

Front Sd/

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
 AHMEDABAD BENCH
 NEW DELHI

O.A. No. 495 OF 1989
 TAXXN6X

DATE OF DECISION 4.7.1991

Shri A.B.Rathod Petitioner

Mr.D.M.Thakkar Advocate for the Petitioner(s)

Versus

Union of India and Others Respondent

Mr.Ramesh Grover Advocate for the Respondent(s)

CORAM :

The Hon'ble Mr. P.H.Trivedi : Vice Chairman

The Hon'ble Mr.

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

(3)

Shri A.B.Rathod,
Gulbai Tekra,
Subhadrapura,
Ahmedabad-6.

.. Applicant

(Adv: Mr. D.M.Thakkar)

Versus

1. Union of India
Through:
The Superintending
Engineer, Central
Water Commission,
Western Rivers Circle,
C.W.C.4-A, North Bazar
Road, Dharampeth Ext.,
Nagpur.
2. Executive Engineer,
C.W.C., Waghela Bldg.,
Gurukul Road,
Memnagar, Ahmedabad-52.
3. Assistant Engineer,
C.W.C., Sabarmati Divn.,
Ahmedabad.
(Adv.:Mr.Ramesh Grover) .. Respondents

O.A. 495/89

J U D G M E N T

Date: 4.7.1991

Per : Hon'ble Mr. P.H.Trivedi, Vice Chairman

In O.A.No.495 of 1989, the petitioner under Section 19 of the Administrative Tribunals Act has challenged the order dated 4/7/11-89 passed by the Executive Engineer transferring him from Ratanpur to Kadana. His grounds are that according to the policy of the respondent department, Class-IV employees are not transferred outside their native districts and there is complete disregard of the principle that those who have served for the longest period should be transferred before others for which the petitioner has given certain names of those who have been retained longer than him. He also states that at Galiana Sabarmati Sub Division, Ahmedabad from which Vankar has been transferred to Ratanpur nobody has been posted.

Par

This shows the malafide of the respondents. In this case respondent No.2 have argued the case in person and there has been no representative of the Respondent No.1 or Respondent No.3. The impugned order has been passed by respondent No.2 who has appeared in person to argue his case. His counter is that the petitioner had earlier asked for a transfer from Ratanpur and his request was forwarded by Asstt. Engineer in support of which he has annexed the copy of the letter dated 6-8-88 enclosing a letter from petitioner dated 23-7-88. The petitioner has clearly asked for an urgent transfer from Ratanpur and at his own cost to any site. The impugned orders state that the transfers are to be "with immediate effect on their own cost." The petitioner's contention is that if his transfer is to be treated as at his own request, it is to be noted that it is brought about more than one year after the request was made. The apprehension expressed in his letter was in respect of threat to his life and if he lived with this apprehension for a whole year his transfer thereafter does not give him any relief in that regard. The respondent has also taken the plea that the petitioner is having an affair with a married lady and the villagers are highly agitated about it. Further in transfers period of stay at any station is not required to be taken into account nor is there any immunity against transfer in the case of Class IV persons. The transfer is actually in the same division. The petitioner has not conducted himself in a manner befitting a Govt. servant. He has been absent from duty in support of which contention several memoranda issued to him have been annexed. The petitioner has made another

Par

request for transfer on 18-10-88 in which he asked for transfer from Ratanpur to Raska or Kheda or Ahmedabad at his own cost giving reasons. This also has been forwarded by the Asstt.Engineer with the remarks that the petitioner is not a responsible person for being given work and he is creating problems for other staff in the smooth running of the work. The respondent has challenged the nature of the request transfer and stated that in the case of Shri Vankar he has been retained at Galiana as he has never made request for Ratanpur the order of transfer was cancelled.

2. After perusing the pleadings and hearing the learned advocate for the petitioner and the respondent No.2 it appears that the transfer of the petitioner is for administrative reasons for which there is some basis but Respondent No.2 has utilised the request of the petitioner for causing it to be a request transfer at his own cost. Neither side has developed its respective case on the ground of the discretion available to the respondent on request transfers. The transfer orders in terms state that the transferred officials are to move at their own cost. The sole issue for the purpose of this case is whether the impugned orders can be regarded as a legitimate transfer on request. For this purpose it is necessary to consider the impugned order in the light of the petition by which request for the transfer has been made. Obviously, in the petition dated 23-7-88 after a detailed description how the petitioner was threatened by armed men, he has requested for the transfer to any site at his own cost. This has been followed by another petition dated 18-10-88 in which the petitioner has related the circumstances of the quarrel viz. the local villagers, sickness of his wife,

Du

education of his minor children and asked for a request transfer at Ahmedabad or Raska or Kheda at his own cost. This petition has also been forwarded by the Assistant Engineer by his memo dated 29-9-89. It is therefore proper to consider that the impugned transfer orders have not dealt with very old or obsolete requests but requests made prior to the date when the orders have been passed. There is substance in the petitioner's plea that he had made no request for being transferred from Ratanpur to Kadana and therefore the impugned transfer orders cannot be justified on the basis of his request.

3. I would have been very reluctant to interfere with the transfer orders of the petitioner about which the Asstt. Engineer and Respondent No.2 appear to have some basis on administrative grounds to pull the petitioner out from Ratanpur but it is difficult to sustain the impugned transfer order on the ground of its being based upon the petitioner's request and requiring the petitioner to move from Ratanpur at his own cost. When petition for such a request does not state that the petitioner was ready to go to Kadana and when on the grounds on which the petitioner had requested the transfer are by and large not met in terms of the convenience of the petitioner by the said transfer. It could have been possible for the respondents to justify the transfer on administrative grounds but it is not possible to sustain the impugned orders of transfer in terms as a request transfer at the petitioner's cost.

Dve

4. For the above reasons, the petition has merit to the extent stated. The impugned orders are quashed

...

and set aside. Rule made absolute. The respondents are at liberty to pass further orders which are legal and which are not tainted by any flaw. No orders as to costs.

5. The judgment in this case was not pronounced earlier because of the decision of the Supreme Court of India in the case of Amulya Chandra Kalita v. Union of India & ors. in Civil Appeal No. 1212/90 (JT 1990 (1) SC 558). However, thereafter, in Civil Appeal No. 2381/91, Dr. Mahabal Ram v. Indian Council of Agriculture Research & Ors., the Supreme Court has held that a Single Member Bench is competent to decide the cases when so authorised in terms of sub section (6) of section 5 of the Administrative Tribunals Act, 1985. Accordingly, this judgment is now being pronounced.


(P H Trivedi)
Vice Chairman

Central Administrative Tribunal Ahmedabad Bench.

Application No. OA/495/88, of 199

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

CERTIFICATE

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

Dated: 28/11/91

Countersigned.

S

.....
Section Officer/Court Officer.

Bhagwan

Signature of the Dealing
Assistant.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
AT AHMEDABAD BENCH

INDEX SHEET

CAUSE TITLE O.A/495/89. OF 198.
NAMES OF THE
PARTIES Shri A.B. Rathod
VERSUS
Union of India

PART A B & C

SERIAL NO.	DESCRIPTION OF DOCUMENTS	PAGE
	Part - I	
1.	Application	1 to 11
2.	Documents filed by Applicant	12-13
3	Replies	14 to 28
	Part - II	
1.	Written Statement	14 to 32
	Part III	
1.	Orders	1 to 8
2	Final order Dated 4.7.1991	.
	Part IV	
1.	Part V	

DESCRIPTION OF DOCUMENTS

Pending Adminin

I.R. - Yes or no

How is Ratanpur port authority

How is Galaxie port authority

Can the Respondent engage
an agent?

Ann. II 23-7-88 Request Trupt (R)

b/Reply III 18-10-1988 Request Trupts (R)

Period b) 22-11-1989
forwards) 2h.

4-11-1989

Paid upto 15-11-1989 muster roll
and paid

15-11-1989 received

Leave 15-11-1989 to 22-11-1989
the breeder as due in order when
paid

I N D E X
I N D E X

Sr. No. Particulars. Page No.

P A R T - I

(Applicant's Pages.)

1. Petitioner/Applicant's application. P. 11
2. Document filed by Petitioner/ Applicant. P. 12-13
3. Rejoinder. P. 34-39
4. Additional Document filed by Petitioner. P.

P A R T - II

(Respondent's Pages.)

1. Reply. P. 14-17
2. Documents filed by Respondent. P. 18-33
3. Affidevit in reply. P.

P A R T - III (Proceedings)

1. Order dt. P.

P A R T - IV (Miscellaneous)

1. Date of Registration : 20/11/89

2. Date of letter by which transferred (If transferred from other Court) :

3. Date of Impugned Order : 07/11/89

4. Date of Order regarding admission : 22/10/1996

5. Whether Interim Relief granted? If yes, date of Order granting I.R. : Yes, 22/11/89

6. Whether reply filed? : Yes

7. Whether rejoinder is filed? : Yes

8. Whether Duplicate Set filed? (In case of matter of Division Bench) : -

9. Whether any Miscellaneous Application pending? : No

10. Whether to be heard by Single Judge or Division Bench? : S. J

11. Is paging done properly? : Yes

12. Details of Vakalatnama. : -

<u>Party</u>	<u>Name of Adv.</u>	<u>Date of V.P.</u>
Applicant	Mr. D. M. Thakkar	-

Re: P. Mr. Ramesh Goree

13. Whether compliance of any order of Hon'ble Tribunal (Including orders in M.A. if filed) is pending? If yes, give details. : -

14. Whether there are respondents in private or individual capacity? : No

15. Details of service of notices. :

<u>PARTY</u>	<u>FIRST NOTICE</u>	<u>NOTICE OF F/H</u>
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CENTRAL ADMINISTRATIVE TRIBUNAL

AHMEDABAD BENCH

AHMEDABAD.

Submitted ;

C.A.T./JUDICIAL
SECTION.

Original Petition No.: 495 of 89.

Miscellaneous Petition No. _____ of _____.

Shri A B Patel

Petitioner(s).

Versus.

Union of India v. G

Respondent(s).

This application has been submitted to the Tribunal by Shri D M Thakker 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.
Rectification claim is not properly filed (A.Y.).

8
17/11

Am
to
DRW,

We may put for admission
on 21/11/85 as per order's
directions on urgent note.

Chk 20/11/85 8/11/85 (KJSaw 20/11/85)

CENTRAL ADMINISTRATIVE TRIBUNAL

AHMEDABAD BENCH

APPLICANT (S)

A B

Hand

RESPONDENT (S)

Union of India & Or

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 ?

H

(C) Have prescribed number
complete sets of the
application been filed ?

H

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.

DD

194258

G

561

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

yes/Anne.A P12

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 ?

H

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

H

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

H

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 ? *N*

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 ? *M*

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
m/s/a
20/11/18

Mr. D. M. Thakral
Adv.

URGENT NOTE

To, ~~Deputy~~
The Registrar
High Court of Gujarat,
Ahmedabad. ~~AT~~

Sir,

Subject :

O.A / 695 189

Be pleased to direct the office to Place the matter above mentioned before the Court for admission on ~~120-11-89~~ as I want to obtain stay /in Jurisdiction/bail order. I personally undertake to remove all the office objections Including Court fee stamp.

Thanking you,

Ahmedabad.

Yours faithfully,



Advocate for the (Petitioner)

Date (17-11-89)

After Von Jachor 15 matter
be needed for miles

CK

17/11/89

Sl/Enc. 531/89
12/11/89

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL, AHMEDABAD.

ORIGINAL APPLICATION NO. 495 /1989

Applicant : Shri A. B. Rathod

Versus

Respondents : Union of India and others.

I N D E X.

<u>Sr.</u>	<u>No.</u>	<u>Annex.</u>	<u>Particulars.</u>	<u>Pages.</u>
01.	-		Memo of Orig. Application	1 to 11
02.	A		Copy of impugned order of transfer dated 4/7th November, 1989, transferring the applicant from Ratanpur to Kadana	12 - 13

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL,

AHMEDABAD.

ORIGINAL APPLICATION NO. 495 OF 1989

Applicant : Shri A. B. Rathod

v/s.

Respondents : Union of India & ors.

DETAILS OF APPLICATION

1. Particulars of the Applicant:-

- i) Name of the Applicant: Shri A. B. Rathod
- ii) Name of Father : Shri B. Rathod
- iii) Designation & office : Central Water Commission, Ahmedabad Division, Ratanpur.
- iv) Office Address : C.W.C., Sabarmati Division, Ahmedabad.
- v) Address for the service of all notices. : Shri A.B.Rathod Gulbai Tekra, Subhadrapura, Ahmedabad-6.

2. Particulars of the Respondents:-

- i) Name and Designation : (1) Union of India (Notice to be served through- The Superintending Engineer, Central Water Commission, Western Rivers Circle, C.W.C.4-A, North Bazar Road, Dharampeth Ext., Nagpur.)

(2) Executive Engineer,
C.W.C., Waghela Bldg.
Gurukul Road,
Memnagar, A'bad-52.

