

**CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH**

**O.A No. 998/2019**

New Delhi, this the 28<sup>th</sup> day of March, 2019

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

Prabhu Chandra Jha,  
Beldar (Group 'D'),  
Aged about 58 years,  
S/o. Late Sh. A. N. Jha  
R/o. H. No. 81-B, Deep Vihar,  
Vikas Nagar Hastsal,  
New Delhi-110 059.

...Applicant

(By Advocate : Mr. M. D. Jangra)

Versus

South Delhi Municipal Corporation & Ors.  
Through its

1. The Commissioner,  
South Delhi Municipal Corporation,  
9<sup>th</sup> Floor, Civic Centre,  
S.P.M. Marg,  
New Delhi.
2. The Executive Engineer (Maintenance),  
3<sup>rd</sup> Ward 117, SDMC,  
Janakpuri,  
New Delhi.
3. Delhi Development Authority,  
Through its Vice-Chairman,  
DDA, Vikas Sadan, 1<sup>st</sup> Floor,  
INA, New Delhi.
4. The Commissioner (Personnel)  
DDA, Vikas Sadan,  
Ground Floor, INA,  
New Delhi. ...Respondents

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

The applicant a Beldar under the first respondent South Delhi Municipal Corporation (SDMC) filed the O.A seeking the following reliefs :-

“(a) To declare the action of the respondents in not counting the service rendered by the applicant as Mate on muster roll w.e.f. the year 1981 to 06.03.1984 and service rendered by the applicant as Beldar from 06.03.1984 to 31.05.1989 for the purpose of grant of 1<sup>st</sup> and 2<sup>nd</sup> Financial Upgradation under ACP Scheme in the pay scale of Rs.3050-4590 & 4000-6000/- on completion of regular service of 12 and 24 years of service and thereafter 3<sup>rd</sup> financial upgradation in PB-I with grade pay of Rs.2800/- and grant all consequential benefits including arrears of pay and interest @ 9%.

(b) To allow the O.A, with exemplary costs.

(c) Pass such other direction or directions order or orders as this Hon'ble Tribunal may deem fit and proper to meet the ends of justice.”

2. Learned counsel for the applicant though submits that the applicant made representations to his present employer i.e., South Delhi Municipal Corporation ventilating his grievances which were raised in the O.A but, he failed to show any representation which is made pertaining to the subject matter of the O.A and made to his employer SDMC.

3. Hence, in the circumstances, the present O.A is not maintainable as the applicant has not even approached his employer for ventilating his grievance mentioned in the O.A, before filing the O.A.

4. Accordingly, the O.A is dismissed. However, this order shall not preclude the applicant from making an appropriate representation, if he chooses to do so, in accordance with law. No costs.

(A.K. Bishnoi)  
Member (A)

(V. Ajay Kumar)  
Member (J)

/Mbt/