

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

OA-2928/2016

New Delhi this the 31st day of August, 2016.

Hon'ble Sh. Shekhar Agarwal, Member (A)
Hon'ble Sh. Brahm Avtar Agrawal, Member (J)

Sh. Kishal Lal Sharma,
Chowkidar, aged about 54 years,
S/o Shri Parbhakar Sharma,
R/o H.No. D II-88 Madangir,
New Delhi-110062.
(By Advocate : Sh. A.K. Mishra)

... Applicant

Versus

1. Delhi Development Authority
Through Vice Chairman,
Vikas Sadan, INA,
New Delhi.

2. Chief Commissioner,
North Sough & East MCD,
Municipal Corporation of Delhi,
New Delhi.

3. Delhi Jal Board,
Through its CEO,
Govt. of NCT of Delhi
Varunlaya Phase-II,
Karol Bagh, New Delhi.

... Respondent

ORDER (ORAL)

Mr. Shekhar Agarwal, Member (A)

This OA has been filed seeking the following reliefs:

“(a) direct the respondent No. 3, DJB to grant the benefit of order dated 28.11.2011 passed in OA No. 3766/2010 and order dated 30.04.2015 passed in pursuance and in compliance of order dated 28.11.2011 to the applicant.

(b) direct the respondents to give the benefit of 1st, 2nd and 3rd ACP and MACP to the applicant and will be accordingly revised his monthly salary benefits.

(c) all consequential benefits may be granted to the applicant.

(d) grant any other relief(s) as this Hon'ble Tribunal deem fit and proper in the ends of justice.

(e) cost of the proceedings be awarded in favour of the applicant and against the respondents.”

2. Learned counsel for the applicant argued that this case was squarely covered by the judgment of this Tribunal in OA No. 3766/2010 dated 28.11.2011 (**Inder Pal Singh & Ors. Vs. Municipal Corporation of Delhi & Ors.**). He submitted that the aforesaid judgment had been upheld by Hon'ble High Court of Delhi vide Writ Petition No. 6014/2012 by their judgment dated 06.11.2013. Thereafter, the respondents have also implemented the same. He further submitted that a similar OA No. 2574/2016 was disposed of by a co-ordinate bench of this Tribunal at the admission stage itself with a direction to the respondents to examine the case of the applicant therein and extend to him the same benefits as were granted to the applicants of OA No. 3766/2010. Learned counsel further argued that the applicant would be satisfied in case similar directions were given in this case as well.

3. In view of the limited prayer made by the applicant we dispose of this OA with a direction to the respondents to examine the case of the applicant herein and in case it is found that he is covered by the judgment of this Tribunal in OA No. 3766/2010, then he be extended the same benefits as were allowed to the applicants of that OA. The respondents shall decide the case of the applicant within a period of sixty days from the date of receipt of a certified copy of this order and they shall communicate their decision to the applicant by means of a reasoned and speaking order. No costs.

(Brahm Avtar Agrawal)
Member (J)

(Shekhar Agarwal)
Member (A)

/ns/