

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

**O.A. No.670/2021
MA No. 861/2021**



This the 24th day of March, 2021

(Through Video Conferencing)

**Hon'ble Mr. R.N. Singh, Member (J)
Hon'ble Ms. Aradhana Johri, Member (A)**

1. Vikas Debas,
S/o Sh. Rai Singh,
Aged about 40 years,
R/o H.No.243, Village Barwala,
Delhi -110039,
working as Contractual AMI
Rohini Zone N.D.M.C
2. Balesh Kumar Karnwal,
S/o Sh. Ramesh Chand,
Aged about 39 years,
R/o.Village Subhari PO Nanauta
District Saharanpur, U.P.
working as Contractual AMI
Karol Bagh Zone N.D.M.C
3. Sh. Pratap Singh
S/o Sh. Nem Singh
Aged about 38 years,
R/o C-243 Pul Prahlad Pur,
Badarpur, Delhi-44,
working as Contractual AMI
Ranjeet Nagar Karol Bagh Zone N.D.M.C
4. Sh. Neeraj Kumar
S/o. Sh. Daya Chand Rawat
Aged about 36 years,
R/o VPO Jakhuli District Sonpath
Haryana

working as Contractual AMI
Rohini Zone N.D.M.C



5. Sh. Kuldeep Rana
S/o Sh. Azad Singh
Aged about 34 years,
R/o H.No.77, Rana Pana
VPO Qutabgarh, Delhi-39
working as Contractual AMI
Nangal Thakran Narela Zone N.D.M.C
6. Sh. Sunil Dabas
S/o Sh. Ramesh Chander
Aged about 38 years,
R/o H.No.580 Bhiran Pana
VPO, Ladpur, Delhi-81
working as Contractual AMI
Begampur Narela Zone N.D.M.C
7. Sh. Parveen Dabas
S/o Sh. Narayan Singh Dabas
Aged about 36 years,
R/o H.No.11 VPO Chandpur
Delhi-81
working as Contractual AMI
Pooth Khurd Narela Zone N.D.M.C
8. Sh. Amit Kumar
S/o Sh. Satish Kumar
Aged about 33 years,
R/o H.No.271 Village Jharothi
Tehsil-Khaikhoda District Sonipat
Haryana-131001
working as Contractual AMI
Pooth Kala Narela Zone N.D.M.C
9. Sh. Neeraj Kumar
S/o Sh. Ramesh Chander
Aged about 36 years,
R/o VPO Jakhoda Tehsil Bahadurgarh
District Jhajjar -124505
working as Contractual AMI

Nanjhawala Narela Zone N.D.M.C



10. Sh. Rohit Yadav
S/o Sh. Tara Chand Yadav
Aged about 34 years,
R/o C-7 Yadav Chowk Swaroop Nagar Delhi-110042
working as Contractual AMI
Civil Line Zone N.D.M.C
11. Sh. Dharmendra Kumar
S/o Sh. Sahadur Ram
Aged about 35 years,
R/o L-2/24 A Shastri Nagar
Delhi-110052
working as Contractual AMI
Karol Bagh Zone N.D.M.C
12. Sh. Gyan Ranjan Kumar
S/o Sh. Rameshwar Prasad
Aged about 38 years,
R/o B-142A Rama Park Dwarka More
Uttam Nagar New Delhi-110059
working as Contractual AMI
Keshav Puram Zone N.D.M.C
13. Sh. Mohan Das
S/o Sh. Budh Ram
Aged about 34 years,
R/o H.No.110/29 Malviya Nagar
Gali No.1 Sonipat, Haryana-131001
working as Contractual AMI
Rohini Zone N.D.M.C
14. Sh. Sachin Kumar
S/o Sh. Om Prakash
Aged about 38 years,
R/o R-58, Gali No.15 B Swatantra Nagar
Delhi-110040
working as Contractual AMI
Civil Line Zone N.D.M.C



