

9

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
AHMEDABAD BENCH

O.A. No. / 486/89 to O.A./492/89

~~Ex-Parte~~

DATE OF DECISION 30.11.1992

D.N.Thakkar and others. Petitioner

Mr.J.J.Yajnik Advocate for the Petitioner(s)

Versus

Union of India & others Respondent

Mr.J.D.Ajmera - Atil Icavesh Advocate for the Respondent(s)

CORAM :

~~W~~ The Hon'ble Mr. N.V. Krishnan : Vice Chairman

The Hon'ble Mr. R.C.Bhatt : Member (J)

1. Whether Reporters of local papers may be allowed to see the Judgement ? ✓
2. To be referred to the Reporter or not ? ✗
3. Whether their Lordships wish to see the fair copy of the Judgement ? ✗
4. Whether it needs to be circulated to other Benches of the Tribunal ? ✗

O.A./486/89

D.N.Thakkar

.....applicant

O.A./487/89

V.N.Adesara,

475, Bhoiwada's Pole,
Opp.Zakaria Masjid,
Relief Road,
Ahmedabad.380 001.

.....applicant

O.A./488/89

M.N.Shah,
Soni ni Khadki,
Naiwada,Raipur,
Ahmedabad.

.....applicant

O.A./489/89

Smt.Sathidevi

.....applicant

O.A./490/89

Jayesh H.Bhatt,
23, Jay Yamuna Society,
Near Maniyasa Society,
Maninagar, (East),
Ahmedabad- 380 008.

.....applicant

O.A./491/89

Miss Margaret Ferrier,
Parasnagar 3, H.No.M./64/766,
Sola Road, Naranpura,
Ahmedabad.

.....applicant

O.A./492/89

B.M.Khamphatta,
1, Scrabvila, Ashram Road,
Navrangpura,
Ahmedabad.9.

.....applicant.

(Advocate : Mr.J.J.Yajnik)

VERSUS

1. Union of India,

Notice of the petition to
be served through the
Secretary, Ministry of
Information and Broad-casting,
Shastri Bhavan,
New Delhi.

2. The Director General of
Doordarshan, Mandi House,
New Delhi.1.

3. The Director,
Doordarshan,
Ahmedabad-380 054.

.....RESPONDENTS

AKIL ICNEESH
(Advocate : Mr. J.D. Ajmera)

ORAL JUDGMENT

O.A./486/89 to O.A./492/89

Date : 30.11.1992

Per : Hon'ble Mr.R.C.Bhatt

Member (J)

1. These 7 (seven) applications

have been heard together by consent of, the

learned advocates of the parties and as these

applications involve identical issues, they are

being disposed of by common judgment in O.A./486/89. The applicant in each case has pleaded in his application that he has been working as a Staff Artist, as per the initial appointment given by the respondent authority and after initial appointment, each applicant was continued from time to time.

The respondents have continued the applicants by describing them as Clerks/ General Assistants.

It is the case of the applicants that they have been working under the respondents since a decade but the respondents, without any reasons, sought to terminate their service by an order dated 27th April, 1989 with effect from 1st May, 1989. The applicants have prayed

that the termination order of each applicant

be held as ~~respondents~~ illegal, unjust, and

arbitrary and the same be quashed and set

aside, that the respondents be directed to

treat each applicant in continuous service

from the initial appointment with all consequential benefits, ignoring the artificial

breaks.

2. The respondents have filed reply in each case contending that each applicant was appointed as a Casual Employee on daily rated basis and hence the applicants cannot be said to be holding a civil post. It is contended that each applicant was engaged on contract basis for specific period, and therefore after the expiry of that period, each applicant has no legal right to continue and to file this application. It is further contended by the respondents that the termination order of each applicant is legal, valid and just and hence, they prayed that the applications be dismissed.

3. Each applicant has filed rejoinder controverting the contentions taken by the respondents in the reply.

4. Initially the applicants had filed writ-petition before the High Court of Gujarat being special C.A./3144/89 and had obtained the stay order against the

respondents terminating the services of the applicants. The applicants then withdrew the said writ-petition on 24th October, 1989. The applicants have produced the copy of the order of the High Court of Gujarat, dated 24th October, 1989 at Annexure A/7 in O.A./492/89. The interim order given by the High Court of Gujarat was continued up to 23th November, 1989 and the applicants were permitted to withdraw the said writ-petition to enable them to approach the Central Administrative Tribunal. Thereafter, each applicant has filed separate above mentioned applications before us. The stay order granted earlier by the High Court of Gujarat, was continued by this Tribunal by way of interim relief and was continued from time to time and at present it is also operative against the respondents.

5. The learned advocate for the applicant, relying on the decision in O.A./563/86 and others (Anil Kumar Mathur

and others v/s The Directorate General, Doordarshan, New Delhi) decided by the Central Administrative Tribunal, New Delhi, Principal Bench, dated 14th February, 1992 submitted that the Tribunal in that judgment directed the respondents to recast and finalise the scheme within a period of 3 months of the date of the copy of the said judgment on the ~~times~~ ^{all lines} of observations made from para 9 onwards in that judgment. It was further directed by that judgment that regularisation of eligible Casual Workers in available ^{M Wilkin} vacancies should be done ^L the time specified in the order. The learned advocate for the applicants submitted that the present applicants would be covered by that judgment. The direction given by the Tribunal in para 22 of the same judgment is as under.

² In the conspectus of the aforesaid analysis and in the above view of the matter we would direct

.....8.....

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the respondents to recast and finalise the scheme within a period of 3 months of the date of receipt of a copy of this order on the lines of observations made from para 9 onwards. The regularisation of eligible casual workers in available vacancies should be done within 3 months thereafter. i.e. within 6 months in total from the date of receipt of a copy of the order.

With the direction in the preceding paragraph, the first three O.A.s and 52/92 filed by Shri A.K.Shukla learned counsel, are disposed of. The fourth O.A. viz 896/86 (S.K.Thakur v/s U.O.I Anr)

rw
is also disposed of since it was ordered on 04.12.1991 that the case would be covered by

the judgment in the first
three O.A.s.

There is no order as
to costs.*

The learned advocate for the applicants
also produced today the O.M. dated 13th October,
1992 issued by the Government of India,
Directorate General, Doordarashan, New Delhi
on the subject of scheme for regularisation
of Casual General Artist in Doordarashan. The
relevant para of the said O.M. reads as
under.

* Some of the Kendras have
sought clarifications regarding
implementation of the regulari-
sation scheme in that the scheme
of regularisation of casual Artists
circulated vide Directorate's
above mentioned O.M. dated
9.6.1992 will be applicable to
the category of General Assistants
also. The eligible casual General

14

Assistants may be considered for regularisation as per provisions of the scheme against the available vacant post in the category of General Assistants only and not against any other category of post "

6. The learned advocate for the respondents does not dispute the fact that the Principal Bench, Central Administrative Tribunal has given the direction to the respondents to frame scheme for the regularisation of the eligible casual workers in available vacancies as per decision relied on by the applicants. But, according to him, he is not sure as to whether the applicants fall within the definition of the Casual General Artists or General Artist, as mentioned in the O.M. dated 13th October, 1992.

7. It is not in dispute that the scheme is being framed by the respondents in pursuance of the decision given by the Principal Bench, in the above matters and the O.M. dated 13th October, 1992 produced today by the learned advocate for the applicants clarifies some of the doubts in implementation of the regularisation scheme in respect of Casual General Assistants and this O.M. says that the scheme is applicable to the General Assistants also. It is submitted that the applicants were terminated as General Assistants. In this view of the matter, this scheme of regularisation in respect of Casual General Assistants would cover the cases of these applicants also and therefore, there is no reason why they should not be considered for regularisation as per the directions given in para 22 of the judgment of the Principal Bench in available vacant posts in the category of General Assistants. The

learned advocate for the applicants submitted
that the scheme is applicable even to ~~the~~
all Casual Employees of the respondents and
therefore the applicants are covered by that
scheme as per the judgment of the Principal
Bench of the Central Administrative Tribunal
and it is necessary to give appropriate
directions to the respondents.

8. Having, heard the learned advocates
of the parties, we dispose of these applications
by the following directions to the respondents.

