

**Central Administrative Tribunal
Principal Bench**

**OA No.4210/2015
MA No.3815/2015**

New Delhi, this the 18th day of November, 2015

**Hon'ble Mr. Shekhar Agarwal, Member (A)
Hon'ble Mr. Raj Vir Sharma, Member (J)**

Smt. Vinita Sodhi,
W/o Shri Rakesh Sodhi,
R/o 17/117,
Geeta Colony, Delhi
Working as EDMC, Primary School,
Chilla Saroda Village, Mayur Vihar Ph-I,
Shahdara South Zone,
Delhi.

...applicant

(By Advocate : Shri Padma Kumar S.)

Versus

1. South Delhi Municipal Corporation,
Through its Commissioner,
Dr. SPM, Civic Centre, J.L. Nehru Marg,
New Delhi-2.
2. North Delhi Municipal Corporation,
Through its Commissioner,
Dr. SPM, Civic Centre, J.L. Nehru Marg,
New Delhi-2.
3. East Delhi Municipal Corporation,
Through its Commissioner,
419, Udyog Sadan,
Patparganj Indl. Area, Delhi.
4. Delhi Subordinate Service Selection Board,
Through its Secretary,
3rd Floor, UTCS Building,
Vishwas Nagar, Shahdara,
Delhi-110032.

...respondents

ORDER (ORAL)

Mr. Shekhar Agarwal, Member (A) :-

This OA has been filed by the applicant seeking the following reliefs :-

- a) to direct the respondents to examine the case of the applicant in the light of Hon'ble High Court of Delhi vide

judgment dated 31.5.2002 in Civil Writ Petition No.5056/2001 in the matter of Kunwar Pal and Others Vs. Government of NCT of Delhi & Anr. and upheld by the Hon'ble High Court of Delhi in LPA No.625/2002 vide judgment dated 13.5.2005 in the matter of Delhi Subordinate Service Selection Board and Anr. Vs. Kunwar Pal and others as well as this Hon'ble Tribunal judgments in OA No.1795/2011 titled as Lalit Kumar and Ors. Vs. MCD and Anr. in compliance of the aforesaid orders of this Hon'ble Tribunal and both the judgments have been implemented by the same respondents and decided her pending representations by speaking and reasoned order under intimation to the applicant with all consequential benefits.

- b) to direct the respondents to extend the same benefits to the applicant which was extended to latest judgment of this Hon'ble Tribunal in the case of Seema Rani Yadav (OBC) & others in O.A. No.1382/2013 decided on 29.9.2014 & Other's similarly situated persons judgments cited by her in Original Application without any discrimination & both judgments have been implemented by the same respondents and same benefits extended to other similar colleagues of the applicant.
- c) to direct the respondents to give all the benefits from 31st October, 2002 to the applicant including seniority, fixation of salary with effect from 31st October, 2002 on notional basis adding annual increments, benefit of 6th Pay Commission and benefits of old pension scheme by way of treating her service from 31st October 2002 as given to other similar colleagues of applicant.
- d) That any other or further relief which this Hon'ble Tribunal may be deem fit and proper under the circumstances of the case may also be granted in favour of the applicants.
- e) That the cost of the proceedings may also be awarded in favour of the applicants."

2. Learned counsel for applicant argued that his case is squarely covered by the judgments quoted above and the applicant deserves the same benefits as have been granted to the applicants therein. According to him, the applicant made a representation to the respondents on 17.07.2015, but the respondents have not taken any action on the same. Learned counsel for applicant further submitted that he will be satisfied if directions are issued to

the respondents to consider the case of the applicant in the light of the aforesaid judgments and take appropriate decision.

3. Accordingly, we dispose of this OA, without issuing notice to the respondents and without going into the merits of the case, with a direction to the respondents to consider the representation of the applicant in the light of the judgments quoted above and take appropriate decision within a period of 60 days from the date of receipt of a copy of this order. The decision so taken would be communicated to the applicant by way of a reasoned and speaking order. No costs.

(Raj Vir Sharma)
Member (J)

(Shekhar Agarwal)
Member (A)

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