

CENTRAL ADMINISTRATIVE TRIBUNAL  
LUCKNOW BENCH LUCKNOW

ANNEXURE

INDEX SHEET

C.A. 95/1988

CAUSE TITLE ..... OF .....

NAME OF THE PARTIES..... Taswant Singh .....

.....Applicant

Versus

..... C.A.T. Bar ....., Respondent

Part A,B & C

Sl. No.	Description of documents	Page
1	Check list	A1 to A2
2	Cards sheet in judgement memo.	A3 to A5
3	Judgement dated 15-4-90.	A6 to A7
4	Copy of petition / memo	A8 to A29
5	Vakalatnam	A30
6	Counsel affidavit	A31 to A39
7	Rejoinder affidavit	A40 to A54
8	Notices / other papers	A55 to A61
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13		

CERTIFICATE

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

B/C (are decided) destroyed  
Dated 26-5-12

Counter Signed.....

Section Officer / In charge

Signature of the  
Dealing Assistant

DB - Plaintiff

filed on 23.8.08  
(CJ 238)

**CENTRAL ADMINISTRATIVE TRIBUNAL**

ADDITIONAL BENCH,

23-A, Thornhill Road, Allahabad-211001

Registration No. 6A 95 of 1988 (L)

APPLICANT (s) JASWANT SINGH

RESPONDENT(s) G. O. Jails Collector

**Particulars to be examined**

**Endorsement as to result of Examination**

1. Is the appeal competent ?
2. (a) Is the application in the prescribed form ?
3. (b) Is the application in paper book form ?
- (c) Have six complete sets of the application been filed ?
3. (a) Is the appeal in time ?
- (b) If not, by how many days it is beyond time ?
- (c) Has sufficient cause for not making the application in time, been filed ?
4. Has the document of authorisation, Vakalat-nama been filed ?
5. Is the application accompanied by B. D./Postal-Order for Rs. 50/-
6. Has the certified copy/copies of the order (s) against which the application is made been filed ?

Yes

Yes

Yes

Only 2 Sets filed

Yes

Yes

Yes D.O. 4082328  
23.8.08  
Rs 50/-

Yes

Yes

7. (a) Have the copies of the documents/relied upon by the applicant and mentioned in the application, been filed ?
- (b) Have the documents referred to in (a) above duly attested by a Gazetted Officer and numbered accordingly ?

(By Advocate)

Particulars to be ExaminedEndorsement as to result of Examination

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

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

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

10. Is the matter raised in the application pending before any Court of law or any other Bench of Tribunal ? No.

11. Are the application/duplicate copy/spare copies signed ? N/A.

12. Are extra copies of the application with Annexures filed ? N/A

(a) Identical with the original ?

(b) Defective ?

(c) Wanting in Annexures

Nos...../Pages Nos..... ?

13. Have file size envelopes bearing full addresses, of the respondents been filed ? No

14. Are the given addresses, the registered addresses ? Yes

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

16. Are the translations certified to be true or supported by an Affidavit affirming that they are true ? N/A

17. Are the facts of the case mentioned in item No. 6 of the application ? Yes

(a) Concise ?

(b) Under distinct heads ?

(c) Numbered consecutively ?

(d) Typed in double space on one side of the paper ?

18. Have the particulars for interim order prayed for indicated with reasons ? N/A

19. Whether all the remedies have been exhausted. Yes

Let Case be listed on 25.8.88.

Abdul  
24/8  
Jithin

23-8-88

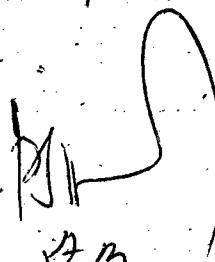
95/9004

1042

Hon. D. K. Agarwal, T. B.

Hon. P. S. Habib Memorial, A. B.

The application is accordingly  
dismissed without any order as to  
Costs.

  
D. K. Agarwal

T. B.

C.A. 95 of 01 (1)

Darwant Singh — vs. — B.O &

ORDER SHEET

① 25.09.00

Hon. A. John, A.M.  
Hon. G.S. Sharma, S.M.

Admit. issue notices  
one month for C.A. 15 days thereafter for R.H.

Sd/-  
A.M.

Sd/-  
S.M.

Ans.

30/09/00

ER  
Notices for Respondents No 1 to 4  
received of Sri V.K. Choudhury, Court Counsel  
Ans  
20/11

② 25-X-00

No one is present for parties. Post  
file case before O.R.S on 21.11.00

Ans  
O.R.S

③

21.11.00

No sitting. Adjourned to  
19.12.00 for file reply at  
the request for counsel for  
respondents.

Ans  
21/11

④

19.12.00

No sitting. Adjourned  
to 22.12.00.

Ans  
22/12

⑤

22/12/00

No sitting. Adjourned to  
24.12.00.

Ans  
24/12

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
A L L A H A B A D  
ooooo

CIRCUIT BENCH LUCKNOW  
CA  
TA. NO. 95 1988 (L).

DATE OF DECISION 4.90

Taswant Singh PETITIONER

Advocate for the  
Petitioner (s)

VERSUS

VOI & others RESPONDENT

Advocate for the  
Respondent (s)

COUNSEL

The Hon'ble Mr. D.K. Agarwal, I.M.

The Hon'ble Mr. P.S. Hakeeb Mohammad, A.M.

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

oooooo

D.K. Agarwal

Reserved

Central Administrative Tribunal, Allahabad.

CIRCUIT BENCH, LUCKNOW.

\*\*\*\*\*

Registration O.A.95 of 1988 (L)

Jaswant Singh

....

Applicant

Vs.

Union of India and others.....

Respondents.

Hon. D.K.Agrawal, JM  
Hon. P.S.Habeeb Mohammad, AM

(By Hon'ble D.K.Agrawal, JM)

This Application u/s.19 of the Administrative Tribunals Act XIII of 1985 has been filed with a prayer that the Applicant be promoted from the post of Upper Division Clerk to the post of Office Superintendent Gr.II on corps basis.

2. The Applicant has approached us for a direction in the form of a mandamus directing the Respondents to appoint more Office Superintendents Gr.II merely on the ground that Dev Nath Committee recommended the ratio 1:12 for Office Superintendent-Clerks. The Applicant alleges that in view of the strength of the Clerks, there should have been 12 posts of Office Superintendent while the Respondents have appointed 4 only. Therefore, a direction has been sought against the Respondents to create more posts of Office Superintendent. The contention of the Respondents is that the recommendation of Dev Nath Committee has been implemented in the offices where 12 or more Clerks are working. However, they have pleaded that it is not possible to do so in an office or unit where only 2 or 3 Clerks are working.

DK Agrawal

The Respondents admit that they can create 12 posts of Office Superintendent but their contention is that it is not administratively expedient to do so.

3. We have heard learned counsel for the parties and perused record. We have also noted with concern that the Applicant's position in the order of seniority is at sl.no. 12. No person junior to him has yet been promoted as Office Superintendent. Therefore, the Applicant presumably can have no grievance. We do not consider it proper to give any direction to the Respondents to create more posts of Office Superintendent, notwithstanding, whether they require or not. It is for the Respondents to find out how many posts of Superintendents are needed to supervise the work of the Clerks in an office. The norms have been laid down for creation of the posts of Office Superintendent. The Respondents will take account of it in due course of time according to the administrative exigencies. We are of opinion that it is not the function of the Tribunal to judge if more posts of Office Superintendents should or should not be created. It is for the competent authority to do so. We have also noted that no prejudice has been caused to the Applicant inasmuch as no junior to him has yet been promoted as Office Superintendent. There has been no averment to the effect that the Applicant is being superseded by any junior. Therefore, we do not consider it proper to interfere. We are of opinion that the Application is liable to be dismissed.

4. The Application is accordingly dismissed without any order as to costs.

MEMBER (A)

PS  
18/4/1990

Dated: 18<sup>th</sup> April, 1990  
kkb

DR. Qureshi  
18.4.90  
MEMBER (J)

IN THE COURT OF JUDICATURE OF UTTAR PRADESH

AT FAZILKHAH, 25 AUGUST 1988

Filed today  
25/8/88

Registration no 95 of 1988. (C)

JAGJIT SINGH CIV. C.P.  
J. J. COLLEGE, L.G.H.  
- Applicant

Versus

MINISTRY OF DEFENCE AND C.I. S  
- Respondents

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3.	True copy of Page No 1 of Proceedings of Welfare Committee Meeting held on 28 Jun 86 in Conference Hall of ANC Centre and School Lucknow.	2	17
4.	True copy of application of the applicant, dated 25 May 88.	3	18
5.	True copy of No 1 Military Training Battalion ANC Centre and School letter No 940455/1MB/Civ dated 01 Jun 88	4	19
6.	True copy of application of the applicant dated 03 Jun 88	5	20
7.	True copy of No 1 Military Training Battalion ANC Centre and School letter No 940455/1MB/Civ dated 24 Jun 88.	6	21

LODGEY

Dated :- 25 August 1988.

APPLICANT

Signature

Notes for  
25/8/88

Shanti Devrao 2318

APPLICATION UNDER SECTION 19 OF THE ADMINISTRATIVE TRIBUNAL ACT 1985

FOR USE IN TRIBUNAL'S OFFICE

Date of Filing

23-9-88.

or

Date of Receipt

by post

Registration No

95/0011

Signature

Registrar

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, ADDITIONAL BENCH LUCKNOW

BETWEEN

JASWANT SINGH SON OF SRI I DHAJ SINGH - Applicant

UNION OF INDIA AND OTHERS - Respondents

*Jaswant Singh*

IN THE CIVIL ADMINISTRATIVE TRIBUNAL

ODD NICAL BLDG, LUCKNOW

X

DETAILS OF APPLICANT

(i) Particulars of the applicant - Shri JASWANT SINGH  
(ii) Name of father - Shri UDIAJ SINGH  
(iii) Designation and Office - Upper Division Civilian Clerk.  
Employed in Army Medical Corps  
Centre and School LUCKNOW-226 002.  
(iv) Office address - No 1 Military Training Battalion,  
Army Medical Corps Centre and  
School, LUCKNOW - 226 002.  
(iv) Address for serving of all notices. - Same as above.

