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

Date of decision: 19.09.2025

+ W.P.(C) 8789/2024 & CM APPL. 35792/2024
DELHI DEVELOPMENT AUTHORITY

.....Petitioner

Through: Mr. Arun Birbal, Mr. Sanjay
Singh, Advs.

versus

RAM NIWAS AND ORS. & ANR.

.....Respondents

Through: Mr. Niraj Kumar, Sr. Central
Govt. Counsel with Mr
Chaitanya Kumar, Adv. for
Respondent no. 11 & 12.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

HON'BLE MS. JUSTICE MADHU JAIN

NAVIN CHAWLA, J. (ORAL)

1. This petition has been filed, challenging the Order dated 18.04.2023 passed by the learned Central Administrative Tribunal, Principal Bench, New Delhi (hereinafter referred to as, 'Tribunal') in O.A. No. 2237/2016, titled ***Ram Niwas & Ors. v. Union of India & Ors.***, partially allowing the O.A filed by the respondents herein, with the following directions:

"9. For the reasons stated hereinabove, the



O.A. is partially allowed. Impugned Orders dated 20.01.2016 (Annexure A-1) and 06.03.2013 (Annexure A-2) are quashed and set aside. The applicants are entitled to grant revised pay scale of Rs.5500-9000, Rs.6500-10500 and Rs.7500-12000 to the Hindi Translator, Senior Hindi Translator and Hindi Officer (Assistant Director) respectively from the date of their appointments on notional basis and actually with effect from 11.02.2013. The competent authority amongst respondents shall issue appropriate Orders for grant of revised pay scale of Rs.5500-9000, Rs.6500-10500 and Rs.7500-12000 to the Hindi Translator, Senior Hindi Translator and Hindi Officer (Assistant Director) respectively from the date of their appointments on notional basis and actually with effect from 11.02.2013 and take steps for re-fixation of their salary /pension and emoluments accordingly. The applicants shall be awarded all consequential benefits including the arrears of difference of pay and allowances. These directions shall be complied with within a period of six months from the date of receipt of a certified copy of this Order.”

2. The petitioner further challenges the Order dated 08.08.2023 passed by the learned Tribunal in MA No. 1645/2023 filed in the above O.A., whereby the Impugned Order dated 18.04.2023 was modified as under:

“9. For the reasons stated hereinabove, the O.A. is partially allowed. Impugned Orders dated 20.01.2016 (Annexure A-1) and 06.03.2013 (Annexure A-2) are quashed and set aside. The applicants are entitled to grant revised pay scale of Rs.5500-9000, Rs.6500-10500 and Rs. 7500-12000 to the Hindi Translator, Senior Hindi Translator and Hindi Officer (Assistant Director) respectively from the date of their appointments on notional basis and actually with effect from 11.02.2003. The competent authority amongst respondents shall issue appropriate Orders for grant of revised pay



scale of Rs.5500-9000, Rs.6500-10500 and Rs.7500-12000 to the Hindi Translator, Senior Hindi Translator and Hindi Officer (Assistant Director) respectively from the date of their appointments on notional basis and actually with effect from 11.02.2003 and take steps for re-fixation of their salary /pension and emoluments accordingly. The applicants shall be awarded all consequential benefits including the arrears of difference of pay and allowances. These directions shall be complied with within a period of six months from the date of receipt of a certified copy of this Order.”

3. The respondents, who are working as Junior/Senior Hindi Translators, Hindi Officers/Assistant Directors (Official Languages) with the petitioner, filed the above O.A claiming parity with respect to their pay scales, with the officers working at the same post in the Central Secretariat Official Language Service (‘CSOLS’).

4. It was the case of the respondents that the respondents have always had the same pay scale as their counterparts working in the CSOLS, however, a disparity had occurred because the benefit of higher pay scales had been granted to the officers working with the CSOLS *vide* Office Order dated 02.04.2004, which had not been extended to the respondents.

5. The learned Tribunal, in its Impugned Order, *inter alia* placing reliance on the judgment of the Supreme Court in **Union of India v. Rajesh Kumar Gond**, (2014) 13 SCC 588 and on an Order dated 11.05.2022 passed by a Coordinate Bench of the learned Tribunal at Allahabad in O.A. No. 1568/2017, titled **Bhagwan Das & Anr. v. Union of India and Ors.**, allowed the O.A. with the above quoted directions.



6. The learned counsel for the petitioner, placing reliance on the judgments of the Supreme Court in ***Punjab State Coop. Milk Producers Federation Ltd. v. Balbir Kumar Walia***, (2021) 8 SCC 784 and ***State of Maharashtra v. Bhagwan***, (2022) 4 SCC 193, submits that the learned Tribunal not only failed to consider whether the principle of equal pay for equal work was applicable to the facts of the present case, but also that the employees of an autonomous body like the petitioner cannot claim, as a matter of right, the same service benefits at par with the Government employees. He submits that the respondents are governed by the Service Rules of the petitioner and cannot be treated at par with the Government employees. He submits that the funds that are available with the Government are different from those available with autonomous bodies, like the petitioner.

