

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI**

**O.A No. 4405/2015
M.A No. 4045/2015**

New Delhi this the 29th day of March, 2017

Hon'ble Mr. P. K. Basu, Member (A)
Hon'ble Dr. Brahm Avtar Agrawal, Member (J)

1. Kanta
D/o Jai Singh
Presently Posted as
(TGT)
At: G.G.S.S. School,
Avantika Sector-1
Rohini, Delhi
2. Asha Nigam
W/o Hemal Dev Harit
Presently Posted as
(Teacher Asst. Primary)
At: SDMC, Sector-3
Dwarka, Delhi
3. Sangeeta Rani
D/o. Mool Chand
Presently Posted as
(TGT)
At: G.G.S.S.School,
Avantika Sector-1, Rohini, Delhi.
4. Sunila Kumari
W/o Vinod Rana
Presently Posted as
(TGT)
At: U.K.S.K.V.
Dariyapur Kalan Delhi-49.
5. Ruchi Madan
W/o Vikas Bawa
Presently Posted as
(Primary Teacher)
At: M.C. Primary School,
Sudarshan Park-1,
Delhi-15, North M.C.D. ... Applicants

(By Advocate : Mr. Sandeep Khatri)

Versus

M.C.D & Ors. through

1. The Commissioner,
North Delhi Municipal Corporation

Civic Center, New Delhi.

2. The Commissioner,
South Delhi Municipal Corporation
Civic Center, New Delhi.

3. The Secretary,
DSSSB, 3rd Floor, UTSC Building,
Vishwas Nagar, Shahdara, Delhi. Respondents

(By Advocate : Mr. Satyendra Kumar for R-1 and Ms. Anupama Bansal for R-2)

O R D E R (O R A L)

Hon'ble Mr. P. K. Basu, Member (A) :

Heard the learned counsel for the parties.

2. The issue in the O.A is that though the applicants appeared in the same examination held in 2002, result declared in 2003, their cases were held up due to pendency of L.P.A No.625/2002 pertaining to general issue whether reserved candidate from outside Delhi can be considered for reservation in GNCTD of Delhi. After that issue was resolved and the applicants in those cases got relief from the Hon'ble High Court, several other O.As were filed for granting similar benefits which have been cited by the applicants in his O.A namely O.A No. 372/2013, 3719/2009, 2045/2010, 1205/2012 and finally O.A 2650/2016 where similar benefits have been given.

3. Learned counsel for the respondents stated that they cannot treat it as an order in rem as in one case, the Tribunal has dismissed the O.As as well as Review, which was only similar relief.

4. We have gone through the earlier judgments and we are of the opinion that the benefits granted to the applicants in the earlier judgments should automatically be passed on to the applicants in this case as the law point and the facts are similar.

5. The M.A for condonation of delay is therefore, allowed and the O.A is also allowed with a direction to the respondents to consider the case of these applicants for granting them benefits at par with their batch mates in 2003, as granted in the earlier O.As, cited above with all consequential benefits. No costs.

(Dr. Brahm Avtar Agrawal)
Member (J)

(P. K. Basu)
Member (A)

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