

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH**

**CP No.472/2016
IN
OA No.3619/2015**

New Delhi, this the 19th day of May, 2017

**Hon'ble Shri V. Ajay Kumar, Member (J)
Hon'ble Shri P.K. Basu, Member (A)**

1. Yusuf,
S/o Mohd. Alla Mehar,
Aged 56 Years,
Post-Beldar No. 10026552,
Working at Ward-238, Loni Road,
M-III, Maintenance EDMC,
New Delhi, EDMC
2. Laljee,
S/o Sh. Jhilmit,
Aged 54 Years,
Post-Beldar No. 10026223,
Working at Ward-258,
Loni Road, M-III, Maintenance,
Shahdara North, EDMC, New Delhi.
3. Satpal Singh,
S/o Sh. Mangat Ram,
Aged 53 Years,
Post-Beldar No. 10024550,
Posted at Ward-237, Loni Road, M-II,
Shahadara, South Zone, EDMC,
New Delhi
4. Ramji Lal,
S/o Sh. Munna Lal ,
Aged 55 Years,
Post-Beldar No. 10025527,
Posted at Ward-258,
Loni Road, M-III, Maintenance
Shahadara North, EDMC, New Delhi
5. Rohtash Singh,
S/o Sh. Khetan Singh,
Aged 57 Years,
Post-Beldar No. 10026224,
Posted at Ward-258,
Loni Road, M-III, Maintenance ,
Shahadara, New Delhi, North EDMC

6. Tarif Singh,
S/o Sh. Bhule Ram,
Aged 55 Years,
Post-Beldar No. 10026217,
Posted at Ward-258,
Loni Road, M-III, Maintenance,
Shahadara North, EDMC, New Delhi.
7. Malkhan,,
S/o Sh. Shiv Dayal,
Aged 56 Years,
Post-Beldar No. 10026226,
Posted at Ward-258,
Loni Road, M-III, Maintenance,
Shahadara North, EDMC, New Delhi
8. Murgi Hasan,
S/o Muri Bhunti,
Aged 58 Years,
Post-Beldar
No. 10026222,
Posted at Ward-258,
Loni Road, M-III, Maintenance,
Shahadara North, EDMC, New Delhi
9. Faqhroodeen,
S/o Moh. Allaraji,
Aged 53 Years,
Post-Beldar No. 10025026,
Posted at Ward-244,
Sunder Nagri Maintenance,
Shahadara North Zone, EDMC
New Delhi
10. Hoshiar Singh,
S/o Sh. Attar Singh,
Aged 55 Years,
Post-Beldar Posted at Ward-244,
Sunder Nagri, Maintenance,
Shahadara North Zone, EDMC, New Delhi
11. Kanhaiya Lal
S/o Sh. Shyam Ram,
Aged 59 Years,
Post-Beldar No. 10025039,
Posted at Ward-244,
Sunder Nagri, Maintenance,
Shahadara North
Zone, EDMC, New Delhi

12. Bhopal Singh
S/o Dharam Singh,
Aged 52 Years,
Post-Beldar No. 10025030,
Posted at Ward-244,
Sunder Nagri, Maintenance,
Shahadara North, EDMC, New Delhi
13. Tejpal,
S/o Sh. Bhule Ram,
Aged 54 Years,
Post-Beldar No. 10023613,
Posted at Ward-237,
M-II, Shahadara South Zone,
EDMC, New Delhi
14. Ganga Ram
S/o Sh. Bhule Ram,
Aged 56 Years,
Post-Mason No. 10025028,
Posted at Ward-244,
Sunder Nagri Maintenance,
Shahadara North Zone,
EDMC, New Delhi
15. Pappu
S/o Sukhram,
Aged 49 Years,
Post-Beldar No. 10024950,
Posted at Ward-
241,SDNH, M-1, Maintenance,
Shahdara North Zone,
EDMC, New Delhi
16. Ram Niwas
S/o Late Sh. Mamchand,
Aged 50 Years,
Post-Beldar, No.10025040,
Posted at Ward-243,Nand Nagri,
M-1 Maintenance
Shahadara North Zone,
EDMC, New Delhi
17. Mohd. Basheer
S/o Mohd. Chhote Khan,
Aged 55 Years,
Post-Beldar, No.10024963,
Posted at Ward-243,
Nand Nagri, M-1 Maintenance

