

CENTRAL ADMINISTRATIVE TRIBUNAL
LUCKNOW BENCH, LUCKNOW

INDEX SHEET

CAUSE TITLE ...DA 95... OF 1989

NAME OF THE PARTIES ...Anujay Krishan... Applicant

Versus

...Union of India... Respondent

Part A.

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CERTIFICATE

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

Dated 16/6/2011

Counter Signed.....

Section Officer/In charge
16/6/11

Signature of the
Dealing Assistant

CENTRAL ADMINISTRATIVE TRIBUNAL

LUCKNOW BENCH LUCKNOW

INDEX SHEET

Cause Title CA 95/189 of 1993

Name of the parties Anujay Kashnig Applicants.

Versus

Union of Indlg & Otho

Respondents.

Part B.C.

Sl. No.

Description of documents

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File A

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File B

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A1

CENTRAL ADMINISTRATIVE TRIBUNAL

ADDITIONAL BENCH,

23-A, Thornhill Road, Allahabad-211001

Punishment

Registration No. 95 of 1984(L)

APPLICANT (s) Anujay Krishna

RESPONDENT(s) UO9 & others (9CAR)

Particulars to be examined

Endorsement as to result of Examination

1. Is the appeal competent?
2. (a) Is the application in the prescribed form?
(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 case 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?
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?

yes

yes

yes

Five Sets.

yes

—

—

yes

yes P.O. No. DD 834306
4 dt. 03-5-89
(50/-)

yes

yes

yes

Particulars to be ExaminedEndorsement as to result of Examination

- (c) Are the documents referred to in (a) above neatly typed in double space ?
8. Has the index of documents been filed and paging done properly ?
9. Have the chronological details of representation made and the outcome of such representations been indicated in the application ?
10. Is the matter raised in the application pending before any Court of law or any other Bench of Tribunal ?
11. Are the application/duplicate copy/spare copies signed ?
12. Are extra copies of the application with Annexures filed ?
- (a) Identical with the original ?
- (b) Defective ?
- (c) Wanting in Annexures
- Nos...../Pages Nos..... ?
13. Have file size envelopes bearing full addresses, of the respondents been filed ?
14. Are the given addresses, the registered addresses ?
15. Do the names of the parties stated in the copies tally with those indicated in the application ?
16. Are the translations certified to be true or supported by an Affidavit affirming that they are true ?
17. Are the facts of the case mentioned in item No. 6 of the application ?
- (a) Concise ?
- (b) Under distinct heads ?
- (c) Numbered consecutively ?
- (d) Typed in double space on one side of the paper ?
18. Have the particulars for interim order prayed for indicated with reasons ?
19. Whether all the remedies have been exhausted.

yes

yes

yes

No.

yes

yes

yes

-

-

No

yes

yes

N.A.

yes

yes

yes

yes

yes

yes

yes

May be listed
before court on
22-5-89

Sanjay
S.O. (5)
03/5/89

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
CIRCUIT BENCH, LUCKNOW

ORDER SHEET

REGISTRATION No. 95 of 1989(L)

APPELLANT
APPLICANT

Ana Jay K. Sharma

VERSUS

DEFENDANT
RESPONDENT

Union of India

Serial number of order and date	Brief Order, Mentioning Reference if necessary	How complied with and date of compliance
① 22.5.89	No. Sitting. Adjudged to 7/7/89. for admission c.b. 22/5	
② 7/7/89	Hon'ble Justice K. Nath, J.C. Hon'ble K.J. Roman, J.M. Heard the LC/Applicant. Issue notice to respondents to show cause why this application may not be admitted. Respondents No 2 is further directed to produce the entire inquiry proceedings in record/on the date of admission. List this case for hearing on admission on 18-8-89 when the case is likely to be disposed of finally. A.M.	or make 17-7-89
③ 10000	(SHS) No Sitting. Adj. 11-X-89. Both parties are present.	or Reply filed today 10/10
④ 11/11/89	No Sitting. Adj. to 7-11-89. Counsel for applicant is present.	or Reply filed on behalf of the C.F. duly seen on the applicant. No returnable filed submitted for sale 6/11/89

(2)

(AM)

OA 95/89(L)

30/3/90

The learned counsel for the applicant of the applicant are present. No sitting
Ad/so. 14/11/90.

(8)

[Signature]

14-11-90

Hon Mr. Justice Le Marchant VC
Hon Mr. M. Y. Bolkar, DM

Shri AIC Chaturvedi

files counter list for final hearing on

16-1-91

[Signature]
DM

[Signature]

NC

OR

No RA filed
S. P. A. 10/11

(9)

16-1-91

No sitting day to 2-4-91

2/4/91

Hon. Mr. Justice K. Mathur, re.
Hon. Mr. A. B. Gotha, Am.

Shri L. P. Shukla appears on behalf of respondents but the vakalatnama is not on record. The office may trace it out. In case it is not found Shri Shukla may file another one. The learned Counsel requests for time to file a supplementary to prove the authority of B. R. P. Pathak to make the reply in the case. He is allowed three weeks time for the purpose and the case may be listed for final hearing on 7/5/91.

[Signature]
A.M.

[Signature]
VC.

OR

CA/RA have been exchanged.

S. P. 4

1/4/91

No Power have been filed
No Subj. filed

6/5

91

Case not reached adj. to

31-7-91

L

O.A. No. 95 of 1989

Dated: 4.2.1993

Hon'ble Mr. Justice U.C.Srivastava, VC

Hon'ble Mr. K. Obayya, Member (A)

This is an application for extension of time to complete the inquiry in terms of the judgement and order dated 27.8.1992. Taking into consideration the application, time is extended upto 31st March 1993 beyond which no time shall be granted. It was only short matter, which is to be disposed of by the respondents, but the respondents are delaying the matter unnecessarily while the applicant has already retired from service.


A.M.


V.C.

Recd Copy Copy today
4/3/93
L.P. Sunk
Advocate

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
(LUCKNOW BENCH) -
LUCKNOW.

O.A. NO

95/89

199

(L)

T.A. NO

Date of Decision

Anujay Kothari

Petitioner.

