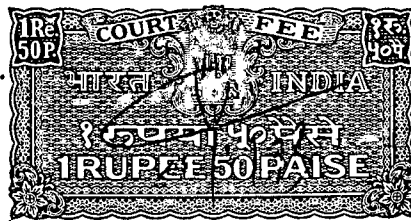


In the Court of Central Tribunal

व अदालत श्रीमान

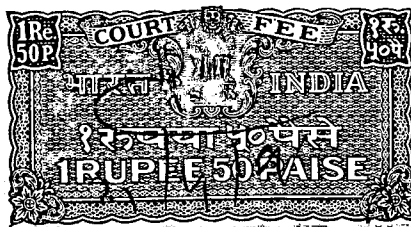
[वादी अपीलान्त]

प्रतिवादी [रेस्पाडेन्ट]

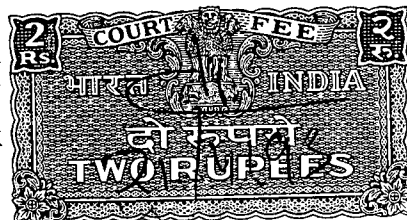


वकालतनामा

Lalaji Karyap



Union of India and others



off. Rasth

(प्रतिवादी रेस्पाडेन्ट)

नं० मुकदमा

सन्

पेशी की त०

१९

ई०

ऊपर लिखे मुकदमा में अपनी ओर से श्री

व

Prem Shankar

महोदय

एडवोकेट

को अपना वकील नियुक्त करके प्रतिज्ञा (इकरार) करता हूं और लिखे देता हूं इस मुकदमा में वकील महोदय स्वयं अथवा अन्य वकील द्वारा जो कुछ पैरवी व जवाबदेही व प्रश्नोत्तर करें या कोई कागज दाखिल करें या लौटाव या हमारी ओर से डिगरी जारी करावें और रुपया वसूल करें या सुलहनामा व इकबाल दावा तथा अपील निगरानी हमारी ओर से हमारी वा अपने हस्ताक्षर से दाखिल करें और तसदीक करें मुकदमा उठावें या कोई रुपया जमा करें या हारी विपक्षी (फरीकसानी) का दाखिल किया हुआ रुपया अपने या हमारे हस्ताक्षर युक्त (दस्तखती) रसीद से लेवे या पंच नियुक्त करे - वकील महोदय द्वारा की गई वह सब कार्यवाही हमको सर्वथा स्वीकार है और होगा मैं यह भी स्वीकार करता हूं कि हर पेशी पर स्वयं या किसी अपने पैरोकार को भेजता रहूंगा अगर मुकद्मा अदम पैरवी में एक तरफा 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

Lalaji Karyap

साक्षी (गवाह)

साक्षी (गवाह)

दिनांक

महीना

सन् १९

ई०

स्वीकृत

A-13(e)

A-13

6721

In the Hon'ble High Court of Judicature at Allahabad
Lucknow Bench, Lucknow.

Tri. P. No. 4412 of 1930.

RE TRIAL LUCKNOW.

For Ji. Kashyap

.... Petitioner

Verus

Union of India and others.

... Opp. parties.

i n d e x

No.	Particulars	Page.
1-	Tri. P. No.	1 to 8
2-	Annexure no. 1	9 to 9
3-	Annexure no. 2	10 to 10
4-	Annexure no. 3	11 to 11
5-	Annexure no. 4	12 to 12
6-	Annexure no. 5	13 to 13
7-	Annexure no. 6	14 to 14
8-	Annexure no. 7	15 to 15
9-	Annexure no. 8	16 to 16
10-	Annexure no. 9	17 to 18
11-	Affidavit	19 to 20
12-	Verbal statement (Forer)	21 to 21
13-	Stay application (Separate)	-

S. C. Srivastava

(S.C. Srivastava)
Advocate,

Counsel for the petitioner.

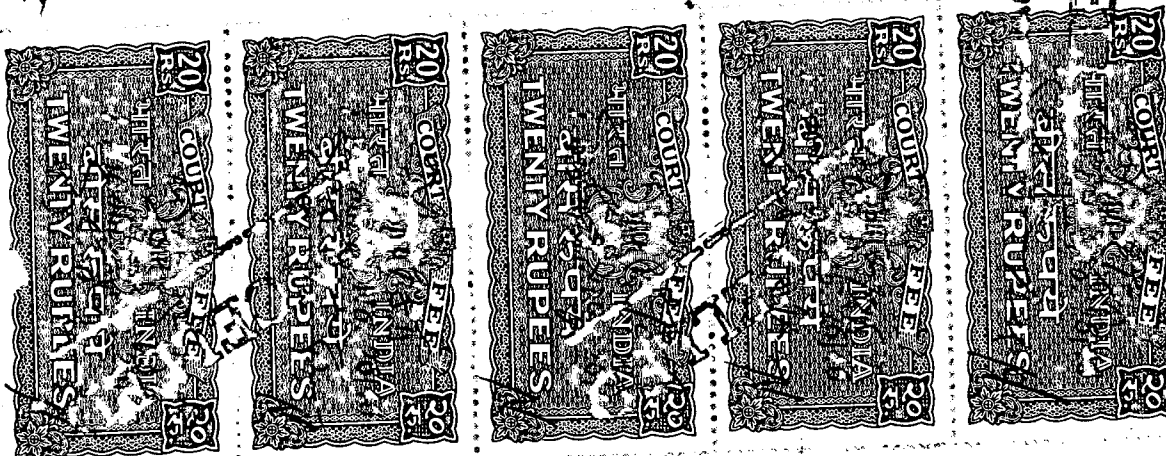
Lucknow Bench:

August 26 1930.

In the Hon'ble High Court of Judicature at Allahabad
Lucknow Bench, Lucknow.

Writ Petition no. 4412 of 1985.

District Lucknow.



50/- 100/-
26885

Lal Ji Kashyap aged about 28 years son of
Sri Avadh Behari, r/o house number 156/33-
Mohalla- Birhana East, Subhash Marg, Lucknow.

..... Petitioner.

Versus

- 1- Union of India through Ministry of Information
and Broad Casting, Department of Doordarshan,
~~Palace Road~~, New Delhi.
- 2- Director General, Government of India, Directorate
General : Doordashan, Mandi House, New Delhi.
- 3- Director, Doordarshan Kendra, 5- Mirabai Marg,
Lucknow.

..... Opposite parties



Lalji Kashyap

Writ Petition under article 226 of the
constitution of INDIA

A-10

13

The humble petition of the petitioner most respectfully sheweth as under :-

1- That the petitioner was initially appointed on the post of peon in the pay scale of Rs. 196-230 in the year 1976 at Door Darshan Kendra, Lucknow and the petitioner was transferred to Television Relay Centre, Rampur on 13-12-1983 on the post of peon. It is further stated that the petitioner was working on the post of Peon i.e.f. year 1976 and continuing on the aforesaid post of peon. It is further stated that the departmental examination for the recruitment to the 10% quota of vacancies in the grade of CG II reserved for educationally qualified Group 'B' staff of the subordinate offices of Door Darshan in the grade of Clerk Grade II was held on 10th March, 1984 and the petitioner topped in the departmental examination and his name was placed at sl. no. 1 in the merit list. The photostat copy of the result/communicate dated 20-3-1984 to the petitioner is being annexed herewith as ANNEXURE NO. 1 to this writ petition.

2- That on the basis of the result in order of merit, the petitioner was posted at Door Darshan Kendra, Lucknow against the vacant post of General Assistant by the Director General, Government of India. The photostate copy of the posting order dated 20-3-1984 is being annexed herewith as ANNEXURE NO. 2 to this writ petition.

Annex 2

Handwritten signature

2618

(A-11)

1/4

A/12

3- That the petitioner was relieved from Doordarshan Relay Kendra, Kanpur on 3-6-85 (AK) in reference to vide order dated 25-5-1985. The photostat copy of the relieving order 3.6.1985 is being annexed herewith as ANNEXURE NO. 3 to this writ petition.

3-6-85

4- That on 4-6-1985 the petitioner submitted his joining report to Director, Doordarshan Kendra, Lucknow. The photostat copy of the joining report is being annexed herewith as ANNEXURE NO. 4 to this writ petition.

5- That Director, Doordarshan Kendra, Lucknow did not allow the petitioner to join his duties as Clerk Grade II against the vacant post of General Assistant and issued an order dated 4-6-1985 at about 5.45 P.M. and directed the petitioner to report back Station Engineer, IV Relay Centre, Kanpur. The photostats copy of the order dated 4.6.1985 is being annexed herewith as ANNEXURE NO. 5 to this writ petition.



Handwritten signature

6- That in compliance of the posting order of Government of India dated 25-5-1985 and after relieving order dated 3-6-1985, the petitioner gave attendance daily in the office of Doordarshan Kendra, Lucknow but the Director, Doordarshan Kendra, Lucknow did not allow to the petitioner to sign in the attendance register.

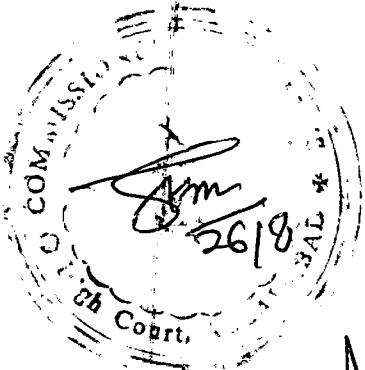
7- That on 6-6-1985, the petitioner submitted to the Director, Doordarshan Kendra, Lucknow for his stay at Doordarshan Kendra, Lucknow to be treated as duty period, so that the petitioner may not suffer the monetary loss. The photostat copy of the application dated 6-6-1985 is being annexed herewith as ANNEXURE NO. 6 to this writ petition.

8- That on 2-7-1985, the petitioner further requested to the Director General, Doordarshan, New Delhi for permission to the post Clerk Grade II immediately. The photostat copy of the application dated 2.7.1985 is being annexed herewith as ANNEXURE NO. 7 to this writ petition.

9- That on 10-7-1985 a telegram was issued by the Director, Doordarshan, Lucknow in the name of the petitioner directing him to join immediately at Doordarshan centre, Kanpur, otherwise disciplinary action will be taken against the petitioner. The photostate copy of the letter dated 10-7-1985 is being annexed herewith as ANNEXURE NO. 8 to this writ petition.

10- That on account of the telegram received by the petitioner, he was compelled to join at Doordarshan Relay Centre, Kanpur on 18.7.1985.

11- That the petitioner gave an application on 5.8.1985 through proper channel to Hon'ble Minister of Information & Broadcasting, Government of India, New Delhi and copy forwarded to the



Daffar Karhy

A-13
1/6
A/14

Director General, Doordarshan, Mandi House, New Delhi and General Secretary, Group D Staff Union (India), Akshani Bhavan, New Delhi and Director Doordarshan Kendra, Lucknow and advance copy posted by the registered A/L post. The photo/statue copy of the application is being annexed herewith as ANNEXURE NO. 9 to this writ petition.

Ann.9

12- That all the other juniors candidates except the petitioner were allowed to join on the promoter post of Clerk Grade II at their posting places vide annexure no. 2. It is further stated that in the office of the Director, Doordarshan Kendra, Lucknow three posts of General Assistant were lying vacant and on one post Smt. Sushila Mandial clerk Grade II, who is neither promoted nor qualified for holding the post as allowed to join on the post of Clerk Grade II against the vacant post of General Assistant on compensatory ground, which was not justified in comparison with the petitioner. It is further stated that the Sushila Mandial is junior to the petitioner and furthermore two other posts of General Assistant are still lying vacant on which the petitioner is entitled to be absorbed.

13- That the petitioner has wrongly been discriminated in matter of appointment, promotion and posting, while the juniors are allowed to hold the post of Clerk Grade II against the vacant post of General Assistant.



Handwritten signature

14- That the action of the Director, Door Darshan Lucknow is arbitrary, capricious/without jurisdiction.

15- That the petitioner has got right, lien to hold the promoted post of Clerk Grade II on the basis of being qualified in the departmental examination held in the year 1984.

16- That the Director, Door Darshan Kendra, Lucknow further appointed Vijay Laxmi on the post of Clerk Grade II, when she was disqualified to hold the post. It is further stated that Vijay Laxmi appeared in the Staff Selection Commission for more than one chance, but she never became successful and she has wrongly been deprived on the post of Clerk Grade II.

17- That the petitioner is experienced and qualified and eligible for the promotion on the post of Clerk Grade II and the petitioner has got meritorious records of his services.

18- That the petitioner having got no alternate and efficacious remedy except to file this writ petition on the following amongst other grounds :-

GROUND S

A- Because according to the Selection order dated 10.3.1980 and the posting order dated 20.3.80

the petitioner is entitled to be posted on the post of Clerk Grade II against the vacant post of General Assistant at Doordarshan Kendra, Lucknow.

B- Because the two posts of General Assistant are still lying vacant in the office of Doordarshan Kendra, Lucknow and the petitioner is entitled to resume his duties as Clerk Grade II against this vacant post i.e.f. date of joining i.e. 4-6-1985.

C- Because the Director, Doordarshan Kendra, Lucknow is bound to obey and comply the order of the Director General, Doordarshan, Government of India dated 25-5-1985.

D- Because the petitioner is entitled to be absorbed on the post of Clerk Grade II at Doordarshan Kendra, Lucknow in any one of the vacant post of General Assistant.

E- Because the petitioner is entitled to get the salary i.e.f. date of joining on the post of Clerk Grade II.

P R A Y E R

WHEREFORE, it is most respectfully prayed that this Hon'ble Court be pleased to :-

i) issue a writ of Mandamus commanding the

opposite party no. 3 to comply the order dated 25-5-1985 and further is use writ of Mandamus commanding the opposite party no. 3 to allow the petitioner to resume his duties as.s.f. 4-5-1985 on the post of Clerk Grade II against the vacant post of General assistant.

ii) issue a writ of Mandamus commanding the opposite party no. 3 to accept the joining report of the petitioner and petitioner be absorbed in the vacant post of General Assistant and to award the salary and other emoluments etc., as.s.f. 4-6-85 on the post of Clerk Grade II.

iii) issue a writ of Certiorari quashing the order dated 4-6-1985 passed by Director, Doordarshan Lucknow as contained in annexure no. 3 to this writ petition.

iv) issue any other suitable writ, order or direction as deems fit in the interest of justice.

v) Cost of the writ petition be awarded in favour of the petitioner.

S. C. Srivastava ADh
(S. C. Srivastava)
Advocate,
Council for the petitioner.

Lucanor Dated:

August 26 1985.

(A-17)

1/10

In the Hon'ble High Court of Judicature at Allahabad
Lucknow Bench, Lucknow.

A/18

Writ Petition no. _____ of 1960

Shri Ji Ashyap

.. Petitioner

Versus

Union of India and others.

... Opp. parties.

Annexure no. I

Lalji Ashyap



ANNEXURE NO I ¹/₁₁

No.A-34012/2/84-S II

Government of India
Directorate General: Doordarshan
Hindi House, New Delhi

Dated the 20th March, 1984

Office Memorandum

Subject: Recruitment to the 10% quota of vacancies in the grade of CG II reserved for educationally qualified Group 'D' Staff of the subordinate offices of Doordarshan.

On the basis of the Departmental Examination for educationally qualified Group 'D' Staff of the subordinate offices of Doordarshan against 10% quota of vacancies in the grade of Clerk Grade II held on 10.3.1984, the following candidates have passed the examination in order of merit for promotion to the post of CG II.

S.No.	Name	Presently working
1.	Shri Lalji Kashyap	DDK, Lucknow.
2.	Shri Dabu Lal (SC)	do
3.	Shri D. Devraj	DDK, Madras.
4.	Shri Sundar Lal (SC)	DDK, Lucknow.
5.	Shri Sullhan Singh (SC)	DDK, Jalandhar.
6.	Shri Parshu Ram	DDK, Lucknow.
7.	Shri B.R. Jadhav	DDK, Bombay.
8.	Shri Nazir Ahmed Wani	DDK, Srinagar.
9.	Shri Uma Pati Sahai	DDK, Lucknow.

The orders regarding the posting of above mentioned qualified candidates will be issued separately depending upon the available vacancies in the grade of CG II at various Doordarshan Kendras/Offices.

(KASHMIRI LAL)
Dy. DIRECTOR OF ADMN.
for Director General.

Doordarshan Madras/Uppanah Doordarshan Kendras/Offices.

Copy to the President, Doordarshan (Bharat)
Vishva Karmachari Sangh, Akashvani Bhawan, Parliament Street,
Delhi.

Copy to Station Director, All India Radio, Gorakhpur
with the request that the 3 vacant posts in the Cadre of
CG II at Doordarshan Kendra, Gorakhpur may not be filled.
If selection Commission may please be informed accordingly.

For Director General.

(19) 1/12

In the Hon'ble High Court of Judicature at Allahabad
Lucknow Bench, Lucknow.

A/20

Writ Petition no. _____ of 1985.

1st J. Ashyap

... Petitioner

Versus

Union of India and others.

... Opp. parties.

Annexure no. 2.



Subeek Kanyash

ANNEXURE NO

II

No A-54012/2/84-9 II
Government of India
Directorate General: Doordarshan
Hindi House: New Delhi



Dated the 29th May, 1985.

SERVICE MEMORANDUM

Subj: 00000-

Recruitment to the 10% quota of vacancies in the grade of CG II reserved for educationally qualified Group 'D' Staff of the subordinate offices of Doordarshan.

