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IN THE HIGH COURT OF DELHI AT NEW DELHI
W.P.(C) 6187/2024 & CM APPL. 25724/2024 -Stay.
DELHI TRANSPORT CORPORATION

..... Petitioner

Through: Ms. Prashansa Sharma and Mr.
Rishabh Srivastava, Advs. for Mr. Santosh Kumar
Tripathi, SC, DTC.

versus

HARISH BABU

..... Respondent

Through:

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

14.05.2024

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1. The present petition under Articles 226 & 227 of the Constitution of India seeks to assail the order dated 19.12.2023 passed by the Central Administrative Tribunal (Tribunal) in O.A. No. 2088/2016. Vide the impugned order, the learned Tribunal has allowed the O.A. filed by the respondent by directing the petitioner to grant benefits of ACP/MACP Scheme to him by including his service for the period between 1995 to 2011, during which period, he stood terminated but was, subsequently, reinstated with continuity of service.
2. Learned counsel for the petitioner submits that since the order directing the respondent's reinstatement did not grant him consequential benefits, he could not claim any service benefits for the said period. In support of her plea, she seeks to place reliance on the



decision of the Apex Court in “*APSRTC & Anr. vs. S. Narsagoud*” (2003) 4 SCC 174.

3. Upon the petitioner taking steps, issue notice to the respondent through all permissible modes. Counter affidavit and reply to the application be filed within six weeks. Rejoinder thereto, if any, be filed within four weeks, thereafter. Till the next date, the operation of the impugned order will remain stayed.
4. List on 07.10.2024.

REKHA PALLI, J

SAURABH BANERJEE, J

MAY 14, 2024

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