



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

O.A. No. 1734/2018

With

O.A. No. 2053/2018

M.A. No. 2323/2018

O.A. No. 911/2020

Reserved on 20.01.2021

Pronounced on 10.02.2021

(Through Video Conferencing)

**Hon'ble Mr. Justice L. Narasimha Reddy, Chairman
Hon'ble Mr. Mohd. Jamshed, Member (A)**

O.A. No. 1734/2018

1. Gajendra Kumar Singh
S/o Sh. Paramand Singh
R/o E-16, MCD Flats, Kamla Nagar, Delhi-110007,
Aged 37 Years.
2. Bijender Singh
S/o Late Shri Sube Singh,
R/o 186, Sector-19, Gurgaon, Haryana
Aged 59 Years.
3. L.D. Kujur
S/o Michael Kujur
R/o -1/3, DDA Flats, Pkt. 8B, Sector-4, Rohini,
Delhi-110085,
Aged 55 Years.
4. Ajay Kaushik
S/o Late Sh. T. N. Kaushik
R/o R-9, Double Storey, Lodhi Colony, New Delhi-03
Aged 57 Years



5. S.C. Rustagi
S/o sh. K. Rustagi
R/o 3722/XIII, Mamman Stree, Pahari Dheeraj, Delhi-06
Aged 56 Years
6. Bhagat Singh
S/o Shri chand
R/o 405, Village & Post Auchandi,
Delhi-39
7. Parma Nand
S/o Sh. Jag Lal
R/o E055, Minto Road MCD Officer Flat,
New delhi-02 Aged 56 Years
8. Sunil Sabikhi
R/o S/o Sh. B.K. Sabikhi,
2064, Rani Bagh, New Delhi-34
Aged 56 Years
9. Rajendran T.K.
S/o Lt.Sh. V.G.K. Panicher
R/o Flat No. 416, Pkt-GH-2
Sector -28 Rohini, ND-52
Aged 57 Years
10. Gopinathan T.K.
S/o Lt.E.V.N. Namvyar
R/o 51-B Pocket-6
Mayur Vihar Ph-3, Delhi-96
Aged 55 Years
11. K.K. Barman
S/o Late sh. K.r. Barman
R/o Plot No. 15A, Kh No. 39/19/2
Gali No. 5, Block-C, Amrit Vihar
Burari Delhi -84
Aged 47 Years
12. Anil Kumar
S/o Sh. Padam singh
R/o 1/101676, Subhas Park Naveen
Shahadara, Delhi-32
Aged 50 Years



13. Hari Singh
S/o Late Sh. Hira Lal
House No. 388, Village Bajit Pur,
P.O. Nangal, Takran, Delhi-110039.
Aged 58 Years
14. Rajesh Kr. Madaan
S/o Sh. J.L. Madaan
R/o I-176, Phase-I, Ashok Vihar
Delhi-52, Aged 55 Years
15. Pawan Kr. Jolly
s/o Sh. D.D. Jolly, Aged 51 Years
R/o B-457, Gali No. -5, Majlis Park Delhi-33
16. Sanjay Kumar
S/o Sh. Roshan lal
R/o PP-69 Pitampura
Delhi-1100034, Aged 51 Years
17. Ashok Verma
S/o Sh. O.P Verma
R/o H. No. 134, Anand Garden, Near
Railway Station,
Gurugram (Haryana)-1220001,
Aged 54 Years
18. Vijender Kr. Aggawal
S/o Sh. Rattan Parkash Aggarwal
R/o 30/21 Gali No. -9, Vishwas Nagar
Shahdara, Delhi-32 Aged 57 Years
19. Suman Gupta
W/o sh. Sanjay Gupta
R/o 8-D, BG-5A, Paschim Vihar Delhi
Aged 47 Years
20. Kiran Sharma
W/o sh. Ajay Sharma
R/o 1C/9, New Rohtak Road,
Delhi-110005, Aged 59 Years



21. B.R. Meena
S/o Sh.Ram Swaroop Meena
R/o RZF-19/5, Gali No. 41
Sadh Nagar-II, Palam Colony
Delhi-110045, Aged 48Years
22. Sushil Kumar
S/o Sh. Samay Singh
R/o 73, Rajokari, New delhi-38,
Aged 57 Years
23. Sushil Kumar
S/o Sh. Pooran Singh
R/o 454/A, Pkt.A-I, Sector-6. Rohini
Delhi Aged 57 Years
24. Ajmer Singh
S/o Sh. Dalel Singth
R/o E/A 1003, Samaridhi Apartment,
Sector 18B, Dwarka, New Delhi-78
Aged 51 Years
25. Dinesh Sharma
S/o Sh.Radhu Nandan Sharma
R/o A-2/10A, Keshav Puram
Delhi-110035, Aged 52 Years
26. A.Karthikeyan
S/o sh. D.K.Arumugam
R/o 110, Pkt-23. Sector-24. Rohini
Delhi-110085 Aged 51 Years
27. Rajan Singh Mehta
S/o Late Shri Harbans Singh Mehta
R/o D-29 MCD Colony, Azadpur,
Delhi-33 Aged 55 Years
28. Izhar Ahmed
Lt.Sh. Sayeed Ahmed
R/o 102, Taj Enclave
Geeta Colony, Delhi
Aged 51 Years



29. Sanjay Kumar
S/O Nagin Chand
R/o RZ33-66 Saagar PurWest, New Delhi
110042, Aged 46Years
30. Radha S.
S/o Sh. Sankar Pillai
R/o A-003, Kaveri Appt. Plot No. 4
Sector-6 Dwarka N Delhi-75 Aged 58 Years
31. Ishwar Chander
S/o Late Sh. Nand Kishore
R/o 472, Pandit Mohalla,
Vill&POST Khera Kalan, New Delhi-82
Aged 60Years
32. Harish Chandra Upreti
S/o Late Sh. TR Upreti
R/o RZ-E-4 Nand Block, Mayur Enclave,
New Delhi Aged 54 Years
33. Ravi Malhotra
S/o sh. Hans Raj
R/o 215/4Model Town Samalkha
Distt. Panipat, Haryana
Aged 58 Years
34. Rajesh Kumar Manocha
S/o Late Sh. AR. Manocha
R/o D-15/264 Sec.3 Rohini
Delhi Aged 52 Years
35. Poonam Gulat
W/o Sh. Hemant Gulat
R/o BFG 14, Shalimar Bagh,
Delhi-110088 Aged 57 Years
36. Kawal Kapoor
S/o Sh. J.L. Kapoor
R/o 10/19, S/F East Patel Nagar,
Delhi-110008
Aged 55 Years



37. Ashok Kumar
S/o Sh. Shri Ram
R/o C-1/5. Parvaitai Anchal
Sant Nagar Burari Delhi-84
Aged 61Years
38. Sanjay Sharma
S/o Late Sh. R.P. Sharma
R/o IInd –C/141, Nehru Nagar
Ghaziabad, UP
Aged 52 Years
39. Satish Chand Sharma
S/o PC Sharma
R/o 14 B2/279, Sector 6
Rohini Delhi-85 Aged 59 Years
40. Ram Chander
S/o Late Sh. Chokey Ram
R/o D-14, MCD Colony, Azadpur Delhi-110033
Aged 55 Years
41. Vweereshwara Nand Roy
S/o sh. Vivekanand Roy
R/o E-4, MCD Flats, Bhamashah Market,
Kamla Nagar, Delhi-110007
Aged 38Years
42. Girdhar
S/o Kanhiya Lal
R/o D-543, Pkt.OO
Sector-1(Avantika) Rohini, Delhi-85
Aged 55 Years
43. P.Surya Prakash Rao
S/o P.V. Satyanarayana
R/o A-44, Pkt. OO Sector-2, Rohini, Delhi-85
Aged 58 Years
44. Vijay Kumar
S/o Late Sh. Ved Prakash Gupta
R/o 6, P&T Block, Rajdhani Park Extn., Delhi -110041