In continuation to this Directorate's O.M. of even number dated 20th March, 1985, posting of the following qualified candidates to the stations/offices mentioned against their name is ordered with immediate effect.

<u>Sl. No.</u> <u>Name</u>		<u>Presenting station</u> <u>posted to</u>	
1.	Sh. Lalji Kashyap	DDK, Lucknow	DDK, Lucknow against the vacant post of Const. Acctt.
2.	Sh. Datta Lal	- do -	- do -
3.	Sh. D. Govraj	DDK, Madras	DDK, Madras.
4.	Sh. Sundar Lal	DDK, Lucknow	DDK, Bareilly.
5.	Sh. Sulokhan Singh	DDK, Jalandhar	DDK, Jalandhar.
6.	Sh. Parshu Ram	DDK, Lucknow	DDK, Gorakhpur.
7.	Sh. Datta Jadhav	DDK, Bombay	DDK, Bombay.
8.	Sh. Haseer Ahmad Hindi.	DDK, Srinagar	DDK, Srinagar.
9.	Sh. Umesh Chandra	DDK, Lucknow	DDK, Gorakhpur.

(HASHMIRI LAL)
DY. DIRECTOR GENERAL
for Director General.

Copy to:-

Doordarshan Kendras, Bombay, Lucknow, Madras, Jalandhar, Srinagar, Gorakhpur and Bareilly.

82/-
for Director General



Lalji Kashyap

(9)
1/14

In the Hon'ble High Court of Judicature at Allahabad
Lucknow Bench, Lucknow

Writ Petition no. _____ of 1900.

Raj Ji Kashyap

... Petitioner

Versus

Union of India and others.

... Opp. parties.

Annexure no. 3



Raj Ji Kashyap

23

1/16

In the Hon'ble High Court of Judicature at Allahabad
Lucknow Bench, Lucknow

A/24

Writ Petition no. _____ of 1985.

Shri J. K. Karbyap

... Petitioner

VERSUS

Union of India and others.

... Opp. parties.

.....

Annexure no. 4

Shri J. K. Karbyap



Annexure No 3

991 2

GOVERNMENT OF INDIA
Ministry of Home Affairs
Directorate of Intelligence
Kannur

W.C. P.W.K. 31 (29)/84-S

Date: 3.11.84

MEMO

Reference Director General, Directorate of Intelligence, dated 25.10.84, in which it was stated that the following information was received from the Director of Intelligence, Kannur:

1. This information was received from the Director of Intelligence, Kannur, who reported that the following information was received from the Director of Intelligence, Kannur:

2. This information was received from the Director of Intelligence, Kannur, who reported that the following information was received from the Director of Intelligence, Kannur:

3. This information was received from the Director of Intelligence, Kannur, who reported that the following information was received from the Director of Intelligence, Kannur:

4. This information was received from the Director of Intelligence, Kannur, who reported that the following information was received from the Director of Intelligence, Kannur:

5. This information was received from the Director of Intelligence, Kannur, who reported that the following information was received from the Director of Intelligence, Kannur:

6. This information was received from the Director of Intelligence, Kannur, who reported that the following information was received from the Director of Intelligence, Kannur:

7. This information was received from the Director of Intelligence, Kannur, who reported that the following information was received from the Director of Intelligence, Kannur:

8. This information was received from the Director of Intelligence, Kannur, who reported that the following information was received from the Director of Intelligence, Kannur:

9. This information was received from the Director of Intelligence, Kannur, who reported that the following information was received from the Director of Intelligence, Kannur:

10. This information was received from the Director of Intelligence, Kannur, who reported that the following information was received from the Director of Intelligence, Kannur:

11. This information was received from the Director of Intelligence, Kannur, who reported that the following information was received from the Director of Intelligence, Kannur:

12. This information was received from the Director of Intelligence, Kannur, who reported that the following information was received from the Director of Intelligence, Kannur:

13. This information was received from the Director of Intelligence, Kannur, who reported that the following information was received from the Director of Intelligence, Kannur:

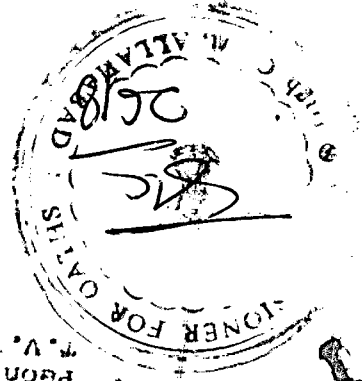
14. This information was received from the Director of Intelligence, Kannur, who reported that the following information was received from the Director of Intelligence, Kannur:

15. This information was received from the Director of Intelligence, Kannur, who reported that the following information was received from the Director of Intelligence, Kannur:

16. This information was received from the Director of Intelligence, Kannur, who reported that the following information was received from the Director of Intelligence, Kannur:

17. This information was received from the Director of Intelligence, Kannur, who reported that the following information was received from the Director of Intelligence, Kannur:

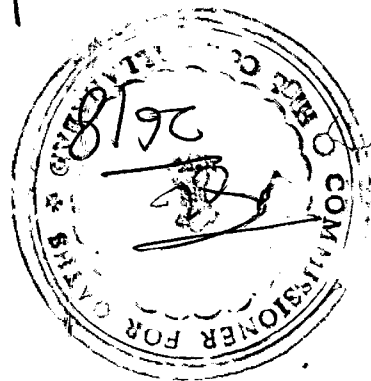
18. This information was received from the Director of Intelligence, Kannur, who reported that the following information was received from the Director of Intelligence, Kannur:



Shri. L. J. P. Kashyap
From
T.V. P. C. Kannur

Handwritten signature: Kashyap

(T.B. Panda)
Station Encl.



Handwritten signature: Laljee Kanhyop

(Laljee Kanhyop)
C. G. II

Handwritten signature: Laljee Kanhyop
Yours faithfully,

4/6/55

Thanking you,

Kindly allow me to oblige.

In accordance with Lte. General Doordarshan,
New Delhi memorandum No. V-340/2/2/84-SII dated
25th May 55 posting me to the post of Clerk at II
at Doordarshan Kendra, Lucknow against the vacant
post of General Asstt. and after getting myself relieved
from T.V.R.C. Kanpur vide order No. T.R. 31(29)/55
dated 3/6/55 I feel much pleasure
to report on duty as Clerk at II today in the forenoon
of 4/6/55.

Subject: - Joining Report.

Sir,

The Director
Doordarshan Kendra,
Lucknow.

Handwritten initials: J.S.

Handwritten initials: (S)

Handwritten text: Amman 1104
(1104)

Handwritten mark: 25

25

1/18

In the Hon'ble High Court of Judicature at Allahabad
Lucknow Bench, India

A/26

Writ Petition No. _____ of 1953.

Mr J. K. Singh

... Petitioner

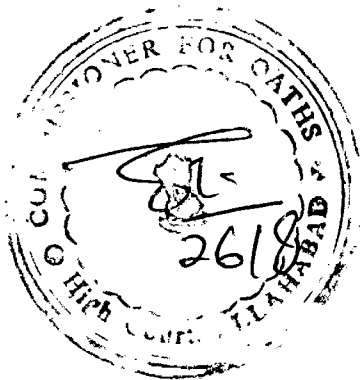
Verma

Union of India and others.

... Opp. parties.

oooooooooooo

Annexure No. 5



Justice Krishna Rao

Annexure No 5⁽²⁵⁾
1/19

A/2

AMT. 11/11/75

BHARAT SARKAR
DOORDARSHAN KENDRA DUCKNOW

NO. TV(LKO)1(7)85-S/M

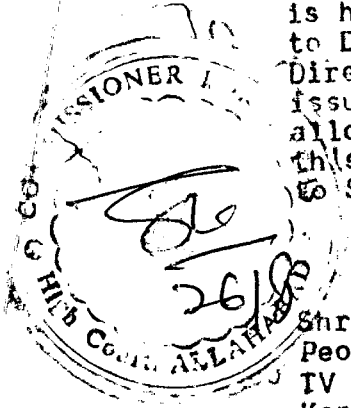
Dated: 4.6.75

MEMORANDUM

With reference to his joining report on 4.6.75 for the post of General Assistant, Shri Lalji Kashyap is hereby informed that the matter has been referred to Directorate Doordarshan till the decision of the Directorate is received and offer of appointment is issued to Shri Lalji Kashyap, it is not possible to allow him to join his duties as General Assistant at this Kendra. He is hereby directed to report back to Station Engineer, TV Relay Centre, Kanpur immediately.

Shri Lalji Kashyap,
Peon,
TV Relay Centre,
Kanpur.

(B.K. Chakravorty)
Administrative Officer
for DIRECTOR.



21 1/20

In the Hon'ble High Court of Judicature at Allahabad
Indoor Bench, Indoor

1/26

With Petition No. _____ of 1930.
.....

Shri J. K. Bhatnagar

... Plaintiff

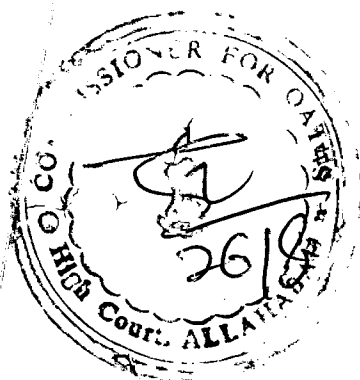
Verus

Shri of India and others.

... Opp. parties.

.....

Annexure E
.....



Kalyan K. Singh

To
The Director
Danda Shani Kundoor
Lucknow.

K/9

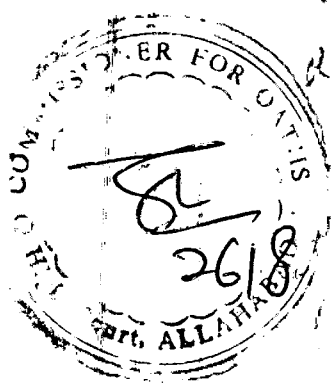
Sir,

4/6/11

With reference to your memo No. T.V.(K.)11/11
AS-S/M, dated 4/6/11 directing me to report
back to S.E. T.V.R.C. Kanpur. I hereby beg to
bring the following facts in your knowledge
for consideration :-

25/6/11 I have been relieved from T.V.R.C. Kanpur
with instructions to report to D.D.K. Lucknow
on C.G. II. After received the said order I
along with my family and the household moved
to Lucknow same day. I have spent Rs. 600/-
on the arrangement which was
sent from one of my friend. Moreover I had
not been paid my salary for the month of May
1911 as yet. At present I am in trouble
as regards financial settlement of family
and of my position to move to Lucknow.
I therefore request that I may kindly be
able to receive an advance of at least
Rs. 100/- to enable me to report to S.E.
Kanpur.

Yours faithfully
D. D. K. Lucknow



D. D. K. Lucknow

29

1/2

1/2

In the Hon'ble High Court of Judicature at Allahabad
District Bench, Jaunpur

Left Petition No. _____ of 1900.
.....

In the presence of

... attested

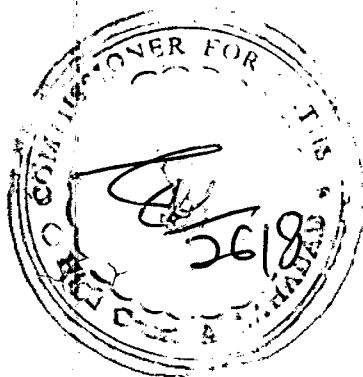
For the

... of ... and others.

... the parties.

.....

..... 7



Handwritten signature

Annexure No 7

(THROUGH PROPER CHANNEL)

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

Subject: Recruitment to the 10% quota of vacancies in the
 Cadre of C.G.II reserved for educationally qualified
 group 'D' staff of the subordinate offices of Doordarshan.

Sir,

With reference to your O.M. No. A-34012/2/84-S II
dated 25.5.85 on the above subject I hereby beg to state
that I had been relieved from TVRC, Kanpur on 9.6.85 (A.P.)
with instructions to report to DDK, Lucknow for the post
of C.G.II vide SR, TVRC, Kanpur Memo No. TVK.31(29)84-6
dated 3.6.85.

I alongwith my family came to Lucknow and reported to
Director, DDK, Lucknow for the post of C.G.II but DDK, Lucknow
did not allow me to join as CG II and ordered me to report back
to SR, TVRC, Kanpur. As my salary has not yet been paid to me
nor any TA advance had been given to me from TVRC, Kanpur to
DDK, Lucknow. I have spent all my money on my journey from
TVRC, Kanpur to DDK, Lucknow. I am unable to go back to Kanpur
due to shortage of money. I had applied for TA advance to
DDK, Lucknow to enable me to report to SR, TVRC, Kanpur. But
no advance has since been given to me under the circumstances
it is not possible for me to go back to Kanpur. I am not
getting my salary for the month of June 1985. It is requested
that my salary for the month of June 1985 be kindly be released
immediately and also permission to join the post of CG II may
kindly be accorded.

Yours faithfully,

Yours faithfully,

(LALJI KASHYAP)
DOORDARSHAN KENDRA
LUCKNOW.

26/7/85

3

1/24
4/22

In the Hon'ble High Court of Judicature at Calcutta
Petitioner: Bank of Bengal

Joint Petition no. of 1922.

In I JI Dabhyop

... petitioner

Veram

Notes of India and others.

... Q: no parties.

.....

Answered on 8

Handwritten signature



72

1/25

1/25

Annexure No 8

14 NF
145

समान



1/604

7

लखनऊ नॉपस

9 राज 35

ज. 2200 सीर 686

श्री लालजी अग्रवाल 156/33 बिरहाना
इस्ट शुभाष मार्ग लखनऊ शिक्षा भवन (1)

वेदु डी.मंथला दूरदर्शन कानपुर में
सूचित किया कि आप जेब्डा
से अनुपस्थित है तुरंत दूरदर्शन
फ्रेन्ड कानपुर में उपस्थित
होवे अन्यथा उचित प्रशासनिक
कार्रवाही की जाएगी -
दूरदर्शन

2/1/88
(Date)

26/8/88



(27)
156
A/Bu

In the Hon'ble High Court of Judicature at Allahabad
Lucknow Bench, Lucknow

Writ Petition no. _____ of 1985

Shri Ji Kachyap

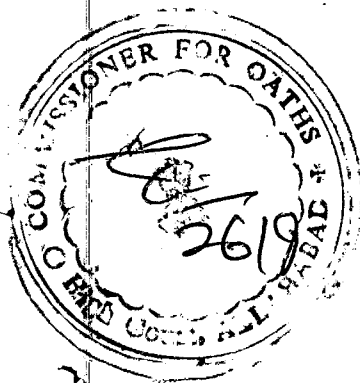
.. Petitioner

Versus

Union of India and others.

... Opp. parties.

Annexure No. 9



Shri Ji Kachyap

महोदय,

माननीय श्री सी० ए० भाष्य,
सुपरी एवं प्रसारण मंत्री,
भारत सरकार,
नई दिल्ली।

विषय :- मरानिदेशात्मक सुरक्षा नि. मई दिल्ली के आदेश संख्या ए-94012/2/84-एल II दिनांक 25/5/85 के अनुसार दिनांक 1/6/85 की भेरी फर्क से उठी की जवाबिना लानत सुरक्षा नि में मरान की पक्ष एवं लिपिक पद का कार्य एवं स-मि मा-मि अतिरिक्त दिनांक 1/6/85

महोदय,
विशेष प्रामाणिक है कि मरानिदेशात्मक सुरक्षा नि मई दिल्ली के आदेश संख्या ए-94012/2/84-एल II दिनांक 25-5-85 के अनुसार भेरी निम्नलिखित लानत सुरक्षा नि केन्द्र में लिपिक पद पर जनरल विलियम्स के कोन्ट्रोल एवं है। दिनांक 1-6-85 की टी०बी०डी० 31/29/84-एल के अनुसार में डायर सुरक्षा नि रिपो केन्द्र से रिप्लीक पुता और दिनांक 1-6-85 की लानत सुरक्षा नि केन्द्र में अपनी लिपिक पद पर जवाबिना की जिस पर सुरक्षा नि लानत में भेरी जवाबिना एकीकृत करते हुए मुझे पत्र संख्या टी०बी० [कॉप] 1/7/85-एल/एल दिनांक 1-6-85 की लानत रिपो केन्द्र वापस जाने का आदेश दिया।

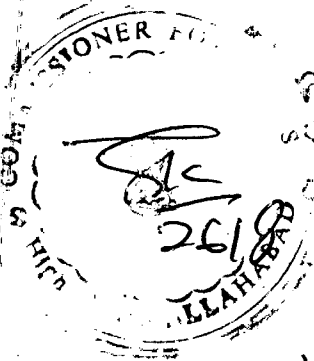
कृपया ध्यान दें। निदेशात्मक सुरक्षा नि लानत में एकी पद संख्या पी० बी० [कॉप] 1/7/84 एल दिनांक 12-6-85 के अंतर्गत मरानिदेशात्मक से पुता कि एका एम बिना कर्जतन हाईर के लानत अर्थ और वापस जाने की लिपिक पद पर जनरल विलियम्स के कोन्ट्रोल जालन करा लगे है।

सीलवे प्रमाण में सुमारी लानत का कंडास को लिपिक पद पर जनरल विलियम्स के कोन्ट्रोल भागी है लिके अपनी आर्थिक एका कालत की है और केन्द्र में सोन जनरल विलियम्स के पद भी रिक्त जाणिगत किये है।

