

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

O.A.No.1693/2016
M.A.No.1657/2016

Friday, this the 13th day of May 2016

**Hon'ble Mrs. Jasmine Ahmed, Member (J)
Hon'ble Mr. P.K. Basu, Member (A)**

1. Mr. Naveen Kumar Dabas, age 38 years
Post Teacher
s/o Mr. Satbir Singh Dabas
r/o House No.1, Vivekanand Puri
(Back Side), Sarai Rohilla, Delhi-7

Currently posted at : N P Vidhayala, Sangam Park II
Civil Lines Zone, NMCD, Delhi-7

2. Ms. Mayura Saini, aged 34 years,
Post Teacher
d/o Mr. J B Saini
r/o A-261/2, Ashok Vihar, Phase I
Delhi-52

Currently posted at: MCP School
Wazirpur Village-II, Civil Lines Zone
NMCD, Delhi-52

3. Ms. Sangeeta, age 39 years
Post Teacher
w/o Mr. Mandeep
r/o House No.85 Priyadarshni Vihar
Near Nanak Pio Gurudwara
Model Town Delhi – 9

Currently posted at : N P Vidhyala
Sangam Park II, Civil Lines Zone
NMCD, Delhi-7

..Applicants

(Mr. Pawan Kaushik, Advocate)

Versus

1. North Delhi Municipal Corporation
Through its Commissioner
15th Floor, Dr. SPM Civic Centre
New Delhi-2
2. South Delhi Municipal Corporation
Through its Commissioner

15th Floor, Dr. SPM Civic Centre
New Delhi-2

3. Delhi Subordinate Services Selection Board
Through its Secretary
Govt. of NCT of Delhi
3rd Floor, UTCS Building
Vishwas Nagar, Shahdara
Delhi-32

..Respondents

O R D E R (ORAL)

Mr. P.K. Basu:

M.A. No.1657/2016

M.A. seeking joining together in a single petition is allowed.

O.A. No.1693/2016

Heard the learned counsel for applicants.

2. The applicants appeared in the recruitment conducted in the year 2002. However, in terms of certain litigation before the Hon'ble High Court of Delhi (**Kanwar Pal & others v. Govt. of NCT of Delhi & another** decided on 31.05.2002), their appointments were delayed in comparison to their batch-mates, who were appointed immediately after the results were declared in the year 2002. The applicants state that in similar cases before this Tribunal, i.e., in **Sudhir Patheja & others v. North Delhi Municipal Corporation & others** (O.A. Nos.924/2013 with connected cases) decided on 04.09.2014, the prayer of the applicants therein has been considered and the said O.As. were allowed giving seniority from the dates when the batch-mates were given appointment in accordance with the recruitment, and give them notional benefits of pay and seniority but no back-wages were allowed.

Learned counsel for applicants prays that since the case of the applicants herein is exactly similar to the decision of this Tribunal (supra), the same prayer may be allowed to them also.

3. We noticed that the applicants have filed legal notice/representation dated 05.10.2015 to respondent No.1, seeking similar relief, which has not yet been decided.

4. We, therefore, dispose of this O.A. at this stage, without going into the merits of the case, with direction to the respondents to pass a reasoned and speaking order on the aforementioned legal notice/representation preferred by the applicant, within a period of two weeks from the date of receipt of a copy of this Order. While doing so, the respondents shall also keep in view the Order passed by this Tribunal (supra). No costs.

(P.K. Basu)
Member (A)

May 13, 2016
/sunil/

(Jasmine Ahmed)
Member (J)