

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

O.A. No.1902/2018
M.A.No.2145/2018

This the 15th day of May, 2018

Hon'ble Mr. Justice Dinesh Gupta, Chairman
Hon'ble Mr. K.N.Shrivastava, Member (A)

1. Man Mohan Singh, EE (Civil), Group 'A'
Aged about 69 years,
S/o Sh. Purshotam Singh,
R/o AD-36A, Shalimar Bagh,
Delhi-110088.
2. Vijay Kumar Kaushik, SE (Civil), Group 'A'
Aged about 73 years,
S/o Sh. R.P. Kaushik,
R/o C-6439, Pkt-6 & 7,
Vasant Kunj, New Delhi-110070.
3. K.L. Katyal, SE (Civil), Group 'A',
Aged about 73 years,
S/o Sh. Gobind Ram Katyal,
R/o 59, 2nd Floor, Navjeevan Vihar,
New Delhi-110017.
4. Ashok Johri, SE (Civil), Group 'A'
Aged about 67 years,
S/o Sh. G.B.L. Johri,
R/o C-230, Eastend Apartment,
Mayur Vihar-I Extn., Delhi-110096.
5. Beni Krishan Gupta, EE (Civil), Group 'A',
Aged about 67 years,
S/o late Sh. R.P. Gupta,
R/o 59, Geeta Apptt., Geeta Colony,
Delhi-110031.
6. Satish Kumar Sehgal, EE (Civil), Group 'A'
Aged about 70 years,
S/o Sh. Mulkh Raj Sehgal,
R/o AE-147, Shalimar Bagh, Delhi.
7. Swatantra Kumar, EE (Civil), Group 'A'
Aged about 75 years,
S/o Sh. Gyan Swarup,
R/o 139, Punjabi Bagh Apptt.,
Rohtak Road, New Delhi-110063.

8. Gajinder Singh Kohli, EE (Civil), Group 'A'
Aged about 66 years,
S/o Sh. P.S. Kohli,
R/o H.No.4667, Sec-23A,
Gurgaon, Haryana.
9. V.P.S. Chauhan, EE (Civil), Group 'A'
Aged about 75 years,
S/o Sh. D.S. Chauhan,
R/o 4/33, Sec-5, Rajender Nagar,
Ghaziabad, U.P.-201005.
10. Anil Kumar Agarwal, AE (Civil), Group 'A',
Aged about 66 years,
S/o Late Sh. D.L. Agarwal,
R/o 29, Samrat Aptt., Vasundhara Enclave,
Delhi-110096.
11. Meena Easwaran, AE (Civil), Group 'A',
Aged about 70 years,
S/o Late Sh. R.P. Easwaran,
R/o BH-41, East Shalimar Bagh,
Delhi-110088.
12. Navin Kumar Jain, AE (Civil), Group 'A',
Aged about 63 years,
S/o Late Sh. Dhan Pal Singh Jain,
R/o 27/46-B, Gali No.9, Vishwas Nagar,
Delhi-110032.
13. Trish Pal Jain, AE (Civil), Group 'A',
Aged about 64 years,
S/o Late Sh. Ram Swaroop Jain,
R/o 5/210, West Kanti Nagar, Delhi-110051.
14. Krishan Pal, AE (Civil), Group 'A',
Aged about 63 years,
S/o Sh. Rati Ram,
R/o 1/4136, Ram Nagar Extn., Loni Road,
Shahdara, Delhi-110032.
15. Satyaveer Sharma, AE (Civil), Group 'A',
Aged about 64 years,
S/o Late Sh. Om Prakash,
r/o B-54/1, Gali No.2, Uttari Chajjupur,
Shahdara, Delhi.
16. Harbhajan Singh, AE (Civil), Group 'A',
Aged about 67 years,
S/o Late Sh. Puran Singh,
R/o D-23A, DDA Flats, Shivaji Enclave,
Delhi.