यह जान देना भी आवश्यक है कि सुमारी लानत का कंडास लानत लानत के परिवार की सुमारी लानत है। सीलवे की पत्नी सीलवे लानत एकी की लानत अतिरिक्त आधारे पर प्रस्थित लानत की नमिनी पर लगी है।

और प्रामाणिक है कि सुमारी लानत प्रमाणिक है जोकि सरकार द्वारा 10/11/85 के अंतर्गत सुरक्षा नि है।

मरानिदेशात्मक सुरक्षा नि मई दिल्ली के आदेश संख्या 12/12/84-एल दिनांक 10 जुलाई 1985 के अनुसार सुमारी लानत का कंडास की निम्नलिखित लिपिक पद पर निदेशात्मक सुरक्षा नि केन्द्र लानत में लानत प्रभाव से दिनांक 26-7-85 की लानत लानत लानत लानत लानत टी०बी० [कॉप] 1/7/85-एल/एल पारी एकी



Handwritten signature: Jyoti Kishore

:: 2 ::

ही। और दिनांक 28-7-85 को क्वारी एडमिशन कैंडिडेट लिपिक ग्रेड दो को
जनरल असिस्टेंट के अगेन्सट ज्वाइन करा दिया।

सूचना और प्रसारण मंत्रालय के पत्र संख्या -1/24/9/85- डब्ल्यूएस
दिनांक 2-2-85 के अनुसार मुझे यह बताया जाये कि :-

1- मेरी पदोन्नति पर पोस्टिंग आर्डर पहले आया और क्वारी एडमिशन
कैंडिडेट का लगभग डेढ़ माह बाद आया था या कारण है जो मुझे आधिकारिक
पहुंवाई जा रही है।

2- उन्नोणा लिपिक ग्रेड दो के पैनल में मेरा सर्वप्रथम नाम है जबकि एस
केन्द्र के श्री परमपूराम तिवारी और उमापति महाय को ज्वाइन करा दिया
गया है।

3- दिनांक 4-6-85 से अब तक मेरी आधिकारिक स्थिति हो रही है।

4- इस सम्बन्ध में मेरे द्वारा दिये गये पत्रों दिनांक 4-6-85, 4-6-85
6-6-85, 2-7-85, 16-7-85 के सम्बन्ध में अभी तक कोई विचार नहीं किया
गया है।

अंत में मैं आपसे अनुरोध करूंगा कि शीघ्रता पालिष आप मेरी
समस्याओं को एवं मेरी आधिकारिक स्थिति को ध्यान में रखते हुए क्वारी
दूरदर्शन केन्द्र में महाविद्यालय के आदेशानुसार ज्वाइन कराने के आदेश पारित
करने की कृपा करें।

उक्त न्याय हेतु प्रेषित।

धन्यवाद।

दिनांक - 5-8-1985

प्रतिलिपि :-

- 1- महाविद्यालय महोदय,
दूरदर्शन मंडी हाउस, नई दिल्ली।
- 2- महासचिव,
दूरदर्शन भारत की "ध" कर्मचारी संघ,
आकाशवाणी भवन, संसद मार्ग,
नई दिल्ली।
- 3- निदेशक,
दूरदर्शन केन्द्र, लखनऊ।

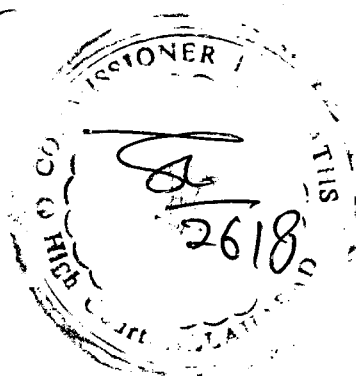
प्रार्थी,

संलग्न/2214

। लालजी शर्मा ।

पत्रवाहक

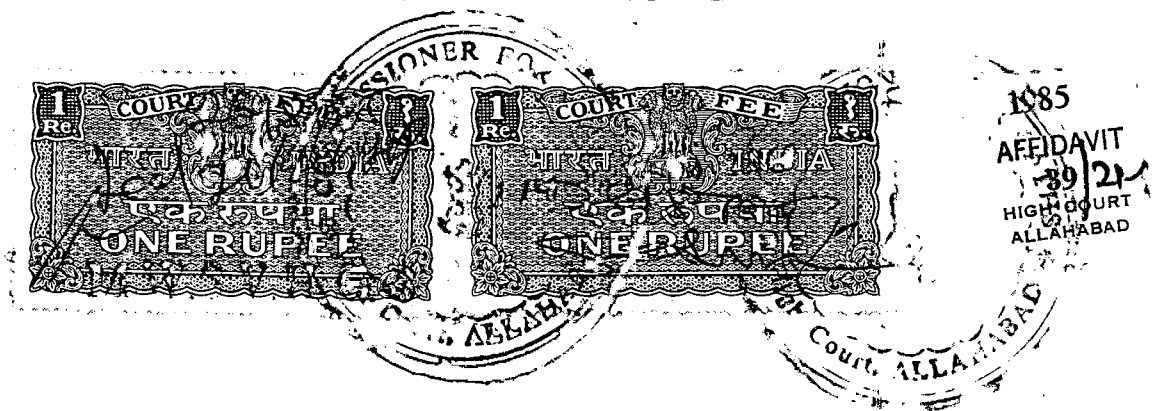
उन्नोणा लिपिक ग्रेड दो,
दूरदर्शन रिमो केन्द्र,
अकरमपुर, उन्नाव।



In the Hon'ble High Court of Judicature at Allahabad
Lucknow Bench, Lucknow.

File No. _____ of 1985.

DISTRICT JUDICIAL



Tal Ji Kashyap

... Petitioner

Verus

Union of India and others.

... Opp. parties.

AFFIDAVIT

I, Tal Ji Kashyap aged about 28 years
s/o Sri Avadh Bahari, r/o house number 156/55-
Mohalla- Birhana Estate, Subhash Marg, Lucknow, do
hereby solemnly affirm and state on oath as under:-

1- That the Deponent is the petitioner in
the above noted writ petition as such he is fully
conversant with the facts deposed herein.

2- That the contents of paras 1 to 10 of
the writ petition are true to my own knowledge.



Tal Ji Kashyap

3- That the annexure no. 1 to 3 are photostatic copy of the original.

Jafer Karhyah

Lucknow Dated:

Deponent

26/8/85.

Verification

I, the above named deponent do hereby verify that the contents of para 1 to 3 of this affidavit are true to my own knowledge and there is no part of it is false and nothing material has been concealed, so help me God.

Jafer Karhyah

Deponent

I do certify the deponent who has appeared before me.

S. C. Sule Ash
(S.C. Private Sec.)
Advocate.

Solemnly affirmed before me on 26-8-85
at Lucknow by Sri Sri Ji Karhyah, the
deponent who is identified by Sri S.C.
Swivastava, Adv., High Court, Lucknow.
I have satisfied myself by examining the
deponent that he understood the contents
of para of this affidavit which was put
in doubt and explained to the deponent by me.




S. Kumar
Commissioner.

JOINT COMMISSIONER
High Court, Allahabad
Lucknow Branch

No. 39/214

Date 26/8/85





अदालत धोमान्..... Civil Judge, Lucknow महोदय
(वादी) अपीलान्त

प्रतिवादी रैस्पॉण्डेंट का वकालतनामा

टिकट

वादी (अपीलान्त)

Dalip Kashyap

यनाम Humayun Khan प्रतिवादी रैस्पॉण्डेंट

नं० मुकदमा 1924 सन् 1907 (7) पेशी की ता० १९ ई०
W.P. No. 4412 of 1905

ऊपर लिखे मुकदमा में अपनी ओर से

Dr. Vish Chandra Adh. Gen. Counsel वकील
Lucknow महोदय
एडवोकेट

नाम	मुकदमा नं०	फरीकन	नाम
अदालत			वनाम

को अपना वकील नियुक्ति करके प्रसिद्धा इज्जत करता हूं और लिखे देखा हूं इस मुकदमा में वकील महोदय स्वयं अथवा अन्य वकील द्वारा जो कुछ पैरवी व जबाब देही व प्रश्नोत्तर करें या कोई कागज दाखिल कर या सौटावे वा हमारी ओर से डिगरी जारी करावे और रूपया वसूल कर या मुलहमामा व इकबाल दापा तथा अपील निगरानी हमारी ओर से हमारी या अपने हस्ताक्षर से दाखिल करें और और तसदीक करें मुकदमा चलाये या कोई रूपया जमा करें या हमारी विपक्षी (फरीकसानो) का दाखिल किया हुआ रूपया अपने या हमारे हस्ताक्षर युक्त (दस्तखती) रसीद लेवे या पंच नियुक्त करें—वकील महोदय द्वारा की गई वह सब कार्यवाही हमको सर्वथा स्वीकार है और होगा मैं यह भी स्वीकार करता हूं कि मैं हर पेशी पर स्वयं या किसी अपने पैरोकार को भेजता रहूंगा अगर मुकदमा अदालत पैरवी में एक तरफ मेरे खिलाफ फैलता हो जाता है उसकी जिम्मेदारी मेरे वकील पर नहीं होगी। इसलिए यह वकालत नामा लिख दिया प्रमाण रहे और समय पर काम आवे।

Dr. Vish Chandra

VILAYET JAFRI
हस्ताक्षर
Director Respondent No. 3
Doodhwan

साक्षी (गवाह)

साक्षी (गवाह)

दिनांक

महीना

सन् १९

ई०

A-41c

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,

ADDITIONAL BENCH

L u c k n o w .

C.M. Am. No. 320/90 (2)
Transferred Writ Petition No: 4412/85
Renumbered 1984 of 1987.

8/5/90

B E T W E E N

LAL JI KASHYAP ,.....PETITIONER/APPLICANT

A N D

UNION OF INDIA & OTHERS..... RESPONDENTS

APPLICATION FOR RESTORATION OF THE ABOVE
NOTED MATTER DISMISSED FOR DEFAULT TODAY
IN THE FORE-NOON

The Counsel for the petitioners most humbly submits
as under:-

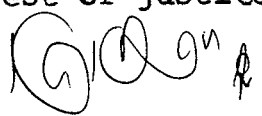
Filed today
8/5/90

1. That the above-noted matter was listed at Serial Number-3 to-day (i.e. 8.5.90) for hearing.
2. That the undersigned who mainly practises at the Lucknow Bench, Lucknow of the Hon'ble High Court, Allahabad, was held up for a little while but the moment he reached this Hon'ble Tribunal he was informed that his matter has been dismissed for default.

Noted for 11/5/90
8/5/90

It, is therefore, prayed that the above-noted matter which is mature for hearing may kindly be restored forthwith in the interest of justice.

Lucknow dated,
8.5.90.


(M.KAMALUDDIN)
ADVOCATE,
COUNSEL FOR THE PETITIONER.

A-110

3

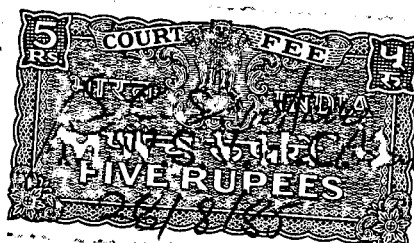
C. M. Sc. Appn. No. 10,072/35

In the Hon'ble High Court of Judicature at Allahabad

Lucknow Bench, Lucknow.

Writ Petition no. 4412 of 1935.

DISTRICT JUDGE



For Plaintiff

For Defendant

Union of India and others.

... Opp. parties.

Application for an interim Mandamus

In view of the facts and reasons assigned in the accompanying writ petition and affidavit, it is most respectfully prayed that this Hon'ble Court be pleased to direct the opposite party no. 3 to accept the joining report of the petitioner on the post of Clerk Grade II against the vacant post of General Assistant meanwhile and issue directions to the opposite party no. 3 to comply the order of the Director General dated 20-5-1935.

S. C. Srivastava
(S. C. Srivastava)
Advocate,
Counsel for the petitioner. *W. S.*

Lucknow Dated:

August 26 1935.

Each annex. of 10-9-85

4/1/85

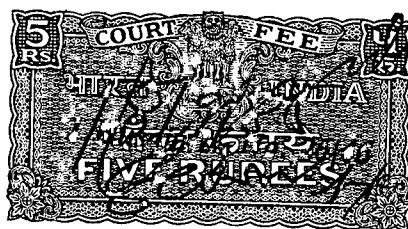
IN THE HON'BLE HIGH COURT OF JUDICATURE AT ALAHABAD

Lucknow Bench, Lucknow.

C.Misc Application No. 10707 of 1985 (w)

In re:

First Petition No. 4412 of 1985



107-85
18/9/85

4/1/85

Lalji Kashya ***** Petitioner

Versus

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

Application for ad-interim relief and stay adinterim
mandamus meanwhile.

11233

I, view of the facts and reasons assigned in
the accompanying Supplementary Affidavit, it is most
respectfully prayed that this Hon'ble Court be pleased
to issue ad-interim mandamus commanding the opposite
parties to give petitioner the other of appointment
on the post of G.G. Grade II in the office of
Doodarshan Kendra Lucknow.

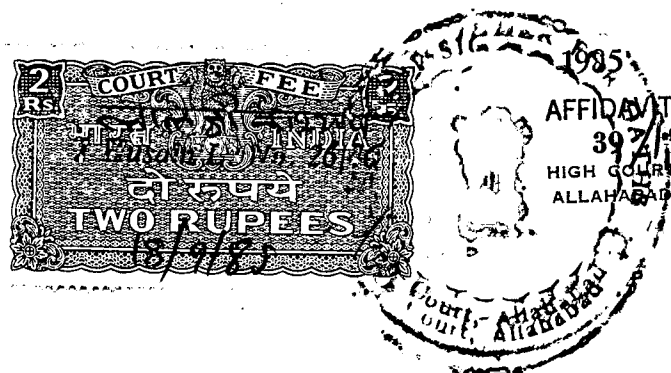
Lucknow Dated
Sept. 18, 1985

S. M.
Advocate
Counsel for the Petitioner

A-49
45

In the Hon'ble High Court of Judicature at Allahabad
Lucknow Bench, Lucknow.

Writ Petition no. 4412 of 1985.



Lal Ji Kashyap

... Petitioner

Versus

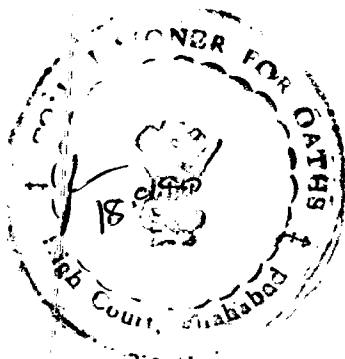
Union of India and others.

... Opp. parties.

Supplimentary affidavit on behalf of the
Petitioner

I, Lal Ji Kashyap aged about 28 years s/o
Sri Avadh Behari, r/o house no. 156/33-Mohalla-
Birhana East, Subhash Marg, Lucknow, the deponent,
do hereby solemnly affirm and state on oath as under:-

- 1- That the deponent is the petitioner in the
above noted writ petition as such he is fully conver-
sant with the facts deposed herein.
- 2- That the deponent had filed the writ petition
before this Hon'ble Court which is pending and the all-
eged writ petition has been preferred by the petitioner
for his appointment as Clerk Grade II in the office



of the Director, Doordarshan Kendra, Lucknow.

3- That according to the Office Memorandum No.- 4-34012/2/84-S-II, dated 25-5-1984 (annexure no. 2 to the writ petition) regarding recruitment to the 10% quota of vacancy in Clerk Grade II on educationally qualified candidates of Group D staff of subordinate offices of the Doordarshan, the petitioner Lal Ji Kashyap and Sri Babu ~~Lal~~ Ram were listed at sl.no. 1 and 2 and were presently posted as employees at Doordarshan Kendra, Lucknow against the vacant posts of General Assistant.

4- That Director, Doordarshan Kendra, Lucknow
5- Mirabai Larga, Lucknow through the D.O. letter No. PV LKO./1(7) 84-S, dated 12-6-1985 wrote a letter to Sri Kashmiri Lal, Deputy Director (Administration) asking from him that since no orders ~~from~~ for conversion of General Assistant into those of Clerk Grade-II has been received upto now and therefore sought to advice of Deputy Director (Administration), whether, he is competent to issue appointment letter to Sri Lal Ji Kashyap and Babu Lal without waiting for conversion order from the Government. The photostat copy of the letter is being annexed herewith as ANNEXURE NO. D-1 to this affidavit.

5- That in this letter it was also mentioned that the Director, Doordarshan Kendra, Lucknow approached for the approval of ~~Am.~~ Sushila Kandwal as Clerk Grade II against the one of the three vacant posts of General Assistant. It is further stated that in this letter dated 12-6-1985, a request has been

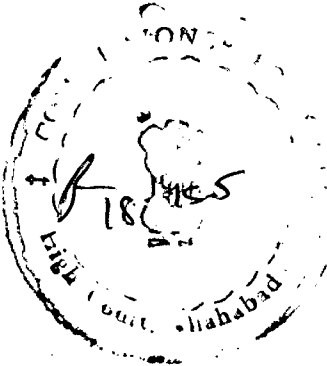


7/6/85
AM

made to Deputy Director (Administration) for communication of the decision, so the offer of appointment be issued to Sri Lal Ji Kashyap and Babu Lal who are listed at sl. no. 1 and 2 in the appointment order. 4/46

6- That the appointment of Km. Sushila Kandwal is wrong on account of the fact that Sushila Kandwal although being the sister of late Sri Satish Chandra Lighting Assistant, yet she is the second member of deceased Satish Chandra. It is further stated that Smt. Meera Kandwal w/o late Sri Satish Chandra Lighting Assistant has already been absorbed on compensante ground on the post of Production Assistant and so the appointment of Sushila Kandwal can not be done on the basis of compensante ground. It appears that the Director, Doordarshan Kendra, Km Lucknow Sri R.S. Rawat is personally interested with Km. Sushila Kandwal on account of some illegal gratification, so he has sought approval of Km. Sushila Kandwal without conversion of the post.

