

CENTRAL ADMINISTRATIVE TRIBUNAL
LUCKNOW BENCH, LUCKNOW

INDEX SHEET

CAUSE TITLE T.A. 1538/83
A.O. No. 4378/84 OF

NAME OF THE PARTIES R. B. Saxena Applicant

Versus

..... P. D. Singh Respondent

Part A.

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13		
14		
15		
16		
17		
18		

CERTIFICATE

Certified that no further action is required to be taken and that the case is fit for consignment to the record room (decided)

Dated 07-09-94 Basta *This file is received from record room without check or*

Counter Signed.....

R. B. Saxena

Section Officer/In charge

[Signature]
Signature of the
Dealing Assistant

TA 1538/87

(W.P. 4378/84)

R. B. Saxena.

U. U. S. & Others

PART. 'A'

- ① ————— A1 — A5 — (A10)
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Extra One Copy of Petition for
Respondent.

Chand. Yash
et al

07.10.93

GENERAL ADMINISTRATIVE TRIBUNAL
LUCERNE, BERNE, LUCERNE

O.A.N.O.

APPLICANT NO.

OF 199

of 199

Writ P

of 19 9 7

CERTIFICATE

Certified that not further order action is required
to be that the case is fit for consignment is the record
room.

consigned

Signature of the dealing
Assistant,

Section officer/Court Officer

D J T

(R.N)

ORDER SHEET

IN THE HIGH COURT OF JUDICATURE AT ALLAHABAD

W.P.

No.

4378

of 198

84.

vs.

Date	Note of progress of proceedings and route in orders	Dated of which case is adjourned
1	2	3
30-8-84.	Sen D.N. Jha, Sen K.S. Varma, Admit. Issue notice - - - - - Sen D.S. Randhawa, Sel. D.N. Jha. Sel. K.S. Varma. 30-8-84. C.M. Ann o 9245 (W) 84.	
30-8-84.	Sen D.N. Jha, Sen K.S. Varma, Issue notice re order W.P. - Sel. D.N. Jha. Sel. K.S. Varma. 30-8-84.	
	5-12-84 Fixed for attendance and for filing C-A in W.P. - and C-M-Ann No-9245 (W) 84 Nol to O-P. No-4 to 8 Jy R-P-	

Bona
18-10-84

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
CIRCULAR FILE NO.

C.A./T.A. No. 1538 1987

R.R.B. Seixane Applicant(s)

Versus

Union of India Respondent(s)

S. No. (1) Date

Orders

10.3.89 D.R.

This case has been received from Alakhnagar Bench. The case is set up before Deputy Registrar on 27/3/89

(2)

27/3/89 DR

None present for respdts. Reply has not been filed so far. It can be filed by 26/4/89.

DR

OR

This case has been received on transfer from C.A.T. Alakhnagar Bench. No reply has so far been filed in the office.

Both the parties have been represented for the parties at C.A.T.

Submitted for orders.

25/4

③
26/4/57

1538/07(T)

1-10m. D.S. Misra, A.M.
1-10m. D.K. Agarwal, J.M.

Shri. V.K. Chaudhary
makes appearance on behalf
of the respondents and requests
for further time to file reply.
He is allowed to do so within a
month. Rejoinder affidavit, if any,
may be filed within ten days
thereafter.

list it for final hearing
on 21st July 57.

le
S.M.

✓
A.M.

④ 26.4.57
21.7.57 No sitting adj. to 14.9.57.

⑤ 14.9.57
- आपलय त दिक द अरु 14-11-57
अ एतयहि त दिक (वर्गित)
वर्गित अरु अ।

⑥ 15.11.57
No sitting. Adj. to 31.1.58.
Both the counsel are present

2/1/58
14/1

2
15/11/57

No reply filed
from here for
order

L
4/11

(1)

31/1/90

(2)

2

A3

TH. 1538/87

Hon Justice K. Nuth, Jc.
Hon. K. J. Roman, Am.

On the request made on
behalf of Sri V. K. Chandhary
the case be put up tomorrow
for orders.

Am.

Am.

Am.

VC.

(3)

1/2

1/2/90

Hon Justice K. Nuth, Jc.
Hon. K. J. Roman, Am.

Sri V. K. Chandhary files counters;
the delay in filing the counters
is condoned. Rejoinders may
be filed within a week and
the case be listed for final
hearing on 21/2/90.

Am.

Am.

Am.

VC.

No RA filed
S. P. Nair

(4)

1/2

21.2.90

Hon Justice K. Nuth - VC
Hon Mr. K. obayya Am

S. L. P. Misra Adv. filed rejoinder
The case is adjourned to 24.2.90

Am

VC

24.4.90

Draft Notice for petitioner is not present.
Sri VK Chaudhary for respondents is present.
List it for hearing on 6.7.90. The Counsel
for respondents undertake to produce
original DPC proceedings before us at
the time of hearing.

The office shall serve notice to D.P. Thir
s/o.
A.P.

J.P.

Notice
7.5.90
2

Petitioner (11)

6-7-90

No sitting Adli to 5/9/91

(12)

5.9.90

No sitting Adli to 9.10.90

(13)

7.12.90

No sitting Adli to 5.12.90

(14)

5.12.90

No sitting Adli to 8.1.91.

(15)

7-1-91

How Mr. D.K. Agrawal

How Mr. K. Bhargava, AM.

None for PL. Petitioner.

Sri VK Chaudhary is for
respondents - hear and counsel
for the respondents have time
to file Supplementary Counts.
Supplementary Counts may be
filed within 4 weeks. Supplementary
Responses may be filed within
2 weeks. Therefore, hear for
hearing on 22-4-91

OR
As per court's
order dt. 24.4.90.
Notice was issued
on 25.4.90.
No answer filed.
Court has been asked
to take.

6.5.91

19/4

OR
No supply CA
filed. 19/4

J.M.

Am.

22/4/91

Supple Rejoinder
has been filed
while Counter Rejoinder
not. Id. Counsel of
the applicant told
me that he has
received the copy

of the Suppl. Counter
in the Respondent
Respondent did not
bring today.

He is directed
to file Suppl. Counter
by 13.5.91 (the copy
of which he has
already given to
the applicant's side)

13.5.91 Supplementary Counter
has not been filed yet
although copy ^{of this} has already
been served on Applicant
by the Respondent. Applicant
side is present while
Respondent not. He is directed

to file Suppl. Counter
by 24.6.91

X/b

A5

24.6.91

Suppl. Counsel has
not been filed
yet. Ld. Counsel
& both the parties
are present.

Respondent does
not want to
file Suppl. Counsel
at all.

Put up 7.8.91
for final hearing
R

7.8.91 No Siting adj to 20.9.91
R
20.9.91 - case not reached Adj to
17.12.91.

R
B.O.C.

17.12.91 - NO Siting Adj to 10.2.92

10.2.92 No Siting adj to 5.3.92
R

5.3.92 Due to Strike of Advocates
Case is adjourn to 28.3.92
R
Boa

OR
As per the VC order
on MP No. 112/92 Case
is listed on 5.3.92

Supplementary affidavit
has not been filed
by respondents.

Submitted for 28.3.92
hereup SPH
C.2

No Siting adj to
4.4.92
R

4.4.92

No Silingadpam n 13.4.92
L

13.4.92

How Mr Justice V.C. Srinivasan, C
How Mr A.T. Gopal, Am.

but on 6-7-92.

CA, RA have been
exchanged. Case
is ready for final
hearing

San
L

VC

Am

~~Am~~

6.7.92

No Siling of D.M. only n

11.8.92

L

11.8.92

No Siling of D.M. only n
25.8.92

L

O.R.

case is submitted
for F.M. No suppl.
CA filed.

S.F.O.

8

24/8/92

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
LUCKNOW BENCH
LUCKNOW

O.A. NO _____ 199 (L)

T.A. NO 1538/87

Date of Decision 25/8/92

R.B.Saxena

PETITIONER.

Advocate for the Petitioner(S)

V E R S U S

Union of India & Ors. RESPONDENT.

Advocate for the RESPONDENT(S)

CORAM

The Hon'ble. Mr. Justice U.C. Srivastava, V.C.

The Hon'ble. Mr. K.Obayya, A.M.

1. Whether Reporter of local papers may be allowed to see the Judgment?
2. To be referred to the reporter or not ?
3. Whether their Lord ships wish to see the fair copy of the Judgment?
4. Whether to be circulated to other benches ?

Vice-Chairman/Member

Vx

Ab

CENTRAL ADMINISTRATIVE TRIBUNAL,
CIRCUIT BENCH,
LUCKNOW.

T.A. No. 1538 / 87

R.B. Saxena ... Applicant

Vs.

Union of India & Others ... Respondents

Hon. Mr. Justice U.C.Srivastava, V.C.

Hon. Mr. K. Obayya, A.M.

(By Hon. Mr. Justice U.C.Srivastava, V.C.)

The applicant has filed a Writ Petition before the High Court. By operation of law the same has been transferred to this Tribunal. The applicant has prayed for quashing of the order dated 28-7-1984 by which 4 persons were promoted and the applicant was not included in the said promotion list. He also prayed for quashing the seniority list circulated vide order dated 26th August, 1983. He also prayed for a mandamus correcting the said seniority list showing him senior to the opposite parties No.5, 6 and 8 and he may be promoted to the post of Architectural Assistant Grade-I, w.e.f. 28-7-84 and further he may be assigned the post of Architectural Draftsman level-3 in the scale of Rs.425-700 w.e.f. 1-1-73 and promotion to the post of Architectural Assistant Grade-I on that basis may also be provided to him. The applicant started his career as Senior Architectural Draftsman on the basis of the selection and ~~the~~ subsequently the post was designated as Architectural Draftsman Level-3 in the scale of Rs.425-700 and the Architectural Draftsman level-2

A7

~~and Architectural Draftsman Level-2~~ in the scale of Rs.330-560. Two different scales were provided to the persons ^{who were} recruited to the same post earlier and the applicant is still agitating the said matter. The applicant ~~who~~ was allegedly promoted as Architectural Draftsman level-III in the scale of Rs.425-700 vide order dated 19-2-77 w.e.f. 20-12-75. In the service the applicant is senior to the respondents No. 4 to 8 as they were promoted or appointed subsequent to the promotion of the applicant. Even though some of them were selected in the first selection along with the applicant yet in the list which was prepared according to the merit they were below the name of the applicant. In the seniority list which was prepared on 1-6-83 the opposite parties No.5, 6 & 8 were shown as senior to the applicant having been shown at Sr.No.3, 4 & 5 respectively, while the applicant was shown at Sr.No.6. He made a representation against the same which remained pending. In the mean-time vide the impugned order the respondents were promoted to the higher posts of Architectural Assistant Grade-I in the scale of Rs.550-900, excluding the claim of the applicant, even though he was senior to the respondents and his work is not inferior in any way to them or rather as per the allegation it is superior. The promotion process was also started ignoring the representation of the applicant.

2. The respondents have opposed the application and have stated that the regrouping of fixation of pay of Architectural Draftsman level-III & Level-II was made as per the recommendations of Third Pay Commission which was accepted by the Govt. and therefore, the department is bound to accept the said recommendations. The respondent No.4 was promoted ^{A.D. p} to Level-III w.e.f. 7-4-88 on the basis of better service records and on merit than the applicant.

The opposite party No.6 was placed in the scale of Rs.330-560 on 18-5-76 but they opted the scale for total wages vide D.G's letter 22-6-76 and 15-12-76 and the opposite parties No.5 & 6 were given the scale of Rs.425-700 w.e.from joining the department. Now the promotion which was given to the opposite party No.7 was on the basis of merit. Regarding the promotion in question it has been stated by the respondents that seniority was not the only criteria but merit was also to be taken into consideration. The selection was made by the Departmental Promotion Committee. The Departmental Promotion Committee graded all these persons and all the 12 persons were assessed to be good and 9 persons including the applicant were also graded as good and there were only 7 vacancies and that is why the candidates who were graded as 'very good' were promoted and the applicant who was graded lower in the DPC ^{found as such he} could not be promoted.

3. Both the parties placed reliance on recruitment rules but nobody has filed the copy of the same on records. A letter dated 22-6-76 issued by the department in question, a copy of which has been placed before us, shows that the criteria for promotion is seniority-cum-merit and not merit-cum-seniority. Paragraph 5 of the said letter reads as under:-

" Placements of persons in 36 posts of Architectural Draftsman Level-III will be made from the existing senior Architectural Draftsman on the basis of seniority-cum-fitness and shall be effective w.e.f. 1-1-73 being the date of the effect of the revised scale of pay."

As the criteria was seniority-cum-merit, those who were less meritorious but more senior could not have been

8/10
A9

excluded, as whenever there is a criteria of seniority-cum-fitness, it is the fitness which is to be seen. In case a person is fit and may be on merit somebody may secure more marks, but by virtue of seniority the person who is not otherwise unfit is entitled to get promotion. The applicant was senior to the other persons in the list and he was also not found unfit, but was categorised as 'good', is entitled to be promoted, though his juniors were categorised as 'very good'. Although the promotion order need not be quashed, the respondents are directed to promote the applicant notionally with effect from the date of promotion of his juniors, but his actual promotion for the purpose of salary will be with effect from the date on which he is actually promoted. Let it be done within a period of 2 months from the date of communication of this order. The applicant is entitled to the consequential benefit, including any promotional or other benefits which may accrue to him by virtue of notional promotion with effect from the date his juniors were promoted. There is no denial of the fact that one Shri Tapan Kumar who is several years' junior ^{to the applicant} was promoted, along with others. No order as to the cost.

Member (A)

Vice-Chairman.

Dated: 25th August, 1992, Lucknow.

(tgk)

7A - No. 1538/87

~~A~~

A10

25/8/92

Hon. Mr. Justice U.C. Srivastava, V.C.
Hon. Mr. K. Obayya, A.M.

Judgement has been dictaged in the
open court.

A.M.


V.C.

No.6-5/89-CSE
GOVERNMENT OF INDIA
MINISTRY OF COMMUNICATIONS
DEPARTMENT OF TELECOMMUNICATIONS

NEW DELHI, Dated

O R D E R

In pursuance of the recommendations of the 3rd Central Pay Commission contained in para 01(iii) of Chapter 14 of its report relating to replacement scales of Rs.330-560/- and Rs.425-700/- to be prescribed in the given ratio to the Architectural Draughtsmen in the pre-revised scale of Rs.205-200/-, which was accepted by the Government, 50% of the Senior Architectural Draughtsmen of P&T Civil Wing were placed in the scale of pay of Rs.330-560/- with effect from 1.1.1973.

2. The Govt. of India, Ministry of Finance, vide its O.M. No.5(13)-E.III/87 dated 11.9.87, have now conveyed the decision of the govt. for placing all Draughtsmen, who were in service before 1.1.1973 in the pre-revised scale of pay of Rs.205-200/-, in the revised scale of pay of Rs.425-700/- notionally with effect from 1.1.1973 and actually from 1.9.1987.

3. Accordingly, approval of the Telecom. Commission is hereby conveyed for giving the scale of pay of Rs.425-700/- to those Senior Architectural Draughtsmen of P&T Civil Wing, who were appointed prior to 1.1.1973 in the scale of pay of Rs.205-200/- (Pre-revised) and who were placed in the revised scale of pay of Rs.330-560/- with effect from 1.1.1973, on the recommendations of 3rd Pay Commission in para 01(iii) of Chapter 14 of its report, notionally with effect from 1.1.73 and actually with effect from 1.9.1987.

4. This issues with the concurrence of Telecom. Finance vide their U.O.Dy. No.2255/89-FA.I dated 5.9.89.

Pl. speak
any pl. take
12/1/89
(Chief Archt.) D.O. NA
for and
1544
12-1-90
102
NAVIN CHANDRA
ASSTT. DIRECTOR GENERAL (CW)

Contd....2/-

Copy to :-

1. The Heads of Telecom. Circles/Telephone Distts./GPTC, Guwahati/GMM, NTR, New Delhi.
2. Sr. DOG(BW)/Chief Architect, DOT/Chief Engineer (Civil), Deptt. of Posts.
3. All Senior Architects of the DOT/DDP.
4. Telecom. Finance.
5. CWG/NCG/STN/Works/Admn. I Sections.
6. Order Bundle.
7. Guard File.

(N. RAJA)
SECTION OFFICER (CSE)

Enclst No. GMM/NTR/R-56/42 Dt-11/11/90

Copy to :-

~~The Secy to the
Architect I
C/O~~

नवायक सामग्री (प्रशा.)
निर्माण महाप्रबन्धक अनुरोध ३० क्षेत्र
किडवई मकान, नई दिल्ली-110 01.
RE (Adm) of GMM NTR SAs.

No Pay/SAG/30GB-75 Dt 17/8/90

- Copy to
- ① SAI DOT ND (2 copies)
 - ② SAG DOT ND (2 copies)
 - ③ Arch. (P) Luv.
 - ④ Arch. (T) Ambala/Bhopal
 - ⑤ Arch. O/SAG

for circulation amongst
Staff.

(JLNAGPAL)
ARCHITECT-DOT
% SAG(T) Nehru Place
New Delhi.

[Handwritten signature]

P/02
X/103

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL, CIRCUIT
BENCH, LUCKNOW.

T.A. No. 1538 of 1987 (T)

Rituraj Bihari Saxena	...	Applicant
Versus		
Union of India and others	...	Opp-parties

Annexure-SR(2)

/

/

/

[Handwritten signature]

INDIAN POSTS & TELEGRAPHS DEPT.
(ARCHITECTURAL WING)

6th floor, 20 Ashoka Road,
New Delhi

No. CA(A) 1(3)/200

Dated the 21st February, 1976

To

1-4

The Senior Architect I, II, III and IV (P&T)
New Delhi

5-11

The Regional Architect (NR), New Delhi,
Lucknow, Calcutta, Patna, Madras, Hyderabad & Bombay

12-15

The Regional Asstt. Architect, Ambala, Bangalore,
Jabalpur, Ahmedabad

16-19

The Superintending Engineer,
P&T Civil Circle, Bombay, Calcutta, Madras & Bhopal

Sub:

Seniority List of Senior Architectural D'Man

The upto date seniority list of Senior Architectural
D'Man of All India in accordance with the Recruitment Rules
on the subject is sent herewith for circulation. The
omission/commission, if any, may please be intimated to this
office within a week.

SENIOR ARCHITECT-I (COORD) P&T
NEW DELHI

Enclosed above.

Copy alongwith a copy of seniority list forwarded to:-

1. The Director General (CSM) I&T Directorate, Parliament
Street, New Delhi for information

2. The General Secretary, All India P&T Civil Wing
Non-Gazetted Employees Union, New Delhi.

SENIOR ARCHITECT-I (COORD) P&T
NEW DELHI

Enclosed above

Copy of the Seniority list may
please be issued to me.

RECEIVED
11/4/76

21-2-76

A copy of up. sent list may please be
issued to me for ready reference & record.