2. Particulars of the respondents.

(1) Name and / or designation of the respondents. - 1. Union of India through the Secretary, Govt of India, Ministry of Defence, NEW DELHI  
2. The Director General Medical Services (AGM).  
AGM HEADQUARTERS  
Medical Directorate,  
DEP NEW DELHI - 11  
3. The Commandant  
Army Medical Corps Centre and School, LUCKNOW-2  
4. The Commanding Officer  
No 1 Military Training Battalion, Army Medical Corps  
Centre and School  
LUCKNOW-2

Conti ..... 3/-

*Jaswant*

(iii) Address for service of all notices - Same as above for all. ✓

3. Particulars of the order against - The application is against the which application is made. following orders:-

(i) Order no 1. The Commanding Officer, No 1 Military

(ii) Date Training Battalion, Army Medical Corps  
Centre and School, Lucknow-2, letter

(iii) Passed by No 940455/1MB/Civ dated 01 Jun 1988  
(Annexure No 4).

2. Director General Medical Services (Army)

NE/2/III, letter No 12361/III/DGMS 3 (B)

dated 05 Dec 88, a copy of which has not  
been supplied to the applicant by the  
opposite party No 3 vide their letter  
No 940455/1MB/Civ dated 24.6.88  
(Annexure 6).

(iv) Subject in brief - By the impugned order dated 1.6.88 opposite  
party No 4, at the instance of opposite  
party No 3, acting under the authority of  
letter No 12361/III/DGMS 3 (B) dated  
05 Dec 86 (Referred to in Annexure 4)  
turned down finally the applicant's request  
for promotion.

At the instance of opposite party No 3,  
opposite party No 4 refused to accede to  
the applicant's request for a copy of  
letter No 12361/III/DGMS 3 (B) dated  
05 Dec 86 (Referred to in Annexure 4).

#### 4. Jurisdiction of the Tribunal.

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

*Jaswant* Contd ..... 4/-

5. Limitation :

The applicant further declares that the application is within the limitation prescribed in Section 21 of the Administrative Tribunal Act, 1985.

6. FACTS OF THE CASE

1. That the applicant was appointed as a Civilian Lower Division Clerk on 09.3.1959 in the Office of Corps of Military Police FAIZABAD. He was subsequently transferred in the same rank to the Office of Commandant Army Medical Corps Centre and School Lucknow (hereinafter referred to as AMC Centre and School Lucknow) and joined his duties in the new Office with effect from 27 July 1959. He was confirmed as Lower Division Clerk from 01 April 1962 and was promoted to the post of Upper Division Clerk from 01 December 1969.
2. That the Office of AMC Centre and School Lucknow in which the applicant is presently serving is directly administered by the opposite party No 2, who is also the Appointing Authority of the applicant.
3. That opposite party No 3 is the Head of Office and opposite party No 4 is the Immediate Superior Officer of the applicant.
4. That under the administrative control of the opposite party No 2, in addition to AMC Centre and School Lucknow, there are several other medical establishments such as Military/Command Hospitals and Station Health Organisations located at various stations in India in which Civilian Clerks designated as Upper / Lower Division are working. Clerical Supervisors designated as Office Superintendent Grade II and Grade I are at present authorised and posted in AMC Centre and School Lucknow only.

Contd ..... 5/-

*Januark*

5. That the present strength of Civilian Clerks i.e. Office Superintendents, Upper / Lower Division Clerks of AMC Centre and School and other medical establishments is as under:-

	Office Supnts		UDC	LDC	Total
	Gde I	Gde II			
AMC Centre and School Lucknow.	-	4	23	21	48
Other medical establishments.	-	-	(*)	164	164
			Total		212
	(*) O.C/LDC				

6. That by virtue of his seniority and other qualifications the applicant is eligible for promotion to the post of Office Supdt Grade II.

7. That till 1 December 1969, the channel of promotion of various grades of Civilian Clerks working in the Army Medical Corps Establishments including AMC Centre and School Lucknow was as under:-

- (a) Lower Division Clerk to Selection Grade LDC
- (b) Lower Division Clerk to Upper Division Clerk In the ratio of 3 : 8 based on seniority-cum-fitness.
- (c) Upper Division Clerk to Office Supdt Gde II In the ratio of 1 : 12 subject to selection-cum-fitness.
- (d) Office Supdt Gde II to Office Supdt Gde I In the ratio of 1 : 4 subject to certain couliions.

8. That promotion from Lower Division Clerks to Selection Grade Clerk and from Selection Grade Clerks to Upper Division Clerk were carried out by the Head of Department (opposite party No 2) on Corps basis i.e. the total number of Civilian Clerks of various Army Medical Corps Establishments including AMC Centre and School Lucknow were taken together for the purpose of applying

Contd .... 6/-

*Jaswant*

the ratio of 3 : 8 while the promotions from Upper Division Clerks to Office Suptt Cle II were carried out by applying the ratio of 1 : 12 to each office. Thus Office Suptt Grade II were authorised and posted in ANC Centre and School only where the ratio of 1 : 12 could be applied and in no other medical establishment because it did not have the minimum number of Upper / Lower Division Clerks (6 or more) for applying the ratio of 1 : 12.

9. That on 15 December 1969, Govt of India, Ministry of Defence issued letter No 11 (14)/69/0 (Civ-I) dated 15 December 1969, notifying the decisions taken by them on the recommendations of a Committee known as Devnath Committee on Clerical Supervisors. A true copy of the said letter is annexed herewith and marked as annexure 1.

10. That the main recommendations of Devnath Committee on Clerical Supervisors which were accepted by the Government as per their letter No 11 (14)/69/0 (Civ-I) dated 15 December 1969 (annexure 1) were, inter alia, as under:-

- "(i) Revise the existing ratio of UDC : LDC from 3 : 8 to 4 : 8.
- (ii) Abolish the Selection Grade of LDCs.
- (iii) Fix the ratio between Supervisors and Clerks on the basis of 1 : 12 on a Corps / Command / Service basis."

11. That the Govt decisions mentioned at (i) to (iii) of para 10 above were promptly implemented by the affected Corps/ Commands of the Army except the Army Medical Corps headed by the opposite party No 2.

Contd ..... 7/-

January 2

12. That for some unknown reasons, the opposite party No 2 implemented Government decisions mentioned at serials (i) and (ii) only, ignoring completely the decision at serial (iii) in regard to application of the ratio of 1 : 12 between Supervisors and Clerks on Corps basis. Had this ratio been applied then on Corps basis, the strength of Office Grade II, would have risen to about 17 or so.

13. That as late as 28 Jun 1986, the opposite party No 3 issued a general notification through the medium of Welfare Committee Meeting Proceedings that it had referred to Govt the question of implementation of Dev Nath Committee Report regarding promotions of Upper Division Clerks to Office Supdt Grade II on Corps basis but decision was awaited. A true copy of page No 1 of the proceedings is annexed herewith and marked as annexure 2).

14. That being eligible for promotion to the post of Office Supdt Grade II, the applicant submitted an application dated 05 May 88 to the opposite party No 2 through the opposite party No 3 and 4 requesting that his case for promotion be considered favourably. A true copy of this application is annexed herewith and marked as annexure 3).

15. That the opposite party No 3 purporting to be acting on a letter No 12361/DGMS 3 (B) dated 05 December 1986 (referred to in annexure 4) informed the applicant through the opposite party No 4 that the applicant's request for promotion had not been agreed to by the opposite party No 2. In this connection a true copy of letter No 940455/1MB/Civ dated 01 Jun 88 of opposite party No 4 is annexed to his application and marked as annexure 4.

Contd ..... 8/-

*Jawaid*

16. That the applicant then applied to the opposite party No 3 through the opposite party No 4 for a copy of letter No 12361/DG LS 3 (B) dated 05 December 1986 issued by the opposite party No 2 and quoted as authority in letter No 940455/1MB/Civ dated 01 Jun 88 (Annexure 4), so that he could seek the redressal of his grievances through this Hon'ble Court. A true copy of the application dated 06 Jun 1988 is annexed herewith and marked as annexure No 5).

17. That in reply to the applicant's request referred to in the preceding paragraph, the opposite party No 3 informed him through the opposite party No 4 that a copy of letter No 12361/DG LS 3 (B) dated 05 December 1986 issued by opposite party No 2 could not be supplied. No reasons were made known to the applicant. A true copy of letter No 940455/1MB/Civ dated 24 Jun 88 is annexed herewith and marked as annexure 6).

#### 7. RELIEFS SOUGHT

1. In view of the facts mentioned in para 6 above, the applicant prays for the following reliefs:-

(a) That a direction or order be issued directing the respondents No 1 to 3 to consider the promotion of the applicant from Upper Division Clerk to Office Suptd Grade II on Corps basis in terms of Sub Para (iii) of para 1 of Govt of India, Ministry of Defence letter No 11 (14)/69/D (Civ-I) dated 15 December 1969.  
(Annexure 1)

Contd ..... 9/-

*Answers*

(b) That any other suitable order or direction as the Hon'ble Court may consider appropriate be issued to the respondents No 1 to 3.

(c) That the respondents be directed to pay to the applicant the cost of the suit.