Sh. A. Munshi

Advocate for the
Petitioner(s)

V E R S U S

Union of Adhis & others

Respondent.

Sh. L. P. Shukla

Advocate for the
Respondents

C O R A M

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

The Hon'ble Mr. K. B. Ganguly, Adm. Member

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

UN
VICE-CHAIRMAN/MEMBER

AS

CENTRAL ADMINISTRATIVE TRIBUNAL

LUCKNOW BENCH

LUCKNOW

O.A. No. 95/89

Anujay Krishna

Applicant

versus

Union of India & others

Respondents.

Shri A. Mannan

Counsel for Applicant

Shri L.P. Shukla

Counsel for Respondents.

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

Hon. Mr. K. Obayya, Adm. Member.

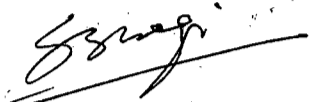
(Hon. Mr. Justice U.C. Srivastava, V.C.)

when

At the relevant point of time/the applicant was working as Administrative Officer at Central Institute of Research on Goats, he was served with a charge sheet. The charges against him were that while functioning as Administrative Officer, at C.I.R.G. Makhdoom during the year 1983, tampered with office records regarding orders of the Director, CIRC, about the grant of study leave to Shri G.M. Wani and issued an correigendum granting him study leave upto 15.12.1983 in lieu of 31.3.1983 without the approval of the competent authority and also in utter disregard of the Council (D.G's) orders not to grant extension of study leave of Shri Wani beyond 31.3.1983 and tampered with office record. Tampering with office record is a serious misconduct and the applicant failed to maintain absolute integrity and lack of devotion to duty applicable to the ICAR employees. The enquiry officer was appointed and after conducting the enquiry he submitted the enquiry report, the

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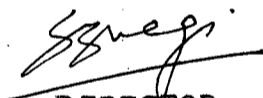
Wherefore , it is most respectfully prayed that 3 months further time be allowed to Indian Council of Agricultural Research, Opposite Party to complete the inquiry against the applicant in terms of the judgement and order dated 27.8.92.


DIRECTOR
केन्द्रीय उद्यान प्रयोगशाला
ON BEHALF OF ICAR
for the Northern Plains
लखनऊ LUCKNOW

VERIFICATION

I, Dr. S.S. Negi, aged 52 years son of late Shri C.L. Negi, Director ,Central Institute of Horticulture for Northern Plains,Lucknow, do hereby verify that the facts as mentioned in Para 1 & 2 of this application are true to my personal knowledge and no material has been concealed by me.

DATED 27.1.93
PLACE: LUCKNOW


DIRECTOR
केन्द्रीय उद्यान प्रयोगशाला
ON BEHALF OF ICAR
Central Institute of Horticulture
for the Northern Plains
लखनऊ LUCKNOW

concluding portion of the report is as follows:

"The body of evidences indicate that Shri A. Krishna committed an irregularity by issuing a correigendum granting Dr. G.M. Wani study leave upto December, 5, 1983 in lieu of March, 31, 1982 without obtaining an approval of the competent authority. He also disregarded the council's orders not to grant extention of study leave to Dr. Wani beyond the March, 3, 1983. However, evidence suggest a possibility that his wrong actions could be an outcome of undue pressure exerted on him. Furthermore, the available evidences do not prove that Shri Krishna actually tampered with the office records. In this regard he gets the benefit of doubt."

So far as the earlier part is concerned, i.e. tampering of office record, he came to the conclusion that he is entitled to benefit of doubt. In the finding of the enquiry officer there was no action as far as tampering of record is concerned. The disciplinary authority disagreed with the report of the enquiry officer and held that the charges were proved against the applicant and two increments of the applicant for three years with cumulative effect were stopped. The applicant preferred an appeal which was dismissed.

2. On behalf of the applicant it has been contended reasons for that/disagreement with the findings of enquiry report were not given and no show cause or opportunity was given to him and the same violates the provisions of principles of natural justice. In the case of Narain Misra vs. State of

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BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL, LUCKNOW

Mr. 90/93
O.A. No. 95/89

ANUJAY KRISHNA VS UNION OF INDIA & OTHERS

Application for extension of time to
complete inquiry in terms of the judgement &
order dated 27.8.92.

1. That in the above O.A. No. 95 of 1989 this Hon'ble Tribunal quashed the punishment order dated 10/14.12.87 & the order dated 4.5.88 on the ground that the principal of Natural justice has been violated. The Hon'ble Tribunal however, held that it will be open for the disciplinary authority to give reasons for disagreement and notice to the applicant for representation and thereafter to proceed with the inquiry. In case a decision is taken to go ahead in the inquiry. The applicant will co-operate the same. Let it be done within a period of 3 months from the date of the receipt of a copy of this judgement.
2. That in view of the aforesaid position the Indian Council of Agricultural Research, Opposite Party No. 1 has decided to proceed with the inquiry. Since the necessary proceeding cannot be completed within the period of three months as indicated in the order, it is necessary in the interest of justice that three months further time be allowed to complete the inquiry after giving requisite notice to the applicant.

निदेशक DIRECTOR

केन्द्रीय उत्तर मैदानी उद्यान संस्थान
Central Institute of Horticulture
for the Northern Plains
लखनऊ LUCKNOW

Orissa (1969 S.L.R. (S.C.) page 657) it was held that where the Punishing authority deferred from the findings of the Enquiry officer and held the official guilty of charges from which he was acquitted by the Enquiry officer and no notice or opportunity given to the delinquent official about the attitude of Punishing authority, the order of removal ^{should be} set aside being violative of principles of natural justice and fair play. The same condition arises in this case. One finding was recorded against the applicant and one in favour of him, the second charge arises out of first. It was a case where the principles of natural justice have been violated. Application deserves to be allowed. The punishment order dated 10/14.12.87 and the order dated 4.5.1988 are quashed. However, it will be open for the disciplinary authority to give reasons for disagreement and notice to the applicant for representation to the applicant and thereafter to proceed with the enquiry. In case a decision is taken to go ahead with the enquiry, the applicant will cooperate with the same. Let it be done within a period of three months from the date of receipt of a copy of this judgment.

No order as to costs.

Adm. Member.