[Handwritten signature]

SENIOR LIST OF SENIOR ARCHITECTURAL D.M. OF ARCHITECTURAL WING

S. No.	Name	S/C or S/T	Dt. of Birth	Dt. of joining Central Govt. Service	Dt. of appointment as Jr. D.M.	Dt. of appointment as Senior D.M.	Qualifications	Place of Re posting, MA	RKS
1	2	3	4	5	6	7	8	9	10
	S/Shri								
1	M. V. Moharir	-	3.7.31	5.7.50 Pmtt. 19.10.57	6.7.50 Pmtt. 19.10.57	11.9.54 Pmtt. 1.11.64	H.S.C. Matriculation 2 Yrs. training in Delhi Polytechnic School of Arch	Jabalpur	
2	R. G. Patankar	-	4.9.35	28.5.62	-	28.5.62	G.D. Arch	Bombay	
3	M. C. Mehra	-	5.5.37	5.7.57	5.7.57	18.7.63	Matric	Delhi	
4	D. G. Dubey	-	15.5.34	19.9.57	19.9.57	1.11.63	2 Yrs. of Architectural Course	Bombay	
5	K. B. Kanai	-	20.10.43	1.4.64	1.4.64	13.1.65	High School, G.D. Arch (Maharashtra)	Delhi	Resigned 15-4-75 A.W.
6	S. L. Madan	-	4.8.40	23.3.64	23.3.64	25.9.65	P. Sc., P. D. Arch '72 (Maharashtra)	Delhi	
7	N. C. Keshwani	-	23.8.43	17.9.64	17.9.64	10.11.66	A.N. High School. Final Dip. in Arch '76	Delhi	
8	Baladur Chand	-	26.9.42	19.1.65	19.1.65	10.11.66	A.N. High School. Final Dipl. in Arch '71	Delhi	
9	S. K. Bangia	-	2.2.44	20.5.65	20.5.65	10.11.66	A.N. High School Final Dip. in Arch '70	Delhi	Resigned 21-12-73 A.W.
10	C. M. Sharma	-	5.9.42	14.11.66	..	14.11.66	High School G.D. Arch: (Maharashtra) Dec '69	Delhi	

contd. 2.

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45

[Handwritten signature]

1	2	3	4	5	6	7	8	9	10
11	1. Mrs. Joginder Chawla	-	13.5.44	14.11.66	-	14.11.66	Qualifying Exam. Delhi Delhi Arch. Asstt. ship.	✓	
12	2. B. D. Bhalla	-	9.9.40	15.11.66	-	15.11.66	Final Dip. Course in Arch. Dec '70	Delhi	
13	3. Khen Chander	-	6.2.37	21.9.64	21.9.64	10.2.57	Metric Final Dip. in Arch. '70	Delhi	Promoted as Arch. Asstt. 23.10.74
14	4. M. K. Saxena	-	3.7.44	30.1.65	30.1.65	10.2.67	Metric G. D. Arch. (Maharashtra)	Delhi	Promoted as Arch. Asstt. 23.10.74
15	5. Madan Gopal	-	9.8.42	1.2.65 A.N.	1.2.65 A.N.	10.2.67	High School. Final Dip. in Arch '70. Post Graduate in T&C.P.	Delhi	-do- 23.10.74
16	6. L. K. Sharma	-	8.10.40	10.2.67	-	10.2.67	Metric N. D. Arch. '70	Delhi	-do- 23.10.74
17	7. Hirath Ram	-	5.5.40	18.2.57	-	18.2.67	F. Sc. N. D. Arch '70	Delhi	
18	8. S. S. Phadake	-	25.10.31	22.5.52	-	22.5.67	Inter Science. Final Dip. in Arch. Rashtra- Bombay Bhasha Prabodh Pariksha (Equivalent to B. Arch)		

Saxena

	1	2	3	4	5	6	7	8	9	10
19	S. S.inder Kumar Malhotra	5.2.40	(26.10.59 Tracer	19.2.64	13.10.69	Advance in Arch. Del	1	Promotee		
20	K. K. Seth	15.1.45	1.10.64	1.10.64	13.10.69	P.D. Arch. 70	Delhi	Appointed as Asstt. by UPSC (on leave) 1-10-7		
21	Nirmal Singh	17.6.43	3.12.63	3.12.63	13.10.69	N.D. Arch. 70	Delhi	On leave PROMOTTEE		
22	K. C. Madan	9.7.38	25.1.62	25.1.62	18.3.70	F.D. Arch. 72	Delhi	DIRECT PROMOTTEE		
23	Sardul Singh	10.3.36	5.5.60 (as Tracer)	18.9.64	18.3.70	F.D. Arch. 72	Delhi	PROMOTTEE		
24	K. Jacob	20.2.35	15.6.65	15.6.65	16.11.70	Dip. in Arch. 70	Madras	DIRECT PROMOTTEE		
25	M. G. Karkhanis	25.9.39	21.11.61	21.11.61	22.2.71	P.D. Arch.	Bombay	PROMOTTEE Resigned 5-3-76		
26	Miss Daljeet Jainhal	1.11.44	15.11.66	15.11.66	19.3.71	Dip. in Arch. Asstt.	Delhi	DIRECT On leave		
27	V. P. Jain	3.4.41	25.9.65	25.9.65	23.2.73	P.Sc. Inter Arch	Lucknow	Promotee. (resigned on 31.3.73)		
28	Praveen Chander Sithar	13.1.47	19.3.71	-	19.3.71	Inter N.D. Arch	Delhi	Direct		
29	Devinder Pal Sardhana	18.9.42	21.10.66	21.10.66	29.4.71	G.D. Arch. 70	Delhi	Promotee		
30	V. N. Nigam	20.2.47	25.8.71	-	25.8.71	Inter N.D. Arch	Delhi	Direct		
31	M. S. Basra	24.2.39	14.11.66	14.11.66	30.8.71	G.D. Arch. 71	Delhi	Promotee		
32	Sanil Sikand	6.5.46	23.8.71	-	28.8.71	Inter N.D. Arch	Delhi	Direct		
33	K. C. A. Pal	8.3.41	14.11.66	14.11.66	6.12.71	Inter N.D. Arch	Delhi	Promotee (on leave)		
34	Grinder Kumar	10.10.46	30.8.71	-	30.8.71	-do-	Delhi	Direct		

contd. 4..

Handwritten signature/initials

P 105

A/b6

A 106
207

1.	2.	3.	4.	5.	6.	7.	8.	9.	10.
35	35. Mrs. Santosh Tareja	-	10.7.40	16.11.66	16.11.66	6.12.71	Dip. Arch. Asstt.	Delhi	Promotee
36	36. Dharam Dass	S/C	20.6.42	22.6.61	4.7.63	2.9.71	G.D. Arch.	72 Delhi	Direct (Resigned on 11.9.74)
37	37. Manjeet Singh	-	28.1.48	21.9.71	-	21.9.71	G.D. Arch.	70 Delhi	Direct (on leave)
38	38. Jagdish B. Karanchandani	-	26.11.49	19.11.71	-	19.11.71	G.D. Arch.	Hyderabad	Direct (Resigned) 10.4.74 A.H.
39	39. V.R. Lokender	S/C	15.3.43	21.10.71 (A.N.)	-	21.10.71 (A.N.)	G.D. Arch.	Hyderabad	Direct
40	40. G.S. Yadgiri Rao	-	1.6.45	25.10.71 (A.N.)	-	25.10.71 (A.N.)	Dip. Arch. Asstt.	Bangalore	Direct
41	41. Rajeshwara Rao	-	8.5.46	26.10.71 (A.N.)	-	26.10.71 (A.N.)	Dip. Arch. Asstt.	Madras	Direct
42	42. Miss Asha Halwalkar	-	21.5.45	30.10.71	-	30.10.71	G.D. Arch.	Hyderabad	Direct
43	43. Rattan Lal Bhatia	-	26.12.46	1.11.71	-	1.11.71	Dip. Arch. Asstt.	Lucknow	Direct
44	44. R.B. Saxena	-	10.12.46	18.11.71	-	18.11.71	Dip. Arch. Asstt.	Lucknow	Direct
45	45. Yash Pal Bholia	-	20.10.40	10.11.66	16.11.66	11.1.72	G.D. Arch.	71 Delhi	Promotee
46	46. Subhash Kumar Malhotra	-	12.4.46	8.6.65	22.2.72	26.8.72	G.D. Arch.	71 Delhi	Direct
47	47. S. M. Lal Gupta	-	12.3.39	1.6.64	10.2.67	14.2.72	G.D. Arch.	Delhi	Promotee (as Tracer)

Contd...5...

A107
108

	1.	2.	3.	4.	5.	6.	7.	8.	9.	10.
48	B. S.S. Hodge	S/C	9.6.45	25.9.72	-	26.9.72	Final B.Arch. failed.	Ambala	Direct	
49	Parbhat Kumar	-	12.12.46	28.9.72	-	28.9.72	Adv. G.D. Arch.	Delhi	Direct (Resigned on 18.2.74)	
50	S.K. Sharma	-	13.9.47	30.9.72	-	30.9.72	Inter N.D. Arch.	Delhi	Direct	
51	Pratik Maitra	-	1.1.49	1.12.72	-	1.12.72	B.Arch.	Calcutta	Direct	
52	Smt. Bina Pani Fai	-	1.3.44	15.4.68	15.4.68	12.4.73	Dip. Arch. Asstt.	Calcutta	Promotee	
53	Smt. Snanti Bhattacharaya	-	30.12.49	2.12.71	2.12.71	8.1.73 (A.N.)	Dip. Arch. Asstt.	Calcutta	Direct	
54	S.C. Maheshram	S/C	11.44	22.1.73	-	22.1.73	Adv. G.D. Arch.	Jabalpur	Direct	
55	M.A. Pshid	-	15.6.46	13.2.73	-	13.2.73	Dip. Arch. Asstt.	Bangalore	Direct (Resigned)	
56	S.A. Barbedkar	S/C	3.4.47	5.3.73	-	5.3.73	Inter Arch.	Bombay	Direct	
57	Tapan Kumar Sirkar	-	19.6.46	12.11.71	12.11.71	26.3.73	Arch. Asstt.	Patna	Direct	
58	Chander Mouli Sarma	-	24.11.48	25.3.73	-	26.3.73	G.D. Arch.	Patna	Direct	
59	C.P. Acharyolu	-	19.5.47	10.4.73	-	10.4.73	G.D. Arch.	Patna	Direct	

Contd....6....

Man jangi

18.12.73

7-4-78

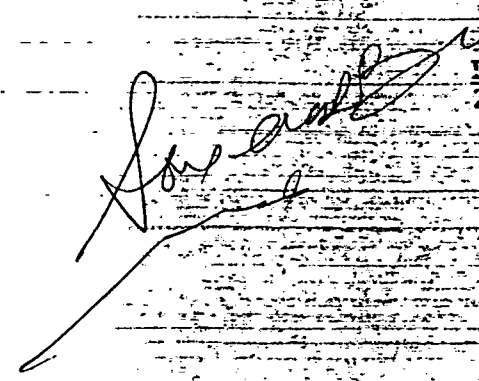
Entry in
govt. Service

Finalised
as per Arch. Dept. 9/11

1.	2.	3.	4.	5.	6.	7.	8.	9.
60	60	Bhupinder Singh	-	10.10.46	7.9.73	-	7.5.73	Dip. Archl. Asstt. Delhi

4/105

1.	2.	3.	4.	5.	6.	7.	8.	9.
61	60	Smt. Aruna Chakrabarti	-	11.11.46	29.11.71	29.11.71	27.4.73	Dip. Arch. Asstt. Calcutta Direct
62	61	Miss Najima Parwez	-	6.3.43	11.3.71	11.3.71	14.6.74	Dip. Arch. Asstt. Delhi Promotee
63	62	Y. R. Gokhale S/T	-	15.3.41	4.5.73	4.5.73	18.3.74	4th Year B. Arch. Delhi Direct
64	63	Miss Kanchan Lata	-	24.2.50	20.3.71	20.3.71	21.8.74	Dip. Arch. Asstt. Delhi Promotee
65	64	Miss C. D. Pandya	-	14.3.56	20.12.74	-	20.12.74	Dip. Arch. Asstt. Ahmedabad Direct
66	65	Mrs. Girdevi Bhatia	-	25.4.50	26.8.71	26.8.71	26.8.74	Dip. Arch. Asstt. Delhi Promotee
67	66	Miss D. P. Rupani	-	26.1.53	21.12.74	-	21.12.74	Dip. Arch. Asstt. Delhi Direct
68	67	C. K. Barerji	-	25.1.48	1.11.71	1.11.71	8.8.75	Dip. Arch. Asstt. Delhi Promotee
69	68	Aijaz Hussain	-	15.7.51	12.11.71	12.11.71	8.8.75	Dip. Arch. Asstt. Delhi Promotee
70	69	Smt. Jaishree Dass	-	15.10.46	2.12.71	2.12.71	16.1.76	Dip. Arch. Asstt. Calcutta Promotee


 Sent
 24.3.76

A/108

To,

The Vice Chairman,
Central Administrative Tribunal
Circuit Bench, Lucknow.

M.P. No. 712/92

Ref : TA No.1538 of 1987 (T)

S 4 A/109

R. B. Saxena

sir,

U. O. I

This is for your kind information and consideration
that my writ was admitted on 30.8.1984 by the Hon'ble
High Court, Lucknow Bench and further transferred
to this Hon'ble ~~xxx~~ Tribunal in the year 1987 .The
case is old one . Now it is fixed for 10. 2. 1992
for final hearing . There is no Bench on 10. 2. 1991 .

It is therefore prayed that the case may kindly
be listed on the next availability of the Hon'ble
Bench.

Received
30.1.92

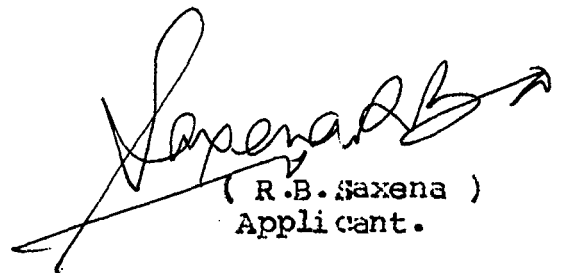
F.T.

04/10/92

30/1/92

Lucknow

dated 30.1.1992.


(R.B. Saxena)
Applicant.

Copy to :

1. Shri V.K. Chaudhary, Additional Chief Standing Counsel.

Case before
the Hon'ble V.C.
Chamber
with file

211
30.1.92
5/3/92

युनिफ़ॉर्म कोफ कीडिंग ऑनरि

$$\frac{A}{110}$$

No.

of 19

I | we the undersigned do hereby nominate and appoint Shri उमेश चन्द्र चौधरी
and Shri अजय शिवप्रताप शर्मा,
पू-ए-ए-वीसीसी-सीडी-एलएन Advocate, to

be counsel in the above matter, and for me | us and on my ! our behalf to appear, plead, act and answer in the above Court or any Appellate Court or any Court to which the business is transferred in the above matter, and to sign and file petitions, statements, accounts, exhibits, compromises or other documents whatsoever, in connection with the said matter arising there from, and also to apply for and receive all documents or copies of documents, depositions, etc, etc, and to apply for issue of summons and other writs or subpoena and to apply for and get issued any arrest, attachment or other execution, warrant or order and to conduct any proceeding that may arise thereout and to apply for and receive payment of any or all sums or submit the above matter to arbitration.

Provided, however, that. if any part of the Advocate's fee remains unpaid before the first hearing of the case or if any hearing of the case be fixed beyond the limits of the town; then, and in such an event my | our said advccate shall not be bound to appear before the court and if my|our said advccate dcth appear in the said case he shall be entitled to an outstation fee and other expenses of travelling, lodging, etc Provided ALSO that if the case be dismissed by default, or if it be proceeded ex parte, the said advocate(s) shall not be held responsible for the same. And all whatever my | our said advocate(s) shall lawfully do, I do here by agree to and shall in future ratify and confirm.

ACCEPTED :

Accepted
Rakesh Srivastava
1r Advocate Ad

2-Advocate

Signature of Client *[Signature]*

R. B. Saxena
27a Chandrabh Agnani
Lucknow

Natli Shri Umesh Chandra, Senior Advocate shall
Also appear in this case
Present Shri Gopal

To,

The Vice Chairman,
Central Administrative Tribunal
Circuit Bench, Lucknow.

C
206

M. P. 112/92
Ref : TA No.1538 of 1987 (T)

A
112

R. B. Saxena

Sir,

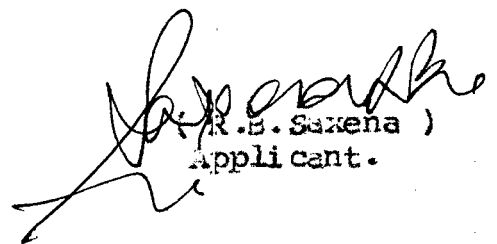
U. O. I

This is for your kind information and consideration
that my writ was admitted on 30.8.1984 by the Hon'ble
High Court, Lucknow Bench and further transferred
to this Hon'ble Ben Tribunal in the year 1987 .The
case is old one . Now it is fixed for 10. 2. 1992
for final hearing . There is no Bench on 10. 2. 1992

It is therefore prayed that the case may kindly
be listed on the next availability of the Hon'ble
Bench.

Lucknow

dated 30.1.1992.


(R.B. Saxena)
Applicant.

Copy to :

1. Sri V.K. Chaudhary, Additional Chief Standing
Counsel.

In the Central Administrative Tribunal, Circuit Bench,
(Gandhi Bhawan, opposite Residency), Lucknow.

Writ Petition No. 4378 of 1984.

Ritu Raj Behari Saxena

.. Applicant/Petitioner

Versus

Union of India & others.

.. Opposite parties.

Application for summoning file of the
writ petition No. 4378 of 1984 from the
Central Administrative Tribunal, Allahabad
Bench, 23-A, Thornhill Road, Allahabad to
the circuit bench, Lucknow.

The applicant/petitioner most respectfully submit
as under:-

1. That the applicant filed writ petition no.
of 198 in the hon'ble High Court of Judicature at
Allahabad, sitting at Lucknow.
2. That after the enforcement of the Central Adminis-
trative Tribunal Act, 1988, the aforesaid writ petition
had been transferred to the Bench of Central Adminis-
trative Tribunal, Allahabad under section 29 of the said
Act.
3. That the applicant who is personally posted at
Lucknow under the Architect (Postal), 3-A Ashok Marg

Notices issued for
before C.B. Lko, 28.3.89
M.K.S.

So RTs

for

DD
C

41

C
210

A
116

Lucknow. It shall be convenient for the parties that the applicant's case be summoned from the Q. C.A.T. Branch, Allahabad and be heard and decided at its Circuit Bench, Gandhi Bhawan, Lucknow.

Wherefore it is most respectfully prayed that the Hon'ble Tribunal may be pleased to direct to summon the above noted writ petition from the C.A.T. Bench, Allahabad and be heard and decided at its Circuit Bench, Gandhi Bhawan, Lucknow.

Lucknow, dated :

-1-1989.



(Dr. L.P. Misra)
Advocate,

Counsel for the applicant/
petitioner.