(3) Asst. Engineer,
C.W.C., Sabarmati Divn.,
Ahmedabad.

(ii) Office address : ----As above----
of the respon-
dents.

(iii) Address for the: ----As above----
service of all
notices.

3. Particulars of the Order against which the Application is made:-

The application is against the following order:

- (i) Order No. :
- (ii) Date : 4/7-11-1989
- (iii) Passed by : Executive Engineer,
C.W.C., Ahmedabad.
- (iv) Subject, in brief. : Transferring the
the applicant from
Ratanpur to Kadana
(i.e.outside the
parent division)

4. Jurisdiction of the Tribunal:-

The applicant declares that the subject matter of the order against which he wants the redressal is within the jurisdiction of this Hon'ble Tribunal.

5. Limitation:-

The applicant further declares that the application is within the limitation, as prescribed under Sec.21 of the Administrative Tribunals Act, 1985.

6. Facts of the Case:-

6.1 By way of present application, the applicant seeks to challenge the legality and validity of the arbitrary and illegal action of transferring the applicant - Khalasi, Class-IV employee, from Ratanpur to Kadana, notwithstanding the fact that as per the existing practice and policy of the respondent Department, the class-IV employees are not transferred outside the native district and in complete disregard of principle of 'FIRST COME, FIRST GO' inasmuch as many similarly situated employees working alongwith the applicant are retained in Ahmedabad Division from more than 10 to 15 years and the applicant only is picked and chosen for the impugned transfer with some ulterior and oblique motive, in a malafide manner.

2

The applicant begs to challenge the impugned action of the respondents on the ground that the same is arbitrary, illegal, unjust and against the prevailing policy of the respondent Department.

6.2 The applicant was appointed as Khalasi, Class-IV, employee, with effect from 1-3-1973 at Ahmedabad. The applicant is having long service career and has worked with utmost sincerity and to the best satisfaction of the respondents, without giving any cause of complaint. The applicant was working at Ratanpur in Ahmedabad Division since 1985. The applicant submits that as per the consistent practice and policy of the respondent-Department, Class-IV employees like the applicant are not transferred outside their parent division or far from the native place. The applicant was appointed in Ahmedabad division and Ahmedabad is the native place of the applicant. The applicant submits that the contention of the applicant that Class-IV employees like the applicant are not transferred from their parent division far from the native place can be substantiated from the details given hereinbelow, wherein the Class-IV employees similarly situated like the applicant are never transferred from their parent division for 15 to 20 years, considering the fact that they are lowly paid class-IV employees and it would be very difficult for them to settle down from small centre to a big centre, as it would be very difficult to find cheap accomodation as well as the standard of living would be very high in the big centres.

The applicant craves leave to give following names of the employees working as Khalasi along with the applicant, who are never transferred from their original place for more than 15 to 20 years.

(Sr.No.)	(Name)	(not transferred since)	(Working at)
1.	H.N.Patel	10 yrs.	Ahmedabad
2.	L.M.Vankar	5 yrs.	Khaliayana (Ahmedabad Division)
3.	S.K.Parmar	18 yrs.	Ahmedabad Division
4.	Shivabhai K. Parmar	10 yrs.	"
5.	J.K.Puri	18 yrs.	"
6.	K.D.Waghela	16 yrs.	"
7.	I.R.Vania	16 yrs.	"
8.	M.M.Parmar	21 yrs.	Site no.10, Porbandar
9.	R.H.Joshi	10 yrs.	"
10.	D.N.Jadeja	10 yrs.	Site No.8, Porbandar.
11.	K.J.Jadeja	15 yrs.	"
12.	Danabhai P.Rathod	20 yrs.	Site no.9, Porbandar.

6.3 The applicant submits that from the aforesaid facts, it is very clear that Class-IV employees

are not subjected to transfer as per the prevailing practice and policy of the respondent Department. The applicant submits that it is also the practice and policy of the department to keep Class-IV employees in the parent division nearby their native place. The applicant submits that the applicant was appointed in Ahmedabad division and Ahmedabad is native place of the applicant and, therefore, the applicant ought ~~not~~ to have been kept in Ahmedabad Division itself, near to his native place i.e. Ahmedabad. The applicant submits that however, to the great shock and surprise of the applicant, vide an order dated 4/7-11-1989 the applicant is sought to be transferred from Ratanpur, Sabarmati Sub-Division, Ahmedabad to Anas Dam site, Mahi Sub-Division, at Kadana in Panchmahals District, which is about 300 kms. far from the native place. Annexed hereto and marked as Annexure 'A' is the copy of said order (Ann.-A) of transfer dated 4/7-11-1989. The applicant submits that the aforesaid action of the respondent is absolutely arbitrary inasmuch as, as per the prevailing practice and policy of the respondent Department, Class-IV employees are not transferred outside their parent division. However, only the applicant has been picked and

chosen for the impugned transfer. The applicant submits that, therefore, the impugned action of the respondents is in violation of Article 14 of the Constitution of India.

6.4 The applicant further submits that as it can be seen from the foregoing paragraph, Class-IV employees working along with the applicant are never transferred since last 10 to 15 years from their parent division. The applicant submits that the aforesaid fact itself is supporting the contention of the applicant that Class-IV employees are not subjected to transfer. The applicant submits that the respondents cannot act in an arbitrary and discriminatory manner inasmuch as the persons who are serving at a particular station are not transferred for 15 to 20 years though similarly situated like the applicant and only the applicant is subjected to transfer which is in violation of Article 16 of the Constitution of India. The applicant submits that, therefore, the impugned action is ex facie arbitrary, illegal, discriminatory and untenable in the eye of law.

6.5 The applicant submits that the applicant is staying at Ahmedabad with his family which consists of wife and 3 children. The applicant

submits that the minor children of the applicant are studying in Municipal School at Ahmedabad and, therefore, if the applicant is sought to be transferred at this point of time in the midst of term, the continuation of education of the children of the applicant would suffer and their career would be put to jeopardy. The applicant submits that moreover, the wife of the applicant is suffering from severe asthametic disease and is under continuous treatment in the V.S.Hospital, Ahmedabad, since last 4 years. The applicant submits that if the applicant is placed to a very remote place in Panchmahals District, the wife of the applicant would not get adequate and appropriate medical treatment. The applicant submits that on the ground of hardship also, the impugned order of transfer requires to be quashed and set aside.

6.6 Even otherwise, the impugned order of transfer of the applicant requires to be quashed and set aside as being arbitrary, illegal, null and void.

6.7 The applicant submits that the impugned order of transfer dated 4/7-11-1989 was received by the applicant only on 15-11-1989 and the same has not been implemented so far. The applicant

is, therefore, required to be protected by appropriate interim relief, in the interest of justice.

7. Relief sought:-

The applicant prays for the following relief:-

(A) YOUR HONOUR be pleased to quash and set aside the impugned order of transfer dated 4/7-11-1989 passed by the Executive Engineer, transferring the applicant from Ratanpur to Kadana as being arbitrary, illegal, null and void;

8. Interim relief, if any:-

The applicant prays for following interim relief:-

(B) YOUR HONOUR be pleased to stay the implementation, operation and execution of the impugned order of transfer dated 4/7-11-1989 quo the applicant, at Annexure 'A', pending admission, hearing and final disposal of this Application;

(c) YOUR HONOUR be pleased to grant such other and further reliefs, as are deemed fit, in the interest of justice.

9. Details of remedies exhausted:-

The applicant declares that the applicant has exhausted all the remedies available to him.

10. Matter not pending with any other Court/s,etc.:-

The applicant further declares that the matter regarding this Application, which has been made, is not pending in any other court or with any other authority or before any other Bench.

11. Particulars of Postal Order in respect of Application fee:-

(i) No. of I.P.O.:- DD 194258
6 p.m. court
(ii) Name of the :-
issuing Post
Office.
(iii) Date of issue:-
of I.P.O. 17-11-89
(iv) Post Office :-
at which
payable. Alwarajpur

12. Details of Index:-

Index containing the details of documents is enclosed.

13. List of enclosures:-

Annexure 'A' - Impugned order of transfer dated 4/7-11-1989, issued by Executive Engineer, transferring the applicant to Kadana from Ratanpur.

Chels
- Verification *(Am. D.M. Thakker)*
John

I, A.B.Rathod, S/o. B.Rathod, age years working as Khalasi, resident of Ahmedabad, do hereby verify that the contents from para 1 to 13 are true to my personal knowledge and belief and that I have not suppressed any material facts.

Place: Ahmedabad.

Date : 17th /11/1989

A.B. Rathod
(A.B.RATHOD)
SIGNATURE OF THE APPLICANT

filed by Mr. *D.M. Thakker*
Learned Advocate for Petitioners
with second set & 3 spares
copies copy served/not served to
other side.

C. S. Rao
Dt. 17/11/89 Dy. Registrar C.A.T (I)
A'bad Banch

No. MD/WC/E-1/89/ 8u18-26 Ann-A
GOVERNMENT OF INDIA
CENTRAL WATER COMMISSION
MAHI DIVISIONVaghela' Building,
1, Shyamnagar,
Gurukul Road,
Memnagar, Ahmedabad-52.

Dated : 7/11/89.

OFFICE ORDER

The following Junior Observer/Work Sarkar Gr.II/III & Khalasis working in Sub Divisions/Division are hereby transferred as shown against each with immediate effect on their own cost.

Sl.NO.	Name & Designation.	Where working at present.	Place to which transferred.
1.	Shri H.N. Patel, Junior Observer.	Site No. 8, Gungan under Sabarmati Sub Division, Ahmedabad.	Mahi Division, Ahmedabad.
2.	Shri R.G. Patelviya, W/S Gr.II.	CFF W/L Stn., Kheda under Sabarmati Sub Divn., Ahmedabad.	Banas-Luni Sub Division, Palanpur.
3.	Shri A.R. Darbar W/S Gr.III	Anas Site Mahi Sub Division; Kadana.	Wanakbori, Mahi Sub Divn., Kadana.
4.	Shri A.L. Patel W/S Gr.III.	Banas Luni Sub Division, Palanpur.	Sabarmati Sub Division, Ahmedabad.
5.	Shri J.F. Baria Khalasi.	Mahi Dam, Mahi Sub Divn. Kadana.	Panam Damm, Mahi Sub Divn., Kadana.
6.	Shri L.M. Vankar Khalasi	Galiana Sabarmati Sub Divn., A'bad.	Ratanpur, Sabarmati Sub Divn., A'bad.
7.	Shri A.B. Rathod, Khalasi.	Ratanpur Sabarmati Sub Division, Ahmedabad.	Anas Dam Site, Mahi Sub Divn., Kadana.

(RAMESH GROVER)
EXECUTIVE ENGINEER

(PTO)

Copy to :-

1. The Assistant Engineer, Sabarmati Sub Division, Ahmedabad.
2. The Assistant Engineer, Mahi Sub Division, Kadana.
3. The Assistant Engineer, Banas Luni Sub Division, Palanpur.

For information. It is hereby instructed to relieved them on receipt of this order. The joining report of the incumbents may be sent to this office for office record.

4. Bill Clerk, Mahi Sub Division, Ahmedabad.
5. Accounts Branch, Mahi Sub Division, Ahmedabad.
6. Persons concerned. (through AE).
7. Persons concerned file.
8. The Asstt. Engineer, (Civil), Mahi Divn., Ahmedabad.
9. O/O File.

Revised
EXECUTIVE ENGINEER

CDN /11189.

7-11-89.

550/G114/wc/89/11189

Passed on to Shri A. B. Rathod w/ e khalasi
e PFW/L Station, Ratanpur. Through S/o in charge
6/11/89

Shri A. B. Rathod
Sabarmati
Memna, Ahmedabad-52

Before the CAT at Ahmedabad

In The High Court Of Gujarat At Ahmedabad

O.A.

No.

1989

A. B. Rathod.

...Petitioner

v/s.

Union of India &

...Respondent

O.S.

I/We A. B. Rathod.

the Applicant abovenamed, do hereby authorise Shree D. M. Thakkar Advocate, High Court, to appear act and plead on behalf of me/us in the above matter as well as to negotiate for compromise or to withdraw or compromise on my/our behalf in the above matter at any stage.

IN WITNESS whereof I/we have set and subscribed our hands hereunder.

A. B. Rathod

Accepted:


D. M. Thakkar

ADVOCATE

45/B, Stadium House,
Opp. Municipal Bath,
Navrangpura,
AHMEDABAD-380 009.

December twenty 2015.

Deepak M. Thakkar

Advocate,
604, Samruddhi, 6th Floor,
Sattar Taluka Society,
Opp. High Court,
Ahmedabad-380014.

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BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL AT
AHMEDABAD.

Fixed for
Final hearing
on 20-2-90

ORIGINAL APPLICATION NO. 495 OF 1989

Applicant : Shri A. B. Rathod

v/s.

Respondents : Union of India & others.