Vice Chairman.

Shakeel/

Lucknow: Dated: 27.8.92

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL, LUCKNOW

mp. 90/93
O.A. No. 95/89

ANUJAY KRISHNA VS UNION OF INDIA & OTHERS

Application for extension of time to
complete inquiry in terms of the judgement &
order dated 27.8.92.

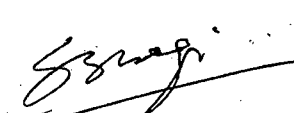
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Place before
for review
on 29.1.93
admission
28.1.93

Signature
निदेशक DIRECTOR

केन्द्रीय उत्तर मैदानी उद्यान संस्थान
Central Institute of Horticulture
for the Northern Plains
लखनऊ LUCKNOW

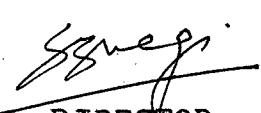
Wherefore , it is most respectfully prayed that 3 months further time be allowed to Indian Council of Agricultural Research, Opposite Party to complete the inquiry against the applicant in terms of the judgement and order dated 27.8.92.


DIRECTOR
केन्द्रीय कृषि विज्ञान संस्थान
ON BEHALF OF ICAR
for the Northern Plains
लखनऊ LUCKNOW

VERIFICATION

I, Dr. S.S. Negi, aged 52 years son of late Shri C.L. Negi, Director ,Central Institute of Horticulture for Northern Plains,Lucknow, do hereby verify that the facts as mentioned in Para 1 & 2 of this application are true to my personal knowledge and no material has been concealed by me.

DATED 27.1.93
PLACE: LUCKNOW


DIRECTOR
केन्द्रीय कृषि विज्ञान संस्थान
ON BEHALF OF ICAR
Central Institute of Horticulture
for the Northern Plains
लखनऊ LUCKNOW



A-20

IN THE COURT OF Central Administrative Tribunal, Allahabad
Charit Bench, Lucknow
Suit/Appeal No. CA No 95 of 1969 (4) of 19

In re: Anugay Krishna JURISDICTION
Piff. or Complaint Petitioner

Union of India versus

Defdt. or Respdt. Accused

KNOW ALL to whom these present shall come that I/we Dr. G.C. Srivastava
Secy. ICAR

the above nameddo hereby appoint

Shri B.N.P. Palhak, Legal Adviser, ICAR
Mr. L.P. SHUKLA, Advocate, C-700 Mahanagar
thereinafter called the Advocate/s to be my/our Advocates in the above-noted case and
authorise him :-

To act, appear and plead in the above-noted case in the Court, or in any other Court in which the same may be tried or heard and also in the appellate Courts including High Court.

To sign, file, verify and present pleadings, replications, appeals cross-objections, or petitions for executions, review, revision, restoration, withdrawal, compromise, or other petitions, replies, objections or affidavits or other documents as may be deemed necessary or proper for the prosecution of the said case in all its stages.

To file and take back documents.

To withdraw, or compromise the said case or submit to arbitration any differences or disputes that may arise touching or in any manner relating to the said case.

To take out execution proceedings.

To deposit, draw and receive moneys cheques and grant receipts therefor and do all other acts and things which may be necessary to be done for the progress and in the course of the prosecution of the said case.

To appoint and instruct any other Legal Practitioner authorising him to exercise the power and authority hereby conferred upon the Advocate when-ever he may think fit to do so & to sign the power of attorney on our behalf.

And I/we the undersigned do hereby agree to ratify and confirm acts, done by the Advocate or his substitute in the matter as my/our own acts, as if done by me/us to all intents and purposes.

And I/we undertake that I/we or my/our duly authorised agent would appear in Court on all hearing & will inform the Advocate for appearance, when the case is called.

And I/we undersigned do hereby agree not to hold the Advocate or his substitute responsible for the result of the said case in consequence of his absence from the Court when the said case is called up for hearing, or for any negligence of the said Advocate or his Substitute.

And I/we the undersigned do hereby agree that in the event of the whole or any part of the fee agreed by me/us to be paid to the Advocate remaining unpaid he shall be entitled to withdraw from the prosecution of the said case until the same is paid up. If any costs are allowed for an adjournment the advocate would be entitled to the same.

IN WITNESS WHERE OF I/we do hereunto set my/our hand to these presents the contents of which have been understood by me/us this day of 19

Accepted
Vakam...
Advocate
ICAR

Dr. G.C. Srivastava
(DR. G. C. SRIVASTAVA)
Secretary I.C.A.R.
Govt of India
Min. of
Krishi Bhawan
Tele. No. 58455

AD.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
ADDITIONAL BENCH AT LUCKNOW

Original Appln. No. 95 of 1989 (L)

Shri Anujay Krishna Applicants
Versus
The President, Indian Council of
Agricultural Research, Krishi Bhawan,
New Delhi. Opp-Parties

APPLICATION UNDER SEC 19 OF THE
ADMINISTRATIVE TRIBUNALS ACT 1985

For use in tribunals office

.....
.....
Date of filing
OR
Date of Receipt
By post.....
Registration No.

Signature of the
Registrar.

A9

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
ADDITIONAL BENCH AT LUCKNOW

ORIGINAL APPLN. NO. 95 OF 1989 (L)

Central Administrative Tribunal
Circuit Bench, Lucknow
Date of Filing 03-5-89

~~Date of Receipt by Post~~
List on 22-5-89
Deputy Registrar (J) 03/5/89

Shri Anujay Krishna Applicants

Versus

The President, Indian Council of
Agricultural Research, Krishi Bhawan,
New Delhi and another Opp-Parties

I N D E X

Sl. No.	<u>Particulars</u>	<u>Page Nos.</u>
1.	Memo of appeal	1 to 12
2.	<u>Annexure No.1</u> (Copy of order dt. 10.12.1987) 4/5/88	13 to 14
3.	<u>Annexure No.2</u> 10/12/87 (Copy of Order dt. 10th May 88) Postal order (DD 834306 10th May 87) 4	15 to 18
4.	Bank Draft No. 04777/88 Dated 11/5/89 for Rs. 50/- only 50/52 60	
5.	Vakalatnama.	