हाईकोर्ट इलाहाबाद लखनऊ बेंच, लखनऊ

(अध्याय १२, नियम १ और ७)

दीवानी विभाग

प्रकीर्णक (मुतफरिफ) प्रार्थना-पत्र संख्या..... सन १६ ई०

६ Rishi Raj Laladhar Sarang सन १६ ६५० में

प्राचीं

Union of Indian Police

Bheefandra Singh Kamboj School known

Posted as Architectural Asst Grade-I

Officer of the Senior Architect I (Coordination)

Post 2 Telegraph

20 Ashoka Road

New Delhi

न्यायीं

चूंकि ऊपर लिखे प्राचीं ने इस न्यायालय में उपयुक्त मुकदमें के सम्बन्ध में

के नाम

केलिये प्रार्थना-पत्र

दिया है, अतः आपको आदेश दिया जाता है कि आप दिनांक १५ माह १२ सन १६ ई० को या उससे पूर्व उपस्थित होकर कारण बतायें कि प्रार्थना-पत्र क्यों न स्वीकार कर लिया जाय। उक्त प्रार्थना-पत्र की सुनवाई उसके बाद नियमानुसार विज्ञप्ति किशो और दिन होगी।

विदित हो कि आप ऊपर लिखे दिनांक पर या उससे पहले स्वयं अथवा किसी एडवोकेट या ऐसे व्यक्ति द्वारा, जो आपको ओर से कार्य करने के लिए कानूनन अधिकृत हों उपस्थित न होंगे तो उस प्रार्थना-पत्र की सुनवाई और निर्णय आपको अनुपस्थित में हो जायेंगे।

मेरे हस्ताक्षर और न्यायालय की मोहर से आज दिनांक १६ माह १० सन १६ ई० जारी किया गया।

के एडवोकेट

तिथि

इलाहाबाद लखनऊ

सूचना—इस न्यायालय की १९५६ की नियमावली के अध्याय ३७ नियम २ के अधीन प्राप्त लखवाना मिल गया।

लखवाना प्राप्त करने वाले क्लर्क के हस्ताक्षर

हाईकोर्ट इलाहाबाद लखनऊ बेंच, लखनऊ

(अध्याय १२, नियम १ और ७)

दीवानी विभाग

प्रक्रियांक (मुतफरिंक) प्रार्थना - पत्र संख्या सन १६ ई०

..... 4378 सन १६६५ ई० में

..... Ritu Raj Baladun Saxena प्राधी

Union of India प्रति
..... Pshoopendra Singh Kambaj 30 Not Known प्रत्याधी
..... Posted as Architectural Asstt. Grade - I
..... Office of the Senior Architect I (Coordination)
..... Post & Telegraphs प्रत्याधी
..... 20, Ashoka Road
..... New Delhi

चूंकि ऊपर लिखे प्राधी ने इस न्यायालय में उपयुक्त मुकदमें के सम्बन्ध में

..... के नाम के लिये प्रार्थना-पत्र

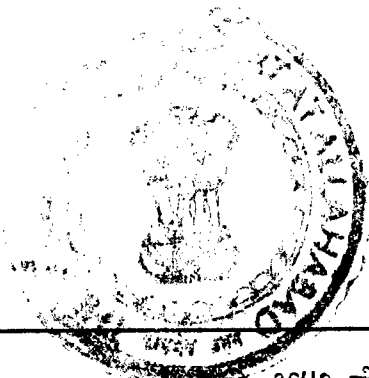
दिया है, अतः आपको आदेश दिया जाता है कि आप दिनांक माह सन १६ को या उससे पूर्व उपस्थित होकर कारण बतलायें कि प्रार्थना-पत्र क्यों न स्वीकार का लिया जाय। उक्त प्रार्थना-पत्र की सुनवाई उसके बाद नियमानुसार विज्ञप्ति किशो और दिन होगी।

विदित हो कि आप ऊपर लिखे दिनांक पर या उससे पहले स्वयं अथवा किसी एडवोकेट या ऐसे व्यक्ति द्वारा, जो आपको ओर से कार्य करने के लिए कानूनन अधिकृत हों उपस्थित न होंगे तो उस प्रार्थना-पत्र की सुनवाई और निर्णय आपकी अनुपस्थिति में हो जायेंगे।

मेरे हस्ताक्षर और न्यायालय की मोहर से आज दिनांक माह सन १६ को जारी किया गया।

..... Dr. L. P. Misra के एडवोकेट

तिथि



..... रजिस्ट्रार
इलाहाबाद/लखनऊ

सूचना—इस न्यायालय की १६५२ की नियमावली के अध्याय ३७ नियम २ के अधीन प्राप्त तलवाना मिल गया।

तलवाना प्राप्त करने वाले क्लर्क के हस्ताक्षर

हाईकोर्ट इलाहाबाद लखनऊ बेंच, लखनऊ

(अध्याय १२, नियम १ और ७)

दीवानी विभाग

प्रकीर्णक (मुतफर्रिक) प्रार्थना - पत्र संख्या सन १६ ६०

..... ५३७४ सन १६८५ ६० में

Ritu Raj Belari Saxena प्राची

Union of India प्रति प्रत्याधी

Miss. Gargi Ashotkhan

Posted as Architectural Asstt. Grade - I

Office of the Senior Architect - I (Coordination),

Post. and Telegraphs

2c Ashoka Road

Now Delhi प्रत्याधी

चूंकि ऊपर लिखे प्राची ने इस न्यायालय में उपयुक्त मुकदमें के सम्बन्ध में

..... के नाम केलिये प्रार्थना-पत्र

दिया है, अतः आपको आदेश दिया जाता है कि आप दिनांक ५ माह १२ सन १६ ८५ को या उससे पूर्व उपस्थित होकर कारण बतायें कि प्रार्थना-पत्र क्यों न स्वीकार किया जाय। उक्त प्रार्थना-पत्र की सुनवाई उसके बाद नियमानुसार विज्ञप्ति क्रिशो और दिन होगी।

विदित हो कि आप ऊपर लिखे दिनांक पर या उससे पहले स्वयं अथवा किसी 'केट' या ऐसे व्यक्ति द्वारा, जो आपकी ओर से कार्य करने के लिए धनानुन अधिकृत उपस्थित न होंगे तो उस प्रार्थना-पत्र की सुनवाई और निर्णय आपको अनुपस्थित में जायेंगे।

मेरे हस्ताक्षर और न्यायालय की मोहर से आज दिनांक १६ माह १० सन १६ ८५ जारी किया गया।

Dr. L. P. Misra के एडवोकेट

तिथि

रजिस्ट्रार
इलाहाबाद/लखनऊ

सूचना—इस न्यायालय की १६५२ की नियमावली के अध्याय ३७ नियम २ के अधीन प्राप्त तलवाना मिल गया।

तलवाना प्राप्त करने वाले काउर्क के हस्ताक्षर

हाईकोर्ट इलाहाबाद लखनऊ बेंच, लखनऊ

(अध्याय १२, नियम १ और ७)

दीवानी विभाग

प्रकीर्णक (मुतफरिफ) प्रार्थना - पत्र संख्या सन १६ ई०

..... 1378 सन १६ ई० में

..... प्राथी

..... प्रति प्रत्याथी

Miss. Gargi dhot known

Posted as Architectural Asst. Grade - I

Office of the Senior Architect (Coordination),

Post. and Telegraphs

20 20 Ashoka Road

New Delhi

चूंकि ऊपर लिखे प्राथी ने इस न्यायालय में उपर्युक्त मुकदमें के सम्बन्ध में

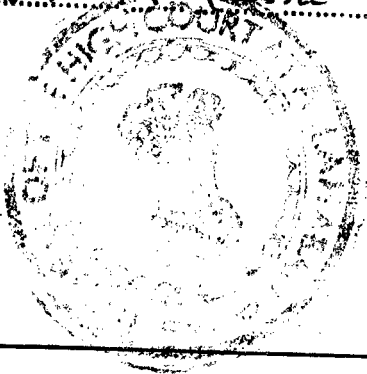
..... के नाम केलिये प्रार्थना-पत्र

दिया है, अतः आपको आदेश दिया जाता है कि आप दिनांक 12 माह 12 सन १६ ई० को या उससे पूर्व उपस्थित होकर कारण बतलायें कि प्रार्थना-पत्र क्यों न स्वीकार क लिया जाय। उक्त प्रार्थना-पत्र की सुनवाई उसके बाद नियमानुसार विज्ञप्ति किशो और दिन होगी।

विदित हो कि आप ऊपर लिखे दिनांक पर या उससे पहले स्वयं अथवा किसी एडवोकेट या ऐसे व्यक्ति द्वारा, जो आपकी ओर से कार्य करने के लिए कानूनन अधिकृत हों उपस्थित न होंगे तो उस प्रार्थना-पत्र की सुनवाई और निर्णय आपको अनुपस्थित में हो जायेंगे।

मेरे ह ... र और न्यायालय को मोहर से आज दिनांक 16 माह 10 सन १६ ई० को जारी किया गया।

..... के एडवोकेट



तिथि

रजिस्ट्रार
इलाहाबाद/लखनऊ

सूचना—इस न्यायालय की १६५२ की नियमावली के अध्याय ३७ नियम २ के अधीन प्राप्त तलवाना मिल गया।

तलवाना प्राप्त करने वाले क्लर्क के हस्ताक्षर

(अध्याय १२, नियम १ और ७)

प्रकीर्णांक (सुतफर्रिक) प्रार्थना - पत्र संख्या सन १९ ई०

Ritu Ka Bahadur Sakseng ⁸⁶ सन १८ ई० में

प्राथमिक

पुनर् शिक्षण प्रतिष्ठान

प्रत्याधी

Office of the Registrar of the Post & Telegraph

20 Ashoka road
New Delhi

चूंकि ऊपर लिखे प्राप्ति ने इस न्यायालय में उपर्युक्त मुकदमें के सम्बन्ध में

के नाम के लिये प्रार्थना-पत्र

दिया है, अतः आपको आदेश दिया जाता है कि आप दिनांक 5 माह 12 सन १६ को या उससे पूर्व उपस्थित होकर कारण बतायें कि प्रार्थना-पत्र क्यों न स्वीकार कर लिया जाय। उक्त प्रार्थना-पत्र की सुनवाई उसके बाद नियमानुसार विज्ञप्ति किशी और दिन होगी।

विदित हो कि आप ऊपर लिखे दिनांक पर या उससे पहले स्वयं अथवा किसी एडवोकेट या ऐसे व्यक्ति द्वारा, जो आपको ओर से कार्य करने के लिए कानूनन अधिकृत हों उपस्थित न होंगे तो उस प्रार्थना-पत्र की सुनवाई और निर्णय आपकी अनुपस्थित में हो जायेंगे।

मेरे हस्ताक्षर और न्यायालय की मोहर से आज दिनांक 16 माह 10 सन १९ 20 को जारी किया गया।

के सड़बोकेट

तिथि

रजिस्ट्रार

इलाहाबाद लखनऊ

सूचना—इस न्यायालय की १९५९ की नियमावली के अध्याय ३७ नियम ६ के अधीन प्राप्त
तलबाना मिल गया।

तलवाना प्राप्त करने वाले कलक के हस्ताक्षर

हाईकोर्ट इलाहाबाद लखनऊ बेंच, लखनऊ

(अध्याय १२, नियम १ और ७)

दीवानी विभाग

प्रकोणांक (मुतफरिफ) प्रार्थना-पत्र संख्या..... सन १९ ई०

WP 4378 सन १९४५ ई० में

Ritu Raj Bahadur Saxena प्राथी

Union of India प्रति प्रत्याथी

Ratan Lal Bhatia & Co. not known

Partner as Architectural Asst. Grade I
Office of the Architect-

Post & Telegraphs

Vivekanandapur

Lucknow प्रत्याथी

चूंकि ऊपर लिखे प्राथी ने इस न्यायालय में उपयुक्त मुकदमें के सम्बन्ध में

.....के नामकेलिये प्रार्थना-पत्र

दिया है, अतः आपको आदेश दिया जाता है कि आप दिनांक 25 माह 12 सन १९४५
जो या उससे पूर्व उपस्थित होकर कारण बतायें कि प्रार्थना-पत्र क्यों न स्वीकार का
लिया जाय। उक्त प्रार्थना-पत्र की सुनवाई उसके बाद नियमानुसार विज्ञप्ति किशो और
दिन होगी।

विदित हो कि आप ऊपर लिखे दिनांक पर या उससे पहले स्वयं अथवा किसी
एडवोकेट या ऐसे व्यक्ति द्वारा, जो आपको ओर से कार्य करने के लिए कानूनन अधिकृत
हों उपस्थित न होंगे तो उस प्रार्थना-पत्र की सुनवाई और निर्णय आपको अनुपस्थित
में हो जायेंगे।

में हस्ताक्षर और न्यायालय की मोहर से आज दिनांक 12 माह 12 सन १९४५
जो जारी किया गया।

Dr. L. P. Mehta के एडवोकेट

तिथि



रजिस्ट्रार
इलाहाबाद/लखनऊ

सूचना--इस न्यायालय की १९५२ की नियमावली के अध्याय ३७ नियम ३ के अधीन प्राप्त
तलवाना मिल गया।

तलवाना प्राप्त करने वाले क्लर्क के हस्ताक्षर

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हाईकोर्ट इलाहाबाद लखनऊ बेंच, लखनऊ

(अध्याय १२, नियम १ और ७)

दीवानी विभाग

प्रकीर्णक (मुतफरिफ) प्रार्थना - पत्र संख्या सन १९ ई०
6378

..... स० सन १९ ई० में
Rishi Raj Bahadur Sarana प्राथी

Union of India प्रत्याथी
Ratan Lal Bhabha & Not-known

.....
Office of the Architect-
Post & Telegraphs
Vivekanandapur प्रत्याथी
Unknown

चूंकि ऊपर लिखे प्राथी ने इस न्यायालय में उपर्युक्त मुकदमें के सम्बन्ध में
..... के नाम केलिये प्रार्थना-पत्र

दिया है, अतः आपको आदेश दिया जाता है कि आप दिनांक माह सन १९
को या उससे पूर्व उपस्थित होकर कारण बतलायें कि प्रार्थना-पत्र क्यों न स्वीकार क
लिया जाय। उक्त प्रार्थना-पत्र की सुनवाई उसके बाद नियमानुसार विज्ञप्ति किशो और
दिन होगी।

विदित हो कि आप ऊपर लिखे दिनांक पर या उससे पहले स्वयं अथवा किसी
एडवोकेट या ऐसे व्यक्ति द्वारा, जो आपको ओर से कार्य करने के लिए कानूनन अधिकृत
हों उपस्थित न होंगे तो उस प्रार्थना-पत्र की सुनवाई और निर्णय आपको अनुपस्थित
में हो जायेंगे।

मेरे हस्ताक्षर और न्यायालय की मोहर से आज दिनांक माह सन १९
को जारी किया गया।

Dr. L. P. Mishra
..... के एडवोकेट



.....
इलाहाबाद/लखनऊ

सूचना—इस न्यायालय की १९५२ की नियमावली के अध्याय ३७ नियम २ के अधीन प्राप्त
तलवाना मिल गया।
तलवाना प्राप्त करने वाले क्लर्क के हस्ताक्षर

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हाईकोर्ट इलाहाबाद लखनऊ बेंच, लखनऊ

(अध्याय १२, नियम १ और ७)

दीवानी विभाग

प्रकीर्णक (मुतफर्रिक) प्रार्थना - पत्र संख्या सन १९ ई०

..... 4378 सन १९८५ ई० में

Ritu Raj Bahadur Saxena

Union of India

S.k. Mallotra & not known

Posters as Architectural Asst. Grade-I (Car)

Post & Telegraphs

20 Ashoka Road

New Delhi

चूंकि ऊपर लिखे प्रार्थी ने इस न्यायालय में उपर्युक्त मुकदमें के सम्बन्ध में

..... के नाम केलिये प्रार्थना-पत्र

दिया है, अतः आपको आदेश दिया जाता है कि आप दिनांक १२ माह १२ सन १९८५ को या उससे पूर्व उपस्थित होकर कारण बतलायें कि प्रार्थना-पत्र क्यों न स्वीकार कर लिया जाय। उक्त प्रार्थना-पत्र की सुनवाई उसके बाद नियमानुसार विज्ञप्ति क्रिशो और दिन होगी।

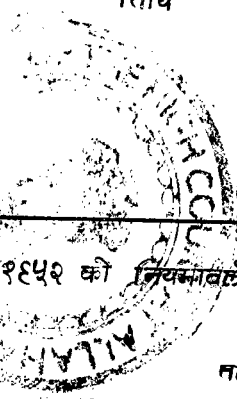
विदित हो कि आप ऊपर लिखे दिनांक पर या उससे पहले स्वयं अथवा किसी एडवोकेट या ऐसे व्यक्ति द्वारा, जो आपको ओर से कार्य करने के लिए कानूनन अधिकृत हों उपस्थित न होंगे तो उस प्रार्थना-पत्र की सुनवाई और निर्णय आपकी अनुपस्थिति में हो जायेंगे।

मेरे हस्ताक्षर और न्यायालय की मोहर से आज दिनांक १६ माह १० सन १९८५ को जारी किया गया।

Dr. L.P. Mishra

के एडवोकेट

लिपि



रजिस्ट्रार
इलाहाबाद लखनऊ

सूचना—इस न्यायालय की १९५२ की नियमवली के अध्याय ३७ नियम २ के अधीन प्राप्त तलवाना मिल गया।

तलवाना प्राप्त करने वाले क्लर्क के हस्ताक्षर

हाईकोर्ट इलाहाबाद लखनऊ बेंच, लखनऊ

(अध्याय १२, नियम १ और ७)

वानी विभाग

प्रक्रियांक (मुतफरिफ) प्रार्थना - पत्र संख्या सन १९ १०

..... सन १९ १० में

Rita Bai Bahadur Saxe

प्राथी

Union of India प्रति

S.k. Malhotra १०, Moti Khera

प्रत्याथी

Posted as Architectural Artist Grade I (Class

Post & Telegraphs

20, Ashoka Road

New Delhi

प्रत्याथी

चूंकि ऊपर लिखे प्राथी ने इस न्यायालय में उपर्युक्त मुकदमें के सम्बन्ध में

के नाम

केलिये प्रार्थना-पत्र

दिया है, अतः आपको आदेश दिया जाता है कि आप दिनांक ५ माह १२ सन १९४५ को या उससे पूर्व उपस्थित होकर कारण बतलायें कि प्रार्थना-पत्र क्यों न स्वीकार कर लिया जाय। उक्त प्रार्थना-पत्र की सुनवाई उसके बाद नियमानुसार विज्ञप्ति किशो और दिन होगी।

विदित हो कि आप ऊपर लिखे दिनांक पर या उससे पहले स्वयं अथवा किसी एडवोकेट या ऐसे व्यक्ति द्वारा, जो आपको ओर से कार्य करने के लिए कानूनन अधिकृत हों उपस्थित न होंगे तो उस प्रार्थना-पत्र की सुनवाई और निर्णय आपको अनुपस्थित हो जायेंगे।

मेरे हस्ताक्षर और न्यायालय की मोहर से आज दिनांक १६ माह १० सन १९ ४५ को जारी किया गया।

Dr. P. S. Mishra

के एडवोकेट

तिथि



हिप्पा कमिस्ट्रार
इलाहाबाद/लखनऊ

सूचना—इस न्यायालय की १९४५ की नियमावली के अध्याय ३७ नियम २ के अधीन प्राप्त तलवाना मिल गया।

तलवाना प्राप्त करने वाले क्लर्क के हस्ताक्षर

GENERAL INDEX

CIVIL

SIDE

Chapter XLI, Rules 2, 9 and 15

CRIMINAL

Nature and number of case

W.P. 4378 - 84

Name of parties

R.B. Sarma

Union of India

Date of institution

30-8-84,

Date of decision

File no.	Serial no. of paper	Description of paper	Number of sheets	Court-fee		Date of admission of paper to record	Condition of document	Remarks including date of destruction of paper, if any
				Number of stamps	Value			
1	2	3	4	5	6	7	8	9
					Rs. P.			
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	2-	Power	1	-	5-00			
	3-	Emd 9245 (w) 84	3	-	5-00			
	4-	arch 8 sub	1	-	-			
	5-	Book copy	1	-	-			

I have this

day of

197 ,

examined the

record and compared the entries on this sheet with the papers on the record. I have made all necessary corrections and certify that the paper correspond with the general index, that they bear Court Fee Stamps of the aggregate value of Rs. _____, that all orders have been carried out, and that the record is complete and in order up to the date of the certificate.

