

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

O.A.No.1029/2017

Thursday, this the 30<sup>th</sup> day of November 2017

**Hon'ble Mr. K.N. Shrivastava, Member (A)**

Khemchand (UDC, Retd.) MCD (North)  
s/o Bhartoo Ram aged around 79  
r/o 238 Hari Nagar Ashram, New Delhi – 110 014

..Applicant

(Mr. Bobby Sanjay Sharma, Advocate)

Versus

1. Commissioner  
South Delhi Municipal Corporation  
18<sup>th</sup> Floor, S P M Civic Centre  
New Delhi – 110 002

..Respondent

(Ms. Priyanka Agarwal, Advocate)

**O R D E R (ORAL)**

The applicant retired on 29.02.1996 from the erstwhile Municipal Corporation of Delhi (MCD), which has since been trifurcated into three Delhi Municipal Corporations (DMCs), i.e., North DMC, South DMC and East DMC. The applicant was promoted as Head Clerk on *ad hoc* basis vide order dated 24.09.2013 (Annexure A-5). The North DMC, vide Annexure A-6 office order dated 31.01.2014, fixed the pay of the applicant for the purpose of pensionary benefits taking note of his *ad hoc* promotion vide order dated 23.09.2013. The applicant is seeking implementation of Annexure A-6 office order.

2. Initially the North DMC was the main respondent in this case but in an affidavit filed on behalf of North DMC, it was submitted that the pension

dispatcher of the applicant is South DMC and that all records regarding his pension are in the custody of South DMC. Accordingly, the applicant was directed to amend the memo of parties, which he did and filed an amended memo of parties, in which the Commissioner, South DMC is the sole respondent.

3. Ms. Priyanka Agarwal, learned counsel appeared on behalf of respondent – South DMC and submitted that the reply on behalf of said respondent would be filed during the course of the day and advance copy has been given to learned counsel for applicant in the Court. A copy of the reply to be filed on behalf of respondent – South DMC was also made available to the Court by the learned counsel. It is seen that the South DMC, vide letter dated 18.03.2016, has already written to the applicant for furnishing certain documents for processing his case in terms of the order dated 31.01.2014. Learned counsel for applicant, however, submits that the applicant has already submitted these documents to the respondent – South DMC.

4. Be that as it may, let the applicant submit another set of the documents, called for, to the respondent within a week. The respondent thereafter shall issue the necessary orders granting the pensionary benefits to the applicant pursuant to the order dated 31.01.2014 within two months from the date of receipt of the documents from the applicant. Pertinent to observe that in view of Annexure A-6 office order dated 31.01.2014 of the North DMC, no further approval is required for implementation of this order and the South DMC can go ahead and implement the order as it is.

5. With the aforesaid observations, the O.A. is disposed of. No order as to costs.

**( K.N. Shrivastava )**  
**Member (A)**

**November 30, 2017**  
**/sunil/**