

9

**IN THE CENTRAL ADMINISTRATIVE TRIBUNAL**  
**AHMEDABAD BENCH**

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

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 - Alal Kuresh Advocate for the Respondent(s)

**CORAM :**

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 Khaaki,

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.Khambhatta,

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  
Doordarashan, Mandi House,  
New Delhi.1.
3. The Director,  
Doordarashan,  
Ahmedabad-380 054.

.....RESPONDENTS

*Aril Kuresh*  
(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<sup>s</sup> authority and after initial appointment, each applicant was continued from time to time. The respondents have continued the applicants by ~~describing~~ 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~~ <sup>be</sup> illegal, unjust, and arbitrary and the same be quashed and set aside, <sup>that</sup> that the respondents be directed to treat each applicant in continuous service from the initial appointment with all consequential benefits, ignoring the artificial breaks.

ms



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

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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

...7...0

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 <sup>in lines</sup> ~~times~~ 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  
vacancies should be done <sup>in within</sup> 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.

✓

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

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

*ms*



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, Doordarshan, New Delhi  
on the subject of scheme for regularisation  
of Casual General Artist in Doordarshan. 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

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 regulari-  
sation 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 advocates for the applicants submitted  
that the scheme is applicable even to ~~the~~<sup>all</sup>  
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 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.

*R.C. Bhatt*

(R.C. BHATT)

MEMBER (J)

*N.V. Krishnan*  
30/1/92

(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/  
Spl.C.A. No. SEA 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 perused  
please.

to OA/492/89

23/2/2000

S.O. W. J. 23/2/2000

24/2/2000  
D.R. (J)

Hon'ble Vice Chairman

24/2/2000

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)

7/3/2000

Note: - Xerox copy of  
SEA No 10499/98 kept  
in OA/487, 488, 489,  
490, 491, 492/89.

23/2

17

2843

2

Decree Despatch No.  
Date 5.2.2000

343  
21/2/20

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 ~~deleted~~  
1. ~~DN THAKKAR & ORS.~~  
Vs.  
1. UNION OF INDIA & ANOTHER

Petitioners  
Respondents

To

1. UNION OF INDIA  
THROUGH CHIEF EXECUTIVE  
OFFICER, PRASAR BHARTI CORPN  
MODI HOUSE, COPERNICOUS  
NEW DELHI
2. V APPARAO OR HIS SUCCESSOR  
DIRECTOR  
DOORDARSHAN KENDRA  
THAITEJ TEKRA  
AHMEDABAD

- ✓ 3. THE CENTRAL ADMINISTRATIVE  
TRIBUNAL, STADIEM ROAD,  
A.RAD. (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 :-

Official  
P.N.  
21.1.2000  
P.N.  
21.1.2000

CORAM: B.C.PATEL AND D.H.WAGHELA, 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.

GUJARAT HIGH COURT



Witness CHUNTILAL 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) 070220

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 :

*er bhagan 5.1.93*  
Section Officer/Court Officer

*bcugan*  
Sign. of the Dealing Assistant

# INDEX SHEET

CA/490/88.

UF \*9

Shri. J. H. Bhatt

## VERSUS

U. A. 1. 8 025

PART A B & C

[illegible]

## INDEX SHEET

NAMES OF THE PARTIES

PART A B & C

[illegible]



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 & India Respondent(s).

This application has been submitted to the Tribunal by Shri J J 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 <sup>has</sup> ~~is~~ 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 & documents are not legible

We may put up for admission  
on 16/11/88 as per O.P.C.'s direction  
on urgent note-

[Signature]

15/11/88

[Signature]

[Signature]  
15/11/88

CENTRAL ADMINISTRATIVE TRIBUNALAHMEDABAD BENCHAPPLICANT (S) J H BhutRESPONDENT(S) Union of India & CoPARTICULARS TO BE EXAMINEDENDORSEMENT 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 B.D./I.P.O. for Rs.50/-,? Number of B.D./I.P.O. to be recorded. 6 194251
6. Has the copy/copies of the order(s) against which the application is made, been filed ? Y (Anne-A 3 P 15)
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 ?
10. Is the matter raised in the application pending before any court of law or any other Bench of the Tribunal ?
11. Are the application/duplicate copy/spare copies signed ?
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 ?
14. Are the given addressed, the registered addressed ?
15. Do the names of the parties stated in the copies, tally with those indicated in the application ?
16. Are the transactions certified to be true or supported by an affidavit affirming that they are true ?
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