REJOINDER TO THE REPLY FILED
BY THE RESPONDENT NO. 2

I, A.B.Rathod, the applicant herein, beg to file this rejoinder in response to the reply filed by the Respondent No.2. I state that the averments and contentions which are not specifically admitted are categorically traversed.

(1) It is submitted that the respondent no.2 has filed reply on behalf of Respondent nos.1 and 3 also for which the respondent no.2 has no authority under the law and, therefore, the reply filed by the respondent no.2 on behalf of other respondents cannot be taken on record and the same cannot be considered while deciding the matter on merits. It is submitted that the respondent no.2 is not given any authority to represent the case on behalf of the respondent nos.1 and 3 and, therefore, the reply filed by the respondent no.2 on their behalf cannot be looked into.

Copy served
on the respondent
to R.P.A.O.
by P.D.
Rathod

On the
20-2-90
Clerk to Mr
Rathod
B
out

(2) At the outset, it is stated that the respondent no.2 has filed a misleading reply so as to create a confusion before the Hon'ble Court. It is submitted that the respondent no.2 has stated in paragraph 1 and 2 of the reply that the impugned order of transfer is issued at the request of the applicant for his transfer. It is submitted that as a matter of fact, the request for transfer was made on 18-10-1988 as per Annexure 'VII' in a peculiar circumstances, with a specific request to transfer the applicant in Ahmedabad Division at Raska or at Kaira. In this view of the fact, since the applicant was given threats by some notorious villagers, the applicant had made the request for transfer before one and a half year. It is submitted that since at that point of time the said request was not adhered to, the purpose was defeated. It is submitted that it is of no use transfer to the applicant now after a span of one and half year that too at a place where the applicant had not requested for transfer. If the respondent no.2 wanted to oblige the applicant by transferring him as per his request, then the applicant ought to have been posted either of the aforesaid two places viz. Raska or Kaira, instead of transferring the applicant to Anas Dam Site, which is situated outside the State of Gujarat in Rajasthan. It is submitted that, therefore, the contention canvassed

by the respondent no.2 that the impugned transfer is as per the request of the applicant is nothing but an afterthought and ^a covers the story.

(3) It is submitted that on bare reading of paragraph 3, it transpires that the impugned order of transfer is issued by way of punishment inasmuch as it is stated in the said paragraph that as the work of the applicant was not found satisfactory and as the applicant used to remain absent from his duties and, therefore, the Assistant Engineer In-charge had recommended the transfer of the applicant vide letter dated 29.9.1989. It is pertinent to note that before transferring the applicant on the ground of aforesaid alleged misconduct or unsatisfactory work, the applicant is neither given any show cause notice nor any enquiry is conducted as to find the applicant guilty of the charges. It is further pertinent to note that the impugned order of transfer is based on memos issued in the year 1982 as can be seen from Annexure III and IV of the reply, which is absolutely arbitrary and illegal inasmuch as the said memos cannot be made a ground after a lapse of 7 years for the purpose of impugned transfer. Since the impugned transfer is by way of punishment, it was incumbent upon the respondent authorities to follow the principles of natural

justice before punishing the applicant. Since the impugned order is in flagrant violation of the principles of natural justice, the same requires to be quashed and set aside.

(4) It is pertinent to note that the contention of the applicant that other similarly situated Class IV employees working at different places as per the details given in Para 6.2 of the Main Application is substantiated by the admission of Respondent no.2 in paragraph 3 of the reply, wherein it is clearly stated that other officials are working for years together at one place is correct as their work is found satisfactory to their superiors. It is submitted that, therefore, it is a clear case of arbitrary and discriminatory treatment given to the applicant by the respondent no.2 as the applicant only is picked and chosen for impugned transfer, that too by way of punishment, without following any procedure under the law in consonance with the principles of natural justice. It is submitted that, therefore, the impugned order of transfer is in violation of Article 14 and 16 of the Constitution of India and the same requires to be quashed and set aside.

(5) It is submitted that the respondent no.2 has made false averments and ~~sunk~~ statement in paragraph 4 of the reply by stating that the transfer of applicant

to Anas Dam Site is on his request with a deliberate intention to mislead this Hon'ble Court inasmuch as on bare reading of the request application at Annexure VII, nowhere the applicant has stated that he should be transferred at Anas Dam Site but on the contrary, the applicant has specifically requested for transfer at Raska or Kaira in Ahmedabad Division. It is submitted that, therefore, there is no question of transferring the applicant at Anas Dam Site under the guise of Request Transfer, as contended by the respondent no.2. Since the request made in 1988 was not adhered to at that time, it has to be treated as cancelled and, therefore, the same cannot be used against the applicant after a lapse of one and a half year for the purpose of impugned transfer. It is submitted that the person who was sought to be transferred vice the applicant, viz. Shri L.M.Vankar, at Sr.No.6 of the impugned order, has been retained at Galiana as he had never made any request for the transfer at Ratanpur and, therefore, his order of transfer is cancelled. It is submitted that notwithstanding the fact that the aforesaid person Shri L.M. Vankar is retained at Galiana and has not joined at Ratanpur and despite the fact that impugned order of transfer is stayed by this Hon'ble Tribunal, the respondent no.2 is not allowing the applicant to discharge his duties by taking law in his hands and the said contemptuous act requires to be dealt with

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-6-

strictly by this Hon'ble Tribunal, in the interest of justice.

(6) In the above view of the matter, the impugned order of transfer requires to be quashed and set aside and the main application is required to be allowed with costs.

Place : Ahmedabad.

Dated : 15/2/1990.

A.B.Rathod

Applicant

Verification

I, A.B.Rathod, the applicant hereinabove, do hereby verify and state that whatever stated in paragraph (1) to (6) hereinabove is true to the my best of/knowledge and information and I believe the same to be true.

Place : Ahmedabad.

Dated : 15/2/1990.

A.B.Rathod

(A. B. Rathod)
Applicant.

Reply/Rejoinder/Written submissions
filled by Mr. D. B. Rathod
Learned advocate for petitioner/
Respondent with second set
Copy served/not served to other side

Dt. 16/2/90 Dy. Registrar C A T (D)
A'bad Bench

16/2/90

Before the Hon'ble Judges, Central Administrative
Tribunal, Ahmedabad Bench.

In the matter of

Shri A.B.Rathod

.....Applicant

Versus

Union of India and othersRespondents.

Regn.No. O.A.No.495 of 1989.

Written Statement on behalf of the respondents
No.1 to 3 to the petition and reply to the application.

.....

Sir,

It is most respectfully submitted as under:-

1. That the only applicant had not been transferred at his own cost but other Khalasis, Junior Observer, Work Sarkar Grade-II and III and also whose applications were received for their transfer at own cost copy of transfer order bearing No.MD/WC/E-1/89/8418-26 dt.4.11.89 attached as Annexure-I. Moreover all these transfers have been made under provisions contained in Sahasrabudhe Committee Report.

2. That the allegations made by the applicant in para 6.1 of O.A.No.495 of 22nd November, 1989 such as that his transfer has some ulterior and oblique motive, in a malafide manner are denied as they are baseless and carries no weight in view of the applicant's application for his transfer at own cost on any site zerox copy of such application is enclosed as Annexure-II. His transfer is also based on the Sahasrabudhe Committee Report.

3. That the allegation made by the applicant in para 6.2 of O.A.No.495 of 22nd November 1989 that his work was with utmost sincerity and to the best satisfaction of the respondent is denied as it is totally false and wrong as his work was never found satisfactory as can be seen from the Memos issued to him from time to time.

ANNEXURE-I

filed by
R.P.M-2
R.M
2/2/90.

ANNEXURE-II

copy Severed to
Shri D.H. Thakral
Advocate
R.P.M-2
2/2/90.

(i) Memorandum No. CFFD/WC/PF/32/C-141-42 dt. 30.9.82 of Deputy Director Control Flood Forecasting Division., CWC, Ahmedabad. (Zerox copy attached) Annexure- III.

ANNEXURE- III

(ii) Memorandum No. AGSD/E-14/WC/82/955 dt. 17.8.82 of Assistant Engineer, Gauging Sub-Division, Ahmedabad. (Zerox copy attached) Annexure- IV.

ANNEXURE- IV

(iii) Memo No. MD/WC/PF/177-179 dt. 16.11.88 of Executive Engineer, Mahi Division, CWC, Ahmedabad (Zerox copy attached) Annexure- V.

ANNEXURE- V

(iv) Letter dt. 29.8.89 issued by Asstt. Engineer, Sabarmati Sub-Division while camp at Ratanpur to Shri A.B. Rathod, W/C Khalasi (Zerox copy enclosed) Annexure- VI.

ANNEXURE- VI

Further it is also pointed out that the applicant Shri A.B. Rathod, W/C Khalasi had illegal affairs with one married lady of that village whose husband was working out of that place. When villagers came to know about this illegal affair of the applicant then the villagers might have threatened Shri Rathod (Applicant). The facts of threatening are also mentioned by Shri Rathod (Applicant) in his application dt. 18.10.88. (Zerox copy of this is enclosed) as Annexure- VII. The Assistant Engineer in charge of his Sub-Division had recommended the transfer of the applicant to any other place out of his Sub-Division vide his letter No. SSD/C-14/WC/89/ 1242 dt. 29.9.89 (Zerox copy of this letter is also enclosed as Annexure- VIII), on the ground that his work was not found satisfactorily and the applicant used to remain absent from his duties.

ANNEXURE- VII

The facts of illegal affairs of the applicant at Ratanpur with one married lady were also well known to the Police authorities of that area. The undersigned had confirmed these facts while making inspection of the site and enquiry of this case.

The contention of the applicant that other officials are working years together at one place is correct as their work ~~is~~ found satisfactory to their superiors. Moreover, they have not applied for their transfers. Further it is worth mentioning that the applicant himself had worked in Ahmedabad Division, but he was pushed out of the Division due to his misbehaviour, misconduct and unsatisfactory work rather neglegency towards his official duties. Further the contention of the applicant ~~are not~~ that Class-IV employees like the applicant are not transferred from their Parent Division is not correct. The applicant is transferred from one Sub-Division to another Sub-Division under the same Division. Normally no Class-IV is transferred but ~~in~~ the exigencies of Government work so warants or due to some ~~edministrative~~ administrative reasons or request of the concerned applicant, the Government then makes the transfer.

4. That the applicant's allegations made in para 6.3 of O.A.No.495 of 22nd November, 1989 that it is the policy of the Government to keep Class-IV employees in the Parent Division nearby native place are denied. The word used here as Parent Division by the applicant is also wrong as this is one and the same Division only and question of Parent Division does not arise. The transfer of the applicant to the Anas Dam site is on his written request at own cost. Annexure-II as mentioned above may kindly be looked at.

5. That the applicant's allegations in Para 6.4 of O.A. No.495 of 22nd November, 1989 that the respondents cannot act in an arbitrary and discriminatory manner are baseless as the respondents have not acted in an arbitrary and discriminating manner, hence question does not arise.

6. That the applicant states in para 6.5 of O.A.No.495 of 22nd November 1989 that the applicant is staying at Ahmedabad with his family needs full justification by the applicant as his place of posting/duty was Ratanpur and he is supposed to be there at his headquarter place and not at Ahmedabad. That means applicant was not performing his full duty and leaving his headquarters for Ahmedabad which is against ~~Government~~ ^{Government} Rules and for that he is liable for disciplinary action as per standing rules of the Government in force.

7. That looking to the above mentioned facts the transfer order cannot be kept aside or quashed as requested by the applicant under para 6.6 of O.A.No.495 of 1989. The transfer order issued is quite in order and as per rules and based on Sahasrabuha Committee Report.

8. That the transfer order issued has already been implemented and cannot be protected by any appropriate interim relief as asked for by the applicant under para 6.7.

The interim relief prayed for by the applicant can't be granted and the entire period of his absence after his relief from Ratanpur site will be regularised by granting him leave of the kind due to him.

PRAYER

It is therefor prayed that the applicant's petition may please be dismissed with the heavy cost.

RESPONDENTS.

Ahmedabad
Date: 1.2.1990

R. Grover
(RAMESH GROVER)
Executive Engineer,
MAHI Division, C. W. C.
Ahmedabad

DIRECT

VERIFICATION :

Verified at Ahmedabad on 1st day of February, 1990 that the contents of the above written statement are correct and true to the best of my knowledge and belief.

RESPONDENTS.

Ahmedabad.

R. Grover
(RAMESH GROVER)
Executive Engineer,
MAHI Division, C. W. C.
Ahmedabad

No. MD/WC/E-1/89/ 8418-26
GOVERNMENT OF INDIA
CENTRAL WATER COMMISSION
MAHI DIVISION

18

'Vaghela' Building,
1, Shyamnagar,
Gurukul Road,
Memnagar, Ahmedabad-52.

Dated : 4/11/89.

OFFICE ORDER

The following Junior Observer/Work Sarkar Gr.II/III & Khalasis working in Sub-Divisions/Division are hereby transferred as shown against each with immediate effect on their own cost.