REASONS FOR ALLEGATION

1. Because the opposite party No 2 has failed to implement the fixation of ratio of 1 : 12 between Clerks and Supervisors on Corps basis and has deliberately and arbitrarily kept the case under consideration for more than 18 years.
2. Because the conduct of the opposite party No 1 in <sup>and</sup> ensuring implementation of its order (Annexure 1) by opposite party No 2 and of opposite party No 2 in keeping the case under consideration for more than 18 years amounts to denial of justice and hard earned promotion to the applicant.
3. Because the applicant's request for promotion to the post of Office Supdt Grade II has been summarily and arbitrarily turned down by the opposite parties No 2 and 3.
4. Because the conduct of opposite party No 2 in not implementing the fixation of ratio of 1 : 12 between Clerks and Supervisors in respect of the Civilian Clerks of Army Medical Corps only amounts to discrimination in as such as other Corps of the Indian Army serving under opposite party No 1 and similarly placed as the Army Medical Corps have with the consent and concurrence of opposite party No 1 and in terms of letter at annexure No 1

Contd ..... 10/-

*Answer*

implemented the fixation of revised ratio of 1 : 12 between the Clerks and Supervisors on Corps basis. Such a discrimination is violative of Article 16 of the Constitution of India.

5. Because no authority or power has been conferred by any agency on opposite party No 2 to implement only that part of the decision of opposite party No 1 as is contained in sub para (i) and (ii) of para 1 of the letter No 11 (14)/69/D (Civ-I) dated 15 Dec 1969 (Annexure 1) and to ignore altogether the implementation of the decision contained in sub para (iii) ibid.

6. Because the order passed by the opposite party No 3 on the applicant's application dated 05 May 88 (Annexure 3) is not a speaking order and is therefore violative of natural justice.

7. Because under the direction of opposite parties Nos 1 and 2, the post of Selection Grade LDCs has already been abolished, resulting in reduction of promotional avenues of Civilian Clerks of the Army Medical Corps.

8. Because the opposite party No 2 has already implemented the revised ratio of 4 : 8 between Upper Division Clerks and Lower Division Clerks on a Corps basis in the Army Medical Corps in compliance with the decision contained in sub para (i) of para 1 of Govt of India, Ministry of Defence letter No 11 (14)/69/D (Civ-I) dated 10 December 1969 (Annexure 1).

*Ansuan*

Contd ..... 11/-

There could, therefore, be no valid reason for opposite party No 2 seeking any order/clarification in this regard from opposite party No 1 as indicated in Annexure 2.

8. INTERIM ORDER, IF AWAITED FOR :

Pending final decision on the application,

the applicant seeks issue of the following

orders :-

- NIL -

(Give here the nature of the interim

order prayed for with reasons).

9. Detail of the remedies exhausted :

The applicant declares that he has availed of

all the remedies available to him under the

relevant service rules, etc.

(Give here chronologically the details  
of representations made and the outcome of  
such representation).

(a) The applicant in the first instance applied in writing (Annexure 3) requesting the opposite party No 3 to take up his case for promotion to Office Supdt Grade II with the opposite party No 2. However, without referring the case to opposite party No 2, the opposite party No 3 informed the applicant through the opposite party No 4 (Annexure 4) that his request had not been agreed to by

Contd ..... 12/-

*Jaswant*

the opposite party No 2. In this connection the opposite party No 3 relied on letter No 12361/III/DGMS 3 (B) dated 05 Dec 86 issued by the opposite party No 2 (Referred to in Annexure 4).

(b) The applicant then applied to the opposite party No 3 through the opposite party No 4 (Annexure 5) for a copy of letter No 12361/III/DGMS 3 (B) dated 05 Dec 86 so that he could seek the redressal of his grievances through this Hon'ble Court.

(c) Opposite party No 3 has flatly turned down without assigning any reason the applicant's request for a copy of letter No 12361/III/DGMS 3 (B) dated 05 Dec 86 issued by the opposite party No 2.

10. Matter not pending with any other Court etc :

The applicant further declares that the matter regarding which this application has been made is not pending before any Court of Law or any other authority or any other Bench of the Tribunal.

11. Particulars of Bank Draft/Postal order in respect of the Application fee :

1. Name of the Bank on which drawn
2. Demand draft No

CR

*forwards* Contd ..... 13/-

✓

1. Number of Indian Postal order(s)  $\frac{DP}{4}$  823286

2. Name of the issuing Post Office. G.P.O. Lucknow

3. Date of issue of Postal order(s) 23.8.1988

4. Post Office at which payable. G.P.O. Allahabad

12. Details of Index :

An index in duplicate containing

Enclosed

the details of the documents to be relied  
upon is enclosed.

13. List of enclosures.

(a) Postal orders Nos

(i)  $\frac{DP}{4}$  823286 for Rs 50/-  
(ii)  
(iii)

(b) Vakalat nama

Countd ..... 14/-

✓

**In verification :**

I, Jaswant Singh son of Shri Utham Singh, aged about 48 years working as Upper Division Clerk in A.I.C Centre and School Lucknow, resident of 142 Diamond Dairy Colony, Maiganj, Lucknow, do hereby verify that the contents of paragraphs 1 to 13 of this application are true to my personal knowledge and belief and that I have not suppressed any material facts.

Lucknow

Dated :- August 1988

*Jaswant*  
(Jaswant Singh)

To

The Registrar  
The Central Administrative Tribunal,  
Additional Bench, LUCKNOW

IN THE COURT OF ADMINISTRATIVE TRIBUNAL  
ADDITIONAL BENCH LUCKNOW

Registration No \_\_\_\_\_ of \_\_\_\_\_

J. S. SINGH SON OF SHRI UMLAL SINGH

- Applicant

Vs

UNION OF INDIA AND OTHERS

- Respondents

Copy of Govt of India, Ministry of Defence letter No 11 (14)/69/3 (Civ-I) dated 15 December 1969.

Subject : - Devnath Committee Report on 'Clerical Supervisors' -  
Implementation of JCM Decisions reached on the recommendations contained in the

Sir,

I am directed to convey the sanction of the President to the following measures in the various Defence Establishments (Excluding Ordnance Factories) as a result of the recommendations made by the Devnath Committee on Clerical Supervisors which were discussed at the Departmental Council (JCM) of the Ministry of Defence held on 18/19.11.1969:-

- (i) Revise the existing ratio of UDC : LDC from 3 : 8 to 4 : 8.
- (ii) Abolish the Selection Grade of LDCs.
- (iii) Fix the ratio between Supervisors and Clerks on the basis of 1 : 12 on a Corps/Command/Service basis.
- (iv) Raise the qualification of entry into Service of LDCs to Higher Secondary or equivalent and introduce an entrance examination for Clerks and a promotion examination for UDCs for filling up posts of Supervisors.

2. The implementation of the decision regarding Supervisors/Clerical ratio mentioned at (iii) above will be worked out under existing arrangements, i.e. the ratio will be applied to the authorised clerical supervisory strength in the various existing grades of Clerical Supervisors taken together on the one hand, and the total strength of the Clerical base under their supervision on the other.

NOTE I - "The ratio of one Supervisor (including assistant-in-charge) for 12 Clerks will be worked out for the Establishments of Naval Headquarters and M.C.S. From the newly worked out strength of Supervisors, the existing strength of Superintendents (Clerical) will be deducted. The balance will represent the authorised strength of Assistant-in-Charge under the new ratio.

Contd ..... 2/-

*Janmabhumi*

NOTE 2. The new ratio of one supervisor for 12 clerks will not apply to the Naval Pay Office Bombay where the existing position will continue."

3. Pending implementation of the recommendation at item (iv) of para 2, which would require working out the necessary details of examination etc in consultation with the concerned authorities, the present system of entry and promotion will continue.

4. 175 additional posts of UDCs sanctioned for the A.C.C. vide this Ministry's letter No F.7 (4)/68/61445/D (Lab)/D(JG1)/III/D (0-II) dated the 25th August, 1969, in lieu of similar posts of LDCs, over and above the number of UDCs posts admissible under the ratio 3 : 8 would be continued, after the revision of the ratio to 4 : 8, as UDC supernumerary, over and above the strength under the ratio of 4 : 8, in lieu of an equivalent number of LDCs, subject to their abolition in 5 years, according to the following stages:-

Date from which sanction for 175 extra UDC posts will be operative	Number of extra posts of UDCs
25.8.1969	175
31.12.1969	140
31.12.1971	105
31.12.1972	70
31.12.1973	35
31.12.1974	-NIL-

5. The date of implementation of the recommendations mentioned in clauses (i), (ii) and (iii) of para 1 will be 1.12.1969. The date of implementation of recommendation (iv) will be determined in due course.

6. These orders issue with the concurrence of Ministry of Finance (Finance) vide u.o. No 297/S/MB of 1969.

'Certified true copy'

*U.S. Shukla*

*U.S. Shukla*

(U.S. SHUKLA)  
Advocate

U.S.C.C.O./

August 1988

IN THE CENTRAL JUDICIAL COMMISSION, JALANDHAR, PUNJAB, LUCKNOW

Annexure No. 2

Registration No \_\_\_\_\_ of \_\_\_\_\_  
JASWANT SINGH SON OF SHRI TUKHAI SINGH

Vs \_\_\_\_\_ - Applicant

UNION OF INDIA AND OTHERS

COPY OF P/R. No. 1  
- Respondents

PROCEEDINGS OF THE 28TH COMMITTEE MEETING HELD ON 28 JUN 1988 IN CONFERENCE HALL OF THE CJC, LUCKNOW

Official Representatives

Lt Gen TM Ahuja - Commandant  
Col Surjeet Singh - Col A.M  
Lt Col P.S. Sway - Centre JI  
P.R. - I

1. Minutes of the 27th Welfare Committee meeting were read out by the Col A.M.

PT - II

National Representatives

Sirji Ram Bai - UDC  
Sriji Jhansi Ram - Cook (Absent)  
Sriji Shyam Lal - Safaiwala

2. Point raised by Shri Ram Bai

(a) Implementation of Dev Nath Committee Report regarding promotion of DCS to Office Suptd Grade II in A.I.C. by thence. In this connection please refer to Army HQ letter No 12361/ET/OGS 3(B) dated 05 Sep 85. Reminder has been issued vide letter No 102/17/Civ dated 30 Jun 88.