Date _____

Munsarim
Clerk

[illegible]

I have this _____ day of _____ 197 _____, examined the _____ record and compared the entries on this sheet with the papers on the record. I have made all necessary corrections and certify that the paper correspond with the general index, that they bear Court-Fee Stamps of the aggregate value of Rs. _____, that all orders have been carried out, and that the record is complete and in order up to the date of the certificate.

Date.....

Munsarim

Clerk

Group A 15 (e)

D11

IN THE HON'BLE HIGH COURT OF JUDICATURE AT ALLAHABAD

SITTING AT LUCKNOW

Writ Petition No. 4379 of 1984.

Rituraj Behari Saxena

... Petitioner

Versus

Union of India and others

... Opp-parties.

I N D E X

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Dated Lucknow:

Aug. 30, 1984.

(Dr. L.P. Misra)

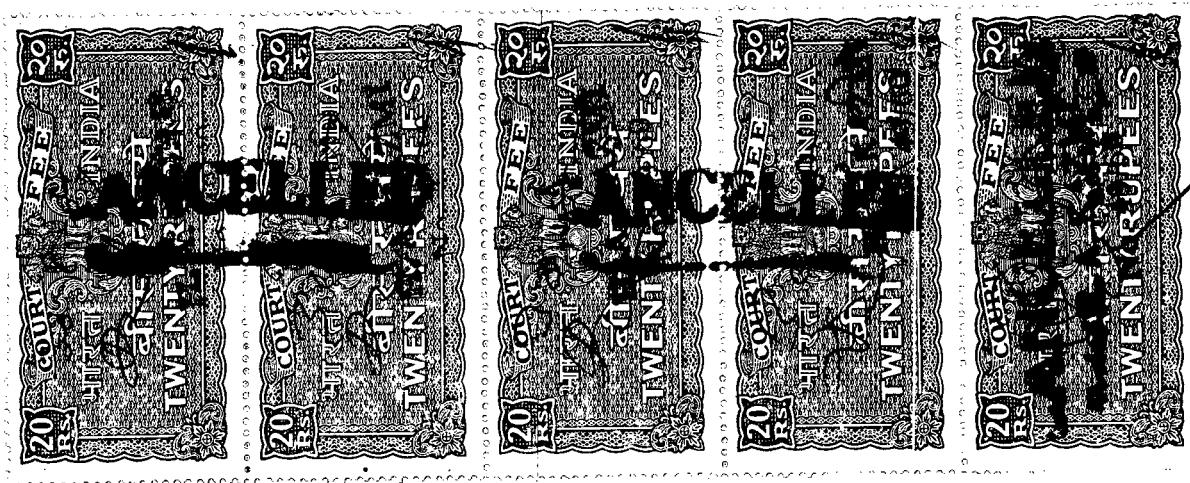
Counsel for the petitioner.

A/12

A12

IN THE HON'BLE HIGH COURT OF JUDICATURE AT ALLAHABAD
SITTING AT LUCKNOW.

Writ Petition No. 4378 of 1984.



Sept 10/84
22/8

Rituraj Bahari Saxena, aged about 38 years,
son of Sri A.C. Saxena, resident of 18-Corporation
quarter, Rajendra Nagar, Lucknow.

... Petitioner

Versus

- ✓ 1. Union of India, through Director General/Secretary,
Post & Telegraph, Dak-Tar Bhawan, New Delhi.
- ✓ 2. Senior Architect-I (Coordination), Posts & Telegraphs,
20-Ashoka Road, New Delhi.
- ✓ 3. Architect, Posts & Telegraphs, Vivekanandpuri,
Lucknow.
- ✓ 4. Miss Gargi, d/o not known, presently posted as
Architectural Assistant Grade-I, Office of the
Senior Architect-I (Coordination), Posts & Telegraphs,
20 Ashoka Road, New Delhi.
- ✓ 5. Bhupinder Singh Kamboj, son of not known, presently
posted as Architectural Assistant Grade-I, Office
of the Senior Architect-I (Coordination), Posts &
Telegraphs, 20-Ashoka Road, New Delhi.

30/8/84
Saxena

impressed
 Low Adhesive Rs 100/-
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 Court record
 in time up to
 Papers filed. Copy of P. 1
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Hon. ble D. N. Jha, J.
 Hon. ble K. S. Varma, J.

Admit. Issue

notice. Notice on
 behalf of opposite
 parties 1 to 3 has
 been accepted by
 Sr. D. S. Pandhara.

Received copies for ops 1 to 3

Dr. B. B. B.
 (D. S. D. A. D. H. H.)
 Senior Standing Counsel
 Central Govt.
 30-8-84
 at 11 AM

MHS/-

Ks Jha
 30-8-84

scale of Rs. 550 - 900/- vide promotion order dated 28.7.1984 and also for the quashing of the wrong and illegal seniority list circulated vide Office order dated 26th August, 1983.

2. That the petitioner was initially appointed as Senior Architectural Draftsman in the scale of Rs. 205-7-240-280 vide selection made by the Opp-party no.2 and in the same selection the Opp-party no.6, namely, Sri Rattan Lal Bhatia was also selected as such. In the aforesaid selection, the petitioner was placed at Serial No.1 in order to merit and the Opp-party no.6 was placed at Serial No.2. At the time of the selection of the petitioner on the aforesaid post he was given additional four increments as at the time of the said selection, the petitioner was already working under the Union Government as Architectural Field Draftsman in the scale of Rs. 210-425/- in the office known as the School of Planning and Architecture, New Delhi.

3. That subsequent to the appointment of the petitioner as Senior Architectural Draftsman, the said post was re-designated and regrouped as (i) Architectural Draftsman Level-III, in the scale of Rs. 425-700 and (ii) Architectural Draftsman Level-II, in the scale of Rs. 330-560. At the time of the aforesaid re-grouping done in pursuance of the recommendations of the Third Pay Commission and given effect to from 1.1.1973, the total strength of Senior

Architectural Draftsman in the Unit of the Opp-party no. 2 was 43. Out of these 43 total number of posts of Senior Architectural Draftsman, subsequently redesignated and regrouped as Architectural Draftsman Level-III and Architectural Draftsman Level-II aforesaid, 22 posts were marked as Level-III posts and 21 posts were marked as Level-II posts. Accordingly 22 persons from the top amongst the persons holding the post of Senior Architectural ~~Draftsman~~ Draftsman in accordance with their existing seniority were given the post of Architectural Draftsman Level-III in the scale of Rs. 425-700 and the remaining 21 Senior Architectural Draftsman including the petitioner and the Opp-parties 4 to 7 were given the post of Architectural Draftsman Level-II in the scale of Rs. 330-560/-.

4. That since there was no justification for providing two different scales of pay for the persons initially appointed on one and the same post in the same scale of pay and holding such posts, the petitioner made a representation for providing the petitioner the post of Architectural Draftsman Level-III in the scale of Rs. 425-700/- as was done in the case of 22 persons holding the same post which was held by the petitioner. The true copy of the said representation dated 6.10.76 is being annexed herewith as Annexure-1 to this writ petition.

5. That again there was a change in the designation of the posts known as Architectural Draftsman Level-III

(i) The Opp-party no.4 was promoted as Architectural Draftsman Level-III now known as Architectural Assistant Grade-II in the scale of Rs. 425-700, with effect from 7.4.78 whereas the petitioner was promoted as such w.e.f. 20.12.75. The said Opp-party was initially appointed as Sr. Architectural Draftsman w.e.f. 18.12.73 whereas the petitioner was appointed on that post vide order dated 22.10.71. The true copy of the petitioner's appointment order is being annexed herewith as annexure-6 to this writ petition.

(ii) The Opp-party no.5, namely, Sri Bhupinder Singh Kamboj was appointed as Senior Architectural Draftsman w.e.f. 7.9.1973 and was kept as Architectural Draftsman Level-II in the scale of Rs. 330-560 along with the petitioner at the time of the re-designation and re-grouping of the post of Senior Architectural Draftsman and this Opp-party figured below the name of the petitioner as evident from Annexure-4. The petitioner's name finds place at serial no. 12 in the aforesaid order dated 18th May, 1976 (Annexure-4) whereas the Opp-party no. 5 figures at serial no. 19. Bhupinder Singh mentioned at serial no. 19 in the order dated 18th May, 1976 and the Bhupinder Singh Kamboj is are one and the same person. Thus the Opp-party no. 5 is junior to the petitioner by about 2 years - the petitioner having been appointed

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as senior Architectural Draftsman with effect from 22.10.71/18.11.71 and the Opp-party no.5 having been appointed as such w.e.f. 7.9.1973.

(iii) The petitioner and the Opp-party no.6, namely, Sri Rattan Lal Bhatia, were selected under one and the same selection and in the said selection the petitioner was placed at serial no. 1 in order of merit and the Opp-party no. 6 was placed at serial no. 2. The petitioner was also given additional four increments and, thus, is senior to the said Opp-party. The true copy of the recommendation of the Selection Committee providing the petitioner the additional four increments is being annexed herewith as annexure-7 to this writ petition.

(iv) The Opp-party no. 7 was appointed as Architectural Assistant Grade-II w.e.f. 19.12.77 on which post the petitioner was promoted w.e.f. 20.12.75.

(v) The Opp-party no. 8 was appointed as Senior Draftsman with effect from 6.12.71 whereas the petitioner was appointed as such w.e.f. 18.11.71.

8. That the Opp-party no.2 issued a seniority list of Architectural Assistant Grade-II as on 1.6.1983 vide office order dated 26th August, 1983 and in the said seniority list the Opp-parties 5, 6 and 8 were shown as senior to the petitioner having been shown and placed at serial nos. 3, 5 and 4 respectively

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and the petitioner having been placed at serial no. 6 in the said seniority list. The true copy of the aforesaid office order dated 26.8.1983 together with the aforesaid seniority list is being annexed herewith as annexure-8 to this writ petition.

9. That the petitioner sent a representation dated 5.9.83 against the incorrect placing of the petitioner in the seniority list through proper channel and the true copy of the said representation is being annexed herewith as annexure-9 to this writ petition.

10. That no decision on the petitioner's aforesaid representation, contained in annexure-9 to the writ petition, has been communicated to him so far (and the petitioner has come to know that the said representation is lying undisposed off till to-day.)

11. That adding insult to injury, the Opp-party no.2 passed an order dated 28.7.1984 promoting the Opp-parties 4 to 7 as Architectural Assistant Grade-I in the scale of Rs. 550-900/- by superseding the petitioner who is much senior to all the aforesaid Opp-parties. The petitioner has even been shown as senior to Opp-party no. 7 as per seniority list contained in annexure-8 to this writ petition and he is much senior to the rest of the Opp-parties 4, 5 and 6 as detailed in the preceding paragraphs. The true copy of the impugned promotion order dated 28.7.84 is being annexed herewith as annexure-10 to this writ petition.

P-30-887

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12. That the work and conduct of the petitioner has always been satisfactory and he has not been communicated any adverse entry at any point of time while functioning as Architectural Assistant Grade-II. (The petitioner also believes that the work and conduct of the Opp-parties 4 to 7 has not been superior in any manner to that of the petitioner.) The true copy of the order dated 26.10.81 passed by the Opp-party no.2 himself is being annexed herewith as annexure-11 in order to indicate that the petitioner's work and conduct has always been above the board and exemplary.

13. That the opp-parties 4 to 7 have joined on their promotion post and are working on the higher post in supersession of the rightful and legitimate claim of the petitioner.

14. That being aggrieved and having no alternative and efficacious remedy, the petitioner begs to prefer this writ petition on the following amongst other;

-: GROUND S :-

- i) Because the petitioner being senior to Opp-parties 4 to 7 and the work and conduct of the petitioner being not inferior to the said opp-parties in any manner and no adverse entry having been either given to the petitioner or having been communicated while functioning as Architectural Assistant Grade-II, the

petitioner's supersession by the said opp-
parties is absolutely illegal, arbitrary and
capricious.

ii) because an incorrect seniority list was
circulated vide Annexure-8 to the writ petition
and the petitioner submitted his representation
against the same and it was legally incumbent
on the opp-party no.2 to decide the petitioner's
representation preferred against an obviously
and incorrectly drawn seniority list and it
was not legally open for the said Opp-party
to make any promotion to the post of Architec-
tural Assistant Grade-I on the basis of such
an incorrectly drawn and prepared seniority
list without disposing of the petitioner's
representation preferred against the same.
That being so, the impugned promotion order
dated 28.7.1984, contained in Annexure-10 to
the writ petition, is not only illegal but is
without jurisdiction as well.

iii) Because the Opp-party no.4 is much junior to
the petitioner and his promotion as Architec-
tural Assistant Grade-I in supersession of the
petitioner's claim merely because she belongs
to scheduled caste is wholly illegal as any
reservation on the promotion post marring the
legitimate claim of deserving candidates is
not only violative of article 16 of the
Constitution of India but is also violative of

the very principle of the maintenance of the morale of the public servant. Therefore, the promotion of the Opp-party no. 4 on the basis of an illegal criteria and reservation is wholly illegal.

- iv) because the seniority list contained in annexure-8 to the writ petition is absolutely incorrect and the petitioner's placing in that seniority list as junior to Opp-parties 5, 6 and 8 is wrong and illegal for the facts detailed hereinabove.
- v) because the Opp-party no. 2 was under a legal obligation to decide the petitioner's representation preferred against the illegally prepared seniority list, contained in annexure-8 to the writ petition, before making any promotion on the basis of such seniority list.
- vi) Because by giving the post of Architectural Draftsman Level-III in the scale of Rs. 425-700 to the Opp-party no. 5 w.e.f. 1.1.73 and depriving the petitioner, who was appointed as Senior Architectural Draftsman two years before the appointment of the Opp-party no. 5 as such, from the said benefit, the Opp-party no. 2 has not only acted illegally and arbitrarily but has also discriminated amongst the two similarly situated persons and, therefore, the said action is illegal and violative of the fundamental

right of the petitioner guaranteed to him under Article 16 of the Constitution of India.

- : P R A Y E R : -

WHEREFORE, it is most respectfully prayed that this Hon'ble Court may be pleased;

- (a) To issue a writ, order or direction in the nature of certiorari quashing the impugned order dated 28.7.1984 passed by the Opp-party no. 2, contained in annexure-10 to the writ petition, and the impugned seniority list circulated vide order dated 26th August, 1983 passed by the Opp-party no. 2, contained in annexure-8 to the writ petition.
- (b) To issue a writ, order or direction in the nature of mandamus commanding the Opp-party no. 2 to fix the petitioner's seniority correctly in accordance with law by showing the petitioner as senior to the Opp-parties 5, 6 and 8 and to ^{promote} ~~provide~~ the petitioner on the post of Architectural Assistant Grade-I with effect from 28.7.1984.
- (c) To issue a writ, order or direction in the nature of mandamus commanding the Opp-parties to assign the petitioner the post of Architectural Draftsman Level-III in the scale of Rs. 425-700 with effect from 1.1.1973 and to

- 13 -

provide the promotion to the post of Architectural Assistant Grade-I on that basis.

- (d) To award the cost of this petition in favour of the petitioner.
- (e) To issue any other writ, order or direction which this Hon'ble Court deems fit and proper in the circumstances of the case.

Dated Lucknow:

Aug. 30, 1984.



(Dr. L.P. Misra)

Counsel for the Petitioner.

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IN THE HON'BLE HIGH COURT OF JUDICATURE AT ALLAHABAD
SITTING AT LUCKNOW.

Writ Petition No. of 1984.

Ritu Raj Behari Saxena ... Petitioner
Versus
Union of India and others ... Opp-parties.

Annexure-1

Before,

The Director General,
Posts and Telegraphs,
Jal Tar Bhawan,
New Delhi.

Through: Proper Channel.

Appeal under Clause (ii) of Sub-rule (1)
of Rule 24 of the Civil Services (Classi-
fication Control and Appeal) Rules, 1965.

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[Signature]
Subject: Assignment of juniors to appellant, the
level III, post of Architectural Draftsman
consequent of bifurcation of formerly All
India Cadre of Senior Architectural Draftsmen,
as a result of the acceptance of the recommen-
ations of the 3rd pay Commission.

Sir,

It is most respectfully submitted as follows:-

1. That by the Government of India, Department
of Communications, Posts and Telegraphs, Architectural

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Wing, No. CA(A)-1(2)/2905-07 dated New Delhi 22.10.1971 under the signatures of the Senior Architect-1 (Coordination), P&T, New Delhi, the appellant was offered temporary appointment to the post of Senior Architectural Draftsman on a pay of Rs. 233/- (inclusive of four advance increments vide No. CA(A)-1(2)/3194-96, dated New Delhi, 3.11.1971) per month in the scale of Rs. 205-7-240-8-280, which the appellant accepted.

2. That consequent to such acceptance of the appointment offered, the appellant was posted in the office of the Regional Architect (P&T), Lucknow and the appellant joined the services accordingly on 18.11.1971.

3. That per Seniority list of the Senior Architectural Draftsmen of Architectural Wing, circulated vide Indian Posts and Telegraphs Department (Architectural Wing) No. CA(A)-1(3)/2063-83 dated 21.4.1976/1-4-1976 issued under the signatures of the Senior Architect-1 (Coordination), P&T, New Delhi, the appellant stood at serial no. 44 in the said Seniority list of the Senior Architectural Draftsmen on All India Basis.

4. That the appellant timely and duly intimated the commissions in the Seniority List aforesaid, circulated vide letter No. CA(A)-1(3)/2063-83 dated 1.4.1976 under the signatures of the Senior Architect-1 (Coordination), P&T, New Delhi

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[Signature]

and prayed for the Seniority List aforesaid being amended and corrected to mitigate the aggrievement of the appellant against the mis-placing of the incumbents at Sl. No. 27, 33, 35 and 36 above the appellant in the said list. This was done by the appellant ~~in the said list. This was done by the~~ vide his intimation dated 14.4.1976 addressed to the Senior Architect-1 (Coordination) P&T, New Delhi through proper channel.

5. That inspite of the intimation referred to in the earlier paragraph and subsequent reminders dated 14.5.1976, 9.6.1976, 29.6.1976 and 19.7.1976, the aggrievement of the appellant stands as it was and the appellant has not been obliged with any reply whatsoever.