Place: Lucknow

Dated: 3/5/89

THROUGH

A. Mannan
(A. Mannan)
Advocate

Counsel for the applicant
Avadh Bar Association,
High Court, Lucknow

Filed today
Notice for
22/5/89
Ramesh K. Srivastava
(Adv)
3/5/89.

A10

IN THE HON'BLE CENTRAL ADMINISTRATIVE TRIBUNAL,
ADDITIONAL BENCH AT LUCKNOW

Original Appln. No. 95 of 1989 (L)

aged about 55 years

Shri Anujay Krishna, s/o Shri Krishna Sahai Saxena,
Administrative Officer A-92 Rajajipuram, Uttar
Pradesh Avas Evam Vikas Parishad Tal Katora
Yojna, Lucknow.

.... Applicant

Versus

1. UNION OF INDIA through President I.C.A.R
Krishi Bhawan, New Delhi
2. The President, Indian Council of Agricultural
Research, Krishi Bhawan, New Delhi.
3. The Director General of Indian Council of
Agricultural Research, Krishi Bhawan,
New Delhi.

.... Respondents

APPLICATION UNDER SECTION 19 OF THE
ADMINISTRATIVE TRIBUNAL ACT. 1985

DETAILS OF THE APPLICATION :-

1. PARTICULARS OF THE APPLICANT:-

(i) Name of the applicant : Shri Anujay Krishna

ANUJAY KRISHNA

- A11
- (ii) Name of father : Shri Krishna Sahai Saxena
- (iii) Designation and office in which employed : Administrative Officer
Indian Council of
Agricultural Research.
- (iv) Office Address : ~~Indian Council of~~
~~Agricultural Research~~
Krishi Bhawan,
New Delhi.
Central Institute of Horticulture
for Northern plains, B-217 Indira
Nagar, Lucknow.
- (v) Address for service: Shri Anujay Krishna,
all notices Administrative Officer
A-92 Rajajipuram, Uttar
Pradesh, Avas Evam Vikas
Parishad, Tal Katora
Yojna, Lucknow.

2. PARTICULARS OF THE RESPONDENTS

- (1) Name of Designation of the respondents :-
- (i) The President, Indian Council of Agricultural Research, Krishi Bhawan, New Delhi.
- (ii) The Director General of Indian Council ~~of~~ of Agricultural Research, Krishi Bhawan, New Delhi.
- (2) Office Address of the respondents:- As Above.
- (3) Address for service of all notices:- As Above.

3. PARTICULAR OF THE ORDER AGAINST WHICH THE
IS BEING MADE

ANUJAY KRISHNA

A12

The present application is being directed against the rejection of appellate order of punishment No. 3-29/88-Per.V dated 4th May, 1988 imposing on the petitioner the penalty of withholding of two increments with cumulative effect for a period of three years, rejection the appeal of the appellant. The aforesaid order of appeal has been signed by S. Vasudev, Director (P) for and on behalf of president I.C.A.R and punishment order No. 15-2/81-EE-VIII dated 10/12/1987, signed by Shri C.R. Mahapatra, Dy. Secretary (A S) for and on behalf of the Director General I.C.A.R. The order dated 10/12/1987 and 4th May 1988 are being filed herewith and marked as Annexure 1 and 2 to this writ petition.

4- JURISDICTION OF THE TRIBUNAL :

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

5- LIMITATION:-

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

6- FACTS OF THE CASE:-

The facts of the case are given below;

1. The petitioner was originally appointed as Store Officer in the Indian Grass Land & Fodder Research Institute Jhansi in the year 1972 which is an unit of Indian Council of Agricultural Research (hereinafter

ANUJAY KRISHNA

referred as I.C.A.R.)

2. The petitioner had been promoted to the post of Administrative Officer in the same unit and establishment of I.C.A.R. a combined cadre post.

3. The petitioner was transferred to Jute Agriculture Research Institute, Barrackpore, Calcutta in 1980 which is also an Unit of I.C.A.R.

4. The petitioner was transferred to another unit of I.C.A.R. in Central Institute of Research on Goats at Makhdoom, Farah Disst. Mathura. However in 1984 the petitioner was again transferred to another unit of I.C.A.R. Central Arid Zone Research Institute, Jodhpur and was posted in the sub station of the said Institute as no post of Administrative Officer existed.

5. The petitioner was agains transferred to be posted in Central Institute of Horticulture for Northern Planes, Lucknow.

6. The petitioner while working as Administrative Officer at Central Institute of Research on Goats during 2.7.1982 onwards at farah distt. Mathura was issued a charge sheet No. 15-2/81-A.S. (S & G) dated 19.05.84 for and on behalf of Director General I.C.A.R. New Delhi. under rule 14 of the Central Civil Services (Classification control and appeal) Rules 1965 levelling the charge that the petitioner tampered with the office record regarding orders of the Director, Central Institute of Research

NOJAY KRISHNA

on Goats, about grant of the study leave to Sri G.M. Wani and (2) issued a corrigendum granting him study leave upto 5.12.1983 in lieu of 31.03.1983 without the approval of the competent authority and also in utter disregard of the council (D.G.) orders not to grant extension of study leave to Sri G.M. Wani beyond 31.03.1983.

7. ~~A copy of charge sheet is being filed and marked as Annexure No. 3 to this petition.~~

78. The petitioner submitted his reply on 27.12.1984 denying all the charges. After having changed two inquiry officers namely Dr.K.L.Saini and Dr.S.P.Mahrotra the third nominated inquiry officer Dr.A.N.~~Nar~~ Lahiri, thereafter, conducted the oral inquiry. The witnesses on behalf of the punishing authority i.e. (D.G., I.C.A.R.) were examined. However the petitioner also insisted ~~also~~ for Sri.V.P.Kunwar as defence witness (an officer of I.C.A.R. New Delhi) but he was not summoned inspite of the demands by the petitioner.

8. ~~The enquiry report was submitted without examination of the said defence witness and the enquiry report findings were made Annexure No. 4 of this writ petition.~~

8. ~~10.~~ That though the petitioner acted beyond his jurisdiction due to the pressure exerted on him (Petitioner) and therefore the petitioner

ANUJAY KRISHNA

A15

is entitled to the benefit of doubt.

