

**Central Administrative Tribunal
Principal Bench**

OA No. 2825/2018

New Delhi, this the 10th day of October, 2019

Hon'ble Mr. Pradeep Kumar, Member (A)

Sh. Virender, age 41 years
S/o Sh. Lakhmi
R/o H. No. A-157, Gali No. 2,
Chander Vihar, Mandawali,
Delhi-110092
Group (D) Safai Karamchari

..Applicant

(By Advocate:Mr. Deepak Kumar Santoshi)

Versus

1. Government of NCT of Delhi
Through its Chief Secretary
A-Wing, 5th Floor,
Delhi Secretariat,
New Delhi-110002
2. Deputy Commissioner, EDMC
Shahdara South Zone
Karkardooma, Delhi
3. East Delhi Municipal Corporation (HQ)
Through its Commissioner
419, Udyog Sadan, Patparganj,
Industrial Area, Patparganj,
New Delhi-110092

..Respondents

(By Advocate: None)

ORDER (ORAL)

Heard Sh. Deepak Kumar Santoshi, learned counsel for
the applicant.

2. The applicant is working as a regular Safai Karmchhari under East Delhi Municipal Corporation (EDMC) since April 2004. For the period subsequent to April 2004, certain arrears amounting to Rs. 8,72,349/- were due but were not paid to the applicant. He had approached to the Hon'ble High Court of Delhi from where the matter was remanded back to the Tribunal for adjudication.

3. It is seen from the counter reply filed by the respondents on 26.08.2019, that certain amounts are actually due to be paid to the applicant. Specific averment made in the counter reply, is reproduced below:-

“6. As per the record given by the Billing Clerk the following dues of the applicant have already been passed by Account Branch/Shah. (South)Zone/EDMC and lying in demand.

S.No.	Benefits	Amount	Remarks
1.	Bill of regularisation Difference w.e.f. 01.04.2004 to 04.08.2013	Rs. 7,58,349/-	Bill passed on 09.12.2015 and payment shall be released subject to availability of fund.
2.	Bill of regularisation Difference w.e.f. 01.04.2013 to 03.08.2013	Rs. 27,045/-	Bill passed on 05.08.2014 and payment will be made subject to availability of fund.
3.	Grade pay & Arrear Amount of Ist MACP	Rs. 1,24,647/-	Bill passed on 06.09.2016 and payment will be made subject to availability of fund.

4. There was no representation by the respondents on date.

5. In view of specific admission that the above three bills were passed which total to Rs. 09,10,041/- (Rs. Nine Lacs ten thousand forty one only) under three different heads, and the same have not been paid so far as funds were not available, no further adjudication is necessary.

6. In view of above, the respondents are directed to release the said payment as admitted, along with interest @ 7% per annum from the date these bills were passed till the date of these orders, within a period of three months from the date of receipt of a certify copy of this order. In case the amounts are not paid, they will continue to carry the interest till actual date of payment. The applicant shall have liberty to approach the Tribunal in case some grievance still subsists. No order as to costs.

(Pradeep Kumar)
Member(A)

/daya/