Sl.NO. Name & Designation. Where working Place to which
at present? transferred.

1.	Shri H.N. Patel Junior Observer.	Site No. 8, Gungani under Sabarmati Sub Division, Ahmedabad.
2.	Shri R.G. Pateliya, W/S Gr.II.	CFF W/L.Stn., Kheda under Sabarmati Sub Divn., Ahmedabad.
3.	Shri A.R. Darbar W/S Gr.III	Anas Site Mahi Sub Division; Kadana.
4.	Shri A.L. Patel W/S Gr.III.	Banas Luni Sub Division, Palanpur.
5.	Shri J.F. Baria Khalasi.	Sabarmati Sub Division, Ahmedabad.
6.	Shri L.M. Vankar Khalasi	Mahi Dam, Mahi Sub Divn. Kadana.
7.	Shri A.B. Rathod, Khalasi. ^{PT}	Panam Damm Mahi Sub Divn., Kadana.
		Galiana Sabarmati Sub Divn., A'bad.
		Ratanpur, Sabarmati Sub Divn., A'bad.
		Anas Dam Site, Mahi Sub Divn., Kadana.

(RAMESH GROVER)
EXECUTIVE ENGINEER

(PTO)

Copy to :- (1) The Assistant Engineer,
G.O.M.R. : 1949/10
G.O.M.R. : 1949/10

1. The Assistant Engineer,
Sabarmati Sub Division,
Ahmedabad.
2. The Assistant Engineer,
Mahi Sub Division,
Kadana.
3. The Assistant Engineer,
Banas Luni Sub Division,
Palanpur.

For information.
It is hereby
instructed to
relieve them on
receipt of this
order. The
joining report of
the incumbents may
be sent to this
office for office record.

4. Bill Clerk, Mahi Sub Division, Ahmedabad.
5. Accounts Branch, Mahi Sub Division, Ahmedabad.
6. Persons concerned. (through AE).
7. Persons concerned file.
8. The Asstt. Engineer, (Civil), Mahi Divn., Ahmedabad.
9. O/O File.

Alfrey

EXECUTIVE ENGINEER

SSD/C/14/1/28/98

Office of the

Assistant Engineer

Sabarimala Sub Division C.W.C.

Memnagar, Ahmedabad-52

20

6-8-88.

To

The Executive Engineer,
H. D. E. Ahmedabad.

Sub: Transfer application
of Mr. A. B. R. M. and upthrust

Sir,
please find enclosed here with a
application received from Mr. A. B.
Rathod requesting transfer to any other
site. His request for transfer is recom-
mended and he may be posted in
other site as he is prepared to go at
his own cost. A substitute will be
required to relieve him.

~~Ex-
E.C.I~~ ~~Mr. Assistant
Engineer~~
QFB one/one above,

Yours faithfully,

Assistant Engineer

Sabarimala Sub Division C.W.C.

Memnagar, Ahmedabad-52

Dr. M. 21805

21 Aug 1991

229102

Bikaner 21

Aug 27 1991 2124

E9101 21805 21805

C.W.C 21805 21805

Bikaner 21 Aug 1991 2124

P.T.O.

22

200000 Dec 23, A.B. Russell
Dr. in 2687, 16033
orange cinnabar

CONFIDENTIAL

23

Government of India
 Central Water Commission
 Central Flood Forecasting Division

2-Jalsabah Society,
 Sabarmati,
 Ahmedabad.5.

No.CFFD/WC/PF/82/C-141-42

Dated: 30.9.82

MEMORANDUM

Shri.A.B.Rathod workcharged Khalasi at site No.8 Gauging Sub-division, called by the A.E., at his office on 3.8.82 and directed to proceed to site with the re-rated current meter and rating chart handed over to him to start the discharge observation w.e.f.5.8.82

It was reported that Shri.A.B.Rathod was not available at site No.8 till 16.8.82 and he had not also delivered the current meter and the rating chart till 16.8.82.

Shri.A.B.Rathod was absent from duty without ~~prior~~ knowledge of the officer that too when a Khalasi was directed to carryout the instructions is very irregular and call for a strict disciplinary action. The period from 3.8.82 to 16.8.82 is therefore treated as unauthorised absent from duties and he is not entitled for any T.A claims as per instructions.

Shri.A.B.Rathod should intimate within 10 days ~~stated~~ the reasons for absenting from his service, reasons is not satisfactory his service will be terminated with immediate effect.

To
 Shri A.B. Rathod, W.C. Khalasi
 Through A.E. Gagiy Sub-Div.

Q (M.R.RAGHOTHAMA RAO)
 DEPUTY DIRECTOR.

30/9

Copy to: A.E., Gauging Sub-Div., with reference to his Memorandum No.AGSD/E-14/WC/82/955 Dt.17.8.82 Shri.A.B.Rathod, Khalasi should not be paid for period 3.8.82 to 16.8.82 as it is an unauthorised absent. He is not also ~~not~~ eligible to claim any T.A for the tour being utilised for his personnel work.

Q (M.R.RAGHOTHAMA RAO)
 DEPUTY DIRECTOR.

30/9

S.I

No. AGSD/B-14/WC/82/ 155
 GOVERNMENT OF INDIA
 CENTRAL WATER COMMISSION
 GAUGING SUB DIVISION

Ahmedabad-9. Dt: 17/8/82.

24

MEMORANDUM:

Shri A.B. Rathod, W/C Khalasi, G&D Site No.8, Gungan was called on tour to sub division office on 3-8-82 to collect the re-rated current meter. One re-rated current meter alongwith rating chart was given to him on 3-8-82 and he was instructed to proceed to site immediately and start the Discharge observations from 5-8-1982 as per instruction given at site on 28-7-1982 during the inspection of undersigned. As per instructions of the Deputy Director one Khalasi from site No. 6 Valasana was directed to proceed on tour to Site No. 8 Gungan to do daily discharge observation. When the Khalasi reached at site No.8, Gungan on 16-8-82, it is found out that there was no current meter available at site and Shri A.B. Rathod, Khalasi did not turn up till 16-8-1982.

Shri A.B. Rathod, Khalasi is hereby asked to explain why he did not reach to the site upto 16-8-1982 with current meter. Why he remain absent from site without any information to the sub division and why he has not intimate to this office that he did not handover the current meter to site. His explanation should reach this office within seven (7) days of the receipt of this letter.

(M.V. DESAI)
 ASSISTANT ENGINEER
 GAUGING SUB DIVISION
 C.W.C. : : AHMEDABAD

To,

Shri A.B. Rathod,
 K. Lasi, Site No.8.
 Gungan.

✓ Copy to the Deputy Director, CFFD., Ahmedabad. As per instruction from Division office one Khalasi was sent from Site No.6, Valasana to site No.8 to observe the daily discharge but he could not observe the due to non availability of current meter. Shri A.B. Rathod, Khalasi was called on tour here and handed over one current meter for site No.8 Gungan on 3-8-1982 and was instructed to proceed to site immediately. But he did not reach to the site up to 16-8-1982.

The necessary action may be taken against him.

Copy to Shri B.N. Jadeja, Site Incharge, Site No.8, Gungan.

He should intimate that when Shri A.B. Rathod Khalasi left the site for sub division and actual date of his arrival at site. He should also intimate how he has observed the daily discharge from 3-8-1982 to 16-8-1982 as instructed on 28-7-1982.

17/8/82
 ASSISTANT ENGINEER

PHONE: 476434

GRAMS: FORECAST
AHMEDABAD

25

NO. MD/WC/PF/ 107-109
GOVERNMENT OF INDIA
CENTRAL WATER COMMISSION
MAIL DIVISIONVaghela Building,
I, Shyamnagar, Gurukul Rd.,
Monnagar, Ahmedabad-52

Dt:- 16/11/88

MEMO

It has been verified from the attendance Register that you were absent from duty w.e.f. 22.7.1988 A.N. without giving information or submitting any leave application at site.

You are writing in your application dated 23.7.88 that in spite of the compromise made on 9.7.88 between the villager and you, as a consequence of quarrel, in the presence of Sarpanch of Gadvel village at Kathlal Police Station, the villager and his companion came to attack on 22.7.88. It was your duty to register the complaint against the villager at police station Kathlal but instead of this you remained absent from duty to seek out an excuse for your transfer. As per inquiry from the villager, Sarpanch & Kathlal Police station it concludes that you are the defaulter giving the bad name to department.

Further you came to Division office with lawyer to serve a court notice to the department if the request of your transfer is not considered, which is against the CCS Rules. And moreover you are making direct correspondence with higher authorities which is against the Govt. rule and not a correct office procedure.

Looking into the above facts your leave application will not be entertained rather it will be treated as a willfull absence from duty.

You are hereby warned not to repeat such type of antisocial practice in future and desist from making direct correspondence with higher authorities otherwise a deciplinary action as given in CCS & CCA Rules will be taken against you.

To
Shri A.B. Rathod,
W/C Khalasi
through AE, SSD, Ahmedabad

R.M.G.
(RAMESH GROVER)
EXECUTIVE ENGINEER

Copy to the Superintending Engineer, Western Rivers Circle, OWC, Nagpur for information please. It is intimated to you that the above said Khalasi is adopting trial & error method by searching out the different ways for transfer to come near to his home town i.e., Ahmedabad.

Copy to AE, SSD, Ahmedabad for information and necessary action. Further he is advised not to give room for such happenings in future.

R.M.G.
(RAMESH GROVER)
EXECUTIVE ENGINEER

Office of the
Assistant Engineer
Engineering Department
G.O.M.R. (G.O.M.R.)
Ratnagiri
Almudabad, Maharashtra 402 502

ANNEXURE VI

Copy : Ratanpuri 26
Df : 29.8.89.

TD,
Shri. A.B. Rathod
W/o. Khaloshi
Ratanpuri

Sub:- Misbehaviour and not attending
the work of discharge observations

If it is found that

1. you are not remaining present while discharge observation inspite of clear cut instruction.
2. to get Sanction C.H. for Extra duty hours.
3. you are creating ^{problem} program / hindering the work of discharge ob.
4. you are not remaining present at head quarters even monsoon season ~~so~~ very strongly.
5. you are threatening the Staff working at site

While observing above points, under signed
here viewed seriously. Hence you are hereby
warned to avoid such practice. This may
be treated as memo.

sd/-

Witness :

1. Sh. P.J. Mehta w/o. III
2. Sh. M.C. Barot w/o. Kh.

R. D. PATEL.
Asst. Engineer,
Assistant Engineer
Saharwadi Lub. Officer P.W.D.
Almudabad, Maharashtra 402 502

1) Copy to :-

The Ex. Engineer, main division, Ahmedabad
Km. 100, 1/2, 1/4 and transfer Sh. Rathod
(P.G.O)

27

from this site immediately for smooth
running the site. otherwise the discharge
observation do not possible to continue.

29. Go the site incharge or atampur. W/C. Chakshi
for n/a.

(or of
29/8/83)

(C. B. P. Patel)
Assistant Engineer
Sabarmati River O.W.C.
Meenagar, Ahmedabad-52

28

No. SSD/61/1/68/1178

GOVERNMENT OF INDIA
 CENTRAL WATER COMMISSION
 SABARMATI SUB DIVISION

Ahmedabad. 52. Dt: 18/10/88.

To,

The Executive Engineer,
 Mahi Division, CWC.,
 Ahmedabad.

Sub :-

Transfer request application received
 from Shri A-B Rathod w.e.f.

Sir,

Please find enclosed herewith an application
 received from Shri A-B Rathod w.e.f.
 requesting Transfer to another site
 for favour of further action at your end. A substitute will
 be required to relieve him.

Yours faithfully,

18/10/88
 (K.V. RATHOD)
 ASSTT. ENGINEER
 SABARMATI SUB DIVISION
 C.W.C. : AHMEDABAD

Encl :- As above.

RE
BC-II
 -:-
6714
18/10/88

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From:
 A.B.Rathod, Khalasi,
 C.F.F.S.Wireless Station,
 P.O.Ratanpur,
 Dist: Kaira.

To
 The Executive Engineer,
 Mahi Division, C.F.F.Division,
 C.W.C., Ahmedabad.

Sub:- Request for suitable transfer on
 account of personal and family
 circumstances.

Respected Sir,

I the undersigned A.B.Rathod is serving
 at present at Ratanpur, Dist: Kaira since last 3
 years at Khalasi. I request for my transfer from
 Ratanpur to Raska or Kaira or Ahmedabad at my own
 cost for the following reasons :

(1) Some notorious village persons have quarrels
 with me and they have tried to assault on me. Now
 they are keeping enmity with me and there is every
 risk on my life at any time.

(2) My wife is suffering from acute asthma and
 skin disease. She is taking continuous treatment
 at Vadilal Hospital since last 15 months. Zerox
 copy of some of the case papers are submitted here-
 with for your honour's perusal.