(b) Grant of Special Pay of Rs 35/- pm to 10% on strength - It has been intimated by Army HQ that special pay of Rs 35/- is granted to UDC upto the limit of 10% of the authorised strength of UDC and at present Special Pay has already been granted to all the eligible UDC of A.I.C. vide Army HQ No B/72008/OGS/3(B) dated 10 Dec 85. Special Pay of Rs 35/- granted to UDC is automatically disallowed on promotion to Office Suptd. So far none of the Suptd is in receipt of special pay.

(c) Supply of monthly pay slips to Civs  
- Due to shortage of staff the Pay Slips could not be prepared since last two

----- 'Certified true copy'

LJ GKO  
August 1988.

(U.S. SINGH)  
Advocate

23

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
ADDITIONAL BENCH, LUCKNOW

Annexure No 3

Registration No \_\_\_\_\_ of \_\_\_\_\_

JASWANT SINGH SON OF SERI UHIAH SINGH - Applicant

Vs

UNION OF INDIA AND OTHERS - Respondents

COPY

UDC JASWANT SINGH

AIC Centre and School  
No 1 Mil Trg Bn  
Lucknow-2

The Commandant  
A I C Centre and School  
Lucknow-2

05 May 88

Through : CO No 1 Mil Trg Bn

Re : Promotion to the post of O/S Gde II

Sir,

1. Respectfully I submit as under:-
2. That I was appointed as LDC wef 09 Mar 59 and was promoted to the post of UDC wef 1.12.1969.
3. That in terms of Dev Nath Committee recommendations contained in CERC 17/70, I am eligible for the promotion to the post of Office Supdt Gde II on Corpus basis.
4. I, therefore, request your goodself that a case be taken up on my behalf with the Medical Directorate Army HQ for considering my case for promotion to the post of Office Supdt Gde II favourably.
5. Thanking you in-anticipation.

Yours faithfully,

Sd/xxxxxxxxxx  
(UDC JASWANT SINGH)

-----  
Certified true copy

LUCKNOW

23 Aug 1988

*SS Shukla*  
(US SHUKLA)  
Advocate

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
ADDITIONAL BENCH, LUCKNOW

Annexure No 4

Registration No \_\_\_\_\_ of \_\_\_\_\_

JASWANT SINGH SON OF SHRI UPDAYA SINGH - Applicant

VS

UNION OF INDIA AND OTHERS - Respondents

COPY

Tele Mil - 273

AMC Centre and School  
No 1 Mil Trg Bn  
Lucknow-2

940455/1MEB/Civ

01 Jun 88

UDC Jaswant Singh  
No 1 Mil Trg Bn  
AMC Centre and School  
Lucknow-2

RELEVANCES CIVILIANS : PROMOTION OF UDC TO THE  
POST OF OFFICE SUPERINTENDENT ON CORPS BASIS - AMC

1. Refer to your application dated 05 May 88.
2. Your request for promotion from UDC to Office Superintendant on Corps basis had not been agreed to by Army HQ as per their letter No 12361/III/DG MS 3 (B) dated 05 Dec 86 as intimated by Centre HQ letter No 1602/42/Civ dated 21 May 88.

Sd/xxxxx  
(Raj Kumar)  
Capt  
Adjt

LUCKNOW

23 August 1988.

*U S Shukla*  
(U S Shukla)  
Advocate

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
ADDITIONAL BANCHI LUCKNOW

Annexure No 5

Registration No \_\_\_\_\_ of \_\_\_\_\_

JASWANT SINGH SON OF SHRI UDHAM SINGH - Applicant

VS

UNION OF INDIA AND OTHERS - Respondents

COPY

UDC JASWANT SINGH

AMC Centre and School  
No 1 Mil Trg Bn  
Lucknow-2

The Commandant  
AMC Centre and School  
Lucknow

03 Jun 88

Through : No 1 Mil Trg Bn.

Re : Promotion to the post of O/S Gds II

Sir,

1. Refer to your HQ letter No 1002/42/Civ dated 21 May 88 quoted in No 1 Mil Trg Bn letter No 940455/11TB/Civ dated 01 Jun 88.

2. I intend to file a civil suit in the Central Administrative Tribunal in connection with denial of my promotion to the post of Office Supt Grade II and as such request your goodself to kindly provide me a copy of Army HQ letter No 12361/III/OG MS 3 (B) dated 05 Dec 86.

Yours faithfully,

Sd/xxxxxxxxxxxxxx

(UDC JASWANT SINGH)

-----  
'Certified true copy'

LUCKNOW-2

23 August 1988.

— (U S Shukla)  
Advocate

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

ADDITIONAL BENCH, LUCKNOW

Annexure No 6

Registration No \_\_\_\_\_ of \_\_\_\_\_

JASWANT SINGH Son of SHRI UDHAK SINGH - Applicant

Vs

UNION OF INDIA AND OTHERS - Respondents

COPY

Tele Mil - 273

AMC Centre and School  
No 1 Mil Trg Bn  
Lucknow-2

940455/11TB/Civ

24 Jun 88

Sh Jaswant Singh UDC  
No 1 Mil Trg Bn

RE : PERIODION AT THE POST OF A/S GDE - II

1. Refer to your application dated 03 Jun 88.
2. It has been intimated by GHQ vide their letter No 1602/58/Civ dated 22 Jun 88 that copy of Army Headquarters letter No 12361/III/DGMS-3(B) dated 05 Dec 88 cannot be supplied to you.

Sd/xxxx  
(Raj Kumar)  
Adjt  
for Offg Comdg Offr

'Certified true copy'

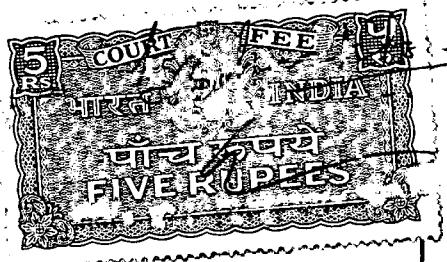
U S Shukla

U S Shukla  
Advocate

LUCKNOW

23 August 1988.

Central Administrative Tribunal  
Additional Bench, Lucknow  
वादी अपीलान्ट *Tarwant Singh*  
श्री *Chairman of Andhra Pradesh Legislative Assembly*  
प्रतिवादी [रेस्पोन्डेंट] *प्रतिवादी [रेस्पोन्डेंट]*



पापी (अपीलान्ट)

पत्राम

प्रतिवादी (रेस्पोन्डेंट)

द० छुफ्टामा लम् पेपी पी सा० १० ई०  
उपर लिखे भुफ्टामा में अपनी ओर से श्री *U. S. Shukla.*

क्रमील  
महोदय  
एडवोकेट

प्रतिवादी	भुफ्टामा
भुफ्टामा	प्रतिवादी
भुफ्टामा	भुफ्टामा
भुफ्टामा	भुफ्टामा
भुफ्टामा	भुफ्टामा

जो अपना बफील नियुक्त फरफे प्रतिज्ञा ( इजराए ) परता हूं और लिखे देता हूं एस भुफ्टामा बें बफील महोदय स्वयं अथवा अन्य बफील द्वारा जो कुछ ऐरवी व जबाब देही व प्रश्नोत्तर करें या जोई फागज पास्तिप फरें या लौटावें या हमारी ओर से उिगरी घारी फरवे और उपया बसूल फरें या सुलहनामा व इफबाल दावा तथा अपील निगरानी हमारी ओर से हमारी या अपने हस्ताक्षर से पास्तिप फरें और तसदीक फरें भुफ्टामा उठावें या जोई उपया घमा फरें या हमारी चिपक्षी ( फरीकसानी ) या बास्तिप छिपा हुआ उपया अपने या हमारे हस्ताक्षर युक्त ( हस्ताक्षती ) रसीद से लेये या पंच नियुक्त फरें—बफील महोदय हारा को जर्ह घट सय कार्यवाही हमको सर्वथा स्वीकार है और होगा मैं यह जी स्वीकार परता हूं यि मैं हर पेशी वर स्वयं या किसी अपनी बैरोफार जो भेजता रहूंगा अगर भुफ्टामा अदम पेरवी में एक तरफा मेरे भिलाक फंसला हो जाता है उसकी जिम्मेदारी वेरे बफील पर महों होगी इसलिए यह प्रपालसमामा लिख दिया ग्रमाव रहे और समय पर ताम आये।

Accepted

*Shukla*

*Ach. Deob.*

प्रस्ताक्षर

*Armanth*

साक्षी (जवाह)

साक्षी (जवाह)

एजेंट

२३-८-१९८८

महोपा

रु. १०

५०

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL  
CIRCUIT BENCH, LUCKNOW  
O.A. No. 95 of 88(L)

Jaswant Singh ..../. Applicant

## Versus

Union of India and others .. Respondents.

**COUNTER AFFIDAVIT ON BEHALF OF RESPONDENTS.**

I, Major SS Randhawa aged about 45 years son of Shri Paoja Singh Randhawa at present working as MTO, ANC Centre & School, Lucknow in the office of the Respondent no.4 do hereby solemnly affirm and state as under:-

1. That the deponent is Respondent no.4 in the above noted application and as such he is fully conversant with the facts of the case. He has read and understood the contents of the application and he has been authorised on behalf of other Respondents also and he is in position to file parawise reply as herein under:-
2. That the contents of para 1 of the application need no comments.
3. That the contents of para 2 of the application need no reply.