45. Kaushalya
W/o shri Gulshan Kumar
R/o A132, Street No.11, Indira Nagar, Dehi-110033
Aged 58 Years
46. Mukesh Gupta
S/O Sh. L.K. Gupta
R/o Flat No. 13-D Pocket-I, Platinum Enclave
Sector-18Rohini, Delhi-110085.
Aged 50 Years
47. Sunil Chand Gupta
S/o Late Sh. K.R. Gupta
R/o BJ-72(West) Shalimar Bagh,
Delhi110088 Aged 58 Years
48. Sanjeev Kumar
S/o Sh. R.L. Das
R/o MM-33, FFO3, DLF Ankur Vihar
Loni Ghaziabad UP Aged 39 Years
49. Madhvendra Kumar
S/o Sh.Devendra Prasad
R/o 67, Nimari Colony,Phase-2
Delhi-52, Aged 37 Years
50. Mukesh Kr.Sinha
S/o Sh. Naresh Prasad
R/o C-11, MVID Hospital, Kingsway Camp
Delhi-110009 Aged 40Years
51. Suraj
S/o Lt. Sh. Singheshwar Prasad
R/o 29 Tenament-3, RBIPMT Hospital
Kingsway Camp Delhi-110009
Aged 38Years
52. Gajender Kumar
S/o Late Sh. Moti Ram
R/o H. No. 155, Sector 12, Vashundhra,
Ghaziabad (UP) Aged 55 Years



53. Parvesh Kumar
S/o Sh. Randhir Singh
R/o G-6, 110-11, Sector -11 Rohini Delhi
Aged 49Years
54. Sandeep Chopra
S/o Sh. Roop Narain Chopra
R/o 312, Kucha Sanjogi Ram Naya Bans
Delhi-110006 Aged 52 Years
55. Ram Das
S/o Late Sh. Birma Rai
R/o WZ-41 Khampur village,
West Patel Nagar, Delhi Aged 52 Years
56. Kul Bhushan
S/o sh. Lekh Raj
R/o 519, Pkt. 2, Paschim Puri,
Delhi-110063. Aged 53 Years
57. Manmohan Singhal
S/o Sh. PD.Singhal
R/o 136, Agroha Appptt. Sec.13 Rohoni Delhi
Aged 47 Years
58. Suresh Kr. Sharma
S/o Sh. Bal Mukund Sharma
R/o E-138, MCD Colony, Azadpur Delhi
110033 Aged 56 Years
59. Kusum Lata
W/o Lt. Sh. H.K. Juneja
R/o C/12, Y-1, Dilshad Garden
Delhi-110095
Aged 56 Years
60. Radhey Shayam Sharma
S/o sh. H.S. Sharma
R/o A-235, Shastri Nagar
Delhi-110052 Aged 55 Years
61. Guman Singh
S/o Sh. Bhanwar Singh



R/o H. No. 3, Shanty Niwas, Khera Kalan
Delhi-82

62. Chander Pal
S/o Late Sh. Asha Ram
R/o 18/473 Nai Basti Kishan Ganj, Delhi-110007.
Aged 59 Years
63. Baljeet
S/o Late Sh. Mangat Ram
R/o 83 Shatyaniktan, Moti Bagh-II
New Delhi-21 Aged 59 Years
64. Meena Puri
W/o Sh. Arun Puri,
R/o TD-81C, Pitam Pura
Delhi-34 Aged 59 Years
65. Virender Kr Vats
S/o Shanti Swaroop
519, Near VPO Mundka
Delhi Aged 52 Years
66. Anita Taneja
W/o Sh. Anil Taneja
R/o 53, Lucky Apptt, Sector-13, Rohini
Delhi-85
67. P.Chandran
S/o Sh.Govindan Nair
R/o B-4/92C, Keshav Puram
Delhi-35 Aged 5(Years
68. Kanwal Bhardwaj
S/o shj. Jai Gopal
R/o G-59, MCD Colony Dhakka Kingsway
Camp, Delhi-09 Aged 53 Years
69. Kailash Chand Mittal
S/o Sh. Ram Chandar
R/o QU-155C Pitam Pura
New Delhi 110034 Aged 57 Years



70. Mukesh Kr. Sharma
S/o Late Sh. Daya Nand Sharma
R/o M-3/10 GF, Mohan Park Model Town-III
New Delhi-9 Aged 54 Years
71. Sanjeev Kumar
S/o Sh. S.P.Singh
R/o Flat No. 83 MCD Colony,
Nimari Colony, Phase-II, New Delhi-110052
Aged 39Years
72. Mukesh Kumar
S/o Shri Kehar Singh
R/o H. No. 180, Ward No.2, Behind Shivaganga
Apartments, Mehrauli, Delhi-110030
Aged 44 Years
73. Yogender Singh Rana
S/o Late Sh. Raghubir Singh
R/o House No.9
Village Mungeshpur Delhi-110039
Aged 53 Years
74. Dinesh Kumar
S/o Late Shri Tara Chand
R/o Honimabi Khurd, Delhi
Aged 54 Years
75. Surender Kumar Saini
S/o Sh Bhag Mal Saini
R/o 84, Ram Pura, Delhi-35
Aged 56 Years
76. Puran Singh Rawat
S/o Late Sh. DS Rawat
R/o 1866, 2nd Floor,
Outram Lane, Kingsway Camp, Delhi-110009
Aged 47 Years
77. Binit Kumar Singh
S/o J.P Singh
R/o C-19 MVID Hospital Kingsway Camp, Delhi-110009
Aged 41 Years



78. Kunal Kumar
S/o Late Sh. Krishna Mohan Prasad
R/o B-1, Ground Floor, Dr. S.P.M. Chest
Hospital Patpargang Village Delhi-110091
Aged 40Years
79. Chander Pal Kataria
S/o Sh. H.S. Kataria
R/o C-36, Swami Dayanad Colony, Kishan
Ganj Delhi-110007,
Aged 56 Years
80. Rajnish Kr. Kinkar
S/o Sh. Inderdev Yadav
R/o 115, First Floor MCD Staff Quarter Kishan
Ganj, Delhi-110007
Aged 39Years.
81. Subodh Kumar
S/o Sh. Bindeshwari Pd.
R/o Q. No. 9 MCD Maternity Centre, G/26
Sector-3, Rohini Delhi,
Aged 42Years
82. Laxmi Sunder
S/o Late Sh.. Rampat Kaushik
R/o H. No. 20, V&PO Nizampur,
Delhi-110081
Aged 55 Years
83. Hari Kishan
S/o Sh. Kirpal Singh
R/o D-83, MCD Colony, Azad Pur
Delhi-110033
Aged 56 Years
84. Vijay Kumar Bhatia
S/o Late Sh. Bal Chand Bhatia
R/o A-/242 Sector-8 Rohini
Delhi-85
Aged 50 Years



85. Ranbir Singh
S/o Late Sh. Bharat Singh
R/o A-93, Pkt-OO MiG Plots
Sector-2, Rohini, N. Delhi-85
Aged 56 Years
86. Suresh Chander Sharma
Lt.sh. P.s.Sharma
R/o D-19 Mange Ram Park Poot Kalan
Delhi-86
Aged 60Years
87. Girish Dhyani
S/o Lt. Sh. U.r. Dhyani
R/o C-509 Sector 19
Noida (UP) -201301
Aged 53 Years
88. Anil Kumar
S/o Lt. Sh. Ram Vilas Prasad
R/o Q. No. 77, MCD Flats, Nimri Colony,
Ph-II, Ashok Vihar PH-IV, Delhi-52
Aged 38Years
89. Vinod Kumar Sharma
S/o Lt. Sh. Sh. P.L. Sharma
R/o E-5, Bhama Shah Marg, MCD Flat Kamla
Nagar Delhi-07
Aged 56 Years
90. Parveen Kumar Sharma
S/o Lt Sh.K. L. Sharma
R/o House No. 516 Four Story quarter Tagore
Garden Delhi-27,
Aged 59Years
91. K.G. Mann
S/o Lt. Sh. M.r. Bhardwaj
R/o H. No. 859, Sector 6
Bahadurgarh, Haryana
Aged 57 Years