9

O R D E R

1. The respondent no.2 is directed to
consider case of the applicants if
they are eligible for absorption in
the scheme as per the directions
given by the Principal Bench in
O.A.563/86 and others decided on
14.2.1992. The respondents no.2
may while considering the case of
the applicants for regularisation,
may also further consider as to

whether they can be absorbed as

Clerk or General Assistant, as the

case may be,

2. If the respondent no.2 feels

that there is no vacancy in the

posts of Clerk or General Assistants

within the stipulated period as

per our direction, he should inform

the applicant concerned in these

cases about his place in the list

and the chronological number mentioned

therein to enable to him to know

his exact position.

3. The respondent no.2 is directed

to act according to the above directions

and the rules applicable to the

applicants within 3 months from the

receipt of the copy of this order.

4. So far the question of seniority

of * applicants is concerned, the

point is left open for the applicants

to agitate this question in future

as advised.

5. If the applicant or any of the applicants feels aggrieved by the ultimate decision of the respondent no.2 on the above points, he is entitled to take legal proceedings available to him, accordingly to law. The applications are disposed of as above. No orders as to co. sts.

Renu

(R.C.BHATT)

MEMBER(J)

N.V.KRISHNAN
30.12
(N.V.KRISHNAN)

VICE CHAIRMAN

*SS

Sr. No. 17/200

Dated: 23/2/2000

Submitted: Hon'ble Vice Chairman &

Hon'ble Mr. V. Radhakrishnan, Member (A)

Hon'ble Mr. P.C. Kannan, Member (J)

Hon'ble Mr. A.S. Sanghvi, Member (J)

Certified Copy of order dated 4/2/2000 in CA/
S.C.A. No. 10499 of 98 passed by the
Supreme Court/ High Court against the Judgment/ Oral Order
passed by this Tribunal in OA/ 486/89 is placed for perusal
please.

to o/s/492/89

23/2/2000

S.O. W/23/2000

23/2/2000
D.R. (J)

Hon'ble Vice Chairman

10/2/2000

Hon'ble Mr. V. Radhakrishnan, Member (A)

Hon'ble Mr. P.C. Kannan, Member (J)

Am
24/2/2000

Hon'ble Mr. A.S. Sanghvi, Member (J)

Am
24/2/2000

Model - Xerox copy of
S.C.A. No. 10499/98 kept
in o/s/487, 488, 489,
490, 491, 492/89.

23/2

2843

2

Decree Despatch No.
Date 5.2.2000

343

81/2/2000

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

Special Civil Application No 10499 of 1998

(Under Article(s) 226 of the Constitution of India)

2. J.H. Bhatt *deleated*

1. DN THAKKAR & ORS.

vs

1. UNION OF INDIA & ANOTHER

Petitioners

Respondents

To

1. UNION OF INDIA

2. V APPARAO OR HIS SUCCESSOR

THROUGH CHIEF EXECUTIVE
OFFICER, PRASAR BHARTI CORPN
MODI HOUSE, COPERNICUS
NEW DELHI

DIRECTOR
DOORDARSHAN KENDRA
THAI TEJ TEKRA
AHMEDABAD

3. THE CENTRAL ADMINISTRATIVE
TRIBUNAL, STADIUM ROAD,
A. BAD. (REF. O.A. NO. 486/89 TO
492/89).

Upon reading the petition of the above named Petitioners presented to this High Court of Gujarat at Ahmedabad on 08/12/1998 praying to grant the prayers and etc....

And whereas upon the Court ordered 'Rule' to issue on 20/04/1999

And Whereas Upon hearing

MR MS TRIVEDI for the Petitioner no. 1-3

MR JH BHATT for the Petitioner no. 1

MR MUKESH R SHAH for the Respondent no. 1-2

Court passed the following order :-

*original
P.M. 2000
21.1.2000
further
21.1.2000*

CORAM: B.C. PATEL AND D.H. WAGHEDA, JJ.
DATE : 21.1.2000

When the matter is called out, learned advocate is not present. Hence, matter stands dismissed for non prosecution. Rule discharged.

Witness CHUNILAL KARSANDAS THAKKAR, Esquire Acting Chief Justice at Ahmedabad aforesaid this 21st day of Jan, 2000.

By the Court

For Deputy Registrar
This _____ day of Feb 2000

Note : This writ should be returned
duly certified within 2 weeks.
(610) 020220

GUJARAT HIGH COURT

CENTRAL ADMINISTRATIVE TRIBUNAL
AHMEDABAD BENCH
AHMEDABAD.

Application No. CA/490/88 of 199

Transfer Application No. _____ Old Writ Pet. No. _____

C E R T I F I C A T E

Certified that no further action is required to be taken
and the case is fit for consignment to the Record Room (Decided).

Dated : 23/12/92.

Counter-signed :

Subrata 5.1.93
Section Officer/Court Officer

bcugan
Sign. of the Dealing Assistant

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

AT AHMEDABAD BENCH

INDEX SHEET

CAUSE TITLE CA/490/88 OF *9

UF 19

NAMES OF THE PARTIES Shai J. H. Blatt

VERSUS
U.O.I.8 ORS

PART A B & C

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
AT AHMEDABAD BENCH

INDEX SHEET

CAUSE TITLE

UF 19

• NAMES OF THE PARTIES

VERSUS

PART A B & C

CENTRAL ADMINISTRATIVE TRIBUNAL

AHMEDABAD BENCH

AHMEDABAD.

Submitted :

C.A.T./JUDICIAL
SECTION.

Original Petition No. : 490 of 89.

Miscellaneous Petition No. _____ of _____.

Shri J H Bhan Petitioner(s).

Versus.

Union of India vs Respondent(s).

This application has been submitted to the Tribunal by Shri J H Bhan under Section 19 of the Administrative Tribunal Act, 1985. It has been scrutinised with reference to the points mentioned in the check list in the light of the provisions contained in the Administrative Tribunals Act, 1985 and Central Administrative Tribunals (Procedure) Rules, 1985.

The application has been found in order and may be given to concerned for fixation of date.

The application ^{has} not been found in order for the ~~same~~ reasons indicated in the check list. The applicant may be advised to rectify the same within 21 days/Draft letter is placed below for signature.

Many copies of document are not legible

We may put up for admission on 16/11/88 as per ORG's direction on urgent note-

mpl

15/11/88

Secretary

Office

OBG 15/11/88

CENTRAL ADMINISTRATIVE TRIBUNAL

AHMEDABAD BENCH

APPLICANT (S)

J H Bhat

RESPONDENT (S)

Union of India &c

PARTICULARS TO BE EXAMINED

ENDORSEMENT AS TO
RESULT OF
EXAMINATION.

1. Is the application competent ? *Y*
2. (A) Is the application in the prescribed form? *Y*
- (B) Is the application in paper book form ? *Y*
- (C) Have prescribed number complete sets of the application been filed ? *Y*
3. Is the application in time ? *Y*

If not, by how many days is it beyond time ?

—

Has sufficient cause for not making the application in time stated ?

—

4. Has the document of authorisation/Vakalat Nama been filed ? *Y*

5. Is the application accompanied by P.D./I.P.O. for Rs.50/-? Number of P.D./I.P.O. to be recorded. *194251*

6. Has the copy/copies of the order(s) against which the application is made, been filed ? *Y*

7. (a) Have the copies of the documents relied upon by the applicant and mentioned in the application been filed ? *Y*

- (b) Have the documents referred to in (a) above duly attested and numbered accordingly ? *Y*

- (c) Are the documents referred to in (a) above neatly typed in double space ? *Y*

8. Has the index of documents has been filed and has the paging been done properly ? *Y*

PARTICULARS TO BE EXAMINEDENDORSEMENT AS TO BE RESULT OF EXAMINATION.

9. Have the chronological details of representations made and the outcome of such representation been indicated in the application ? *Y*

10. Is the matter raised in the application pending before any court of law or any other Bench of the Tribunal ? *NO*

11. Are the application/duplicate copy/spare copies signed ? *Y*

12. Are extra copies of the application with annexures filed.

- (a) Identical with the original.
- (b) Defective.
- (c) Wanting in Annexures
No. _____ Page Nos. . ?
- (d) Distinctly Typed ?

