

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

**C.P No. 646/2017
O.A No. 1952/2012**

New Delhi, this the 14th day of November, 2017

**Hon'ble Mr. Justice Permod Kohli, Chairman
Hon'ble Mr. K.N. Shrivastava, Member (A)**

1. Mukesh Kr. Agrawal,
S/o Sh. Kedar Nath Gupta,
T.G.T. Maths, Govt. of S.B.V. No. 1, Tughlakabad Ext.
New Delhi-110 019.
2. Om Prakash Sharma,
S/o. Sh. Shiv Dayal Sharma,
T.G.T. (S.Sc), Govt. S.B.V. No. 1, Tughlakabad Ext.
New Delhi – 110 019.Petitioners

(By Advocate : Mr. R. S. Kaushik)

Versus

Ms. Saumya Gupta,
Director Education,
Directorate of Education, Govt. of Delhi,
Old Secretariat, Delhi-54.Respondent

(By Advocate : Mr. Anmol Pandita for Mr. Vijay Pandita and
Mr. Duli Chand for R-2)

ORDER (ORAL)

Justice Permod Kohli :

Vide order dated 27.05.2016 passed in O.A No. 657/2012 and other connected matters following directions were issued :-

“11. We are of the view that once a similar and identical issue has been decided by this Tribunal and ratio laid down in this regard, the benefits of that should be made available to the applicants as well and they should not be deprived of the benefits of that O.A just because their counsel has

failed to draft the OA in a proper manner. We are of the view that denial of such benefits to the applicants would be against the principle of natural justice and it would be a futile exercise to decide the issue which has already been decided by this Tribunal.

12. In view of the above discussion, we direct the respondents to revise the pay of the applicants in the light of the Tribunals decision passed in OA No. 3379/2014 and O.A 3217/2014 and ensure that the pay of the applicant is fixed such that it is not less than the pay of the direct recruits appointed after 01.01.2006.

With the above order the O.A is disposed of."

2. The respondents have produced a copy of an order dated 28.10.2017 whereby the pay of the applicant has been re fixed and by a separate order dated 30.10.2017 calculations of re-fixation have also been done. The grievance of the applicant is that despite refixation of the pay, the actual financial benefits have not been paid.

3. Mr. Anmol Pandita, learned counsel makes a statement under instructions from Mr. Tanvir Alam, LA Zone 29, departmental representative, who is present in the Court that the actual benefits shall be released to the applicant within four weeks.

4. With the above observations, the C.P. is closed.

(K. N. Shrivastava)
Member (A)

(Justice Permod Kohli)
Chairman

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