100

Y

Y

100

Y

Y

Y

yes

Y

checked.  
 opla  
 15/11/89

①

5/5/89  
15/11/89

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, AHMEDABAD

DISTRICT: AHMEDABAD

ORIGINAL APPLICATION NO. 690 OF 1989

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.

Cop) served to  
J.D. Ajmera  
AL

bn 194251  
6

49

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  
Broadcasting, Shastri Bhavan,  
~~Ahmedabad~~ New Delhi ).

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

3. The Director,  
Doordarshan, Ahmedabad-54.

... Respondents.

I. PARTICULARS OF THE PETITIONER:

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

II. PARTICULARS OF THE RESPONDENTS:

|                    |                    |
|--------------------|--------------------|
| (a). Names:        | } As stated above. |
| (b). Designations: |                    |
| (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.

3. The petitioner has been serving with the respondent authorities since 9-8-1985 as casual ~~xxxx~~ 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. Despite 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 breaks days also. A statement showing the said Artificial breaks is annexed hereto and marked as Annexure A-1.

Annex.A.1

4. The petitioner states that inspite of the fact that he has been working on the clear vacancies 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. In spite 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.



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-opetitioner 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 ~~xxxxx~~ 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, ~~wxxxxxx~~ 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;

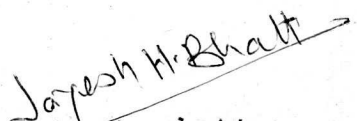
November 15, 1989

  
(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

(Harshad Bhatt N. Bhatt)

I, Jayesh M. Bhatt, s/o. Shri M. N. Bhatt, aged adult, working as Casual General Assistant, in the office of ~~Daxa Darshan~~ 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  
(Jayesh M. Bhatt )  
Applicant.

←

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

Filed by Mr. J. J. Yajnik  
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

Ann. A. 1

Amenu-#

DAILY WAGES REGISTER MAINTAINED BY DDK: AHMEDABAD.

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| No. of the person | No. of days attended. | Rate per day | Amount | Cheque No. & Date | Initial 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. Thakkar | 29 | 25/- | 725.00 | -do- 29.6.84 | sd/sd/ |
| Shri M.N. Shah            | 28 | 25/- | 700.00 | -do-         | sd/sd/ |
| Shri B.M. Khambhatta      | 29 | 25/- | 725.00 | -do-         | sd/sd/ |

JULY, 1984

|                         |    |      |        |                |        |
|-------------------------|----|------|--------|----------------|--------|
| 1. Shri B.M. Khambhatta | 30 | 25/- | 750.00 | Part B989501   | sd/sd/ |
| Shri V.N. Adesara       | 30 | 25/- | 750.00 | - do - 31.7.84 | sd/sd/ |
| Shri D.N. Thakkar       | 30 | 25/- | 750.00 | - do -         | sd/sd/ |
| Shri M.N. Shah          | 30 | 25/- | 750.00 | - do -         | sd/sd/ |

AUGUST, 1984

|                         |    |      |        |                  |        |
|-------------------------|----|------|--------|------------------|--------|
| 1. Shri B.M. Khambhatta | 30 | 25/- | 750.00 | Part B989510     | sd/sd/ |
| Shri V.N. Adesara       | 30 | 25/- | 750.00 | - do - 31.8.1984 | sd/sd/ |
| Shri D.N. Thakkar       | 30 | 25/- | 750.00 | - do -           | sd/sd/ |
| Shri M.N. Shah          | 30 | 25/- | 750.00 | - do -           | sd/sd/ |

