

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

Date of Order: May 09, 2018

+ **W.P.(C) 4975/2018 & CM 19187/2018**

RAJ KUMAR HANDA & ORS Petitioners
Through: Mr. N.K. Jha and Mr. S.C. Sharma,
Advocates

versus

TATA POWER DELHI DISTRIBUTION LTD
& ORS. Respondents
Through: Mr. Karan Bharihoke, Advocate

CORAM:
HON'BLE MR. JUSTICE SUNIL GAUR

ORDER
(ORAL)

1. Petitioners are ex-Delhi Vidyt Board employees, who upon unbundling of Delhi Vidyt Board, had become employees of first respondent. In this petition, a direction is sought to first respondent to re-fix the revised pay of petitioners with effect from 1st January, 2006 by granting the benefit of bunching as per Rule 7(1)(A)(ii) of *the DTL (Revised Pay) Rules, 2009* read with Office Order No. DLT/1010/HR(G)/146 dated 29th August, 2016, as computed vide *Annexure P-H* in respect of first three petitioners and vide *Annexure-I* in respect of petitioners No. 4 and 5 and to grant all consequential benefits thereof to petitioners.
2. Learned counsel for petitioners submits that to claim the relief as sought in this petition, a Representation (*Annexure-G colly.*) was made by

petitioners to first respondent, but according to petitioners' counsel, there is no response to the said Representation made by petitioners.

3. Learned counsel for first respondent raises an objection regarding maintainability of this petition, which is sought to be refuted by petitioners' counsel while relying upon Office Order of 29th December, 2009 (*Annexure-E*) of first respondent.

4. In the facts and circumstances of this case, it is deemed appropriate to leave the question of maintainability of this petition open, as this Court is not deciding this petition on merits. The least, which is required to be done by first respondent, is to give a speaking response to petitioners' Representation (*Annexure-G colly.*) in light of the Office Order of 21st December, 2009 (*Annexure-A*). Let the needful be done within a period of eight weeks from today and the fate of said Representation be conveyed to petitioners within two weeks thereafter, so that petitioners may avail of the remedies as available in law, if need be.

5. With aforesaid directions, this petition and the application are accordingly disposed of.

Copy of this order be given *dasti* to learned counsel for the parties.

(SUNIL GAUR)
JUDGE

MAY 09, 2018

v