92. S.D. Bhardwaj
S/o Lt. Sh. M.R. Bhardwaj
R/o E-8MCD Flats Kamla Nagar
Delhi-7 Aged 59 Years
93. Narender Singh
S/o Lt. Sh. Attar Singh
R/o D-33, MCD Colony, Azadpur, Delhi-33
Aged 57 Years
94. Ravi Shankar Roy
S/o Lt. Sh. B.C. Roy
R/o D-72-C, MCD Colony, Azadpur Delhi-33
Aged 55 Years
95. Jagdish Sharma
S/o Lt. Sh. K.K. Sharma
R/o F-2/10 Sec.11, Rohini, New Delhi-85
Aged 56 Years
96. Mohit Arora
S/o Sh. Prem Prakash
R/o CP-108, 2nd Floor Pitampura
Delhi Aged 50 Years
97. Shiv Kumar Thapa
S/ Lt. Sh. Ram Bahadur
R/o P-48 Chander Shekhar Azad Colony
Kishan Ganj Delhi
Aged 50 Years
98. Rajni Talwar
W/o Sh. Chander Shekhar
R/o C-6/22B Lawvance Road, Delhi-35
Aged 52 Years
99. Kanwar Bhan
S/o Shri Vas Dev
R/o 198/13, Sikka Colony
Near Mahavir Mandir
Sonipat (Haryana)
Aged 57 Years



100. Virender Kumar Aggarwal
S/o Late Sh.Rameshar dass
R/o A-3/202, Sector-5, Rohini
Delhi-110085
Aged 58 Years
101. Onkar Chand Sharma
S/o Late Sh.Sant Ram Sharma
R/o 2057 Gali No. 57, Hanuman Kunj
Block, Sant Nagar, Burari, Delhi-84
Aged 59 Years
102. .Kiran Negi
W/o Sh. BMS Negi
R/o 216-D, PKT-C
MayurVihar Phase-2, Delhi
Aged 57 Years
103. Rishi Kumar
S/o Shri Anand Swaroop
R/o H. No. 23, V&PO Siras Pur
Delhi-42
Aged 54 Years
104. Kuldeep Kumar Kaushik
S/o Late Sh. Bal Kishan Sharma
R/o -156/18 Brahm colony Old DC Road,
Sonapat (Haryana)
Aged 58 Years
105. Madhu Kiran
W/o Sh. Inder Mohan
R/o 13/6741, Pakki Gali Kothi Mein,
Bara Hindu Rao, Badurgarh Road, Delh-06
Aged 51 Years
106. Santosh Kumari
W/o Shri Rajender Pal Kumar
R/o 276, Third Floor Kewal Kunj Apartment
Sector 13,
Rohini New Delhi-85
Aged 58 Years



107. Kanhaiya Lal
S/o Late Sh. Vishwnath
R/o H-25/2 Street No.22,
Jai Prakash Nagar, Delhi-53
Aged 51 Years
108. SVGK Murty
S/o Sh. S.S. Sharma
R/O QU-62-C, Pitampura
Delhi-34 Aged 58 Years
109. Raghubir Singh
S/o Lt. Sh.Rattan singh
R/o A-373-B extn.
Greater Noida UP Aged 57 Years
110. Satender Singh
S/o Lt Sh.Dewan Singh
R/o Tower01, Flat No.1103, Sunshine Country
Bear Badkhala Village Kundali
Sonipath Haryana
Aged 55 Years
111. Sneha Arora
S/o N.L. Wadhwa
R/o D-3/108, Sector-16, Rohini, Delhi-110085
Aged 45 Years
112. Gulab Singh
S/o Sh. Med Singh
R/o V&PO –Khandsa
Aged 58 Years
Gurugram Haryana
113. Manoj Kumar Pathak
S/o Shri Radha Raman Pathak
R/o Qr No. 126, MCD Staff Flat Nimri Colony
Ashok Vihar
Aged 43Years
114. Bed Ram
S/o Late Shri Raghubir singh
R/o Village Dariapur Khurd



New Delhi-73
Aged 49 Years

115. Ruby Kumar
S/o sh. AVS Kumar
R/o T-8/1201, Sunshine Country, Ansal API
Badh Khalsa Kundli,
Sonapat (Haryana)
Aged 49 Years
116. Seema
W/o Sh. Mukesh Kumar
R/o Village Bajidpur Saboli, Post Nathupur
Delhi
Aged 48 Years
117. Shiv Pal Singh
S/o Late Shri Bajrang B Singh
R/o H. No. 821 Vill & Post Khera Khurd,
Delhi-110082
Aged 58 Years
118. Lokesh Chander
S/o Late Shri Krishan
R/o Mamurpur Narela, Delhi-40
Aged 44 Years
119. Vijay Kumar Sharma
S/o Shri MR Sharma
R/o 62, MCD Flats, Nimri Colony, Phase-2
Ashok Vihar Delhi-52
Aged 41 Years
120. Ashok Kumar Vats
Late Shri Jai Narain
R/o 246, Village & Post Katewra
Delhi
Aged 53 Years
121. Kulvir Singh Kataria
S/o Late Sh. Jai Karan Singh
R/o J-61, Ashok Vihar, Phase-1, Delhi-52
Aged 54 Years



122. Ram Gopal
S/o Late Sh. Jagai Ram
R/o E-495, MCD Colony, Azadpur Delhi-110053
Aged 52 Years
123. Puranmal Ranga
S/o Late Shri Brahmanad
R/o 2305/30 Gali No. 3 Sarwasti Vihar, Narela
Raad, Sonipat Haryana
Aged 53 Years
124. Amit Kumar Garg
S/o Late Shri Ram Prakash Garg
R/o D-21, MCD Flats New Usmanpur
Delhi-53 Aged 39Years
125. Rekha Saini
W/o Shri Sobha Singh Saini
R/o G-32, MCD Flats Gulabi Bagh,
Delhi-07
Aged 53 Years
126. Pushpa Rani
W/o Naval Kishore
R/o 201, RZ/I-23, Raj Nagar-I, Palam Colony
Delhi Aged 55 Years
127. Ram Kishan
S/o Lt. Sh. Nanwa Ram
R/o 8129 Khariya Mohalla Roshan Ara Road
Subzi Mandi Delhi-7
Aged 60 Years
128. Shyam Sunder
S/o Lt. Sh. Jhanardan
R/o E-262, MCD Colony Azad pur
Delhi-33
Aged 50 Years
129. Praveen Agarwal
S/o Sh. P.D. Agarwal
R/o A-4/71, Sector 16 Rohini, Delhi-110089
Aged 48 Years



130. Surinder Singh Dahiya
S/o sh. Kali Ram
R/o H No. 581, Sector 23
Sonapat Haryana
Aged 59 Years
131. Rajesh Kr. Jain
S/o Lt. Sh. R.L. Jain
R/o A-147, Gujranwala Towan, Part-1
Delhi-110009
Aged 55 Years
132. Jagpal
R/o S/O Shri Dhjaram Singh
Tajpur Kalan Delhi
Aged 54 Years
133. Subhash Chand Sharma
S/o Late Sh. Sukh Ram Sharma
R/o 137 Nimri Colony, Ashok Vihar Phase-IV
Delhi-110052.
Aged 57 Years
134. Dinesh Pant
S/o Lat Sh. LC Pant
R/o GH-5-7/24 Paschim Vihar
Meera Bagh, Delhi
Aged 53 Years
135. Jagbir singh
S/o Late Shri Zele Singh
R/o Vill+ POST Nahra
Sonapat Haryana
Aged 57 Years
136. Krishan Pal
S/o Late Sh. Gyan Dass
R/o 24/1, MCD Colony'
Model Twon –III, Delhi-110009
Aged 60 Years
137. Ramesh Kumar
S/o Sh. Sundu



R/o 9607 Bhagat Singh Nagar, Basti Punjabi
Karol Bagh, New Delhi-05
Aged 62Years

138. Ram Kishan
S/o Nafe Singh
R/o H No. 5, Village Humanyu Pur,
New Delhi-110029.
Aged 50 Years
139. Subhash
S/o sh. Fateh Singh
R/o 621, PO Ladpur
Delhi-110081
Aged 55 Years
140. Yudhvair Singh
S/o Sh. Khem Chand
R/o H No. 20, Gurunank Marg, Kewal Park
Delhi-33
Aged 61 Years
141. Sanjay Kumar
S/o Sh. Lal Chand
14, Bhogal Road, Jang Pura, New Delhi-14
Aged 46Years
142. Mukesh Kumar
S/o Sh. Sewa Ram
R/o 359/9 Mandir Marg, Gali No. 3
Near Shankar Marg, Mandawali Delhi-92
143. Ajay Kumar Sinha
S/o Sh. Sachida Nand Sinha'
R/o 161 MCD Flats Nimri Colony Phase-II
Ashok Vihar Delhi-52
Aged 44Years
144. Ashok Kumar
S/o Sh. Ram Kishan Gupta
R/o 3508, Gali No.2, Narang Colony
Tri Nagar Delhi-35.



