

**Central Administrative Tribunal
Principal Bench, New Delhi**

OA No. 1973/2018

MA No. 2226/2018

With

OA No.592/2018

New Delhi this the 4th day of July, 2019

Hon'ble Ms. Nita Chowdhury, Member (A)

OA 592/2018

1. Ramesh Chand
Age 58 years
S/o Harsaran
Working as Shift Incharge (Group C)
In Delhi Jal Board, Pocket A, Dishard Garden
R/o D-47, West Jyoti Nagar
New Delhi-110094
2. Dinesh Kumar
Age 57 years
S/o Kirpal Singh
Working as Pump Operator (Group C)
In Delhi Jal Board, Pocket A, Dishard Garden
R/o -B 278/4, Ashok Nagar
Delhi-110095
3. Devender Kumar
Age 53 years
S/o Parma Nand
Working as Assistant Pump Driver (Group C)
In Delhi Jal Board, Pocket A, Dishard Garden
R/o D-95, Ganga Vihar, Delhi-94
4. Vinod Kumar
Age 53 years
S/o Maya Ram
Working as Beldar (Group D)
In Delhi Jal Board, Pocket A, Dishard Garden
R/o B-62, gali No. 16, Partap Nagar Saboli
Delhi-110093

5. Gajraj Singh
Age 47 years
S/o Mahender Singh
Working as Beldar (Group D)
In Delhi Jal Board, Pocket A, Dishard Garden
R/o A-260/B Gali No. 3, Met Nagar
Delhi-110094

6. Praim Lal Kamt
Age 38 years
S/o Glaoy Kamat
Working as Beldar (Group D)
In Delhi Jal Board, Pocket A, Dishard Garden
R/o Nand Ki Ram, Dindayal Puri
Gali No. 1, MMC530, Ghaziabad (UP)

7. Smt. Kamlesh Devi
Age 58 years
W/o Late Bhagat Singh
Working as Beldar (Group D)
In Delhi Jal Board, Pocket A, Dishard Garden
R/o No. 88, Mata Vali Gali, Old Mojpur
Delhi-110053

8. Harphool Sharma
Age 51 years
S/o Shri Manturi Lal Sharma
Working as Beldar (Group D)
In Delhi Jal Board, Pocket A, Dishard Garden
R/o Vill Khabarpur, Post Chola
Distt Bulandshar, U.P. 203203

9. Mordhaj Sharma
Age 53 years
S/o Shri Raj Pal Sharma
Working as Beldar (Group D)
In Delhi Jal Board, Pocket A, Dishard Garden
R/o C-310/311, Gali No. 5,
Mukand Vihar, Karawal Nagar
Delhi-110090

10. Jagdish

Age 56 years
 S/o Shri Braha Das
 Working as Shift Incharge (Group C)
 In Delhi Jal Board, Pocket A, Dishard Garden
 R/o D 106, East Gukalpur,
 Delhi-110094

11. Desraj

Age 56 years
 S/o Shri Ram Sawroop
 Working as Beldar (Group D)
 In Delhi Jal Board, Pocket A, Dishard Garden
 R/o Vill Birondi Chok, Rasenpur,
 Gautam Budh Nagar, UP

12. Sadan Singh

Age 57 years
 S/o Ghyan Chand
 Working as Beldar (Group D)
 In Delhi Jal Board, Pocket A, Dishard Garden
 R/o Vill Biharipur post Gukalpuri Delhi.94

13. Mahipal Singh

Age 50 years
 S/o Devishay
 Working as Pump Operator (Group C)
 In Delhi Jal Board, Pocket A, Dishard Garden
 R/o F-76, Kondli Coloney Delhi.96

14. Mahavir Singh

Age 53 years
 S/o Ramphal Singh
 Working as Pump Operator (Group C)
 In Delhi Jal Board, Pocket A, Dishard Garden
 R/o Mohalla pal Tanki Road Murad Nagar
 Ghaziabad

15. Dinesh Kumar Pathak

Age 52 years
 S/o Shiv Charan Lal
 Working as Beldar (Group D)
 In Delhi Jal Board, Pocket A, Dishard Garden

R/o M.No, 104 Gali No. 2 Blook Seva Sadan
Mandawali Delhi.92

...Applicants

(By Advocate: Mr. Padma Kumar S.)