(3) My three minor childrens - two daughters
 and one son are studying in primary schools at
 Ahmedabad. Due to continuous asthmatic illness
 and skin disease of my wife, my presence in
 Ahmedabad is badly required to help my wife and
 minor children in their domestic work and school
 studies.

(4) I hope your Honour will be kind enough to
 take into sympathetic consideration the above
 facts and difficulties of my life and so it is

- : 2 : -

my humble request to transfer me at Ahmedabad
Division or Raska or Kaira at my own cost.

(5) For this I will ever pray for your honour's
healthy life and happiness.

Your most obedient
Servant.

A.B.Rathod
18/10/85

(A.B.Rathod),
Khalasi.
C.F.F.Wireless Station,
Ratanpur.

PHONE: 477764.

SSD, G 14, WC/89/1242
GOVERNMENT OF INDIA
CENTRAL WATER COMMISSION
SABARMATI SUB DIVISION

ANNEXURE-VIII

Ahmedabad-52. 29-9-89.

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To

The Executive Engineer,
Mahi Division, C.W.C.,
Ahmedabad.

Sub:- Transfer application of Shri. A.B.
Rathod. W/c Khalasi.

Sir,

Please find enclosed herewith an application received from Shri. A.B. Rathod, W/C Khalasi of Wireless Station Ratanpur regarding his unsafe at Ratanpur due to the reason that some villagers has threatened him. Further he has not mentioned the reason behind the villagers threatening. Apart from this, he is not a responsible person for Govt. work and he is creating problems with other staff. One Memo dated 29-8-89 was issued to him and copy to you ~~enforced already~~ ~~issued against him~~. Kindly transfer him to any other place than this Sub division for smooth running of the Site.

This is for favour of your information and kind necessary action please.

Encl: as above,

6664
6664/2
29-8-89
R.D.P.

Yours faithfully,

(R.D.PATEL.) 29/9/89
ASSISTANT ENGINEER.

એ.બી. ૨૧૦૨૬,
વાથરલેસ સ્ટેશન રતનપુર
(ગાડેલા)

યતિ,

અસીસ્ટન્ટ એન્નિયર સાધે,

રાબરમાની સથ ડીવીગન,

શી.ઓનાન્દુ.સી.

મુદ્દા ૧૯૧૬-૫૨.

વિષય:- દાન્સિકર કરવા બાબત અમદાવાદની જીકની કોઈપણ

રાયાં ૧૯૧૬-૫૨.

મધેરખાન સાધે જ્યાભારત સાથે જ્ઞાનવાનું કે હું એ.બી. ૨૧૦૨૬ નમૂતા પુર્ક

અરજ કરું છું કે તમારે જે મને તારીખ ૨૩-૮-૮૬ ના રોજ ડીસ્ચાર્જ કેમ નથી

શીપો તેના બારામાં આપ સાધેબને સાથી હકીકત જ્ઞાનવેલ કારણ કે મારી

નાઈં ડયટી તા. ૧૬-૮-૮૬ થી તા. ૩૧-૮-૮૬ સુધી આપેલ બી અને બે ડયટી

કુ મારી નિઝાત પુર્ક બજાવી રહ્યો હતો અને એમ.સી.બારોટ ત્યા માનસુન

ખારારી ખુપલાણને જન્માધ્યમિના તણેવારે ૨૪ આપી બી તે હું બીલુલ જાણતો
ન હતો તેમણે તમારે ૬-૩૦ ના કોલમાં મારી સાથે વાત કરી હતી તે

પ્રયાણે સે તમારે સાથી હકીકત જ્ઞાનવી બી, પરંતુ રાયાં ૧૯૧૬-૫૨.એ.મહેતાએ

તેમાં પણ માટે ખમો આરાધી મારી ઉપર મુશ્કેલી હોય તે બીલુલ ખોટું હોય.

કુન્ડાની ૮૮ ના હોય રાન્ટ-મીટર લાઠને ડાલોણ કે જીંબાંદ્રો બો

અર્દ્દ મારી બદલવા માટે હું તમારે મને કરેનું કે અન્યાં ડીસ્ચાર્જ

કરોણો પણ હું જ્યારે સાઈટ ઉંશર ગલો બી ત્યારે બાર.એ.ડાયી મોટું બે.બી.

૨૧૦૨૬, એજ.ડાયર બાં અને ફીશવેલથી ડીસ્ચાર્જ કેવાયા તેમણે ન હતો કારણે

દેવલ વધારે હું ૩૬.૫૫ માટે ને ૬૩૦.૨૮ કોલમાં ડીલીગ્નને જાણ કરી બી
તે જાણ છો.

બીજી તારીખ મને કે કલાર્ટી લોડવાનું નહીં તેનું જ્ઞાનવેલ હે પરંતુ સાધેબને માણા

થાય કે મારે ત્યાં રહેવામાં પુરેપુરું જોખમ હે, કારણે કે મારે લાયકીન જ્ઞાનનો

પ્રશ્ન હે કારણ કે મારે જામના માણસ રણજીત મોલન ડાયી સાથે અપણો શરેલ હે અને

મને જાણ્યા મારી નાખેવા માટે પમકી આપો હે તે જાણાનો. કારણે મારી ઉપર

તારીખ ૨૬-૮-૮૬ તેમજ તારીખ ૨૨-૮-૮૬ ના રોજ દીવરો વ્રણ વાગે હું નદીમાં

લેવલ જો બાળથો હતો ત્થારે બહારના માણસો લાવીને મને બ્રીજ ઉપર
પેરો નાખ્યાં જો પરંતુ રામય સુચકતા જોઈને હું સામે ગામ ખલાલ ર
ડીલો મીટર દોડીને બાળી ગથો હતો ત્થારે મારો જ્વાં બચ્યાં હતો.
નહીં તો મને જનથી મારી નાખ્યાં તે ઉપરટિં હું તા.૨૩-૭-૮૮.ના ૨૦૪.
ડીવીઅન બોડીસમાં જાણ કરવાથી ૨૧૦૦૯ સાહેબે મને ૨૪૧ ઉપર ઉત્તરી
જ્વાંનું જ્ઞાનેલે મને હું તા.૨૩-૭-૮૮ થી તા.૧૨-૧૨-૧૨-૮૮ શુધી ૨૪૧ ઉપર
છાયાં પરંતુ વારંવાર મેલાં બદ્ધી માટે બરજ કરો જી પરંતુ પરીણામ ન આવતા હું
ત્થા મારી પટ્ટની ત્થા મારા પાણકો હું મરતા હોવાથી મારા જીવની પરવા
અંત્રગત મારી કરજ ઉપર હાજર થયો જો પરંતુ કરીથી મારી ઉપર તે
માણસે તા.૧૪-૧૨-૮૮ ના ૨૦૪ જો હું બસમાંથી ઉત્તરો તો કરીથી પારીયું લઈને
મારવા પાણા દોડ્યો જો અને સમેના જે હા કાંકના ઘરે પણોચો ગથો ત્થારે
મારો જ્વાં બચ્યાં જો અને બી.જે.મહેતા પણ મારી સાથે જાં તે દોડીને
બોડીસમાં ગથા જાં તે એઠી બગોઝી.જે.મહેતા ત્થા અમો બંનો જાણ કર્યાં હતા
પોલીસ સ્ટેશન ગથા જાં પરંતુ ત્થા જે મારી ઉપર હુંલો કરનાર માણસ ૨૪૭
મોઝન ડાબી તેના રાગા બનેવી કર્યાં હતા પોલીસ સ્ટેશનમાં હોવાથી મારો ડેસ બીલ
કુલ ડીલો પડી ગથો તે આપ સાહેબ જાણ છો બીજુ મે સાઈટ ઇન્દ્રાજિતે ડીસ્ચર્જ
દેવા બાબતે ના કહેલ નથી તે બીજુલ જુઠાંનું છે. અને આ આપ સાહેબના કહેવા
પ્રમાણે હું હેડ કવાર્ટ્સ ડોડવા ત્થાર નથી કારણકે તમો મને મારા કેચ પણ જીવનું નાખ્યમ
થાય તો સંપૂર્ણ જ્વાંબદારી તમારી સાહેબની રહે છે, ત્થા ડીવીઅન બોડીસની રહે છે.
બીજુ મારી પટ્ટનીને છેલ્લા ૧૦ વર્ષથી ક્રવાસની બીમારી છે, તેનું કંદુનીસ સ્ટેટમેન
બી.મેસ. ડોસ્પીટલમાં ચાલે છે તે આપ સાહેબ જાણ છો બીજુ સાહેબને માલુમ થાય કે
તમો મારા માટે મેમો લખેલ છે તે બીજુલ જુઠું છે મે કોઈ દીક્ષા ડીસ્ચર્જ દેવા માટે
ના કહેલું નથી કે તમો મને મે માણસ આપો તો તમને દરરોજ ડીસ્ચર્જ થઈ જશે તે
આપ સાહેબ જાણ છો અને અને સાઈટ ઇન્દ્રાજિતે તમના બચાવ માટે મારી ઉપર બ્યાં મારીપે
નાખેલ છે તે તદ્દન ખોટું છે. માટે અને તેમાં મારી ન્યકમાં મારી બદ્ધી કરવા મહેરબાની
કરશે.

બી. આપના વિશ્વાસુ.

...A.Y.B. 2021
વાયરલેસ સ્ટેશન,
રતનપુર.

NOTICE BEFORE ADMISSION

JUDL-I

CENTRAL ADMINISTRATIVE TRIBUNAL
AHMEDABAD BENCH, AHMEDABAD

B.D.PATEL HOUSE,
NR. SARDAR PATEL COLONY,
P.O. NAVJIVAN,
AHMEDABAD-380 014.

Issued on the _____ day of _____ 198

REGN. NO.O.A. 22nd

November 198

495 9

APPLICANT (S)
ADV. MR.

V/s.

RESPONDENT (S)
ADV. MR.

To, Union of India and Ors.

01. Union of India through The Superintending Engineer, Central Water Commission, Western Rivers Circle, C.W.C. 4-A, North Bazar Road, Bharuchot Ext., Nagpur.
02. Executive Engineer, C.W.C., Maghela Building, Gurukul Road, Pimpri, Ahmedabad-51.
03. Asst. Engineer, C.W.C. Sabarmati Division, Ahmedabad.

Whereas Shri A. B. Rathod, applicant has made an application under Section 19 of the Administrative Tribunals Act, 1985, to this Tribunal, bearing OA No. 495 89 stated above and whereas the above matter is put up for hearing on 22-11-89. The Hon'ble Tribunal has passed the order as mentioned below. *

Whereas the said application has been again fixed for admission/interim orders on 6-12-89 at 10.30 A.M.,
0/ A copy of the application along with the relevant annexures is attached bearing Regn. No. as OA No. 495/89.

You are requested to produce the record(s) noted below on the aforesaid date of hearing for the perusal of the Hon'ble Bench of the Tribunal.

(I)

(II)

(III)

Strike if not applicable.

* Order passed on :

dd. 22.11.89

Msrd. Mr.D.M.Thakkar and Mr. Jogilal Yadav for Mr.J.D.Ajmar
learned advocate for the applicant and the respondents. Pending

Should you wish to argue anything against the admission of the application or issue of interim order, you are at liberty to do so on the date fixed, or any other date to which the case may be adjourned, either in person or through an advocate.

Also take notice that in default of your appearance on the date fixed, the case will be heard/ proceeded ex-parte.

Date : 22.11.89

DEPUTY REGISTRAR
CENTRAL ADMINISTRATIVE TRIBUNAL
AHMEDABAD BENCH
AHMEDABAD

O/c
Btghb
22/11/89
Par

admission, issue notices on interim relief and admission within 15 days and 30 days from the date of this order. The petitioner allowed ad-interim relief in this case. The interim order issued in terms of impugned order not be further implemented for a period of 15 days. Learned advocate for the petitioner states that no one has been taken in place of the petitioner and Mr. Vakar who was supposed to file his case has not yet relieved the case he posted for admission and interim relief. Direct service allowed at the request of the learned advocate for the petitioner.

(Now case to be posted on 6/12/89 for admission)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

AHMEDABAD BENCH, AHMEDABAD

MA/ /88
OA/ 495 /88.
TA/ /88.

District:
Advocate:

Mr. A. B. Rathod

..... Petitioners.

V/s.
Union of India ~~et al.~~ Respondent (s).

LETTER OF AUTHORITY TO SERVE NOTICE

To,

(2) Executive Engineer C.W.C.
Waghela Bldg. Gurukul Road.
Mumbai. A'Gad. R.

(3) Asstt. Engineer
C.W.C. Sabarmati Divn.
A'Sad.

Take Notice that this Tribunal having on 22/11/88
day of November, 1988, ordered "Notice/Rule to
issue, in the above mentioned MA/OA/TA filed in this
Tribunal and the petitioner (s) having prayed for
direct service of the notice/rule the petitioner or his
agent carrying this letter of authority is hereby
authorised to serve upon you or your agent the
accompanying notice/rule ordered to issue in the said
MA/OA/TA.