145. Manjay Kumar
S/o sh. Baiju Prasad
R/o 114 MCD Flats
Nimri Colony Delhi-52
Aged 40Years
146. Jaideep Rohilla
S/o Sh. Ganshyam Dass
R/o D-8 MCD Flat Bungalow Road
Aged 55 Years
147. Saroj Bala Kumar
W/o Sh. Ashok Kumar
R/o A-42, Street No. 2, S.F./ East Krishna
Nagar Delhi-51
Aged 52 Years
148. Raneek Juneja
S/o Sh. F.C.Juneja
R/o E-13,GF MCD Flat, Kamla Nagar Delhi
Aged 52 Years
149. Priya Dadwal
W/o Adesh Kumar
R/oWZ K-14, Krishna Park Ext. Tilak Nagar
New Delhi-18
Aged 45 Years
150. Sneha Narula
W/o Sh. Rajesh Narula
R/o 1213, Dr. Mukherjee Nagar, Near Batra
Cinema, Delhi-9
Aged 52 Years
151. Ramashish Kumar
S/o Sh. Deo Nandan Mahto
R/o D-11/338, Sector-7 Rohini, New Delhi
110085.
152. Geeta Arora
S/o Sh. Manohar Arora
R/O A-62 (SF) south Extension Part-I New Delhi
Aged 50 Years



153. Neeaj Sharma
S/o Late Sh. Bhushan Shamra
R/o E-124/A Ist Floor Tagore Garden
Extension new dlehi -110027
Aged 54 Years
154. Shashi Bhushan Kumar
S/o Sh. Nand Lal Prasad
R/o H. No. 138, Gali No. 6 Vipin Garden Extn.
New Delhi 59
Aged 40 Years
155. Arun Kumar
S/o Rajinder Pal
R/o A-3/59 Sector -5 Rohini, Delhi-85
Aged 56 Years
156. K.L. Sharma
S/o S.L.Sharma
R/o 922, GF Mukherji Nagar
Delhi-110009
Aged 53 Years
157. Manorama Rani Pahuja
W/O Sanjay Pahuja
R/o 847, Sector 4 Gurgaon
Aged 52 Years
158. Syed Zakir Hussain
S/o Syed Hamid Hussain
D-76 MCD Flats New Usmanpur, Delhi-110053
Aged 53 Years
159. Parvesh Sharma
S/o Sanjay Sharma
R/o AB-77 Shalimar Bagh, Delhi-88
Aged 49Years
160. Sanjeev Saini
S/o Manohar Saini
R/o A-29 2nd Floor , Saraswati Garden
Delhi
Aged 44Years



161. Ashok Kumar
S/o Gulazari Lal
R/o 71 Jagriti Aptt. Sainik Vihar, Delhi-110034
Aged 56 Years
162. Rajesh Joiya
S/o R.M. Joiya
R/o 255-C/A Mayur Vihar –II
Delhi-91
Aged 59 Years
163. Ved Parkash
S/o Chittarmal
R/o 85/2 East Moti Bagh Sarai Rohila, Delhi-110007.
Aged 59 Years
164. Sujeet Kumar
S/o Ram Kripal Chaudhary
R/o Qtr. No. 86 MCD Flats, Nimri Colony-II
Ashok Vihar, Phase-IV Delhi-52
Aged 40 Years
165. Arun Kumar Sinha
S/o Bhatu Prasad
R/o Qtr 141 MCD Flat Nimri Colony
Ashok Vihar Delhi-110052
Aged 43 Years
166. Ashok Kumar
S/o Kishan Lal
R/o A-1/184- Aeshav Puam
Delhi-110035.
167. Rakesh Kumar
S/o Pratap Singh
R/o 2095, Rani Bagh Delhi
Aged 64 Years
168. Usha Sharma
W/o Prem Kant
R/o C-489, St. No. 11
Majlis Park, Delhi
Aged 54 Years



169. Subodh Kumar
S/o Bhatu Mahto
R/o G-20, Ist Floor MCD Colony Dhakka
Delhi-9
170. Saraswati Gandhi
S/o Satya Pal Gandhi
R/o 50-B/A Mayur Vihar-II
Delhi-91
Aged 56 Years
171. Sanjeev Kumar
S/o Natholi Ram
R/o FK-17 Shastri Nagar, Delhi
Aged 51 Years
172. Rajni Dua
W/o Rajesh Dua
H. No. 5M/56 NIT Faridabad Haryana
Aged 48Years
173. Suman Lata
W/o Yashpal Sharma
R/o BU-3 2nd Floor
Pitampura Delhi
Aged 57 Years
174. Vibha Kohli
W/o Raksh Kohli
R/o 63/C Shivam Enclave, MIG Flats
Jhilmil Delhi
Aged 54 Years
175. Rakha Talwar
W/o Sunil Talwar
R/o C-147, Rishi Nagar,
Rani Bagh Delhi
Aged 53 Years
176. Suman Johar
W/o Satish Johar
R/o A-2/69-70 2nd Floor Sec.11 Rohini



Delhi Aged 48Years

177. Jagdish Chander
S/o Dharamvir
R/o B-1/309 Yamuna Vihar, Delhi-110053
Aged 57 Years
178. Raj Kumari Gulati
W/o Ashok Kumar Gulati
R/o 1-B/18 Single Storey Ramesh Nagar, Delhi
Aged 56 Years
179. Om Mansukhani
S/o H. N. Mansukhani
R/o EA-315 Maya Enclave, Hari Nagar Delhi
Aged 42Years
180. Mohan Singh Thakur
S/o D.R. Verma
R/o 222-223, 2nd Floor , Pocket 3
Sector 22 Rohini Delhi
Aged 52 Years
181. Anu Bala
W/o Satish Singhani
R/o 10 Unique Apartments,
Sector 13, Rohini
Aged 51 Years
182. Rajinder Pal Chopra
S/o Late P.L. Chopra
R/o 48/5 MCD Flats Bunglow Road
Aged 53 Years
183. Jagdish Kumar Kinger
S/o Late Savela Ram
R/o BFH-107, 2nd Floor
Shalimar Bagh Delhi
Aged 53 Years
184. Sajeew Kumar
S/o Ram Lal
R/o E-2/128



Shastri Nagar, Delhi
Aged 48 Years

185. Rakesh Kumar Ahluwalia
S/o Late Pre Lal Ahluwalia
R/o D-4 MCD Flats,
New Usmanpur Delhi
Aged 56 Years
186. I.C. Gandhi
S/o Late Dharam Chand
R/o F-72, Vishnu Garden New Delhi
Aged 56 Years
187. Kishore Kumar Singh
s/o Ram Vilas singh'
R/o C-6/162 Keshav Puram New Dehli-35
Aged 39 Years
188. Jitender Panwar
S/o Sukh Pal Singh
R/o C-17/X-1 Dilshad Garden Delhi
189. Mahavir Parshad,
S/o Sh. Hari Chand
R/o H. No. 381, Bawana
Delhi-110039
Aged 56 Years
190. Jasveer
S/o Jashwant Singh
R/o H.No. 175, VPO Khanjawalan Delhi -51
Aged 40 Years
191. Ramesh Kumar
S/o Sh. Om Prakash
R/o D-6/33 Sec-6 Rohini Delhi
Aged 51 Years
192. Kavita Behi
W/o sh. V.K. Behl
R/o B-1, Arya Apptt. Rohini, Delhi
Aged 57 Years