SEPTEMBER, 1984

|                         |    |      |        |                |        |
|-------------------------|----|------|--------|----------------|--------|
| 1. Shri B.M. Khambhatta | 29 | 25/- | 725.00 | Part B989519   | sd/sd/ |
| Shri V.N. Adesara       | 29 | 25/- | 725.00 | - do - 29.9.84 | sd/sd/ |
| Shri D.N. Thakkar       | 29 | 25/- | 725.00 | - do -         | sd/sd/ |
| Shri M.N. Shah          | 29 | 25/- | 725.00 | - do -         | sd/sd/ |

OCTOBER, 1984

|                         |    |      |        |                 |        |
|-------------------------|----|------|--------|-----------------|--------|
| 1. Shri B.M. Khambhatta | 30 | 26/- | 780.00 | Part B989528    | sd/sd/ |
| Shri V.N. Adesara       | 30 | 26/- | 780.00 | - do - 30.10.84 | sd/sd/ |
| Shri D.N. Thakkar       | 30 | 26/- | 780.00 | - do -          | sd/sd/ |
| Shri M.N. Shah          | 30 | 26/- | 780.00 | - do -          | sd/sd/ |

NOVEMBER, 1984

|                         |    |      |        |                 |        |
|-------------------------|----|------|--------|-----------------|--------|
| 1. Shri B.M. Khambhatta | 29 | 26/- | 754.00 | Part B 989537   | sd/sd/ |
| Shri V.N. Adesara       | 29 | 26/- | 754.00 | - do - 30.11.84 | sd/sd/ |
| Shri D.N. Thakkar       | 29 | 26/- | 754.00 | - do -          | sd/sd/ |
| Shri M.N. Shah          | 29 | 26/- | 754.00 | - do -          | sd/sd/ |

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DECEMBER, 1984

|                        |    |      |        |               |         |
|------------------------|----|------|--------|---------------|---------|
| 1. Shri B.L.Khambhatta | 30 | 26/- | 780.00 | Part B.989544 |         |
|                        |    |      |        | 29.12.1984    |         |
| 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.L.Khambhatta | 30 | 26/- | 780.00 | Part B.989554 |                     |
|                        |    |      |        | 31.1.85       | <del>XXXXXXXX</del> |
| 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.L.Khambhatta | 27 | 27/- | 729.00 | Part B.989563 |         |
|                        |    |      |        | 28.2.85       |         |
| 2. Shri D.N.Thakkar    | 27 | 27/- | 729.00 | - do -        | sd/ sd/ |
| 3. Shri D.N.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.L.Khambhatta | 30 | 27/- | 810.00 | Part |         |
| 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.L.Khambhatta | 14 | 27/- | 378.00 | Part B.989578 |         |
|                        |    |      |        | 30.4.85       |         |
| 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.L.Khambhatta | 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. Shri Sathidevi A.   | 21 | 27/- | 594.00 |  | sd/ sd/ |

JUNE 1985

|                        |    |      |        |               |         |
|------------------------|----|------|--------|---------------|---------|
| 1. Shri B.L.Khambhatta | 26 | 27/- | 702.00 | Part B.989595 |         |
|                        |    |      |        | 28.6.1985     |         |
| 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/  |

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JULY 1985

|                         |    |      |        |                |         |
|-------------------------|----|------|--------|----------------|---------|
| 1. Shri B.N. Khambhatta | 30 | 27/- | 810.00 | Part B. 989596 |         |
|                         |    |      |        | 31.7.1985      |         |
| 2. Shri Vijay Adesara   | 30 | 27/- | 810.00 | - do -         | sd/ sd/ |
| 3. Shri B.N. Thakkar    | 30 | 27/- | 810.00 | - do -         | sd/ sd/ |
| 4. Shri B.N. Shah       | 30 | 27/- | 810.00 | - do -         | sd/ sd/ |
| 5. Smt. Sathidevi A.    | 30 | 27/- | 810.00 | - do -         | sd/ sd/ |
| 6. Kum. Margaret Ferria | 14 | 27/- | 378.00 | - do -         | sd/ sd/ |