7- That Director, Doordarshan Kendra, Lucknow pleased to issue offer of appointment to Sri Babu Lal placed at sl. no.2 against 10% quota of vacancies on dated 24-8-1985 without conversion order, while the petitioner has not been given offer of appointment, when the petitioner has topped the meritorious list. The photostat copy of the offer of appointment



Agro
C/M

of Sri Babu Lal is being annexed herewith as ANNEXURE NO. D-2 to this affidavit. It is further stated that Sri Babu Lal and Km. Sushila Kandwal are still working on the post of Clerk Grade II against the vacant posts of General Assistant in the office of Director, Doordarshan Kendra, Lucknow without conversion order and the offer of appointments have been issued to them ignoring the petitioner when the petitioner is most suitable from them according to the meritorious list. The photostat copy of the offer of appointment of Km. Sushila Kandwal is being annexed as ANNEXURE NO. D-3 to this affidavit. It is further stated that after filing of the writ petition R.S. Rawat Director Doordarshan Kendra Lucknow informed to T.V. General for the vacancy occurred.

8- That the petitioner happened to be President of Group D staff Union and one and half years back Sri R.S. Rawat, Director, Doordarshan Kendra, Lucknow has torn the O.T.A. form of one Sri R.S. Pathak Group D staff, and the Group D staff were became annoyed with this illegal action of the Director, Doordarshan Kendra, Lucknow and the seven days black flag day was observed by the staff and the petitioner was the leader of the staff. It is further stated that the matter was referred to the Hon'ble Minister, Information & Broadcasting and Director General, Doordarshan, New Delhi and on tendering the apology by the Director before Group D staff with the petitioner, the strike was called-off and on account of this incident, the Director Sri R.S. Rawat personally annoyed with the petitioner, so the appointment of the petitioner has been withheld in order to harass the petitioner.



A-47
4/6
A/48

:: 5 ::

9. That on information by the Director -
D.D. K. Lucknow , Through telephonic
conversation for the existing vacancy
of C.G. Grade-II, in the office of the
Telegram by the Kashmiri Lal T.V. ~~Box No~~
General, D.D. ^{New Delhi} ~~Lucknow~~ , was sent to
R.S. Rawat Director Door Darshan Kadva,
Lucknow directing him for adjustment of
petitioner against the informed vacancy
occured in the grade of G.G. Grade II at
Lucknow. It was further directed by the
T.V. General for issue of offer of appointment
to the petitioner. But no offer of appointment
was issued uptill now to the petitioner
on account of malafide intention as
narrated in the preceding paragraph.
The photo stat copy of Telegram is being
Annexed as Annexure No. ⁴ ~~1~~4 to this writ
petition.

It is further stated that
the telegram was read by Director

A-48
4/7/49

:: 6 ::

Director D.D. K. Lucknow on 29-8-1935

10.

That the petitioner came to know that director D.D.K. Lucknow Sri R.S. Rawat in order to harrass the petitioner wants to get transfered him to some where else when the vacancy still existing in the office of D. D. K. Lucknow for the post of C . G. Grade II.

It is further stated that the

petitioner according to the director

of T. V. General is entitled to

to observe at Lucknow not any where else.

contd...7/-

4/5/80

- 9 -

~~As per the order of the Court dated 18.9.85~~

[Signature]

Lucknow Dated:
September 18 1985.

Deponent

Verification

I, the above named deponent do hereby verify that the contents of paras 1 to 10 of this affidavit are true to my own knowledge and there is no part of it is false and nothing material has been concealed, so help me God.

[Signature]

Deponent

I identify the deponent who has signed before me.

(S.C.Srivastava)
Advocat.

Solemnly affirmed before me on 18-9-85 at 10³⁰ am/pm by Sri Lal Ji Kashyap, the deponent who is identified by Sri S.C.Srivastava, Adv., High Court, Lucknow.

I have satisfied myself by examining the deponent that he understands the contents of paras of this affidavit which has been readout and explained to the deponent by me.



[Signature]
Oath Commissioner
High Court (Lucknow Bench)
LUCKNOW
No. 18-9-85
Date

In the Hon'ble High Court of Madras at Madras
Kudamam Bench. Dated 12/12/85

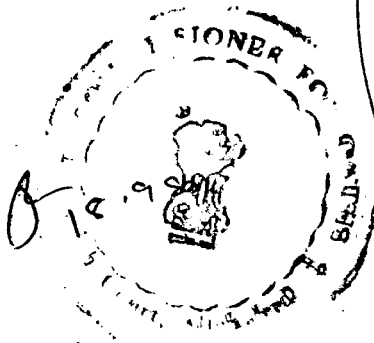
W.P.N. 44/2 of 1985 Y 9 8/51

Lalaji Kashyap ————— Rebuttal
vs

Union of India and others ————— ORs

ANNEXURE No D.I

कि-कॉपी
नानडी



Annexure No D-11

TELEPHONE
TELEGRAM DOORDARSHAN
R.S. RAWAT
DIRECTOR

D. O. No. PV(LKO)/1(7)/84-3

OFFICE OF THE DIRECTOR
DOORDARSHAN KENDRA
6, Mirabai Marg, Lucknow

Date June 12, 1985

Ref: DG's Office Memo No. A-34012/2/34/S-II dated 24.11.84 regarding recruitment to the 17th grade of Doordarshan in the grade of CG-II reserved for educationally qualified group 'D' staff of the subordinate offices of the Doordarshan. According to the same Memo, Shri Lalji Kashyap and Shri Babu Lal listed at serial number 1 and 2 and presently posted as group 'D' employees at DDK, Lucknow, have been posted at DDK Lucknow against the vacant posts of General Assistant.

Directorate

In this connection, your attention is drawn to the General's letter No. A-12015/3/84-S-II dated 25.2.84 regarding filling up the vacant post of General Assistant. In para II, it has been mentioned that the Doordarshan Kendras/Offices are advised that the candidates recommended by the SSC for the vacant post of General Assistant should be appointed only after the Government has issued formal orders for conversion of the post of General Assistant into those of CG-II. Since no orders for conversion of General Assistant to those of CG-II have been received until now, I seek your advice whether we are competent to issue appointment letter to Shri Lalji Kashyap and Babu Lal without waiting for conversion of the post to the Government.

In addition, I would also like to draw your attention to the appointment of Kum. Sushila Kandwal as CG-II. On 1.12.84, Kum. Sushila Kandwal, is the sister of late Late Mr. Chand, Lighting Assistant. In this connection, you may refer to Directorate's Office Memo No. 13/12/84-S-II dated 13.12.84 conveying the approval of the Directorate General for the appointment of Kum. Kandwal as Clerk Gd.II in Lucknow Kendra in relaxation of the provisions restricting such appointments to one member of the family as a special case. On 5.11.84, we approached the Directorate vide our letter No. PV(LKO)/1(7)/84-S dated 5.11.84 to approve the appointment of Kum. Kandwal as CG-II against one of the three vacant posts of CG-II at this Kendra. You are also aware that the case of General Assistant has been treated as dying cadre. Accordingly, reminders were also sent to the Directorate vide letter of even number dated 17.1.85 and 14.2.85. The Directorate's approval for the appointment is still awaited.

Since it is a matter of promotion concerning two of our colleagues, I would request you to communicate your decision to us at the earliest so that offer of appointment for CG-II could be issued to Shri Lalji Kashyap and Babu Lal.

Yours sincerely,

(R.S. RAWAT)

Shri Lalji Kashyap, (17th), DDK, Lucknow
Shri Babu Lal, (17th), DDK, Lucknow



Annexure No D-11

In the Hon'ble High Court of Judicature at Allahabad
Lucknow Bench, Lucknow.

writ petition No 4412 of 1985

Latje Karhyap ————— Petitioner

Union of India and others ————— Opposit Parties

Annexure No D-2

A. 21/2/85
15/10/85



(9)

54/12

Annexure No D-2

54

PHARAT ANZAR
SARADHAN KANDRA LUCKNOW

17/1/20

17/1/20

ORDER OF APPOINTMENT

In accordance with the Director General, Saradhan
New Delhi office memorandum No. 22/5/04-SII dated 6.8.03, the
Director, Saradhan Kendra, Lucknow is pleased to place on order
of appointment to the post of Grade-II against a vacant
post of General Assistant to Mr. Naba Lal, Group 'D' staff,
Saradhan Kendra, Lucknow against 10% quota of vacancies in the
grade of G.II reserved for educationally qualified Group 'D' staff
in the pay scale of Rs. 239-5-790-ER-5-325-0-345-ED-0-350-10
It may be noted that he will be on probation for a period of two
years from the date of his appointment as G.II against a vacant
post of General Assistant.

Shri Naba Lal,
Group 'D' Staff,
Saradhan Kendra,
Lucknow

Sd/-
(N. S. N.)
DIRECTOR

Copy to be

To The Director General, (Shri Naba Lal, DDA, Dy Commr)
Saradhan, Mandi House, New Delhi with reference to
his office memo. No. 22/5/04-SII dated 6.8.03 for
information.

To The Assistant, Saradhan Kendra, Lucknow

P.A. to Saradhan the Director, Saradhan Kendra,
Lucknow.

Approved Sd/- of Shri Naba Lal, Group 'D' Staff, Saradhan

Sd/-
N. S. N.



Handwritten signature and initials.

In the Hon'ble High Court of Judicature at Allahabad
Lucknow Bench, Lucknow. (5) 4/13

C.P.N. 4412 of 1985

Laljee Kashyap — Petitioner 8/5

v/s

Union of India and others — opp. parties

Annexure No D-3

नि.सं. ७
नालडी



(10)

5/14

Annexure No D-3

No. 17(173)/17/05-P/U.

Dated 26.7.03

D R A N D U M.

As per the approval of HQ.

Shan, New Delhi Memo No.13/12/04-SII dt. 18.7.03,
Interview/nominated by C.E.(N2), New

for the post of Clerk at this Kendra

Shri. Anoop Khandval is offered a

of Clerk Grade-II against the vacant post of General Assist.

(iv) at BDR, Lucknow on the following terms and

Post is Class. XII. (Non-Gazetted) and carries a Scale of Rs. 260-400. He will be given an initial pay of Rs. 260/- per month in the scale plus other allowances as admissible under rules.

2. Your appointment is purely temporary and ad-hoc basis initially for three months.

3. Your services will be terminable on either side in accordance with the Central Civil Service (Temporary Service) Rules, 1965, without assigning any reasons. The appointing authority, however, reserves the right of terminating your service forthwith or before the expiration of the stipulated period of notice by making payment to you of a sum equivalent to the pay and allowances for the period of notice or the un-expired portion thereof.

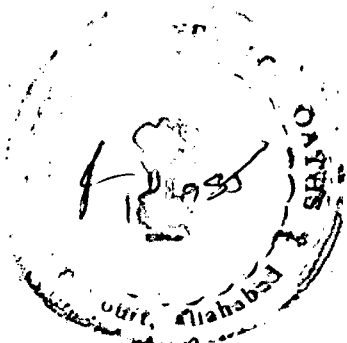
4. In regard to leave, travelling allowances and all other allowances and all the other matters, you will be governed by the rules and orders in force from time to time and applicable to the branch of public service to which you may belong.

5. You will observe strictly the rules laid down in Central Civil Service (Conduct) Rules, 1964. Any breach of these Rules will render you liable for disciplinary action.

6. You shall be liable to be posted and transferred anywhere in India and if you, on account of family circumstances anticipate any difficulty in the matter of place of posting, you should not reject the offer.

7. In accordance with the rules in force in regard to recruitment of service under the Government of India, no person who has been married to a wife living or who having a spouse living, shall be eligible for appointment to service provided that the Central Government may, if satisfied that there are special grounds for so ordering, exempt any person from the operation of this rule. The offer of appointment is, therefore, conditional upon the acceptance of the conditions mentioned above and to you to sign a declaration as in Annexure-1.

8. You will have no claim for benefits in respect of pension, gratuity, etc.



Handwritten signature and initials.

(69) 15

In the Hon ble High Court of Judicature
at Allahabad Lucknow Bench Lucknow

W.P. No - 4412 of 1985

8/5/85

Lal Ji Karyap ————— petitioner —

VS

Union of India & others ————— off - Parties

Amended No-D-4

अ-मंडित
प्रतिवादी



(11)

Annexure No - D-4

Received by Director Doordarshan Uro. 16
on 29/8/85

ZCZC YLNP52 YTPP YULV5 X 1655 AT LX 400 NEW DELHI 28 81 /81

R S RAWAT DIRECTOR DOORDARSHAN LUCKNOW

REF YOUR TELEPHONIC CONVERSATION WITH THE UNDERSIGNED TODAY AT
RESIDENCE (+) LALJI KASHYAP MAY NOW BE ADJUSTED AGAINST THE VACANCY
OCCURRED IN THE GRADE OF CG II AT LUCKNOW AS INFORMED BY YOU (+) S/S

RI BABU LAL AND LALJI KASHYAP'S OFFER OF APPOINTMENT MAY BE ISSUED
SIMULTANEOUSLY (+). FORMAL POSTING ORDERS OF LALJI KASHYAP BEING ISSUED

SEPARATELY (+) THIS HAS THE APPROVAL OF DYMDIRECTOR GENERAL
(PERSONNEL AND TRAINING (+) KASHMIRI LAL TV GENERAL

-- LN 418 ASERE 400 ASERE DND5 ZCZC

श्री. राजेश
लाल जी





In the Hon'ble High Court of Judicature at Allahabad
(The Bench), Lko

अदालत श्रीमान

महोदय

वादी (मुद्दै)
प्रतिवादी (मुद्दालेह)

का वकालतनामा

LALJI KASHYAP

Union of India versus
Dr. B. R. Ambedkar
Lko vs

वादी

बनाम

N.P. No. 4412/1985
नं० मुकद्दमा सन् १६ पेशी की ता० २४/११/८५ ई०
ऊपर लिखे मुकद्दमा में अपनी ओर से श्री

KAMAL UDDIN KHAN

एडवोकेट

महोदय

BEGUM SABHA KAMR

वकील

को अपना वकील नियुक्त करके प्रतिज्ञा (इकरार) करता हूँ और
लिखे देता हूँ इस मुकद्दमा में वकील महोदय स्वयं अथवा अन्य
वकील द्वारा जो कुछ पैरवी व जवाबदेही व प्रश्नोत्तर करें या अन्य
कोई कागज दाखिल करें या लौटावें या हमारी ओर से डिगरी
जारी करावें और रुपया वसूल करें या सुलहनामा या इकबाल
दावा तथा अपोल व निगरानो हमारी ओर से हमारे या अपने
हस्ताक्षर से दाखिल करें और तसदीक करें या मुकद्दमा उठावें
या कोई रुपया जमा करें या हमारी या विपक्ष (फरीकसानी) का
दाखिल किया रुपया अपने या हमारे हस्ताक्षर-युक्त (दस्तखती)
रसीद से लेवें या पंच नियुक्त करे - वकील महोदय द्वारा की
गई वह कार्यावाही हमको सर्वथा स्वीकार है और होगी मैं
यह भी स्वीकार करता हूँ कि मैं हर पेशी स्वयं या किसी
अपने पैरोकार को भेजता रहूंगा अगर मुकद्दमा अदम पैरवी
में एक तरफा मेरे खिलाफ फैसला हो जाता है उसकी जिम्मे-
दारी मेरी वकील पर न होगी। इसलिए यह वकालतनामा
लिख दिया कि प्रमाण रहे और समय पर काम आवे।

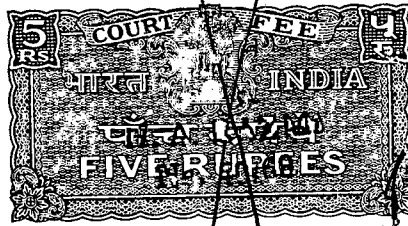
हस्ताक्षर

साक्षी (गवाह) साक्षी (गवाह)

दिनांक २७.११.८५ अहीना

Accept
Kamal Uddin Khan
Accept
(Begum Sabha Kamr)
Amr

IN THE HON'BLE HIGH COURT OF JUDICATURE AT ALLAHABAD
(LUCKNOW BENCH) LUCKNOW



CIVIL MISC. AN . NO. ;1985

in Re:

WRIT PETITION NO. 4412/1985

Lalji Kashyap

.. Applicant/Petitioner

versus

Union of India and others

.. Opposite Parties

APPLICATION FOR HEARING THE PETITIONER'S COUNSEL ON MERITS
BEFORE RECALLING THE ORDER DATED 18.10.1985 AND PRAYING FOR
AD INTERIM MANDAMUS COMMANDING OPPOSITE PARTY 3 TO ADJUST
PETITIONER AT LUCKNOW (TILL FILING OF COUNTER AFFIDAVIT &
REJOINDER-AFFIDAVIT) AGAINST THE JUST FALLEN VACANT POST OF
SUSHILA KANDWAL AT DOORDARSHAN KENDRA LUCKNOW.