17. Mahendra Pratap Sharma, EE (Civil), Group 'A',
Aged about 72 years,
S/o Sh. Sarup Chand,
R/o 5/9, Pant Nagar Jangpura,
New Delhi-110014.
18. Subhash Kumar, EE (Civil), Group 'A',
Aged about 72 years,
S/o Sh. Nand Lal Kumar,
R/o C1A-106A, Janak Puri,
New Delhi-110058.
19. Mulkh Raj Kataria, EE (Civil), Group 'A',
Aged about 72 years,
S/o Sh. Ram Chand,
R/o B616, Aristocras Gopalan Aptt.
Kasturi Nagar, Bangaluru-560043.
20. Anand Vinod Dutta, AE (Civil), Group 'A',
Aged about 69 years,
S/o Sh. Baldev Raj Dutta,
R/o B-91, Amar Colony, Lajpat Nagar,
New Delhi-110024.
21. Abhinandan Prasad Jain, EE (Civil), Group 'A',
Aged about 74 years,
S/o Sh. Tek Chand Jain,
R/o B-23, Sec-39, Noida, U.P.
22. Vidya Sagar Gupta, SE (Civil), Group 'A',
Aged about 77 years,
S/o Sh. Prahlad Singh Gupta,
R/o 218, Hauz Khas Apartments,
Aurobindo Marg, New Delhi-110016.
23. Ajay Kumar Mahajan, EE (Civil), Group 'A',
Aged about 71 years,
S/o Late Sh. Chaman Lal,
R/o C-168, Dayanand Colony,
Lajpat Nagar-IV, New Delhi-110024.
24. Ali Mohammed, EE (Civil), Group 'A',
Aged about 73 years,
S/o Sh. Subhan Ali,
R/o B-654/12, Street No.12, Zakir Nagar,
Jamia Nagar, New Delhi-110025.
25. Abdul Wahid Khan, AE (Civil), Group 'A',
Aged about 73 years,
S/o Late Sh. Abdul Sattar Khan,
R/o A-30, Abul Fazal Enclave,
Jamia Nagar, New Delhi-110025.

26. Vinod Kumar Gupta, EE (Civil), Group 'A',
Aged about 63 years,
S/o Sh. Sewa Ram Gupta,
R/o A-29, Asha Park, Jail Road,
New Delhi-110018.
27. A.S. Butola, AE (Civil), Group 'A',
Aged about 66 years,
S/o Late Sh. B.S. Butola,
R/o 200/A, Abhay Khand-III,
Indirapuram, Ghaziabad, U.P.
28. Sant Lal Goel, AE (Civil), Group 'A',
Aged about 70 years,
S/o Late Sh. Ronak Ram,
R/o H.No.794, Sec-21, Pkt-E,
Gurgaon-122016.
Haryana.

....Applicants

(By Advocate : Shri M.K. Bhardwaj)

VERSUS

NDMC & Anr.

1. NDMC through its Chairman,
Palika Kendra, 3rd Floor,
New Delhi.
2. The Secretary,
NDMC, Palika Kendra, 3rd Floor,
New Delhi.

.....Respondents

ORDER (ORAL)

K.N. Srivastava, Member (A) :

Heard.

MA 2145/2018

This MA for joining together in a single petition is allowed.

OA 1902/2018

Applicants retired from the service of New Delhi Municipal Corporation (NDMC) from the posts of Assistant Engineer (Civil), Executive Engineer (Civil) and Superintendent Engineer (Civil). Their grievance is that they have not been given Delhi Transco Limited (DTL) pay scale as per Time Bound Promotion Scheme. It is stated that identically situated applicants in OA 3735/2017 and

OA 4057/2016 have been granted similar relief by the Tribunal vide Orders dated 27.10.2017 and 8.12.2016 respectively.

2. It is submitted that respondents have since implemented the Tribunal's Order dated 8.12.2016 in OA 4057/2016 qua the applicants therein. But the respondents have not granted similar relief to the applicants, presumably on the ground that these applicants have not secured a judicial order in their favour unlike others.

3. Shri Bhardwaj stated that the applicants had submitted representations dated 6.9.2017 (Annexure A-2) and Annexure A-5 (Colly.), which had not yet been decided by the respondents. He further submitted that applicants would be satisfied at this stage, if a time bound direction is given to the respondents to dispose of the pending representations of the applicants.

4. Having regard to the submissions made and without going into the merits of the case, we dispose of this OA with a direction to Respondent No.1 to decide Annexure A-2 and Annexure A-5 (Colly.) representations of the applicants within two months from the date of receipt of a certified copy of this Order by way of passing a reasoned and speaking order. While doing so, respondent no.1 shall keep in mind the Orders of this Tribunal dated 8.12.2016 in OA 4057/2016 and dated 27.10.2017 in OA 3735/2017.

5. Needless to say that the applicants would have liberty to seek remedy, as available to them under law, if they are dissatisfied with the order to be passed by the respondents on their representations.

(K.N.Shrivastava)
Member (A)

(Justice Dinesh Gupta)
Chairman

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