AUGUST:1985

|                         |    |      |        |                |         |
|-------------------------|----|------|--------|----------------|---------|
| 1. Shri B.N. Khambhatta | 30 | 27/- | 810.00 | Part B. 989614 |         |
|                         |    |      |        | 31.8.85        |         |
| 2. Shri Vijay Adesara   | 29 | 27/- | 783.00 | - do -         | sd/ sd/ |
| 3. Shri B.N. Thakkar    | 30 | 27/- | 810.00 | - do -         | sd/ sd/ |
| 4. Shri B.N. Shah       | 30 | 27/- | 810.00 | - do -         | sd/ sd/ |
| 5. Smt. Sathidevi A.    | 07 | 27/- | 189.00 | - 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.N. Khambhatta | 29 | 27/- | 783.00 | Part B. 989619 |         |
|                         |    |      |        | 30.7.1985      |         |
| 2. Shri Vijay Adesara   | 29 | 27/- | 783.00 | - do -         | sd/ sd/ |
| 3. Shri B.N. Thakkar    | 29 | 27/- | 783.00 | - do -         | sd/ sd/ |
| 4. Shri B.N. Shah       | 29 | 27/- | 783.00 | - do -         | sd/ sd/ |
| 5. Shri Jayesh H. Bhatt | 28 | 27/- | 756.00 | - do -         | sd/ sd/ |
| 6. Smt. Sathidevi A.    | 28 | 27/- | 756.00 | - do -         | sd/ sd/ |
| 7. Kum. Margaret Ferria | 28 | 27/- | 756.00 | - do -         | sd/ sd/ |

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OCTOBER : 1985

|                         |       |      |        |      |         |
|-------------------------|-------|------|--------|------|---------|
| 1. Shri B.N. Khambhatta | 30    | 27/- | 810.00 | Part | sd/ sd/ |
| 2. Shri Vijay Adesara   | 30    | 27/- | 810.00 |      | sd/ sd/ |
| 3. Shri B.N. Thakkar    | 30    | 27/- | 810.00 |      | sd/ sd/ |
| 4. Shri B.N. Shah       | 26/30 | 27/- | 720.00 |      | sd/ sd/ |
| 5. Smt. Sathidevi A.    | 26    | 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.N. Khambhatta | 29 | 27/- | 783.00 |  | sd/ sd/ |
| 2. Shri Vijay Adesara   | 30 | 27/- | 810.00 |  | sd/ sd/ |
| 3. Shri B.N. Thakkar    | 29 | 27/- | 783.00 |  | sd/ sd/ |
| 4. Shri B.N. Shah       | 28 | 27/- | 756.00 |  | sd/ sd/ |
| 5. Smt. Sathidevi 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. Shri D.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 M.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 -        | sd/ sd/ |
| 3. Shri D.N.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 Ferria | 28 | 28/- | 784.00 | - do -        | sd/ sd/ |
| 7. Shri Jayesh H. Bhatt | 30 | 28/- | 840.00 | - do -        | sd/ sd/ |

FEBRUARY : 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 -         | sd/ sd/ |
| 3. Shri D.N.Thakkar     | 26 | 28/- | 728.00 | - do -         | sd/ sd/ |
| 4. Shri M.N.Shah        | 26 | 28/- | 728.00 | - do -         | sd/ sd/ |
| 5. Smt. Sathidevi A.    | 26 | 28/- | 728.00 | - do -         | sd/ sd/ |
| 6. Kum. Margaret Ferria | 18 | 28/- | 504.00 | - do -         | sd/ sd/ |
| 7. Shri Jayesh H. Bhatt | 27 | 28/- | 756.00 | - do -         | sd/ sd/ |

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 -         | sd/ sd/ |
| 3. Shri D.N.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 Ferria | 30 | 28/- | 840.00 | - do -         | sd/ sd/ |
| 7. Shri Jayesh H. Bhatt | 30 | 28/- | 840.00 | - do -         | sd/ sd/ |

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 -         | sd/ sd/ |
| 3. Shri D.N.Thakkar     | 29 | 28/- | 812.00 | - do -         | sd/ sd/ |
| 4. Shri M.N.Shah        | 29 | 28/- | 812.00 | - do -         | sd/ sd/ |
| 5. Smt. Sathidevi A.    | 29 | 28/- | 812.00 | - do -         | sd/ sd/ |
| 6. Kum. Margaret Ferria | 29 | 28/- | 812.00 | - do -         | sd/ sd/ |
| 7. Shri Jayesh H. Bhatt | 29 | 28/- | 812.00 | - do -         | sd/ sd/ |