For the facts and circumstances as disclosed in the accompanying affidavit it is most humbly prayed that after hearing the petitioner's counsel on merits this Hon'ble Court be pleased to re-call its order dated 18.10.1985 and the opposite party No.3 be commanded by way of ad-interim mandamus to comply with the orders of opposite party No.2 dated 25.5.1985(Annexure II) and 29.8.1985(Annexure D-IV) by adjusting the petitioner against the post of clerk grade-II which was illegally filled up on ad-hoc basis by Km. Sushila Kandwal (Annexure D-III) on 26.7.1985 for 3 months and which has fallen vacant on 26.10.85 and it be directed that no ad-hoc appointment be made to fill it up.

Lucknow

Counsel for the Petitioner

Oct. 28, 1985.

Lalji Kashyap 26

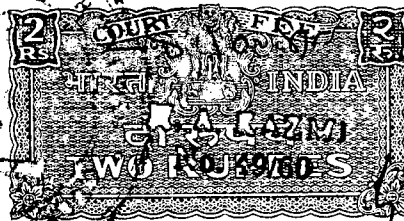
60 6/7

IN THE HON'BLE HIGH COURT OF JUDICATURE AT ALLAHABAD
(LUCKNOW BENCH) LUCKNOW

Affidavit in support of Civil Misc, An. No.
in

Writ Petitioner No. 4412/85

1985
AFFIDAVIT
75
HIGH COURT
ALLAHABAD



Lalji Kashyap, aged about 28 years, son of Sri Avadh
Behair, resident of House No.156/33, Mohalla Birhana
East, Subhash Marg, Lucknow

.. Deponent/Petitioner

Versus

Union of India & others

.. Opposite Parties.

A F F I D A V I T

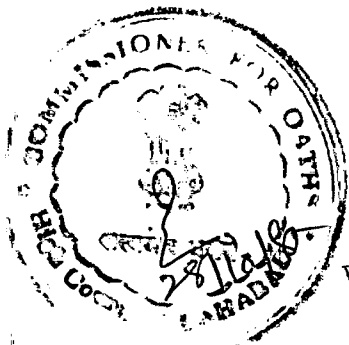
I, Lalji Kashyap, aged about 28 years, deponent, son
of Sri Avadh Behari, resident of House No.156/33, Mohalla
Birhana East, Subhash Marg, Lucknow, do hereby most solemnly
affirm and state on oath as under:-

1. That the deponent is himself the petitioner in the
above noted writ petition and as such is fully conversant
with the facts and circumstances of the case as deposed
hereunder.
2. That precisely and concisely the following is the
sequence of events in chronological order prior to filing
of the instant petition.
 - i) That the opposite party No.2 on May 25, 1985, promoted
and posted the petitioner as a Clerk Grade II at
Lucknow vide Annexure II in consequence of his
topping the list of successful candidates on March 20, 85'

Lalji Kashyap

at a departmental competitive examination vide Annexure I to the Writ Petition.

- ii) That on June 3, 1985, the petitioner was relieved of his duties and a peon by the Station Engineer, T.V. Relay Centre, Unnao vide Annexure III.
- iii) That on June 4, 1985, the petitioner submitted his joining report at Lucknow vide Annexure IV but the same day the opposite party No.3 reducing the petitioner in rank directed him to join back at Kanpur as peon vide Annexure V.
- iv) That on July 26, 1985, the opposite party no.3 illegally filled up the first post of General Assistant as Clerk Grade II by a woman candidate Km. Sushila Kandwal on adh-hoc basis for 3 months vide Annexure D-III (Supplementary Affidavit 10,707 (W)/85) instead of filling it up by the petitioner in compliance to Annexure II.
- v) That on August 24, 1985, the opposite party no.3 illegally filled up the second post of General Assistant as Clerk Grade II by Sri Babu Lal on regular basis vide Annexure D-II (supplementary Affidavit 10,707 (W)/85) but without the approval of the opposite party No.2 which came 5 days later on August 29, 1985, vide Annexure D-IV.
- vi) That the said appointment of Sri Babu Lal was not made on temporary basis and there was neither any stipulation regarding acceptability of the same by him nor regarding liability of transfer to other T.V. Station in India.



Dr. K. K. Singh

6/4 (9)

3. That precisely and concisely the following is the sequence of events in chronological order after the filing of the instant petition on 2.9.1985 when this Hon'ble Court was pleased to order that counter affidavits' copy to be given to the petitioner on 12.9.1985 and rejoinder affidavit's copy be given to the Standing Counsel, Union of India on 15.9.1985 and both the Counter and rejoinder affidavits be filed on 16.9.1985 in court the date of listing:

- i) That no counter affidavit has been filed nor a copy thereof given to the petitioner's counsel till today, the date of deposing this affidavit.
- ii) That the opposite party No.3 who was bent upon defying the orders of opposite party No.2 and not complying with them (as contained in Annexures II and DIV) for extraneous reasons being prejudiced against the petitioner became restless when the petitioner filed this writ petition and criminally spent thousands of rupees of public money in telephoning the opposite party no.2 and in rushing up and down New Delhi on official pretexts to somehow get the order of promotion and posting of the petitioner to Lucknow cancelled or modified.
- iii) That on 10.9.1985 the opposite party No.3 after a lot of chivalrous brain work and crooked advice of his associates succeeded in manufacturing a ground by way of an un-numbered "Memorandum and warning" to the petitioner filed herewith as Annexure S-I against an act which the petitioner could never dare to do or

Annex.S-I

contd ...4/

Atyee Kishy Sh



6/5 (5)

did and sent a copy of the same to the opposite party No.2 so as to further his interest of torturing the petitioner by getting his promotion and posting order cancelled/modified.

iv) That the said warning/memo was cleverly given to the petitioner as late as on 21.10.1985 after the passing of orders by this Court on 18.10.1985 so that the petitioner may not have a weapon of malafide in hand during arguments in court.

Annex. S-II

v) That on 13.9.1985, the opposite party No.3 not yet satisfied with his earlier mischief of 10.9.1985, committed another act of malice by issuing a show cause notice to the petitioner filed herewith as Annexure S-II Contemptuously making false allegations against him and distastefully and in disregard of the powers of the Hon'ble court asking him how he filed this writ petition without his permission which means the opposite party No.3 had the power to prevent the petitioner from seeking the protection of this hon'ble court by rejecting his application for permission which was in fact noted much earlier on 16.8.1985 and which was not disposed off by the opposite party no. 2 and remains undisposed till date.



vi) That the opposite party No.3 again rushed the opposite party No.2 telephonically awaring him of his achievements in torturing the petitioner and requesting him to cancel or modify the promotion and posting order of the petitioner.

vii) That the said show-cause notice/memo was cleverly given to the petitioner as late as on 21.10.1985 after the passing of orders by this hon'ble court on 18.10.1985

contd ... 5/

Justice Kanungo

so that the petitioner may not have a weapon of malafide in hand during arguments in court.

viii) That very hurriedly on 13.9.1985, extraneously influenced by the opposite party no.3, the Dy. Director of Administration without the approval or orders of the opposite party no.2 the competent authority passed an order filed herewith an Annexure S-III preventing the petitioner from joining at Lucknow.

Annex. S-III

a) by filling up the Lucknow position by unnecessary transferring a clerk grade II, within 3 months of his taking over charge at Gorakhpur, to Lucknow, and

b) by maliciously and for collateral purposes under undue influence of the opposite party No.3 transferring the petitioner to Gorakhpur under false cover of posting and partial modification of Annexure II and requesting a technical man incompetent to issue an offer of appointment to the petitioner.

ix) That since Annexure II promotes and posts the petitioner to Lucknow without direction to opposite party No.3 to issue any offer of appointment, such offer is illegal and much more illegal when it is issued by a technical man in the presence of a Director, Television Centre, Gorakhpur, who is the administrative head of the Centre.

x) That technical person the Superintending Engineer, All India Radio, Gorakhpur, who cannot be the administrative head of the T.V. Centre in the presence of a Director on 30.9.1985 illegally issued an offer of appointment on temporary basis to the non-technical petitioner, discriminating him from Babu Lal (Annex. D-II)



Babu Keshyash

b/h (5)

Annex. S-IV

and treating the petitioner as an outsider by asking him if the offer was acceptable to him, discriminating him from Babu Lal (Annexure D-II), a copy of the said offer of appointment is Annexure S-IV to this application.

4. That on account of valid and invalid urgent slips the petition could not be taken up till 18.10.1985 when upon extreme insistence on the part of the petitioner's counsel the case was taken up at 3.58 p.m. by the Hon'ble court.
5. That the petitioner's counsel was shocked when informed by this Hon'ble Court that her power was not on record through a joint power was filed by her along with her husband Mr. Kamal Uddin Khan, Advocate and which had just disappeared from the file, a matter which warrants an enquiry, because if it comes to that, no counsel has any proof in the form of receipt of any papers filed by him/her in court and all filings are optimistically done in strict confidence and trust with an earnest hope that papers filed shall be safely taken custody of and retained in the right shape.
6. That when questioned by this Hon'ble court regarding the reason of appointment of Km. Sushila Kandwal on adhoc basis the standing counsel, Union of India, prayed for time.
7. That when asked by this Hon'ble court as to why no counter affidavit had been filed by the opposite parties, the learned standing counsel, Union of India, prayed for time.



contd ... 7/

Ka. Gur. Kar. Singh

b4 (6)

8. That when asked by this Hon'ble Court if he had the amended order of opposite Party No.2 with him as claimed by him as having been passed, the learned Standing Counsel replied in negative. A/8
9. That the opposite parties did not comply with the order of this hon'ble court dated 2.9.1985 and also the order of this hon'ble court directing the supply of counter affidavit's copy by 4.10.1985 to the petitioner's counsel.
10. That a prima facie case was made out which made this Hon'ble court admit this Writ petition but since the petition was filed by the petitioner to press his claim of posting at Lucknow (Vide Annexures II and D-IV) on the promoted post, an ad-interim mandamas was warranted as an interim relief to let the petitioner join at Lucknow pending disposal.
11. That owing to shortage of time this hon'ble court could not consider matters in the right perspective before directing petitioner ~~to~~ join at Gorakhpur, which defeats the entire purpose of filing this Writ Petition.
12. That the post of Clerk Grade II illegally filled up by the opposite party no.3 (vide Annexure D-III) on 26.7.1985 has fallen vacant during Dussehra Vacations on 26.10.1985 being an ad-hoc appointment for 3 months.
13. That it would be expedient in the interest of justice that the order passed by this hon'ble court on 18.10.85 be re-called and an ad-interim mandamus be issued

contd ... 8/-

Naresh K. Singh

b/a (67)

commanding opposite party No.3 to adjust the petitioner at Lucknow (at least till the filing and exchanging of Counter and rejoinder affidavits) against the just fallen vacant post of General Assistant which was illegally filled up by Km. Sushila Kandwal at Lucknow and it would also be expedient in the interest of justice that further ad-hoc appointment to the said post be stayed.

Lucknow

.Oct. 28, 1985

Lalji Kashyap
Deponent.

Verification

I, the above named deponent do hereby verify that the contents paras 1 to 3 are true to my personal knowledge and those of para 4 to 13 are believed by me to be true. Nothing has been concealed so help me God.

Lalji Kashyap
Deponent.



I know the deponent who has signed before me.

S. Kamal
(Begum Sahiba Kamal)
Advocate.

Solemnly affirmed before me on 28.10.85 at 11.00 a.m./p.m. by the deponent *Sri Lalji Kashyap* who is identified by Sri Begum Sahiba Kamal, Advocate High Court Allahabad.

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

Dated: Oct. 28, 1985.

Mohd. Zubair
(Advocate)
Oath Commissioner
No. 245775 Date 28.10.85

Lalji Kashyap

Received on 21/8/85

भारत सरकार
दूरदर्शन केन्द्र: लखनऊ

L. R. Singh

X/10

सं. डीटीसीएल/ईपीएच/85

दिनांक 10-9-85

ज्ञापन

श्री लालजी कश्यप, चपरासी, टी.वी. रिले केन्द्र, कानपुर अपने अनुरोध पर मुझे मिलने आज दोपहर मेरे कक्ष में आये। उस समय मेरे और उनके अतिरिक्त और कोई व्यक्ति मेरे कक्ष में नहीं था। श्री लालजी कश्यप ने मुझे चेतावनी दी कि उनके विषय में कोई भी कार्यवाई करने से पहले मैं ठीक तरह सोच समझ लूँ क्योंकि ऐसा करने पर वे मुझे नुकसान पहुँचा सकते हैं।

श्री लालजी कश्यप का केन्द्र अध्यक्ष के प्रति इस प्रकार का व्यवहार असोभनीय तो है ही साथ ही उस मर्यादा का भी स्पष्ट उल्लंघन करता है जो एक सरकारी कर्मचारी होने के नाते उन्हें निभानी होती है। श्री लालजी कश्यप को चेतावनी दो जा रही है कि वे अपने व्यवहार को ठीक रखें और कार्यालय की मर्यादा के अनुस्यू ही कार्य करें।

राजेन्द्र सिंह रावत
निदेशक

श्री लालजी कश्यप,
चपरासी, टी.वी. रिले केन्द्र,
कानपुर

दरा- केन्द्र अभियंता, टी.वी. रिले केन्द्र, कानपुर

पंजीकृत
=====भारत सरकार
दूरदर्शन केन्द्र, लखनऊ

सं: दू0क0 ॥लख॥ 21 ॥55॥ /80-सत/चार

दिनांक : 13-9-1985

ज्ञापन
=====

श्री लालजी कश्यप, पत्रवाहक, दूरदर्शन केन्द्र, कानपुर दिनांक 16-8-85 से अपनी इयूटी से अनुपस्थित चल रहे हैं। उनके किसी भी अवकाश आदि का प्रार्थना-पत्र कार्यालय को प्राप्त नहीं हुआ है। श्री कश्यप ने अपने कार्यालय प्रधान की अनुमति प्राप्त किये बिना ही मुख्यालय भी छोड़ दिया तथा बिना किसी अनुमति आदि प्राप्त किये ही अपनी पदोन्नति के सम्बन्ध में न्यायालय में वाद प्रस्तुत किया है। उन्होंने अपने 2 दिन के अवकाश दिनांक 19 व 20-8-85 का प्रार्थना-पत्र दिनांक 3-9-85 को केन्द्र अभिर्भाता दूरदर्शन केन्द्र, कानपुर को प्रस्तुत किया जिसमें उन्होंने मुख्यालय छोड़ने व न्यायालय में वाद प्रस्तुत करने की अनुमति मांगी है। जबकि ये इसके पूर्व ही मुख्यालय छोड़ चुके थे तथा कसबईबाब न्यायालय में वाद प्रस्तुत कर चुके थे।

श्री कश्यप का उपरोक्त आचरण सरकारी कर्मचारियों से अपेक्षित आचरण नहीं है। उन्होंने अपने प्रार्थना-पत्र दिनांक 16-8-85 जो कि उन्होंने दिनांक 3-9-85 को अपने कार्यालय प्रधान को प्रस्तुत किया, के द्वारा कार्यालय को गुमराह करने का प्रयास किया है तथा लगातार अपनी स्वेच्छया अनुपस्थिति से बिना अनुमति के मुख्यालय छोड़कर अनुशासन भंग किया है तथा सरकारी कार्यों में रुकावट डालने के भी ये दोषी पाये गये हैं।

श्री लालजी कश्यप यह बतायें कि यैथों न उपरोक्त आधार पर उनके विरुद्ध अनुपस्थित की कार्यवाही की जाये। उनका स्पष्टीकरण इस ज्ञापन की प्राप्ति के 3 दिन के अन्दर अधोदस्ताखरी के समक्ष पहुँच जाना चाहिए अन्यथा यह समझा जायेगा कि उन्हें इस विषय में कुछ नहीं कहना है, तदनुसार उनके विरुद्ध नियमानुसार कार्यवाही की जायेगी।

॥ बी0 के0 चक्रवर्ती ॥
प्रशासनिक अधिकारी
कृते निदेशक

श्री लालजी कश्यप, पत्रवाहक, 156/33- बिरहाना ईस्ट, सुभाष मार्ग, लखनऊ।

प्रतिलिपि:-

- 1- श्री लालजी कश्यप, पत्रवाहक, दूरदर्शन केन्द्र, कानपुर।
- 2- केन्द्र अभिर्भाता, दूरदर्शन केन्द्र कानपुर द्वारा आकाशवाणी कानपुर। कृपया श्री लालजी कश्यप को इस ज्ञापन की प्रति देकर उनसे प्राप्ति रसीद प्राप्त कर इस कार्यालय को प्रेषित करें। यह भी सूचित करें कि वे कब कार्यालय उपस्थित हुए। उनके अवकाश का भी विस्तृत ब्यौरा प्रेषित करें।

कृते निदेशक
=====

Annexure S - III

No.22/5/83-SII
Government of India
Directorate General: Doordarshan
Mandi House New Delhi

Dated: 13.9.1985

ORDER

Shri Parshu Ram, Clerk Grade-II, Doordarshan Kendra, Gorakhpur is transferred in the same capacity and posted against the post of General Assistant at Doordarshan Kendra, Lucknow with immediate effect.