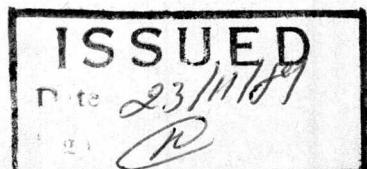
Dated this 22/11/88 day of November 1988.

By ORDER OF THE TRIBUNAL

CK
DEPUTY REGISTRAR
CENTRAL ADMINISTRATIVE TRIBUNAL



22/11/88
Par. Office
22/11/88



NOTICE BEFORE ADMISSION

JUDL-I

CENTRAL ADMINISTRATIVE TRIBUNAL
AHMEDABAD BENCH, AHMEDABAD

B.D.PATEL HOUSE,
NR. SARDAR PATEL COLONY,
P.O. NAVJIVAN,
AHMEDABAD-380 014.

Issued on the 6th day of December 1989.
REGN. No.O.A. 495/89

Shri A.B.Rathod.....

APPLICANT (s)
ADV. MR.

V/s.

D.N.Thakkar

Union of India and Ors.

RESPONDENT (s)
ADV. MR.

To,

J.D.Ajmera

01. Union of India through The Superintending Engineer, Central Water Commission, Eastern Rivers Circle, C.W.C. 4-A, North Bazar Road, Charsadda Ext. Nagpur.

02. Executive Engineer, C.W.C., Nagela Building, Gurukul Road, Nagpur, Ahmedabad.

03. Asst. Engineer, C.W.C., Sabarmati Divn. Ahmedabad.

Whereas Shri A.B. Rathod, applicant has made an application under Section 19 of the Administrative Tribunals Act, 1985, to this Tribunal, bearing OA No. 495/89 stated above and whereas the above matter is put up for hearing on 06.12.89. The Hon'ble Tribunal has passed the order as mentioned below. *

Whereas the said application has been again fixed for admission/interim orders on 15.12.89 at 10.30 A.M., A copy of the application along with the relevant annexures is attached bearing Regn. No. as OA No. 495/89.

You are requested to produce the record(s) noted below on the aforesaid date of hearing for the perusal of the Hon'ble Bench of the Tribunal.

(I)

(II)

(III)

Strike if not applicable.

Order passed on 15.12.89 in continuation of notice dtd. 22.11.89



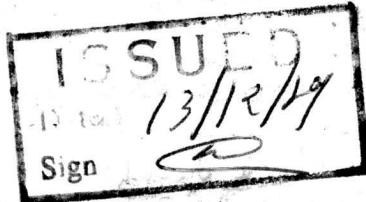
Mr. D.N.Thakkar and Mr.J.S.Yadav for Mr.J.D.Ajmera learned advocate for the applicant and respondents present. Mr.Thakkar states that the applicant is a class IV employee. According to the work allocation under letter No. JUD/A'bad/89/JS/755 dt. 16th October, 1989 the matter requires to be posted before the bench of Hon'ble Vice Chairman Registry to take necessary action. The interim relief is extended to the date such hearing comes up.
(Now the case be posted on 15.12.89 For Admission.)

Should you wish to argue anything against the admission of the application or issue of interim order, you are at liberty to do so on the date fixed, or any other date to which the case may be adjourned, either in person or through an advocate.

Also take notice that in default of your appearance on the date fixed, the case will be heard/ proceeded ex-parte.

Date : 07/12/89

CB
07/12/89
DEPUTY REGISTRAR
CENTRAL ADMINISTRATIVE TRIBUNAL
AHMEDABAD BENCH
AHMEDABAD



*M.L.G.
on. o.c*

NOTICE BEFORE ADMISSION

JUDL-I

CENTRAL ADMINISTRATIVE TRIBUNAL
AHMEDABAD BENCH, AHMEDABAD

B.D.PATEL HOUSE,
NR. SARDAR PATEL COLONY,
P.O. NAVJIVAN,
AHMEDABAD-380 014.

Issued on the 15th day of December 1989.
REGN. No.O.A./ 495 9

Shri A.B.Rathod

APPLICANT (s)

ADV. MR.

D.M.Thakkar

V/s.

Union of India and Ors.

RESPONDENT (s)

ADV. MR.

J.D.Ajmera

To,

1. Union of India through The Superintending Engineer, Central Water Commission, Western Rivers Circle, C.W.C.4.A, North Bazar Road, Dharmapeth Ext., Nagpur.
2. Executive Engineer, C.W.C. Waghela Building, Gurukul Road, Meenagar, Ahmedabad-52.
3. Asst. Engineer, C.W.C., Sabarmati Division, Ahmedabad.

Whereas Shri A.B.Rathod, applicant has made an application under Section 19 of the Administrative Tribunals Act, 1985, to this Tribunal, bearing OA No. 495 89 stated above and whereas the above matter is put up for hearing on 15.12.89. The Hon'ble Tribunal has passed the order as mentioned below. *

Whereas the said application has been again fixed for admission/interim orders on 16.12.90 at 10.30 A.M., A copy of the application along with the relevant annexures is attached bearing Regn. No. as OA No. 495 9

You are requested to produce the record(s) noted below on the aforesaid date of hearing for the perusal of the Hon'ble Bench of the Tribunal.

(I)

(II)

(III)

Strike if not applicable.

* Order passed on : dtd. 06.12.89

dtd. 15.12.89



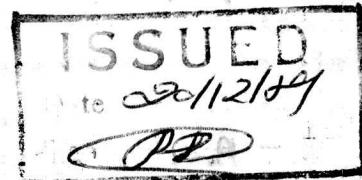
Mr. Ranesh Grover, the Executive Engineer, Mahi Division, C.W.C., Ahmedabad has sent a letter requesting permission to appear in person as respondent and asked for time. Mr. D.M.Thakkar, learned advocate for the applicant preses. The respondent may appear in person, and the time allowed. Interim relief to continue. The case be posted on 16th January, 1990 for admission.

Should you wish to argue anything against the admission of the application or issue of interim order, you are at liberty to do so on the date fixed, or any other date to which the case may be adjourned, either in person or through an advocate.

Also take notice that in default of your appearance on the date fixed, the case will be heard/ proceeded ex parte.

Date : 18/12/89

OK DEPUTY REGISTRAR
CENTRAL ADMINISTRATIVE TRIBUNAL
AHMEDABAD BENCH
AHMEDABAD



The Registrar,
Central Administrative Tribunal,
Ahmedabad.

Ref : O.A. No. 495/89, filed by
A.B. Rathod Vs. Union of India

The above-referred applicant has filed application before this Hon. Tribunal. I was served with an advance copy.

I have received a letter from Mr. Ramesh Grover, Executive Engineer, Mahi Division, Vaghela Building, Shyannagar Society, Memnagar, Ahmedabad, informing that his division is not interested in engaging Govt. Pleader and the said officer will appear before the Central Administrative Tribunal.

You are, therefore, requested to instruct the office not to show my appearance in the above matter. Xerox copy of the letter is enclosed.

Ahmedabad,

27-12-1989


(J.D. Ajmera)
Addl. Central Govt.
Standing Counsel

Received
C/S/27/12/89



GOVERNMENT OF INDIA
CENTRAL WATER COMMISSION
MAHI DIVISION

476434
Gram : FORECAST
Telex : 121-6561
CFFD IN

1-Shyamnagar Society,
Memnagar,
Ahmedabad-380 052.

No. MD/CAT/AER/89/ 8663-65

Date 6-12-1989

To: Dy.
The Registrar,
Central Administrative Tribunal,
Ahemedabad Bench, Ahemedabad,
B.D.Patel House,
Near Sardar Patel Colony,
Ahemedabad.

Sub : O.A No.495/89 - Sh. A. B. Rated Applicant.

Sir,

I, Ramesh Grover, Executive Engineer, Mahi Division, Central Water Commission, Vaghela Building, Shyamnagar Society, Gurukul Road, Memnagar, Ahmedabad-52 request you to kindly grant us extension of time upto 26-12-89 as the undersigned will be out of station to monitor world Bank aided medium irrigation projects of Gujarat.

I also inform you that our division is not interested in engaging a Govt. Pleader and undersigned will appear before the Central Administrative Tribunal and make arguments/facts of the above cited case in Tribunal.

Necessary permission to appear the undersigned in the Tribunal as respondent as well as extension of time as mentioned above may please be granted.

Thanking you,

Yours faithfully,

R. Grover
R. Grover

(RAMESH GROVER)
Executive Engineer.
Executive Engineer,
MAHI Division, C. W. C.
Ahmedabad—2/-

-: 2 :-

Copy to :-

Regd.

✓ Shri. J. D. Ajmer, Additional Central Govt. standing Counsel,
32, 3rd Floor, Elora Commercial Centre, Near Relief Cinema,
Ahmedabad-380 001.

Shri. Deepak. M. Thakkar, Advocate, 604, Samrudhi, 6th floors,
Sattar Taluka Society, Opp: High Court, Ahmedabad-380001 for
kind information.

R. Grover
6-12-89
(Ramesh Grover)
Executive Engineer.
Executive Engineer,
M.A.T. Wilson, C. W. O.
Ahmedabad.



857

GOVERNMENT OF INDIA
CENTRAL WATER COMMISSION

MAHI DIVISION

Central Administrative Tribunal

Ahmedabad Bench

Innocent No. 9129

Date 6/12/89

476434

Gram : FORECAST

Telex : 121-6561

CFFD IN

1-Shyamnagar Society,
Memnagar,
Ahmedabad-380 052.

No. MD/CAT/ABR/89/ S 663-65

Date 6-12-1989

To: The Registrar,
Central Administrative Tribunal,
Ahemedabad Bench, Ahemedabad,
B.D.Patel House,
Near Sardar Patel Colony,
Ahemedabad.

Sub : O.A No. 495/89 - Sh. A. B. Ratod Applicant.

Sir,

I, Ramesh Grover, Executive Engineer, Mahi Division, Central Water Commission, Vaghela Building, Shyamnagar Society, Gurukul Road, Memnagar, Ahemedabad-52 request you to kindly grant us extension of time upto 26-12-89 as the undersigned will be out of station to monitor World Bank aided medium irrigation projects of Gujarat.

I also inform you that our division is not interested in engaging a Govt. Pleader and undersigned will appear before the Central Administrative Tribunal and make arguments/facts of the above cited case in Tribunal.

Necessary permission to appear the undersigned in the Tribunal as respondent as well as extension of time as mentioned above may please be granted.

Thanking you,

Yours faithfully,

R. Grover
(RAMESH GROVER)

Executive Engineer.

Executive Engineer,

MAHI Division, C. W. C.

Ahmedabad - 2/-

Resubmitted CAF/129
Appearance note from
by Sh. A. B. Ratod received. We
phoned Sh. A. B. Ratod & received. We
ended Sh. A. B. Ratod on 12/12/89 by Sh. A. B. Ratod.

Copy to :-

Yashwant Patel

Shri.J.D.Ajmer, Additional Central Govt. standing Counsel,
32, 3rd Floor, Elora Commercial Centre, Near Relief Cinema,
Ahemedabad-380 001.

Shri.Deepak.M.Thakkar, Advocate, 604, Samrudhi, 6th floors,
Sattar Taluka Society, Opp: High Court, Ahemedabad-380001 for
kind information.

31/8/21
(Ramesh Grover)
Executive Engineer.
Executive Engineer,
MAHI Division, G. W. G.
Ahmedabad—

922

NOTICE BEFORE ADMISSION

JUDL-I

CENTRAL ADMINISTRATIVE TRIBUNAL

Central Administrative Tribunal AHMEDABAD BENCH, AHMEDABAD
Ahmedabad Bench

Inward No. 5417
Date 25/12/89

B.D. PATEL HOUSE,
NR. SARDAR PATEL COLONY,
P.O. NAVJIVAN,
AHMEDABAD-380 014.

Issued on the 6th day of December 1989.
REGN. No.O.A./ 495 /198 9

Shri. A.B. Rathod

APPLICANT (s)
ADV. MR.

V/s.

D.M. Thakkar

Union of India and Ors.

RESPONDENT (s)
ADV. MR.

To,

J.D. Ajmera

01. Union of India through The Superintending Engineer, Central Water Commission, Western Rivers Circle, C.W.C. 4th, North Bazar Road, Dharanageth Ext. Nagpur.

02. Executive Engineer, C.W.C., Naghela Building, Gurukul Road, Hemnagar, A'bad-52.

03. Asst. Engineer, C.W.C., Sabarmati Divn. Ahmedabad.

Whereas Shri A.B. Rathod, applicant has made an application under Section 19 of the Administrative Tribunals Act, 1985, to this Tribunal, bearing OA No. 495/89 stated above and whereas the above matter is ~~up~~ for hearing on 06.12.89. The Hon'ble Tribunal has passed the order as mentioned below. *

Whereas the said application has been again fixed for admission/interim orders on 15.12.89 at 10.30 A.M., A copy of the application along with the relevant annexures is attached bearing Regn. No. as OA No. 495/89.