4. That the contents of para 3 of the application are incorrect as stated and in reply it is stated that the applicant is quite junior to be considered for promotion to the post of Office Supdt Gde. II as such he cannot be granted promotion. A copy of Director General, Medical Services(Army) New Delhi letter No. 12361/III/DG MS-3(B) dated 05 Dec 86 has been supplied to the applicant by the AMC Centre & chool vide letter No. 1617/Court Cases/166/Civ dated 27 Aug. 88. The communication regarding the applicant cannot be granted for promotion, has already been conveyed to him vide letter No. 1602/42/Civ dated 21 May 88.

5. That the contents of para 4 of the application are correct except the fact that no Grade. I Office Supdt is held under the jurisdiction of Respondents no. 2 or 3.

6. That the contents of para 5 of the application need no comments.

FACTS OF THE CASE 6(1)

7. That the contents of para 6 of the application are incorrect as stated, hence need no comments.

8. That the contents of para 6(2) of the application need no comments.

9. That the contents of para 6(3) of the application need no comments.

10. That the contents of para 6(4) of the application are not disputed.
11. That the contents of para 6(5) of the application need no comments.
12. That the contents of para 6(6) of the application are incorrect, as stated hence denied.
13. That the contents of para 6(7) ~~except~~ of the application need no comments.
14. That the contents of para 6(8) of the application need no comments.
15. That the contents of para 6(9) of the application need no comments.
16. That the contents of para 6(10) of the application need no comments.
17. That the contents of para 6(11) of the application need no comments.
18. That the contents of para 6(12) of the application ~~would~~ are incorrect as stated and in reply it is stated that the Govt of India's decision on the basis of Dev Nath Committee indicated that where there are 12 or more than 12 LDC/UDCs are working, one Office Supdt Gde II will be promoted

Unit the office Supdt is not required as such the formula do not apply.

10. That the contents of para 6(13) of the application are not disputed except the point has been raised by the clerical staff earlier but Govt. has clarified that it is not feasible to post Office Supdt wherever less than 12 clerks are posted.

20. That the contents of para 6(14 ) of the application are incorrect as stated and in reply it is stated that the promotion is based on vacancies basis and there are only four vacancies. He will be considered for promotion on his turn only.

21. That the contents of para 6(15) of the application need no comments.

22. That the contents of para 6(16) of the application are incorrect as stated hence denied and in reply it is stated that the applicant has then supplied with a copy of reply vide AMC Centre and School, Lucknow letter No.1617/Court Cases/ 166/Civ dated 23 Aug 88.

22. That the contents of para 6(17) of the application are incorrect as stated hence denied.



RELIEF SOUGHT

23. That in reply to the contents of para 7(a) of the application it is submitted that the relief sought by the applicant in para 1 of page-8 is not agreed to as there is no vacancy at present. Only 4 Office Supdts. are authorised as per scale laid down under the rules. The promotion is granted as per seniority and eligibility. UDC Jaswant Singh at present is quite junior. He will be promoted at his turn.

24. That the application in reply to the contents of application 7(b) of the application it is submitted that the application is liable to be dismissed as not maintainable in the eyes of law, with cost.

GROUND FOR THE RELIEF.

25. That in reply to the contents of para-1 of the grounds for the relief, it is submitted that the Respondents have implemented the fixation of ratio of clerks and supervisory staff wherever applicable. Before the award there was only two office Supdt in AMC Centre & School, Lucknow but after the implementation of award this strength has been increased to four. Thus the authorities have fully implemented the award and decision of the Govt of India.

26. That the contents of para 2 of the application at page 9 are incorrect, hence denied in view of the reply given against para-1 of the relief sought.

✓✓  
✓

27. That the contents of para 3 of the application at page 9 are incorrect as stated, hence denied in view of the reply given against para-1 of the reliefs sought.

28. That the contents of para 4 of the application at page 9 are incorrect as stated hence denied in view of the reply given against para-1 above.

29. That the contents of para 5 on page 10 of the application is incorrect as such denied, and in reply it is stated that the decision of Respondent no.2 has been based on the decision of Govt of India, Ministry of Defence (Finance) as such cannot be called not conform.

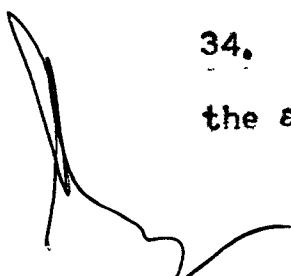
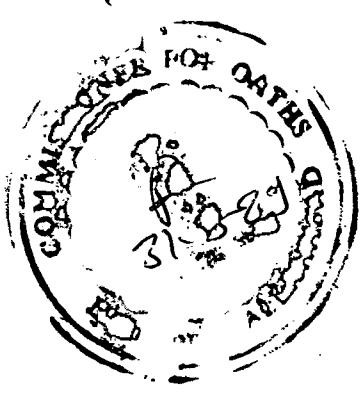
30. That the contents of para 6 on page 10 of the application are incorrect as stated, hence denied.

31. That the contents of para 7 of the application at page 10 are incorrect hence denied.

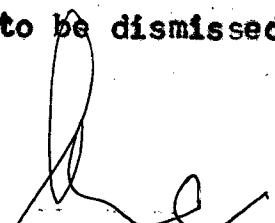
32. That the contents of para 8 & 9 at page 11 of the application need no comments.

33. That the contents of para 10 & 11 of the application at page 12 need no comments.

34. That the contents of para 12 onwards of the application are formal and need no comments.



35. That in view of the facts and circumstances stated above the application filed by the applicant is liable to be dismissed with cost to the Respondents.

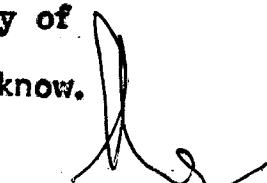
  
Deponent.

Lucknow,

Dated: 31/3/89

Verification.

I, the deponent above named do hereby verify that the contents of paragraphs 1 to 3 are true to my personal knowledge, those of paragraphs 4 to 28 & 30 to 34 are believed to be true on the basis of record while those of paragraphs 29 and 35 are also believed by me to be true on the basis of legal advice. Verified this 30 day of 1989 at the court compound at Lucknow.

  
Deponent.

Lucknow,

Dated: 31/3/89

I, identify the deponent who has signed before me and who is also personally known to me.

(VK CHAUDHARI)  
Addl Standing Counsel for Central Govt  
Counsel for the Respondents.

Solemnly affirmed before me on 31-3-89  
at 11-15 am/pm by the deponent who is identified  
by Shri VK Chaudhari, Advocate, Lucknow.

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

Oath Commissioner.

ROUNDTABLE  
CLUB  
LAW  
SOCIETY  
26/12/85  
2 ST-3-89

Tele Mil - 273

AMC Centre and School  
No 1 Mil Trg Bn  
Lucknow-2

040455/1MTB/Civ

Aug 88

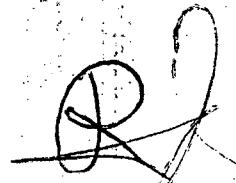
Shri Jaswant Singh UDC  
No 1 Mil Trg Bn

29

Y/0  
100

GRADUANCES CIVILIANS : REQUEST FOR UDC TO THE POST  
OF OFFICE SUPERINTENDENT ON CIVIL BASIS : AMC

1. Refer to your application dated 03 Jan 88
2. A copy of Army Headquarters letter no 12361/III/PG HS-3(B) dated 05 Dec 86 addressed to AMC Centre and School Lucknow is enclosed herewith as desired by you.

  
(Banjot Singh)  
Lieut  
Majt  
for Cenby Offr

Copy of Army HQ letter No 12361/III/PG HS-3(B) dated 05 Dec 86,  
addressed to AMC Centre and School Lucknow.

GRADUANCES CIVILIANS : REQUEST FOR UDC TO THE POST  
OF OFFICE SUPERINTENDENT ON CIVIL BASIS : AMC

1. Reference your letter No 1002/16/Civ dated 20 Oct 86.
2. The case has been examined and considered at this HQ in consultation with Ministries of Finance and Defence, who have not agreed to the proposal.

11/xxxx  
(S. O. by shorty)  
Colonel

Director of Legal Services (Civ)  
Kritay Chikitsa Seva (Joint) Lucknow  
For Sir Gen of Legal Services (Army)

*At. L. Shukla  
Advocate  
16. 4. 90*

FF 39/509  
140

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL LUCKNOW BENCH

LUCKNOW

Application No 95 (I) of 1988

JASWANT SINGH - Applicant

Vs

UNION OF INDIA AND OTHERS - Respondents

I N D E X

Sor No	Particulars of papers	Page No
1.	Rejoinder Affidavit	1 to 9
2.	Annexure No R-1	10 to 11
3.	Annexure No R-2	12
4.	Annexure No R-3	13 to 14

LUCKNOW

May 89

*b Shukla*  
(Counsel for the petitioner)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL LUCKNOW BENCH

LUCKNOW

Original application No 95 (L) of 1988

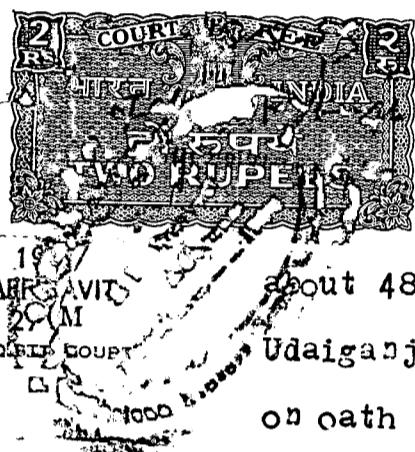
Jaswant Singh

- Applicant

Vs

Union of India and  
others

- Respondents



REJOINDER AFFIDAVIT

I, Jaswant Singh son of Shri Udhamp Singh, aged about 48 years, resident of 142 Diamond Dairy Colony, Udaiganj, Lucknow do hereby solemnly affirm and state on oath as under:-

1. That the deponent is the applicant in the above noted case and has read and understood the contents of the Counter Affidavit filed on behalf of Respondent Nos 1, 2 and 3. He is therefore well conversant with the facts deposed to hereunder.

