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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 5847/2024

SHIV KUMAR & ORS.

.....Petitioners

Through: Mr. Varun Mudgil, Mr. Rakesh Kumar and Ms. Eti Kushwaha, Advs.

versus

MUNICIPAL CORPORATION OF DELHI.....Respondent

Through: Dr. Divya Swamy, SC for MCD along with Mr. Yagyawalkya Singh, Ms. Akriti Singh, Mr. Rishav Ranjan and Mr. Shikhar Rusia, Advs.

CORAM:

HON'BLE MR. JUSTICE ANIL KSHETARPAL

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

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18.03.2026

1. Through the present Writ Petition, the Petitioners pray as under:

*“a) Issue an appropriate writ, order or direction in the nature of Certiorari to quash the impugned Order Dated 02/01/2024, in the matter of **Shiv Kumar & Ors. vs. Municipal Corporation of Delhi**, passed by Ld. Central Administrative Tribunal, PB, New Delhi in OA/644/2017; &/or*

b) Issue an appropriate writ, order, or direction to the Respondent to declare that the impugned action on the part of MCD/Respondent herein, in not paying the revised pay-scale of Rs. 5000-150-8000 (pre-revised) with effect from the initial date of appointment to the Petitioners, who were working as Assistant Sanitary Inspector, is illegal, arbitrary, unjustified and is in violation of A.14 & 21 of the Constitution of India;



&/or

- c) *Issue an appropriate writ, order, or direction to the Respondent to remove the anomaly in pay-scale of the Petitioners and pay the arrears of salary to the Petitioners on account of revision in pay-scale of Rs. 5000-150-8000 (pre-revised) with effect from the initial date of appointment to the Petitioners along with interest @ 12% per annum thereupon; &*
- d) *Pass such order or further order(s) including order in respect of costs of the Petition as may be deemed fit and proper in the facts and circumstances of the present case.”*

2. Learned counsel representing the Petitioners submit that before the learned Central Administrative Tribunal, the Petitioners did not seek parity of their pay with that of Mr. Rajesh Kumar, who was at one point of time working as Assistant Sanitary Inspector.

3. Pertinently, before the learned Tribunal, the Petitioners prayed for grant of parity in pay with Vaccinators, which was dismissed with the observation that the post of Vaccinators was different in pay scale from that of Assistant Sanitary Inspectors from the very initial stages. It was rightly appreciated that the Petitioners had failed to establish a *prima facie* case as to why they should be treated as equivalent to the Vaccinators.

4. By way of additional document which has since been taken on record, the Petitioners have staked the claim for parity with salary paid to Mr. Rajesh Kumar for the first time in the present Writ Petition.

5. It will not be appropriate for this Court to enhance the scope of the litigation by considering the aforesaid fresh claim for parity. However, the Petitioners, if so advised, may file an appropriate application before the learned Tribunal for grant of parity of pay with that of Mr. Rajesh Kumar.



6. If such application is filed, the learned Tribunal will consider it in accordance with law.
7. Needless to say, this Court has not examined the matter as to whether the Petitioner are or not entitled to parity of pay with Mr. Rajesh Kumar.
8. In view of the above, the present Writ Petition is disposed of.

ANIL KSHETARPAL, J

AMIT MAHAJAN, J

MARCH 18, 2026

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