13. Have full size envelopes bearing full address of the Respondents been filed ? *NO*

14. Are the given addressed, the registered addressed ? *Y*

15. Do the names of the parties stated in the copies, tally with those indicated in the application ? *Y*

16. Are the transactions certified to be true or supported by an affidavit affirming that they are true ? *Y*

17. Are the facts for the cases mentioned under item No.6 of the application.

- (a) Concise ?
- (b) Under Distinct heads?
- (c) Numbered consecutively?
- (d) Typed in double space on one side of the paper ?

18. Have the particulars for interim order prayed for, stated with reasons ? *Y*

checked
opta
15/11/88

①
Slctn 52178
157/16

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, AHMEDABAD

DISTRICT: AHMEDABAD

ORIGINAL APPLICATION NO. 690 OF 1989

(Cop) Served to
S. D. Ajmera
or.

Jayesh H. Bhatt.

.... Petitioner

versus

Union of India & ors.

.... Respondents.

I N D E X

Annexure	Particulars	Pages.
-	Memo of the petition.	1-7
A-1.	Statement showing the artificial breaks.	8-16
A-2.	Duties discharged by the petitioner.	17
A-3.	Copy of order dated 27-4-1989 terminating the services of the petitioner, stayed by the High Court upto 23-11-1989.	18

All annexures to the petition of M. B. M. Khambhatta, so far as relevant to the case of the petitioner be treated as a part of this petition.

Ahmedabad:

November 15, 1989

(J. J. Yajnik)
Petitioner's Advocate.

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL, AHMEDABAD

DISTRICT : AHMEDABAD

ORIGINAL APPLICATION NO. 490 OF 1989

Jayesh H. Bhatt,
23, Jay Yamuna Society
Near Maniyasa Society,
Maninagar (East)
Ahmedabad 380 008.

... Petitioner

Versus

1. Union of India

(Notice of the petition to be
served through the Secretary
Ministry of Information and
Broad Casting, Shastri Bhavan,
Ahmedabad New Delhi).

2. The Director General of
Doordarshan, Mandi House,
New Delhi.

3. The Director,
Doordarshan, Ahmedabad-54.

... Respondents.

II. PARTICULARS OF THE PETITIONER:

(1) Name. } As stated above.
(2) Designation. }
(3) Address }

III. PARTICULARS OF THE RESPONDENTS:

(a). Names: }
(b). Designations: } As stated above.
(c). Address: }

III. ORDER UNDER CHALLENGE :

Order dated 27-4-1989 terminating the services of the petitioner, which has been stayed by the High Court till 23-11-89.

IV. JURISDICTION:

This Hon'ble Tribunal has the jurisdiction to entertain this Application in view of the provisions of the Act.

V. LIMITATION:

Under the provisions of the Act, this Application is within the period of limitation.

VI. FACTS OF THE CASE :

1. The petitioner is the employee of the respondents herein working under the respondent no.3 herein.

2. By way of this humble petition, the petitioner approaches this Hon'ble Tribunal against the absolutely illegal and unjust order dated 27-4-1989 terminating the services of the petitioner, which was stayed by the High Court of Gujarat initially and ultimately the said order has been stayed upto 23-11-1989 to enable the petitioner to approach this Hon'ble Tribunal for appropriate orders and hence this petition is filed before this Hon'ble Tribunal for appropriate reliefs and interim relief.

B

3. The petitioner has been serving with the respondent authorities since 9-8-1985 as casual ~~taxi~~ employee. The petitioner was and is being appointed on the basis of 29 days appointment after creating artificial breaks on completing the service of 14 days. The said modus operandi was and is being adopted by the respondents in order to defeat the claim of the petitioner to get the service benefits on the basis of the regular service, which is absolutely illegal, unjust, arbitrary, discriminatory and violative of Articles 14 and 16 of the Constitution of India. Inspite of the fact that the petitioner has been working since 1985 with the respondent authorities, he has not been given the service benefits by creating such artificial breaks, though the petitioner, in effect, was working on those artificial break days also. A statement showing the said Artificial breaks is annexed hereto and marked Annex.A.1 as Annexure A-1.

4. The petitioner states that inspite of the fact that he has been working on the clear ~~vacancy~~ for all these years and inspite of there being vacancies and also the Government instructions and guidelines and various judgments of the various High Courts and the Supreme Court, the petitioner is not being given the benefit of equal pay for equal work and other service benefits, on the basis of his continuous service for all these years, on account of the artificial breaks created by the ~~petitioner~~ respondent authorities. Such artificial breaks have been held to be absolutely illegal and unconstitutional and the petitioner is entitled to same salary and

other service benefits from the initial appointment of the petitioner, which are being given to regular and permanent other persons discharging the same duties. The petitioner produces the duties list, which are being discharged by the petitioner, as Annexure A.2 Annex.A.2 Same duties are being discharged by the regular and permanent employees. The impugned action on the part of the respondents is in utter breach of the various instructions and guidelines and the law laid down by the Hon'ble Supreme Court.

5. Inspite of the fact that the petitioner has been working all these years on the regular and clear vacancy, to the utter shock and surprise of the petitioner and in utter disregard to the various instructions of the Government and the law laid down by ~~various~~ series of decisions of the various High Courts and the Supreme Courts, instead of conferring the benefit of regular and long service upon the petitioner, the services of the petitioner are sought to be terminated by order dated 27-4-1989 with effect from 1-5-1989 which has been stayed by the High Court as stated earlier. A copy of the said order is annexed hereto and marked as Annexure A-3. The order is absolutely illegal, unjust, arbitrary, discriminatory, unconstitutional and in violation of the provisions of the Industrial Disputes Act and contrary to the law laid down by the Hon'ble Supreme Court, null, void and liable to be quashed and set aside.

JG

6. The petitioner states that on the same point and on the same sets of facts, one of the colleagues of the petitioner, Mr. B.M.Khambhatta, who was even co-petitioner in the same petition in the High Court, has filed Original Application before this Hon'ble Tribunal, which is pending. The same cause of action arises and the petitioner and the said Shri B.M. Khambhatta have the common cause and they are exactly similarly situated. The petitioner, therefore, is not burdening the record by repeating all the contentions and averments made in the said petition. The contentions and averments and submissions made in the said petition, including the annexures be treated as a part of this application. This petition is filed only to avoid ~~technicality~~ technicality, otherwise the said petition covers the case of the petitioner and other similarly situated persons. As a matter of fact common petition was filed in the High Court. The petitioner, therefore, adopts paras 2 to 12 of the said petition, except para 6.1, and those paras be treated as part of the present Application as having been included herein.

VII. P R A Y E R S:

On the grounds stated above and those that are stated in the petition of Mr. B.M.Khambhatta, adopted by the petitioner herein, the petitioner ~~xxxx~~ prays -

(A) The Hon'ble Tribunal may be pleased to direct the respondents to treat the impugned termination order dated 27-4-1989 as - absolutely illegal, ~~wicked~~ unjust,

arbitrary, discriminatory, unauthorised null and void and treat the petitioner as having continued in service for all purposes as if the said order was never passed.

(B) Be pleased to direct the respondents to treat the petitioner in the continuous service of the respondents from the initial appointment of the petitioner and confer upon the petitioner all consequential benefits ignoring the artificial breaks, such as regular pay scale, seniority, pay fixation, arrears of salary and all such other consequential benefits accruing on account of the said continuous service from the initial appointment of the petitioner.

(C) Be pleased to grant such other and further reliefs as may be deemed just and proper by the Hon'ble Tribunal in the facts and circumstances of this case.

(D) Be pleased to permit the petitioner to adopt all the contentions, submissions and averment made in the Original Application filed by Shri B.M.Khambhatta as part of this Application.

(E) Be pleased to allow this petition with costs.

VIII. INTERIM RELIEF:

pending admission hearing and final disposal of this petition, the Hon'ble Tribunal may be pleased to restrain the respondents from implementing the order dated 27-4-1989 ~~xxx~~ and from terminating the services of the petitioner in any manner whatsoever and further to give petitioner salary as is being paid to other regular and permanent employees discharging the similar duties, regularly.

IX. PARTICULARS OF THE POSTAL ORDER:

1. Postal Order No. D.D 194251
2. Amount 50/-
3. Date 15-11-89
4. Name of the post Office, High Court

And for this act of kindness the petitioner as in duty bound shall for ever pray.