2. That the contents of paragraph 1 of the Counter Affidavit do not call for any reply except that the Respondent is not fully conversant with the facts of the case and has submitted evasive replies to the specific averments made in the claim petition.

That the contents of paragraph 2 of the Counter Affidavit need no reply.

4. That the contents of paragraph 3 of the Counter Affidavit need no reply.

Contd ..... 2/-

*Jaswant Singh  
Kumud  
S. Singh  
to file & keep on record  
& put up before  
maine Court  
on date fixed*

*Q. S.*

5. That as regards the contents of paragraph 4 of the Counter Affidavit only this much is admitted that copy of the Director General Medical Services (Army) letter No 12361/III/DGMS 3 (B) dated 05 Dec 86, received by the deponent on 29 Aug 88. Rest of the averments are denied.

6. That the contents of paragraph No 5 of the Counter Affidavit need no reply.

7. That the contents of paragraph No 6 of the Counter Affidavit need no reply.

8. That the contents of paragraph 7 of the Counter Affidavit need no reply.

9. That the contents of paragraph 8 of the Counter Affidavit need no reply.

10. That the contents of paragraph 9 of the Counter Affidavit need no reply.

11. That the contents of paragraph 10 of the Counter Affidavit need no reply.

12. That the contents of paragraph 11 of the Counter Affidavit call for no reply.

13. That the contents of para 12 of the Counter Affidavit are denied and in reply it is stated that the deponent is eligible for promotion if the ratio of 1 : 12 were to be applied on Corps basis (As per annexure I to the application) on the present total clerical strength of the Army Medical Corps that is 208, there should be 17 Office Cadts Grade II out of which four are already posted in the Office of Army Medical Corps Centre and School Lucknow only. In the seniority Roster of Upper Division Clerks circulated by the Respondent No 2, the deponent's name appears at serial No 12 whereas 13 posts would be available for filling on Corps basis. A copy of the said seniority Roster is annexed as Annexure R-I to this Rejoinder Affidavit.

14. That the contents of paragraph 13 of the Counter Affidavit need no reply.

15. That the contents of paragraph 14 of the Counter Affidavit need no reply.

16. That the contents of paragraph 15 of the Counter Affidavit need no reply.

17. That the contents of paragraph 16 of the Counter Affidavit need no reply.

18. That the contents of paragraph 17 of the Counter Affidavit need no reply.

19. That the contents of paragraph 18 of the Counter Affidavit are emphatically denied as stated and those of paragraph 6 (12) on page 7 of the claim petition are re-affirmed. It is further submitted that the Respondents have not properly understood the contents of Govt letter dated 15 Dec 1969 filed at Annexure No I of the application, Sub - paras (i) to (iii) of para 1 of this letter lay down three specific directions : namely :-

- (i) Revise the existing ratio of UDC : LDC from 3 : 8 to 4 : 8.
- (ii) Abolish the Selection Grade of LDC.
- (iii) Fix the ratio between Supervisors and Clerks on the basis of 1 : 12 on Corps / Command / Service basis.

It may be stated that in the Army, Corps / Command / Service are the names of Headquarters of a group of sub units scattered all over India where civilian clerks are posted in small numbers ranging between 1 to 4. For example the Army Medical Corps consists of Military Hospitals and Health

*Jaswant* Contd .... 4/-



Units located in various Cantonments in India including Army Medical Corps Centre and School which is located at Lucknow. Similarly a Command HQ is made up of Areas, Sub Areas, Station Headquarters located in different stations of a particular zone where civilian Clerks are employed. The term "Service" denotes Army Units other than Corps / Command such as Military Engineering Service, Ordnance Factories etc. What the Govt letter dated 15 Dec 1969 cited above lays down in para 1 (iii) is that the ratio of 1 : 12 should be applied to the total clerical base of a Corps / Command / Service organisation. If this ratio were to be applied to the clerical strength of the Army Medical Corps as a whole i.e. 208 clerks then the number of clerical supervisors (Office Supdt Grade II) would work out to 17. In this connection para 6 (5) on page 5 of the claim petition also refers.

The contention of the Respondents that Office work would collapse if clerical supervisors were to be posted in Office where less than 12 clerks are employed is far from truth and reality for the following reasons:-

(a) In the Office of the Respondent No 3 i.e. Army Medical Corps Centre and School itself Shri IS Negi UDC was promoted as Office Supdt Grade II on 13 Mar 1987. From that date till first week of April 1988 i.e. for about 13 months Shri IS Negi worked in Administrative Branch with only one clerk under him to supervise and from the first week of April 1988 to date Shri IS Negi has been working as Incharge of Postal Section where there are only two clerks working under him.

*Jaswant Singh*

(b) Shri US Shukla UDC (since retired) also of Army Medical Corps Centre and School Lucknow was promoted to the post of Office Supdt Grade II on 26 Oct 1970. From that date to 12 May 1975 i.e. for about 4½ years, he worked single handed at HQ Central Command (Medical Branch) Lucknow on attachment duty.

(c) Other Corps / Command / Services under the control of Respondent No 1 have been allowed to work out and employ clerical supervisors by applying the ratio of 1 : 12 on Corps / Command / Service basis, even though they are supervising the work of only 1 or 2 clerks. Details of some of Corps / Command are given in annexure No R-2 to this Rejoinder Affidavit and the details of deployment of clerical supervisors are shown in Annexure No R-3 of this Rejoinder Affidavit. Thus the Respondent No 1 has meted out discriminatory treatment to the civilian clerks of the Army Medical Corps including the deponent in violation of Article 16 of the Constitution of India.

As regards the Charter of Duties of clerks by the Respondents, it is submitted that this is a self-made and imaginary document which has not been produced in support of the averment made in the Counter Affidavit.

That the contents of paragraph 19 of the Counter Affidavit are denied and those of paragraph 6 (13) on page 7 of the claim petition are re-affirmed. As submitted in detail in the preceding paragraph other Corps / Command

Contd ..... 6/-

under the control of Respondent No 1 have already implemented the provisions contained in para 1 (i) to (iii) of Govt letter dated 15 Dec 1989 (Filed at Annexure No 1 of the claim petition) by applying the ratio of 1 : 12 for the purpose of arriving at the number of clerical supervisors vis a vis total authorised clerical strength and have also ordered promotions accordingly as shown in Annexure Nos R-2 and R-3 to this Rejoinder Affidavit.

21. That the contents of paragraph 20 of the Counter Affidavit are denied and in reply it is submitted that there should be 17 and not 4 vacancies and the deponent's name in the seniority Roster of UDCs filed at Annexure No R-1 of this Rejoinder Affidavit is at serial No 12.
22. That the contents of paragraph 21 of the Counter Affidavit need no comments.
23. That the contents of paragraph 22 of the Counter Affidavit are denied as stated and in reply it is submitted that letter No 1617/Court cases/166/Civ dated 23 Aug 1988 alongwith a copy of impugned letter No 12361/III/DGMS 3(B) dated 05 Dec 1986 was supplied to the deponent only on 29 Aug 1988 i.e. more than 2 months after having initially refused in writing to supply the same vide Annexure No 6 of the claim petition.
24. That the contents of paragraph No 23 of the Counter Affidavit are denied as stated and those of para 7 (a) on page No 8 of the claim petition are re-affirmed.
25. That in reply to the contents of paragraph 24 of the Counter Affidavit it is submitted that the claim petition is legally sustainable and deserves to be allowed with cost on merits.

26. That the contents of paragraph No 25 of the Counter Affidavit are denied and in reply it is stated that the Respondents No 1 and 2 have implemented the provisions of Govt letter dated 15 Dec 1969 in a particular office only and not on Corps basis.

27. That the contents of paragraph No 26 of the Counter Affidavit are denied and those of para 2 on page 9 of the claim petition are re-affirmed.

28. That the contents of para 27 of the Counter Affidavit are denied and those of para 3 on page 9 of the claim petition are re-affirmed.

29. That the contents of para 28 of the Counter Affidavit are denied and in reply it is submitted that as already stated in para 11 on page 6 of the claim petition, Respondent No 1 has already allowed other Corps / Command i.e. Defence Security Corps and HQ Central Command etc to apply the ratio of 1 : 12 between Clerical Supervisors and clerks as indicated in Annexure Nos R-2 and R-3 to this Rejoinder Affidavit. Hence this is a clear case of discrimination against the civilian clerks of Army Medical Corps which is violative of Article 16 of the Constitution of India.

30. That the contents of paragraph 29 of the Counter Affidavit are denied and those of paragraph 3 on page 10 of the claim petition are re-affirmed.

31. That the contents of paragraph 30 of the Counter Affidavit are denied and those of paragraph 6 on page 10 of the claim petition are re-affirmed.

*Answear*

32. That the contents of paragraph No 31 of the Counter Affidavit are denied and those of para 7 on page 10 of the claim petition are re-affirmed.

33. That the contents of paragraph No 32 of the Counter Affidavit need no reply.

34. That the contents of paragraph No 33 of the Counter Affidavit need no reply.

35. That the contents of paragraph No 34 of the Counter Affidavit need no comments.

36. That in reply to the contents of paragraph No 35 of the Counter Affidavit, it is stated that the claim petition deserves to be allowed on merits with costs in favour of the deponent.