Shri Lalji Kashyap, Poon, Television Relay Control, Kanpur is posted against the resultant vacancy at Doordarshan Kendra, Gorakhpur in partial modification of this Directorate's O.M.No.A34012/2/84-SII, dated 25-6-1985.

Sd/-
(T.S.SUNDARESWARAN)
DY.DIRECTOR (F ADMN)
for Director General.

Copy to:

1. Director, Doordarshan Kendra, Lucknow.
2. Director, Doordarshan Kendra, Gorakhpur. The Superintending Engineer, Gorakhpur is requested to issue order of appointment to Shri Lalji Kashyap urgently.

Sd/-
for Director General.



6/13 (71)
Annexure S IV

GOVERNMENT OF INDIA

ALL INDIA RADIO : GORAKHPUR

NO. GRK-18(5)/85-S/2734

Dated: 30.9.85

MEMORANDUM

In accordance with the D.G. Doordarshan, New Delhi order No.22/5/85-SII dt.13.9.85 (Para 2), Shri Lalji Kasyap, Peon at Television Rely Centre, Kanpur is hereby offered an appointment to the post of Clerk Grade -II in the pay scale of Rs.260-400 at Doordarshan Kendra, Gorakhpur on the following term & conditions:-

1. The post is Central Civil Services, Class-III (Non Technical) and carries a pay scale of Rs.260-400 plus other allowances as admissible under the rules.
2. He will be appointed in temporary capacity and will be on probation of two years from the date of joining the new post.
3. If the offer is acceptable to him, he should intimate their acceptance immediately.

S. C. Mishra
(S. C. MISHRA)
SUPERINTENDING ENGINEER

Lalji Kasyap
Shri Lalji Kasyap,
Peon,
Television Relay Centre,
Kanpur.

CENTRAL ADMINISTRATIVE TRIBUNAL
LUCKNOW BENCH, LUCKNOW

INDEX SHEET

CAUSE TITLE *TS-1924/87* *W.P. No 442/85* OF

NAME OF THE PARTIES *Halgi Kashyap* Applicant

Versus

122 I. 207 Respondent

Part A.

Sl.No.	Description of documents	Page
1	Index sheet	A1
2	Order sheet	A2 to A4
3	Judgment dt. 21.4.93	A5 to A8
4	Writ Petition	A9 to A36
5	Attidavit	A37 to A38
6	Power	A39 to A40
7	Restoration applications	A41
8	CM. No 10, 707	A42 to A43
9	Supplementary	A44 to A58
10	Power	A59
11	Interim applications	A60 to 73
12	Part A. No 320/90	A74
13	Power	A75
14	Order sheet	A76 to A80
15	MA No 748/91 delay/condon/daunties Affidavit	A81 to A89
16	Rejoinder Affidavit & replication	A90 to A96
17	Rejoinder Affidavit	A97 to A106
18	Power	A107 -

CERTIFICATE

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

This file received from record room without protest

Checked on Dated *02.12.11*...

Counter Signed.....

[Signature]

Section Officer/In charge

[Signature]
Signature of the
Dealing Assistant

Central Administrative Tribunal
Lucknow Bench

Case Title - T.A. 1924/87-1993

Applicant - A 11412 of 1985

Respondents -

1) C.A. 1 of 1985 Respondents

Part 1.1.1.

Description of Documents Page

1. Check list

Order sheet - A-1 to A-3

Final Judgment - A-4 to A-7

Petition Copy - A-8 to A-16

Annexure A-17 to A-37

Lower - A-38 to A-39

Application - A-40

Application - A-41

Application - A-42

Supplementary Affidavit - A-43 to A-49

Annexure A-50 to A-57

Lower - A-58

Application - A-72

Lower - A-73

Annexure - A-74 to A-76

Examiner - A-77 to A-83

Guarantee - A-84 to A-94

Sign in ob - A-95 to A-100

Annexure A-101 to A-104

Lower A-105

B-F file - B-1 to B-5

C-F file - C-1 to C-6

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
CIRCUIT BENCH, LUCKNOW

ORDER SHEET

Registration No. 1924 of 1987.13

APPELLANT
APPLICANT

Lat ben 406

VERSUS

902

DEFENDANT
RESPONDENT

Serial Number of order and date	Brief Order, Mentioning Reference if necessary	How complied with and date of compliance
---------------------------------	--	--

31/10/89

Hon' Mr. D.K. Agrawal, J.M.

None appears for the parties.
List this case on 15-12-89 for orders.

DA
J.M.

(sns)

ON
Case has been received from CAT, Mid. on 14.9.89.
Case is admitted.
Date was from CAT, Mid. 14.9.89. but not attached.
Submitted for

15/11

No sitting Adj. to 5.3.90.
Notices were issued by the Office at Mid. None is present. Let notice be issued again to the parties as directed by the Hon. D.K. Agrawal, J.M.

8/5/90

Hon. J.P. Sharma, J.M.

Shri Kamal Lakshmi Khanna is present for the applicant. He request for and is allowed 4 weeks time to file Counter affidavit to which rejoinder affidavit, if any, be made within 2 weeks thereafter.

List for admission on 8/5/90.

die
J.M.

or
notice given
26/11/90

Notices were issued on 20/11/90.
No answer filed.
Case has been return back.

S.P. Ode

No reply
3.12

7/5

1924-02-17

8.8.91
D.R.

country has not been
filed till today.

D.P. is absent.

country to be filed

on 19.9.91 or

before. case is

listed on 19/9/91

19.9.91
D.R.

Both the parties

are absent today.

country to be filed

on 8 before

8/11/91.

8.11.91
D.R.

Applicant is present

in person country

has not been filed

Respondent to file

it, by 13/11/92.

T.A. 1924/87

13.1.92

D.R.

Applicant is present

He did not file

Rejoinder. He is

ordered to file it,

by 27/3/92

27.3.92

D.R.

Applicant's side is

present. He did not

file Rejoinder till

today. He is further

ordered to file it by

12/5/92

12.5.92

D.R.

Applicant's side is

present. He is ordered

to file Rejoinder by

5/8/92.

5.8.92

D.R.

Applicant is present. He is ordered

to file rejoinder by 12-10-92

(A-2)

A/3

CENTRAL ADMINISTRATIVE TRIBUNAL, CIRCUIT BENCH LUCKNOW.

...

T.A. NO. 1924 of 1987
(W.P. No. 4412 of 1985)

Lalji Kashyap Applicant.

Versus

Union of India
and others Respondents.

...

Hon. Mr. Justice U.C. Srivastava, V.C.
Hon'ble Mr. K. K. Seth, Member (A)

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

This is a transferred case under Section 29 of the Administrative Tribunals Act, 1985. By means of this petition, the petitioner has prayed that a writ of mandamus be issued commanding the respondent no. 3 to comply the order dated 25.5.85 and further the respondent no. 3 may be directed to allow the applicant to resume his duties w.e.f. 4.6.1985 on the post of Clerk Grade -II against the vacant post of General Assistant, and further a mandamus may be issued directing the respondent no. 3 to accept the joining report of the applicant and he be absorbed in the vacant post of General Assistant and to award the salary and other emoluments etc w.e.f. 4.6.1985, and further a writ of certiorari be issued for quashing the order dt. 4.6.1985 passed by the Director, Doordarshan, Lucknow.

2. The applicant was initially appointed on the post of peon in the pay scale of Rs. 196-230

A-5

A/6

- 2 -

in the year 1976 at Door Darshan Kendra, Lucknow and was transferred to Television Relay Centre, Kanpur on 15.12.1983 on the same post. The applicant was posted at Doordarshan Kendra, Lucknow against the vacant post of General Assistant by the Director General, Government of India on 25.5.1985. The applicant was relieved from Doordarshan Relay Kendra, Kanpur on 3.6.85 and he submitted his joining report on 4.6.85 to the Director, Doordarshan Kendra, Lucknow. The Director, Doordarshan Kendra, Lucknow did not allow him to join his duties as Clerk Grade-II against the vacant post of General Assistant and issued an order on 4.6.1985 and directed him to report at Kanpur. According to the applicant, after the relieving order dated 3.6.1985, he gave attendance daily in the office of Doordarshan Kendra, Lucknow but the Director did not allow him to sign in the attendance register. On 6.6.1985, he intimated to the Director, Doordarshan Kendra Lucknow for his stay at Doordarshan Kendra, Lucknow to be treated as his duty period. On 2.7.1985, he further requested to the Director General, Doordarshan New Delhi for permission to the post of Clerk Grade-II immediately. A telegram dt. 10.7.1985 was issued by the Director, Doordarshan Lucknow to the applicant directing him to join immediately at Kanpur, otherwise, disciplinary action will be taken against him. In was, in these circumstances, the applicant was compelled to join at Kanpur.

3. In the Rejoinder affidavit, the applicant

4

AG

A
7

- 3 -

has given the example of Babulal who was below him in the panel but was promoted and Smt. Susheela Kandawal wife of Sri Satish Chandra.

4. The respondents in their return, have challenged the claim of the applicant and have pointed out that the Staff Selection Commission made a selection. The applicant submitted his joining report on 4.6.1985 but he was informed that the matter had been referred to Doordarshan Directorate, New Delhi and till the decision, it was not possible to allow him to join his duties as General Assistant at Lucknow Kendra, and he should report back to Kanpur. A few posts of General Assistants were available to the applicant could not be allowed to join his duty on the said post without clarification from the Directorate as to whether the post of General Assistant could be filled up by appointing Clerk Grade-II against that post, and therefore, asked to report back to Television Relay Centre, Kanpur. He could not be allowed to join at Lucknow because no post of Clerk Grade-II was vacant. As far as Smt. Susheela Kandawal is concerned, it was stated that her appointment was on compassionate basis against the service of his brother Sri Satish Chandra who was working as a Lighting Assistant at Doordarshan Kendra, Lucknow. The applicant in his Rejoinder Affidavit has filed the copy of the appointment letter of Sri Babu Lal who was junior to him in the panel. In our opinion, if the persons junior to the applicant has been given,

appointment, the applicant should also have been given appointment but as in the meantime, the applicant has been given promotion, the relief as claimed by the applicant for his promotion has got to be dismissed, with the observation that the applicant should be deemed to have been appointed as he was entitled to get the appointment in preference to his juniors and in case more than one compassionate appointment has been given, as in place of Sri Satish Chandra, the applicant will be deemed to have been appointed before the other member was given appointment and with this deemed appointment, the question of applicant's seniority will be considered. With these observations the applicant is dismissed. NO order as to costs.


Member(A)


Vice-Chairman

Dated: 21.4.1993

(n.u.)

A-72

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,

ADDITIONAL BENCH

L u c k n o w .

C.M. An. No. 320/90 (K)
Transferred Writ Petition No: 4412/85
Renumbered 1984 of 1987.

B E T W E E N

LAL JI KASHYAP ,.....PETITIONER/APPLICANT

A N D

UNION OF INDIA & OTHERS..... RESPONDENTS

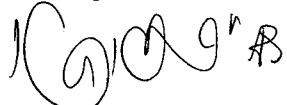
APPLICATION FOR RESTORATION OF THE ABOVE
NOTED MATTER DISMISSED FOR DEFAULT TODAY
IN THE FORE-NOON

The Counsel for the petitioners most humbly submits
as under:-

1. That the above-noted matter was listed at Serial Number-3 to-day (i.e. 8.5.90) for hearing.
2. That the undersigned who mainly practiced at the Lucknow Bench, Lucknow of the Hon'ble High Court, Allahabad, was held up for a little while but the moment he reached this Hon'ble Tribunal he was informed that his matter has been dismissed for default.

It, is therefore, prayed that, the above-noted matter which is mature for hearing may kindly be restored forthwith in the interest of justice.

Lucknow dated,
8.5.90.


(M.KAMALUDDIN)
ADVOCATE,
COUNSEL FOR THE PETITIONER.

In The Hon'ble High Court of Judicature at Allahabad
(Lucknow Bench), Lucknow.

ब अदालत श्रीमान

महोदय

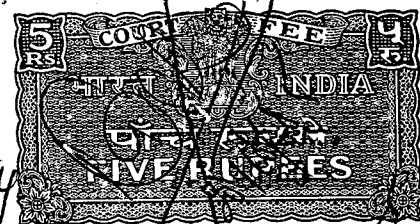
वादी (मुद्दई)
प्रतिवादी (मुद्दा अलेह)

का

वकालतनामा

Lalji Kashyap — Petitioner

Union of India and others — Opp Party



वादी (मुद्दई)

बनाम

प्रतिवादी (मुद्दा अलेह)

W.P. No 4412/1985

नं० मुकद्दमा

सन् १९

पेशी की ता०

१९

ई०

ऊपर लिखे मुकद्दमा में अपनी ओर से

श्री

Kamal Uddin Khan Advocate

Begum Sabiha Kamat Advocate

वकील

को अपना वकील नियुक्त करके प्रतिज्ञा (इकरार) करता हूं और लिखे देता हूं इस मुकद्दमा में वकील महोदय स्वयं अथवा अन्य वकील द्वारा जो कुछ पेशी व जवाबदेही व प्रश्नोत्तर करें या अन्य कोई कागज दाखिल करें या लौटावे या हमारी ओर से डिगरी जारी करावे और रुपया वसूल करें या सुलहनामा या इकबाल दावा तथा अपील व निगरानी हमारी ओर से हमारे या अपने हस्ताक्षर से दाखिल करें और तसदीक करें या मुकद्दमा उठावे या कोई रुपया जमा करें या हमारी या विपक्ष (फरीकसानी) का दाखिल किया रुपया अपने या हमारे हस्ताक्षर-युक्त (दस्तखती) रसीद से लेवे या पंच नियुक्त करें — वकील महोदय द्वारा की गई वह कार्यवाही हमको सर्वथा स्वीकार है और होगी मैं यह भी स्वीकार करता हूं कि मैं हर पेशी स्वयं या किसी अपने पैरोकार को भेजता रहूंगा अगर मुकद्दमा अदम पैरवी में एकतरफा मेरे खिलाफ फैसला हो जाता है उसकी जिम्मेदारी मेरी वकील पर न होगी। इसलिए यह वकालतनामा लिख दिया कि प्रमाण रहे और समय पर काम आवे।

हस्ताक्षर

साक्षी (गवाह)

साक्षी (गवाह)

दिनांक

महीना

20/1/85

नाम अदालत

नं० मुकद्दमा

नाम फरीकसानी

Accepted
Kamal

ORDER SHEET

IN THE HIGH COURT OF JUDICATURE AT ALLAHABAD

W.P.

No.

1412

of 198

85

vs.

B
1 A-927

1/26

Date	Note of progress of proceedings, and routine orders	Date of which case is adjourned
1	2	3
2-9-85	<p>Deon S.C. Mathur,)</p> <p>Deon G.B. Singh,)</p> <p>On behalf of opp parties to 3 -</p> <p>list for further orders on 16th Sept 1985.</p> <p>Sd. S.C. Mathur</p> <p>Sd. G.B. Singh</p> <p>2-9-85</p> <p>C.M. No 10,072 of 85</p>	
2-9-85	<p>Deon S.C. Mathur,)</p> <p>Deon G.B. Singh,)</p> <p>the list along with W.P.</p> <p>Sd. S.C. Mathur</p> <p>Sd. G.B. Singh</p> <p>2-9-85</p>	
5.9.85	<p>Fixed for Admission.</p> <p>Hon SCM J</p> <p>Hon GBS S</p> <p>Sd</p> <p>Box</p>	<p>to Bench (Fixed)</p>

16/9/85

ORDER SHEET

IN THE HIGH COURT OF JUDICATURE AT ALLAHABAD

W.D.

No.

4412

of 1985

vs.

Date	Note of progress of proceedings and routine orders	Date of which case is adjourned
1	2	3
20/9/85	Hr. S.C. Mathur J.	
	Hr. G.B. Singh J.	
	Sh. H.N. Tilkhan has produced	
	before us the order of Director General	
	dated 13.9.85. In oral arguments	
	learned counsel has tried to draw	
	distinction in the post of General	
	Assistants and Grade-II Clerks.	
	The opposite parties may file a	
	short counter affidavit indicating	
	their defence. Copy of the affidavit	
	shall be served upon learned counsel	
	for the petitioner by 4th of October 1985	
	The original shall be filed in Court	
	when the case is next listed.	
	List on 8th October 1985.	
	If the petitioner so desires he	
	may file rejoinder affidavit	
	by the date fixed.	
	Rd	28.9.85
	Hr. S.C.M.S.	
	Hr. G.B.S.S.	
	put up to number	
		for Bench (fixed)

8.10.85

ORDER SHEET

IN THE HIGH COURT OF JUDICATURE AT ALLAHABAD

No. 4412 of 1985.

25.

8/3/85

8/3/85

Date	Note of progress of proceedings and routine orders	Date of which case is adjourned
1	2	3
17-10-85	<p>Hon. S. C. M. J.</p> <p>Hon. G. B. Singh J.</p> <p>Put up tomorrow.</p> <p>Per <i>[Signature]</i> 17.10.85</p>	
18-1-85	<p>Hon. S. C. M. J.</p> <p>Hon. G. B. S. J.</p> <p>Admit</p> <p>See order passed on the day application</p> <p>Per <i>[Signature]</i> 18/10/85</p>	
2-11-85	<p>C.M.A. - PT for modification of order</p> <p>Hon. S. C. M. J.</p> <p>Hon. G. B. S. J.</p> <p>Rejected.</p> <p><i>[Signature]</i> 29/11/85</p>	

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
ADDITIONAL BENCH,
LUCKNOW.