Ahmedabad:

November 15, 1989


(J.J.Yajnik)
Petitioner's Advocate.

AFFIRMATION

I, J.H.Bhatt, Hindu, adult, petitioner herein do hereby solemnly affirm and state that what is stated hereinabove in this petition is true to the best of my knowledge, belief and information and I believe the same to be true.

November 15, 1989


(J.H.Bhatt)
Applicant.

(6)

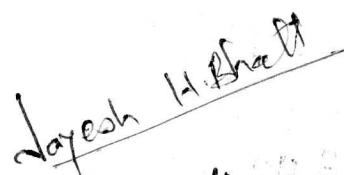
VERIFICATION

(Hanshahbhai N. Bhatt)

I, Jayesh M. Bhatt, s/o. Shri M. N. Bhatt, aged adult, working as Casual General Assistant, in the office of ~~Deekshabhoomi~~ Door Darshan Kendra, Ahmedabad, resident of Ahmedabad, do hereby verify that the contents of paras I to V, VI.1 to VI.5 are true to my personal knowledge and paras VI.6, VII and VIII believed to be true on legal advice and that I have not suppressed any material fact.

Date: 15.11.89

Ahmedabad


(Jayesh M. Bhatt)
Applicant.

 (J.J. Yagnik)
Applicant's Advocate.

Filed by Mr. J. J. Yagnik
 Learned Advocate for Petitioners
 with second set & copies
 copies copy served/not served to
 other side

Dt. 15/11/89 By Registrar C.A.T (J)
 A'bad Bench

THE DAILY WAGES REGISTER MAINTAINS BY DDK:AHMEDABAD.

Ann. A.1

Annexure #

(7)

(8)

Name of the person	No. of days attended.	Rate per day	Amount	Cheque No. & Date	Initials of A/c. DDO	
	3.	4.	5.	6.	7.	8.

JUNE, 1984.

1. Shri. Vijay N. Adesara	29	25/-	725.00	Part B475191	sd/sd/
2. Shri. Dinesh N. Thakker	29	25/-	725.00	- do - 29.6.84	sd/sd/
3. Shri. R.N. Shah	28	25/-	700.00	- do -	sd/sd/
4. Shri. P.M. Khambatta	29	25/-	725.00	- do -	sd/sd/

JULY, 1984

1. Shri. P.M. Khambatta	30	25/-	750.00	Part B989501	sd/sd/
2. Shri. V.N. Adesara	30	25/-	750.00	- do -	sd/sd/
3. Shri. D.N. Thakkar	30	25/-	750.00	- do -	sd/sd/
4. Shri. R.N. Shah	30	25/-	750.00	- do -	sd/sd/

AUGUST, 1984

1. Shri. P.M. Khambatta	30	25/-	750.00	Part B989510	sd/sd/
2. Shri. V.N. Adesara	30	25/-	750.00	- do -	sd/sd/
3. Shri. D.N. Thakkar	30	25/-	750.00	- do -	sd/sd/
4. Shri. R.N. Shah	30	25/-	750.00	- do -	sd/sd/

SEPTEMBER, 1984

1. Shri. P.M. Khambatta	29	25/-	725.00	Part B989519	sd/sd/
2. Shri. V.N. Adesara	29	25/-	725.00	- do -	sd/sd/
3. Shri. D.N. Thakkar	29	25/-	725.00	- do -	sd/sd/
4. Shri. R.N. Shah	29	25/-	725.00	- do -	sd/sd/

OCTOBER, 1984

1. Shri. P.M. Khambatta	30	26/-	780.00	Part B989528	
2. Shri. V.N. Adesara	30	26/-	780.00	- do -	sd/sd/
3. Shri. D.N. Thakkar	30	26/-	780.00	- do -	sd/sd/
4. Shri. R.N. Shah	30	26/-	780.00	- do -	sd/sd/

NOVEMBER, 1984

1. Shri. P.M. Khambatta	29	26/-	754.00	Part B989537	
2. Shri. V.N. Adesara	29	26/-	754.00	- do -	sd/sd/
3. Shri. D.N. Thakkar	29	26/-	754.00	- do -	sd/sd/
4. Shri. R.N. Shah	29	26/-	754.00	- do -	sd/sd/

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DECEMBER, 1984

1. Shri B.M.Kambhatta	30	26/-	780.00	Part B.989544 29.12.1984	<i>✓</i>
2. Shri Vijay Adesara	30	26/-	780.00	- do -	sd/sd/
3. Shri D.N.Thakkar	30	26/-	780.00	- do -	sd/ sd/
4. Shri M.N.Shah	30	26/-	780.00	- do -	sd/ sd/

JANUARY, 1985

1. Shri B.M.Kambhatta	30	26/-	780.00	Part B.989554 31.1.85 XXXXXXXX	<i>✓</i>
2. Shri Vijay Adesara	30	26/-	780.00	- do -	sd/sd/
3. Shri D.N.Thakkar	30	26/-	780.00	- do -	sd/sd/
4. Shri M.N.Shah	30	26/-	780.00	- do -	sd/sd/

FEBRUARY, 1985

1. Shri B.M.Kambhatta	27	27/-	729.00	Part B.989563 28.2.85	<i>✓</i>
2. Shri D.N.Thakkar	27	27/-	729.00	- do -	sd/ sd/
3. Shri Vijay Adesara	27	27/-	729.00	- do -	sd/ sd/
4. Shri M.N.Shah	27	27/-	729.00	- do -	sd/ sd/

MARCH, 1985

1. Shri B.M.Kambhatta	30	27/-	810.00	Part	<i>✓</i>
2. Shri D.N.Thakkar	30	27/-	810.00		sd/ sd/
3. Shri Vijay Adesara	30	27/-	810.00		sd/ sd/
4. Shri M.N.Shah	30	27/-	810.00		sd/ sd/
5. Smt. Sathidevi	30	27/-	810.00		sd/ sd/

APRIL, 1985

1. Shri B.M.Kambhatta	14	27/-	378.00	Part B.989578 30.4.85	<i>✓</i>
2. Shri Vijay Adesara	14	27/-	378.00	- do -	sd/ sd/
3. Shri D.N.Thakkar	14	27/-	378.00	- do -	sd/ sd/
4. Shri M.N.Shah	14	27/-	378.00	- do -	sd/ sd/
5. Smt. Sathidevi	14	27/-	378.00	- do -	sd/ sd/

MAY, 1985

1. Shri B.M.Kambhatta	30	27/-	810.00		sd/ sd/
2. Shri Vijay Adesara	19	27/-	540.00		sd/ sd/
3. Shri D.N.Thakkar	26	27/-	702.00		sd/ sd/
4. Shri M.N.Shah	21	27/-	594.00		sd/ sd/
5. Smt. Sathidevi A.	21	27/-	594.00		sd/ sd/

JUNE, 1985

1. Shri B.M.Kambhatta	26	27/-	702.00	Part B.989595 28.6.1985	<i>✓</i>
2. Shri Vijay Adesara	26	27/-	702.00	- do -	sd/ sd/
3. Shri D.N.Thakkar	29	27/-	783.00	- do -	sd/ sd/
4. Shri M.N.Shah	27	27/-	729.00	- do -	sd/ sd/
5. Smt. Sathidevi A.	26	27/-	702.00	- do -	sd/ sd/

JULY 1985

1. Shri B.M.Khambhatta	30	27/-	810.00	Part B.989506
				31.7.1985
2. Shri Vijay Adesara	30	27/-	810.00	- do - sd/ sd/
3. Shri D.N.Thakkar	30	27/-	810.00	- do - sd/ sd/
4. Shri J.M.Shah	30	27/-	810.00	- do - sd/ sd/
5. Smt. Bithidevi A.	30	27/-	810.00	- do - sd/ sd/
6. Kum. Margaret Ferria	14	27/-	370.00	- do - sd/ sd/