VERSUS

1. The CEO

Delhi Jal Board,
Varunalaya Bhavan,
Phase II, Jhandewalan,
New Delhi-5

...Respondent

(By Advocate: Mr. Rohit Sehrawat for Mr. Rajeev Kumar)

OA 1973/2018

1. Ravinder Kumar

Age 54 years

S/o Shri Prem Singh

Working as Beldar (Group D)

In Delhi Jal Board, Pocket A, Dilshad Garden

R/o H. N. 3/751, Vasundhara, Ghaziabad

2. Mahi Pal Dixit

Age 59 years

S/o Shri V. B. Dixit

Working as Beldar (Group D)

In Delhi Jal Board, Pocket A, Dilshad Garden

R/o B-11-370A, Brij Puri, Delhi- 94

3. Azad Singh

Age 51 Years

S/o Shri Nepal Singh

Working as Sewer Cleaning Machine Driver (Group
C)

In Delhi Jal Board, Pocket A, Dilshad Garden

R/o Vill. Sumdi Pur, Distt G. B. Nagar

4. Satender Kumar

Age 52 Years

S/o Shri Bali Ram
 Working as Sewer Cleaning Machine Driver (Group C)
 In Delhi Jal Board, Pocket A, Dilshad Garden
 R/o Vill Kherli, Hafiz Pur, Delhi

5. Kumar Pal Sharma

Age 46 Years
 S/o Shri Kaliesh Chand Sharma
 Working as Pump Driver (Electrical & Mechanical) (Distribution) (Group C)
 In Delhi Jal Board, Pocket A, Dilshad Garden
 R/o H. No./600/65, Krishna Gali No. 7
 Mouj Pur

6. Kali Charan

Age 52 Years
 S/o Shri Badri Prasad
 Working as Beldar (Group D)
 In Delhi Jal Board, Pocket A, Dilshad Garden
 R/o House No. 2027, DDA, Janata Flat
 Nand Nagri, GTB Enclave, Delhi

7. Surjeet Kumar

Age 58 Years
 S/o Shri Laxman Class
 Working as Beldar (Group D)
 In Delhi Jal Board, Pocket A, Dilshad Garden
 R/o House No. B-407A, Double Storey,
 Brig Vihar, Ghaziabad, UP.

8. Chahat Ram

Age 52 Years
 S/o Shri Shyam Singh
 Working as Beldar (Group D)
 In Delhi Jal Board, Pocket A, Dilshad Garden
 R/o H. No. A-3/23, Nand Nagri
 New Delhi

9. Chahat Ram

Age 57 Years
 S/o Shri Media Singh

Working as Beldar (Group D)
In Delhi Jal Board, Pocket A, Dilshad Garden
R/o Vill Dafar Pur, PO Raitol, Baghpat (UP)

10. Nepal Singh
Age 58 Years
S/o Shri Sullad Singh
Working as Beldar (Group D)
In Delhi Jal Board, Pocket A, Dilshad Garden
R/o D 106, East Gukalpur,
Delhi- 110094

11. Ved Prakash
Age 52 Years
S/o Shri Dal Singh
Working as Beldar (Group D)
In Delhi Jal Board, Pocket A, Dilshad Garden
R/o H. No. 112, Gali No. 7,
Vill Mondoli, Delhi- 93.

12. Chaturesh
Age 47 Years
S/o Shri Jayanti Prasad
Working as A.P.D. (E. & M) (Dist.) (Group D)
In Delhi Jal Board, Pocket A, Dilshad Garden
R/o H. No. C. S. Gali- 3 Sudma Puri
Ghamadi Ext Delhi-53

13. Deep Chand
Age 50 Years
S/o Shri Baljeet Singh
Working as Beldar (Group D)
In Delhi Jal Board, Pocket A, Dilshad Garden
R/o H. No 605/8 Krishna Gali No. 7
Monuj Pur Delhi Delhi.53

14. Chandar Pal
Age 52 Years
S/o Shri Champat Singh
Working as Pump Operator (Group C)
In Delhi Jal Board, Pocket A, Dilshad Garden
R/o Vill & PO Jareha Disst., G. B. Nagar