LUCKNOW

15 May 1989.

Answaren

\_\_\_\_\_  
(Deponent)

Verification

19

I, the deponent above named do hereby verify that the contents of paragraph 1 are true to my personal knowledge and those of paragraphs 2 to 36 are believed to be true on the basis of legal advice. Verified this 15<sup>th</sup> day of May 1989 at the Court Compound at Lucknow.

LUCKNOW

15<sup>th</sup> May 1989

*Jaswant*  
(Deponent)

I, identify the deponent who has signed before me and who is also personally known to me.

*US Shukla Advocate*  
(US Shukla)  
Counsel for the Deponent  
Solemnly affirmed before me on 15.5.89 at 11.30 hrs  
by the deponent who is identified by Shri US Shukla  
Advocate Lucknow.

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

Oath Commissioner.

*Con 29  
I am a Notary Public  
I have read the above statement to the  
Deponent and he has signed  
the same in my presence  
I declare that the contents of the statement  
are true to the best of my knowledge  
and belief  
I have also signed the statement  
in the presence of the Oath Commissioner  
and he has signed the same  
in my presence  
I declare that the contents of the statement  
are true to the best of my knowledge  
and belief  
15/5/89*

THE CENTRAL ADMINISTRATIVE TRIBUNAL LUCKNOW BENCH - LUCKNOW

84 • NOVEMBER 25, 1988

JASWANT SINGH  
UNION OF INDIA AND  
OTHERS

٦٣٦

### Applicant

— Respondents  
—

SENIORITY ROSTER OF UDC IN AMC CENTRA AND SCHGL AND OTHER MEDICAL UNITS, EXCEPT RECORDS OFFICE AMC

**ANNEXURE B-I**

Srl No	Name	Unit	Date of birth	Edn Qlfns	Details of app'tt to various posts and Grade			SC/ST	Date of QP	Date of posting of Regular post in AMC	Date of confirmation	Remarks	
					1	2	3	4	5	6	7	8	9
1.	Sh Prene Segar SHO	Gurdaspur	15.8.31	Matric	15.11.52	OSM	-		1.7.56 CSM	08.8.58	1.4.62 LDC		
2.	" Abdul Rahim SHC	Fatehgarh Khan	10.1.32	"	8.8.58 2.12.57 6.11.63	LDC LDC UDC	-		1.7.61	18.10.58	1.8.68 UDC	1.4.62 LDC	1.4.71 UDC
3.	" Inder Singh - Khana	Sangor	-	-	1.2.58 5.11.63	LDC UDC	-	-	-	1.9.81 30.4.49	1.4.62 LDC 24.4.64 LDC	1.4.71 UDC	Transferred to Pension Est.
4.	" Sita - Rani - AMC - C & S - Jaiwal	15.8.30	"	-	19.8.43 22.4.66 1.4.67 16.4.68	LDC LDC LDC UDC	-	-	-	-	24.4.64 LDC 1.4.71 UDC	-	-
5.	" P Prabhakaran	"	27.1.38	"	1.10.57	SMIT	-	1.7.61	10.12.66 SMIT	10.12.66 LDC	10.12.66 LDC	10.12.66 LDC	10.12.66 LDC
6.	" B Krishnan MH	Golconda	15.7.32	7	20.2.58 21.6.68	LDC UDC	SC	23.1.61 11/2	19.10.71 UDC	12.9.58 LDC	19.10.71 UDC	Contd. 11/-	Delivery

1	2	3	4	5	6	7	8	9	10	11
7. Sh K Rajan	SHO	Aurangabad	15.0.2.0.35	Matric	20.0.2.58 LDC	-	1.0.7.6.1	1.0.10.0.58	1.0.4.6.2 LDC	30.0.10.0.71 UDC
8. " Sajjan Singh SHO	05.0.3.35	PA	21.0.2.58 LDC	-	17.5.6.8 UDC	17.5.6.8 UDC	1.0.7.6.1	21.0.9.58	1.0.4.6.2 LDC	1.0.4.0.72 UDC
9. " PA Narayanan SHO	15.0.12.0.34	PA	24.0.2.58 CSM	-	28.0.8.58 LDC	28.0.8.58 LDC	1.0.7.6.1	28.0.8.58	1.0.4.6.2 LDC	1.0.4.0.72 UDC
10. " JN-Chakraborty-SHO	-	01.0.10.0.29	-	Matric	-	-	-	-	1.0.4.6.2 LDC	1.0.4.0.73 UDC
11. " Ram Gopal SHO	29.0.9.40	Inter SI Dip	11.0.3.58 LDC	-	18.0.4.6.9 UDC	11.0.3.58 LDC	1.0.7.6.1	19.0.8.58	1.0.4.6.2 LDC	1.0.4.0.73 UDC
12. " Manik-Chand-AMC-C28	-	6.0.3.0.35	-	Matric	-	-	-	-	1.0.4.6.2 LDC	-
13. " SP Datta SHO Puno	20.0.7.35	Matric	1.0.7.58 LDC	-	18.0.4.6.9 UDC	23.0.8.6.9 UDC	1.0.7.6.1	14.0.8.58	1.0.4.6.2 LDC	1.0.4.0.73 UDC
14. " BB Galikaa SHO Kirkoo	17.0.7.33	SSC	1.0.12.0.58 SMT	SC	16.0.1.6.5 LDC	1.0.12.0.58 UDC	1.0.7.6.2	16.0.1.6.5	1.0.4.6.5 LDC	1.0.4.0.6.5 UDC
			20.0.8.0.78 Office Supdt		3.0.10.0.78 UDC					
15. " Madhuwanand SH (WC)	15.0.8.0.38	Matric	13.0.12.0.58 LDC	-	1.0.12.6.9 UDC	1.0.7.6.2 SMT	1.0.7.6.2	13.0.6.6.9	1.0.4.6.2 LDC	1.0.4.0.73 UDC
16. " Jasswant Singh AMC C38	09.0.9.40	PA	9.0.3.59 LDC	-	1.0.12.6.9 UDC	27.0.7.0.59	1.0.7.6.2	27.0.7.0.59	1.0.4.6.2 LDC	1.0.4.0.73 UDC

C. G. Lohankar  
Adviser

1.0.5.13.5/13

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL LUCKNOW BENCH - LUCKNOW

C.A. No. 95 (L) of 1988

Applicant

VS

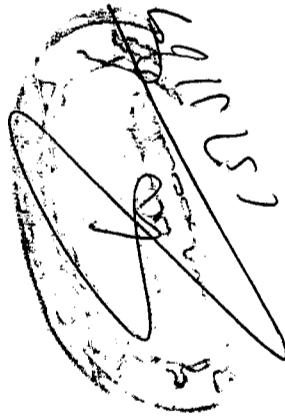
JASWANT SINGH  
UNION OF INDIA AND  
OTHERS

Respondents

ANNEXURE B-2

CHART SHOWING THE DETAILS OF CORPS / COMMANDS UNDER THE CONTROL OF MINISTRY OF DEFENCE ON 22/12/1982  
WHO HAVE IMPLEMENTED THE PROVISIONS OF GOVT OF INDIA MINISTRY OF DEFENCE LETTER  
No. 11 (14)/60/D (Civ-I) dated 15 DECEMBER 1989 BY APPLYING THE RATIO OF 1 : 12 BETWEEN  
CLERKS AND OFFICE SUPDTS

<u>Srl No</u>	<u>Name of Corps / Command</u>	<u>Total Strength of Clerks</u>	<u>No of Office Supdts authorised on the basis of Ratio of 1 : 12</u>
1.	Defence Security Corps	248	21
2.	HQ Central Command	54	04
3.	Army Medical Corps	208	04 (Authorised in ANC Centre and School Lucknow Only).



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL LUCKNOW BENCH - LUCKNOW

C.A. No. 95 (L) OF 1988

JASWANT SINGH

Vs

UNION OF INDIA AND OTHERS

- Applicant

- Respondents

CHART SHOWING THE DEPLOYMENT OF CLERICAL SUPERVISORS OF SOME OF THE CORPS/COMMAND UNDER  
THE CONTROL OF GOVT OF INDIA MINISTRY OF DEFENCE

Srl No.	Name of the Corps / Command	Total Clerical Base	No. of Clerical Supervisors Held	Name of Office	DETAILED DEPLOYMENT	No. of Clerks and Clerical Supervisors Posted
1.	Defence Security Corps	248	21	HQ Central Command	2	
				HQ Northern Command	2	1
				HQ Western Command	2	1
				HQ Southern Command	2	1
				HQ Eastern Command	2	1
				In 16 Group Headquarters	32 (2 in each Gp)	16 (1 in each Gp)
				Total	42 (*)	21

(\*) Note : - The remaining 206 Clerks are posted in various platoons all over India  
@ 1 each or so.

Contd. .... /-

Jaswant

15/1/89

*✓*

Srl No	Name of the Corps / Command	Total Clerical Base	No. of Clerical Supervisors Held	DETAILS OF DEPLOYMENT	
				Name of Office	No. of Clerks and Clerical Supervisors posted
<u>Clerks Clerical Supervisors (O/S Oracle II)</u>					
2.	HQ Central Command Lucknow	54	4	HQ Central Command 'A' Branch	2 1
				HQ Central Command 'Q' Branch	2 1
				HQ UP Area Bareilly	2 1
				HQ Central Command MISCELL	6 1
3.	AMC Centre and School Lucknow	208	3	Postal Section Centre Headquarters	2 1
				E & D SECTION C/O No 1 Tech Trg Bn	6 1
				Civilian Section Centre Headquarters	7 1

*Govt. of India*

*✓*

\*एक रजिस्टर्ड पत्र/पोस्टकार्ड/पैकेट/पार्सल प्राप्त हुआ

क्रमांक/No.