6. That in the manner aforesaid the appellant continues to be placed junior to 4 such persons who were actually juniors to the appellant but wrongly placed above the appellant in the Seniority List circulated vide letter no. CA(A)-1(3)/2063-83 dated 1.4.1976.

7. That while the appellant was pursuing with the matter of his-misplacement in the seniority list below 4 of the juniors as aforesaid, the Government were pleased to accept the recommendations of the Third Pay Commission and consequent to such acceptance, the Department was pleased to reorganize the cadre of Architectural Draftsmen in the Senior and Junior Grades. By the office of the Director

P 30.8.87

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General of P&T letter No. 15-59/75-TE/SEE, New Delhi dated 17.2.1976 under the signatures of the Engineer Officer (Civil) - 1, the Department was pleased to bifurcate the All India Cadre of Senior Architectural Draftsman into 2 levels re-designated as Level II and Level III, with 2 different scales of pay admissible to each level- the one admissible to Level III being much higher to that admissible to Level II.

8. That by the very same letter No. 15-59/75-TE/SEE dated 17.2.1976, out of 68 posts of Senior Architectural Draftsman as on 1.1.1973 were bifurcated into 2 Levels - 35 going to Level III and 33 to Level II. The said letter also contains the details of allocation of posts of the two levels on all India basis. The first column of the schedule of allocation of posts of two levels given in between the paras (iii) and (iv) of the said letter reads 'Name of the recruiting unit' and the second column of the said schedule gives the number of posts of Senior Architectural Draftsman; the third column gives the number of posts of Architectural Draftsman Level III and the fourth column gives the number of Architectural Draftsman Level II. The appellant feels that as the original appointment of his was not made any such 'recruiting unit' wise; the importing of the term 'recruiting unit' is the initial cause for subsequent causes of aggrievement while the Senior Architect-1 (Coordination) was

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the recruiting and appointing authority of all the Senior Architectural Draftsmen on all India basis, the division shown in the first column of the said letter into 5 recruiting units, with Senior Architect-1 (Coordination) at Serial no.1 and Superintending Engineers of Bombay, Calcutta, Madras and Bhopal at Serial Nos. 2 to 5 equivalent to him for the Senior Architectural Draftsmen, by such division, is not only illegal but also incongruous, illegal and highly prejudicial. The entire all India cadre of Senior Architectural Draftsmen has been under the administrative control of the Senior Architect-1 (Coordination), New Delhi. The seniority of the Senior Architectural Draftsmen prior to bifurcation into two levels was determined on all India basis, but on such bifurcation the seniority of those Senior Architectural Draftsmen who were placed in Level II and redesignated as Architectural Draftsmen Level II was not being determined on all India basis and thereby the appellant has been greatly prejudiced in his seniority.

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9. That thereafter vide office memorandum No. CA(A)/31(PC)3078-3132, New Delhi, dated 18.5.1976 issued by the Senior Architect-1 (Coordination) P&T, New Delhi, the 22 Senior Architectural Draftsmen named and purporting to be working under the administrative control of the Senior Architect-1 (Coordination) were redesignated as Architectural Draftsmen and were placed in scale admissible. In

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this office memorandum also, the name of the appellant was not included and the name of Sri V.P. Jain (Serial No. 21) who was junior to the appellant was included.

10. That the Senior Architect-1 (Coordination) P&T, New Delhi, vide No. CA(A)1(3)/5133-53, New Delhi dated 22.7.1976, was pleased to circulate the Seniority List of Architectural Draftsmen Level III, purporting to have been prepared on all India basis. The name of the appellant was not included in this Seniority List of the Architectural Draftsmen also although it purports to have been prepared on all India basis. But instead the names of Sri Y.A. Gokhale (Sl. No. 22), Mrs. Santosh Tapeja (Sl. No. 26), Sri S.A. Bombedkar (Sl. No. 27), Mrs. Bina Ram Pal (Sl. No. 28), Mrs. Shanti Bhattacharya (Sl. No. 29), Sri Tapankumar Sirkar (Sl. No. 30) and Sri Chandramanli Sarma (Sl. No. 31) who are all much junior to the appellant, have been included in the said seniority list.

11. That the incumbents named in the earlier paragraph who have been included in the Seniority List No. CA(A)1(3)/5133-53, New Delhi dated 22.7.1976 did not find place in the similar Seniority List No. CA(A)1(3)/2063-63, New Delhi dated 21.2.76/1.4.1976 (both prepared on all India basis) and purport to have been promoted to the Level III in the meanwhile. As such the appellant has been

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by-passed in the matter of promotion also and his juniors have been promoted to Level III.

12. That the to sum up as aforesaid, the appellant has been repeatedly been prejudiced in the matters of placement in the Seniority list, redesignation on reorganization by bifurcation of the services of Senior Architectural Draftsmen into two levels i.e. Level III and Level II and also in promotion from Architectural Draftsmen Level II to Level III and hence this appeal.

13. That in any case the appellant is entitled to being placed at Serial No. 26 and on retention of Sri Y.R. Gokhale above the appellant, at serial no. 27, in the Seniority List circulated vide No. CA(A)1(3)/5133-53 dated 22.7.1976 issued under the authority of Senior Architect-1 (Coordination) PAF, New Delhi. As regards the Seniority List circulated vide CA(A)1(3)/4063-83, New Delhi, dated 21.2.1976/1.4.1976, the appellant is entitled to be placed at Serial No. 40.

P R A Y E R

It is, therefore, respectfully prayed that your good self be pleased to pass, issue and give effect to orders, having the effect that the persons juniors to the appellant shall not draw pay in the scale of Rs. 425-700 pertaining to newly formed cadre of Architectural Draftsmen, Level III,

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IN THE HON'BLE HIGH COURT OF JUDICATURE AT CALCUTTA

Writ Petition No. of 1984.

Writ Petition No. of 1984.

Shri Raj Bharti "Archa"

... Respondent

versus

~~Shri Raj Bharti~~

Union of India and others

... Opp-parties.

Annexure-3

INDIAN POSTS & TELEGRAPHS DEPARTMENT

(ARCHITECTURAL JIAN)

6th floor, 20 Ashoka Road,
New Delhi.

No. G.A.(A)/31(43)3078-3132 Dated the 18 May, 1976.

OFFICE MEMORANDUM

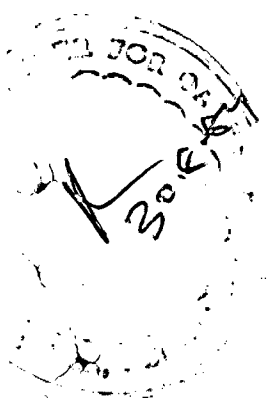
In accordance with the recommendations contained in para 81(iii) Chapter XIV of Third Central Pay Commission's report and allocation of posts by D.C. Post, New Delhi vide his letter no. 15-59/75-TE/383 dt. 17.2.76 the following Senior Architectural JIAN under the administrative control of Senior Architect-I (Board) Circle, P&T, New Delhi, have been redesignated as Architectural JIAN Level III and placed in the pay scale of Rs. 425-15-500-30-15-560-20-700 with effect from 1.1.1973.

No. Name of the official.

W/ri

1. M.S. Mehra
2. M.S. Nair

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3. S.L. Madan.
4. M.L. Keshwani.
5. Sahasur Chand.
6. S.L. Sangha.
7. Mrs. Joginder Khanna.
8. S.L. Khanna.
9. S.J. Shalla.
10. Anand Chander.
11. M.A. Khanna.
12. Madanopal.
13. S.K. Khanna.
14. Girish Khanna.
15. Tejinder Kumar Malhotra.
16. M.A. Gosh.
17. Anand Singh.
18. S.R. Madan.
19. Sardar Singh.
20. Charan Dass.
21. V.R. Jain.
22. Miss. Baljit Jauhal.

The pay of the officials may be fixed accordingly.

Sd. S.N. Roy
Senior Architect-I (Board) P.W.D.
New Delhi.

Copy to :-

1. The Director General, P.W.D. (S&E Section), New Delhi.
2. The Senior Architects I, II, III and IV (P.W.D.), New Delhi.

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- 6-7 The Regional Architect (NR) P & T, New Delhi
and Lucknow.
- 8-9 The Regional Assistant Architect (P & T),
Ambala.
- 10-11. Cashier, induplicate.
- 12-33 All Officials concerned.
- 34-55 Personal file of the officials.

Sd. S. N. Roy

Senior Architect-I (Coord) P&T
New Delhi.

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IN THE HON'BLE HIG. COURT OF JUDICATURE AT CALCUTTA
SITTING AT CALCUTTA...

with petition no. of 1984.

Atu Raj Bahari Saxena

... petitioner

Versus

Union of India and others

... opp-parties.

Annexure-4

INDIAN POSTS & TELEGRAPHS DEPARTMENT
(RIGHT FORUM LING)

6th Floor, 20 Ashoka Road,
New Delhi

No. G.A.(1)31(10)/3132-89

Dated the 18 May, 1976.

OFFICE MEMORANDUM

In accordance with the recommendations contained in Para 81(iii) Chapter XIV of the 3rd Central Pay Commission's Report and allocation of posts by the Director General, P&T, New Delhi vide his letter no. 15-59/75-TE/3132 dated 17.4.1976 the following Senior Architectural Officer under the administrative control of P&T (Coord) Circle, P&T, New Delhi have been redesignated as Architectural Officer Level II and placed in the pay scale of Rs. 330-10-380-15-12-500-15-15-560 w.e.f. 1.1.73.

Sl. No. Name of official

1. Mr. Davinder Lal Sardhana
2. Mr. Gokhale
3. Mr. Dasra
4. Mr. Arvind Chander Bhatnagar

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No. Name of official

~~4x 7/11/1941~~ ~~1/11/1941~~ ~~1/11/1941~~ ~~1/11/1941~~

5. A. J. A. Pal
6. V. A. Nagan.
7. Mrs. Ganesan Varaja.
8. Sunil Vikand
9. S. V. Madke
10. Surinder Kumar.
11. Nanjeet Singh.
12. S. B. Sarna.
13. Kattan Lal Bhatia
14. Yash Pal Shola
15. Subhash Kumar Malhotra
16. Chandra Lal Gupta.
17. Archat Kumar
18. S. K. Sharma
19. Shupinder Singh
20. Mrs. Najma Farvez.
21. Miss Ranjana Lata
22. Mrs. Gurdevi Bhatia
23. S. K. Banerji
24. Sajid Hussain.

The pay of the above officials may be fixed accordingly.

Sd. S. N. Roy

Senior Architect-I (Coord) P&T
New Delhi.

Copy forwarded to :-

1. The Director General, P&T (CSE Section),
P&T Dte., New Delhi.

Handwritten signature and date 20/8/41

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- 2-5 The Senior Architects-I, II, III and IV
(P&T), New Delhi.
- 6-7 The Regional Architect (NR), P&T, New Delhi
and Lucknow.
- 8-9 The Regional Asstt. architect, P&T, Ambala
and Lucknow.
10. Cashier for information.
- 11-34 All concerned officials.
- 35-56 Personal files of the officials.

Sd. S.N. Roy

Senior Architect-I (Coord) P&T

New Delhi.

- 2 -

3.	Virendra Nath Nigam	23.10.74 FN	Rs. 470/- w.e.f. 23.10.74	1.10.75 1.10.76
4.	Y.R. Gokhale	23.10.74 FN	Rs. 425/- w.e.f. 23.10.74	1.10.75 1.10.76
5.	Dhupinder Singh	7.9.73 FN	Rs. 425/- w.e.f. 7.9.73	1.9.74 1.9.75 1.9.76
6.	Manohar Singh Basra	22.12.73 FN	Rs. 455/- w.e.f. 22.12.73	1.12.74 1.12.75 1.12.76
7.	Devinder Paul Sadana	10.3.73 FN	Rs. 455/- w.e.f. 10.3.73	1.3.74 1.3.75 1.3.76
8.	Mrs. Santosh Taneja	12.12.74 FN	Rs. 470/- w.e.f. 12.12.74	1.12.75 1.12.76
9.	Rattan Lal Bhatia	20.12.75 FN	Rs. 485/- w.e.f. 20.12.75	1.12.76
10.	R.B. Saxena	20.12.75 FN	Rs. 500/- w.e.f. 20.12.75	1.12.76
11.	Yash Pal Bhola	6.8.76	Rs. 485/- w.e.f. 6.8.76	

Sd. S.N. Roy
Senior Architect-I (Coord) P&T

Copy forwarded to:-

- 1-3 Cashier in triplicate for necessary action.
- 4-14. P/Files of the concerned officials.
- 15-25. S/Books of the officials.
- 26-36. Officials concerned.
37. The Accounts Officer(TA), E/ court, New Delhi.

Sd. Senior Architect-I (Coord)
P&T.

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IN THE HON'BLE HIGH COURT OF JUDICATURE AT ALLAHABAD
SITTING AT LUCKNOW

Writ Petition No. of 1984.

Ritu Raj Behari Saxena ... Petitioner

Versus

Union of India and others ... Opp-parties.

Annexure-6

REGISTERED

GOVERNMENT OF INDIA
Department of Communications
Posts & Telegraphs Board
ARCHITECTURAL WING

Telephone Exchange Bldg.
Second Floor, Hauz Khas.

No. CA(A)-1(2)/2905-07 Dated New Delhi 22.10.1971.

MEMORANDUM

Subject :- Officer of Temporary Appointment.

The undersigned hereby offer Shri Rituraj Behari Saxena a temporary post of Sr. Arch. D'man on a pay of Rs. 205/- per month in the scale of Rs. 205-7-240-8-280. The appointee will also be entitled to draw dearness and other allowances at the rates admissible under and subject to the conditions laid down in Rules and orders governing the grant such allowances in force from time to time.

2. The appointment will take effect from the date he/she actually joins duty and will continue until further orders. He will be on probation for two years, liable to be extended by the appointing authority.

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Saxena

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3. No T.A. will be paid for joining the duty.

4. The appointment carries with it the liability to serve in any part of India where the Architectural Wing(P&T) may have an organisation. Other conditions or service will be governed by the relevant rules and orders in force from time to time.

5. The appointment may be terminated at any time without assigning any reasons with a month's notice. The appointing authority however reserves the right to terminate the services forthwith or before the expiration of the period of notice by making payment or a sum equivalent to the pay and allowances for the period of unexpired portion of notice. If however, he wishes to resign, he will have to submit his resignation and wait for its acceptance by the Govt. But in case he goes away without its acceptance, he will be treated as having been dismissed from service with a disqualification for future employment under Central or State Government.

6. The offer is subject to the condition that he produces before joining duty a certificate of Character from two Gazetted Officers of the Central or State Government or from a Stipendiary Magistrate of the district concerned.

7. Original certificates and Testimonials in support of education and technical qualifications, experience and age should be produced before joining

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duty. If he/she is a Schedule Caste/tribe or Anglo-Indian, he /she should produce a certificate to that effect from the Magistrate of the district concerned.

8. ~~HE~~ He will have to pass the Departmental test if any.

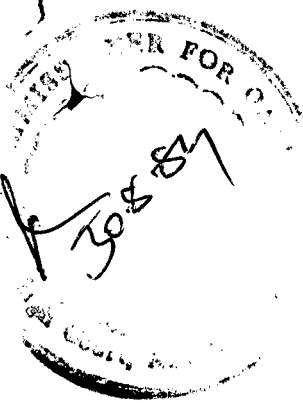
9. If any declaration given or information furnished by the candidate is proved to be false or if the candidate is found to have will-fully suppressed any material; information, he/she will be liable to removal from service and such other action as Govt. may deem necessary.

10. If he has been employed anywhere previously he will have to submit a discharge certificate from his last employer.

11. His appointment will be provisional subject to his character and antecedents being verified by the Police Authority.

12. He will have to take an oath of allegiance to the Constitution of India as established by law, at the time of taking up the appointment.

13. No person who has more than one wife living or who having a spouse living, marriage in any case in which such marriage is void by reason of its taking place during the life time of such spouse, shall be eligible for appointment to serve and provided that the



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Central Government may, if satisfied that there are special grounds for so ordering exempt any person from the operation of this rule.

14. He will have to undergo Medical Examination by the Civil Surgeon immediately after his joining the post to ensure his fitness for appointment in this Department. If however, he is found medically unfit, his services would be terminated after the expiry of the period of one month from the date of communication to him of the findings of the Medical Officer, if no appeal for a second medical examination is made by him during this period or after the case for second Medical Examination is finally decided, if such an appeal is made and accepted.

15. He will be put incharge of Records of drawings etc. whenever required.

16. He shall have to produce all the certificates in original before he is allowed to join duty on the post offered to him.

If he accepts the offer on the terms given above, he should communicate acceptance and report for duty to the Regional Architect, 320-B, B. Sector Mahanagar, Lucknow on or before 15.11.71. If no reply is received or the candidate fails to report for duty by prescribed date the offer will be treated as 'Cancelled'

Sd. Illegible

Senior Architect-I (Coord) P&T
New Delhi.

To
Shri Rituraj Behari Saxena,
School of Planning & Architecture (Rural Housing Wing)
L.P. Estate, N. Delhi, I.

Copy to : 1. P/ File of the official (2) R. Arch. P&T, Lko.

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INDIAN POSTS AND TELEGRAPHS DEPARTMENT

O/O THE SENIOR ARCHITECT-I (COORD),
P&T, TELEPHONE EXCHANGE BUILDING

Second Floor: Hauz Khas.

No. CA(A)-12(48)/5034-37 Dated Delhi the 21th Dec.
1971.

OFFICE ORDER

Sri R.B. Saxena is appointed as Senior Arch. D'man in purely temporary capacity on pay of Rs. 233/- in the scale of Rs. 205-7-240-280. w.e.f. 18th November, 71 (F/W) until further orders. He will be on probation for two years liable to be extended by appointing authority.

Sd. K.M. Saxena

Senior Architect-I (Coord) P&T

Copy to :-

1. Sh. R.B. Saxena, Senior Arch. D'Man through Regional Architect, Lucknow.
2. Cashier (In duplicate).
3. O/O File.
4. Regional Architect, P&T, Lucknow.
- 30.8.84
- Saxena

Sd. Illegible

Senior Architect-I (Coord) P&T.

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Rituraj Behari Saxena ... Petitioner
Versus
Union of India and others ... Opp-parties.

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Assent *pr*

- As Shri Saxena is already working in the
scale of Rs. 210-425 in the School of Town & Country

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Planning, Delhi, and drawing minimum of Rs. 210/-.

The Recruitment Board recommended four advance increments to him.

Sd/-

(K.M. Saxena)

Senior Architect-I (Coord)., P&T, New Delhi.

Sd/-

(Sh. R.K. Gupta)

Executive Engineer,
P&T Civil Division,
Lucknow.

Sd/-

(Sh. S.K. Gupta)

Regional Architect, P&T,
Lucknow.

COMMISSIONER FOR
130
Saxena

39

IN THE HON'BLE HIGH COURT OF JUDICATURE AT ALLAHABAD
SITTING AT LUCKNOW.

Writ Petition No. of 1984.

Ritu Raj Behari Saxena ... Petitioner
Versus
Union of India and others ... Opp-parties.