You are requested to produce the record(s) noted below on the aforesaid date of hearing for the perusal of the Hon'ble Bench of the Tribunal.

(I)

(II)

(III)

Strike if not applicable.

* Order passed on 22.11.89 In continuation of notice dtd. 22.11.89
dtd. 06.12.89

Mr. D.M. Thakkar and Mr. J.S. Yadav for Mr. J.D. Ajmera learned advocate for the applicant and respondents present. Mr. Thakkar states that the applicant is a class IV employee. According to the work allocation under letter No. JUD/A'bad/89/JS/755 dt. 25th October, 1989 the matter requires to be posted before the bench of Hon'ble Vice Chairman. Registry to take necessary action. The interim relief is extended to the date such hearing comes up.

(Now the case be posted)

12.89 For Adm.



Should you wish to argue anything against the admission of the application or issue of interim order, you are at liberty to do so on the date fixed, or any other date to which the case may be adjourned, either in person or through an advocate.

Also take notice that in default of your appearance on the date fixed, the case will be heard/ proceeded ex-parte.

Date : 07/12/89


DEPUTY REGISTRAR
CENTRAL ADMINISTRATIVE TRIBUNAL
AHMEDABAD BENCH
AHMEDABAD

02/695/89/15-12-89

प्राप्त स्वीकृति (रसीद)

ACKNOWLEDGEMENT

पहुँच

* एक रजिस्ट्री पत्र/पोस्टकार्ड/पैकेट/पार्सल प्राप्त हुआ } क्रमांक
 * अंक बीमा २५८८२ करेल पत्र/पोस्टकार्ड/पैकेट/पार्सल मध्य/मध्य } नं
 वीमा उत्तरावेल नं
 * Received a Registered /Letter/Postcard/Packet/Parcel

क्रमांक
No. 1128

पानेवालेका नाम }
 आपृष्ठतर्फ़ नाम }
 Addressed to (name) }
 + बीमा का मूल्य रुपयों में

Insured for Rupees वीमा रुपयामा

वितरण की तारीख

वितरण तारीख/Date of delivery 198

* अनाक्षयक को काट दिया जाय
 Score out the matter not required.

ज्ञान दोष एवं भूष्यत छेदी नामो

+ केवल बीमा वस्तुओंके लिए

for Insured articles only.

केवल वीमा उत्तरावेल वस्तुओं माटे

The Asst. Engineer, C.W.C
Salarmata Division
Ahmedabad

पानेवालेके हस्ताक्षर/Signature of addressees
 प्राप्त कर्तव्या हस्ताक्षर

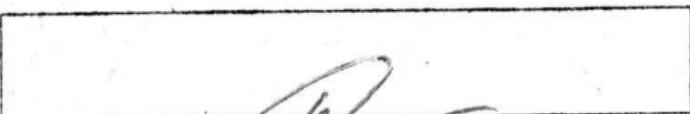
आर.पी. ५४
आर.पी. ५४
R.P. 54

भारतीय डाक विभाग
भारतीय ट्यूब विभाग
DEPARTMENT OF POSTS, INDIA

तारीख-मोहर
तारीख-टिकटो

प्रेषक डाकघर की
नाम-मोहर
Name-stamp of
Office of Posting

भेजने वाले का पता
Sender's address
मोडब्ल्यू. २२.८२.८२
मोडब्ल्यू. २२.८२.८२



Date-stamp

[Signature]
Postmaster,
Central Administrative Tribunal

Ahmedabad Bench

[Signature]
S.D. Patel House, Nav Jyoti

Ahmedabad

पीन/पीन/Pin

<input type="text"/>					
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आर.पी. ५४
आर.पी. ५४
R.P. 54

भारतीय डाक विभाग
भारतीय टाइप विभाग
DEPARTMENT OF POSTS, INDIA

प्रेसक डाकघर की
भेजने वाले का पता
भेजनारन्त सरनाम
Sender's address
Name-stamp of
Office of Posting


J.D. Patel
Central Administrative Tribunal
Ahmedabad Bench

J.D. Patel House, Navjivan Peth
Ahmedabad.

पीन/पीन/Pin

तारीख-मोहर
तारीख-सिक्को



Date-stamp

0A/495/89/16-1-90

ग्राप्त स्वीकृति (रसीद)

ACKNOWLEDGEMENT

पढ़ोय

* एक रजिस्ट्री पत्र/पोस्टकार्ड/पैकेट/पार्सल ग्राप्त हुआ } क्रमांक
 वीमा २७५२२ क्रेद नं. }
 * अेक वीमा २७५२२ क्रेद नं. } पत्र/पोस्टकार्ड/पैकेट/पार्सल माल्य/माल्यो
 वीमा उत्तरावेद

क्रमांक
नं.
No.

117²

* Received a Registered /Letter/Postcard/Packet/Parcel
 Insured

पानेवालेका नाम }
 ग्राप्तकर्तानु नाम }
 Addressed to (name) }
 + देने का मूल्य रुपयों में

The Executive Engineers, C.W.C.

Mayfield Building Compound

Road, Ahmedabad

Insured for Rupees वीमा रुपयामां
 कितरण की तारीख
 दितरखानी तारीख/Date of delivery 198

* अनाकार्यक को काट दिया जाय
 Score out the matter not required.

जृरीन होय अे बाबत छोडी नाहो

+ केवल वीमा कस्तुओंके लिए

for Insured articles only.

डॅग वीमा उत्तरावेद वस्तुओं माटे

62
DEPSET CHERA
W.C.

पानेवालेके हस्ताक्षर/Signature of addressee
 ग्राप्त कराना हस्ताक्षर

प्राप्त स्वीकृति (रसीद)

ACKNOWLEDGEMENT

पहोच

* एक रजिस्ट्री पत्र/पोस्टकार्ड/पैकेट/पार्सल प्राप्त हुआ } क्रमांक
 वीमा रजस्टर करेल पत्र/पोस्टकार्ड/पैकेट/पार्सल मल्यु/मल्यो } नं
 * अंक वीमा रजस्टर करेल वीमा उत्तरवेल } No. 1171

* Received a Registered /Letter/Postcard/Packet/Parcel

Insured

पानेवालेका नाम
आपाकर्तु नाम

Addressed to (name)

† वीमा का यूल्य रूपयों में

Insured for Rupees

दितरप की तारीख

वितरणी तारीख/Date of delivery 198

* अनावश्यक को काट दिया जाय

Score out the matter not required.

जूरीन होय अे बाबत छेकी नाभो

† केवल वीमा वस्तुओंके लिए

for Insured articles only.

डै११ वीमा उत्तरवेल वस्तुओं माटे

The owner of 2nd Fl - The Regal Emporium,
Central and Lower Commissioners, Month -
Baru Road, Nagpur

S. Salve
 30/10/59

पानेवालेके हस्ताक्षर/Signature of addressee

आपा कर्तव्या हस्ताक्षर

आप. पी. ५४
आर. पी. ५४
R.P. 54

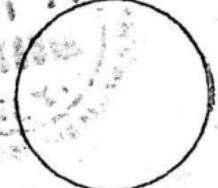
प्रेस्ट डाकघर की
नाम—मोहर
Name-Stamp of
Office of Posting
भेजने वाले का पता
Sender's address
गोकुन्दननगर सरननगर
भेजने वाले का पता

भारतीय डाक विभाग
भारतीय ट्यूल विभाग
DEPARTMENT OF POSTS, INDIA

तारीख—मोहर
तारीख—स्किक्को

5-1

16/10/89



Date-stamp

Patel
Patel

Central Administrative Tribunal

Ahmedabad Bench

10. Patel House, NavJeev Road

Ahmedabad.

पीन/पीन/Pin

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Central Administrative Tribunal
Bench
Number 143
Date 10/11/90

42
10/01/90
NOTICE BEFORE ADMISSION

JUDL-I

CENTRAL ADMINISTRATIVE TRIBUNAL

AHMEDABAD BENCH, AHMEDABAD

Address of the Respondent : B.D.PATEL HOUSE,
NR. SARDAR PATEL COLONY,
P.O. NAVJIVAN,
AHMEDABAD-330 014.

Issued on the 15th December 9, 1989.

REGN. No.O.A./ 495 /1989.

Shri A.B. Rathod

APPLICANT (S)
ADV. MR. D.M.Thakkar

V/s.
Union of India and Ors.

RESPONDENT (S)
ADV. MR. J.S.Ajmera

To, [REDACTED]

01. Union of India through The Superintending Engineer, Central Water Commission, Western Rivers Circle, C.W.C.4-A, North Bazar Road, Dharmapeth Ext., Nagpur.
02. Executive Engineer, C.W.C. Waghela Building, Gurukul Road, Manekpur, Ahmedabad-52.
03. Asst. Engineer, C.W.C., Sabarmati Division, Ahmedabad.

Whereas Shri A.B. Rathod, applicant has made an application under Section 19 of the Administrative Tribunals Act, 1985, to this Tribunal, bearing OA No. 495/89 stated above and whereas the above matter is put up for hearing on 15.12.89. The Hon'ble Tribunal has passed the order as mentioned below. *

Whereas the said application has been again fixed for admission/interim orders on 16.01.90 at 10.30 A.M., A copy of the application along with the relevant annexures is attached bearing Regn. No. as OA No. 495/89.

You are requested to produce the record(s) noted below on the aforesaid date of hearing for the perusal of the Hon'ble Bench of the Tribunal.

(I) -

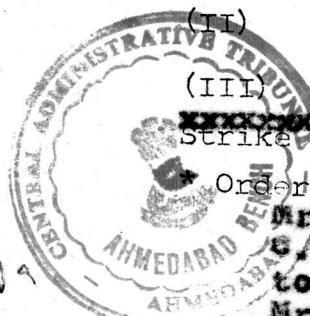
(II) -

(III) -

~~In continuation of noti~~ Strike if not applicable. dtd. 06.12.89

Order passed on : dtd. 15.12.89

Mr. Ramesh Grover, the Executive Engineer, Mahi Division, C.W.C., Ahmedabad has sent a letter requesting permission to appear in person as respondent and asked for time. Mr. D.M.Thakkar, learned advocate for the applicant pres. The respondent may appear in person, and the time allowed Interim relief to continue. The case be posted on 16th January, 1990 for admission.



Shri
Pinged
10-01-90

Should you wish to argue anything against the admission of the application or issue of interim order, you are at liberty to do so on the date fixed, or any other date to which the case may be adjourned, either in person or through an advocate.

Also take notice that in default of your appearance on the date fixed, the case will be heard/ proceeded ex parte.

Date : 18/12/89

DEPUTY REGISTRAR
CENTRAL ADMINISTRATIVE TRIBUNAL
AHMEDABAD BENCH
AHMEDABAD

ACKNOWLEDGMENT

Received a Registered Letter/Postcard/Packet/Parcel
Insured *Mr. First Gengler*

Lesser Sulfur-nitride Dihydron
Gallate (III) Sulfur-nitride
Sulfur-nitride Ruthenium
Sulfur-nitride Ruthenium

198 Date of delivery

ન કાન્પુણી કાન્પુણી નાન્યાની નાન્યાની
નાન્યાની નાન્યાની નાન્યાની નાન્યાની

Insured articles only.

soothe out the master not required.

ପାଇଁ ପାଇଁ

.....198
Date of delivery.....

sured for Rupees ५५३ रुपया

_____ lessed to (name) _____

12 West 20th Street Insured

Received a Registered Letter/Postcard/Packet/Parcel from Mr. Qureshi

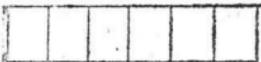
171 NO. 5 ପ୍ରଦୀପ ପାତ୍ର/ପାତ୍ରା/ସହିତ୍ୟ/ପାତ୍ରା/ପାତ୍ରା/ ପାତ୍ରା/ପାତ୍ରା/

ACKNOWLEDGMENT

12/21/2013



जगत अम-301/acs-8/89



414/प्र०/पि०

Mr. Patel House, Navjivan Road
Ahmedabad
Ahmedabad Bench
Administrative Office
Postmaster

भेजने वाले का पता
Sender's address
મોહેનારુસરનાના
Firm

प्रાણ-ધાકધર
નાન-મોહર
Name-stamp of
Office of Posting

Date-stamp

DEPARTMENT OF POSTS, INDIA

गુજરાત શાખા પાલા

ગુજરાત શાખા પાલા

15-10-1954
ગુજરાત

15-10-1954
R.P. 54
ગુજરાત



GOVERNMENT OF INDIA
CENTRAL WATER COMMISSION
MAHI DIVISION

476434
Gram : FORECAST
Telex : 121-6561
CFFD IN

Central Administrative Tribunal
Ahmedabad Bench
Award No. 495/54
Date 12/1/90

1-Shyamnagar Society,
Memnagar,
Ahmedabad-380 052.

