

**Central Administrative Tribunal  
Principal Bench**

**OA No.3921/2017**

New Delhi, this the 9<sup>th</sup> day of November, 2017

**Hon'ble Mr. Justice Permod Kohli, Chairman  
Hon'ble Mr. K.N. Shrivastava, Member (A)**

1. A.K. Pathak, Retd.SE(C), Group 'A'  
Aged about 66 years  
S/o D.D. Pathak  
R/o 12/4 F.F. West Patel Nagar  
Delhi-110008.
2. Murshid Ali, Retd, EE(C), Group 'A'  
Aged about 67 years  
S/o Late Aishad Ali  
R/o 7077 Jamun Wali Gali Beriwalla Bagh  
Delhi-110006.
3. M.A. Khan, Retd. SE(C), Group 'A'  
Aged about 63 years  
S/o Late A.A. Khan  
R/o B-84, Mijeeb Bagh, Jammia Nagar  
New Delhi-110020.
4. Phoola Ram Vats, Retd. EE(C), Group 'A'  
Aged about 65 years  
S/o Late Sh. Buta Ram Sharma  
R/o R-Block, 20-F, Dilshad Garden  
Delhi-110095.
5. Ashok Gupta, Retd. EE(C), Group 'A'  
Aged about 66 years  
S/o Late Sh. B.L. Gupta

R/o B-3/107, Paschim Vihar  
New Delhi-110063.

6. Om Prakash, Retd. EE(C), Group 'A'  
Aged about 64 years  
S/o Sh. Hardwari Lal  
R/o C-22, Shivaji Park  
New Delhi-110026.
7. Krishan Mohan, EE(C), Group 'A'  
Aged about 56 years  
S/o Late K.L. Goel  
R/o 3, Golf Links Sadan  
New Delhi-110003.
8. Harish Taneja, EE(C), Group 'A'  
Aged about 57 years, S/o C.L.Taneja  
R/o 34/22, West Patel Nagar  
Delhi-110008.
9. R.K. Garg, EE(C), Group 'A'  
Aged about 55 years, S/o H.C. Garg  
R/o C-65, Shubham Enclave, Paschim Vihar  
New Delhi-110063.
10. Memmoo Khan, EE(C), Group 'A'  
Aged about 59 years  
S/o Shabbir Khan  
R/o H.No. 8A, Gali No.7  
East Laxmi Markit  
New Delhi-110092.
11. P.B. Lal, Retd. EE(C), Group 'A'  
Aged about 61 years  
S/o Late Banwari Lal  
R/o K 69/15, Shyam Kuteer  
Chattarpur Enclave  
New Delhi-110074.

12. K.K. Tyagi, SE(C), Group 'A'  
Aged about 55 years  
S/o Sh. V.P. Tyagi  
R/o H 79/45, West Punjabi Bagh  
New Delhi-110026.
13. T.R. Meena, SE(C) Group 'A'  
Aged about 54 years  
S/o Late Dhulal Meena  
R/o Flat No.31, Sarojini Nagar  
New Delhi-110023.
14. V.K. Nimesh, SE(C), Group 'A'  
Aged about 55 years  
S/o Late Sh. Budh Singh  
R/o Flat No. 112, Poket PH-1  
Mayur Vihar, Delhi-110091.
15. Brij Kumar, EE(C), Group 'A'  
Aged about 57 years  
S/o Sh. Som Dutt  
R/o Flat No. 95, Pkt-3, LIG Flats  
Paschim Puri, New Delhi-110063. ...Applicants

(By Advocate: Shri M.K. Bhardwaj)

Vs.

NDMC & Anr.

1. NDMC through its Chairman  
Palika Kendra, 3<sup>rd</sup> Floor, New Delhi
2. The Secretary  
NDMC, Palika Kendra, 3<sup>rd</sup> Floor  
New Delhi. ..Respondents

## **ORDER (ORAL)**

### **Justice Permod Kohli :-**

This OA has been filed by some of the serving as also by some retired Executive/Superintendent Engineers. The details with regard to dates of appointment to various categories of the applicants have been given in para 4.1 of the OA. It is stated that on completion of 8/10 years (8 years for degree holder and 10 years for diploma holder) of regular service as AE (Civil), they became eligible to promotion to the posts of EE(Civil) in NDMC. However, the timely DPCs were not held which made the applicants to stagnate. It is also stated that in the year 1999, ACP scheme was implemented in NDMC. The grievance of the applicants is that they have not been given the benefit of second and third Time Bound Promotional scale. The applicants made representations which are collectively marked as 'AA', seeking benefit of the Time Bound Promotional Scale but no decision has been taken thereon till date. The applicants also relied upon a judgment of this

Tribunal dated 16.02.2017 passed in OA No.1366/2016, which was affirmed by the Hon'ble High Court.

2. Keeping in view the above circumstances, this OA is disposed of at the admission stage itself with a direction to the competent authority to take decision on the representations of the applicants within a period of three months from the date of receipt of a copy of this order. Needless to say that the representations shall be disposed of by passing a reasoned and speaking order. While taking decision, the aforesaid judgment of the Tribunal shall be taken care of.

**(K.N. Shrivastava)**  
**Member(A)**

**(Justice Permod Kohli)**  
**Chairman**

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