Review NO. 323/95 INR 45/188

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

पाने वाले का नाम  
Addressed to (name)

Govt. of India, Ministry of Finance  
New Delhi.

+बीमे का मूल्य (रुपयों में)

Insured for Rupees

वितरण दिन क्रमांक/Date of delivery

19

\*अनारंभिक दो दाट दिया जाए।

\*Scarf out the matter not required.

+केवल दीमो चस्तुओं के लिए

†For Incurred articles only

पाने वाले के हस्ताक्षर/Signature of addressee

27

\*एक बीमा रजिस्ट्री पत्र/पोस्टकार्ड/पैकेट/पार्सल त्राज्जन हुआ

क्रमांक/No.

Review No. ३२३१० in o. A. १८१४

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

Insured

पाने वाले का नाम  
Addressed to (name)

Army HQ, Medical Service (A.M.S.)

२४२, १०, नवा दिल्ली - ११

† बीमे का मूल्य (रुपयों में)  
Insured for Rupees

वितरण की तिथि/Date of delivery..... १९

\* अनारोग्य नो काट दिया जाए ।

\*Scor off the matter not required.

† केवल बिना वस्तुओं के लिए

† For insured articles only

पाने वाले के हस्ताक्षर/Signature of addressee

IN THE GOVERNMENT ADMINISTRATIVE TRIBUNAL  
LUCKNOW DIVISION, LUCKNOW

Mr. SAT/LKC/20/1 8051 76 8854

20/1/93

Dated:

Registration No. \_\_\_\_\_

----- Applicant .

PSU

Please take notice that the applicant above named has  
presented an application a copy of ~~letter~~ thereof is  
enclosed therewith which has been registered in this Tribunal  
on the day of ..... show cause as to why the  
application is restricted. Counter may be filed within .....  
~~days~~. Reply, if any, to be filed with ..... weeks  
thereafter .

If, no appearance is made on your behalf, you  
will be heard by some one duly authorised to Act and plead  
on your behalf in the said application, it will be heard  
and decided in your absence. Given by hand and the seal  
of the Tribunal this ..... day of ..... 199

For Gy. Registrar.

Enclo.

Copy of letter.

CENTRAL ADMINISTRATIVE TRIBUNAL,  
LUCKNOW BENCH, 2-RANA PRATAP MARG, MOTI MAHAL, LUCKNOW.  
\*\*\*\*\*

252  
15-2-99.

FORM NO. 9: R.A. 323/90  
ORIGINAL APPLICATION NO. 95/88 F 1988.

APPLICANT(S)

Jaswant Singh

BY ADVOCATE SHRI .....

RESPONDENT(S) .

BY ADVOCATE/CENTRAL  
GOVT. STANDING COUN-  
SEL/GOVT. PLEADER .....

To,

Jaswant Singh S/o Sri Udhamb Singh R/o  
142 Diamond Dairy Colony, Udaiganj,  
Lucknow.

Whereas an application filed by the above named applicant(s) under section 19 of the administrative Tribunal Act, 1985 as in the copy annexed hereunto has been registered and upon preliminary hearing the Tribunal has admitted the application. Sri M. Dubey is stated to have excused you appear in person or engage another Counsel.

Notice is hereby given to you that if you wish to contest the application, you may file, your reply alongwith the documents in support thereof and after serving copy of the same on the applicant or his Legal Practitioner within 30 days of receipt of the notice, before this Tribunal, either in person or through a Legal Practitioner/Presenting Officer appointed by you in this behalf. In default, the said application may be heard and decided in on your absence on or after that date without any further notice.

List on 8-3-99.

Issued under my hand and the seal of the Tribunal this the the day of ..... 11th February ..... 1999....

Encl:

BY ORDER OF THE TRIBUNAL  
REGISTRAR

RN)

9C 112/99

*Application*

Reserved

*1/27*

Central Administrative Tribunal, Allahabad.  
CIRCUIT BENCH, LUCKNOW.  
\*\*\*\*\*

Registration O.A.95 of 1988 (L)

Jaswant Singh

Applicant

vs.

Union of India and others.....

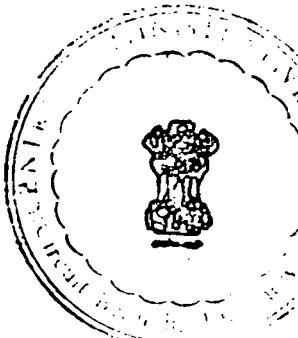
Respondents.

Hon. D.K.Agrawal, JM  
Hon. P.S.Habeeb Mohammed, AM

(By Hon'ble D.K.Agrawal, JM)

This Application u/s.19 of the Administrative Tribunals Act XIII of 1985 has been filed with a prayer that the Applicant be promoted from the post of Upper Division Clerk to the post of Office Superintendent Gr.II on corps basis.

2. The Applicant has approached us for a direction in the form of a mandamus directing the Respondents to appoint more Office Superintendents Gr.II merely on the ground that Dev Nath Committee recommended the ratio 1:12 for Office Superintendent-Clerks. The Applicant alleges that in view of the strength of the Clerks, there should have been 12 posts of Office Superintendent while the Respondents have appointed 4 only. Therefore, a direction has been sought against the Respondents to create more posts of Office Superintendent. The contention of the Respondents is that the recommendation of Dev Nath Committee has been implemented in the offices where 12 or more Clerks are working. However, they have pleaded that it is not possible to do so in an office or unit where only 2 or 3 Clerks are working.



The Respondents admit that they can create 12 posts of Office Superintendent but their contention is that it is not administratively expedient to do so.

3. We have heard learned counsel for the parties and perused record. We have also noted with concern that the Applicant's position in the order of seniority is at sl.no. 12. No person junior to him has yet been promoted as Office Superintendent. Therefore, the Applicant presumably can have no grievance. We do not consider it proper to give any direction to the Respondents to create more posts of Office Superintendent, notwithstanding, whether they require or not. It is for the Respondents to find out how many posts of Superintendents are needed to supervise the work of the Clerks in an office. The norms have been laid down for creation of the posts of Office Superintendent. The Respondents will take account of it in due course of time according to the administrative exigencies. We are of opinion that it is not the function of the Tribunal to judge if more posts of Office Superintendents should or should not be created. It is for the competent authority to do so. We have also noted that no prejudice has been caused to the Applicant inasmuch as no junior to him has yet been promoted as Office Superintendent. There has been no averment to the effect that the Applicant is being superseded by any junior. Therefore, we do not consider it proper to interfere. We are of opinion that the Application is liable to be dismissed.

4. The Application is accordingly dismissed without any order as to costs.

MEMBER (A) 18/4/90

MEMBER (J) 18/4/90

Dated: 18<sup>th</sup> April, 1990  
KKB

Attested

To the Copy

Deputy Registrar

Central Ad

ive Tribunal

I.U. No. B. 19/4/90  
LAW BENCH,

LUCKNOW

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD  
CIRCUIT BENCH, LUCKNOW

Regarding M.P. No. 201/91 (L)  
Review Application no. 323 of 1990

In re-  
O.A. No. 95 of 1988

Decided on 18.4.90

Jaswant Singh ... Applicant

Versus

Union of India & others ... Respondents.

-----

The humble applicant respectfully submits as  
under :-

1. That the applicant has preferred a review application dated May 10, 1990, against the order/judgement dated 18.4.90 passed in OA No. 95 of 1988. The said application has been registered as Review Application no. 323 of 1990.
2. That the aforesaid review application was filed on 10.5.1990 and although more than eleven months have passed, it has not come up for hearing.
3. That the consideration of the review application has already been much delayed and it would be expedient in the interest of justice that it is taken up for consideration at the earliest.

It is, therefore, most respectfully prayed that the review application no. 323 of 1990 in re - OA no. 95 of 1988 decided on 18.4.91, be listed for hearing at the earliest.

*M. Dikshy*  
Dikshy  
Counsel for Applicant

LUCKNOW

Dated : 15.4.91

B. SOLOMON  
ADVOCATE

Phone: 63864

7

General Ganj  
Thakurganj  
Hardoi Road

In the Central Administrative Tribunal at Allahabad  
Circuit Bench, Lucknow. <sup>lucknow</sup>  
File No 323/90 & C.A.N. 95/88

Jaswant Singh <sup>1/1</sup> Applicant  
Union of India & others <sup>1/1</sup> Respondents.

In the case above noted it is submitted  
that the Counsel for the applicant is  
lying in bed for the last three days  
due to high blood pressure and he is  
not able to attend this Tribunal  
today also.

The case listed at Smt 1 may  
kindly be adjourned to some other  
date and oblige.

Smt 1

Dt. 4/10/94.

B. Solomon  
Adv.

To.

The Secretary  
Lucknow Bench of the  
C - A - T,

Sir

Reg - ① Conduit 1807-9  
Street (Conduit)

② Review no 53-93  
Prabhat Kumar

Kindly request but  
would be obliged to adjourn  
the above meeting unless  
as I shall remain out  
of office with personal work

Yours  
4-10-9

Conrad for P. D. B.

B. SOLOMON  
ADVOCATE

General Ganj  
Thakurganj  
Hardoi Road  
Lucknow

51  
My Bench Secretary,  
C.A.T. Lucknow.

Please direct before Your  
Honourable to adjourn Case listed at  
Sl No 51, as ~~the~~ applicant has  
fractured his leg and oblige.

Sl No. 51

Dr. Zobslay.

B. Solomon

Adv.

Counsel for Applicant.