

**CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH**

CP 362/2017 in  
OA 3103/2015

Reserved on: 16.03.2018  
Pronounced on: 21.03.2018

**Hon'ble Mrs. Jasmine Ahmed, Member (J)**  
**Hon'ble Ms. Praveen Mahajan, Member (A)**

1. Rahul Sharma, WM  
Aged about 42 years  
S/o Shri V.K. Sharma  
R/o A-53, Brij Vihar,  
Ghaziabad (U.P.)-201011
2. Narain Dutt, EB  
Aged about 51 years, 2  
S/o Late Shri Chotu Ram  
R/o 177, Kateora Gaon,  
Delhi
3. Sagir Ullaha Khan, EB  
Aged about 49 years,  
S/o Late Shri Shafi Ullaha Khan  
R/o WZ-156, Ravi Nagar,  
New Delhi-110018
4. Satyender Kumar, EB  
Aged about 57 years,  
S/o Late Shri Ram Prashad Singh  
R/o H.No.431, Gali No. 9A,  
Lakpat Colony, Part-I  
Meetha Pur Ext., Badarpur,  
N. Delhi-110044
5. Nandan Singh, EB  
Aged about 44 years,  
S/o Shri Prem Singh  
R/o C-220/5, Paravatiya Anchal  
Sant Nagar, Burari,  
Delhi-110084

6. Ramendra, EB  
Aged about 54 years,  
S/o Late Shri Ghan Shyam  
R/o H-35, MCD Flat, near Dhakka Chowk,  
Block-H, Kingsway Camp,  
Delhi-110009
  7. Jitendra Sharma, EB  
Aged about 47 years,  
S/o Shri C.R. Sharma  
R/o H.No.I/5581, Balbir Nagar Extn,  
Shahdara, Delhi-110032
  8. Shripal, EB,  
Aged about 59 years,  
S/o Late Shri Jagan Lal  
R/o A-38, Gali No.1, Nehru Vihar  
Delhi-94
  9. Bali, EB,  
Aged about 55 years,  
S/o Late Shri Ishwari Prasad  
R/o H.No.412, Pocket-Q DDA Flat,  
Dilshad Garden, Delhi-95
  10. Dharampal, EB,  
Aged about 59 years,  
S/o Late Shri Rumai Singh 5  
R/o E-114, Gali No.4, East Vinod Nagar,  
Bhati Chowk, Delhi-91
- ... Petitioners

(Through Shri Yogesh Kumar Mahur, Advocate)

Versus

1. Shri P.K. Gupta  
Commissioner  
North Delhi Municipal Corporation,  
S.P. Mukherjee Marg, Civic Centre  
New Delhi
2. Shri Punit Kumar Goel  
Commissioner  
South Delhi Municipal Corporation,  
S.P. Mukherjee Marg, Civic Centre  
New Delhi
3. Shri Mohan Jeet Singh  
Commissioner,  
East Delhi Municipal Corporation  
Patparganj Industrial Area,  
New Delhi

4. Shri Hemant Kumar Hem  
 Director (P)  
 North Delhi Municipal Corporation,  
 S.P. Mukherjee Marg, Civic Centre  
 New Delhi ...Respondents

(Through Ms.Anupama Bansal, Shri Yudhister Sharma and  
 Shri R.N. Singh with Shri Amit Sinha, Advocates)

### ORDER

Mrs. Jasmine Ahmed, Member (J)

OA 3103/2015 was disposed of by this Tribunal on  
 20.09.2016 with the following directions:

“3. Under such circumstances, it will be proper to direct the respondents to hold the DPC after collecting the Data within a specified time. Accordingly, respondents are directed to conduct a DPC after collecting the Data within a period of six months. OA disposed off accordingly. No costs.”

2. In the present Contempt Petition, the petitioners have complained that the respondents are guilty of willful disobedience of the Tribunal's directions dated 20.09.2016, quoted above.

3. Pursuant to notice issued, the respondents have filed compliance affidavit stating therein that Departmental Screening Committee (DSC) meeting for promotion to the post of Wireman and Electrician has been held on 18.12.2017. It is further stated in the compliance affidavit that DSC could not be held for promotion to the post of Electric Motor Driver

and Sr. Fitter as the recruitment rules for Electric Motor Driver do not have any provision for promotion from Electric Beldar whereas there is no such post of Senior Fitter in Corporation. However, they have been given financial upgradations under ACP/MACP Scheme as per their eligibility.

4. Learned counsel for the petitioners, Shri Yogesh Kumar Mahur strongly repelled the averment made in compliance affidavit that there is no provision in the recruitment rules for promotion to the post of Electric Motor Driver from Electric Beldar. In this regard, he drew our attention to Annexure CP-4 in order to show that initial recruitment was in the post of Beldar/Khallasi only. At serial number 12, composition of DPC is shown in respect of Class IV employees. Attention was also drawn to Office Order at Annexure CP-5, which contains names of some individuals holding the post of Beldar and their promotion to the post of Electric Motor Driver.

5. Heard the learned counsel for the parties and perused the pleadings available on record.

6. While the learned counsel for the respondents argued that the directions of the Tribunal have been complied with, learned counsel for the petitioners stated that compliance claimed to have been done is not in true letter and spirit of the directions contained in the Tribunal's order.

7. We have gone through the compliance affidavit filed by the respondents and we are of the considered opinion that substantial compliance of the Tribunal's directions has been done. The C.P. is, therefore, closed. Notices discharged. If, however, the petitioners are not satisfied with the compliance done by the respondents, they are at liberty to seek remedy available in law.

(Praveen Mahajan)  
Member (A)

(Jasmine Ahmed)  
Member (J)

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