

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI**

**OA 4706/2015
MA 4404/2015**

this the 23rd day of December, 2015

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

1. Mahaveer, Age 54 years
S/o Shri Bhagat Ram
Post-Mali
Sadhna Enclave
Green Park Zone
SDMC
New Delhi.
2. Bhagmal Singh, Age 51 years
S/o Shri Balkiran
Post-Pump Operator
Ward 190, CR Park
Lajpat Nagar Zone
SDMC
New Delhi.
3. Vishnu, Age 56 years
S/o Shri Sho Dutt
Post-PO
Ward 159, Defence Colony
Lajpat Nagar Zone
SDMC, New Delhi.
4. Del Chand, Age 54 years
S/o Shri Krishan Lal
Post-Pump Operator
No.10004974
Ward 208, Sarita Vihar
Lajpat Nagar
SDMC
New Delhi.
5. Rajender, Age 62 years
S/o Shri Nathu
Post-Mali
Ward 159, Defence Colony,
Lajpat Nagar Zone
SDMC
New Delhi.

6. Rati Ram, Age 59 years
S/o Late Shri Chote Lal
Post-Safai Karamchari
No.51201947
Ward 192 Kailash Colony Market,
Lajpat Nagar Zone
SDMC
New Delhi.
7. Bimla, Age 51 years
W/o Late Shri Anand
Post-Safai Karamchari
Ward 192 Kailash Colony Market
Lajpat Nagar Zone
SDMC
New Delhi.
8. Dhapa, Age years
W/o Late S.Laxmi Narayan
S/o Jaman Lal
Post-Mali
Ward 53 Badarpur, Janta Flats
Lajpat Nagar Zone
SDMC
New Delhi.
9. Jaiprakash, Age 58 years
S/o Shri Nanuram
Post-Safai Karamchari
No.10000798
Ward 192, East of Kailash
Lajpat Nagar Zone
SDMC, New Delhi.
10. Jagdish, Age 64 years
S/o Shri Ghotu Ram
Post-Mali
Ward 192 Kailash Colony Market
Lajpar Nagar Zone
SDMC
New Delhi.
11. Jagdish, Age 68 years
S/o Shri Bardu Ram
Post-Mali
Ward 182 Green Park Zone
SDMC
New Delhi.
12. Harpal, Age 53 years
S/o Shri Puran Singh
Post-Mali
No.10039323
Ward 194 East of Kailash

Lajpat Nagar Zone
SDMC
New Delhi.

13. Satpal, Age 59 years
S/o Shri Dhum Singh
Post-Mali
Ward 194
East of Kailash
Lajpat Nagar Zone
SDMC
New Delhi.
14. Lakhpal, Age 59 years
S/o Shri Chet Ram
Post-Mali
No.10007055
GK Enclave-II
Green Park Zone
Nrusury
SDMC
New Delhi.
15. Vaheed Khan, Age 56 years
S/o Shri Umrav
Post-Mali
No.10006970
Ward 171 Vasant Kunj
Green Par
SDMC
Delhi.
16. Ram Charan, Age 55 years
S/o Shri Hari Chand
Post-Safai Karamchari
Ward 190 DDA Flats, Kalkaji
Near Mini Market
SDMC
Delhi.
17. Dal Bahadur, Age 54 years
S/o Shri BB Chetri
Post-Pump Operator
Ward 208 Sarita Vihar
Lajpat Nagar
SDMC
New Delhi.
18. Raju, Age 54 years
S/o Shri Mange Ram
Post-Mali
No.10006828
Ward 171, B-10, Vasant Kunj
Green Park Zone

SDMC
New Delhi.

19. Jai Singh, Age 64 years
S/o Shri Bhajan Lal
Post-Mali
PPO No.2673
Ward 196, Kalkaji
Lajpat Nagar Zone
SDMC
New Delhi.
20. Sudarshan, Age 60 years
S/o Shri Sumer Singh
Post-Mali
No.10039091
Amar Colony Nursery
Lajpat Nagar Zone
SDMC
New Delhi.
21. Sukhbir, Age 53 years
S/o Shri Ramphal
Post-Mali
Ward 196, Kalkaji
Lajpat Nagar Zone
SDMC
New Delhi. Applicants

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

VERSUS

1. South 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
South 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.4404/2015, filed for joining together, is allowed.

3. The applicants, who are working in various capacities, i.e. Mali, Pump Operator and Safai Karamchari under the respondents, filed the present 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 stated in Para 4.13 of the OA that only some of the applicants 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 all the applicants to file appropriate representations ventilating their grievances to the respondents 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 (colly) representation dated 05.11.2015 and

pass appropriate reasoned and speaking orders within a period of 90 days there from, in accordance with law. No order as to costs.

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

(P.K.Basu)
Member (A)

(V. AJAY KUMAR)
Member (J)

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