



**Central Administrative Tribunal
Principal Bench**

OA No.1947/2014

MA No. 1696/2014

New Delhi, this the 4th day of December, 2019

Hon'ble Mr. Justice L. Narasimha Reddy, Chairman
Hon'ble Mohd. Jamshed, Member (A)

1. Kunwar Pal Singh (Driver)
Age 42 years,
S/o Sh. Dungar Singh,
R/o F-3, East Vinod Nagar,
Delhi-110091
2. Sh. Tuli Ram (Driver) Age 38 years,
S/o sh. Desh Raj,
R/o 12/561, Mandoli Extension,
Delhi-110093
3. Sh. Sanjeev Kumar (Driver)
S/o Sh. Mohinder Singh, Age 40 years,
R/o H.No.D/1316, Jahangir Puri,
Dlehi-110033
4. Mohan Lal Jatav (Driver)
S/o Sh. Shanker Lal Jatav, Age 43 years,
R/o A-75, Khanpur, JJ Colony,
New Delhi-110062
5. Ravinder Kumar (Driver)
S/o Sh. Jai Singh, Age 34 years,
R/o VPO Mehrana, Jhajjar,
Haryana
6. Hari Krishan (Driver)
S/o sh. Kartar Singh,
R/o VPO Assan, Age 41 years,
Distt. Rohtak, Haryana,
7. Jitendra Kumar (Driver)
S/o sh. Ram Pal, Age 37 years,
R/o Village & PO Garhi Kalanjari,
Tehsil Khekhra,
Distt. Baghpat, Uttar Pradesh

8. Veer Pal Singh, (Driver)
Age 39 years,
S/o Ram Niwas,
Village Hewa, tehsil Baraut,
Baghpat, Uttar Pradesh - Applicants

(By Advocates: Mr. Anil Mittal with Ms. Komal Aggarwal)

Vs.

Delhi Transport Corporation,
Through its Chairman-cum-Managing Director,
IP Estate, New Delhi - Respondent

(By Advocate : Mr. Manish Garg)

: O R D E R (ORAL) :

Justice L. Narasimha Reddy, Chairman:

The applicants are Drivers in Delhi Transport Corporation (DTC). When an attempt was made by the DTC to get them medically tested, they filed a Writ Petition before the Hon'ble High Court of Delhi. In view of the fact that the DTC was brought within the purview of the Tribunal, the Writ Petition was transferred to this Tribunal and re-numbered as TA No.52/2012. An interim order was passed on 15.11.2012 in the said TA, directing that the respondent shall not take any steps detrimental to the applicants and work shall be assigned to them.

2. Complaining that the interim order was not implemented, the applicants filed CP No. 347/2013. That



was closed on 08.08.2013, observing that though the applicants were not assigned work, they were being paid the salary. The TA was ultimately disposed on 12.02.2014.



3. This OA is filed claiming that the respondent did not pay the salary for a period of 5 months, 12 days at a time when the interim order dated 15.11.2012 was in force and the applicants were not assigned any work. The relief is claimed in that behalf.

4. The respondent filed the counter affidavit, opposing the OA.

5. We heard Shri Anil Mittal, learned counsel for the applicants and Shri Manish Garg, learned counsel for the respondents.

6. We fail to understand as to how the present OA could have been filed at all. An interim order was passed in the TA and complaining that the same was not honoured, the Contempt Petition was filed. Statement made on behalf of the respondent that salary was being paid to the applicants without even assigning the work, was taken on record. If that statement was not factually correct, the applicants could have brought to the notice of the Tribunal by filing an application in that CP itself. That possibility also ceased to

exist, once the TA itself was disposed of on 12.02.2014. All interim orders merged into the final order and the question of initiating any proceeding for implementation of the so-called interim order does not arise.

7. We, therefore, do not find any merit in the OA. It is accordingly dismissed.

Pending MA, if any, also stands disposed of. There shall be no order as to costs.

(Mohd. Jamshed)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

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