193. Rama Wahi
W/o Sh. Pravesh Wahi
R/o D-277 Prashanti Vihar, Delhi
Aged 51 Years
194. Pratibha Chaturvedi
W/o Shrikant Chaturvedi
R/o A-3/331 Sec-8 Rohini Delhi
Aged 51 Years
195. Pratibha Thukral
W/o Sh. Anil Thukral
R/o A-41 New India Appptt. Sec.9, Rohini Delhi -110085
Aged 50 Years
196. Avinash Verma
S/o C.S. Verma
R/o Flat No. 203, MB Appartment
Gurugram Haryana
Aged 51 Years
197. Kiran
W/o Prithvi Raj
R/o 59/3 Flat No.9 New Rohtak Road, Karol
Bagh N. Delhi 05 Aged 58 Years
198. Poonam Arora
W/o Sh. Ashwani Kumar
R/o B-2/50D Keshav Puram
Delhui-110035
Aged 56 Years
199. Rajesh Kukreja
S/o Om Prakash Kukreja'
R/o A-45 Rishi Nagar,
Rani Bagh Delhi-110034
Aged 48Years
200. Jyoti Aggarwal
W/o sh.Sunil Aggarwal
R/o 169-E, 1st Floor Sector-3
Rohini Delhi-110085
Aged 52 Years



201. Satish Aggarwal
S/o Late Chander Bhan
R/o A-123
Sec.-7 Dwarka, Delhi
Aged 60 Years
202. Shashi Malik
W/o Dhanesh Malik
R/o 80 SFS Flats, Shaktri Apartment Ashok
Vihar Phase-III Delhi-52
Aged 54 Years
203. Shankar Kumar
S/o Sh. Ram Dhani Pandit
R/o H. No. 54. MCD Flats, Nimri Colony –II
Ashok Vihar , Phase –IV Delhi -52
Aged 37 Years
204. Kapil Chopra
S/o Sh. S.S. Chopra
R/o 2/319 2nd Floor Subhas Nagar, New
Delhi-27 Aged 37 Years
205. Jagdish Kumar Solani
S/o sh. Sugnoma;
R/o G-201 1st Floor Vikas Puri,
New Delhi-18
Aged 55 Years
206. Narinder Kaur Kalia
W/o Sh.Surinder Singh Kalia
R/o LIG Flat No. 147 Pocket-3, Paschim Puri,
Delhi Aged 54 Years
207. Hari Om Dahiya
S/o Sh. Bhim singh
R/o D-69 MCD Colony, Azad Pur, Delhi-33
Aged 54 Years
208. Amitabh Gambir
S/o sh. K.L. Gambir
R/o D-706, Saraswati Vihar
Pitam Pura Delhi-34
Aged 53 Years



209. Devender Taneja
S/o sh. B. D. Taneja
R/o 119, Vasundara Appartment
Sector -9 Rohini Delhi
Aged 50 Years
210. Chander Kanta
W/o sh. Hans Raj
R/o 7F, Vikrant Appartment Rohini
Sector 13, Delhi
Aged 52 Years
211. Sushil Malhotra
S/o Mani Ram Malhotra
R/o 12/39 Geeta Colony Delhi-31
Aged 59 Years
212. T.D.Sati
S/o N.B. Sati
R/o A-20/6 3rd Floor Rana Pratap Bagh, Delhi
Aged 68Years
213. Surendra Singh
S/o H. S. Negi
R/o G-21 MCD Flats Dhaka, Delhi -110009
Aged 53 Years
214. Saroj Sharma
W/o sh. N.K. Sharma
R/o D-2/6 Model Town III, Delhi
Aged 60Years
215. Harish Chander Ahuja
S/o Sh. Hem Raj
R/o B-29, Sujan singh Park
Sonipat (Haryana)-131001
Aged 60Years
216. Vijay Pandey
S/o sh.R.C. Pandey
R/o 826-B Jain Nagar, Karala, Delhi 110081
Aged 41Years



217. Kumar Anil Jha
S/o Lt Shj. Gunjeshwar Jha
R/o Qtr No. 13 Type –C 2nd Floor MVID
Hospital GTB Nagar,
Delhi-122010009
Aged 41Years
218. Devesh Kumar Jha
s/o sh. Baleshwar Jha
R/o 24/5, MCD Colony
Model Town-III Delhi-110009
Aged 42Years
219. Dan Singh Negi
S/o Madan Singh
R/o A/6 153-C Janta Flats, Paschim Vihar
New Delhi-110063.
220. Ram Prakash Tewari
S/o sh. S.B Tiwari
R/o 124-C, shyam Vihar Phase-1
Najafgarh New Delhi
Aged 60 Years
221. Joginder Singh
S/o Sh. Tek Chand
R/o RZ 21-A Saini Colony
Laxmi Park, Nangloi, Delhi-110041
Aged 58 Years
222. Sudesh Kumar Sharma
S/o Late Sh. Aman Singh Sharma
R/o B-216, Hardev Puri, Delhi-110093
Aged 55 Years
223. Vinod Kumar
S/o Late Sh. Sube Singh
R/o UC-8 Usha Park Jail Road, Hari Nagar
New Delhi-110009
Aged 50 Years
224. Anjana Mediratta
W/o sh. Shyam Sunder Meditratta



R/o 2132, Outram Lane,
GTB Nagar, Delhi-110009
Aged 56 Years

225. Surinder Kumar
S/o Late Sh. Gulzari Lal
R/o G-17 MCD Colony, Dhakka Delhi-110009
Aged 61Years
226. Subhash Kumar
S/o Late Sh. Ramji Lal
R/o 11/4 2nd Floor North Face, Indira
Vikas Colony, Delhi-09
Aged 59 Years
227. Savitri
W/o Late V.G. Balasubramanian
R/o G-22 H. No. 231 Sector-7 Rohini, New Delhi-110085.
Aged 59 Years
228. Urmil Tondon
W/o Sh. Ravi Tandon
R/o B-7/31-32 sector 3 Rohini, New Delhi-110085
Aged 53 Years
229. Sushila Shokeen
W/o Kenwar Pal Shokeen
R/o DU-160 Vishka Enclave
Pitampura Delhi-110035
Aged 61Years
230. Kiran Bala
W/o Sh. Vinod Kumar Suri
R/o 460 Dr. Mukharjee Nagar,
Near Batra Cinema, Delhi-110009
Aged 68Years
231. Sandhya
W/o Late Sh. Kishore Kumar
R/o E-17 MCD Flats Kamla Nagar, Delhi-11007
Aged 59 Years



232. Manju Chopra
W/o sh. Pravesh Chopra
R/o 5/136 2nd Floor, Subhash Nagar, Delhi
Aged 49 Years
233. Meena Choudhary
W/o Sunil choudhary
R/o 9/20A Vijay Nagar, Delhi-110009
Aged 47Years
234. Sujata N. Kumar
W/o Naresh Kumar
R/o D-140 MCD Flats, New Usmanpur Delhi
Aged 52 Years
235. Mukesh Kumar Sharma
S/o Sh.rameshwar Dayal
R/o Plot No.2. 2nd Floor
Maa Kalyani Kunj CC Colony, Delhi-110007
Aged 57 Years
236. Neeraj Bhatia
W/o Sh. Praveen Bhatia
R/o H. N. 36 1st Floor Pkt-1
Rohini Sector -22, New Delhi -85
Aged 56 Years
237. Ram Bahadur Pun
S/o sh. J.B. Pun
R/o E-84, Mangolpuri, Delhi-83
Aged 57 Years
238. Manjit Mehra
W/o sh. Shyam Sunder
R/O 1/8 Indira Vikas colony, Delhi-110009
Aged 59 Years
239. Vinod Kumar
S/o Late Sh. Sahib Dayal
R/o 79-B Radhey Shyam Park, Delhi-110051
Aged 49 Years
240. Vikas Vaid
S/o Late sh. Jagdish Kumar Vaid



R/o B-4/29 Sector-18 Rohini, New Delhi-110085
Aged 56 Years

241. Attrayee Sen
W/o sh. Ranjit sen
R/o A-46 sadat Pur Gali No.1, Delhi-110064
Aged 58 Years
242. Mala Julka
W/o Sh. L.K. Julka
R/o B3B/31A, Janakpuri, New Delhi
Aged 55 Years
243. Archana Pathak
W/o Sh. Mukesh Kumar
R/o 66 Nimri Colony Delhi-52
Aged 41Years
244. Anil Kumar
s/o Sh. Satyanarain
R/o Vill + PO Hiran Kundna, New Delhi-110041
Aged 47Years
245. Lalit Kumar Gupta
S/o sh. H.R. Gupta
R/o 313/16-B Inder Lok, New Delhi-110035.

