

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

OA-3108/2016

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

**Hon'ble Mr. Shekhar Agarwal, Member (A)
Hon'ble Mr. Raj Vir Sharma, Member (J)**

1. Manjeet Singh (PO) (Age 53 yrs.), S/o Late Barkat Singh, R/o D-2/161, Madangir, New Delhi-62.	...	Applicants
2. Kuldeep Choudhry (PO) (Age 68 yrs.) S/o Late Aniruty Chaudhry, R/o H.No. 2531/Devli Village, New Delhi-62		

(By Advocate : Ms. Sumedha Sharma)

Versus

1. Vice- Chairman, DDA, Vikas Sadan, Delhi, Delhi.	...	
2. CEO, DJB, Delhi Jal Board, Varunalya, Phase II, Karol bagh, Delhi, New Delhi.	...	Respondents

ORDER (ORAL)

Hon'ble Mr. Shekhar Agarwal, Member (A)

MA No. 2746/2016 filed for joining together is allowed.

This OA has been filed seeking the following reliefs:

- “(a) direct the respondents to give the benefits of 1st, 2nd and 3rd ACPs in the pay scale of Rs. 4000-6000/- in first ACP and Rs. 5000-8000/- in second ACP to the applicants (Pos) 3rd ACP and MACP to the applicants and will be accordingly fixed in the pensionary benefits of retired employees as quoted above as well.
- b) direct the respondents ie DJB to extend the benefit of order dt. 28.11.2011 passed in OA No. 3766/2010 and order dt.30/04/2015 passed in pursuance and in compliance of order dt.28.11.2011 to the applicants.
- c) all consequential benefits may be granted to the applicants.

d) Any other relief, which this Hon'ble Tribunal may deem fit and proper in the circumstances of the case, may also be passed in favour of the applicants.

e) cost of the proceedings be awarded in favour of the applicants and against the respondents."

2. Learned counsel for the applicants argued that this case is squarely covered by the judgment of this Tribunal in OA No. 3766/2010 dated 28.11.2011 in the case of ***Inder Pal Singh and Ors. vs. Municipal Corporation of Delhi & Ors.*** The aforesaid judgment has been upheld by the Hon'ble High Court of Delhi in Writ Petition No. 6014/2012 vide their order dated 06.11.2013. SLP filed against the aforesaid judgment has also been dismissed by the Hon'ble Supreme Court on 02.07.2013. Thereafter, the respondents have complied with this order on 30.04.2015. Learned counsel argued that the applicants made a representation to the respondents on 28.07.2016 but the same has not yet been decided so far. She also submitted that the applicants would be satisfied in case directions were given to the respondents to extend the benefits of this Tribunal's judgment in OA No. 3766/2010 to the applicants herein as well.

3. Accordingly, we dispose of this OA at the admission stage itself without issuing notice to the respondents and without going into the merits of the case with a direction to respondent No. 2 to examine the case of the applicants in the light of judgment of this Tribunal in OA No. 3766/2010 and in case it is found that they are covered by the said judgment, then they be extended the same benefits as were granted to the applicants therein. In any case, the respondents shall communicate their decision to the applicants by means of a reasoned and speaking order within a period of sixty days from the date of receipt of a certified copy of this order. No costs.

(Raj Vir Sharma)
Member (J)

/ns/

(Shekhar Agarwal)
Member (A)