

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

OA No.1638/2012

New Delhi, this the 14th day of September, 2016

Hon'ble Mr. P.K. Basu, Member (A)

Hon'ble Dr. Brahm Avtar Agrawal, Member (J)

1. Shri Baldev Ram
S/o Shri Ram Lal,
R/o G-38, Ratti Ram Bagh
Gali No.2, Raj Nagar-II
Palam Colony,
New Delhi-110045
2. Shri Deen Dayal
S/o Shri Munshi Ram
R/o B-105, East Vinod Nagar,
Delhi-110091.
3. Shri Rajesh Kumar
S/o Late Shri Jagdish Prakash,
R/o 13/55-IIInd Floor, Back Side,
Subhash Nagar,
New Delhi-110027.
4. Shri Sampat Ram
S/o Shri Ram Chander
R/o 3227, School Street,
Pahar Ganj, New Delhi-110055.
5. Shri Bhagwan Dass,
S/o Shri Baljeet Ram
R/o 15/2, Bhagal Lane, Bhogal,
Jangpura, New delhi -110055.
6. Shri Ram Bilas
S/o Shri Suraj Pal,
R/o A-174, New Seema Puri
Shahadra, New Delhi-110014
7. Shri Ram Newaj
S/o shri Prithvi Pal,

R/o Block No.1, Dhobi Ghat,
Jhuggi T-33, Khichri Pur,
Delhi-110091.

8. Shri Braj Bhushan Tyagi
S/o Shri Shiv Kumar Tyagi
R x185/6, Gali No. 6B
Brahm PUri,
Delhi-110053.
9. Shri Mahesh Das
S/o Shri Mahadeo Das,
R/o E-845, J.J Colony,
Bavana, Delhi-11—39.
10. Shri RamShankar
S/o Shri Hare Lal
R/o House No.328, Village Gejodh
Sector-53, Noida
Distt. Gautam Budh Nagar, UP
11. Shri Devendra Kumar
S/o Shri Vir Singh
R/o House No. 772, Panna Udyan
Narela, Delhi-110040
12. Shri Ashok Kumar
S/o Shri Zile Singh
R/o G-917, J.J.Colony,
Shankar, New Delhi.
13. Shri Kailash Chand,
S/o Shri Ram Prasad,
R/o Jhuggi No. A322, Sector-1
Dr. Ambedkar Basti
R.K. Puram, New Delhi-110032
14. Shri Ram Bhool Singh
S/o Shri Parmal Singh
R/o House No. 18. Gali No.2 Sarojani Naidu Park,
Shastri Nagar,
Delhi-110031.

15. Shri Brijesh Kumar
S/o Shri Balak Ram
R/o RZF-763/16 Gali No. 5
Raj Nagar, Part-II, Palam Colony,
New Delhi-110045.
16. Shri Gulzari Lal
S/o Shri Devki Nanadan
R/o Village Harji PUr Post Tint,
Distt. Rewari (Haryana)
17. Shri Surinder Kumar
S/o Sh. Mange Ram
R/o House No. 29, Gopal Nagar-B
Dhansa Road, Nazafgarh, New Delhi-110043.
18. Shri Jeetu Gujjar
S/o Shri Bhagwana Gujjar,
R/o 1782 Holambi Kala Phase-II
New Delhi -110082.
19. Shri Pop Singh
S/o Shri R.B. Singh,
R/o G-164, Ganga Vihar,
Gokul Puri, Delhi-110094.
20. Shri Shive Kumar
S/oShri Babu Ram Dubey
R/o H.No. X-117/5, Gali No.8
Bharam Puri, Delhi-110053.
21. Shri Ramesh Kumar
S/o Shri Malkhan Singh,
R/o H. No. K-17/3, Gali No.12
Bharam Puri, Delhi-110053.
22. Shri Rajesh Kumar
S/o Shri Malkhan Singh,
R/o H. No. K-17/3, Gali No.12
Bharam Puri, Delhi-110053. Applicants

(By Advocate : Ms.Asiya, proxy for Ms.Rashmi Chopra)

Versus

1. New Delhi Municipal Council,
Through the Chairman,
New Delhi Municipal Council,
Parliament Street,
New Delhi-110001.
2. Mr. Narender Kumar
Employee Code -308273
S/o Late Sh . Radhey Shyam
R/o C-6/142-B Keshav Puram,
Delhi-110035 Respondents