...Applicants

(By Advocates : Mr. Ajesh Luthra, Mr. Himanshu Gautam and
Mr. M.D. Jangra)

Versus

1. Union of India, Through its Secretary
Department of Expenditure, Ministry of Finance
North Block, New Delhi.110001.
2. Govt.of NCT Delhi, General Administration Dept.
Through its Secretary, Delhi Secretariat,
I.P, Estate New Delhi-110002.
3. North Delhi Municipal Corporation
Through its Commissioner, NDMC
4th Floor, Dr. S.P.M. Civic Centre, JLN Marg,



New Delhi-110002.

4. Director Local Bodies, GNCT Delhi
9th Level C-Wing, Delhi Secretariat,
New Delhi-110002.
5. Addl. Commissioner (FA&P)
North Delhi Municipal Corporation
14th Floor Dr. S.P.M. Civic Centre, JLN Marg,
New Delhi-110002.
6. Municipal Chief Auditor, North South and East DMC 27th
Floor Dr. S.P.M. Civic Centre JLN Marg, New Delhi.-110002.
...Respondents

(By Advocates : Mr. R.V. Sinha, Mr. Amit Sinha, Mr. R.K. Jain, Mr. Manjeet Singh Reen and Mr. Amit Yadav)

O.A. No. 2053/2018 & M.A. No. 2323/2018

1. Manoj Kumar (AAO)
S/o Late Sh. Ramesh Chand
R/o 433, Tigipur Road, Bakhtawarpur
Delhi-36, Age-36 Years
2. Dharambir (JAO)
S/o Sh. Ramdev
H.NO. 2334, Sector-1, Rohtak, Haryana
Age-56 Years
3. Bhawat Singh (AAO) (R&D)
S/o Late Sh. Hayat Singh
R/o H. No.54 Sector-13, Vasundhara, Ghaziabad, UP-201012,
Age-61 Years
4. Bhola Ram (AO)
S/o Sh. Balram
R/o B-1/11, Sector-17, Rohini, Delhi-85
Age-59 Years
5. Braham Singh (AO)
S/o Late Sh. Banwari Lal
R/o B-42, Rana Park, Siraspur, Delhi-42
Age-42 Years



6. Swaran Kumari (AO)
W/o Sh. Mahesh Kumar
R/o L-4, Shyam Park Nawada, New Delhi-59
Age-57Years.
7. Sandeep Kumar (AO)
S/o Sh. Lalita Prasad
R/o E-74, MCD Officers Flat, Minto Road,
Delhi-02, Age-43 Years
8. Vagish Mishra (AAO)
S/o Late Sh. Subhankar Mishra
R/o Gali No. 11/1, Block B, Near Sarkari Rasta
Kaushik Enclave, Burari, Delhi -84
Age-43 Years
9. Sanjay Kumar Minglani (AAO)
S/o Late Sh. A.P. Minglani
R/o 1226, First Floor, Dr. Mukherjee Nagar,
Delhi-09 Age-52Years
10. Anterpreet Kaur (AAO)
W/o Sh. S. Harpal Singh
R/o PD-47D, Pitampura, Delhi-34
Age 48 Years
11. Gian Prakash (AAO)
S/o Late Sh. Bansi Lal Malhotra
R/o C-89, Street No. 3, Bhajanpura, Delhi-53
Age -44 Years
12. Rita Nagpal (AAO)
W/o sh. Naresh Kumar
R/o 402, Indira Vihar Delhi-09
Age-44Years
13. Rosy Malhotra (AAO)
W/O Sh. Hemant Malhotra
R/o Flat No. 6, MCD Staff Quarters, Nimri Clonoy, Phase-II,
Ashok Vihar, Delhi-52
14. Anil Kumar Passey (AAO)
S/o Late Sh. P.P. Passey



R/o C-1/7, Keshav Puram, Delhi-35
Age-39 Years

15. Sanjay Kumar (AAO)
S/o Sh. Sandu Prasad
R/o C-3 MCD Flats, Nani wala Bagh, Delhi-33
Age 39 Years.
16. Rakesh Chand Dhoundiyal (AAO)
S/o Sh. DD Dhoundiyal,
R/o E-212, Subhash Vihar, North Ghonda,
Delhi-53 Age-55 Years
17. Niraj Kumar Sharma (AAO)
S/o Late Sh. Kamal Narayan Sharma
R/o 94, MCD Flats, Nimri Colony Phase -02.
Delhi-52 Age-39 Years
18. Maruti Nandan (AAO)
S/o Sh. Nawal Kishor Prasad
R/o C-9 MCD Flats, Nani wala Bagh, Azadpur
Delhi-33, Age-40 Years
19. Amit Kumar (AAO)
S/o Sh. Upendra Nath Verma
R/o 84, MCD Staff Quarter Nimri Colony,
Delhi-52. Age-37 Years
20. Manish Srivatava, (AAO)
S/o Late Shri S.K. Srivastava
R/o 123-B, DDA Flats Mansarovar Park, Shahdara, Delhi-32,
Age 40 Years
21. Vijay Kumar Singh (AAO)
S/o Late Sh. Ram Sakal Singh
R/o 92, MCD Flats Nimri Colony Phase-02, Delhi-52
Age-40 Years
22. Ram Binay Singh (AAO)
S/o Late Shri Harihar Singh
R/o Falt No. B-410, Univa Heights, Raj Nagar
Extn, Ghaziabad, UP-201017. Age-42 Years



23. Akhilesh Kumar Singh (AAO)
S/o Sh. Rama Shanker Singh
R/o 174 B, A Block Gali No. 09 Baba Colony
Burari, Delhi-84, Age-44 Years
24. Draweshwar Choudhary (JAO)
S/o Late Sh. T.N Choudhary
R/o 76, MCD Staff Quarter Nimri Colony,
Delhi-52 Age-41Years
25. Seema Bhardwaj (JAO)
W/o Sh. Kapil Kant Sharma
R/o 3889/13, Kanhaiya Nagar, Tri Nagar,
Delhi-35. Age-40Years
26. Hari Om
S/o Late Sh. S.P. Bahuguna
R/o H. No. 789, LIG, Hastal, Uttam Nagar, New
Delhi -59. Age-51 Years
27. Pradep Kumar (AAO)
S/o Sh. Bhagwan Tiwari
R/o 108, MCD Quarter, Nimri Colony,
Delhi-52, Age 42 Years.
28. Ranjit Kumar Sinha (JAO)
S/o Sh. Shivji Lal
R/o Flat No. 589, IInd Floor, Upvan
Apartments, Sector-28, Rohini Delhi-85.
Age 43 Years
29. Rajesh Prasad (AAO)
S/o Late Sh. I.C. Prasad
R/o H. No. 60, MCD Staff Quarter, Nimri
Colony, Phase-II Ahsok Vihar, Delhi-52
Age 38 Years.

