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

+ **W.P. (C) 528/2017 and CM Appl. 2411/2017**

AKHILESH SINGH & ORS. Petitioners

Through: Mr. M.K.Bhardwaj, Advocate

versus

DELHI DEVELOPMENT AUTHORITY & ORS. Respondents

Through: Mr. Arun Birbal, Advocate for DDA

CORAM:

JUSTICE S.MURALIDHAR

JUSTICE TALWANT SINGH

ORDER

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11.02.2020

1. On 19th November 2019, this Court passed the following order:

“1. The assertion of the Petitioners is that they were appointed as ‘work-charged Malis’ on 3rd January, 1985, and that therefore, their case is no different from that of the Petitioners in OA No.2005/2014, which was disposed of by the Central Administrative Tribunal (‘CAT’) on 1st December, 2017, with a direction to the Respondents to grant those Petitioners the financial upgradation under the ACP Scheme till 19th May, 2009, i.e., the date of issuance of the MACP Scheme.

2. Learned counsel for the Respondents states that he will verify the original record to ascertain if the above assertion that the Petitioners are appointed as ‘work-charged’ Malis on 3rd January, 1985 is correct or not.

3. The record of the case be also kept ready for perusal by the

Court on the next date.

4. List on 11th February, 2020.”

2. Today Mr. Birbal, learned counsel for the DDA, on instructions states that the Petitioners were appointed as ‘work-charged’ Malis on 3rd January, 1985.

3. With that being the position, the Court sees no reason why the case of present Petitioners, who are identically placed as the Applicants before the CAT in OA No. 2005/2014 (*Satender Singh v. Delhi Development Authority*), should be treated any differently. The CAT in *Satender Singh* (*supra*) by its order dated 1st December 2017, had directed the present Respondents to grant the said Applicants financial upgradation under the ACP scheme till 19th May, 2009, if they were eligible, and to re-fix their pay scales accordingly. The Court is of the view that the same benefit should enure to the present Petitioners as well.

4. Accordingly, the impugned order of the CAT is set aside. The Respondents are directed to grant the Petitioners the same relief as was granted by the CAT to the Applicants in OA No. 2005/2014.

5. The writ petition is accordingly disposed of. The pending application is also disposed of.

S.MURALIDHAR, J.