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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 754/2018

LAL BAHADUR YADAV AND ORS. Petitioners

Through: Mr.Jasmeet Singh, Advocate with
Ms.Asiya, Advocate

versus

CHIEF SECRETARY, GOVT. OF
NCT OF DELHI AND ANR. Respondents

Through: Mrs.Avnish Ahlawat, Advocate with
Mr.N.K.Singh & Ms.Palak Rohmetra,
Advocates

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

HON'BLE MS. JUSTICE PRATIBHA RANI

ORDER

% **17.04.2018**

1. The petitioners are aggrieved by the judgment dated 03.02.2017, passed by the Tribunal, whereby the Original Application filed by them along with 134 others, for issuing directions to the respondent No.1/GNCTD to grant them salary and other benefits at par with the contractual employees of GNCTD including HRA, travelling allowance, leave benefits etc. was rejected on the ground that in exactly similar fact situation, an earlier O.A. for the same relief (O.A. No. 2558/2014) was dismissed.

2. Learned counsel for the petitioners herein submits that aggrieved by the order dated 03.02.2017, passed by the Tribunal in O.A.No.3885/2014 on which reliance has been placed in the impugned order, the petitioners therein had preferred a writ petition in the High Court [W.P.(C) 4537/2017], which was allowed in terms of an earlier decision dated 07.03.2017 in W.P.(C) 1201/2016, Vedwanti and Others Vs. Chief Secretary, GNCTD & Anr.

3. Learned counsel for the petitioners states that respondents have not preferred any appeal before the Supreme Court against both the judgment and as the fact situation in this case is entirely similar, the petitioners are also entitled to the same relief.
4. On enquiring from Mrs.Avnish Ahlawat, learned counsel for the respondents as to whether the respondents have challenged the order dated 07.03.2017 passed in W.P.(C) 1201/2016 and the order dated 23.05.2017 passed in W.P.(C) 4537/2017, she states on instructions that no appeals have been preferred against the said judgments till date. The fact situation of the present case being identical, is also not disputed.
5. In view of the aforesaid submissions, the judgment dated 03.02.2017 is quashed and set aside. The present petition is allowed on the same lines as passed in W.P.(C) 1201/2016, decided on 07.03.2017. The petitioners shall be entitled to the same relief as granted to the petitioners in the captioned petition.
6. The petition is allowed and disposed of.

HIMA KOHLI, J.

PRATIBHA RANI, J.

APRIL 17, 2018
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