15. Sh. Ajay Kumar,
S/o Sh. Daljeet Singh
Aged about 39 years,
R/o H.No.1817, H.B.C. Sector-15,
Sonapat
working as Contractual AMI
Keshav Puram Zone N.D.M.C
16. Sh. Arvind
S/o Sh. Maham Singh,
Aged about 35 years,
R/o Village Bain P.O & Tehsil Ganaur
District Sonapat,
Haryana
working as Contractual AMI
Kamla Nagar Keshav Puram Zone N.D.M.C
17. Sh. Raghav Chaturvedi
S/o. Sh. M.C. Chaturvedi
Aged about 34 years,
R/o A-208, Sector-43
Nodia
working as Contractual AMI
Subhadhra Colony City S.P. Zone N.D.M.C
18. Sh. Pradeep Rana
S/o Late Sh. Banwari Lal
Aged about 40 years
R/o D-34 Shastri Nagar Delhi-59
working as Contractual AMI
Quresh Nagar City S.P. Zone N.D.M.C
19. Sh. Subhan Singh
S/o Sh. Jaynarayan
Aged about 37 years
R/o Village Ladhiya Tehsil Reni Alwar,
Rajasthan
working as Contractual AMI
Keshav Puram Zone N.D.M.C.
20. Sh. Manish Sharma
S/o Sh. Anil Sharma

aged about 35 years
R/o D-11/244, Sector-7
Rohini, Delhi-110085
working as Contractual AMI
Keshav Puram Zone N.D.M.C



21. Sh. Navendra Kumar
S/o Sh. Devi Ram
Aged about 38 years,
R/o Village Chhatari District,
Bulandshahr, U.P.
working as Contractual AMI
Rohini Zone N.D.M.C

... Applicants

(through Ms. Pragnya Routray)

Versus

North Delhi Municipal Corporation
Through its Commissioner,
Civic Centre,
Minto Road, New Delhi – 110002

... Respondent

(through Shri Arun Birbal)

ORDER (Oral)

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

The present application has been filed by the applicants under section 19 of the AT Act, 1985, seeking following reliefs:-

- a. *Issue an order/direction to the respondents to revise the salaries of the Applicants in terms of the order passed in CWP no 3769/16 and grant them salary, allowances such as HRA, PCA, TA, DA, Medical Allowances and other allowances and other benefits as being given to their co-*

workers regular AMIs from the date of their initial appointment and other consequential benefits including arrears thereof.

b. Issue appropriate order/direction to the respondent to grant the of the Applicants salary in the proper pay scale and other allowances such as given to their co workers in the OA 3784/15 vide order dated 5.42017 and order dated 14.1.2020 as passed in CWP no 3744/18.



c. Issue an order/direction to impose exemplary cost on the respondent.

d. And pass such other or further order(s) as may be deemed fit and proper in facts and circumstances of the present case.”

2. Learned counsel for the applicants argues that despite the fact that identical issue as raised in the present OA has already been adjudicated in OA No.3784/2015 by this Tribunal and the same has been upheld by the Hon'ble High Court of Delhi vide Order/Judgment dated 31.01.2018 in WP(C) No. 755/2018 (Annexure A-6), the respondents have not accorded the benefits of that judgment though the applicants are similarly placed. She further argues that being aggrieved of non-grant of the said benefits to the applicants, the applicants have preferred representations dated 22.02.2021, 23.02.2021, 24.02.2021 & 05.03.2021 [Annexure A-10 (Colly)] and even thereafter also the benefits have not been given to the applicants and in such facts and circumstances, the applicants have approached this Tribunal.

3. Issue notice. Shri Arun Birbal, learned counsel, who appears for the respondents on advance service, accepts notice.



4. Learned counsel for the applicants, at this stage, submits that applicants will be satisfied if the present OA is disposed of at this stage with directions to the respondents to consider the applicants' aforesaid pending representations dated 22.02.2021, 23.02.2021, 24.02.2021 & 05.03.2021 [Annexure A-10 (Colly)] and to dispose of the same in a time bound manner.

5. We have considered the submissions made by the learned counsel for the applicants and we are of the considered view that if such request of the learned counsel for the applicants is accepted, no prejudice is likely to be caused to the respondents.

6. In view of the aforesaid facts and circumstances, without going into the merit of the claim of the applicants, we dispose of the present OA with direction to the respondents to consider the applicant's aforesaid pending representations dated 22.02.2021, 23.02.2021, 24.02.2021 & 05.03.2021 [Annexure A-10 (Colly)] and to dispose of the same by passing a reasoned and speaking order as

expeditiously as possible and in any case within ten weeks from the date of receipt of a copy of this Order.

7. The OA is disposed of in terms of aforesaid. No order as to costs. Pending MA also stands disposed of accordingly.



(Aradhana Johri)
Member (A)

(R.N. Singh)
Member (J)

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