...Applicants

(By Advocates : Mr. Ajesh Luthra, Mr. Himanshu Gautam and
Mr. M.D. Jangra)



Versus

1. Union of India, Through its Secretary
Department of Expenditure, Ministry of Finance
North Block, New Delhi-110001.
 2. Govt. of NCT Delhi, General Administration Dept.
Through its Secretary, Delhi Secretariat,
I.P, Estate New Delhi-110002.
 3. North Delhi Municipal Corporation
Through its Commissioner, NDMC
4th Floor, Dr. S.P.M. Civic Centre, JLN Marg,
New Delhi-110002.
 4. Director Local Bodies, GNCT Delhi
9th Level C-Wing, Delhi Secretariat,
New Delhi-110002.
 5. Addl. Commissioner (FA&P)
North Delhi Municipal Corporation
14th Floor Dr. S.P.M. Civic Centre, JLN Marg,
New Delhi-110002.
 6. Municipal Chief Auditor, North South and East DMC 27th
Floor Dr. S.P.M. Civic Centre JLN Marg, New Delhi.-110002.
...Respondents
- (By Advocates : Mr. R.V. Sinha, Mr. Amit Sinha, Mr. R.K. Jain, Mr. Manjeet Singh Reen and Mr. Amit Yadav)

O.A. No. 911/2020

Sh. R.P. Sharma, Administrative Officer (Retd)
(Aged about years)
S/o Late Sh. Bhola Ram,
R/o H.No. 320, Phase III,
Prem Nagar, Najagrah, New Delhi.
...Applicant

(By Advocates : Mr. Ajesh Luthra, Mr. Himanshu Gautam and
Mr. M.D. Jangra)



Versus

North DMC & Anr. Through:-

1. The Commissioner,
North DMC,
Civic Centre, New Delhi – 110002
2. The Addl. Commissioner (FA&P),
North DMC,
14th Floor, SPM Marg, Civic Centre,
New Delhi - 110002

...Respondents

(By Advocates : Mr. R.V. Sinha, Mr. Amit Sinha, Mr. R.K. Jain, Mr. Manjeet Singh Reen and Mr. Amit Yadav)



ORDER

Mr. Justice L. Narasimha Reddy:

In this batch of O.As., common questions of law and fact arise. Hence, they are disposed of through a common judgment.

2. The applicants joined the service of North Municipal Corporation of Delhi (North DMC) as Lower Division Clerk or similar posts. Thereafter, they were promoted. By the year 2008, they were holding the posts of Administrative Officer, Junior Accounts officer and other equivalent posts, in the pay scale of Rs.5000-8000. A proposal was mooted by the Commissioner, before the Corporation, i.e., the elected body, for enhancing the pay scale of such group of employees from Rs.5000-8000 to Rs.5500-9000. In anticipation of the approval by the Corporation, the pay scale was revised, as indicated above, through order dated 28.12.2007. In its meeting held on 08.10.2008, the Corporation passed a Resolution No.428 approving the revision of pay scale. This was followed by the extension of the corresponding benefit under the recommendations of 6th Central Pay Commission and some administrative changes in the nomenclature of the posts etc. In the year 2014, the benefit was extended to the Superintendents,



Senior Stenographers and Head Clerks/Junior Stenos respectively, through administrative orders.

3. On 30.03.2017, the Additional Commissioner (FA&AP), North DMC directed all the Departments to put on hold, the matter pertaining to upgradation of the pay scales. This was on the basis of the objections raised in the special audit by the Chief Municipal Auditor. There was, however, some discrepancy about the approach in this behalf among various Municipal Councils of Delhi.

4. Through Office Order dated 03.04.2018, the Additional Commissioner (FA&P) directed the Accounts Officers to withdraw the benefits of upgradation of the pay scales to various category of employees. This is said to have been objected to by the Mayor of the concerned Corporation. The applicants have also made representations on 24/25.04.2018 and on some other dates. Since no tangible results were forthcoming, they filed these O.As. with a prayer to set aside the orders dated 30.03.2017 and 03.04.2018, through which the benefits of upgradation of benefits was withdrawn. Prayer is also made for restoration of the benefits, that were extended to them, through various orders, on the basis of the Resolution passed by the Corporation.



5. The applicants contend that the Corporation is vested with the power to decide various matters, including the one of fixation of pay scales for its employees and it was in exercise of such powers under the relevant provisions, that the Corporation passed the Resolution and extended the benefits. They submit that the Commissioner of the Corporation was part of the decision making process, inasmuch as he not only initiated the proposal, but also apprised the Corporation when the decision was taken. It is stated that as long as the Resolution passed by the Corporation remains, there was absolutely no basis for withdrawal of the benefits, and the impugned orders amount to nullifying the Corporation. Reference is made to the relevant provisions of law.

6. On behalf of the respondents, separate counter affidavits are filed in the respective O.As. They state that though the Corporation passed the Resolution, the ultimate Executive power vests in the Commissioner, as per Section 59 of Delhi Municipal Corporation Act, 1957 (for short 'DMC Act') and in the instant case, the impugned orders came to be passed on account of the serious disparity in revision of the pay scales, as pointed out by the Chief Municipal Auditor. By making reference to the judgment of Hon'ble Delhi High Court in **Municipal Corporation of Delhi**



v. **C M Vij & another**, (2013) SCC OnLine Del 3793, they state that though the power to fix the salaries and allowances vests in the Corporation, it is always subject to the conditions of prior consultation and approval, and the power of the Commissioner. Reference is also made to certain other judgments.

7. We heard Mr. Ajesh Luthra, learned counsel for applicants in O.A. No.1734/2018, Mr. Himanshu Gautam, learned counsel for applicants in O.A. No.2053/2018, Mr. M D Jangra, learned counsel for applicants in O.A. No.911/2020, Mr. R V Sinha with Mr. Amit Sinha, Mr. R K Jain, Mr. Manjeet Singh Reen and Mr. Amit Yadav, learned counsel for respondents, in detail.

8. The controversy in this batch of O.As. is very limited. The applicants, who held various posts at the relevant point of time, were extended the benefit of the enhancement of pay scale from Rs.5000-8000 to Rs.5500-9000. Initially, this was extended in anticipation of the approval by the Corporation. Thereafter, the Corporation passed a Resolution extending the benefit of pay scale. There is no denial of the fact that the Corporation is vested with the power under Section 98 the DMC Act, to fix the salary and emoluments of its employees. It is true that the Corporation cannot pass a Resolution at its whims and fix the emoluments of its



employees, at its discretion. The facts and figures, and the relevant provisions of law are required to be taken into account, before a Resolution in this behalf is passed. The public funds cannot be permitted to be squandered at the whims of the Corporation.

9. In the instant case, extensive verification and exercise has taken place before the benefit of pay scale was granted. It is also necessary to mention that the Commissioner himself mooted the proposal and submitted a comprehensive note. That, in turn, was approved by the Corporation. It is not as if the Resolution passed by the Corporation was implemented straightway. The Executive Authority has also taken into account, various asserts and issued necessary orders in this behalf. The arrangement remained in force for years together.

10. In case any serious defect or flaw is noticed in the revision of the pay structure, the same was required to be brought to the notice of Corporation, so that it may take its own decision in that behalf. By referring to the objection raised by the Audit Section, the respondents have issued the Office Order dated 03.04.2018. For the sake of convenience, the entire order is reproduced:

“Office Order



Whereas vide corporation resolution no. 289 dated 08.12.2014, the pay scale of Head clerk, jr. Steno, Supdt. And Sr. Steno were upgraded as under:

- (i) Head Clerk (ASO) & Jr. Stenographer (PA) : 5500-9000 to 7450-11500 with grade pay of 4600 in place of GP of Rs. 4200/-
- (ii) Supdt. (SO) and Sr. Steno (PS) : Rs. 6500-10500 to Rs. 7500-12000 with GP of Rs. 4800 in place of 4600.

The office orders were issued vide No. UDC-II/AO/CED/NDMC/2014/33 dated 02.01.2015 & No. Supdt. IV/AC/CED/NDMC/2016/3477 dated 06.12.2016.

