

\$~4

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 4012/2020**

SURENDERPetitioner

Through: Ms Roopa Nagpal, Advocate.

versus

EAST DELHI MUNICIPAL CORPORATION
THROUGH THE COMMISSIONER & ANR. Respondents

Through: Mr Harish Khinchi, Standing Counsel
for EDMC.

CORAM:
HON'BLE MR. JUSTICE NAJMI WAZIRI

ORDER
08.07.2020

%

1. The hearing was conducted through video conferencing.

CM APPLN. 14404/2020 (Exemption)

2. Allowed, subject to all just exceptions.
3. The application stands disposed off.

W.P.(C) 4012/2020

4. Issue notice.
5. The learned counsel Standing Counsel as mentioned above accept notice on behalf of the respondents.
5. At joint request, the petition is taken up for disposal.
6. It is the petitioner's case that he was employed as a daily wager by the East Delhi Municipal Corporation (EDMC) and subsequently, his employment was regularised vide order dated 13.05.2011, at a payscale of Rs. 2,550 – 3,200/- alongwith other allowances. He was issued an identity card of a “Swachhata Karamchari”. Despite his repeated representations and requests, the East Delhi Municipal

Corporation has not paid his salary as per the regular pay scale. His requests to the Corporation in particular, his representation dated 04.01.2020 posted on 13.01.2020 has not yielded any response from the Corporation and he has been deprived of his monies due for the past many months.

7. In the circumstances, the petition is disposed-off with the direction to the East Delhi Municipal Corporation to respond to the petitioner's representation dated 04.01.2020 and to treat this petition as the petitioner's representation and pass appropriate orders within eight weeks from the date of receipt of a copy of this order and intimate the said decision to the petitioner in the 9th week. The order of the Corporation shall incorporate the computation of the amounts due to the petitioner. The monies, which are required to be paid to the petitioner, as per the said order/computation, shall be paid to him, within two weeks from the date of the said order. If the petitioner is still aggrieved by the order of the Corporation, it will be open to him to take recourse to the appropriate remedies as may be available in law.
8. This Court has already passed four similar orders in which the petitioners were identically placed. It serves no purpose that each aggrieved employee has to come to the court separately seeking similar individual relief. In view of the above, East Delhi Municipal Corporation is directed to ensure that grievances of all the persons who are similarly placed, are addressed and appropriate generic order in their regard may also be passed. A copy of this order shall be placed by the learned counsel for the EDMC before the Commissioner

of the said Corporation. A compliance report in this regard shall be filed by the EDMC within eight weeks from today. The petition be listed regarding compliance on 25.9.2020.

9. The writ petition is disposed-off in terms of the above.

10. The order be uploaded on the website forthwith. Copy of the order be also forwarded to the counsels through email.

NAJMI WAZIRI, J

JULY 08, 2020/rd