(By Advocate: Mr. P.K. Singh proxy for Mr.Rajneesh Vats)

ORDER (ORAL)

Hon'ble Mr. P.K. Basu, Member (A)

This OA No.1638/2012 has been filed by the 22 applicants on the ground that they are senior to Shri Narender Kumar and whereas Shri Narender Kumar has been regularized w.e.f. 01.09.2001, they have been regularized w.e.f. 02.01.2007. In support of their claim they draw our attention to Annexure A-3 and A-4, which are orders dated 30.05.2005 and 16.06.2005 by which Shri Narender Kumar S/o Sh. Radhey Shyam has been regularized w.e.f. 01.09.2001. It is pointed out that vide circular dated 21.11.1996 seniority list of all TMR/employees prepared for appointing all the TMR/employees as RMR who have been completed 500 days on 31.08.1995 as Beldar/ Bill Collector /

Helper Khallasi(Auto) Khallasi Elect was circulated and applicants are all senior to Shri Narender Kumar.

2. It is also stated by the learned counsel for the applicant that Mr. Narender Kumar has been shown at Serial No.23 in the office order dated 17.07.2007 and all the applicants have been shown above Shri Narender Kumar, which is as follows:-

1.	Shri Baldev Ram S/o Shri Ram Lal,	At Sr. No.22
2.	Shri Deen Dayal S/o Shri Munshi Ram	At Sr. No.01
3.	Shri Rajesh Kumar S/o Late Shri Jagdish Prakash,	At Sr. No.12
4.	Shri Sampat Ram S/o Shri Ram Chander	At Sr. No.10
5.	Shri Bhagwan Dass, S/o Shri Baljeet Ram	At Sr. No.16
6.	Shri Ram Bilas S/o Shri Suraj Pal,	At Sr. No.02
7.	Shri Ram Newaj S/o Shri Prithvi Pal,	At Sr. No.06
8.	Shri Braj Bhushan Tyagi S/o Shri Shiv Kumar Tyagi	At Sr. No.18
9.	Shri Mahesh Das S/o Shri Mahadeo Das,	At Sr. No.09
10.	Shri Ram Shankar S/o Shri Hare Lal	At Sr. No.13
11.	Shri Devendra Kumar S/o Shri Vir Singh	At Sr. No.14
12.	Shri Ashok Kumar S/o Shri Zile Singh	At Sr. No.15
13.	Shri Kailash Chand, S/o Shri Ram Prasad,	At Sr. No.19
14.	Shri Ram Bhool Singh S/o Shri Parmal Singh	At Sr. No.21
15.	Shri Brijesh Kumar S/o Shri Balak Ram	At Sr. No.20
16.	Shri Gulzari Lal S/o Shri Devki Nanadan	At Sr. No.17
17.	Shri Surender Kumar S/o Sh. Mange Ram	At Sr. No.08
18.	Shri Jeetu Gujjar S/o Shri Bhagwana Gujjar,	At Sr. No.04
19.	Shri Pop Singh S/o Shri R.B. Singh,	At Sr. No.11
20.	Shri Shiv Kumar S/oShri Babu Ram Dubey	At Sr. No.03
21.	Shri Ramesh Kumar S/o Shri Malkhan Singh,	At Sr. No.05
22.	Shri Rajesh Kumar S/o Shri Malkhan Singh,	At Sr. No.07

23. Shri Narender Kumar
S/o Late Shri Radhey Shyam,

At Sr. No.23

3. She further states that the order dated 17.07.2007 was issued in pursuance of the directions of the Hon'ble High Court of Delhi dated 30.05.2007 in CCP No. 663-884/2006 and 532/2006 and partial modification of order No. 103/Dir.(W)/P-II/07 dated 04.06.2007, Regular Muster Roll (RMR), by which the status of the 23 TMR workers of Electricity department was reckoned as RMR w.e.f. 31.08.1995. All the applicants were shown above Shri Narender Kumar who has been shown at Sr. No. 23. It is stated that it would be clear from these orders that all these applicants are senior to Shri Narender Kumar and they have claimed that they also be regularized from 1.9.2001 in place of 02.1.2007.

4. In view of our order passed in OA No. 2517/2015, we allow this OA with a direction to the respondents to regularize the services of these applicants also w.e.f. 01.09.2001. Time frame of 90 days is fixed for compliance of this order. No costs.

(Dr. Brahm Avtar Agrawal)
Member (J)

(P.K. Basu)
Member A)

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