AUGUST: 1985

1. Shri B.M.Khambhatta	30	27/-	810.00	Part B.982614
				31.8.85
2. Shri Vijay Adesara	29	27/-	783.00	- do - sd/ sd/
3. Shri D.N.Thakkar	30	27/-	810.00	- do - sd/ sd/
4. Shri J.M.Shah	30	27/-	810.00	- do - sd/ sd/
5. Smt. Bithidevi A.	07	27/-	109.00	- do - sd/ sd/
6. Kum. Margaret Ferria	30	27/-	810.00	- do - sd/ sd/
7. Shri Jayesh H. Bhatt	22	27/-	594.00	- do - sd/ sd/

SEPTEMBER : 1985

1. Shri B.M.Khambhatta	29	27/-	783.00	Part B.989619
				30.7.1985
2. Shri Vijay Adesara	29	27/-	783.00	- do - sd/ sd/
3. Shri D.N.Thakkar	29	27/-	783.00	- do - sd/ sd/
4. Shri J.M.Shah	29	27/-	783.00	- do - sd/ sd/
5. Shri Jayesh H. Bhatt	28	27/-	756.00	- do - sd/ sd/
6. Smt. Bithidevi A.	28	27/-	756.00	- do - sd/ sd/
7. Kum. Margaret Ferria	28	27/-	756.00	- do - sd/ sd/

~~XXXXXX~~OCTOBER : 1985

1. Shri B.M.Khambhatta	30	27/-	810.00	Part
2. Shri Vijay Adesara	30	27/-	810.00	sd/ sd/
3. Shri D.N.Thakkar	30	27/-	810.00	sd/ sd/
4. Shri J.M.Shah	26.08	27/-	729.00	sd/ sd/
5. Smt. Bithidevi A.	28	27/-	756.00	sd/ sd/
6. Kum. Margaret Ferria	27	27/-	702.00	sd/ sd/
7. Shri Jayesh H.Bhatt	30	27/-	810.00	sd/ sd/

NOVEMBER : 1985

1. Shri B.M.Khambhatta	29	27/-	783.00	sd/ sd/
2. Shri Vijay Adesara	30	27/-	810.00	sd/ sd/
3. Shri D.N.Thakkar	29	27/-	783.00	sd/ sd/
4. Shri J.M.Shah	28	27/-	756.00	sd/ sd/
5. Smt. Bithidevi A.	29	27/-	783.00	sd/ sd/
6. Kum. Margaret Ferria	28	27/-	756.00	sd/ sd/
7. Shri Jayesh H.Bhatt	26	27/-	702.00	sd/ sd/

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DECEMBER : 1985

1. Shri B.M.Khambhatta	30	27/-	810.00	sd/ sd/
2. Shri Vijay Adesara	30	27/-	810.00	sd/ sd/
3. Smt. N.Thakkar	30	27/-	810.00	sd/ sd/
4. Smt. Sathidevi A.	30	27/-	810.00	sd/ sd/
5. Kum. Margaret Ferria	30	27/-	810.00	sd/ sd/
6. Shri B.N.Shah	30	27/-	810.00	sd/ sd/
7. Shri Jayesh H. Bhatt	28 29	27/-	783.00	sd/ sd/

JANUARY : 1986

1. Shri B.M.Khambhatta	30	28/-	840.00	Part B. 989650 31.1.86
2. Shri Vijay Adesara	16	28/-	448.00	- do -
3. Smt. N.Thakkar	30	28/-	840.00	- do -
4. Shri B.N.Shah	30	28/-	840.00	- do -
5. Smt. Sathidevi A.	30	28/-	840.00	- do -
6. Kum. Margaret Ferria	28	28/-	784.00	- do -
7. Shri Jayesh H. Bhatt	30	28/-	840.00	- do -

FEBUARY : 1986

1. Shri B.M.Khambhatta	27	28/-	756.00	Part B. 989656 28.2.85
2. Shri Vijay Adesara	27	28/-	756.00	- do -
3. Shri D.N.Thakkar	28	28/-	728.00	- do -
4. Shri B.N.Shah	26	28/-	728.00	- do -
5. Smt. Sathidevi A.	26	28/-	728.00	- do -
6. Kum. Margaret Ferria	18	28/-	504.00	- do -
7. Shri Jayesh H.Bhatt	27	28/-	756.00	- do -

MARCH : 1986

1. Shri B.M.Khambhatta	30	28/-	840.00	Part B. 989663 31.3.86
2. Shri Vijay Adesara	30	28/-	840.00	- do -
3. Shri D.N.Thakkar	30	28/-	840.00	- do -
4. Shri B.N.Shah	30	28/-	840.00	- do -
5. Smt. Sathidevi A.	30	28/-	840.00	- do -
6. Kum. Margaret Ferria	30	28/-	840.00	- do -
7. Shri Jayesh H. Bhatt	30	28/-	840.00	- do -

APRIL : 1986

1. Shri B.M.Khambhatta	29	28/-	812.00	Part B. 989674 30.4.86
2. Shri Vijay Adesara	29	28/-	812.00	- do -
3. Shri D.N.Thakkar	29	28/-	812.00	- do -
4. Shri B.N.Shah	29	28/-	812.00	- do -
5. Smt. Sathidevi A.	29	28/-	812.00	- do -
6. Kum. Margaret Ferria	29	28/-	812.00	- do -
7. Shri Jayesh H. Bhatt	29	28/-	812.00	- do -

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MAY : 1986

	3.	4.	5.	6.	7.	8.
1. Shri B.M.Khambhatta	X200	24	28/-	672.00	Part B. 989682	
					31.8.86	
2. Shri Vijay Adesara	30	28/-	840.00	- do -	sd/	sd
3. Shri D.M.Thakkar	30	28/-	840.00	- do -	sd/	sd
4. Shri M.N.Shah	20	28/-	840.00	- do -	sd/	sd
5. Smt. Sathidevi A.	16	28/-	448.00	- do -	sd/	sd
6. Kum. Margaret Fernia	30	28/-	840.00	- do -	sd/	sd
7. Shri Jayesh H. Bhatt	30	28/-	840.00	- do -	sd	sd/

JUNE : 1986

1. Shri B.M.Khambhatta	29	28/-	812.00	Part B 989692		
				28.6.86		
2. Shri Vijay Adesara	21	28/-	588.00	- do -	sd/	sd
3. Shri D.M.Thakkar	29	28/-	814.00	- do -	sd/	sd
4. Shri M.N.Shah	27	28/-	756.00	- do -	sd/	sd
5. Smt. Sathidevi A.	29	28/-	812.00	- do -	sd/	sd
6. Kum. Margaret Fernia	23	28/-	644.00	- do -	sd/	sd
7. Shri Jayesh H. Bhatt	29	28/-	812.00	- do -	sd/	sd

JULY : 1986

1. Shri B.M.Khambhatta	29	28/-	812.00	Part B 989699		
				31.7.86		
2. Shri Vijay Adesara	30	28/-	840.00	- do -	sd/	sd
3. Shri D.M.Thakkar	30	28/-	840.00	- do -	sd/	sd
4. Shri M.N.Shah	30	28/-	840.00	- do -	sd/	sd
5. Smt. Sathidevi A.	30	28/-	840.00	- do -	sd/	sd
6. Kum. Margaret Fernia	30	28/-	840.00	- do -	sd/	sd
7. Shri Jayesh H. Bhatt	30	28/-	840.00	- do -	sd/	sd

AUGUST : 1986

1. Shri B.M.Khambhatta	29	29/-	841.00	Part B 582309		
				30.8.86		
2. Shri Vijay Adesara	30	29/-	870.00	- do -	sd/	sd
3. Shri D.M.Thakkar	30	29/-	870.00	- do -	sd/	sd
4. Shri M.N.Shah	30	29/-	870.00	- do -	sd/	sd
5. Smt. Sathidevi A.	30	29/-	870.00	- do -	sd/	sd
6. Kum. Margaret Fernia	30	29/-	870.00	- do -	sd/	sd
7. Shri Jayesh H. Bhatt	30	29/-	870.00	- do -	sd/	sd

SEPTEMBER : 1986

1. Shri B.M.Khambhatta	29	29/-	841.00	Part B 582316		
				30.9.86		
2. Shri Vijay Adesara	29	29/-	841.00	- do -	sd/	sd
3. Shri D.M.Thakkar	29	29/-	841.00	- do -	sd/	sd
4. Shri M.N.Shah	29	29/-	841.00	- do -	sd/	sd
5. Smt. Sathidevi A.	29	29/-	841.00	- do -	sd/	sd
6. Kum. Margaret Fernia	29	29/-	841.00	- do -	sd/	sd
7. Shri Jayesh H. Bhatt	29	29/-	841.00	- do -	sd/	sd