9. The available evidences do not prove that the petitioner actually tampered with the office records.

10. That, Here it may pointed out that the petitioner was not furnished with the copy of inquiry report before passing the punishment report before passing the punishment order nor the petitioner was given any opportunity to make any submission before the punishing authority pertaining in the inquiry report.

11. That the petitioner was furnished with the inquiry report alongwith the punishment order no. 15-2/81-EE-VIII dated 10/14.12.1987. A copy of the same is Annexure No.2 imposing punishment.

12. The petitioner submitted an appeal to the president of the I.C.A.R. within the time limit which was rejected by the president by non speaking order No. 3-29/88-per V dated 4.5.1988 signed for and on behalf of the President by Sri S. Vasudava Director (P). A copy of the ^{rejection order} appeal is annexed herewith as Annexure No.1. The defence witness Sri.V.P.Kanwar was not called for examination and secondly the inquiry officer exonerated the petitioner. The report of the preliminary inquiry was never furnished to the petitioner but the same was relied upon by the opposite parties.

ANUJAY KRISHNA

7- RELIEF SOUGHT:-

The impugned order No.15-2/81-EE-VIII dated 10/14.12.1987 and the order No. 3-29/88 Per V dated 4.5.1988 are liable to be quashed being arbitrary and illegal on the following amongst other grounds

- I) Because the witness was not ^{called} ~~acled~~ for and the inquiry against petitioner was one sided in violation of the provisions of Natural Justice also.
- II) Because the impugned orders of punishment and appellate orders are non speaking and without reasons pertaining to the defence of the petitioner were given.
- III) Because preliminary inquiry report was not furnished but the same was relied upon.
- IV) Because non supply of the inquiry report before passing the punishment order was also in violation of the principle of natural justice and the law laid down by the Hon'ble Supreme Court in A.I.R. 1988 page 1000
- V) Because the inquiry was also taken up against Dr. G.M. Warni for over stay beyond 31.3.1983 in utter disregard of competent authorities order but he has been exonerated and also the leave portion as contained in corrigendum has been regularised but the petitioner has been punished for.

NOTARY KRISHNA

- VI) Because the charge sheet, punishment order of 10/14.12.1987 and rejection of appeal dated 4.5.1988 are without authority and jurisdiction as well as without application of mind.
- VII) Because the guilt of the petitioner has not been proved in the departmental inquiry and the petitioner has been exonerated by providing benefit of doubt and that in agreement of the inquiry report the disciplinary authority can not impose penalty on the petitioner under rule 14 of C.C.A. Rules 1965 as punishment order dated 10/14.12.1987 is illegal and not signed by the competent authority himself.

Ref: G.I.M.HA, Deptt. of personnel & A.R.D.M.
No. 134/1/81-ADV-1 dated 13.7.1981.

- VIII) Because in disagreement with inquiry report no fresh inquiry was set up by appointing another inquiry officer and the petitioner did not get an opportunity of being heard and therefore the disciplinary authority has not followed the laid down procedure and in agreement of the findings of the inquiry officer punishment should not have been imposed on the petitioner by the disciplinary authority in violation of the providing of Art.311 of the Constitution of India and provisions of Natural justice as well as Rule 14 and Rule 15 of C.C.A. (CCS) Rules 1965 have also been violated.

ANUJAY KRUHNA

IX) Because the petitioner has been treated with inequality before law and he has been discriminated and therefore Article 14 and 16 of the Constitution of India have been violated as administrative orders are routed from the level of dealing Assistant to higher authorities and therefore charge-sheeting exclusively and an officer in intermediate stage is utterly discriminatory and unjust as Discipline Rule 67 of P.T. manual clearly lays down the responsibility of higher authorities. The letter of I.C.A.R. dated 19.2.1983 addressed to competent authority i.e. Director, C.I.R.C. Farah and therefore the Director is responsible.

Because
X) The issue of corrigendum was initiated by the delating Assistant Sri. P.K.Sharma, prosecution witness on the instructions of competent authority Dr.P.N.Bhat again another prosecution witness. The appellant being intermediary in in the hiarchy & charge sheeting him alone is discriminatory in the yes of justice as joint proceeding would have been good in law/justice. The corrigendum was issued for and on behalf of the Director and copies of the same were forwarded to all concerned as such the corrigendum had the approval of the competent authority i.e. Director Dr.P.N.Bhat. The issue of the corrigendum signed for Director was never questioned by the competent authority i.e. Director, Dr.P.N.Bhat even upto the time of cancelling leave in June.

ANUJAY KRISHNA

As the applicant will be suffering by stoppage of increments about Rs. 30,000/-

9. DETAILS OF THE REMEDIES EXHAUSTED

The applicant declares that he has availed of all the remedies available to him under the relevant service rules as an appeal was filed before the President, Indian Council of Agricultural Research against the punishment order dated 10/14.12.1987 and the same has been rejected by the appellate authority on 4.5.1988 which was received by the appellant. on 10.5.88

10. MATTER NOT PREVIOUSLY FILED OR PENDING WITH ANY OTHER COURT

The applicant further declares he had not previously filed any application, writ petition or suit regarding the matter in respect of which this application has been made before any court of law or any other authority or any other bench of the tribunal and nor any such application, writ petition or suit is pending before any of them.

ANUJAY KRISHNA

- XI) Because the charge sheet is not based on any financial loss incurred by the Indian Council of Agricultural Research Krishi Bhawan, New Delhi.
- XII) Because the appellant has been penalised financially to the tune of Rs. 30,000.00
- XIII) Because the statement of witnesses as well as statement of Shri P.N. Bhatt have also not been considered by the punishing authority. The petitioner is innocent in the case and punishment made is without jurisdiction as well as against the provisions of Law and Rules.
- XIV) Because the disciplinary authority has agreed with the findings of the Enquiry Officer therefore punishment could not be passed as no charge has been passed as no charge has been proved and the petitioner has been given benefit of doubt.
- XV) Because the charge sheet issued is without jurisdiction, and therefore whole inquiry has illegally been conducted, and enquiry as well as punishment order are against the provisions of natural justice and also bad in Law and against Rule 14 and 16 of C.C.S. Rules

INTERIM RELIEF

That the petitioner is suffered by stoppage of increments so the impugned orders may be stayed till pending disposal of this application.

