

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

O.A. No. 1310/2018

M.A. No. 1476/2018

New Delhi, this the 3rd day of April, 2018

HON'BLE MR. V. AJAY KUMAR, MEMBER (J)
HON'BLE MS. NITA CHOWDHURY, MEMBER (A)

1. Mrs. Deepa (Senior Mechanic)
Aged 30 Years,
W/o Mr. Amit Kumar Jaiswal,
R/o H.No. C-17 New, C-24 Old,
Street No.4, Niti Vihar,
Near Lal Mandir, Kirari,
Mubrakpur Road, Delhi-110086.
2. Mr. Amit Kumar Jaiswal (Junior Mechanic)
Age 30 Years,
S/o Mr. Shiv Shankar Jaiswal,
R/o H.No. C-17 New, C-24 Old,
Street No.4, Niti Vihar,
Near Lal Mandir, Kirari,
Mubrakpur Road, Delhi-110086. .. Applicants

(By Advocate: Mrs. Rashmi Chopra for Ms. Asiya)

Versus

1. Govt. of N.C.T. of Delhi,
Through its Chief Secretary,
I.P. Estate, Delhi.
2. Secretary,
Department of Training and Technical Education,
Muni Maya Ram Marg,
Pitampura, Delhi-110088.
3. Principal,
G.B. Pant Government
Engineering College,
Okhla Phase-III,
Okhla Industrial Area,
New Delhi-110020. .. Respondents

ORDER (ORAL)**By Mr. V. Ajay Kumar, Member (J)**

Heard the learned counsel for the applicants.

2. MA 1476/2018 filed for joining together is allowed.
3. The applicants filed the O.A. seeking the following relief:
 - “(a) To direct the Respondents to grant the Applicants salary and other benefits at par with the other contractual employees under the GNCT, especially Respondent No.2.
 - (b) Direct the Respondents to grant the Applicants Minimum of basic pay, Grade Pay + DA + HRA + Transport Allowance + Maternity Leave as applicable, paternity leave, CCL, children education allowance, gratuity, bonus & LTC, 30 days EL with option of withdrawal, 2 RH, 12 months salary, 3% annual increments, medical facility, timely (biannually DA), NPS (Contributory Pension) alongwith arrears of pay & allowances w.e.f. the date of initial appointment on contractual basis.
 - (c) Direct the Respondents to grant the Applicants arrears of Dearness Allowance @ rate statutorily due to them and the arrears on time as being granted to similarly placed Applicants from the date of joining.
 - (d) To direct the Respondent to grant the Applicants the benefits of 7th Pay Commission benefits w.e.f. the date of implementation and at par with regular employees in terms of pay & allowances & other benefits.
 - (e) To direct the Respondent to grant the arrears of pay & allowances from the date of their initial appointment.
 - (f) The Applicant No.1 may be granted maternity arrears with interest as due and payable to her.
 - (g) to direct the Respondents to renew the contracts of the Applicants for a 5 years at a time, at least.
 - (h) Applicants be provided age relaxations because Applicants were infact under age when employed in the department and relaxation in educational qualification and experience as inter departmental candidate serving in the department for preference in regular/permanent appointment/recruitment exam.
 - (i) to direct the Respondents to pay the Applicants salary for the month of vacations for which they are ready to discharge their duties and or in alternate to compensate them for such period.

- (j) provide weightage in written exam & interview for permanent vacancy/regular appointment/recruitment exam conducted by DSSSB/UPSC Board & Institutions itself and also refer/consider as departmental candidate.
- (k) grant all consequential benefits to the Applicants which they are entitled in law and pass such other or further order(s) as may be deemed fit and proper in facts and circumstances of the present case.”

4. It is submitted that the applicants made number of representations ventilating their grievances to the respondents. However, no orders have been passed thereon till date.

5. It is seen that the representation filed along with the O.A. vide Annexure A-1 Colly. was addressed to the Chief Minister, but not to the actual authority under whom the applicants are working.

6. In the circumstances, the O.A. is disposed of at the admission stage itself, without going into the other merits of the case, by permitting the applicants to make appropriate representations ventilating their grievances to the concerned authorities within two weeks from the date of receipt of a copy of this order and on receipt of such a representation from the applicants, the respondents shall consider the same and pass appropriate speaking and reasoned orders thereon, in accordance with law, within 60 days therefrom. No order as to costs.

Let a copy of the O.A. be enclosed to this order.

(NITA CHOWDHURY)
Member (A)

(V. AJAY KUMAR)
Member (J)

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