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1. Shri R. Khambhatta

29 OCTOBER 1986 812.00 Part B.582325
29.10.86

1. Shri D.N.Tikkar	30	29/-	870.00	- do -	sd/ sd/
2. Shri N. Shah	29	29/-	812.00	- do -	sd/ sd/
3. Shri Vijay Adesara	30	29/-	870.00	- do -	sd/ sd/
4. Smt. Sathidevi A.	30	29/-	870.00	- do -	sd/ sd/
5. Kum. Neelam Fecria	30	29/-	870.00	- do -	sd/ sd/
6. Shri Jyoti H. Bhatt.	30	29/-	870.00	- do -	sd/ sd/

NOVEMBER : 1986

1. Shri R. Khambhatta	29	29/-	841.00	Part B.582333 29.11.86	
2. Shri D.N.Tikkar	29	29/-	841.00	- do -	sd/ sd/
3. Shri Vijay Adesara	25	29/-	725.00	- do -	sd/ sd/
4. Shri D.N.Tikkar M.N.G.29	29/-	841.00	- do -	sd/ sd/	

NOVEMBER : 1986

1. Shri R. Khambhatta	29	29/-	841.00	Part B. 582333 29.11.1986	
2. Shri D.N.Tikkar	29	29/-	841.00	- do -	sd/ sd/
3. Shri N. Shah	26	29/-	754.00	- do -	sd/ sd/
4. Shri Vijay Adesara	25	29/-	725.00	- do -	sd/ sd/
5. Shri Jyoti H. Bhatt	29	29/-	841.00	- do -	sd/ sd/
6. Smt. Sathidevi A.	26	29/-	754.00	- do -	sd/ sd/
7. Kum. Neelam Fecria	29	29/-	841.00	- do -	sd/ sd/

DECEMBER : 1986

1. Shri R. Khambhatta	30	29/-	870.00	Part B. 582340 / 38112 29.12.86	
2. Shri Vijay Adesara	29	29/-	841.00	- do -	sd/ sd/
3. Shri D.N.Tikkar	30	29/-	870.00	- do -	sd/ sd/
4. Shri N.M.Bhatt	29	29/-	841.00	- do -	sd/ sd/
5. Smt. Sathidevi A.	12	29/-	348.00	- do -	sd/ sd/
6. Kum. Neelam Fecria	26	29/-	754.00	- do -	sd/ sd/
7. Shri Jyoti H. Bhatt	30	29/-	870.00	- do -	sd/ sd/

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1.	Shri. M. Khambhatta	30	29/-	870/-	sd/	sd/
2.	Shri. M. Agasara	27	29/-	783/-	sd/	sd/
3.	Shri. M. Akkar	28	29/-	812/-	sd/	sd/
4.	Shri. M. Joshi	30	29/-	870/-	sd/	sd/
5.	Smt. Rathidevi A.	30	29/-	870/-	sd/	sd/
6.	Kum. Margaret F.	30	29/-	870/-	sd/	sd/
7.	Shri. JH. Bhatt	30	29/-	870/-	sd/	sd/

FEBRUARY : 1988

1. Shri BM Khembhatta	27	29/-	783/-	<u>B-532359</u>	sd/	sd/
2. Shri VN Adesara	26	29/-	754/-	<u>2.3.87</u>	sd/	sd/
3. Shri DN Thakkar	27	29/-	783/-	<u>-do-</u>	sd/	sd/
4. Shri MN Shah	26	29/-	754/-	<u>-do-</u>	sd/	sd/
5. Smt. Salhi Devi A.	27	29/-	783/-	<u>-do-</u>	sd/	sd/
6. Kum. Margaret F.	27	29/-	783/-	<u>-do-</u>	sd/	sd/
7. Shri JH Bhatt	27	29	783/-	<u>-do-</u>	sd/	sd/

MARCH : 1987

1.	Shri B.M. Venkappa	28.5	29/-	826.50	<u>B-582372</u>	sd/	sd/
2.	Shri M. S. Rao	30	29/-	870/-	24.87	sd/	sd/
3.	Shri S.M. D. Kumar	30	29/-	870/-	-do-	sd/	sd/
4.	Shri MN Shah	26.5	29/-	768.50	-do-	sd/	sd/
5.	Smt. Sathidevi A.	29	29/-	841/-	-do-	sd/	sd/
6.	Kum. Margaret F.	30	29/-	870/-	-do-	sd/	sd/
7.	Shri JH Bhatt	30	39/-	870/-	-do-	sd/	sd/

APRIL 1987

1. Shri BM Khambhatta	27	29/-	783/-	-	sd/	sd/
2. Shri VN Adesara	29	29/-	841/-		sd/	sd/
3. Shri DN Thakkar	27	29/-	783/-		sd/	sd/
4. Shri MM Shah	28	29/-	812/-		sd/	sd/
5. Smt. Sathidevi A.	29	29/-	841/-		sd/	sd/
6. Kum. Margaret F.	29	29/-	841/-		sd/	sd/
7. Shri JH Bhatt	29	29/-	841/-		sd/	sd/

DATE : 1987

1. Shri KRM Khambhatta	30	29/-	870/-	<u>Rs.1502388</u>	sd/	sd/
2. Shri VN Adesara	25	29/-	725/-	29.5.87	sd/	sd/
3. Shri JH Paliatt	30	29/-	870/-	-do-	sd/-	sd/
4. Shri MM Chid	23	29/-	667/-	-do-	sd/	sd/
5. Shri DN Thakkar	30	29/-	870/-	-do-	sd/	sd/
6. Smt. Savnidevi A.	30	29/-	870/-	-do-	sd/	sd/
7. Smt. Margareta R.	30	29/-	870/-	-do-	sd/	sd/

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JUNE : 1987

1. Shri BM Khambhatta	29	29/-	841/-	<u>B-582410</u>	sd/	sd/
2. Shri MN Adesara	29	29/-	725/-	29.6.87	sd/	sd/
3. Shri VN Shah	29	29/-	841/-	-do-	sd/	sd/
4. Sndi JH Bhatt	29	29/-	841/-	-do-	sd/	sd/
5. Smt. Sathidevi A.	29	29/-	841/-	-do-	sd/	sd/
6. Kum. Margaret F.	29	29/-	841/-	-do-	sd/	sd/
7. Shri DN Thakkar	29	29/-	841/-	-do-	sd/	sd/

JULY : 1987

1. Shri BM Khambhatta	30	29/-	870/-	<u>B-584109</u>	sd/	sd/
2. Shri DN Thakkar	30	29/-	870/-	31.7.87	sd/	sd/
3. Kum. Margaret F.	30	29/-	870/-	-do-	sd/	sd/
4. Smt. Sathidevi A.	30	29/-	870/-	-do-	sd/	sd/
5. Shri JH Bhatt	30	29/-	870/-	-do-	sd/	sd/
6. Shri MN Shah	30	29/-	870/-	-do-	sd/	sd/
7. Shri VN Adesara	30	29/-	870/-	-do-	sd/	sd/

AUGUST : 1987

1. Shri BM Khambhatta	28	29/-	812/-	<u>B-584121</u>	sd/	sd/
2. Shri VN Adesara	30	29/-	870/-	31.8.87	sd/	sd/
3. Shri DN Thakkar	30	29/-	870/-	-do-	sd/	sd/
4. Shri MN Shah	29	29/-	841/-	-do-	sd/	sd/
5. Shri JH Bhatt	30	29/-	870/-	-do-	sd/	sd/
6. Smt. Sathidevi A.	30	29/-	870/-	-do-	sd/	sd/
7. Kum. Margaret F.	30	29/-	870/-	-do-	sd/	sd/

