

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH**

O.A. No.4240/2012

New Delhi this the 8rd day of March, 2017

**HON'BLE MR. V. AJAY KUMAR, MEMBER (J)
HON'BLE MR. P.K. BASU, MEMBER (A)**

Shri Chhiman,
S/o Shri Chandi,
R/o 106, Gadhi,
Ramesh Market Gali No.1,
Lajpat Nagar,
Delhi.

-Applicant

(By Advocate : Shri Kanishka Gaur for Shri Rajeev Sharma)

Versus

1. South Delhi Municipal Corporation,
(through its Commissioner)
Dr. S.P. Mukherjee Civic Centre,
9th Floor, J.L. Marg,
New Delhi.
2. The Commissioner,
South Delhi Municipal Corporation,
Dr. S.P. Mukherjee Civic Centre,
9th Floor, J.L. Marg,
New Delhi.
3. The Director (Horticulture),
South Delhi Municipal Corporation,
Dr. S.P. Mukherjee Civic Centre,
16th Floor, J.L. Marg,
New Delhi.

-Respondents

(By Advocate: Shri R.K. Jain)

ORDER (ORAL)**By Mr. V. Ajay Kumar, Member (J)**

The applicant filed the present O.A. seeking the following reliefs:-

- “(i) to issue direction to the respondents to calculate difference of salary between the post of Mali and Chaudhury for the period 2004 to 2010 and same may be paid to the applicant;
- (ii) to issue direction to the respondents to give all the consequential benefits to the applicant;
- (iii) the Hon’ble CAT may pass any other order/direction as deemed fit and proper in the present case.”

2. After hearing both sides, this Tribunal on 08.08.2016 passed the following order:-

“Heard the learned counsel.

2. The respondents' case is that since the applicant was appointed in 2010, he has been paid the scale of Choudhary from 2010 onwards.

3. Learned counsel for the applicant states that similarly and identically placed persons have been paid arrears from 2004 to 2010, but the applicant has been denied the same. However, no specific names have been mentioned. The learned counsel for the applicant seeks time to file an additional affidavit giving the specific names of those identically placed persons, who were given arrears from 2004 to 2010. The respondents would also verify their record and shall file a response to the additional affidavit before the next date.

3. Post on 20.10.2016.”

3. Though sufficient opportunities were given to the applicant, he failed to comply with the aforesaid order dated 08.08.2016 and he also failed to pay the cost imposed in this regard.

4. In the circumstances, since the applicant failed to show any valid reasons how his case is discriminated when compared to his colleagues, we do not find any merit in the OA, and the same is accordingly dismissed. No costs.

(P.K. BASU)
Member (A)

(V. AJAY KUMAR)
Member (J)

cc.