

\$~22(1)

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

+ CONT.CAS(C) 966/2021

**ALL INDIA RAILWAY ACCOUNTS STAFF ASSOCIATION**

..... Petitioner

Through: Ms. Sumita Hazarika, Advocate.

versus

**SHRI SUNEET SHARMA & ANR.**

..... Respondents

Through: Mr. Jagjit Singh, Sr. Standing Counsel  
for Railways, with Mr. Preet Singh,  
Mr. Vipin Chaudhary and Ms.  
Kalyani Arora, Advocates.

**CORAM:**

**HON'BLE MR. JUSTICE NAJMI WAZIRI**

**ORDER**

%

**24.02.2022**

The hearing has been conducted through hybrid mode (physical and virtual hearing).

1. The order of a Division Bench of this court on 18.12.2019 in W.P.(C)1523/2016 had directed, *inter alia*, as under:

“...  
23. The prayers in the present petition are allowed and a direction is issued to the Respondents to grant them the revised pay scale in question from 1<sup>st</sup> January, 1996 when the recommendations of the 5th CPC became operational. The order dated 7th March, 2003 of the Railway Board, to the extent that it limits the actual benefit of the revised pay scale by granting the same from 2nd February, 2003, and not from 1st January, 1996, is hereby set aside.

*24. The arrears now be granted to each of the Petitioners within 12 weeks failing which the Respondents will be liable to pay simple interest at 6% per annum thereon till the date of payment. The petition is disposed of in the above terms.”*

2. The learned counsel for the petitioner admits that the employees have been paid their dues. However, she says that insofar as all ‘petitioners’ had to be paid, the petitioner- association, too should be paid the monies.
3. On a query put to the learned counsel for the petitioner as to whether the petitioner – staff association is an employee, the answer is in the negative.
4. The court is unable to discern or consider the petitioner as an employee, to whom any monies would be payable.
5. No contempt is made out. The petition is disposed-off accordingly.

**NAJMI WAZIRI, J**

**FEBRUARY 24, 2022**

SS