15. Nav Bahar Singh
Age 56 Years
S/o Shri Beg Singh
Working as Pump Driver (Group C)
In Delhi Jal Board, Pocket A, Dilshad Garden
R/o B-63, Mata Wali Gali, Johri Pur
16. Yogender Kumar
Age 41 Years
S/o Shri Ram Pal Singh
Working as Beldar (Group D)
In Delhi Jal Board, Pocket A, Dilshad Garden
R/o Vill & PO Ghorī Kalajri
Khakra Dist., Baghpat (UP)
17. Prem Chand
Age 39Years
S/o Shri Layak Ram
Working as Beldar (Group D)
In Delhi Jal Board, Pocket A, Dilshad Garden
R/o Vill Dalol Gohr, Distt G. B. Nagar
18. Smt Om Wati
Age 50 Years
S/o Shri Jagbir Singh
Working as Beldar (Group D)
In Delhi Jal Board, Pocket A, Dilshad Garden
R/o H. No19E, Babar Pur, Prem Gali
Shahdra, Delhi- 32
19. Bhagmal Singh
Age 55 years
S/o Shri Maha Singh
Working as APD (Group D)
In Delhi Jal Board, Pocket A, Dilshad Garden
R/o Vill Sultan Pur,
PO Chola R. S. Bulandshahar (UP)
20. Ram Singh
Age 50 Years
S/o Shri Charan Singh

Working as Beldar (Group D)
 In Delhi Jal Board, Pocket A, Dilshad Garden
 R/o Vill Azam Pur, Hushanpur Distt.
 Buland Shahar (UP)

.....Applicants

(By Advocate: Mr. Padma Kumar S.)

Vs.

The CEO
 Delhi Jal Board,
 Varunalaya Bhavan,
 Phase II, Jhandewalan,
 New Delhi- 5

..... Respondent

(By Advocate: Mr. Vishwendra Verma)

ORDER (Oral)

MA No.2226/2018 for joining together is allowed for the reasons stated therein.

2. The applicants have filed these OAs, seeking the following reliefs:-

“(A) Quash and set aside the impugned order dated 9.2.2016, 17.8.2017/29.8.2017 and 25.10.2017 (Annexure A-1) colly.

(B) Direct the respondents to reimburse the amount already recovered forthwith.

(C) Pass such further or other orders as this Hon’ble Tribunal may deem fit and proper in the facts and circumstances of the case and render justice.”

3. Heard the learned counsel for the parties.

4. In support of these OAs, he has submitted copies of two judgments delivered by this Tribunal in OA Nos.

3161/2015 and 2537/2016 in which similar issue was decided. He has also provided a copy of order of Hon'ble High Court dated 13.03.2019 in the matter of **Govt. of NCT of Delhi & Ors. v. Shakuntala Devi** in which WP(C) No. 2072/2019 was preferred by the respondents wherein the Hon'ble High Court in paras 6 and 7 has opined as under:-

“6. Having considered the submissions of the learned counsel for the petitioner, we are unable to persuade ourselves to interfere with the impugned order. In view of the undisputed fact that the respondent, who stands superannuated w.e.f. from 31.05.2015, had indeed travelled to Port Blair along with her two family members by purchasing tickets from an unauthorised agent, as also the fact that there is no allegation of the tickets being fake or forged, the finding of the Tribunal in the impugned order holding that even though she may not be entitled to the amount of Rs.1,62,216/- as had been claimed by her, she was entitled to receive at least the amount of RS.68,325/- i.e. @ Rs.22,775/- per ticket which would be for the amount payable to her had she purchased the ticket directly from Air India at the time of her travel, was fully justified in the facts of the case.

7. We find no reason to interfere with the impugned order. The writ petition, being meritless, is dismissed along with the pending applications.”

5. The respondent's counsel vehemently opposed the above submissions of the applicants and stated that the applicants of these OAs have never submitted any representation with regard to the journey performed by them. He further states that the applicants should first be directed to make a representation with regard to their

claims in which each one must separately state the facts of their LTC journey along with the justification for purchase of the tickets.

6. Counsel for the applicants accepts that no such representations have been filed by the applicants to the respondents as yet.

7. In view of the factual situation in this matter, we direct the applicants of these OAs to give separate individual applications to the respondents within a period of 30 days from the date of receipt of copy of this order. Thereafter, the respondents are directed to dispose of the same with a reasoned and speaking order in the light of the aforesaid decision of the Hon'ble Delhi High Court in the **Shakuntala's case** (supra) within a period of 60 days from date of receipt of such representations made by the applicants.

8. With the above directions, both the OAs stand disposed of. No order as to costs.

(Nita Chowdhury)
Member (A)

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