

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

**CP-357/2017 in
OA-3180/2014
MA-2724/2014**

New Delhi, this the 03rd day of October, 2017

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

1. Vijay Kumar Chopra (SE-Retd.),
Aged about 70 years,
S/o Late Shri R.P. Chopra,
R/o 198, Nilgiri Apartment,
Alaknanda, New Delhi-19.
2. Jagat Singh Yadav (SE Retd.),
Aged about 70 years,
S/o Shri Srichand Yadav,
R/o H.No.28, Village Said-ul-Ajaib,
P.O. Mehrauli, New Delhi-30.
3. D.K. Jain (SE Retd.),
Aged about 70 years
S/o Shri R.S. Jain,
R/o 53, Shanti Vihar,
Delhi-92.
4. N.K. Seth, (SE-Retd.),
Aged about 70 years,
S/o Shri L.R. Seth,
R/o 203-G MIG (Green),
Rajouri Garden,
New Delhi-27.
5. Brij Bhushan Airy (SE-Retd.),
Aged about 69 years,
S/o Late Shri S.N. Airy,
R/o D-1/44, Ground Floor, Janak Puri,
New Delhi-110058.
6. Janeshwar Tyagi (SE-Retd.),
Aged about 67 years,
S/o Late Shri Inderjeet Tyagi,

R/o 12-B , Pkt-1, Mayur Vihar Ph-1,
Delhi-91.

7. Karan Singh (SE-Retd.),
Aged about 69 years,
S/o Shri Jaswant Singh,
Flat No.8-B, Pocket A5C,
Janak Puri, New Delhi-58.
8. Shri S.K. Anand (SE-Retd.),
Aged about 65 years,
S/o Shri M.C.Anand,
Flat No.284, Shree Keshav Kunj Apartment,
Sec-17, Pkt.-D, Dwarka,
New Delhi-75.
9. Suresh Chandra Agarwal (SE-Retd.),
Aged about 65 years,
S/o Late Shri Prem Chandra,
R/o C-47, Sector-15,
NOIDA-201301.
10. Vinod Sawhney (SE-Retd.),
Aged about 65 years,
S/o Shri M.L. Sawhney,
R/o ED-52A, Pitam Pura,
Delhi-34.
11. Virendra Singh (SE-Retd.),
Aged about 65 years,
S/o Shri Nahar Singh,
R/o IX/4992, Kaushik Puri,
Gandhi Nagar, Delhi-31.
12. Anil Kumar Singh (SE-Retd.),
Aged about 64 years,
S/o Shri G.P. Singh,
R/o D-233, 11nd Floor,
Ramprastha,
Ghaziabad U.P.
13. S.K. Leekha, SE(Retd.),
Aged about 67 years,
S/o Shri Charan Dass,
R/o C-602, Antriksh Apartment,
Plot No.26, Sector-4, Dwarka,

New Delhi-75.

-Petitioners

(By Advocate: Shri M.K. Bhardwaj)

Versus

1. Sh. Anil Baijal,
Lt. Governor,
Govt. of NCT of Delhi,
Raj Niwas,
Delhi.
2. Sh. Uday Pratap Singh,
Vice Chairman,
DDA, Vikas Sadan,
INA, New Delhi.

-Respondents.

(through Sh. Arun Birbal with Sh. Sanjay Singh)

ORDER(ORAL)

Hon'ble Mr. Justice Permod Kohli

While dismissing OA No. 3180/2014 vide order dated 20.12.2016, this Tribunal made the following observations/directions:

“10. Before parting, we would like to re-iterate that as observed by the Tribunal in its order dated 02.12.2012 in OA-3288/2010, the respondents are expected to consider and pass an appropriate order for granting the pay scale of Rs.37400-67000 with Grade Pay Rs.8700/- to all those eligible seniors SEs of DDA, who were in service as on 01.01.2006. We trust that the respondents would take necessary action in the matter with early alacrity.”

2. The respondents have filed fresh compliance report pursuant to the order dated 23.08.2017 passed by this Tribunal stating as under:

“AND WHEREAS the matter has again been considered in persuasion of the orders dated 20.12.2016 of Hon'ble CAT in OA No. 3180/2014 and after considering the case and in view of

the difference in service conditions of Engineering cadre in CPWD and DDA, it is not possible to accept the request of the petitioners i.e. to place SEs of DDA in the functional PB-4 of Rs. 37400-67,000/- with Grade Pay of Rs. 8700/-.

NOW THEREFORE, it is reiterated that in view of E.O. No. 1007 dated 11.07.2014 being kept in abeyance, the PB-4 with GP of Rs. 8700/- is being granted to SEs of DDA on completion of 13 years of combined service as SE/EE including 04 years of service as SE subject to fitness. It is also stated that as per the recent directives of the Ministry of Housing & Urban Affairs, the RRs for employees of DDA are to be framed in exercise of powers conferred under section 56 of DD Act, 1957 by the Central Government. The RRs for the posts of EE/SE in DDA have been notified by the Ministry of Housing and Urban Affairs on 25.07.2017 prescribing inter alia the qualifying service of 05 years for EE for consideration for promotion to the post of SE. Hence any directions/rules framed by ministry for grant of higher pay scale of PB-4 with GP of Rs. 8700/- to SEs will have statutory force.

This is issued with the approval of VC, DDA."

3. The directions of the Tribunal have been carried out. The contempt does not survive. If the applicant is aggrieved, he is at liberty to seek remedial measures as available to him. Proceedings dropped.

(K.N. Shrivastava)
Member (A)

(Justice Permod Kohli)
Chairman

/ns/