MAY : 1986

|                         |    |      |        |                |     |     |
|-------------------------|----|------|--------|----------------|-----|-----|
| 1. Shri B.M. Khambhatta | 24 | 28/- | 672.00 | Part B. 989682 |     |     |
|                         |    |      |        | 31.8.86        |     |     |
| 2. Shri Vijay Adesara   | 30 | 28/- | 840.00 | - do -         | sd/ | sd  |
| 3. Shri D.D. Thakkar    | 30 | 28/- | 840.00 | - do -         | sd/ | sd  |
| 4. Shri M.W. Shah       | 30 | 28/- | 840.00 | - do -         | sd/ | sd  |
| 5. Smt. Sathidevi A.    | 16 | 28/- | 448.00 | - do -         | sd/ | sd  |
| 6. Kum. Margaret Ferris | 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.D. Thakkar    | 29 | 28/- | 812.00 | - do -        | sd/  | sd/ |
| 4. Shri M.W. Shah       | 27 | 28/- | 756.00 | - do -        | sd/  | sd/ |
| 5. Smt. Sathidevi A.    | 29 | 28/- | 812.00 | - do -        | sd/  | sd/ |
| 6. Kum. Margaret Ferris | 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.D. Thakkar    | 30 | 28/- | 840.00 | - do -        | sd/ | sd/ |
| 4. Shri M.W. Shah       | 30 | 28/- | 840.00 | - do -        | sd/ | sd/ |
| 5. Smt. Sathidevi A.    | 30 | 28/- | 840.00 | - do -        | sd/ | sd/ |
| 6. Kum. Margaret Ferris | 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.D. Thakkar    | 30 | 29/- | 870.00 | - do -        | sd/ | sd/ |
| 4. Shri M.W. Shah       | 30 | 29/- | 870.00 | - do -        | sd/ | sd/ |
| 5. Smt. Sathidevi A.    | 30 | 29/- | 870.00 | - do -        | sd/ | sd/ |
| 6. Kum. Margaret Ferris | 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.D. Thakkar    | 29 | 29/- | 841.00 | - do -        | sd/ | sd/ |
| 4. Shri M.W. Shah       | 29 | 29/- | 841.00 | - do -        | sd/ | sd/ |
| 5. Smt. Sathidevi A.    | 29 | 29/- | 841.00 | - do -        | sd/ | sd/ |
| 6. Kum. Margaret Ferris | 29 | 29/- | 841.00 | - do -        | sd/ | sd/ |
| 7. Shri Jayesh H. Bhatt | 29 | 29/- | 841.00 | - do -        | sd/ | sd/ |

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812.00

Part B.582 325

29.40.86

|                           |    |      |        |        |         |
|---------------------------|----|------|--------|--------|---------|
| 4. Shri. N. Lakkan        | 30 | 29/- | 870.00 | - do - | sd/ sd/ |
| 5. Shri. N. Lakkan        | 28 | 29/- | 812.00 | - do - | sd sd/  |
| 6. Shri. N. Lakkan        | 30 | 29/- | 870.00 | - do - | sd/ sd/ |
| 7. Smt. S. Shidevi A.     | 30 | 29/- | 870.00 | -do -  | sd/ sd/ |
| 8. Kum. Margaret Ferreira | 30 | 29/- | 870.00 | - do - | sd/ sd/ |
| 9. Shri Jayash M. Bhatt.  | 30 | 29/- | 870.00 | - do - | sd/ sd/ |

NOVEMBER : 1986

|                         |    |      |        |                      |         |
|-------------------------|----|------|--------|----------------------|---------|
| 1. Shri D.M. Khombhatta | 29 | 29/- | 841.00 | <u>Part B.582333</u> |         |
|                         |    |      |        | 29.11.86             |         |
| 2. Shri M.L. Bhaskar    | 29 | 29/- | 841.00 | - do -               | sd/ sd/ |
| 3. Shri Vijay Adesapa   | 25 | 29/- | 725.00 | - do -               | sd/ sd/ |
| 4. Shri M.N. S.29       | 29 | 29/- | 841.00 | - do -               | sd/ sd/ |

