

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH**

**OA-3171/2018
MA-3539/2018**

New Delhi, this the 24th day of August, 2018

**Hon'ble Sh. V. Ajay Kumar, Member(J)
Hon'ble Sh. A.K. Bishnoi, Member(A)**

1. Madhu Bhatti,
d/o late Sansari Lal,
Aged about 40 years,
Assistant Teacher
M.C.P.S. Hastsal Village, No. 1,
South Delhi Municipal corprn.
New Delhi-58, Group 'B',
Mob. 9990107446.
2. Kumari Ved Rao,
d/o Sh. Lal Singh Rao,
aged about 37 years,
Assistant Teacher,
MCPS Asalatpur Ist
Delhi-58, SDMC, Group 'B'.
3. Yogendra Singh,
S/o Sh. Chandan Singh,
Aged about 45 years,
Presently working as TGT(Math),
Govt. of Co-Ed Middle School,
Johripuri-Delhi-94, Group 'B'.
4. Lata,
D/o Sh. Babu Lal,
Aged about 36 years,
Assistant Teacher,
Nigam Pratibha Vidyalaya,
Pyare Lal Road-I, Karol Bagh,
Dev Nagar, ND-5, North Delhi,
Municipal Corpn. Group 'B'.
5. Prem Prakash,
S/o Sh. Giri Raj Singh,
Aged about 40 years,
Assistant Teacher, MCPS,
MCPS Sbhapur, Gujran-I,
Delhi-94, EDMC Group 'B'.

6. Niti Ranga, 37 years,
 D/o R.S. Ranga,
 Aged about 37 years,
 Assistant Teacher,
 Nigam Pratibha Vidyalaya
 Basai Darapur, New Delhi-15
 SDMC, Group 'B'.

7. Sudesh,
 D/o Dharamveer Singh,
 Aged about 38 years,
 MCPS Nigam Pratibha Vidyalaya
 Janakpuri-Ist, Delhi-94, Group 'B'

8. Manish Tanwar,
 S/o Satyapal Singh
 Aged about 42 years,
 Assistant Teacher
 MCPS G-Block, Narain vihar,
 New Delhi-28, North DMC,
 Group 'B'.

9. Reena Devi
 D/o Ram Mehar,
 Aged about 39 years,
 Assistant Teacher
 MCPS, Mahavir Enclave,
 D-Block, SDMC, New Delhi-45, Group 'B'. ... Applicants

(Through Sh. Ranjit Sharma)

Versus

1. South Delhi Municipal Corporation,
 Through its Commissioner at
 S.P. Mukherjee Civic Centre
 JLN Marg, New Delhi-2.

2. North Delhi Municipal Corporation,
 Through its Commissioner at SP Mukherjee
 Civic Centre, JLN Marg, New Delhi-2.

3. The Commissioner,
 East Delhi Municipal Corporation.
 Udyog Sadan, Patparganj,
 Industrial Area, Delhi-92. ... Respondents

(through Sh. H.A. Khan)

ORDER(ORAL)**Hon'ble Sh. V. Ajay Kumar, Member(J)**

Heard learned counsel for the applicants.

MA No. 3539/2018 filed for joining together is allowed.

OA No. 3171/2018

The applicants, who were appointed as Assistant Teachers/Nursery Teachers in pursuance of a selection conducted by DSSSB in the year 2002 filed the OA seeking the following reliefs:

"(i) direct the respondents to consider and fix the pay of applicants as Assistant Teacher/Nursery Teacher at par with their batch mates who appeared in the selection test held by the DSSSB in the year 2002 and regulate their pension under the old pension scheme under CCS Pension Rules 1972 and other consequential benefits in terms of the orders of this Hon'ble Tribunal in OA No. 808/2016 and OA No. 1091/2017

AND

(ii) direct the respondents to implement the orders in the above mentioned OAs in rem to be extended to all similarly situated persons/teachers appointed in pursuance of the test conducted by the DSSSB on 27-10-2002;

(iii) pass such other order/s may be deemed fit & proper."

2. It is submitted that the applicants are identically placed like the applicants in OA No. 3954/2013, OA No. 808/2016 and OA No. 1091/2017, the judgments of which are filed as Annexure A/1 (colly.) to the OA and are entitled for extension of the same benefits. Though the respondents are liable to extend the benefits conferred on the applicants in those OAs to the applicants also automatically, but they have not extended the same. The applicants got issued a legal notice Annexure A/3 dated 25.05.2018. However, the respondents have not passed any order thereon till dated.

3. In the circumstances, this OA is disposed of without going into the merits of the case by directing the respondents to consider the legal notice of the applicants duly keeping in view the decisions on which the applicants placed reliance and to pass appropriate reasoned and speaking orders thereon, in

accordance with law, within ninety days from the date of receipt of a certified copy of this order. No costs.

(A.K. Bishnoi)
Member(A)

(V. Ajay Kumar)
Member(J)

/ns/