ANUTAY KRISHNA

As the applicant will be suffering by estoppage of increments about Rs. 30,000/-

9. DETAILS OF THE REMEDIES EXHAUSTED

The applicant declares that he has availed of all the remedies available to him under the relevant service rules as an appeal was filed before the President, Indian Council of Agricultural Research against the punishment order dated 10/14.12.1987 and the same has been rejected by the appellate authority on 4.5.1988 which was received by the appellant. on 10.5.88

10. MATTER NOT PREVIOUSLY FILED OR PENDING WITH ANY OTHER COURT

The applicant further declares he had not previously filed any application, writ petition or suit regarding the matter in respect of which this application has been made before any court of law or any other authority or any other bench of the tribunal and nor any such application, writ petition or suit is pending before any of them.

ANUTAY KRISHNA

11 DETAIL OF INDEX

In-dex in duplicate with details of document be relied upon as enclosed with this application.

12 LIST OF ENCLOSURES

and 2
Memo of application alongwith 1 to 3 annexures vide index as enclosed alongwith postal order.

13 PARTICULARS OF POSTAL ORDER

~~Bank Draft~~ Postal order No. DD 834306 Dated 3/5/89
gpc
~~Postal Order No. OT/A/138~~ Dated 3-5-89
for Rs.50/- only.

Verification

I, Anujay Krishna, son of Shri Krishna Sahai Saxena, Administrative Officer A-92 Rajajipuram, Uttar Pradesh Avas Evam Vikas Parishad, Tal Katora Yojna, Lucknow, do hereby verify that the contents of paras 1 to 13 of this application are true to my personal knowledge and belief and that I have not suppressed any material facts.

Place: Lucknow:

Dated: 3/5/89

ANUJAY KRISHNA

SIGNATURE OF THE APPLICANT

Through

A. Mannan

(A. Mannan)
Advocate

Counsel for the Petitioner/
Applicant

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
ADDITIONAL BENCH AT LUCKNOW

Original Appln. No. of 1989

Shri Anujay Krishna Petitioner

Versus

The President, Indian Council of
Agricultural Research, Krishi Bhawan,
New Delhi and another Opp-Parties

Annexure No.1

INDIAN COUNCIL OF AGRICULTURAL RESEARCH
KRISHI BHAWAN NEW DELHI.

No. 3-29/88-Per.V

Dated 4th May, 1988

O R D E R

WHEREAS Shri A.Krishna, Administrative Officer,
C.I.R.C., Hakhdoom preferred an appeal dated 24th
January, 1988 against the order No. 15-2/81-EE.VIII
dated 10.1.87 by the Director, NDRI, imposing on him
the penalty of withholding of two increments with
cumulative effect for a period of three years.

WHEREAS the Appeal to Authority viz., the
President, ICAR after careful consideration of facts
circumstances of the case, has come to the conclusion
that no new material or evidence has been brought out
by Shri A.Krishna, in the Appeal, which was not
available at the time of passing the order by the
Disciplinary Authority. The President, ICAR if of the
opinion that the Disciplinary Authority has not

*Filed by
Ramesh Kumar Srivastava
(Adv)*

ANUJAY KRISHNA

disagreed with the Inquiry Officer as mentioned in the Appeal there is no violation of principles of Natural Justice and that there is no violation of the prescribed procedure and as such there is no justification to interfere with the orders already passed by the disciplinary authority.

HOW therefore the President, ICAR rejects the Appeal preferred by Shri A. Krishna.

(S. VASUDEW)
DIRECTOR (P)

for and on behalf of President, ICAR

Shri A. Krishna,
Administrative Officer,
Central Institute of Horticulture
for Northern Plains,
Near Bhootnath Mandir, Indira Nagar,
Lucknow (U.P.)

Copy forwarded to Dr. R.P. Srivastava, the
Director, Central Instt. of Horticulture for
Plains, near Bhootnath Mandir, Indira Nagar,
Lucknow (U.P.)

Allen Liel
Ramesh Kumar Srivastava
(Advocate)

ANUJAY KRISHNA

2. Copy to C.R. Cell, ICAR Krishi Bhavan, N
3. Personnel III Section.
4. The Director, C.I.R.C., Makhdoom. Farrak
5. Vig. Section, ICAR.
6. Copy for guard file.

Endt. No. PA/88/1089

Dated: 11.

Copy to Mr. A. Krishna, Admin. Officer,
for information

mm

In the Central Administrative Tribunal,
Circuit Bench at Lucknow

T.A. No. of 1989 (T)

Anujay Krishna Applicant/
Petitioner

Versus

The President, Indian Council of
Agricultural Research, Krishi Bhawan,
New Delhi. Opp-Parties

Annexure No.2

INDIAN COUNCIL OF AGRICULTURAL RESEARCH
KRISHI BHAWAN, NEW DELHI -1

No.15-2/81-EE-VIII

Dated the 10th Dec, 1987

ORDER

WHEREAS an enquiry under Rule 14 of CCS
(CCA) Rules, 1965 as extended to ICAR employees,
was held against Shri A.Krishna, Administrative
Officer, C.I.R.C., Makhdoom, in respect of the
following Articles of charges framed against him
and communicated to him vide ICAR Memo. No. 15-2/
81-AS (S&G) dated the 19th May, 1984.

ARTICLES OF CHARGES

THAT the said Shri A.Krishna, while
functioning as Administrative Officer, at C.I.R.C.
Makhdoom during the year 1983 tampered with office
records regarding orders of the Director, CIRC, about

Alleged by

Ramesh Kumar Srivastava
Adm

ANUJAY KRISHNA

the grant of study leave to Shri G.M.Wani and issued a corrigendum granting him study leave upto 5.12.1983 in lieu of 31.3.1983 without the approval of the competent authority and also in utter disregard of the Council (D.G.'s) orders not to grant extension of study leave of Shri Wani beyond 31.3.1983. Tampering with office records is a serious mis-conduct and by his said act, Shri A.Krishna has failed to maintain absolute integrity and shown lack of devotion to duty, He applicable to the ICAR employees.