SEPTEMBER : 1987

1. Shri BM Khambhatta	29	29/-	841/-	<u>B/3-584136</u>	sd/	sd/
2. Shri VN Adesara	29	29/-	841/-	30.9.87	sd/	sd/
3. Shri DN Thakkar	29	29/-	841/-	-do-	sd/	sd/
4. Shri MN Shah	29	29/-	841/-	-do-	sd/	sd/
5. Shri JH Bhatt	29	29/-	841/-	-do-	sd/	sd/
6. Smt. Sathidevi A.	29	29/-	841/-	-do-	sd/-	sd/
7. Kum. Margaret F.	29	29/-	841/-	-do-	sd/	sd/

OCTOBER : 1987

1. Shri BM Khambhatta	30	29/-	870/-	<u>B-3/584147</u>	sd/	sd/
2. Shri DN Thakkar	30	29/-	870/-	30.10.87	sd/	sd/
3. Shri VN Adesara	30	29/-	870/-	-do-	sd/	sd/
4. Smt. Sathidevi A.	30	29/-	870/-	-do-	sd/	sd/
5. Kum. Margaret F.	28	29/-	812/-	-do-	sd/	sd/
6. Shri MN Shah	30	29/-	870/-	-do-	sd/	sd/
7. Shri JH Bhatt	30	29/-	870/-	-do-	sd/	sd/

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NOVEMBER : 1987

1. Shri RM Kambhatta	28	29/-	812/-	<u>B-584156</u>	sd/	sd/
2. Shri VN Thakkar	29	29/-	841/-	30.11.87	sd/	sd/
3. Shri VN Adesara	29	29/-	841/-	-do-	sd/	sd/
4. Shri RM Shah	29	29/-	841/-	-do-	sd/	sd/
5. Shri JH Bhatt	29	29/-	841/-	-do-	sd/	sd/
6. Smt. Sathidevi A.	29	29/-	841/-	-do-	sd/	sd/
7. Kump. Margaret F.	29	29/-	841/-	-do-	sd/	sd/

DECEMBER : 1987

1. Shri RM Kambhatta	30	29/-	870/-	<u>B-584168</u>	sd/	sd/
2. Shri VN Adesara	28	29/-	812/-	30.12.87	sd/	sd/
3. Shri VN Thakkar	30	29/-	870/-	-do-	sd/	sd/
4. Shri RM Shah	30	29/-	870/-	-do-	sd/	sd/
5. Smt. Sathidevi A.	30	29/-	870/-	-do-	sd/	sd/
6. Kump. Margaret F.	29	29/-	812/-	-do-	sd/	sd/
7. Shri JH Bhatt	30	29/-	870/-	-do-	sd/	sd/

JANUARY : 1988

1. Shri RM Kambhatta	26	29/-	754/-		sd/	sd/
2. Shri VN Adesara	28	29/-	812/-		sd/	sd/
3. Shri VN Thakkar	30	29/-	870/-		sd/	sd/
4. Shri RM Shah	30	29/-	870/-		sd/	sd/
5. Smt. Sathidevi A.	30	29/-	870/-		sd/	sd/
6. Kump. Margaret F.	30	29/-	870/-		sd/	sd/
7. Shri JH Bhatt	30	29/-	870/-		sd/	sd/

FEBRUARY : 1988

1. Shri RM Kambhatta	29	29/-	812/-	<u>B-584190</u>	sd/	sd/
2. Shri VN Adesara	28	29/-	812/-	29.2.1988	sd/	sd/
3. Shri VN Thakkar	28	29/-	812/-	-do-	sd/	sd/
4. Shri RM Shah	28	29/-	812/-	-do-	sd/	sd/
5. Smt. Sathidevi A.	28	29/-	812/-	-do-	sd/	sd/
6. Kump. Margaret F.	28	29/-	812/-	-do-	sd/	sd/
7. Shri JH Bhatt	28	29/-	812/-	-do-	sd/	sd/

And So on till the end.

COP

T. & Ad

Sayer

Jc

GOVERNMENT OF INDIA
DOORDARSHAN KENDRA : AHMEDABAD-380 054

...

No. AHM:DD:1(DTC)/89-S

March 18, 1989

Office Order

Following changes have been made in the assignment of duties among the CG-IIIs with effect from Monday, the 20th March, 1989:

1. Shri PC Parmar	: All typing work and contracts of three Producers namely Shri Mrvish Dave, Shri DB Bavaskar and Shri S. Qureshi.
2. Shri VK Ajay Simhan	: All typing works and contacts of three Producers, namely, Shri Vinod Saxena, Shri Hemant Salpekar and Shri K. Masoodi.
3. Ms. Asha Surendran	: Typing work of Commercials/ Library/Programme Statements, Duty Charts/Audition of Classical Dance.
4. Shri Jayesh Bhatt	: Programmes Cue Sheet, Press Note and Audition of Drama.
5. Shri Sunil G. Bajaj	: Administration (In place of Ms. Asha Surendran).

(HN Patro)
Director

Copy to: All concerned

ASDs / Producers / PEX / HC / A/C

True Copy
KAL
S. J.

Ann. A.3
100
18

GOVERNMENT OF INDIA
DOORDARSHAN KENDRA : AHMEDABAD-380 054

No. AHH:DD:1(2)/89-S

April 27, 1989

MEMORANDUM

As per the decision of the Directorate General, Doordarshan, New Delhi, Shri Jayesh H. Bhatt, Casual General Assistant (Daily Wages) is hereby informed that his services will not be needed by this office from 1st May, 1989, forenoon.

Janardhan

(HN PATRO)
DIRECTOR

Shri Jayesh H. Bhatt
Casual General Assistant
(Daily Wages)
DDK, Ahmedabad

*Mr. (C.P.)
J. H. B.*

Jayesh

je

(18)

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL AT
Ahmedabad of seven-bancs constituted by

A H M E D A B A D.

O.A. No. 490 of 1989.

Shri Ex-Nr
Shri Jayesh H. Bhatt .. Applicant

Versus ~~tion of Doordarshan Kendra, Ahmedabad~~

**Director,
Doordarshan Kendra,
Ahmedabad and others. .. Respondents.**

~~to make out colour pictures, newsreels, etc. and
to broadcast them on television~~

and I am filing REPLY on behalf of the respondents :

I, P.R.S. Nair

working
as Superintending Engineer in the office of
Doordarshan Kendra, Ahmedabad do state as under :

*That I have read the copy of the application
and am conversant with the facts and circumstances
of the case and am being authorised to file this
reply on behalf of the respondents in this matter.*

*I say that I am filing this reply for the purpose
of opposing the admission of the application and
do reserve my right to file further reply/s if
any need there be.*

*1. At the outset, I deny the all averments
made by the applicant in this application except
which are specifically admitted by me hereinafter.*

*I further say that the contents of this application
are misconceived by the applicant and the same*

*Relevancy
11.12.89*

*filed in
Court*

*Rm
2/12/89*

Therefore the application, claiming compensation, is not maintainable and deserves to be dismissed.

It is submitted that the applicant is a casual employee, who was engaged on daily rated basis as and when exigency occurred with the respondents and therefore he cannot be said to be holding a civil post eminable to the rules prescribed for civil servants serving under the Union of India and therefore this Hon'ble Tribunal has no jurisdiction to adjudicate the same. I further say that the applicant was engaged on contract basis for a specific period and therefore it cannot be said that the applicant was in any way in the employment with the respondents which is related with the rules prescribed for a regular employee and therefore the applicant has no legal rights to file this application before this Hon'ble Tribunal.

2. With regard to para 3, 4 and 5, I say that the applicant failed to file the application in that the applicant does not have any locus standy for filing this application before this

Tribunal being a daily rated casual employee who was engaged for a short period to meet with the exigency occurred with the respondents, and therefore the applicant has no positive right for filing this application in this Hon'ble

Tribunal and therefore this Hon'ble Tribunal would advise you and the officers of whom has no jurisdiction to adjudicate the same. I further say that the application is not filed within the limitation prescribed under section 21 of the Administrative Tribunals Act, 1985.

3. With regard to para 6(1), I don't comment upon it.

4. With regard to para 6(2), I say that the action of the respondents terminating the

services of the applicant is legal, valid, just and in accordance with the rules and terms of service of the department. Good gas blood for such and in accordance with the rules and terms of service of the department. I say that the action of the respondents terminating the services of the applicant and therefore, the application being devoid of any merits deserves to be dismissed.