NOVEMBER : 1986

|                         |    |      |        |                       |         |
|-------------------------|----|------|--------|-----------------------|---------|
| 1. Shri D.M. Khambhatta | 29 | 29/- | 841.00 | <u>Part B. 582333</u> |         |
|                         |    |      |        | 29.11.1986            |         |
| 2. Shri L.L. Thakkar    | 29 | 29/- | 841.00 | - do -                | sd/ sd/ |
| 3. Shri N.V. Joshi      | 26 | 29/- | 754.00 | - do -                | sd/ sd/ |
| 4. Shri V.V. Desai      | 25 | 29/- | 725.00 | - do -                | sd/ sd/ |
| 5. Shri S.S. H. Phattix | 29 | 29/- | 841.00 | - do -                | sd/ sd/ |
| 6. Shri S.S. A.         | 26 | 29/- | 754.00 | - do -                | sd/ sd/ |
| 7. Shri S.S. A.         | 29 | 29/- | 841.00 | - do -                | sd/ sd/ |

DECEMBER : 1986

| Sl. No. | Name                 | Age | Religion | Marital Status | Income | Part B. 582340 / 30'12' | Remarks |
|---------|----------------------|-----|----------|----------------|--------|-------------------------|---------|
| 1.      | Shri P. Subbhatta    | 30  | 29/-     | 870.00         | - do - | sd/ sd/                 |         |
| 2.      | Shri Vijay Adesara   | 29  | 29/-     | 841.00         | - do - | sd/ sd/                 |         |
| 3.      | Shri D.N. Bhakkar    | 30  | 29/-     | 870.00         | - do - | sd/ sd/                 |         |
| 4.      | Shri M.N. Shah       | 29  | 29/-     | 841.00         | - do - | sd/ sd/                 |         |
| 5.      | Smt. Sathidevi A.    | 12  | 29/-     | 348.00         | - do - | sd/ sd/                 |         |
| 6.      | Kum. Margaret Fercia | 26  | 29/-     | 754.00         | - do - | sd/ sd/                 |         |
| 7.      | Shri Jagann H. Bhatt | 30  | 29/-     | 870.00         | - do - | sd/ sd/                 |         |

..... 7/-

... 7 ...

3. 4. 5. 6. 7. 8.

|                       |    |      |       |  |     |     |
|-----------------------|----|------|-------|--|-----|-----|
| 1. Shri BM Khambhatta | 30 | 29/- | 870/- |  | sd/ | sd/ |
| 2. Shri VN Adesara    | 27 | 29/- | 783/- |  | sd/ | sd/ |
| 3. Shri DN Thakkar    | 28 | 29/- | 812/- |  | sd/ | sd/ |
| 4. Shri MN Shah       | 30 | 29/- | 870/- |  | sd/ | sd/ |
| 5. Smt. Sathidevi 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 : 1987

|                       |    |      |       |          |     |     |
|-----------------------|----|------|-------|----------|-----|-----|
| 1. Shri BM Khambhatta | 27 | 29/- | 783/- | B-582359 | sd/ | sd/ |
| 2. Shri VN Adesara    | 26 | 29/- | 754/- | 2.3.87   | sd/ | sd/ |
| 3. Shri DN Thakkar    | 27 | 29/- | 783/- | -do-     | sd/ | sd/ |
| 4. Shri MN Shah       | 26 | 29/- | 754/- | -do-     | sd/ | sd/ |
| 5. Smt. Sathidevi A.  | 27 | 29/- | 783/- | -do-     | sd/ | sd/ |
| 6. Kum. Margaret F.   | 27 | 29/- | 783/- | -do-     | sd/ | sd/ |
| 7. Shri JH Bhatt      | 27 | 29   | 783/- | -do-     | sd/ | sd/ |