TRANSFERRED WRIT PETITION 4412/85
RENUMBERED 1924 OF 1987

B E T W E E N

LAL JI KASHYAP

aged about 34 years, son of Mr. Avadh Behari;
resident of House No. 156/33, Birhana East,
Subhash Marg, Lucknow.

... APPLICANT/PETITIONER

A N D

1. UNION OF INDIA

Through its secretary, Ministry of Information and
Broad Casting, Department of Doordarshan, New Delhi.

2. DIRECTOR GENERAL

Doordarshan, Government of India, Directorate General
Doordarshan, Mandi House, New Delhi;

3. DIRECTOR

Doordarshan Kendra; 24, Ashok Marg, Lucknow.

... RESPONDENTS.

APPLICATION OF PETITIONER PRAYING FOR TAKING ON RECORD
THE ACCOMPANYING REJOINDER AFFIDAVIT TO THE SOLITARY
COUNTER AFFIDAVIT FILED BY THE RESPONDENT NO. 3.

78

X/80

-: 2 :-

For the facts and circumstances as stated
in the accompanying Rejoinder Affidavit,
it is most respectfully prayed that the same
be kindly ordered to be taken on record and
the instant petition be kindly heard and
expeditiously disposed of.



(M. KAMAL UDDIN)

Advocate
Counsel for the applicant

Lucknow;

Dated : May 8, 1990

A-79

X/10

X

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
ADDITIONAL BENCH,
LUCKNOW.

REJOINDER AFFIDAVIT/

REPLICATION

IN :

Transferred Writ petition 4412/85

Re-numbered 1924 of 1987.

BETWEEN

LAL JI KASHYAP

...

Deponent/
petitioner

AND

UNION OF INDIA & ORS.

...

Respondent

REJOINDER AFFIDAVIT/REPLICATION

I, LAL JI KASHYAP, deponent, aged about 34 years, son of Mr. Avadh Behari, resident of House No.156/33, Birhana East, Subhash Marg, Lucknow, do hereby most solemnly affirm and state on oath as under :

- I. That the deponent himself being the petitioner in the above-noted writ petition is fully conversant with the facts and circumstances of the case and is the only person legally competent to file this rejoinder affidavit.
- II. That the deponent has been read over and explained the contents of the counter-affidavit to which filing of a reply is warranted in the interest of justice.
- 2

A-80

X/21

III. That before proceeding to controvert parawise the contents of the counter-affidavit, it would be expedient in the interest of justice to bring the following relevant facts on the record of this Hon'ble court :-

- A. None of the 3 respondents except respondent 3 has cared to contest this case;
- B. Respondent 3, who had all the time to conveniently rebut parawise the petitioner's averments/allegations in his petition, has utterly failed to do so. Instead, the respondent 3 opted to file a "short counter" for reasons best known to him. Five long calendar years have passed but the "short-counter" still remains as it is and no steps have been taken by the said respondent 3 or the remaining two respondents to file a detailed and proper counter-affidavit so as to categorically contest the petitioner's case parawise
- C. The "short Counter" is a chivalrons attempt to side-track the main issues in dispute so as to mislead and confuse this Hon'ble court.
- D. No reply or counter affidavit has been filed till date against :-
 - i) The petitioner's application for interim relief/supplementary affidavit filed by him in High Court in September, 1985.

[Handwritten signature]

- ii) The petitioner's application for interim relief/supplementary affidavit filed by him in High court in october, 1985;
- by any of the 3 respondents.

IV. That the petitioner may now be granted leave to controvert parawise the contents of the "short counter" filed by respondent 3. The serial numbers of the following sub-paras of the instant para/ correspond with the serial numbers of the paragraphs of the "short counter" :-

1. Absolutely false and misconceived. Hence denied. The respondent No. 3 has no legal right to file any counter-affidavit on behalf of the respondent No. 2 and existence of any such right is subject to strict proof. The respondent 2 himself is answerable to all and any allegations made specifically against him. Respondent 2 has not contested the case. The case is liable to proceed ex-parte against him. As far as the question of filing a "short counter" is concerned the same is unwarranted when a proper detailed counter affidavit could conveniently have been filed. This not being the case it prejudices the defence of the respondents.
2. Absolutely false and fabricated. The petitioner had prayed for resuming duties w.e.f. 4.6.1985 as Clerk Grade II against the vacant post of General Assistant as compliance of the order

82

15/6/85

-: 4 :-

passed by OP 3

dated 15.5.1985 and had prayed for quashing of the order dated 4.6.1985 passed by respondent 3. These facts have been concealed in the para under rebuttal;

3. Not warranted in Law;
4. Absolutely false and fabricated. Even if it did not exist the petitioner was to be made to join at DDK Lucknow against the vacant post of General Assistant with immediate effect. Annexure II clarifies ~~confirms~~ the position.
5. Absolutely false, misleading and fabricated. The underlying extraneous reasons for issue of the unwarranted modification during pendency of the writ petition have not been spelt out. Km. sushila Kandwal had to be fitted in by the Respondent 3 as his blue-eyed girl. For her the post was available but not for the petitioner.
6. Verbosity. Denied. Reliance is still being placed in Annexure II to the writ petition.
7. Absolutely false, fabricated and misleading. No such ^{clarification} ~~manipulation~~ was needed at all. What was the motive behind appointing Babu Lal and sushila Kandwal without clarification has not been spelt out.
8. Absolutely false and childish pretext. Denied. The petitioner was to be posted with immediate effect at DDK, Lucknow ~~as~~ as Clerk Grade II against the vacant post of General Assistant as per orders

83
A
94

-: 5 :-

of the respondent 2 from 4th June, 1985, the date of submission ~~of~~ him of his joining report.

9. Incongruously false and fabricated. There were no administrative exigencies at all except extraneous considerations leading to the illegal appointment of sushila Kandwal (not a family member of Late satish Chandra at all because his wife - Mrs. Meera Kandwal had already been given appointment on compassionate grounds) and posting of Babu Lal at Lucknow in pursuance of Annexures II & D-4. Denied.
10. Shamefully enough such taking up of matters of sushila Kandwal and Babu Lal were not found necessary but in the case of petitioner it was found necessary. Denied.
11. Fabricated. Denied. No clear cut reasons have been given for the said modification. Where malafides are alleged the defence should come up with clean hands and clear explanation of exigencies, if any. This has not been done. Vagueness is not to be permitted in law.
12. False, fabricated and misleading. Denied.
13. False. Denied. Once Mrs. Meera Kandwal, wife of Late satish Chandra, had already been given the appointment as a member of the family of deceased on compassionate grounds the subsequent approval/ appointment of Miss sushila Kandwal becomes vitiated in law. There cannot be ^{no} ~~be~~ end to the number of

[Handwritten signature]

compassionate appointments particularly when such an appointment encroaches upon the legal rights of another. sushila kandwal cannot be preferred over and above the petitioner nor can Babu Lal be so preferred over and above the petitioner. This is nothing but discrimination which is prohibited by Article 14 and 16 of the Constitution of India.

14. False. Denied. Now the inconsistency in the shaky stand of respondent 3 is worth noting.
15. Misguiding and conceals vital truth. Denied. She failed thrice before and also in the examination of 28.7.1985. She is still working despite 4 failures at the staff selection commission.
16. Absolutely false and denied. The entire episode is full of malafides, discrimination and extraneous considerations.
17. Absolute verbosity and blind excuses. Denied. The averments in the writ-petition and the above-referred 2 supplementary affidavits of the petitioner are vehemently and emphatically reiterated. The petition has all possible merit and deserves to be allowed with costs.

Lucknow;

Dated : May 8, 1990


DEPONENT.

VERIFICATION

I, the above-named deponent, do hereby verify

A-85
A/96

-: 7 :-

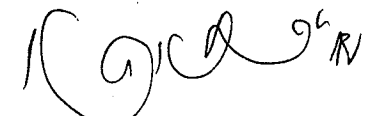
that the contents of paragraphs I
and II are true to my own knowledge,
whereas those of paragraphs III
are believed by me to be true and those of
paragraphs IV are true to legal
advice. No part of it is false and nothing
material has been concealed, so help me God.

Lucknow;

Date : May 8, 1990


DEPONENT.

I identify the deponent who has signed before
me.


Advocate.

A-86
8/1

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL AT ALLAHABAD,
CIRCUIT BENCH, LUCKNOW.

MISC. APPLICATION NO. 748 OF 1991. (4)
on behalf Respondents.

In
Case No. T.A.1924 of 1987.
(W.P.No.4412/85)

Lalji Kashyap.....Applicant.

versus

Union of India & others.....Respondents.

APPLICATION FOR CONDONATION OF DELAY

The respondents respectfully beg to submit as under:-

1. That the Counter-affidavit on behalf of the respondents could not be filed within the allotted time as a perusal of the court file revealed that the Counter-affidavit in the above case was not filed in the Hon.High Court. The department was informed accordingly.
2. That after the para-wise comments were received the draft Counter-affidavit was sent for vetting to the deptt.
3. That the approved Counter-affidavit has been received and is being filed without any further loss of time.
4. That the delay in filing the Counter-affidavit is bonafide and not deliberate and is liable to be condoned.

WHEREFORE, it is prayed that the delay in filing the Counter-affidavit may be condoned and the same may be brought on record for which the respondents shall ever remain grateful as in duty bound.

Lucknow. 7-12-91

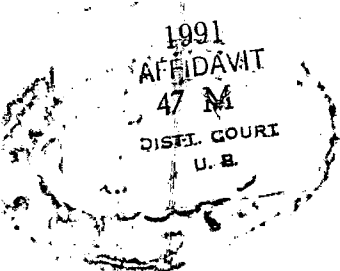
Dated:

D G
(DR.DINESH CHANDRA),
Counsel for the respondents.

13/9 87
A-87
87

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL AT ALLAHABAD,
CIRCUIT BENCH, LUCKNOW.

DETAILED COUNTER-AFFIDAVIT ON BEHALF OF RESPONDENTS.

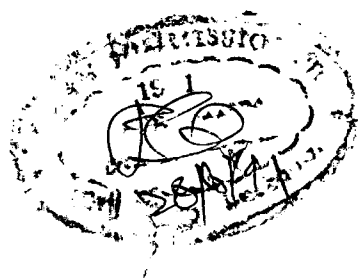


In re
T.A. 1924/87
(Writ Petition No.4412 of 1985)

Lalji KashyapPetitioner.

Versus

Union of India & OthersOpp.Parties.



I, V. Jayant J. J. J.
aged about 55 years, son of Shri J. J. J.
Husain Director,
Doordarshan Kendra, Ashok Marg, Lucknow, do hereby solemnly
affirm and state as under :-

1. That the deponent has read the writ petition filed
by Shri Lalji Kashyap and has understood the contents
thereof.

[Signature]

Contd...2/-

A 89

8/84

however, submitted that according to the Directorate's instruction as contained in letter No.22015/3/84-S.II dt. 25-2-1984 ~~Annexure A-3~~ it is provided that the Doordarshan Kendras where the posts of General Assistants are vacant may send requisitions to the Staff Selection Commission for nominating suitable candidates for filling up these posts and with it the Staff Selection Commission may be intimated that the posts of General Assistants are likely to be converted into Clerk Grade II in due course of time. It is further provided that the candidates nominated by the Staff Selection Commission for the vacant posts of General Assistants should not be given appointment or offer of appointment till the Government has not issued formal orders for the conversion of the post of General Assistant into that of Clerk Grade II. The copy of the said instructions have been filed as Annexure A-3 of the Short Counter-affidavit.

9.(a). That in reply to para 6 it is stated that the petitioner submitted his joining report on 4-6-85 but on the same day vide letter No.IV (LKO)/(T)85-S/M dt.4-6-85 he was informed that the matter had been referred to Doordarshan Directorate, New Delhi and till the decision from the Directorate was received and an offer of appointment was issued to the petitioner it was not possible to allow him to join his duties as General Assistant at Lucknow Kendra. He was further

Contd..4/-

directed to report back to the Station Engineer, T.V. Relay Centre, Kanpur immediately.

(b) No post of Clerk Grade.II was vacant at Lucknow when Annexure.I and 2 of the petition were issued by the Directorate General. A few posts of General Assistants were no doubt available but the petitioner could not be allowed to join duty on the post of a General Assistant without clarification from the Directorate as to whether the post of a General Assistant could be filled up by appointing Clerk Grade.II against that post. He was, therefore, asked to report back to Television Relay Centre, Kanpur on the same day as the matter regarding his posting was taken up with the Head Quarters.

10. That the contents of para 7 are admitted. It is submitted that the petitioner stayed at Lucknow in total disregard of the orders of the deponent (Annexure No.5 of application).

11. That the contents of para 8 are admitted. It is, however, submitted that the petitioner could not be allowed to join at Lucknow as no post of Clerk Grade.II was vacant at Lucknow at that time as explained in para 9 (b) above.

12. That the contents of para 9 are admitted. The telegram referred to in the answering paragraph had to be issued as the petitioner disobeyed the orders contained in Memorandum dt.4-6-85 (Annexure 5 of the application).

13. That the contents of paras 10 and 11 need no comments.

14. That the contents of para 12 are denied as the same are false and incorrect. It is submitted that Km.Susheela Kandwal was the sister of Late Shri Satish Chandra who was working as a Lighting Assistant at Doordarshan Kendra, Lucknow. Their ^{father} further had died long ago and she was living with her brother, Shri Satish Chandra. Unfortunately Shri Satish Chandra on duty in Himalayan Car Rally met with an accident and died. Km.Susheela being the only sister who was unmarried had been rendered helpless on account of the death of Shri Satish Chandra. The Director, Doordarshan recommended the case of Km.Susheela Kandwal for appointment to the post of Clerk Grade II at Doordarshan Kendra, Lucknow on compassionate grounds. The Director General vide Memo dated 25-9-84 conveyed his approval for appointment of Km. Susheela Kandwal as Clerk Grade.II. The photostate copy of the said Memo was filed as Annexure.A-3 with Short Counter-affidavit.

In this connection it will be pertinent to mention that in the above case also sanction was sought from the Director General for conversion of the post of General Assistant to the post of Clerk Grade.II for accomodating Km.Susheela Kandwal. The Director General communicated his approval for the appointment of Km.Susheela Kandwal as Clerk Grade.II on adhoc basis for three months, against the vacant post of General Assistant at Doordarshan Kendra, Lucknow pending

clerification from the Ministry.

15. That the contents of paras 13 are denied. It is unfair to allege that the juniors were allowed to hold the post of Clerk Grade.II against the vacant posts of General Assistants. The charge of discrimination is baseless and hence denied.

16. That in reply to para 14 it is stated that in view of the facts indicated above there was nothing malafide, arbitrary or without jurisdiction in not allowing the petitioner to join at Lucknow. He could not be allowed to join at Lucknow because there was no vacant post of Clerk Grade.II at that time.

17. That the contents of para 15 are misconceived. The question of the petitioner holding a lien on the post of Clerk Grade.II does not arise under the existing situation.

18. That in reply to para 16 it is stated that Km.Vijai Laxmi was given adhoc appointment on the post of Clerk Grade.II in 1980 and she was allowed to continue on that post in pursuance of her being allowed the third and final chance by the Department of Personnel and Administrative Reforms for appearing in special Examination conducted by the Staff Selection Commission on 28-7-1985.

19. That the contents of para 17 need no ~~comments~~ ^{reply}.

20. That the following comments are offered with regard to para 18 in serial:-

Contd...7/-

// 7 //

A 95
X/88

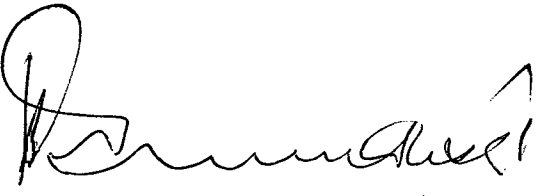
18(A) to 18(B):- There was no vacant post of Clerk Grade.II at Lucknow and the petitioner could not be allowed to join on the post of General Assistant. Submissions made in para 9(b) are re-iterated.

18(C):- Needs no ~~comments~~.

18(D):- Contents denied. Petitioner is not entitled to be absorbed on the post of General Assistant. He was entitled to be posted on a Clerk Grade.II post only.

18(E):- Contents denied. Petitioner was not allowed to join on the post of Clerk Grade.II as there was no such post vacant. He was not entitled to any salary for the post of a Clerk on which he never worked.

21. That in view of the submissions made in the above paragraphs, the petition lacks merit and is liable to be dismissed with costs.


Deponent.

11 8 11

VERIFICATION :-

I, the above named deponant do hereby verify that the contents of paras ¹2.3 of this affidavit are true to my personal knowledge and those of paras ¹2.21 are beleived by me to be true based on records and as per legal advise of my counsel. That nothing material facts has been concealed and no part of it is false, so help me God.

Signed and verified this the ²⁸th day of Aug. 1991 within the court compound at Lucknow.

Lucknow.

Dated; - 28. 8. 91

(Deponant)

I identify the deponant who signed before me.