WHEREAS the Inquiry Officer in his report held as under

"The body of evidences indicate that Shri A.Kris committed an irregularity by issuing a corrigendum granting Dr.G.M.Wani study leave upto December 5, 1983 in lieu of March 31, 1983 without obtaining an approval of the competent authority. He also disregarded the council's orders not to grant extension of study leave to Dr.Wani beyond the March 3, 1983. However, evidences suggest a possibility that his wrong act could be an outcome of undue pressure exerted on him.

Furthermore, the available evidences prove that Shri Krishna actually tampered with the office records. In this regard benefit of doubt."

WHEREAS the Director-General, after careful consideration of the Inquiry report (enclosed) and the records of inquiry

Altered by
Ramesh Kumar Srivastava
Advocate

ANUJAY KRISHNA

relevant facts, find that the documentary evidences are clear enough to prove that there has been a manipulation of records on the part of Shri A. Krishna by tampering with the notesheet of the relevant file in the C.I.R.C. Makhdoom.

NOW, THEREFORE, having regard to the findings of the Inquiry Officer as stated above and taking into consideration other relevant facts, records and circumstances of the case, the Director-General ICAR is satisfied that good and sufficient reasons exist for imposing on Shri A. Krishna, Administrative Officer, the penalty of withholding of two increments with cumulative effect for a period of three years.

ACCORDINGLY, a penalty of withholding of two increments with cumulative effect for a period of three years is imposed on Shri A. Krishna, Administrative Officer.

(C.R. Mo ARATRAO
DEPUTY SECRETARY (AS)

FOR AND ON BEHALF OF D.G. ICAR

Shri A. Krishna,
Administrative Officer,
Central Instt. of Horticulture for
Northern Plains
Near Bhoothnath Mandir, Indira Nagar,
Lucknow (U.P.)

REGISTERED POST/AD

CONFIDENTIAL

1. Copy forwarded to Dr. R.P. Srivastava
The Director Central Instt. of Horticulture for
Northern Plains, Near Bhoothnath Mandir, Indira
Nagar, Lucknow (U.P.) alongwith a copy of this

Allocated by
Ramesh Kumar Srivastava
(Delhi)

ANUJAY KRISHNA

Memorandum meant for Shri A. Krishna, Administrative Officer. It is requested that the same may please be ~~get~~ delivered to him after obtaining his date acknowledgement/signature which may please be forwarded to the undersigned.

2. Copy of CCR Dossier (Cr Cell), ICAR, Krishi Bhavan, New Delhi-110001
3. Personnel-III Section.

The Director, CIRG, Makhdoom- Farrah, Mathura (U.P.)

(C. R. NOHAPATRA)
DEPUTY SECRETARY (AS)

FOR & ON BEHALF OF DG, I.C.A.R.

Adm. Led by
Ramesh Kumar Srivastava
(Adv)

ANUJAY KRISHNA⁴

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD
CIRCUIT BENCH, LUCKNOW

(Registration No. 95 of 1989(L))

Anujay KrishnaApplicant

Vs.

Union of India & OthersRespondents

P.T.
18/8/89
Reply on behalf of the respondents to the application under section 18 of the Administrative Tribunal Act filed by the applicant above named.

Respectfully sheweth :

1. That paras 1 to 4 are matter of records and hence need no reply.
2. That in reply to para 5 it is submitted that the final order rejecting the appeal of the applicant in this case was passed on 4.5.88. Hence according to the provisions made in Clause(a) of Sub-Section(1) of Section 21, the applicant should have filed the application within a period of one year from the date of final order as prescribed thereunder. The applicant has not shown sufficient cause for not making the application within a period of one year from 4.5.88 and hence the application deserves to be rejected on the ground of being barred by limitation alone.
3. That para 6(1) to 6(5) are matter of record.
4. That in reply to para 6(6) it is submitted that it is a mere repetition of charge levelled against the applicant. It is further submitted that the disciplinary action was initiated against the applicant as ordered by the competent authority i.e. the Director General, ICAR.
5. That in reply to para 8 it is submitted that on receipt of written statement of defence from the applicant denying the charges Dr. K.L. Saini was appointed as Enquiry Officer. Since Dr. Saini was transferred to Indian Veterinary Research Institute, Izatnagar, Sh. S.P. Mahrotra from CAZRI, Jodhpur was appointed as the Enquiry Officer in his place. However, Sh. Mahrotra was on leave on medical ground and was hospitalised.

Before Central Administrative Tribunal
Circuit Bench at Lucknow

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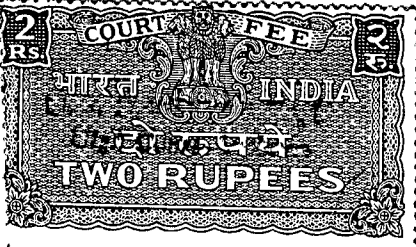
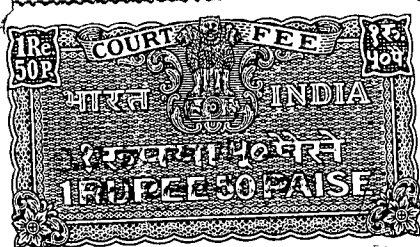
ब अदालत भीमान्

महोदय

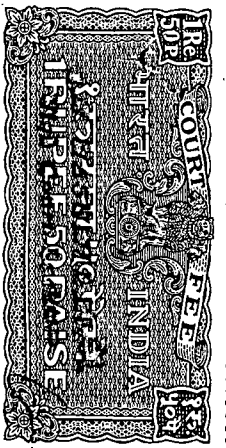
[गद्दी] अपीलान्त

प्रतिवादी [रिस्पॉण्डेंट]

वकालतनामा



बादी (अपीलान्त)