MARCH : 1987

|                       |      |      |        |          |     |     |
|-----------------------|------|------|--------|----------|-----|-----|
| 1. Shri BM Khambhatta | 28.5 | 29/- | 826.50 | B-582372 | sd/ | sd/ |
| 2. Shri VN Adesara    | 30   | 29/- | 870/-  | 2.4.87   | sd/ | sd/ |
| 3. Shri DN Thakkar    | 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 MN 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/ |

MAY : 1987

|                       |    |      |       |          |     |     |
|-----------------------|----|------|-------|----------|-----|-----|
| 1. Shri BM Khambhatta | 30 | 29/- | 870/- | B-582388 | sd/ | sd/ |
| 2. Shri VN Adesara    | 25 | 29/- | 725/- | 29.5.87  | sd/ | sd/ |
| 3. Shri JH Bhatt      | 30 | 29/- | 870/- | -do-     | sd/ | sd/ |
| 4. Shri MN Shah       | 23 | 29/- | 667/- | -do-     | sd/ | sd/ |
| 5. Shri DN Thakkar    | 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/ |

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3. 4. 5. 6. 7. 8.

JUNE : 1987

|                       |    |      |       |          |     |     |
|-----------------------|----|------|-------|----------|-----|-----|
| 1. Shri BM Khambhatta | 29 | 29/- | 841/- | B-582410 | sd/ | sd/ |
| 2. Shri VN Adesara    | 25 | 29/- | 725/- | 29.6.87  | sd/ | sd/ |
| 3. Shri DN Thakkar    | 29 | 29/- | 841/- | -do-     | sd/ | sd/ |
| 4. Shri 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/- | B-584109 | 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/- | B-584121 | 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/- | B/3-584136 | 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/- | B-3/584147 | 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 BM Khambhatta | 28 | 29/- | 812/- | B-584156 | sd/ | sd/ |
| 2. | Shri VN Adesara    | 29 | 29/- | 841/- | 30.11.87 | sd/ | sd/ |
| 3. | Shri DN Bhaskar    | 29 | 29/- | 841/- | -do-     | sd/ | sd/ |
| 4. | Shri MN Shih       | 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 JH Bhatt      | 29 | 29/- | 841/- | -do-     | sd/ | sd/ |

DECEMBER : 1987

|    |                    |    |      |       |          |     |     |
|----|--------------------|----|------|-------|----------|-----|-----|
| 1. | Shri BM Khambhatta | 30 | 29/- | 870/- | B-584168 | sd/ | sd/ |
| 2. | Shri VN Adesara    | 28 | 29/- | 812/- | 30.12.87 | sd/ | sd/ |
| 3. | Shri DN Bhaskar    | 30 | 29/- | 870/- | -do-     | sd/ | sd/ |
| 4. | Shri MN Shih       | 30 | 29/- | 870/- | -do-     | sd/ | sd/ |
| 5. | Smt. Sathidevi A.  | 30 | 29/- | 870/- | -do-     | sd/ | sd/ |
| 6. | Kum. Margaret F.   | 28 | 29/- | 812/- | -do-     | sd/ | sd/ |
| 7. | Shri JH Bhatt      | 30 | 29/- | 870/- | -do-     | sd/ | sd/ |

JANUARY : 1988

|    |                    |    |      |       |  |     |     |
|----|--------------------|----|------|-------|--|-----|-----|
| 1. | Shri BM Khambhatta | 26 | 29/- | 754/- |  | sd/ | sd/ |
| 2. | Shri VN Adesara    | 28 | 29/- | 812/- |  | sd/ | sd/ |
| 3. | Shri DN Bhaskar    | 30 | 29/- | 870/- |  | sd/ | sd/ |
| 4. | Shri MN Shih       | 30 | 29/- | 870/- |  | sd/ | sd/ |
| 5. | Smt. Sathidevi 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 Khambhatta | 29 | 29/- | 812/- | B-584190  | sd/ | sd/ |
| 2. | Shri VN Adesara    | 28 | 29/- | 812/- | 29.2.1988 | sd/ | sd/ |
| 3. | Shri DN Bhaskar    | 28 | 29/- | 812/- | -do-      | sd/ | sd/ |
| 4. | Shri MN Shih       | 28 | 29/- | 812/- | -do-      | sd/ | sd/ |
| 5. | Smt. Sathidevi A.  | 28 | 29/- | 812/- | -do-      | sd/ | sd/ |
| 6. | Kum. Margaret F.   | 28 | 29/- | 812/- | -do-      | sd/ | sd/ |
| 7. | Shri JH Bhatt      | 28 | 29/- | 812/- | -do-      | sd/ | sd/ |

And So on till the end.

