



**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH**

OA No-2822/2014

New Delhi, this the 11th day of December, 2019

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

1. Brij Kishan, S/o Shiv Dayal
Aged 51 years
Zone of working- Civil Lines
2. Suresh Kumar, S/o Chandgi Ram
Aged 47 years
Zone of working- Civil Lines
3. Ompal Singh, S/o late Sh. Harish Chand
Aged 53 years
Zone of working- Civil Lines.
4. Vikram Jeet, S/o Chander Bhan
Aged 50 years
Zone of working- Najafgarh.
5. Jai Singh, S/o Raj Singh
Aged 50 years
Zone of working- West
6. Ram Phal, S/o Bihari Lal
Aged 61 years
Zone of working- Najafgarh.
7. Charan Singh S/o Ramesh
Aged 45 years
Zone of working- Najafgarh.
8. Raj Kumar, S/o Rajpal
Aged 46 years
Zone of working- Najafgarh
9. Om Prakash, S/o Budh Ram
Aged 50 years



Zone of working- Najafgarh.

10. Ranvir Singh, S/o Komal Singh
Aged 47 years
Zone of working- Civil Lines.
11. Kishen Jeet, S/o Ghanshyam
Aged 58 years
Zone of working- Civil Lines.
12. Satish Kumar, S/o Thakur Dass
Aged 53 years
Zone of working- Karol Bagh.
13. Bijender Kumar, S/o Brahm Datt
Aged 46 years
Zone of working- Najafgarh.
14. Sahib Singh, S/o Ami Lal
Aged 49 years
Zone of working- Najafgarh.
15. Satbir Singh, S/o Ran Singh
Aged 47 years
Zone of working- Najafgarh.
16. Jai Bhagwan, S/o Sube Singh
Aged 47 years
Zone of working- West.
17. Sohan Pal, S/o Hardev Singh
Aged 52 years
Zone of working- West.
18. Baljeet Singh, S/o Jage Ram
Aged 45 years
Zone of working- AJ Zone.

All working as Regular Malaria Beldar with Health Department in Municipal Corporation of Delhi & C/o Rishikesh, Advocate, 325, Lawyers Chamber, Delhi High Court, New Delhi.

...Applicants

(through Sh. Rajiv Dewan with Sh. Angad Singh)

Versus



1. Municipal Corporation of Delhi
Through its Commissioner (South)
9th Floor, Civic Centre, Minto Road
New Delhi.
2. Dy. M.H.O. (Mal & OVBD)
Municipal Corporation of Delhi
9th Floor, Civic Centre, Minto Road, New Delhi.
3. Dy. M.H.O.
Municipal Corporation of Delhi
12th Floor, Civic Centre, Minto Road, New Delhi.

...Respondents

(through Ms. Anupama Bansal for R. Nos. 1 and 2)

ORDER(ORAL)

Mr. Justice L. Narasimha Reddy

The applicants are said to have been engaged in the year 1987 as contractual Beldars by the Municipal Corporation of Delhi. It is stated that the Corporation maintained a seniority list and as a part of the scheme framed in this behalf, the persons in the list were regularized up to the year 2003. According to the applicants, the contractual employments were made from 2003 onwards. Through an order dated 01.04.2009, the Corporation regularized the services of the 230 contractual Beldars including the applicants. This OA is filed with a prayer to direct the respondents to extend the benefit of regularization from the year 2006 covering



the period through which they were on contractual service. They have cited the instance of one Sh. Ram Singh.

2. The respondents filed counter affidavit opposing the OA. It is stated that the regularization to the applicants was in accordance with the decision taken in this behalf and depending upon availability of vacancies. It is stated that the applicants did not have any right to insist on regularization from any earlier date and that there is no factual or legal basis for that.

3. We heard Sh. Rajiv Dewan, learned counsel for the applicants and Ms. Anupama Bansal, learned counsel for respondent nos. 1 and 2.

4. It is a matter of record that the applicants were on contractual employment with the Corporation till the year 2009. Through an order dated 01.04.2009, they were regularized as Beldars. There is nothing on record to disclose that either the applicants or any other employees mentioned in the order have protested in the context of the fixation of date of regularization. Some of the persons who figured in the list, made representations for retrospective regularization and those were rejected in 2011. The applicants are not able to place before us, any provision of law or binding precedent, which confers any right on them to be regularized



with retrospective effect or fixation of pay with reference to any earlier date.

5. We do not find any merit in the OA and accordingly, the same is dismissed. There shall be no order as to costs.

(Mohd. Jamshed)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

/ns/