Date 11-1-90

AUTHORITY LETTER

I, Ramesh Grover, Executive Engineer hereby authorize Shri T.G.Menghani, Head Clerk of this Division to present himself in the Central Administrative Tribunal, Ahmedabad Bench, Ahmedabad on 16.1.90 and 22.1.90 on behalf of the undersigned in connection with O.A.No.495 of 22nd November, 1989 and O.A.No.554 of 22nd December, 1989 as the undersigned will be out of Headquarters to New Delhi on urgent official jobs as desired by Higher authorities.

The specimen signature of Shri T.G.Menghani, Head Clerk is given below duly attested by the undersigned.

(RAMESH GROVER)
EXECUTIVE ENGINEER

Executive Engineer,
MAHI DIVISION, C. W. C.
Ahmedabad -

Specimen Signature of
Shri T.G.Menghani, Head Clerk

(T.G. MENGHANI) 11/1/90

ATTESTED

11/1/90
Executive Engineer,
MAHI DIVISION, C. W. C.
Ahmedabad -

I accept the authority of the Executive Engineer, Mahi Division, CWC, Ahmedabad as his order to be present in the Central Administrative Tribunal, Ahmedabad Bench, Ahmedabad on 16.1.90 and 22.1.90 in the interest of Public Service as the Executive Engineer, Mahi Division, CWC, Ahmedabad will be out of Headquarters during the said period.

(T.G. MENGHANI) 11/1/90
HEAD CLERK

EC

Resubmitted. CAT/10
We may keep the appl. w/br
papers & take d. u. a. w/br & etc
Letter - 157/190. 14/3/90
150-1-90



GOVERNMENT OF INDIA
CENTRAL WATER COMMISSION
MAHI DIVISION

476434
Gram : FORECAST
Telex : 121-6561
CFFD IN

1-Shyamnagar Society,
Memnagar,
Ahmedabad-380 052.

Date 11-1-90

AUTHORITY LETTER

I, Ramesh Grover, Executive Engineer hereby authorize Shri T.G.Menghani, Head Clerk of this Division to present himself in the Central Administrative Tribunal, Ahmedabad Bench, Ahmedabad on 16.1.90 and 22.1.90 on behalf of the undersigned in connection with O.A.No.495 of 22nd November, 1989 and O.A.No.554 of 22nd December, 1989 as the undersigned will be out of Headquarters to New Delhi on urgent official jobs as desired by Higher authorities.

The specimen signature of Shri T.G.Menghani, Head Clerk is given below duly attested by the undersigned.

R.Grover 11/1/90
(RAMESH GROVER)
EXECUTIVE ENGINEER

Executive Engineer,
MAHI DIVISION, C. W. C.
Ahmedabad—

Specimen Signature of
Shri T.G.Menghani, Head Clerk

T.G.Menghani 11/1/90
(T.G.MENGHANI)

ATTESTED

R.Grover 11/1/90
Executive Engineer,
MAHI DIVISION, C. W. C
Ahmedabad—

I accept the authority of the Executive Engineer, Mahi Division, CWC, Ahmedabad as his order to be present in the Central Administrative Tribunal, Ahmedabad Bench, Ahmedabad on 16.1.90 and 22.1.90 in the interest of Public Service as the Executive Engineer, Mahi Division, CWC, Ahmedabad will be out of Headquarters during the said period.

T.G.Menghani 11/1/90
(T.G.MENGHANI)
HEAD CLERK

CENTRAL ADMINISTRATIVE TRIBUNAL

AHMEDABAD BENCH, AHMEDABAD

B.D.PATEL HOUSE,
 NR. SARDAR PATEL COLONY,
 P.O. NAVJIVAN,
 AHMEDABAD-380 014.

Issued on the 17th day of January 1989.

REGN. NO.O.A./ 495 / 1989.

Shri A.B.Rathod

APPLICANT (S)
 ADV.MR.

V/s.

D.M.Thakkar

Union of India and Ors.

RESPONDENT (S)
 ADV. MR.

Ramesh Grover

TO,

01. Union of India through The Superintending Engineer, Central Water Commission, Western Rivers Circle, C.W.C. 4-A, North Bazar Road, Dharampeth Ext., Nagpur.
02. Executive Engineer, C.W.C., Waghela Building, Gurukul Road, Memnagar, Ahmedabad-52.

Whereas Shri A.B.Rathod, applicant has made and application under Section 19 of the Administrative Tribunals Act, 1985, to this Tribunal, bearing OA No.

495 1989 stated above and whereas the above matter is put up for hearing on 17.01.1990. The Hon'ble Tribunal has passed the order as mentioned below. *

Whereas the said application has been again fixed for admission/interim orders on 22.01.90 at 10.30 A.M., a copy of the application alongwith the relevant annexures is attached bearing Regn. No. as OA No. 495 / 1990.

You are requested to produce the record(s) noted below on the aforesaid date of hearing for the perusal of the Hon'ble Bench of the Tribunal.

(I)

(II)

(III)

Strike if not applicable.

* Order passed on dtd.



Should you wish to argue anything against the admission of the application or issue of interim order, you are at liberty to do so on the date fixed, or any other date to which the case may be adjourned, either in person or through an advocate.

Also take notice that in default of your appearance on the date fixed, the case will be heard/ proceeded ex parte

Date : 18.01.90

PL
DEPUTY REGISTRAR
CENTRAL ADMINISTRATIVE TRIBUNAL
AHMEDABAD BENCH
AHMEDABAD.



*ED OIC
14/1/90
PL Balsub
18/01/90*

In continuation of notice dtd. 15.12.89

Order passed on dtd. 17.01.1990

Mr. D. N. Thakker, learned advocate for the applicant present. Respondent to positively appear in person on the next date. Otherwise, the case will be proceeded without him as he has chosen to appear in person and not engaged the counsel and under the Rules, no Agent is allowed. All interim relief earlier granted allowed to continue. The case be posted on 22nd January, 1990 for admission.

*Police for sepo. 10-3
selevene lerserved*

*PL
18/1/90*

NOTICE AFTER ADMISSION
WITH INTERIM RELIEF
JUDL-I

CENTRAL ADMINISTRATIVE TRIBUNAL
AHMEDABAD BENCH, AHMEDABAD.

B. D. PATEL HOUSE,
NR. SARDAR PATEL COLONY,
P.O. NAVJIVAN,
AHMEDABAD- 380 014.

Issued on the _____ day of _____ 1987 33-84

REGN. NO. 22nd O.A. / January 1987 90

495

2

APPLICANT (S)
ADV. MR.

D. M. Thakkar

To,

Union of India & Org.

RESPONDENT (S)
ADV. MR.

Rame什·格罗弗

01. Union of India, through: The Superintending Engineer,
 Central Water Commission, Western Rivers Circle, C.W.C.4-A,
 North Bazar Road, Dharampeth Ext., Nagpur.

02. Executive Engineer, C.W.C., Maghela Bldg., Gurukul Road,
 Mehmagar, Ahmedabad-52. ^{1, shyamnagar Soc.}

03. Asstt. Engineer, C.W.C., Sabarmati Division, Ahmedabad.

Whereas Shri A. B. Rathod, applicant, had made an application under Section 19 of the Administrative Tribunals Act, 1985, to this Tribunal. And also prayed for interim relief (copy alongwith relevant annexures enclosed) hearing Regn. No. OA/ 495 1989, and whereas the same matter is put up for hearing on 22.01.90. The Hon'ble Tribunal has passed the order as mentioned below. *

Whereas the Tribunal is of opinion that a reply of the application is called for:

1. That you, Respondent No. 12 do file three complete sets of the duly verified reply to the application, alongwith documents in a paper-book from by 30 days
2. That you should simultaneously endorse a copy of the reply alongwith documents as mentioned at S.No. (1) above to the application. 30 days
3. You are also directed to produce the record(s) noted below for the perusal of the Hon'ble Bench of the Tribunal on the date fixed for hearing.

Strike if not applicable

Order passed on due

(I)

(II)

(III)

4. The above application has been fixed for hearing on 01.02.1990 at 10.30 A.M. However, the application for interim relief has been fixed for hearing on 01.02.1990 at 10.30 A.M. Should you wish to argue anything against the issue of interim order, you are at liberty to do so on 01.02.1990 or so any other date to which the case may be adjourned, either in person, or through an advocate appointed by you for this purpose. Also take notice that in default of your appearance on the date fixed, the case will be heard ex-parte.

5. A copy of the order Dated 22.01.1990 passed by the Central Administrative Tribunal, Ahmedabad Bench, Ahmedabad is typed overleaf for immediate compliance/information/necessary action.

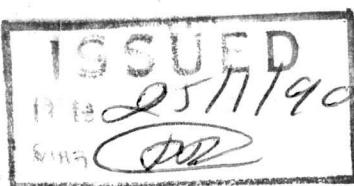
WITNESS the Hon'ble Vice Chairman, Central Administrative Tribunal, Ahmedabad Bench, Ahmedabad this 22nd day of January in the year 1990

DATE : 23.01.1990

O/C
P.T.T.
23/01/90

CD 11/18

DEPUTY REGISTRAR
CENTRAL ADMINISTRATIVE TRIBUNAL
AHMEDABAD BENCH,
AHMEDABAD.



O/C
23/01/90

In continuation of Notice dated 17.01.1990

ORDER PASSED ON : 22.01.1990

Heard Mr. D.M.Thakkar, learned advocate for the petitioner, Mr. Ramesh Grewal, learned advocate for the respondent not present. Issues notices on the respondents to reply on merits within 30 days from the date of this order. The case be posted on 01.02.1990 for further direction. Interim relief earlier granted to continue.

NOTICE AFTER ADMISSION

WITH INTERIM RELIEF

JUDL- I

CENTRAL ADMINISTRATIVE TRIBUNAL

AHMEDABAD BENCH, AHMEDABAD

B.D. PATEL HOUSE,
NR. SARDAR PATEL COLONY,
P. O. NAVJIVAN,
AHMEDABAD 380 014.

Issued on the 2nd day of February 1990.

REGN. NO. OA/ 495 / 1989.

Shri A.B.Rathod

APPLICANT (s)

ADV. MR. D.M.Thakkar

V/s.

Union of India & Ors.

RESPONDENT (s)

ADV. MR.Ramesh Grover

To,

01. Union of India, through: The Superintending Engineer, Central Water Commission, Western Rivers Circle, C.W.C., 4-A, North Bazar Road, Dharwad Ext., Nagpur.
02. Executive Engineer, C.W.C., Waghela Building, 1, Shyamnagar Society, Gurukul Road, Memnagar, Ahmedabad-52.

Whereas Shri A.B.Rathod applicant,

had made an application under Section 19 of the Administrative Tribunals Act, 1985, to this Tribunal, And also prayed for interim relief (Copy alongwith relevant annexures enclosed) hearing Regn. No. OA/ 495 / 1989, and whereas the same matter is put up for hearing on 02.02.1990 . The Hon'ble Tribunal has passed the order as mentioned below. *

Whereas the Tribunal is of opinion that a reply of the application is called for :

1. That you, Respondent No. 1&2 do file three complete sets of the duly verified reply to the application, alongwith documents in a paper-book form by
2. That you should simultaneously endorse a copy of the reply alongwith documents as mentioned at S.No. (1) above to the application.
3. You are also directed to produce the record(s) noted below for the perusal of the Hon'ble Bench of the Tribunal on the date fixed for hearing.

~~Strike if not applicable.~~



(I)

(II)

(III)

4. The above application has been fixed for hearing on 20-2-90 at 10.30 A.M. However, the application for interim relief has been fixed for hearing on 20-2-90 at 10.30 A.M. Should you wish to argue anything against the issue of interim order, you are at liberty to do so on 20-2-90 or so any other date to which the case may be adjourned, either in person, or through an advocate appointed by you for this purpose. Also take notice that in default of your appearance on the date fixed, the case will be heard ex-parte.

5. A copy of the order Dated 02.02.1990 passed by the Central Administrative Tribunal, Ahmedabad Bench, Ahmedabad is typed overleaf for immediate compliance/information/necessary action.

WITNESS the Hon'ble Vice Chairman, Central Administrative Tribunal, Ahmedabad Bench, Ahmedabad this 2nd day of February 90.

DATE : 07.02.1990



In continuation of Notice dated 22.01.1990

ORDER PASSED ON : 02.02.1990

Heard Mr. D.M.Thakkar the learned advocate for the ~~the~~ applicant and Mr. Jagdish Yadav for Mr. J.D.Ajmera learned advocate for the respondents. The reply of respondent No. 2 be taken on record. The notice of Mr. Jagdish Yadav is that, he has been instructed by Respondent No. 2 not to appear in the case on behalf of the Union of India and Others and the respondent No. 2 to file communication on behalf of the Union of India and Others that they do not wish to be represented and the Registry to give notice on the Union of India and others to the same effect. The Union of India & Others allowed to file the reply within 20.02.1990 on which date the case is fixed for hearing or further hearing. The petitioner is allowed to file rejoinder if he finds it necessary. Interim relief to continue. Registry to fix the case accordingly.

Now the case is fixed for further direction on 20.02.1990.