations [Annexure A-5 (colly)] and to dispose of the same as expeditiously as possible and in any case within 12 weeks of receipt of certified copy of this order.

7. MA No. 938/2020, also stands disposed of accordingly.

8. There shall be no order as to costs.

**(R.N. Singh)**  
**Member (J)**

/akshaya/

**(A.K. Bishnoi)**  
**Member (A)**