Annexure-8

INDIAN POSTS AND TELEGRAPHS DEPARTMENT
ARCHITECTURAL WING

Sanchar Bhawan, 20, Ashoka Rd.

No. SA(A)-1(4)/1598-1603 Dated, New Delhi, the 26th Aug.,
1983.

To

The Sr. Architect-I, II, III.,
P&T, New Delhi.

The Architect, P&T,
Ambala/Lucknow/Bhopal.

Subject:- Seniority list of Architectural Asstt. Grade-II
as on 1.6.1983.

30.8.84
Seniority list of Archl. Asstt. Grade-II as on
1.6.83, working under the Coordination of this office
is sent herewith for circulation amongst the staff. The
omission/commission, if any, may please be intimated
to this office within a fortnight of the issue of this
letter.

Encl: S/List.

Sd. Illegible
for Senior Architect-I(Coord)
P&T, New Delhi.

STRENGTH LIST OF ARCHITECTURAL ASSTT. GRADE II AS ON 1.6.83.

S.No.	Name of the Official	Whether CC/St.	Date of Birth	Date of entry in Govt. Service.	Date of appointment as Archt. Asstt. Grade-II	Date of Apptt. as Archt. Asstt. Grade-I on adhoc basis.	Qualification	Office to which attached	Remarks
1	2	3	4	5	6	7	8	9	10
1.	C/Sri M.S. Moharir	No.	3.7.31	6.7.50	1.1.73	11.1.80	H.S.C. Matric	Architect Bhopal.	
2.	M.C. Mehra	No.	5.5.37	5.7.57	1.1.73	3.1.80	Matric	SA-III	
3.	D.S. Patboj	No.	10.10.46	7.9.73	7.9.73	-	Dipo. A/A	SA-I	
4.	Santosh Taneja	No.	10.7.40	16.11.66	12.12.74	-	-do-	SA-II	
5.	Rattan Lal Chatia	No.	26.12.46	1.11.71	20.12.75	-	-do-	Lucknow.	
6.	A.B. Saxena	No.	10.12.46	18.11.71	20.12.75	-	-do-	-do-	
7.	H.P. Shola	No.	20.10.40	16.11.66	6.8.76	-	G.D Arch(Do)	SA-I	
8.	Subhash Kumar Malhotra	No.	12.4.46	8.6.65	19.12.77	-	-do-	SA-I	
9.	Miss Gargi	C/C	4.1.52	18.12.73	7.4.78	-	Dip. A.A.	SA-III	
10.	S.L. Gupta	No.	12.3.39	1.6.64	30.7.79	-	Final Ex. in Arch.	SA-III	
11.	A.K. Sharma	No.	1.7.50	4.3.74	8.1.80	-	Dip. in A.A.	Ambala.	
12.	Jagadamba Kumar	No.	19.6.53	24.9.76	14.1.80	-	do-	SA-I	

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1	2	3	4	5	6	7	8	9	10
12.	Jagula Ka Murar	No.	17.6.53	24.9.76	14.1.80	-	Dir. in A.A.	CA-I	
13.	Laxana De-Raoj	No.	6.3.43	11.3.71	21.2.80	-	-do-	CA-II On Leave.	
14.	Manohar Datta Mahajan.	No.	24.2.50	20.3.71	21.2.80	-	-do-	CA-II	
15.	Gurdevi Khatia	No.	25.4.50	26.6.71	21.2.80	-	-do-	CA-III	
16.	Shivola Vaswani	No.	25.3.48	16.12.71	21.2.80	-	-do-	CA-III	
17.	Sudhar Datta Dewan.	No.	20.10.48	16.12.71	21.2.80	-	Dir. in A.A.	CA-II	
18.	Raj Kani Choudhary	No.	2.2.51	19.1.72	21.2.80	-	-do-	CA-I	
19.	Baroj Kapoor	No.	15.2.46	14.6.72	21.2.80	-	-do-	On Leave.	
20.	Prem Datta Khutun	No.	24.9.49	14.6.72	21.2.80	-	-do-	CA-III	
21.	Deepan Khattar	No.	26.5.50	14.6.72	21.2.80	-	-do-	CA-III	
22.	Harjinder Naur	No.	10.6.46	16.6.72	21.2.80	-	-do-	CA-II	
23.	Prem Datta Murwar	No.	9.9.47	17.6.72	21.2.80	-	-do-	CA-II	
24.	Asla Datta Wadhur	No.	1.4.46	30.7.73	21.2.80	-	-do-	CA-III	
25.	K.P. Maifi	No.	5.6.47	21.6.73	21.2.80	-	-do-	CA-I	

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1	2	3	4	5	6	7	8	9	10
26.	R.K. Sharma	No.	20.12.46	6.9.73	21.2.80	-	Dip. in A.A.	SA-II	
27.	Bina Corwara	No.	21.1.48	3.1.75	21.2.80	-	-do-	SA-III	
28.	Veena Rani Dutta	No.	21.3.53	10.1.75	21.2.80	-	-do-	Ambala.	
29.	Charda Rohilla	No	7.2.55	23.8.76	21.2.80	-	-do-	SA-II	
30.	Miss Neelam	No	14.6.55	17.9.76	21.2.80	-	-do-	SA-III	
31.	Mrs. Manju Dala	No	18.6.55	20.9.76	21.2.80	-	-do-	SA-I	
32.	Mirdosh Malhotra	No.	20.8.52	21.9.76	21.2.80	-	-do-	SA-I	
33.	Mrs. Raj Devi	No.	15.12.55	28.9.76	13.3.80	-	-do-	Ambala.	
34.	Pritam Kaur	No.	20.12.55	11.2.77	13.3.80	-	-do-	-do-	
35.	J.S. Ahluwalia	No.	2.9.57	25.4.77	18.3.80	-	Dop. in AA	Ambala	On leave.
36.	Shiv Kumar Sharma	No.	3.8.55	3.6.78	7.3.80	-	-do-	Lucknow.	
37.	Adrash Saxena	No.	14.4.56	9.6.78	7.3.80	-	-do-	Lucknow.	
38.	Shiv Raj Hans	S/O	12.7.54	5.4.80	5.4.80	-	-do-	-do-	
39.	Sunita Saxena	No.	13.2.59	29.1.81 PW	29.1.81	-	-do-	Bhopal	
40.	Kiran Karabe	No.	7.7.58	29.1.81 PW	29.1.81	-	-do-	-do-	
41.	Ram Karan	S/O	30.8.56	21.2.81	21.2.81	-	-do-	-do-	

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In this connection, you may kindly refer the seniority list of Cr. Archl. D/man circulated vide your letter No. CA(A)1(3)2063-83 dt. 21.2.76/1.4.76, in which my name was on S/No. 44 and Mrs. Santosh Taneja was on S/No. 35, and the name of Shri Bhupindra Singh was on S/No. 61. But the last two names of Mrs. Santosh Taneja and Shri Bhupindra Singh have been shown above to me in the seniority list of Archl. Asstt. Cr. II, circulated vide your letter dt. 26.8.83.

In view of the above facts, it is requested that the seniority list may kindly be amended and correct S/No. in the seniority list may kindly be allotted and intimated to me at the earliest.

Thanking you,

Yours faithfully,

Sd.

(R.B. Saxena)

Archl. Asstt. Cr. II,
the Architect, P&T.
Lucknow. 226007.

dt. 5.9.83.

Saxena R.B.

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IN THE HON'BLE HIGH COURT OF JUDICATURE AT ALLAHABAD
SITTING AT LUCKNOW.

Writ Petition No. of 1984.

Ritu Raj Behari Saxena ... Petitioner
Versus
Union of India and others ... Opp-parties.

Annexure-10

INDIAN POSTS AND TELEGRAPHS DEPARTMENT
(ARCHITECTURAL WING)

No. CA(A)/(6)/1485-95 Dated 28.7.84.

OFFICE ORDER

In pursuance of D.G. P&T (CSE) New Delhi order No.2-1/83-CSE dated 23.6.1984 the following Archl. Asstt. Gd. II on promotion are hereby posted as Archl. Asstt. Gr. I with immediate effect in the offices mentioned against each.

Sl.No.	Name	Office to which posted
1.	Miss Gargi	S.A.-I
2.	Shri Bhupinder Singh Kamboj	S.A. I
3.	Shri Rattan Lal Bhatia	Architect (Lucknow).
4.	Shri S.K. Malhotra.	S.A. I

Sd. Illegible
Senior Architect-I (Coord) P&T
Archl. wing Sanchar Bwn.
New Delhi-110001.

Copy to :-

1. The D.G. P&T (CSE), New Delhi.
2. The S.A. I, II and III, P&T New Delhi.
3. The Architect, (Lucknow), P&T
4. All the officials concerned.
5. P/Files of the official concerned.

Sd. Illegible

Senior Architect-I (Coord).

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Rituraj Behari Saxena ... Petitioner

Versus

Union of India and others ... Opp-parties.

GOVERNMENT OF INDIA
POST & TELEGRAPHS DEPARTMENT
ARCHITECTURAL WING.

Sanchar Bhawan, 6th Floor
20, Ashoka Road,

No. CA(A)1(11)/4596-98 Dated New Delhi, the 26.10.1981.

Declaration and order of appointment under
Rules 3 and 4 of the Central Civil Services
(Temporary Service) Rules, 1965.

In pursuance of Rules 3 and 4 of the Central Civil Services (Temporary Service) Rules, 1965, I, JAGDISH SINGH, SENIOR ARCHITECT-I (COORD), Posts & Telegraphs, New Delhi, being satisfied, having regard to the quality of work, conduct and character of Shri R.B. Saxena a temporary Architectural Assistant Grade-II, that he/she is suitable to be appointed in a Quasi-Permanent capacity under the Government of India in the post of Architectural Assistant Grade-II in the

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pay scale of Rs. 425-15-500-EB-15-560-20-700 with effect from 18.1.74 ^{18.11.74} hereby appoint the said Sri R.B. Saxena a temporary Architectural Assistant Grade-II in a quasi-permanent capacity to the said post with effect from the said date.

Sd. Jagdish Singh

Senior Architect-I (Coord)

P&T New Delhi.

Copy to :-

1. Sri R.B. Saxena, Architectural Asstt. Grade-II, through the Architect, P&T, Lucknow.
- 2.3. Service Book/Personal file of the official concerned.

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20.10.81

Asstt. Architect

For Senior Architect-I (Coord)

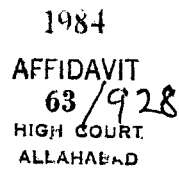
P&T, New Delhi.

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... Petitioner

... Opp-parties.

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3. That the contents of paragraphs 1 to 13 except the bracketed portions of the writ petition are true to the own knowledge of the deponent and those of bracketed portions are believed to be true.

that the annexes 1 to 11 to the writ petition are certified to be true copies of their originals.

Deed known:

28. 30, 1984.

[Signature]
Deponent

Verification

I, the above named deponent, do verify that the contents of paragraphs 1 to 4 of this affidavit are true to the own knowledge of the deponent, no part of it is false and nothing material has been concealed, so help me God.

Deed known:

28. 30, 1984.

[Signature]
Deponent

I identify the above named deponent who has signed before me.

[Signature]
Advocate's Seal.

Voluntarily affirmed before me on 28.8.84
at 9.15 A.M./P.M. by the *Rita Raj Behari*
the deponent who is represented by
the *S. S. Srinivasa*
I ask to the *L. P. Mishra*
advocate, High Court, Allahabad.

I have satisfied myself by examining the deponent that he understands the contents of this affidavit which have been read over and explained by me.

[Signature]

ONE COPY OF THIS
Affidavit is to be
deposited with the
Court.

28.8.84

अदालत श्रीमान High court of Judicature at Allahabad सुप्रीम कोर्ट अल्लाहाबाद महोदय

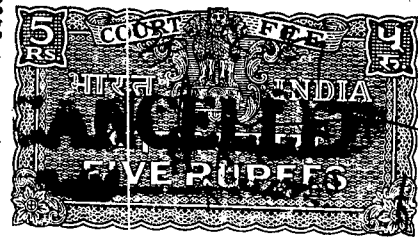
[वादी] अपीलान्त

प्रतिवादी [रेस्पांडेंट]

श्री

का

वका



(टिकट)

(बादी अपीलान्त)

Ritu Ray Bala Subram

14/2/07
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30/8/04

Union of India बनाम प्रतिवादी (रेस्पांडेंट)

नं० मुकदमा

सन्

पेशी की ता०

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ऊपर लिखे मुकदमा में अपनी ओर से श्री

L. P. Misra

वकील

महोदय

एडवोकेट

नाम अदालत	नाम फरीकत	बनाम
मुकदमा नं०		

को अपना वकील नियुक्त करके प्रतिज्ञा (इकरार) करता हूँ और लिखे देता हूँ कि इस मुकदमा में वकील महोदय स्वयं अथवा अन्य वकील द्वारा जो कुछ पैरवी व जवाब देही व प्रश्नोत्तर करें या कोई कागज दाखिल करें या लौटावें या हमारी ओर से डिगरी जारी करावें और रुपया वसूल करें या सुलहनामा व इकबाल दावा तथा अपील निगरानी हमारी ओर से हमारी या अपने हस्ताक्षर से दाखिल करें और तसदीक करें या मुकदमा उठावें या कोई रुपया जमा करें या हमारी या विपक्षी (फरीकासनी) का दाखिल किया हुआ रुपया अपने या हमारे हस्ताक्षर युक्त (दस्तखती) रसीद से लेवें या पंच नियुक्त करें-वकील महोदय द्वारा की गई वह सब कार्यवाही हमको सर्वथा स्वीकार है और होगी मैं यह भी स्वीकार करता हूँ कि मैं हर पेशी पर स्वयं या किसी अपने पैरोकार को भेजता रहूँगा अगर मुकदमा अदम पैरवी से एक तरफ मेरे खिलाफ फैसला हो जाता है उसकी जिम्मेदारी मेरे वकील पर नहीं होगी इसलिए यह वकालतनामा लिख दिया प्रमाण रहे और समय पर काम आवे।

हस्ताक्षर

Saxena

30/8/04 साक्षी [गवाह]

साक्षी [गवाह]

दिनांक

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IN THE HON'BLE HIGH COURT OF JUDICATURE AT ALLAHABAD

SITTING AT LUCKNOW

C.M. Application No. 9245 (w) of 1984.



Rituraj Behari Saxena, aged about 38 years,
son of Sri A.C. Saxena, resident of 18-Corporation
Quarter, Rajendra Nagar, Lucknow.

... Applicant

Versus

1. Union of India, through Director General/Secretary,
Posts & Telegraphs, Dak-Tar Bhawan, New Delhi.
2. Senior Architect-I (Coordination), Posts & Telegraphs,
20-Ashoka Road, New Delhi.
3. Architect, Posts & Telegraphs, Viveka Mand Puri,
Lucknow.
4. Miss Gargi, d/o not known, presently posted as
Architectural Assistant Grade-I, Office of the
Senior Architect-I (Coordination), Post &
Telegraphs, 20-Ashoka Road, New Delhi.
5. Bhupinder Singh Kamboj, son of not known, presently
posted as Architectural Assistant Grade-I, Office
of the Senior Architect-I (Coordination), Post &
Telegraphs, 20-Ashoka Road, New Delhi.
6. Rattan Lal Bhatia, son of not known, presently

Honble D. N. Jha, J.
Honble K. S. Varma, J.

Issue notice. We order
that the promotion of
respondents 4 to D shall be
subject to the decision
of this writ petition.

MHS/-

to Jha
30-8-84

Recd. Cops -

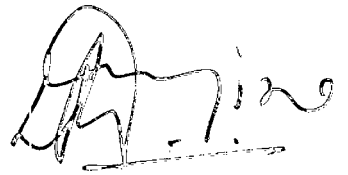
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Hon'ble Court may be pleased to restrain the Opp-
parties 4 to 7 from functioning as Architectural
Assistant Grade-I on the basis of the impugned order
dated 28.7.1984 passed by the Opp-party no. 2

(contained in Annexure-10 to the writ petition) and
may further be pleased to restrain the Opp-parties
1, 2 and 3 from allowing the Opp-parties 4 to 7 to
function as such, or such other order which this
Hon'ble Court deems fit and proper in the circumstances
of the case, may kindly be passed.



Dated Lucknow:

(Dr. L. P. Misra)

Aug. 30, 1984.

Counsel for the applicant.

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL

CIRCUIT BENCH, LUCKNOW

T.A. No.1538 of 1987 (T)

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Rituraj Saxena

.. Applicant

- Versus -

Union of India and others

.. Opposite parties.

COUNTER AFFIDAVIT ON BEHALF OF OPP. PARTIES NOS.1,2 & 3

I, C.M. Sharma, Assistant Architect, ~~posted~~ aged about 46 years, son of Shri Late ML Sharma resident of B-415 Indira Nagar, Lucknow do hereby solemnly affirm and state as under:-

1. That the deponent is posted as Assistant Architect, in the office of the Respondent No.3 and he has been authorised to do pairvi on behalf of the Respondents 1, 2 & 3 in the above noted case.
2. He is also well conversant with the facts of the case.
3. That in reply to the contents of para 1 of the writ petition it is submitted that the promotion

of the Respondents

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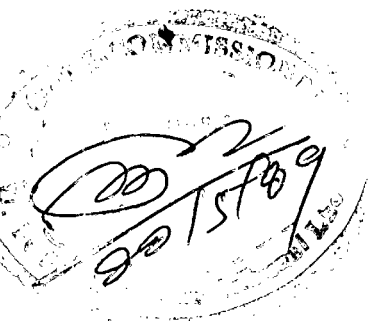
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of the respondents 4, 5 & 6 were made on the basis of merit only and accordingly the names of those persons which fall on merits were ~~granted~~ accounted for the criteria for promotion was not seniority alone.

4. That in reply to the contents of para 2 of the writ petition it is submitted that the inter-se seniority was fixed as per the instructions and norms provided by the Government of India ie. on the basis of the date of joining.

5. That in reply to the contents of para 3 & 4 of the writ petition it is submitted that the re-grouping and fixation of pay of Architectural Level II and Level III D'Man was made as per recommendations of the 3rd Pay Commission report which was accepted by the Government and the Department was bound to recommendations of the pay commission.

6. That the contents of para 5 of the Writ petition are not correct as stated, hence denied and in reply it is submitted that re-Grouping



C 118 22/5/89

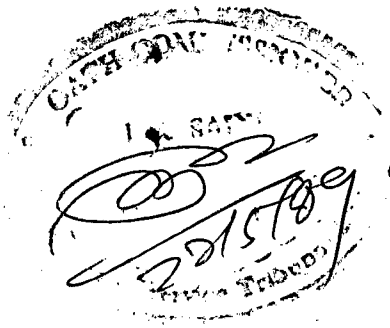
of date ~~xxx~~ redesignating the posts and thus
not altered the co position regarding inter-se
seniority.

A/
69

7. That the contents of para 7 of the writ petition are not correct as stated, hence denied.

8. That in reply to the contents of sub para (i) of para 7 of the writ petition it is submitted that the Respondent no.4 was promoted to Level III D'man with effect from 7,4,88 vide order No.18/ 4/84(A-10) on the basis of better service record and merit than the petitioner.