Whereas, on the analogy of the Head Clerk, the pay scale of Junior Accounts officers were also upgraded from 5500-9000 to Rs. 6500-10500 further upgraded in the pay band PB-2 (9300-34800) with Grade pay of Rs. 4600 (corresponding to equivalent upgraded pay scale of pre-revised pay scale vide corporation resolution No. 2017 dated 17.10.2016 issued vide office order No. DCA(FAG)/2016/333 dated 08.11.2016.

Whereas on the analogy of Supdt. (SO) and Sr. Stenographer (PS), the pay scale of Translator was also upgraded vide corporation resolution No. 289 dated 08.12.2014 issued vide office order No. AC/CED/NDMC/2015/3549 dated 20.10.2015.

Whereas, after having received many complaints from different corners, the matter was taken up by the Chief Auditor/MCD for audit in this regard. The Municipal Chief Auditor had categorically mentioned that the enhancement was not in order as well as implementation of this order had created a huge gap between the pay scale of junior as well as senior.



The conclusion of detailed compliance audit report is reproduced as under: -

"The study of reports of 5th & 6th CPC shows that pay scales of Assistants working in Central Secretariat and Head Clerks / Assistants working in organizations outside secretariat were different even since evolution of administrative set up in India. The matter of parity between post of Central Secretariat and similarly placed post in field offices was / is a decade's long demand / dispute, but the government has never given full parity to posts of field offices (subordinate offices) due to considering (1) higher qualification (i) submission of files directly to decision making authority (ii) considering policy making more significant job of Assistants / Stenos equivalent working under Secretariat than Assistants / Stenos equivalent working outside Secretariat organizations.

6th CPC vide Para No.3.1.14 recommended for up gradation of scale of all the executive staff working in the middle hierarchy of administration and upgrade the scale of 4500-7000 / 5000-8000 to the level 6500-10500 and give Grade Pay of 4200 to Head Clerk/Assistants/Stenos Grade-II and equivalent staff. 6th Central Pay Commission was of a view to maintain parity between field offices and secretariat services as, in Commission's view, equal emphasis has to be given to the field offices in order to ensure better delivery. Accordingly, Commission recommended merging the pay scales of 5000-8000, 5500-9000, 6500-6900 and 6500-10500. However, government accepted the merger of pay scales proposed; however, the existing higher status of Secretariat services remained continued as government granted G.P. of Rs.4600/- corresponding to pre-revised pay scale 7450-11500 to those posts only which was in the scale of 6500-10500 as on 01.01.2006 and accepted similarity between



similar posts only on the ground of recruitment rules/qualifications and similar service conditions.

After scrutiny of up gradation files of pay scales of Head Clerks, Junior Stenographers, Junior Accountant and Translators & Superintendent it seems that all the facts in the matter was not brought to the notice of the Competent Authorities leading misunderstanding of spirit of report of pay commissions and Office Memorandum issued by Government resulting a huge financial burden on Municipal exchequer, The matter of giving parity between Secretariats and Non-Secretariats organizations was/is a decade's long policy matter to be resolved and Pay Commissions/Government only could take appropriate decision/manner of giving parity in the matter and Local Bodies like Corporations have not such expertise/dedicated staff to decide such matters. Hence, it would be appropriate if facts mentioned above are considered with reference to 5th & 6th CPC and Office Memorandum issued on the subject before taking any decision in the matter".

Whereas, a letter was issued to DOPT for clarification regarding correctness of pay fixation. The DOPT vide letter dated 11.04.2017 has clarified that the instructions issued by them are applicable to Central Government Civilian employees and post only and these are not directly suo-moto applicable to autonomous bodies which are governed by their own set of rules.

Whereas, a letter dated 21.02.2018 was sent to the Jt. Secretary, Ministry of Finance, Deptt. Of Expenditure for certain clarification regarding upgradation of pay of Head Clerk, Jr. Stenographers, Jr. Accounts Officers, Translators and Supdts. in the North Delhi Municipal Corporation at par with Assistants of CSS Cadre.



The Joint Secretary, Ministry of Finance has vide letter No.F.No.19 / 5/2018 / E-III.B dated 23.03.2018 has send the reply. Point No.2 of the reply is reproduced as under: -

"So far as the issue of grant of higher and upgraded grade pay of Rs.4600 is concerned, CCS (RP Rules) clearly provide different and specific pay structure in case of office staff working in organizations outside the secretariat. In the Central Govt., staff in the Secretariat and outside Secretariat are on two, different footings., since the CCS (RP) rules specifically state the merger of post of Head Clerk etc. in the pre -revised pay scale of Rs.4500-7000 and Rs.5000-8000 are to be granted grade pay of Rs.4200 in organizations outside the secretariat, granting of higher grade pay of Rs.4600 is not within the e rules. As per this department's OM dated 13.11.2009, Grade Pay of Rs.4600 has to be granted only to those posts which were in the pre revised pay scale of Rs.6500-10500 and not the post which were in the lower pay scale and given grade pay of Rs.4200 based to the pre - revised pay scale of Rs.6500-10500 "

Whereas, after considering all the above and facts, i.e. the Audit Report of Municipal Chief Auditor, clarifications received from DOP&T and Ministry of Finance, following orders are hereby issued to all concerned for strict compliance with immediate effect.

Head Clerk (ASO)), Jr. Steno (PA), Junior Accounts Officer, Supdt. (SO) & Sr. Steno (PS), Translator:

1. The upgraded pay scales/Grade pay in respect of Head Clerk (ASO), Jr. Steno (PA), Junior Accounts Officers, Supdt. (SO) & Sr. Steno (PS) & Translators issued vide above office orders are hereby withdrawn immediately.



2. The pay fixation of each and every employees pertaining to these cadres may be amended/re-fixed and the overpayment/arrears paid to them may be recovered in equal installments as have already been paid to them;

3. The cases of retired employees may be re-examined and their pension may be revised as per new pay fixations. Necessary recovery may be effected immediately to avoid further loss.

This issues with the approval of the competent authority.

All the DDOs, Dy. Chief Controllers of Accounts Officers are hereby directed to implement this office order immediately.”

11. The order extracted above, in fact, reveals the entire background of the case. It was clearly mentioned that the Corporation passed a Resolution No.289 dated 08.12.2014 providing for enhancement of the pay scales of certain categories of employees and that, in turn, was implemented. The gist of the entire audit report was also furnished in the impugned order.

12. When the audit has raised an objection, the only course open to the Executive Authority was to bring it to the notice of the Corporation. However, even while keeping the Corporation in dark, the officials have corresponded with the Department of Personnel & Training and thereafter the Ministry of Finance.



Ultimately, the Additional Commissioner (F&G) issued the order, in a way, annulling the Resolution of the Corporation.

13. The entire exercise, that led to the passing of impugned orders, is clearly violative of the specific provisions of the DMC Act. There was no way, that the Additional Commissioner or even the Commissioner could have annulled the decision taken by the Corporation that too, when it was implemented already.

14. The reasons mentioned by the respondents in the counter affidavit are totally unacceptable. The Executive powers of the Commissioner cannot override the legislative powers of the Corporation. It is a different matter that even where a Corporation passed the Resolution, the Commissioner, being the Executive Authority, can apprise the Corporation, of the difficulties in implementation thereof, duly citing the relevant provisions of law. In such a case, the Corporation may re-visit its own decision. Once the Resolution was passed and implemented by the Executive Authority, the reversal thereof, without reference to the Corporation, would lead to serious legal and administrative problems. In a way, the very competence of the Corporation comes to be challenged by its employees. We are of the view that the



impugned orders are violative of the provisions of the DMC Act and they cannot be sustained in law.

15. The O.As. are accordingly allowed and the impugned orders are set aside. It is, however, left open to the concerned Executive Authority to place the matter before the Corporation for its consideration. The exercise in this behalf shall be completed within a period of two months from the date of receipt of a copy of this order. The further course of action would depend upon the decision, which the Corporation may take.

16. Pending M.As., if any, shall stand disposed of.

There shall be no order as to costs.

(Mohd. Jamshed)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

/sunil/akshaya/