7. He further submits that even otherwise, the demand of the respondents for the enhanced pay scale was referred by the petitioner to the Ministry of Urban Development and Poverty Alleviation, Delhi Division (MoUD), being the Nodal Ministry of the petitioner, who, in response, *vide* letter dated 05.07.2004, informed the petitioner that the matter has been examined in consultation with the Finance Division of the Ministry and it has been decided that the revised pay scales for the posts of Junior/Senior Hindi Translators, Hindi Officer/Assistant Directors are applicable only to the employees of the CSOLS and the same are not applicable to the employees of autonomous bodies, like the petitioner.

8. The request of the respondents was thereafter again sent to the MoUD *vide* letter dated 01.12.2001, which again got rejected, as



communicated by the MoUD *vide* letter dated 29.07.2005, informing the petitioner that the matter had been examined in consultation with the Ministry of Finance, Department of Expenditure and was again found to be without merit.

9. He further submits that while a writ petition was filed challenging the said decision and seeking benefit of parity of pay scale, the same was later transferred to the learned Tribunal and was registered as T.A. No.203/2007. During the pendency of the said TA, pursuant to the report of the 6th CPC, the parity of pay scales had been again granted to the respondents with that of the officers holding analogous posts in the CSOLS. The said T.A. No. 203/2007 was disposed of by the learned Tribunal *vide* Order dated 14.09.2010, directing the petitioner to re-examine the matter. He submits that pursuant to the same, the matter was re-examined by the petitioner for the extension of the benefit under the Office Order dated 02.04.2004, however, the claim of the respondents was rejected *vide* letter dated 06.03.2013. He submits that the matter was again referred to the RR Review Committee of the petitioner for consideration, which again rejected the demand of the respondents.

10. He submits that the learned Tribunal, in passing the Impugned Order, has placed reliance *inter alia* on the Order dated 11.05.2022 of a Coordinate Bench of the learned Tribunal at Allahabad, which was applicable only to the recommendations of the 6th CPC and, therefore, is not relevant to the dispute in question. He submits that the Impugned Order is even otherwise non-speaking, as it does not consider the claim of parity nor does it give any finding on the



principle of equal pay for equal work.

11. On the other hand, the learned counsel for the respondents nos. 1 to 10 submits that the Junior/Senior Hindi Translators, Hindi Officers/Assistant Directors in the petitioner have always been drawing the same pay scale as their counterparts in the CSOLS. He submits that the disparity in the pay scale has occurred only due to the Office Order dated 02.04.2004, whereby the revised pay scales were directed to be applicable to the Junior Translators, Senior Translators and Assistant Directors (Official Language) working with the CSOLS, and which remained operational only till the implementation of the 6th CPC. He submits that the petitioner has given no reason as to why, only for this intervening period, the respondents are not entitled to the same pay scale as their counterparts. He submits that the petitioner has not asserted that the respondents do not perform the same work as their counterparts, nor have they pleaded any financial crunch. He submits that the only plea taken by the petitioner is that the MoUD did not accede to the request of the respondents, however, no reason for the same has also been given.

12. Placing reliance on the judgment of the Supreme Court in **Rajesh Kumar Gond** (supra), he submits that similar benefit of equal pay scale was extended therein to the Junior/Senior Hindi Translators working in the office of Director General of Commercial Intelligence and Statistics under the Ministry of Commerce, applying the principle of equal pay for equal work.

13. He also places reliance on the Order dated 24.07.2009 passed by the learned Tribunal in TA No. 353/2009, titled **Mahavir Tripathi**



& Ors. v. AIIMS., whereby, similar benefits was also extended to the officers working with the All India Institute of Medical Sciences.

14. We have considered the submissions made by the learned counsels for the parties.

15. It is not denied that the respondents, who are working as Junior/Senior Hindi Translator, Hindi Officers/Assistant Directors with the petitioner, have always been drawing the same pay scale as their counterparts in the CSOLS, except for the period covered by the Office Order dated 02.04.2004, that is, the period covered by the 5th CPC.

16. The request of the respondents for the same pay scale as their counterparts in the CSOLS, has been rejected only on the ground that the Office Order dated 02.04.2004 extends the benefit to the officers in the CSOLS, and does not extend the same to the officers working in the autonomous bodies. While this may be correct, at the same time, the petitioner should have considered the request of the respondents for the same pay scale, especially in light of the undisputed fact that they had been drawing the same pay scale as their counterparts working with the CSOLS at all other times, including after the recommendations of the 6th CPC were accepted by the petitioner.

17. Significantly, the petitioner also has not pleaded any financial crunch, as was the case being considered by the Supreme Court *in Punjab State Coop. Milk Producers Federation Ltd.* (supra) and in *Bhagwan Das* (supra).

18. In *Rajesh Kumar Gond* (supra), the Supreme Court extended the benefit of equal pay scale to the Junior/Senior Hindi Translator



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working in the office of Director General of Commercial Intelligence and Statistics under the Ministry of Commerce, by observing that the work of translation being done was similar, and that no material had been placed before the learned Tribunal to show how the functional requirement of the concerned job was different in any manner. Similar is the case in the present petition.

19. In view of the above, we find no infirmity in the Impugned Order passed by the learned Tribunal.

20. The petition, along with the pending application, is accordingly, dismissed.

NAVIN CHAWLA, J

MADHU JAIN, J

SEPTEMBER 19, 2025/prg/p/SJ