9. That in reply to the contents of sub para (ii) & (iii) of para 7 of the writ petition, it is submitted that the opposote part-y no.6 was placed in the scale of Rs.330-560 on 18.5.76 vide letter No.CA(i)-3-3132-89 dated 18.5.76, but they opted the scale for the total waitage vide DG letter No.18-59/75-TA/CSE dated 22.6.76 and letter No.10-2-/76-CSC dated 15.12.76 and those the oppso\$ite party numbers 5 & 6 were given the scale of Rs.425-700 with effect from the date of joining in the Department.



C.M. 22/5/89

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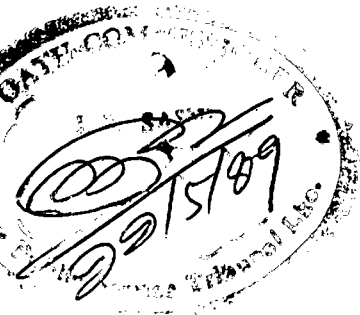
10. That in reply to the contents of
of sub ^{para} ~~xxxxxx~~ (iv) of the ^{para} ~~xxxxxx~~ 7 of
the writ petition it is submitted that the
opposite party no.7 was given ^{pro-otion} ~~xxxxxx~~ on the
basis of merits ie. to say that the opposite
party no.7 was much more meritorious than the
petitioner.

11. That in reply to the contents of
sub para (v) of para 7 of the writ petition
it is submitted that the opposite party no.8
was promoted in 50% quota fixed by the Department
as per letter No. 559/75-T E / P S E

dated 22.6.76 of Government of India, *Office of the
Director General of Post & Tel. New Delhi*

12. That in reply to the contents of
para 8 of the writ petition it is submitted that
the inter-se seniority of the petitioner and
opposite party no.4 to 8 were fixed as per departmental
rules and guidelines on the subject.

13. That in reply to the contents of para 9
and 10 of the writ petition it is submitted that



C M 8 22/5/89

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the representation of the ~~appx~~ petitioner has been considered and the authorities were came to the conclusion that there is no irregularity in preparation of the seniority list. ~~and interxxxx~~

14. That in reply to the contents of para 11 of the writ petition it is submitted that the promotion order was issued after considering the merits of each candidate since the opposite party no.4 to 7 were much more meritorious than the petitioner and they were given such promotion.

The post was filled on the basis of merits and not on the basis of seniority subject to their suitability.

15. That in reply to the contents of para 12 of the ~~writ~~ writ petition, it is submitted that ~~the~~ only adverse entries are generally communicated to the official and average and other entries such as extraordinary and good entries.

16. That in reply to the contents of para 13 of the writ petition it is submitted that the

C 118 22/5/89

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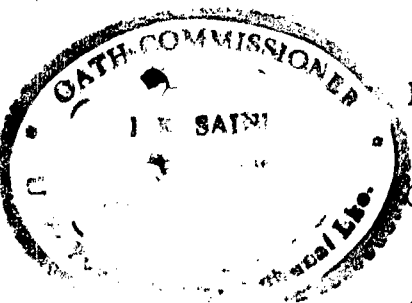
promotion of the opposite party no.4 to 7 have been made in accordance with the instructions and rules.

17. That the grounds taken by the petitioner are not tenable in the eyes of law.

18. That in addition to the above mentioned facts, the deponent intends to place other relevant facts which are as under:-

(a) That the promotion from the Grade of Architectual Asstt. Grade. II (Formerly known as Architectural Draftsman level-III) in the scale of Rs.425-700 is made to the Grade of Archl. Asstt. Grade- I, in the scale of Rs.550-900) on the basis of selection by a Departmental promotion committee. The selection is made on the basis of Official's confidential reports about the work of the official, given by his superiors.

(b) That while reporting on an official, if there is any adverse remarks a copy is given to him with the intention that he will improve his performance and also



CND 22/5/89

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- 7 -

to prevent the superiors from making comments which are prejudicial and which cannot be substantiated.

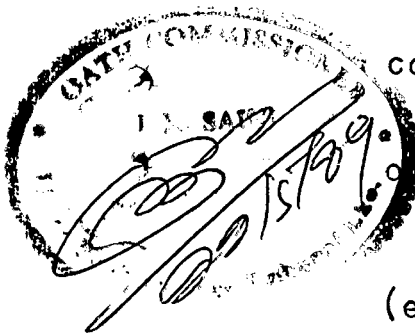
The fact that no adverse remarks was communicated does not necessarily mean that the service has been assessed as of an outstanding nature.

(c) That a committee was constituted in June 1984 to select 7 candidates for the post of Architectural Assistants Grade-I. The committee considered the Confidential Records of 21 persons including that of the petitioner.

(d) That as per the policy of the Govt. the committee assess the records of the candidates as outstanding, very good, good, average etc.

(e) That the selection made first from the candidates assessed as outstanding and after exhausting the list of outstanding candidates those assessed as very good are considered.

(f) That in this case 12 candidates were assessed as very good while 9 including the petitioner were



CMS 22/7/89

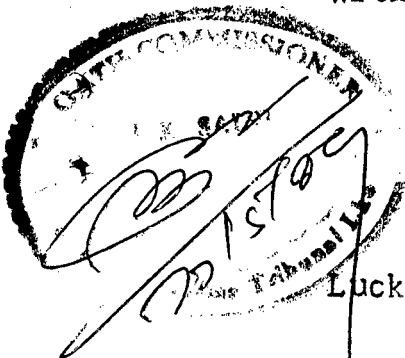
43

A72

assessed as Good. Since only 7 vacancies were to be filled the committee selected 7 candidates from the 12 who were assessed as very good on the basis of seniority.

(g) That the petitioner was not selected as his Annual confidential records were not as good as that of those selected by the Committee.

That in view of the facts and circumstances stated above, the writ petition filed by the petitioner is liable to be dismissed with costs.



Lucknow,

Dated: 22/5/89 April 89

C.M.S. 22/5/89
Deponent. (C.M. SHARMA)
ASSTT. ARCHITECT
(P) LUCKNOW

VERIFICATION.

I, the above deponent do hereby verify that the contents of paragraphs to are true to my personal knowledge, and those of

para to are believed to be true on the
Date.....

basis of perusal of office records as well as
information gathered and those of paras to
are believed to be true on the basis of legal
advice. Nothing material fact has been concealed
and no part of it is false.


Deponent.

Lucknow,

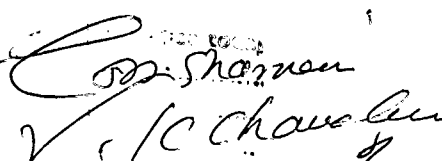
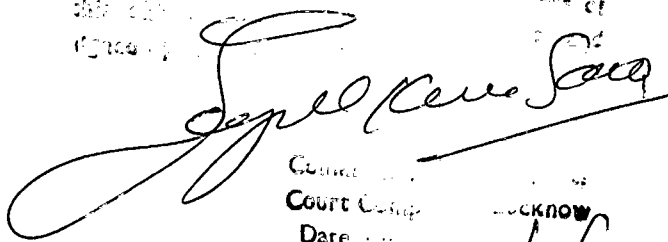
Dated: ^{may} 22 ~~April~~ 1989.

I ~~do~~ identify the deponent who has signed
before me and is personally known to me.

(VK CHAUDHARI)

Addl. Standing Counsel for Central Govt.
Counsel for the Opp. parties.

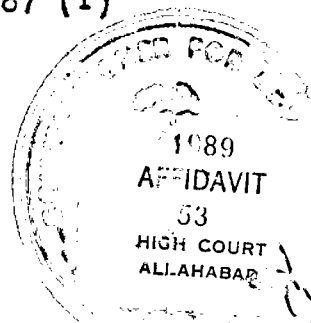
Solemnly affirmed before me on
at am/pm by the deponent at the Court compound
at Lucknow.


7.20 
VK Chaudhari

J. K. Singh
Court Comp. Lucknow
Date: 22/5/89

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BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL, CIRCUIT
BENCH, LUCKNOW.

T.A. No. 1538 of 1987 (T)



Rituraj Bihari Saxena

... Applicant
Petitioner

Versus

Union of India and others

... Opp-parties.

REJOINDER AFFIDAVIT TO THE COUNTER AFFIDAVIT FILED
ON BEHALF OF OPP-PARTIES 1, 2 and 3.

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29/12

I, Rituraj Bihari Saxena, aged about 44 years, son of late Sri A.C. Saxena, resident of 278 Chandra Lok Colony, Lucknow, do hereby solemnly affirm and state on oath as under :-

Saxena

1. That the deponent is the applicant in the above noted case and he has gone through the contents of the counter affidavit filed on behalf of the Opp-parties 1, 2 and 3 and after understanding the same, is preferring a reply to the averments made therein by way of this rejoinder affidavit.

2. That the contents of paragraphs 1 and 2 of the counter affidavit need no reply from the deponent.



3. That in reply to the contents of para 3 of the counter affidavit, it is stated that the petitioner's record of service has not been inferior in any manner to that of the Opp-parties 4 to 8 and, therefore, the petitioner/applicant being senior could not arbitrarily be excluded from promotion particularly, when the persons junior to him were given promotion.

4. That the contents of para 4 of the counter affidavit need no reply. However, the contents of para 2 of the petition are reiterated.

5. That in reply to the contents of para 5 of the counter affidavit, it is stated that the Govt. decision to bifurcate the employees working in one grade into two grades - one lower and the other higher- on the basis of the recommendation of the third Central Pay Commission were challenged before their Lordship of Hon'ble the Supreme Court in Civil Appeal No. 3121 of 1981 - P. Savita and others Vs. Union of India - and the said bifurcation was held as illegal and arbitrary and accordingly the Govt. accepted the judgment and order dated 1st May, 1985 passed in the said appeal and accordingly directed that all the persons be given the highest of the two scales i.e. the scale of Rs. 425-700 w.e.f. 1.1.1973. That being so, it is manifestly evident that the bifurcation of the two

Expenditure



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- 3 -

scales impugned in the petition was wholly arbitrary and illegal. The copy of the Office Memorandum dated 11th Sept. 1987 is being annexed herewith as Annexure-R(1) to this affidavit. It is noteworthy that in other departments of the Central Govt. the decision passed by their lordship of Hon'ble Supreme Court in Civil Appeal No. 3121 of 1981 have been complied but in the Architectural Wing of the P & T Department, the same has not been applied to and unnecessarily the matter has been delayed.

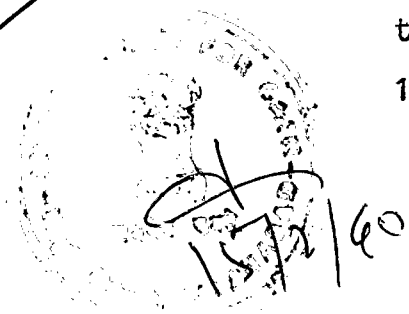
6. That the contents of para 6 of the counter affidavit are misconceived and are denied as such.

7. That the contents of para 7 of the counter affidavit are denied and those of para 7 of the petition are reiterated.

8. That in reply to the contents as alleged in paragraphs 8, 9 and 10 of the counter affidavit, it is denied that the record of service of the Opp-party no. 4 was better in any manner than that of the petitioner. It is further stated that in view of the aforesaid mentioned judgment of the Hon'ble Supreme Court every Draughtsman (D/Man) working in the scale of Rs. 205-280/- is entitled to be given the pay scale of Rs. 425-700 w.e.f. 1.1.73.

It is relevant to point out here that because

Signature
15/12/60



of the bifurcation of the post of Senior Architectural Draughtsman into two groups viz., (i) Architectural D/Man level-III in the scale of Rs. 425-700/- and (ii) Architectural D/Man level-II in the scale of Rs. 330-560/-, the petitioner was assigned the group of Architectural Draughtsman level-II in the scale of Rs. 330-560/- but the persons junior to the petitioner were assigned the group of Architectural D/man level-III in the scale of Rs. 425-700. It is worth-mentioning that the petitioner joined as Senior Architectural D/man w.e.f. 18.11.71 pursuant to the appointment order dated 22.10.71 whereas the persons appointed as such in Dec. 1971 and in the year 1981 were assigned the group of Architectural D/Man level-III. The true copy of the All India seniority list circulated under the letter dated 22nd July, 1976 is being annexed herewith as Annexure-R(2) to this affidavit in order to indicate the aforesaid position.

A perusal of this list clearly shows that Mr. Santosh Taneja (Opp-party no. 8), S.A. Bombedkar, Mrs Bina Ranipal, Mrs Shanti Bhattacharya, Topan Kumar Sinker and Chandra Mauli Sharma who were appointed as Senior Architectural D/Man subsequent to the appointment of the petitioner, were assigned level-II whereas the petitioner was arbitrarily put in the group of level-II. This anomaly further perpetuated injustice to the petitioner in the sense that these junior persons were subsequently ^{being} treated senior to

Superseded

15/11/90

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- 5 -

the petitioner were given subsequent successive promotions.

It is relevant to point out that the petitioner has been promoted as Architectural Assistant Grade-I under the order dated 28th Sept. 1989, the photostat copy of which is being annexed herewith as Annexure-R(3) to this affidavit, whereas Sri Topan Kumar Sirkar was promoted as Architectural Assistant Grade-I more than 7 years before and he has further been promoted as Assistant Architect w.e.f. ^{joining} date of 2/ under the order dated 29th Nov. 1989, the true copy of which is being annexed herewith as Annexure-R(4) to this affidavit.

9. That in reply to the contents of para 11 of the counter affidavit, it is stated that it is well settled that the persons promoted with effect from one and the same date may be assigned seniority on the basis of categorisation of departmental candidates or as outsiders but the persons appointed on a particular post prior cannot be placed or treated as junior to the person appointed on the same post subsequent to his appointment.

10. That the contents of para 12 of the counter affidavit are misconceived and are denied as such. As a matter of fact the bifurcation of the Senior Architectural D/Man into two groups as mentioned in para 3 of the petitioner has been the basis of



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- 6 -

constantly giving discriminatory and arbitrary treatment to the petitioner.

11. That in reply to the contents of para 13 of the counter affidavit, it is stated that in view of the Supreme Court decision referred to hereinabove, the petitioner has got a strong case and his claim could not have been ignored and rejected. It is also worth mentioning that the decision of the Hon'ble Supreme Court came subsequent to the filing of the writ petition by the petitioner.

12. That the contents of para 14 of the counter affidavit are denied. The allegations contained in the paragraph under reply are vague. It has wrongly been stated in the paragraph under reply that the Opp-parties 4 to 7 were much more meritorious. It is stated and reiterated that the record of service of the petitioner has not been inferior in any manner to that of Opp-parties 4 to 7 and at no point of time any adverse entry or adverse remarks were communicated to the petitioner. A bare perusal of the averments made in the paragraph under reply to the effect that 'the post was filled on the basis of merit and not on the basis of the seniority subject to their suitability; clearly makes out that the Opp-parties are trying to blow hot and cold at the same time from the same mouth. It is noteworthy that 50% posts of Architectural



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- 7 -

Assistant Grade-I as also the post of Assistant Architect are to be filled through promotion and 50% of the strength is to be filled up through direct recruitment through Union Public Service Commission. It is stated that the Opp-parties 4 to 7 were never selected through Union Public Service Commission and they were promoted against the 50% quota of promotion.

13. That in reply to the contents of para 15 of the counter affidavit, it is stated and reiterated that the record of service of the petitioner has not been inferior in any manner to that of the Opp-parties 4 to 8.

14. That in reply to the contents of para 16 of the counter affidavit, it is stated that it has wrongly been stated in the paragraph under reply that the promotion of Opp-parties 4 to 7 was made in accordance with the instructions and rules.

15. That the contents of para 17 of the counter affidavit are misconceived.

16. That in reply to the contents of para 18(a) of the counter affidavit, it is stated that the record of the petitioner has not been inferior in any manner to that of the Opp-parties 4 to 7.

17. That in reply to the contents of para 18(b)



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- 8 -

of the counter affidavit, it is stated that at no point of time any adverse entry was communicated to the petitioner.

18. That the contents of para 18(c) of the counter affidavit are denied. It is stated that only 4 persons were promoted in the year 1984 and the promotion of four persons as against seven vacancies itself shows that a deliberate attempt to exclude the petitioner was made. It is reiterated that the record of service of the petitioner, who is senior to all the 4 persons mentioned in the impugned order dated 28.7.84, has not been inferior in any manner.

19. That in reply to the contents as alleged in para 18(d) and (e) of the counter affidavit it is stated that the petitioner was arbitrarily excluded from promotion.

20. That the contents of as alleged in para 18(f) of the counter affidavit are denied. It is stated that only 4 persons were promoted and after issuance of the impugned promotion order dated 28.7.84, no other person have been promoted till the issuance of the document contained as Annexure-R(3) to this affidavit. Thus, it is manifestly evident that a false statement has been made in the paragraph under reply.

15/7/90

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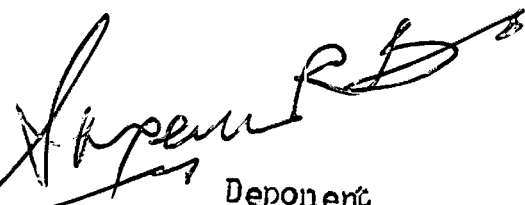
21. That the contents of para 18(g) of the counter affidavit are misconceived and are denied as such. The correct position has been detailed hereinabove and no repetition is called for. It is further stated that admittedly the petitioner's record of service has altogether been unblemished and, therefore, he being senior could not be superseded from the persons junior to him.

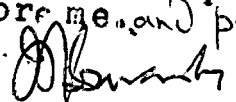
Dated Lucknow:
Feb. 15th 1990.


Deponent
Verification

I, the abovesigned deponent, do verify that the contents of paragraphs 1 to 21 of this affidavit are true to the own knowledge of the deponent. No part of it is false and nothing material has been concealed, so help me God.

Dated Lucknow:
Feb. 15th 1990.

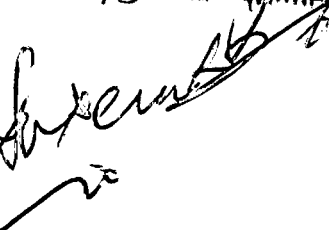

Deponent

I identify the above named deponent who has signed before me, and personally know him.

Advocate's Clerk.

Solemnly affirmed before me on 15-2-90th at 10/5 a.m./p.m. by Sri R. B. Saxena the deponent who is identified by Sri S. P. Srivastava Clerk to Sri D. L. P. M. Sharma Advocate, High Court, Allahabad.

I have satisfied myself by examining the deponent that he understands the contents of this affidavit which have been read over and explained by me.

15/2/90
W. RASTI AHMAD
JOINT COMMISSIONER
High Court Allahabad
Lucknow Bench Lucknow
No. 1985/53
Dated 15.2.90



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BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL, CIRCUIT
BENCH, LUCKNOW.

T.A. No. 1538 of 1987 (T)

Rituraj Bihari Saxena

... Applicant

Versus

Union of India and others

... Opp-parties

Annexure-R(1)

F.No. 5(13-E.III/87

Government of India
Ministry of Finance
Department of Expenditure

New Delhi, the 11th Sept. 1987

OFFICE MEMORANDUM

Sub: Recommendation of the Third Central Pay
Commission - Pay Scale of Draughtsman
Revision of.