COPY  
True for Ad

Jayan

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Ann. A.2 (16)  
(17)

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-IIs 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 Baxena, 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 : Programme 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

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Jagat  
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*Ann. A-3* (17)  
~~100~~  
(18)

GOVERNMENT OF INDIA  
DOORDARSHAN KENDRA : AHMEDABAD-380 054  
...

No.AHM: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.

*[Signature]*  
( HN PATRO )  
DIRECTOR

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

*True (copy)  
je Adm*

*Jayesh*

*je*

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL AT

AHMEDABAD.

O.A. No. 490 of 1989.

~~Shri BxNx~~  
Shri Jayesh H. Bhatt .. Applicant

Versus

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

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

Received  
at  
11.11  
4/12/89  
JK

filed in  
Court  
Pm  
4/12/89

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 amenable 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 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 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 of terminating the services of the applicant is legal, valid, just and in accordance with the rules and terms of 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 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

order as the applicant has not come through Staff Selection Committee or Employment Exchange which is a condition precedent for the employment 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 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 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 authorised to be given the benefits of services which are otherwise available to the regular employee. I say that the judgments relied by the applicant are not applicable so far 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 emenable 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

from time to time in voucher form. I further say

that the applicant being a daily rated casual employee, is not eligible for other benefits

which are admissible to a regular employee. It is

submitted that the applicant was appointed

irregularly to meet with the exigency occurred

with the department and therefore he ~~may~~<sup>does</sup> not

get any entitlement by lapse of time. I further

say that the half of the period has been served

by the applicant under guise of shelter of the

Court and therefore the applicant has no right

to contend thereby that the services rendered by

the applicant is a longer one.

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

applicant is a worker and the respondent

department is an Industry then the applicant

may be directed to exhaust his better more

efficacious remedy to the Industrial Court

which would be in the more interest of the

(21)

- 7 -

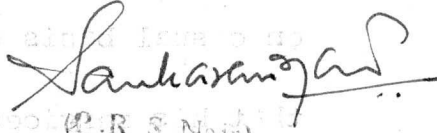
applicant. I further say that the action of the respondents of terminating the services of the applicant is in accordance with the instructions and rules of the respondents and I say that the Ministry of Labour and Social Reform has issued ~~some~~ some directions pursuant to the judgment rendered by 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~~ 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 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 therefore the applicant does not ~~deserve~~ hold any civil post and does not deserve any relief/interim relief as prayed for by him and the application deserves to be dismissed.

Place : Ahmedabad



Date :: 2/11/1989.

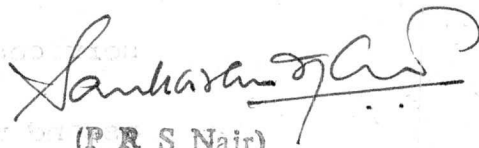
(P. R. S. Nair)  
Superintending Engineer  
Doordarshan Kendra  
Thaltej Ahmedabad 380054

Verification

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  
hereinafter is true to my knowledge and belief  
and I believe the same to be true.

Place : Ahmedabad



Date : 2/11/1989.

(Deponent) Superintending Engineer  
Doordarshan Kendra  
Thaltej Ahmedabad 380054

22

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, AHMEDABAD

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 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

Copy sent to  
Mr. J. D. Ajmer  
A.L.

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 *J. P. Yagnik*  
learned advocate for petitioner/  
Respondent with second set  
Copy served/not served *other side*  
Dt. *22/12/89* Dy. Registrar C.A.T. (1)  
Ahmad Bench