

**IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION**

**CIVIL APPEAL NO 8974 of 2019
(Arising out of SLP (C) No 27744 of 2019)
(@ SLP (C) Dairy No 21108 of 2019)**

NORTH DELHI MUNICIPAL CORPORATION

..... APPELLANT

Versus

HARLEEN KAUR & ORS.

..... RESPONDENTS

ORDER

1 Delay condoned.

2 Leave granted.

3 The High Court has furnished cogent reasons for declining to interfere with the order of the Tribunal directing the appellant to consider the cases of the respondents for regularization as Entomologists.

4 The respondents were appointed after public advertisement and were selected on the basis of interviews. They have been working since 1997-8. Though the appointment was contractual for a period of six months, it has been extended.

Subsequently, on 14 July 2008, posts were created by conversion of the existing posts of AMO, DMO, Entomologist and Asst. Entomologist. The Tribunal noted that the respondents are working against seven posts of Entomologists out of twelve sanctioned posts. The respondents were engaged with a view to counter the outbreak of dengue, a situation which continues to cause concern even at the present time. The Tribunal has duly considered the decision in **State of Karnataka v Umadevi**¹.

5 We are not inclined to entertain this appeal insofar as the grant of regularization is concerned.

6 However, insofar as consequential monetary benefits are concerned, learned counsel appearing on behalf of the appellant submitted that the Municipal Corporation should not be saddled with the obligation of granting monetary benefits from 2008 as awarded by the High Court. On this aspect, learned Counsel appearing on behalf of the respondents has fairly left it to the discretion of this Court.

7 We, accordingly, order and direct that the grant of monetary benefits shall be with effect from the date of the judgment of the Central Administrative Tribunal i.e. with effect from 1 October 2015. However, we clarify that the respondents would be entitled to notional pay fixation and continuity of service.

¹ (2006) 4 SCC 1

8 Subject to the aforesaid modification, the appeal is disposed of. Compliance shall be effected within a period of two months from the date of receipt of a certified copy of this order.

.....J
[Dr Dhananjaya Y Chandrachud]

.....J
[Hrishikesh Roy]

**New Delhi;
November 22, 2019.**

ITEM NO.8 COURT NO.8 SECTION XIV
S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

SPECIAL LEAVE PETITION (CIVIL) Diary No(s). 21108/2019

(Arising out of impugned final judgment and order dated 20-11-2018 in WP(C) No.3692/2016 passed by the High Court of Delhi at New Delhi)

NORTH DELHI MUNICIPAL CORPORATION

PETITIONER(S)

VERSUS

HARLEEN KAUR & ORS.

RESPONDENT(S)

(FOR ADMISSION and I.R. and IA No.90351/2019-CONDONATION OF DELAY IN FILING and IA No.90353/2019-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

Date : 22-11-2019 This matter was called on for hearing today.

CORAM :

HON'BLE DR. JUSTICE D.Y. CHANDRACHUD

HON'BLE MR. JUSTICE HRISHIKESH ROY

For Petitioner(s)

Mr.Vikramjit Banerjee, ASG
Mr.Praveen Swarup, Adv.
Mr.Suvesh Kumar, Adv.
Mr.Chandra Pratap Singh, Adv.
Mr.B.C.Santosh Kumar, Adv.

For Respondent(s)

Mr.Satya Mitra Garg, AOR
Mr.M.K.Bharadwaj, Adv.

UPON hearing the counsel the Court made the following
O R D E R

Delay condoned.

Leave granted.

The appeal is disposed of in terms of the signed order.

Pending applications, if any, stand disposed of.

(Ashok Raj Singh)

Court Master

(Signed Order is placed in the file)

(Saroj Kumari Gaur)

Court Master