The undersigned is directed to state that the Government had accepted the recommendation of the Third central pay commission contained in para 81(iii) of chapter 14 of its Report relating to replacement of scales of Rs. 330-560 and Rs. 425-700 to be prescribed in the given ratio to the Draughtsmen in the pre-revised scale of Rs. 205-280.

15/2/88
2. The above decision was challenged by a section of employees of the Ordnance Factories Organisation, Ministry of Defence, in the Supreme court of India, The Hon'ble Court, in its judgment delivered on 1st May, 1985, in the civil Appeal No. 3121 of 1984 1985 -P. Savita and others Versus Union of India - accepted

the appeal and allowed the replacement scale of Rs. 425-700 to those Draughtsmen also who had previously been given the scale of Rs. 330-560 on the basis of the above recommendation of the Pay Commission. Action has been taken separately to implement the judgment of the Hon'ble Court.

3. The question of extension of the benefit of the judgment of the Supreme Court to the similarly placed Draughtsman in other Ministries/Departments of the Government of India has been under consideration of the Government. President is now pleased to decide that the Draughtsman as were in the pay scale of Rs. 205-280 prior to 1.1.1973 and were placed in the scale of Rs. 330-560 based on the recommendations of the Third Central Pay Commission as referred to in para 1 above, may be given the scale of Rs. 425-700 notionally from 1.1.1973 and actually from 1.9.1987.

Sd. B. Kumar

Member Secretary to the Govt. of India.

To

All Ministries/..... etc.



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BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL, CIRCUIT
BENCH, LUCKNOW.

T.A. No. of 1987.

Rituraj Bihari Saxena ... Applicant
Versus
Union of India and others ... Opp-parties

Annexure-R(2)

INDIAN POSTS & TELEGRAPHS DEPARTMENT
(ARCHITECTURAL WING)

6th Floor, 20 Ashoka Road,
New Delhi.

No. CA(A)1(3)/5133-53

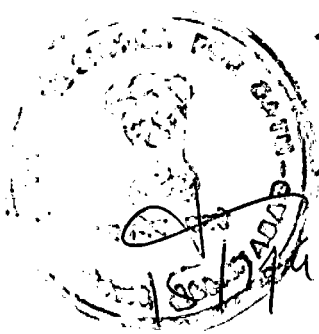
Dated the 22nd July, 1976.

To

- 1-4 The Senior Architect I/II/III/IV (P&T), New Delhi.
- 5-8 The Superintending Engineers, P&T Civil Circle,
Bombay/Calcutta/ Madras and Bhopal.
- 9-12 The Regional Architect(NR) P&T, New Delhi/ (SR)
Madras/(ER) Calcutta/(WR) Bombay.
- 13 The Regional Architect, P&T, Lucknow.
- 14 The Architect, P&T Patna.
- 15 The Regional Architect, P&T, Hyderabad
- 16-17 The Executive Engineer, P&T Civil Division,
Ahmedabad/Jabalpur.
- 18-21 The Regional Asstt. Architect, P&T Ambala/Jabalpur/
Bangalore/Ahmedabad.

Sub: Seniority list of Architectural DEmen Level III.

Kindly find enclosed the seniority list of
Senior Architectural Draftsmen Level-III prepared on all
India basis. The same may please be circulated amongst the



Saxena

staff and the signature of all concerned obtained on the list itself in token of having noted their position in the list.

Any omissions (regarding name , qualifications etc.) or mistakes or any other objections be brought to the notice of the Senior Architect-I(COORD), P&T, New Delhi. Any objection etc. reaching the office of the Senior Architect-I (Coord) P&T, New Delhi later than 31st August, 1976 will not be entertained.

Please acknowledge receipt.

Sd/-
(S.N. Roy)
Senior Architect-I(Coord)P&T
NEW DELHI

Encl: as above.

Signature

15/7/76

ALL INDIA SENIORITY LIST OF ARCHITECTURAL D'MEN LEVEL III

No.	Name of the official	S/C or S/T	Dt. of Birth	Dt. of joining Central Govt. services	Dt. of appt. as Jr. D'Man	Dt. of appt. as Sr. D'Man	Dt. of appt. as level III	Qualification	Place of posting
2	3	4	5	6	7	8	9	10	
	S/ Shri M. V. Moharir	-	3-7-31	6.7.50 Pmt.19.10.57	6.7.50 Pmtt.19.10.57	11.9.54 Pmt. 1.11.64	1.1.73	H.S.C. Matriculation 2 Years tracing in Delhi polytechnic School of Arch	Jabalpu.
	R. G. Patankar	-	4.9.35	28.5.62	-	28.5.62	1.1.73	G. D. Arch	Bombay
	M. C. Mehra	-	5.5.37	5.7.57	5.7.57	18.7.63	1.1.73	Matric	DELHI
	D. G. Dubey	-	15.5.34	19.9.57	19.9.57	1.11.63	1.1.73	Two Yrs. Arch. Course	Bombay
	S. L. Madan	-	4.8.40	23.3.64	23.3.64	25.9.65	1.1.73	F. Sc. F. D. Arch 72 (Maharashtra)	Delhi
	N. C. Keshwani	-	23.8.43	17.9.64	17.9.64	10.11.66	1.1.73	A. N. High School Final, Dip. in Arch 70	Delhi
	Bahadur Chand	-	26.9.42	19.1.65	19.1.65	10.11.66	1.1.73	-do-	Delhi
	Mrs. Joginder Chawla	-	13.5.44	14.11.66 FN	-	14.11.66 FN	1.1.73	Qualifying Exam Delhi Arch. Assttship	Delhi
	C. M. Sharma	-	5.9.42	14.11.66 AN	-	14.11.66 A.N.	1.1.73	High School G. D. Arch. Maharashtra, 69	Delhi
	B. D. Bhalla	-	9.9.40	15.11.66	-	15.11.66	1.1.73	Final Dip. Course in Arch Dec. 70	DELHI

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S/Shri

Tirath Ram	-	5.5.40	B 2.67	-	18.2.67	1.1.73	F.Sc.N.D.Arch	Delhi
G.S.Phadke	-	25.10.31	22.5.52	-	25.5.67	1.1.73	Inter Science, Final Dip. in Arch. Rashtra BY. Bhasha BY. BHASHA Prabodh Prakhish equivalent to B.Arch.	Bombay
Satinder Kumar Malhotra	-	5.2.40	27.10.58	19.2.64	13.10.69	1.1.73	Diploma in Arch	Delhi Promo
O.P.Madan	-	9.7.38	25.1.62	25.1.62	18.3.70	1.1.73	F.D.Arch 1972	Delhi
Sardul Singh	-	10.3.36	5.5.60 as Tracer	18.9.64	18.3.70	1.1.73	do-	Delhi
K. Jacob	-	20.2.35	15.6.65	15.6.65	16.11.70	1.1.73	Dip. in Arch 70	MADRAS
Miss Daljeet Jauhal	-	1.11.44	15.11.66	15.11.66	19.3.71	1.1.73	Dip. in Arch Asstt.	DELHI Resit
V.R.Lokender S/C	15.3.43	21.10.71	AN	-	21.10.71	1.1.73	G.D. Arch	HYD Dis.
G.S.Yadgiri Rao	1.6.44	25.10.71	AN	-	25.10.71	1.1.73	Dip. in Arch	HYD
Miss Asha Halwalkar	21.5.45	30.10.71		-	30.10.71	1.1.73	G.D. Arch	HYD
Davinder Pal Sardhana	18.9.42	21.10.65		21.10.65	29.4.71	20.5.76	G.D. Arch	DELHI
Y.R.Gokhale S/T	15.3.41	4.5.73		4.5.73	18.3.74	20.5.76	4th Year B.Arch	DELHI
M.S.Basra	24.2.39	14.11.66		14.11.66	30.8.71	20.5.76	G.D. Arch	DELHI
Parveen Chander Suthar	13.1.47	19.3.71			19.3.71	20.5.76	Inter N.D Arch	DELHI

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	3	4	5	6	7	8	9	10
S/C H B. V.N.Nigam -	20.2.47	25.8.71	-	28.8.71	20.5.76	Inter N.D.Arch	DELHI	Promoted on adhoc basis
Mrs. Santosh Taneja -	10.7.40	16.11.66	16.11.66	6.12.71	20.5.76	Dip. Arch. Asstt.	DELHI	-do-
M. S.A.Bombedkar S/C	3.4.47	5.3.73	-	5.8.73	25.5.76	Inter Arch.	BOMBAY	
Mrs. Bina Ranipal -	1.3.44	15.4.68	15.4.68	12.4.73	22.5.76	Dip. Arch. Asstt.	CALCUTTA	
Mrs. Shanti Bhattacharya -	30.12.49	2.12.71	2.12.71	8.1.73	22.5.76	-do-		
M. Sh. Topan Kumar Sirkar -	19.6.46	12.11.71	12.11.71	26.3.73		Arch. Asstt. Diploma	PATNA	Promoted on adhoc basis resumption is still awaited.
M. Sh. Chander Mauli Sarma -	24.1.48	26.3.73	-	26.3.73		G.D.Arch.	PATNA	

(S.N.ROY)
SENIOR ARCHITECT-I (COORD) P&T
NEW DELHI

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BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL, CIRCUIT
BENCH, LUCKNOW.

T.A. No. 1538 of 1987.

Rituraj Bihari Saxena

... Applicant

Versus

Union of India and others

... Opp-parties

Annexure-R(3)

MINISTRY OF COMMUNICATION
DEPARTMENT OF TELECOMMUNICATIONS

Devika Tower

13th Floor, Nehru Place
New Delhi-110019

No. CA/T/13/164r

Dated the 28th Sept. '89

Sub: Transfers, promotions in the grade of Archl.
Asstt. Grade-I.

Saxena
This has reference to Department of Tele-
communications order No. 2-2/89-CSE, dated 20th Sept.,
1989 regarding transfers/promotions in the grade of
Archl. Asstt: Grade-I.

Following postings are hereby ordered in the
Telecom/Postal Departments with immediate effect in
the public interest.

S/No.	Name of the Official	Office where working	Office where posted	Remarks
1.	Mrs. Binapani Pal	SA-(P), Cal.	DGM (ARCH) Telecom CAL	
2.	Mrs. Santosh Taneja	DGM (AR)-II Telecom, DLI	DGM (ARCH)-II Telecom. DLI	
3.	Sh. R.B. Saxena	SA(P) N. DLI	ARCH (P), Lko	

4. Sh. Y.P. Bhola	SA(P), DLI	SA-(P), DLI
5. Mrs, M. Seniliveja	DGM(AR) Telecom Madras.	Arch. (Telecom) Trivandrum
6. Sh. V.P. Bhargodeo	DGM(AR) Telecom Bombay	DGM(AR), Telecom Hyderabad.
7. Mrs. S. Mythily	DGM(AR) Telecom Madras	DGM(AR) Telecom Madras
8. Mrs. Aruna Chakroborty	SA(P), Cal.	DGM(AR) Telecom Calcutta.
9. Mrs. Malu Dass	DGM(ar), Telecom Calcutta	SA-(P), Calcutta
10. Mrs. Jayashree Dass	DGM(ar) Telecom Calcutta	SA-(P), Calcutta
11. Miss Sanohayita Mazumdar	SA-(P), Cal.	DGM(AR), Telecom Calcutta.

Sd/- P. S. Chaudhry.

General Manager (AR.)

Copy forwarded to :-

1. P.A. to Chief General Manager(BM), Deptt. of Telecom. N. Delhi.
2. Chief Engr. (Civil), Postal Dt. Dak Bhawan, N. Delhi.
3. General Manager (Civil), Telecom. M. Deptt. Calcutta.
4. ~~General Manager (Civil), Telecom. N. Delhi.~~ Section Officer (CSF), Dept. of Telecom. New Delhi.
5. Sr. Architect (P), Calcutta/Bombay/Delhi.
6. DGM (AR.), Telecom Deptt. /Delhi/Hyderabad/Bombay/Madras/Cal.
7. Architect, Deptt. of Telecom. Trivandrum.
8. Architect, Deptt. of Posts, Lucknow.
9. All Officers concerned.

Sd/- P. S. Chaudhry

GENERAL MANAGER (AR.).



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11. T.R.Sircar

2. The Chief Architect (Telecom) may give actual postings to these officers on their promotion.

3. The controlling officers will relieve these officials from their present assignments only if no vigilance/ disciplinary case is pending against them.

4. The date of these orders are given effect to may please be intimated and charge reports furnished to all concerned.

Sd/- Navin Chandra

Asstt. Director General (CW)

1. All the officials concerned through their controlling Officers.
2. Chief Architect Depp. of telecom. 13th Floor, Devika Towers, Nehru Place, New Delhi-19.
3. Chief Engineer (Civil), Dept. of Posts (with 10 spare copies).
4. All the Sr. Architects in Dept. of Telecom/Posts (with 20 spare copies).
5. Chief General Manager (Bn), Telecom. Dte, New Delhi.
6. P.S. to Member (Services)/Advisor (HRD) Advisor (D).
7. Sr. CA to Advisor (HRD).
8. All the CAs of CGIS(T)/CGMGs concerned.
9. All other officers and officials concerned.

Sd. L.R. Aggarwal

Section Officer (CWG).



AGY
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BEFORE THE CENTRAL ADAM SMITH TRIBUNAL, BANGALORE
BENCH, LUGANOW.

C.M. Application No. of 1990.

In re:

T.A. No. 1536 of 1987(1)

Rituraj Bihari Sakona

... Applicant

Versus

Union of India and others

... Opp-parties

The applicant, above named, now respectfully
states as under :-

1. That in order to further elucidate the pleadings raised through the application and the rejoinder affidavit, it is necessary that the applicant be permitted to file the supplementary rejoinder affidavit.
2. That through the supplementary rejoinder affidavit only certain documents are sought to be brought on record together with the necessary details.
3. That in view of the facts and circumstances of the case, it is expedient in the ends of ~~justice~~ justice that the applicant be permitted to file the supplementary rejoinder affidavit.

Dr. N. S.

AGS
A/ab

WHEREFORE, it is most respectfully prayed
that this Hon'ble Tribunal may be pleased to permit
the applicant to file the supplementary rejoinder
affidavit which may kindly be directed to be
brought on record of the case.

Dated Lucknow:

Jan. 8, 1990.

Dr. L.P. Misra

(Dr. L.P. Misra)

Counsel for the Applicant.

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BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL, CIRCUIT
BENCH, LUCKNOW.

T.A. No. 1538 of 1987 (T)

Rituraj Bihari Saxena

... Applicant/
Petitioner

Versus

Union of India and others

... Opp-parties

SUPPLEMENTARY REJOINDER AFFIDAVIT.

I, Rituraj Bihari Saxena, aged about 44 years, son of late Sri A.C. Saxena, resident of 278 Chandra Lok Colony, Lucknow, do hereby solemnly affirm and state on oath as under :-

1. That the deponent is the applicant in the above noted case and, as such, is fully conversant with the facts deposed to hereunder.

2. That pursuant to the Hon'ble Supreme Court's judgment dated 15.85 in Civil Appeal No. 3121 of 1981 and the Central Government's decision contained in Annexure-R(1) to the rejoinder affidavit, the

[Handwritten signature]

3.

Recd by J. L. Lusk
Chas. S.
8/1/91

Department of Tele-Communications issued an order directing that all the Draftsmen working as such prior to 1.1.73 be given the pay scale of Rs. 425-700/-. The photo copy of this order is being annexed herewith as Annexure-SR(1) to this affidavit.

3. That the seniority list of the Senior Architectural Draftsmen to which the petitioner/ applicant was initially appointed issued vide letter dated 21.2.76 in which the petitioner was placed at Serial No. 44 is being annexed herewith as Annexure-SR(2) to this affidavit.

4. That the following diagram shall reveal the extent of the arbitrariness done to the petitioner :-

Name of the employees	Date of appointment	Position in the seniority list dt. 21.2.76 (An. SR(2))	Position in seniority list dt. 22.7.76 (An. SR(2))
1. S/Sri R.D. Saxena (Petitioner)	18.11.71 Appointment made with 4 addl. increments.	44	Not included & omitted.
2. Santosh Taneja	6.12.71	33	26
3. Mrs. Shanti Bhattacharya	8.1.73	53	29
4. Tapan Kumar Sarkar	26.3.73	57	30
5. Mrs. Lina Ram Lal	12.4.73	52	28
6. Chandra Maul Sharma	26.3.73	58	31
7. S.A. Banbhadkar	5.3.73	56	27

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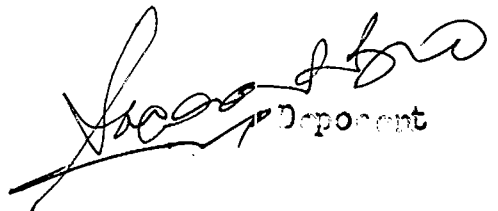
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It is worth-mentioning here that the petitioner at the time of his initial appointment as Sr. Architectural D/Man was given 4 additional increments whereas the other persons mentioned in the aforesaid diagram were appointed on the initial basis pay on the same post w.e.f. the dates shown in the aforesaid diagram.

5. That the arbitrary and discriminatory treatment given to the petitioner was brought to the notice of the Department through the petitioner's representation contained in Annexure-1 and 9 to the application but no decision has been taken in the matter.

6. That it has wrongly been stated in Para 13 of the counter affidavit that the representation of the petitioner has been considered and the authorities came to the conclusion that there was no irregularity in preparation of the seniority list. No such decision has been annexed alongwith the counter affidavit and no such decision, either on the representation contained in Annexure-1 nor on the representation, the true copy of which is contained as Annexure-9 has ^{ever} been communicated to the petitioner till date.

Dated Lucknow:
Nov. 1990.


Deponent

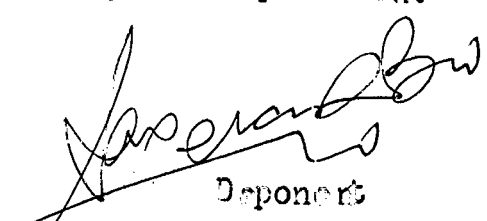
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Verification

I, the above named deponent, do verify that the contents of paragraphs 1 to 6 of this affidavit are true to the own knowledge of the deponent. No part of it is false and nothing material has been concealed, so help me God.

Dated Lucknow:
Nov. 1990.

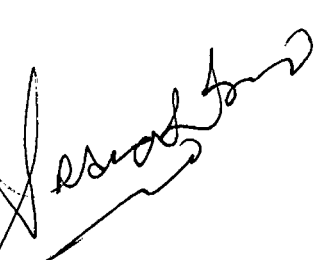

Deponent

I identify the above named deponent who has signed before me.

Advocate's Clerk.

Solemnly affirmed before me on
at a.m./p.m. by Sri
the deponent who is identified by Sri
Clerk to Sri
Advocate, High Court, Allahabad.

I have satisfied myself by examining the deponent that he understands the contents of this affidavit which have been read over and explained by me.



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BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL, CIRCUIT
BENCH, LUCKNOW.

T.A. No. 1538 of 1987 (T)

Rituraj Bihari Saxena

... Applicant

Versus

Union of India and others

... Opp-parties

Annexure-SR(1)

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