

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI**

**OA 4687/2015
MA 4392/2015**

this the 23rd day of December, 2015

**Hon'ble Mr. V. Ajay Kumar, Member (J)
Hon'ble Mr. P.K.Basu, Member (A)**

1. Ant Ram, Age 53 years
S/o Shri Maam Raj
Post-Mali
No.10000798
Ward 213 Kalyanpuri
Shahadara South
EDMC
New Delhi.
2. Prakashi, Age 61 years
W/o Shri Banarsi
Post-Safai Karamchari
No.51800523
Ward 213 Kalyanpuri
Shahadara South
EDMC, New Delhi.
3. Dhir Singh, Age 58 years
S/o Shri Tarif
Post-Safai Karamchari
Ward 213 Kalyanpuri
Shahadara South
EDMC
New Delhi.
4. Prem Singh, Age 59 years
S/o Shri Bodal Ram
Post-Safai Karamchari
Ward 213 Kalyanpuri
Shahadara South
EDMC
New Delhi.
5. Jagdish, Age 53 years
S/o Shri Phool Singh
Post-Safai Karamchari
Ward 213 Kalyanpuri
Shahadara South
EDMC
New Delhi.

6. Rajbiri, Age 59 years
W/o Shri Brahm Pal
Post Safai Karamchari
Ward 213 Kalyanpuri,
Shahadara South
EDMC
New Delhi.
7. Inderpal, Age 53 years
S/o Shri Jaan Singh
Post-Safai Karamchari
Ward 213 Kalyanpuri
Shahadara South
EDMC
New Delhi.
8. Bhawar Singh, Age 55 years
S/o Shri Chiranji
Post-Safai Karamchari
No.51800530
Ward 213 Kalyanpuri
Shahadara South
EDMC
New Delhi.
9. Ramapati, Age 55 years
S/o Shri Rikhidev
Post-Mali
Bahubali Enclave
Karkardooma
Shahdara South Zone
EDMC
Delhi.
10. Brahm Singh, Age 61 years
S/o Late Shri Harcharan
Post-Mason
No.10021670
Ward 225 Anand Vihar M-II, Maintenance
Shahdara South
EDMC
Delhi
11. Phool Wati, Age 57 years
W/o Late Shri Janaki Prasad
Post-Cooli
No.10024957
Ward 243 Nand Nagri
M-1 Maintenance
Shahdara South Zone
EDMC, Delhi.
12. Maam Chand, Age 53 years
S/o Shri Harpal Singh

Post-Beldar
 No.10025154
 Ward 263, 264, Harsh Vihar
 Mandoli
 M-1 Maintenance
 Shahadara North Zone
 EDMC
 Delhi.

13. Rajender Kumar, Age 56 years
 S/o Shri Likhi Ram
 Post-Beldar No.10025159
 EEM-I, Shahadara North Ward 263-64
 ENGG, EDMC, Delhi.
14. Nanak Chand, Age 53 years
 S/o Shri Girwar
 Post-Beldar
 No.10025156
 EEM-I, Shahadara North Ward 263-64
 ENGG, EDMC, Delhi.
15. Krishan Pal, Age 52 years
 S/o Late Shri Giriraj
 Post-Beldar
 Ward 242 M-I Maintenance
 Shahadara North Zone
 EDMC, Delhi.
16. Rohtash, Age 54 years
 S/o Shri Nand Lal
 Post-Beldar
 No.10024805
 Ward 241 EEM-1
 Shahadara North Zone
 EDMC
 Delhi.
17. Yogender Pal, Age 52 years
 S/o Shri Baru Singh
 Post-Beldar
 No.10025084
 Ward 241 EEM-1
 Shahadara North Zone
 EDMC, Delhi.
18. Teekam Ram, Age 57 years
 S/o Shri Rumal Singh
 Post-Beldar
 No.10024920
 Ward 249 Chauhan Bangar Maintenance
 M-IV Shahdara North Zone, EDMC
 Delhi.

19. Kanda Swami, Age 56 years
 S/o Shri R.Mugam
 Post-Beldar
 No.10026187
 Ward 242 M-I Maintenance
 Shahadara North Zone
 EDMC, Delhi. Applicants

(By Advocate: Ms. Rekha Palli, Sr. Counsel with
 Ms. Punam Singh)

VERSUS

1. East Delhi Municipal Corporation
 Through Commissioner
 Dr. S.P.Mukherjee, Civic Center
 J.L.Nehru Marg
 Minto Road
 New Delhi – 110 002.
2. The Director Horticulture
 North Delhi Municipal Corporation
 Dr. S.P.Mukherjee, Civic Center
 J.L.Nehru Marg, Minto Road
 New Delhi – 110 002.
3. The Delhi Development Authority
 Through its Chairman
 Vikas Sadan
 New Delhi. Respondents

ORDER (ORAL)

By Hon'ble Mr.V. Ajay Kumar, Member (J)

Heard the learned counsel for the applicants.

2. MA No.4392/2015, filed for joining together, is allowed.
3. The applicants, who are working as various Group'D' posts under the respondents, filed the pre sent OA seeking the following reliefs:-

"(A) Direct the Respondents No.1 & 2 to pay the same pay-scale after the 1st and 2nd ACP as is being granted to similarly placed employees working in Respondent No.3, which issue already stands adjudicated by this Hon'ble High Court of Delhi and this Hon'ble Tribunal and therefore grant benefit of

judgment passed by the Hon'ble High Court of Delhi dated 01.03.2012; and

- (B) Direct the Respondents No.1 & 2 to pay the same pay-scale after the 1st and 2nd ACP alongwith all upto date arrears as is being granted to similarly placed employees working in Respondent No.1 & 2 who were parties to the earlier TAs and Writ Petitions; and
- (c) Pass any other appropriate order or relief which this Hon'ble Tribunal deems fit and proper."

4. It is submitted and also stated in Para 4.13 of the OA that some of the applicants only have made a representation dated 05.11.2015, Annexure A-9 (colly) ventilating their grievances to the respondents, however, the respondents have not passed any order thereon till date.

5. In the circumstances, the OA is disposed of, at the admission stage, without going into the merits of the case, by permitting the applicants to file appropriate fresh representations ventilating their grievances to the respondents by duly enclosing the judgments on which they are placing reliance within two weeks from the date of receipt of a copy of this order and on receipt of such representations, the respondents shall consider the same, including Annexure A-9 representation dated 05.11.2015, and pass appropriate reasoned and speaking orders within a period of 90 days there from, in accordance with law.

6. No order as to costs.

Let a copy of the OA, be enclosed to this order.

(P.K.Basu)
Member (A)

(V. AJAY KUMAR)
Member (J)

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