

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI**

O.A. No. 2154/2018
M.A. No. 2417/2018

New Delhi, this the 28th day of May, 2018

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

1. Rishi Pal, S/o Shri Gopal Chand,
Mali, Group 'D', Aged 37 years,
City – S.P. Zone, North DMC, Delhi.
2. Narender, S/o Shri Jatan,
Mali, Group 'D', Aged 33 years,
City – S.P. Zone, North DMC, Delhi.
3. Rahul Kumar, S/o Shri Suresh Chand,
Mali, Group 'D', Aged 26 years,
City – S.P. Zone, North DMC, Delhi.
4. Satish, S/o Shri Jagbir Singh,
Mali, Group 'D', Aged 37 years,
City – S.P. Zone, North DMC, Delhi.
5. Ravinder Kumar Verma,
S/o Shri Bhule Singh,
Mali, Group 'D', Aged 38 years,
City – S.P. Zone, North DMC, Delhi.
6. Kapil Kumar, S/o Shri Mahender Singh,
Mali, Group 'D', Aged 29 years,
City – S.P. Zone, North DMC, Delhi.
7. Hari Om, S/o Shri Ramphal,
Mali, Group 'D', Aged 35 years,
City – S.P. Zone, North DMC, Delhi.
8. Tony Bansal, S/o Shri Rajinder Prasad,
Mali, Group 'D', Aged 30 years,
City – S.P. Zone, North DMC, Delhi.
9. Harender Singh Dhama,
S/o Shri Sahender Singh,
Mali, Group 'D', Aged 27 years,

City – S.P. Zone, North DMC, Delhi.

10. Harender Dhamा, S/o Shri Krishan Dhamা, Mali, Group 'D', Aged 30 years, City – S.P. Zone, North DMC, Delhi.
11. Rajinder Kumar, S/o Shri Ram Kishan, Mali, Group 'D', Aged 23 years, City – S.P. Zone, North DMC, Delhi.
12. Anil Kumar, S/o Shri Brahmpal Singh, Mali, Group 'D', Aged 28 years, City – S.P. Zone, North DMC, Delhi.
13. Devender Pal, S/o Shri Rohtash, Mali, Group 'D', Aged 28 years, City – S.P. Zone, North DMC, Delhi.
14. Yogesh Kumar, S/o Shri Bharat Singh, Mali, Group 'D', Aged 31 years, City – S.P. Zone, North DMC, Delhi.
15. Afzal Salmani, S/o Shri Khachedu, Mali, Group 'D', Aged 31 years, City – S.P. Zone, North DMC, Delhi.
16. Smt. Pushpa, W/o Shri Gajraj, Mali, Group 'D', Aged 37 years, City – S.P. Zone, North DMC, Delhi.
17. Paan Singh, S/o Shri Murari Lal, Mali, Group 'D', Aged .. years, City – S.P. Zone, North DMC, Delhi.
18. Deepak, S/o Shri Babu Lal, Mali, Group 'D', Aged 35 years, City – S.P. Zone, North DMC, Delhi.
19. Ankur, S/o Shri Madan Singh, Mali, Group 'D', Aged 28 years, City – S.P. Zone, North DMC, Delhi.
20. Praveen Kumar, S/o Shri Rajinder Singh, Mali, Group 'D', Aged 27 years,

City – S.P. Zone, North DMC, Delhi.

21. Sunil Kumar, S/o Charni, Mali, Group 'D', Aged 33 years, City – S.P. Zone, North DMC, Delhi.
22. Umesh Sharma, S/o Shri Nanak Chandra, Mali, Group 'D', Aged 35 years, City – S.P. Zone, North DMC, Delhi.
23. Chetan Pal, S/o Shri Subhash Chandra, Mali, Group 'D', Aged 33 years, HQ, North DMC, Delhi.
24. Mahavir Negi, S/o Shri Puran Singh, Mali, Group 'D', Aged 32 years, City – S.P. Zone, North DMC, Delhi.
25. Nishu Kant, S/o Shri Anand Prakash, Mali, Group 'D', Aged 26 years, Keshav Puram Zone, North DMC, Delhi.
26. Tejbir, S/o Shri Harbhajan Singh, Mali, Group 'D', Aged 29 years, C.L. Zone, North DMC, Delhi.
27. Sandeep Kumar, S/o Shri Rajpal Singh, Mali, Group 'D', Aged 40 years, City – S.P. Zone, North DMC, Delhi.
28. Dinesh Kumar, S/o Shri Puran Singh, Mali, Group 'D', Aged 36 years, City – S.P. Zone, North DMC, Delhi.
29. Ajay Singh, S/o Shri Sotan Singh, Mali, Group 'D', Aged 30 years, City – S.P. Zone, North DMC, Delhi.
30. Pradeep Tomar, S/o Shri Bijender Singh, Mali, Group 'D', Aged 34 years, City – S.P. Zone, North DMC, Delhi.
31. Prem Chand, S/o Shri Om Prakash, Mali, Group 'D', Aged 27 years, City – S.P. Zone, North DMC, Delhi.

32. Raghav, S/o Shri Vijay Singh,
Mali, Group 'D', Aged 45 years,
Keshav Puram Zone, North DMC, Delhi.

33. Ram Naresh, S/o Shri Nepal,
Mali, Group 'D', Aged 32 years,
City – S.P. Zone, Delhi.

34. Neeraj Kumar, S/o Shri Ishwar Singh,
Mali, Group 'D', Aged 37 years,
City – S.P. Zone, Delhi.

35. Laxaman Dass, S/o Shri Bihari Lal,
Mali, Group 'D', Aged 40 years,
City – S.P. Zone, Delhi. .. Applicants

(By Advocate: Shri Rajeev Sharma)

Versus

The Commissioner,
North Delhi Municipal Corporation,
Dr. S.P. Mukherjee Civic Centre,
4th Floor, J.L. Marg, New Delhi. .. Respondent

ORDER (ORAL)

By Mr. V. Ajay Kumar, Member (J)

Heard the learned counsel for the applicants.

2. Office objection is over-ruled.

3. MA 2417/2018 filed for joining together is allowed.

4. The applicants, who are working as Malis on muster-roll basis under the respondent – North Delhi Municipal Corporation, filed the O.A. seeking the following relief(s):

“(a) to issue direction to the respondents to declare all the applicants as regular employees from the date of their engagement against a post they were engaged and also holding at present.

- (b) to issue direction to the respondents to give all the monetary and other consequential benefits w.e.f. the date of their engagement as daily wager against their respective posts.
- (c) to issue direction to the respondents to pay arrears of salary and further direction may be issued to fix salary of the applicants in the pay scale applicable against each post.
- (d) the Hon'ble Court may pass any other order/direction as deemed fit and proper in the circumstances of the present case and in the interest of justice.”

5. It is seen that the applicants have approached this Tribunal by way of filing the present O.A., however, without making any representation ventilating their grievances to the respondents.

6. In the circumstances, the O.A. is disposed of, without going into the other merits of the case, by permitting the applicants to make appropriate representations ventilating their grievances to the respondents within one week from the date of receipt of a certified copy of this order and on receipt of such representations from the applicants, the respondents shall consider the same and pass appropriate speaking and reasoned orders thereon, in accordance with law, within 90 days therefrom. 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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