Shahadara North Zone,
EDMC, New Delhi

18. Zakir Ali
S/o Moh. Buniyad Ali,
Aged 55 Years,
Post-Beldar, No.10024916,
Ward-249,
Chauhan Nagar, M-VI Maintenance
Shahadara North Zone,
EDMC, New Delhi
19. Guljar,
S/o Mohd. Basheer,
Aged 54 Years,
Post-Beldar, No.10024904,
Posted at Ward-249,
Chauhan Nagar, M-VI Maintenance
Shahadara North Zone,
EDMC, New Delhi
20. Lekh Raj Singh
S/o Late Sh. Kiran Singh,
Aged 53 Years,
Post-Beldar, No.10025536,
Posted at Ward-243,
Nand Nagri, M-1 Maintenance
Shahadara North Zone,
EDMC, New Delhi
21. Sejanti Ram
S/o Late Sh. Sonpal,
Aged 57 Years,
Post-Beldar, No.10024961
Posted at Ward-243,
Nand Nagri, M-1 Maintenance
Shahadara North Zone,
EDMC, New Delhi
22. Tej Pal
S/o Late Sh. Tek Chand,
Aged 54 Years,
Post-Beldar, No.10026448,
Posted at Ward-244,
Sunder Nagri Maintenance
Shahadara North Zone,
EDMC, New Delhi.
23. Ram Lal
S/o Sh. Mansa Singh,

Aged 55 Years,
Post-Mason, No.10026251,
Working at Ward-241,
SDNH, M-1 Maintenance
Shahadara North Zone,
EDMC, New Delhi

... Petitioners

(By Advocate : Ms. Ankita Patnaik with Shri Manoj Kumar)

Versus

1. Sh. Mohanjeet Singh, IAS,
Commissioner,
East Delhi Municipal Corporation,
Udyog Sadan, Patparganj Industrial Area,
Delhi – 110092.

2. Sh. Pardeep Bansal,
Director (Hort.),
Head Quarters,
North Delhi Municipal Corporation
16th Floor, E-Block,
Dr SPM Civic Center,
JL Nehru Marg,
New Delhi-110002.

... Contemnors

(By Advocate : Ms. Sangeeta Rai for R-1
Shri Manjeet Singh Reen)

ORDER (ORAL)

Mr. V. Ajay Kumar, Member (J) :-

When the matter was taken up for hearing, learned counsel for applicants submits that respondents have already issued orders in compliance of the orders of this Tribunal. Learned counsel for respondents produced an Office Order dated 17.05.2017, which states as under:-

“5. The Competent Authority has approved the claim of all eligible employees to enhance

their respective pay-scale in ACP scheme as if they had continued to be in DDA.

6. This order shall apply in respect of the applicants involved in the above mentioned cases and also in respect of all other eligible employees transferred from DDA to MCD and now working in Engineering Department of EDMC.
7. Physical verification of eligibility shall be done at the time of pay fixation for employee-wise.
8. The concerned Executive Engineer of the Divisions shall thoroughly check the facts from the service books & personal files of the employees and ensure that the employees have actually been transferred from DDA to MCD and cross examine and cross check with DDA with relevant documents in order to avoid any litigation in future. The order would be subject to the availability of funds.”

2. The learned counsel for applicants submits that they are satisfied if the CP is closed with liberty to avail their legal remedies, if they are still aggrieved, in accordance with law. Accordingly, the CP is closed with the aforesaid liberty. However, the respondents shall ensure complete compliance within 90 days from the date of receipt of this order. Notices are discharged.

(P.K. Basu)
Member (A)

(V. Ajay Kumar)
Member (J)

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