(Advocate)

11:10 AM V. Safar
D. Chandra
I have verified this by...
28/8/91

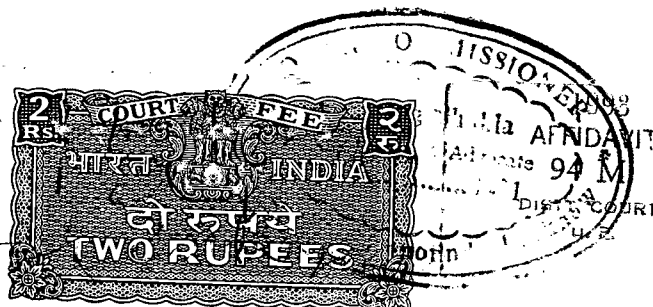
A 95

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
ADDITIONAL, BENCH, LUCKNOW.

Writ petition No. 4412/1985

In re

Converted No. 1924/1987



Lal Ji Kashyap, aged about 37 years, son of Mr. Avadh Behari, Resident of House No. 156/33, Birhana East, Subhash Marg, Lucknow.

..Applicant/ Petitioner

Versus

- P-7
J-1/4
1. Union of India, through its Secretary, Ministry of Information and Broad Casting, Department of Doordarshan, New Delhi.
 2. Director General Doordarshan, Government of India, Directorate General Doordarshan, Mandi House, New Delhi.
 3. Director, Doordarshan Kendra, 24-Ashok Marg, Lucknow.

.... Respondents.

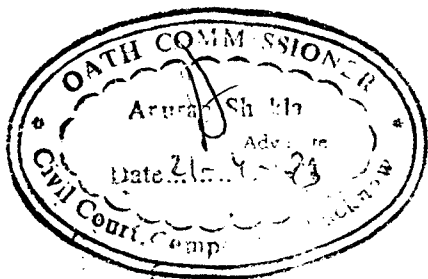
REJOINDER AFFIDAVIT

Lal Ji Kashyap

I, Lal Ji Kashyap, aged about 37 years, son of Mr. Avadh Behari, resident of House No. 156/33, Birhana East, Subhash Marg, Lucknow, the deponent do hereby solemnly affirm and state on oath as under:-

1. That the deponent is the himself petitioner in the above noted writ petition as such he is well conversant with the facts of the case deposed here in after.

2. That the deponent is read-over the contents of the



here in called second counter affidavit detailed counter affidavit, filed by the opp. party no. 3 and has understood the contents there of.

3. That the contents of para 1 of the counter affidavit need no comments.

4. That in reply to the contents of para 2 of the counter affidavit, it is ~~xxxx~~ wrong to say that the deponent i.e. Vilayat Zafari is well conversent with the facts of the case.

5. That the contents of para 3 of the second counter affidavit need no comments.

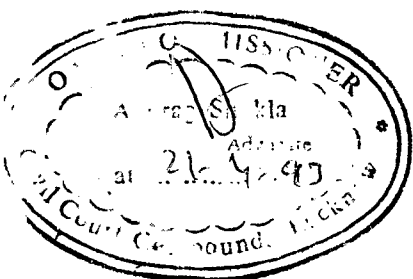
6. That the contents of para 4 of the counter affidavit need no comments.

7. That in reply to the contents of para 5 of the second counter affidavit, It is respectfully submitted that the petitioner was posted by the order dated 25-5-85 by ~~Sri~~ Director General New Delhi against the vacant post of General Assistant, which is clearly mention in the said order vide Annexure no. 2.

8. That the contents of para 6 of the second counter affidavit are wrong and false hence denied. It is respectfully submitted that the Station Engineer, Doordarsan Relay Kendra Kanpur, was fully competent to relieve the petitioner in compliance of the order dated 25-5-85.

9. That the contents of para 7 of the second counter affidavit need no comments.

10. That in reply to the contents of para 8 of the sec



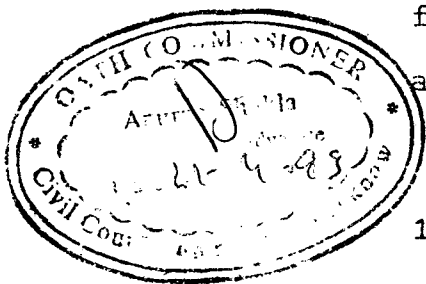
ond counter affidavit, it is respectfully submitted that the orders of the Director General (vide annexure no. 2 to the writ petition) can not be flouted by the Subordinate authority. It is further submitted on the other hand the opp. party no. 3 has illegally acted and one Kum. Susheela Kandawal has been illegally appointed on the post of the Clerk Grade II on 26-7-85. The copy of the appointment letter appointed by the opp. party no. 3 is being filed here with as Annexure no. R-1 to this affidavit.

It is further submitted on the other hand the opp. party no. 3 says that there is no post of Clerk Grade II was laying vacant at that time, but on the other hand again 24-8-85 the offer of appointment has been wrongly given to one Sri Babu Lal who was junior to the petitioner. The copy of the offer of the appointment of the Babu Lal is being filed here with As Annexure no. R-2 to this affidavit.

11. That in reply to the contents of para 9 of the second counter affidavit, it is respectfully submitted that three post of General Assistant was vacant at that time before the opp. party no. 3 and in the posting order of the petition, it is itself mention that the petitioner has been appointed and posted against the vacant post of the General Assistant by the Director General New Delhi by the order dated 25-5-85. It is further submitted the same order was passed by the Director General in the public interest.

It is further submitted that ~~on~~ Vijai Laxmi has been illegally appointed on the post of Clerk Grade II by the opp. party no. 3 regarding her. There was no direction from the Staff Selection Commission and also there is no approval of the Director General.

12. That in reply to the contents of para 10 of the sec-



xxond counter affidavit, there is no dis-regard has been done by the deponent but on the other hand the order of the Director General i.e. opp. party no. 2 dated 25-5-85 has been flautted by the opp.party no. 3.

It is further submitted that the petitioner has been illegally transfered by the opp. party no. 2, transfered from Lucknow to Gorakhpur during the pendency of the writ petition before this honible court, when the order dated 25-5-85 of the opp. party no. 2 has already been complied by the petitioner.

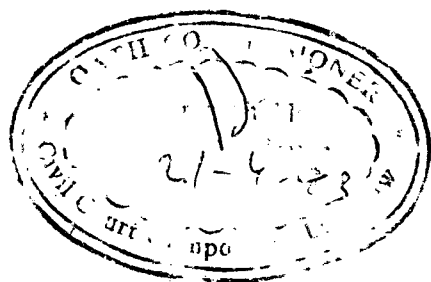
13. That in reply to the contents of para 11 of the second counter affidavit, specific answer has already been given 11 of the proceeding paragraph.

14. That in reply to the contents of para 12 of the second counter affidavit, no order has been dis-obeyed by the deponent, on the other hand the order of the Director General i.e. opp. party no . 2 has been dis-obeyed by the opp. party no. 3.

15. That the contents of para 13 of the second counter affidavit need no comments.

16. That the contents of para 14 of the second counter affidavit are wrong and false hence denied and the contents of para 12 of the writ petition are retorted as correct. It is further submitted that on the compensate grounds of the death of Late Sri Sathish Chandra, the wife of the Late Sri Sathish Chandra i.e. Smt. Mira Kandawal has already been appointed on the compensate grounds of the post of Protection Assistant by the order dated 21-11-83, hence the appointment of the Kum. Susheela Kandawal on the compensate ground is elligal and sweet-w of the opp. party no. 3.

It is further submitted in the supplementary



It is further submitted in the supplementary affidavit, the petitioner specifically mentioned in the para 6 of the supplementary affidavit but there is no denial from the side of the opp. parties. ~~XXXXXX~~ Wherefore it is respectfully submitted the same is liable to be accepted. The photo copy of the appointment of Smt. Mira Kandawal, wife of Late Sri Sathish Chandra is being filed here with as Annexure no. R-3 to this affidavit.

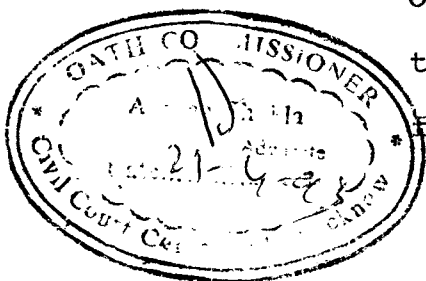
17. That the contents of para 15 of the second counter affidavit are wrong and false hence denied and the para contents of para 13 of the writ petition and also contents of para 6 & 7 of the supplementary affidavit are retorted as correct.

18. That the contents of para 16 of the second counter affidavit are wrong and false hence denied and the contents of para 14 of the writ petition are retorted as correct.

19. That the contents of para 17 of the second counter affidavit are wrong and false hence denied and the contents of para 15 of the writ petition are retorted as correct.

20. That in reply to the contents of para 18 of the second counter affidavit, the petitioner is the quasi permanent selected candidate on the other hand till 28-7-85 the said Kum. Vijai Laxmi (Rawat) not qualified not selected by the staff Selection Commission hence the denial of the opp. party no. 3 was miscarriage of justice.

It is further submitted that extra-ordinary sympathy of the opp. party no. 3 against the said Vijai Laxmi was totally illegally, unjustified and his sweet-will. It is further submitted that the name of the said Vijai Laxmi



X/2/A-108

was nominated by the Staff Selection Commission at that time hence the appointment of the said Vijai Laxmi was illigal.

21. That the contents of para 19 of the second counter affidavit need no comments.

22. That the contents of para 20 of the second counter affidavit are wrong and false and baseless hence denied. The petitioner/deponent is fully intitled of the benefits short in the writ petition.

23. That the contents of para 21 of the second counter Affidavit are wrong and false and baseless hence denied. It is respectfully submitted that the writ petition of the petitioner/deponent has fully of marites and same is ~~tax~~ liable to be allowed with coast.

Lucknow

Dated 21/4/93 -93

Lal Ji Kasayap
Deponent

VERIFICATION

I, the deponent, named above, do hereby verify that the contents of para 1 to 23 of this rejoinder affidavit are true to my personal knowledge. No part of it is false and nothing material has been cancealed, So help me God.

Lucknow

Dated 21-4-93

Lal Ji Kasayap
Deponent

I personally know and identify the deponent who has singed before me.

Solamnly affirmed before me on 21-4-93 at 10.15 am/pm by Sri Lal Ji Kasayap the deponent, who is identified by Sri Brijesh Verna Advocate, High court at Lucknow bench Lucknow. I have satisfied myself by examining the deponent that he understands the contents of this ~~xx~~ rejoinder affidavit which have been read out and explained to him by me.

ANUSHA SHUKLA
Oath Commissioner
Civil Court Comp and, Lucknow

Brijesh Verna
Advocate

Hd by name

REGISTERED/AD.

BHARAT SARKAR
DOORDARSHAN KENDRA
5, MEERA BAI MARG, LUCKNOW.

No. 57(LG0)1(7)/85-S/H.

Dated 26.7.85

M E M O R A N D U M.

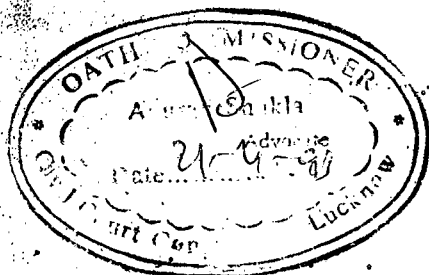
As per the approval of DG Doordarshan, New Delhi Memo No.13/12/84-SII dt. 18.7.85,
As per the result of Interview/nominated by C.E.(NZ), New

Delhi for the post of ~~held at this Kendra~~

on ~~an~~ ~~Sh. Rm. Sushobha Kandwal~~ is offered a
temporary/ad-hoc post of ~~Clerk Grade-II~~ against the vacant post of General Asstt.
Kendra, Lucknow/LPI (TV) at DDK, Lucknow on the following terms and
conditions :-

1. The post is Class. II. (Non-Gazetted) and carries a Scale of Rs. 269-000 ~~Sho. He~~ will be given an initial pay of Rs. 260/- per month in the scale plus other allowances as admissible under rules.
2. Your appointment is purely ~~temporary~~ and ad-hoc basis ~~initially~~ initially for three months.
3. Your services will be terminable ~~on one month~~ Without either side in accordance with the Central Civil Service (Temporary Service) Rules, 1965, without assigning any reasons. The appointing authority, however, reserves the right of terminating your service forthwith or before the expiration of the stipulated period of notice by making payment to you of a sum equivalent to the pay and allowances for the period of notice or the un-expired portion thereof.
4. In regard to leave, travelling allowances and all other allowances and all the other matters, you will be governed by the rules and orders in force from time to time and applicable to the branch of public service to which you may belong.
5. You will observe strictly the rules laid down in Central Civil Service (Conduct) Rules, 1964. Any breach of these Rules will render you liable for disciplinary action.
6. You shall be liable to be posted and transferred anywhere in India and if you, on account of family circumstances anticipate any difficulty in the matter of place of posting, you should not accept the offer.
7. In accordance with the rule in force in regard to recruitment of service under the Government of India, no person who has more than one wife living or who having a spouse living, marries 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 service provided that the Central Government may, if satisfied that there are special grounds for so ordering, exempt any person from the operation of this rule. The offer of appointment is, therefore, conditional upon your satisfying the requirement mentioned above and to your furnishing to this office a declaration as in Annexure-I to this letter, alongwith your reply.

Contd. on page 2/-



A/104

4
A-102

-3-

14. On your appointment as . . Clerk Grade-II in the Door-
darshan Kendra, You will have no claim for being considered
for appointment in A.I.R. Stations.

[Signature]

(R.S. RAWAT)
D I R E C T O R .

Smt. / Km. Susheela Kandal
6/0 Smt. Meera Kandal,
Doordarshan Kendra,
Lucknow

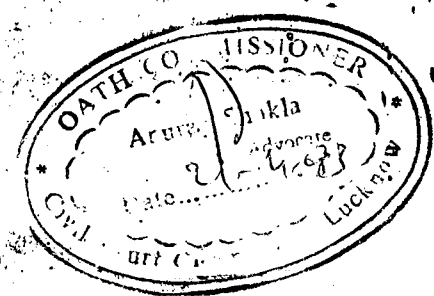
Copy to:-

1. Personal File.

D I R E C T O R .

Vijay.

[Signature]



A/105

103

Annexure No II

BIHARAT ANIKAR
BOHNDHAN MAN KENIHA, LUCKNOW

Pa. IV (LKO) (7)/04-0

Dated 24.0.03

OFFER OF APPOINTMENT

In accordance with the Director General, Doordarshan, New Delhi office memorandum No. 22/5/04-SII dated 6.0.03, the Director, Doordarshan Kendra, Lucknow is pleased to issue an offer of appointment to the post of Clerk Grade-II against a vacant post of General Assistant to Shri Babu Lal, Group 'D' staff, Doordarshan Kendra, Lucknow against 10% quota of vacancies in the grade of C.G.II reserved for educationally qualified Group 'D' staff in the pay scale of Rs. 260-6-290-ES-6-326-0-346-ES-0-390-10-400/- It may be noted that he will be on probation for a period of two years from the date of his appointment as C.G.II against a vacant post of General Assistant.

Shri Babu Lal,
Group 'D' Staff,
Doordarshan Kendra,
Lucknow

Sd/-
(A.S. K. M.)
DIRECTOR

Copy to :-

1. The Director General, (Shri Kachmiri Lal, DGA, Dy Secy), Doordarshan, Mandi House, New Delhi with reference to his office memo. No. 22/5/04-SII dated 6.0.03 for information.
2. The Assistant, Doordarshan Kendra, Lucknow.
3. P.A. to Doordarshan the Director, Doordarshan Kendra, Lucknow.
4. Personal file of Shri Babu Lal, Clerk Grade-II, DGA, Lucknow.

Sd/-
DIRECTOR

Handwritten signature



11. In accordance with the rules in force in regard to recruitment to services under the Govt. of India, no person who has more than one wife living or who having a spouse, living marries 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 service provided the Central Govt. may, if satisfied that there are special grounds for so ordering except any person from the operation of this rule. The offer of appointment is, therefore, conditional upon his satisfying the requirement mentioned above and to his furnishing to this office a declaration as in Annexure-I to this letter alongwith his reply. If however, he has more than one wife living or having a spouse living, have married in any case in which such marriage is void by reason of its taking place during the life time of the above mentioned rule or any special reasons, he should make a representation in this behalf immediately. The offer of appointment should in that case be treated as cancelled and further communication will be sent to him in due course if upon consideration of his representation, it is decided to offer him an appointment in the post of ~~Assistant Engineer~~ in Doordarshan.

If the offer is acceptable to Shri/Smt./K. ~~Randwal~~... on the terms and conditions mentioned above, he/she should report for duty to the Director, Doordarshan Kendra, Lucknow on or before ~~04-12-1993~~ after which the offer will be treated as cancelled without notice.

Sd/-
(LEILA BAWDEKAR)
DIRECTOR

Shri/Smt. K. ~~Moora~~ ~~Randwal~~

House No. 912/23, VXXth Lane,

Nishatganj, Lucknow

Copy to: 1) The Director General, Doordarshan,
Mandi House, Copernicus Road, New Delhi
with reference to his Memo No. ~~A-11019/114~~
~~03-S-V(Pt)~~ Dated ~~29-10-93~~

2) Personal file of ~~Shri/Smt./K. ~~Moora~~ ~~Randwal~~~~

Leila Bawdekar
(LEILA BAWDEKAR)
DIRECTOR

UL18178/



Justice P. Singh