

Central Administrative Tribunal Principal Bench, New Delhi

O.A. No.1435/2017

Friday, this the 9th day of August 2019

Hon'ble Mr. Justice L. Narasimha Reddy, Chairman

1. DTC Pensioner's Welfare Forum
A Society registered under the
Societies Registration Act, and
Having its office at 160-B, Aged about 93 years
Pocket C, Siddhartha Extn.
New Delhi – 110 014
Through its Secretary, Mr. Ishar Singh
2. Shri Raj Singh Verma s/o late Shri Janki Prasad
aged about 64 years
r/o 1092/13, Vijay Nagar
Balour Road, Bahadurgarh (Haryana)
3. Shri Raja Ram Tyagi s/o late Shri Fateh Chand
aged about 73 years
r/o G-122, DTC Colony
Hari Nagar, New Delhi – 110 064

..Applicants

(Mr. S M Arif, Advocate)

Versus

1. Delhi Transport Corporation
Through its Chairman-cum-Managing Director
IP Estate, New Delhi – 110 002
2. The Secretary & Transport Commissioner
Govt. of NCT of Delhi
5/9, Under Hill Road, Delhi
3. Govt. of NCT of Delhi
Through its Principal Secretary (Finance)
Delhi Secretariat, IP Estate
New Delhi – 110 002
4. Lt. Governor of Delhi
Through its Secretary
Raj Niwas, Civil Lines, Delhi

..Respondents

(Ms. Mona Singh, Advocate for Ms. Ruchira Gupta, Advocate)

O R D E R (ORAL)

The 1st applicant is a Society of DTC Pensioners' Welfare Forum and applicant Nos. 2 & 3 are its members. Earlier, they approached this Tribunal by filing O.A. No.2655/2016 with a prayer to direct the respondents to extend the medical scheme to all retired employees of Delhi Transport Corporation (DTC). The O.A. was disposed of on 08.08.2016 with a direction to the respondents to pass orders on the representation.

2. Through a detailed order dated 20.12.2016, the DTC rejected the claim made by the applicants. It is stated that the financial condition of DTC is precarious and it is not possible to accede to the request. This O.A. is filed challenging the same.
3. The applicants contend that DTC is under obligation to extend the medical facility to its retired employees, as is done in case of government employees and that there is no basis for rejection of their claim.
4. The respondents filed a counter affidavit opposing the O.A. It is stated that the welfare of the employees are taken care of while they are in service and adequate retirement benefits are also extended. According to the respondents, the financial condition of the Corporation is very weak and it is not possible to accede to the request of applicants.

5. We heard Mr. S M Arif, learned counsel for applicants and Ms. Mona Singh for Ms. Ruchira Gupta, learned counsel for respondents, at length.

6. It is brought to our notice that in O.A. No.3843/2016, relief as to the extension of medical benefits to retired employees of the DTC was granted by this Tribunal, through an order dated 04.07.2018, and it was challenged before the Hon'ble Delhi High Court by filing W.P. (C) No.1424/2019. Through an order dated 12.02.2019, the operation of the said order is stayed by the High Court.

7. Be that as it may, learned counsel for applicants submits that the matter is very much under consideration before the Transport Minister of the Delhi Government and there is every likelihood that their grievance is redressed.

8. In that view of the matter, the O.A. is closed, leaving it open to the applicants to pursue their remedies, depending on the consideration, which is said to be in progress before the Delhi Government.

There shall be no order as to costs.

(Justice L. Narasimha Reddy)
Chairman

August 9, 2019
/sunil/