5. With regard to para 6(3), I deny the

contents thereof. I deny that the applicant was given any artificial break while he was in

service and I say that the applicant was engaged in simple and plain work as per his job

as and when the exigency of work was there with

the respondents and therefore the action of the respondents terminating the services of the

applicant is in accordance with the instructions and rules of the department. I further say that

the applicant has not been given any appointment

I should add that I am not satisfied with the order as the applicant has not come through the door of the Ministry of Information or the Staff Selection Committee or Employment Exchange. Being a civil servant is a job you hold which is a condition precedent for the employment.

18. I have been told that the respondent's office is in the offices of the respondents. I further say

that the respondents being a public employment

has a prescribed policy and rules to appoint

any person in the employment. The applicant has

not been appointed by any specific order following

the procedure laid down for the recruitment in

the respondents' offices and therefore applicant

does not hold any good entitlement for services

in the office of the respondents. I further say

that the respondents is a public employment and

is duty bound to discharge some regular, exigent

services in the public and therefore under this

obligation of regularity, the respondents are

also empowered to appoint any person on

casual basis therefore I deny that the action

of the respondents of appointing the applicant

for a specific period i.e. 29 days or on casual

basis is illegal, unjust and improper. I further

say that it is clear that the applicant was

engaged on contract basis because the applicant

was not eligible as per prescribed policy of

the respondents and therefore he has no right

to claim any permanent or quasi permanent employment from the respondents as the services rendered by the applicant with the respondents nor does the transitory services rendered by the applicant give to the applicant a status of regular & permanent employee, regardless of the contract, and therefore the application being devoid of any meritorious principles and discreditable on the merits deserves to be dismissed. I further say that in view of the above stated facts, it is pertinent to be noted that the applicant is not even an employee and holding only to 31st Dec 1948 even authorised to be given the benefits of a regular employee by being given day pay for the services which are otherwise available to the regular employee. I say that the judgments relied by the applicant on in the said case of *State of Bihar v. Biju* and *State of Bihar v. Biju* by the applicant are not applicable so far as the service of the applicant is concerned in as much as the applicant was engaged on contract basis and therefore the services of the applicant were eminable to the terms and conditions agreed upon by the applicant and the respondents and also to the provisions of Indian Contract Act.

6. With regard to para 6(4), I deny the contents thereof. I deny that the applicant was appointed in a clear vacancy and I say that the applicant was engaged purely on casual basis and daily rated basis and therefore the applicant was paid the salaries prescribed by the Government

you're discharged, I am to determine the period of
from time to time in voucher form. I further say

you're discharged and not otherwise entitled to benefits
that the applicant being a daily rated casual

officer of Lewis facilities and is a casual auxiliary
employee, is not eligible for other benefits

from time to time to which he is entitled which
which are admissible to a regular employee. It is

the foregoing off to the Secretary, I say further
submitted that the applicant was appointed

to be a chief officer of Lewis facilities
irregularly to meet with the exigency occurred

and I, therefore, I do not believe he does
with the department and therefore he has not

entitled before which date he has not
get any entitlement by lapse of time. I further

say off auxiliary or off officer based on information
say that the half of the period has been served

to off auxiliary or off officer based on information
by the applicant under guise of shelter of the

officer of Lewis facilities by the Court
Court and therefore the applicant has no right

to contend thereby that the services rendered by
to contend thereby that the services rendered by

off officer of Lewis facilities than the period of time
the applicant is a longer one.

as all compensation is to be paid to the respondent

7. With regard to para 6(5), I deny the

contents thereof. I deny that the applicant is

a 'worker' and the respondent department is an
Industry and therefore the provisions of

Industrial Disputes Act are applicable to the

services of the applicant and without prejudice

to my this contention I also say that if the

say in accordance with which I do not believe
applicant is a worker and the respondent

officer of Lewis facilities is an Industry then the applicant

is to be directed to exhaust his better more
efficacious remedy to the Industrial Court

which would be in the more interest of the

to maintain discipline and order in the office of the applicant. I further say that the action of the

respondents of terminating the services of the

applicant is in accordance with the instructions

and rules of the respondents and I say that the

Ministry of Labour and Social Reform has

issued ~~xxxx~~ some directions pursuant to the

judgment rendered by the Supreme Court of India

that to avoid any discrepancy, no further casual

employee is to be engaged and therefore it is

obligatory on the respondents to obey the same

and without prejudice to my this contention, I

also say that the applicant was engaged purely

on casual basis and it was known to the applicant

that his services will be terminated without notice

as and when the respondents are obliged to do so

and therefore the services of the applicant have

been terminated in accordance with the terms

of the service of the applicant and therefore

the application has no merits and deserves to be

dismissed. I further say that the respondents'

action ignored the prescribed policy of the

department for recruitment and therefore the

services of the applicant had to be terminated

as and when need there be. I further say that the

~~application filed~~

application filed by the applicant is pending before

this Hon'ble Tribunal and the representation made

by the applicant is also pending and therefore

the application suffers from multiplication of
and is liable to be rejected. It is for this reason
litigation and deserves to be dismissed.

In view of the foregoing paragraphs, it

is clear that the applicant has no right to claim

regularisation or employment in the office of

the respondents as the applicant is a casual

employee engaged on contract basis and was paid

salaries on daily rated basis in voucher form

and is not entitled to be paid of his services
and therefore the applicant does not ~~deserve~~ hold

any civil post and does not deserve any relief/

Therefore, in view of the above, it is held that the
interim relief as prayed for by him and the

application deserves to be dismissed.

Place : Ahmedabad

Sankaran Nair

Date :: 2/11/1989.

Superintending Engineer

Doordarshan Kendra

Thaltej Ahmedabad 380054

Sworn before me this 2nd day of November

1989 I, P.R.S. Nair son of late K. Krishna Pillai

working as Superintending Engineer in the office of

Doordarshan Kendra, Ahmedabad do state on solemn

affirmation that what has been stated by me

hereinafore is true to my knowledge and belief

and I believe the same to be true.

Place : Ahmedabad

Sankaran Nair

Date : 2/11/1989.

(P R S Nair)

(Deponent) Superintending Engineer

Doordarshan Kendra

Thaltej Ahmedabad 380054

(JL)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, AHMEDABAD

*(Copy send to
Mr. J. D. Ajmeri
A2)*

O.A. NO. 490 of 1989

Jayesh H. Bhatt. Applicant.

Versus

Director, DDK, Ahmedabad
and others.

... Respondents.

I, Jayesh H. Bhatt, working as Casual General Assistant in the Office/ of the Doordarshan Kendra Ahmedabad, do hereby affirm and state as under:

1. I have been served with the copy of the Reply on behalf of the respondents and I file this Rejoinder thereto. I deny all the averments, contentions and submissions made therein which are contrary to what is stated in the petition and in the reply filed by Shri B. M. Khambhatta, in O.A. No. 492/89. The deponent is put to the strict proof thereof.
2. I say that since common questions of facts and laws arise in the petition filed by Shri Khambhatta and in the present case, I adopted all the averments contentions and submissions made by the petitioner in O.A. No. 492/89 except to the extent they are not applicable to my case and the aforesaid O.A. was filed by me without burdening the record by ~~not~~ repeating the same contentions, averments and by annexing the same documents again only with a view to avoid the technicality. In the said petition, the respondents have filed reply raising similar objections and contentions as in the present case. Rejoinder to the reply has been filed

in the said O.A.No.492/89 and since all the contentions, averments and submissions have been adopted by me, and since all the objections and contentions raised by the respondents in their reply are similar, I adopt the Rejoinder filed in O.A.No.492 of 1989 and the said Rejoinder be treated as a part of this petition also, except to the extent it is not applicable to my case. I need not burden the record by repeating the same contentions and averments.

3. I, therefore, adopt the Rejoinder filed in O.A.No.492 of 1989 and the same be treated as a Rejoinder to the reply filed by the respondents in the present case.

Ahmedabad:

December 18, 1989

Jayesh H. Bhatt
(Jayesh H. Bhatt)
Applicant.

Reply/Rejoinder/written submissions
filed by Mr. J. J. Yagnik.....
learned advocate for petitioner /
Respondent with second side
Copy served/not served other side

DL 22/12/89 *Abdullah*
Dy. Registrar C.A.T (J)
Ahmedabad Bench