



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

**OA No. 2113/2021**

**This the 27<sup>th</sup> day of September, 2021**

(Through Video Conferencing)

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

Bijender  
S/o Sh. Harichand  
R/o E-4/63 Nand Nagari,  
Seemapuri, Delhi-93.

...Applicant

(through Advocate: Shri Sachin Kumar )

VERSUS

East Delhi Municipal Corporation  
(Through its Commissioner)  
419, Udyog Sadan,  
Patparganj Industrial, Area,  
New Delhi-92.

.. Respondent

(through Advocate: Shri M.S. Reen)

**ORDER (Oral)**

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

It is contended by the learned counsel for applicant that the mother of the applicant, a regular Safai Karamchari under the respondents, has unfortunately expired in the year 2008 and the respondents have considered the applicant for



compassionate appointment and had found him fit and suitable for grant of compassionate appointment. Accordingly, they appointed the applicant on compassionate ground against the post of Swachchata Karamchari, however, not on regular basis but on daily wage basis. He submits that there is no provision under the scheme of compassionate appointment for appointment on daily wage basis. The respondents were required to appoint the applicant on regular basis, however, as he was in dire need of an employment and financial assistance, he accepted the same. Thereafter the applicant has been making various representations before the respondents to consider and regularise his services, on the post on which he has been appointed on daily wage basis, on compassionate appointment, however, till date, no remedial action has been taken by the respondents.

2. In the aforesaid background, the applicant has filed the instant OA under Section 19 of the Administrative Tribunals Act, 1985, praying for the following relief (s) :-

“(i) issue an appropriate order or direction thereby directing the respondent to regularize the appointment of the applicant on compassionate ground from the initial date of his joining i.e. 06/10/2008 and also to determine and pay all the consequential arrears, dues, allowances, etc. thereof to the applicant in accordance with 6<sup>th</sup> & 7<sup>th</sup> pay commission



(on pro rata basis) along with the interest of 12% p.a. till the date of actual payment.

- (ii) pass any such other or further order(s) as this Hon'ble Tribunal may deem fit and appropriate in the interest of justice and in favour of the applicant.
- (iii) allow the present application with cost, in favour of the applicant.”

3. Issue notice. Shri M.S. Reen, learned counsel, who appears for respondents on advance service, accepts notice.

4. Learned counsel for the applicant submits that the applicant shall be satisfied, if the present OA is disposed of at this very stage, with a direction to the respondents to consider his pending representations, by passing an appropriate reasoned and speaking order. To such request of the applicant, there is no objection by the learned counsel appearing for the respondents.

5. In view of the aforesaid facts and circumstances, without going into merits of the case, the present OA is disposed of with a direction to the respondents to consider the applicant's pending representations and to dispose of the same, by passing an appropriate reasoned and speaking order, as expeditiously as possible, and preferably within a period of eight weeks from the date of receipt of a copy of this order.



6. The OA is disposed of in the aforesaid terms. There shall be no order as to costs.

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

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

mk/rk/pinky