

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH**

O.A. No. 4539/2017
M.A. No. 4698/2017

New Delhi, this the 21st day of December, 2017

**HON'BLE MR. V. AJAY KUMAR, MEMBER (J)
HON'BLE MS. NITA CHOWDHURY, MEMBER (A)**

1. Anand Swaroop,
S/o Shri Banarsi Das,
Aged about 49 years,
Post : Pump Driver (PD)
R/o N.77, C-410, Sawan Park Ext.,
Ashok Vihar Phase-III, New Delhi-52.
2. Rajinder Prashad,
S/o Shri Man Singh,
Aged about 59 years,
Post-Elect.II,
R/o Type-II/17, Varun Niketan,
Pitampura, New Delhi.
3. Ram Janak Maurya,
S/o Late Shri Jai Shree,
Aged about 61 years,
Post – Elect.II (Retd.),
R/o H.No.2316, Gali No.12,
Wariabad, Delhi.
4. Surender Singh Bisht,
S/o Late Shri Puran Singh Bisht,
Aged about 61 years,
Post – Elect.II (Retd.),
R/o Type-II/19 Varun Niketan,
Pitampura, New Delhi-110085.
5. Jagdish,
S/o Shri Matru,
Aged about 60 years,
Post – Elect.II,
R/o H.No.440, Gali No.9,
Jagatpur, Burari, Delhi.
6. Rakesh Pal Parashar,
S/o Shri Dev Ray Parashar,
Aged about 55 years,
Post – P.D.,

R/o F-4/51, Sec. 16,
Rohini, Delhi-89.

7. Sitaram,
S/o Shri Ram Prasad,
Aged about 59 years,
Post – Elect.II,
R/o B-86, Vill. Ramgarh,
Jahangir Puri, Delhi.
8. Jagdeep,
S/o Shri Laxmi Narayan,
Aged about 53 years,
Post – Fitter II,
R/o Vill. & Post Badoli,
Distt. Sonipat Haryana.
9. Shiv Narayan,
S/o Late Shri Ram Autar,
Aged about 65 years,
Post – Elect.II (Retd.),
R/o House No.B-430, Street No.1,
Radha Krishan Mandir Road,
Swaroop Bagar, Delhi-110042.
10. Mahender Singh,
S/o Late Shri Lakhmi Singh,
Aged about 58 years,
Post – Elect.II,
R/o D-33, Rajiv Nagar,
Phase-1, Delhi-110086. .. Applicants

(By Advocate: Shri Pushpinder Yadav)

Versus

1. CEO, Delhi Jal Board,
Delhi Jal Board,
Varunalaya, Phase-I,
Karol Bagh, New Delhi.
2. The Assistant Commissioner (Admn.),
Delhi Jal Board,
Varunalaya, Phase-I,
Karol Bagh, New Delhi. .. Respondents

(By Advocate : Shri P.K. Singh for Shri Rajeev Kumar)

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

Heard Shri Pushpinder Yadav, the learned counsel for the applicants and Shri P.K. Singh proxy for Shri Rajeev Kumar, learned counsel who appeared on behalf of the respondents on receipt of advance notice.

2. MA 4698/2017 filed for joining together is allowed.
3. The applicants, who are working as Pump Drivers/Elect.II/Fitter-II in Delhi Jal Board, filed the O.A. seeking the following relief(s):
 - “(a) To direct the respondents to give benefit of order dated 30.4.2015 to the applicants by granting them Grade Pay of Rs.2400 & 4200 as 1st & 2nd financial upgradation with all consequential benefits from due date.
 - (b) To declare the action of respondents in neither revising the Grade Pay of Fitter II/Elect.II and P.D. applicants to Grade Pay of Rs.2400 nor granting 1st, 2nd financial upgradation in the Grade pay of Rs.2400 & 4200 as given to other similarly placed Fitter II as illegal, arbitrary and unjustified and issue directions to grant Grade pay of Rs.2400 instead of Grade pay of Rs.2000 and 1st & 2nd & 3rd financial upgradation to the applicants in the pay scale of Rs.5200-20200 with grade pay of Rs.2400 and pay scale of Rs.930-34800 with Grade pay of Rs.4200 & 4600 as per OM dated 9.8.1999 & 19.5.2009 with all consequential benefits including of pay.
 - (c) To direct the respondents to treat the applicants at par with similarly placed Pump Drivers and pump operators/Fitters II/Elect II namely Inder Pal Singh & Ors. in the matter of financial up gradation under ACP/MACP scheme by passing appropriate orders of granting pay scale of Rs.5200-20200 with Grade pay of Rs.2400 as 1st financial up gradation and Grade pay of Rs.4200 & 4600 in PB-2 as 2nd & 3rd financial up gradation.
 - (d) To pass such other and further orders which their lordships of this Hon’ble Tribunal deem fit and proper in the existing facts and circumstances of the case.”

4. It is submitted that the applicants made number of representations, including Annexure A/3 dated 26.10.2017, ventilating their grievances to the respondents. However, no orders have been passed thereon till date.

5. In the circumstances, the O.A. is disposed of at the admission stage itself, without going into the other merits of the case, by directing the respondents to consider the Annexure A/3 representation dated 26.10.2017 of the applicants and to pass appropriate reasoned and speaking order, in accordance with law, within 90 days from the date of receipt of a copy of this order. No order as to costs.

Let a copy of the O.A. be enclosed to this order.

(NITA CHOWDHURY)
Member (A)

(V. AJAY KUMAR)
Member (J)

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