Anujay Krishna

वनाम President Indian Council
of Agriculture Research,
पेशी की ता. १२ ई०

नं० मुकद्दमा

सन्

ऊपर लिखे मुकद्दमा में अपनी ओर से श्री

A. Mannan, S.K. Srivastava, A.K. Chaturvedi
R.K. Srivastava, B.S. Sinha and
एडवोकेट

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 पेंरवी व जबाब देही व प्रश्नोंत्तर करें वा कोई कागज दाखिल करें या लीटावें या हमारी ओर से डिगरी जारी करावे और रुपया वसूल करें या सुलहनामा व इकबाल दावा तथा अपील निगरानी हमारी ओर से हमारे या अपने हस्ताक्षर से दाखिल करें और तसदीक करें मुकद्दमा उठावें या कोई रुपया जसा करें या हमारी विपक्षी (फरीकसानी) का दाखिल किया हुआ रुपया अपने या हमारे हस्ताक्षर युक्त (दस्तखती) रसीद से 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 वा किसी अपने पेंरोकार को भेजता हूं अंगर मुकद्दमा अदम पेंरवी 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 ANUJAY KRISHNA

साक्षी (गवाह)

साक्षी (गवाह)

दिनांक

2/5/89

महीना

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स्वीकृत

Accepted
A. Mannan

S. K. Srivastava
Chaturvedi

Reliance

Dr. Lahiri, Head of the Division, CAZRI, Jodhpur was appointed as Enquiry Officer. It is further submitted that the request of the applicant to summon Sh. V.P. Kanwar as defence witness was not agreed because he had conducted preliminary enquiry in this case.

6. That in reply to para 10, it is submitted that the answering respondents ^{and} ~~as~~ not aware of any pressure exerted on the applicant. However, as admitted by him he has acted beyond his competence and he is not entitled for the benefit of doubt as contended by him at all because he has been found guilty by the Enquiry Officer of committing an irregularity by issuing corrigendum granting Dr. G.M. Wani study leaves upto 5.12.83 instead of 31.3.83, without obtaining approval from the competent authority. The Enquiry Officer has also found him guilty of disregarding the Council's order not to grant extension of study leave to Dr. Wani beyond 31.3.83. It is further submitted that in the disciplinary proceedings the standard of proof required is preponderance of probability and not the establishment of the guilt beyond reasonable doubt as in the criminal cases. In view of this the question of granting benefit of doubt to the applicant did not arise.
7. That Para 11 is denied, it is however, submitted that the evidence available on records is sufficient to prove the charge against the applicant.
8. That in reply to para 12 it is submitted that the orders to supply a copy of the Enquiry Report before passing the punishment order have been issued recently by the Govt. of India, Dept. of Personnel and Training vide letter no. 111012/13/85-Est.(A) ^{dt. 26.6.89} copy enclosed Annexure R-I and this procedure was not applicable at the time when the penalty was imposed on the applicant.
9. That para 13 is admitted.
10. That in reply to para 14 it is submitted that the appeal submitted by the applicant was rejected by the President, ICAR after careful consideration of facts and circumstances of the case on the ground that no new material or evidence has been brought out by the applicant in the appeal, which was not available at the time of passing the order by the disciplinary authority. The President, ICAR was of the opinion that the disciplinary authority has not disagreed with

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the Enquiry Officer as mentioned in the appeal that there is no violation of principles of natural justice and that there is no violation of prescribed procedure and as such there was no justification to interfere with the order already passed by the disciplinary authority. It would thus be seen that the order passed by the President, ICAR and authenticated by Sh. S. Vasudeva, Director(P) on his behalf is speaking order and not non-speaking one as alleged by the applicant. As for the allegation that Sh. V.P. Kanwar, was not summoned as defence witness and secondly that the Enquiry Officer exonerated the applicant, it is submitted that as already mentioned hereinabove Sh. Kanwar was not allowed to be examined as defence witness by the Enquiry Officer because he had conducted the preliminary enquiry in this regard and the later allegation is denied being against the findings of the Enquiry Officer. It is further submitted that it was not obligatory to furnish the report of the preliminary enquiry to the petitioner because the same was a fact finding enquiry in order to decide whether a prima facie case was made out against the applicant or not?

11. That Para 7(I) to (XIV) need no reply in view of the submissions made hereinbefore.

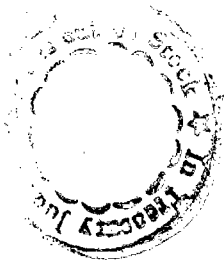
12. It is further submitted that the Enquiry held against the applicant has been conducted in accordance with the procedure prescribed under the law and is perfectly valid, proper and legal.

In view of the submissions made above it is respectfully prayed that the applicant is not entitled for any relief prayed for by him in para 7. He is also not entitled for any interim relief as prayed for and the application deserves to be dismissed in limine with cost to the respondent.

Respondents through

B.N.Pd.

(B.N.Pd. Pathak)
Legal Adviser
I.C.A.R.
Krishi Bhavan
New Delhi.



Verification

Verified at New Delhi on 16th of August, 1989 that the reply in para 1 to 12 are true to my knowledge based on the facts derived from the ^{records}~~notices~~ and no part of its is false and nothing has been concealed therefrom.

Respondents through

B.N.Pd. Pathak
(B.N.Pd. Pathak) *16/8/89*
Legal Adviser
I.C.A.R.
Krishi Bhavan
New Delhi.

Annexure R-1

1934

INDIAN COUNCIL OF AGRICULTURAL RESEARCH
KRISHI BHAVAN : NEW DELHI-1

F.No. 21(28)/89-CDN

Dated the 28th July, 1989

ENDORSEMENT


A copy each of the undermentioned papers is forwarded for information, guidance and necessary action to all officers as mentioned below. The Directors of Research Institutes are requested to make available copy of orders/instructions to the staff side officials of the JCM of their Institute.

I. ICAR RESEARCH INSTITUTES ETC.:

1. The Directors/Project Directors of all Research Institutes.
2. The Project Coordinators of all Coordinated Research Projects.
3. The Accounts Officers of all Research Institutes/Coordinated Projects.

II. ICAR HEADQUARTERS:

1. P.S. to President, ICAR
2. P.S. to D.G., ICAR/P.S. to Spl. D.G., ICAR/P.S. to Chairman, ASRB/P.S. to Secretary, ICAR
3. All Officer, ICAR
4. All Sections, ICAR
5. Under Secretary (Pub.) for publication division (15 copies)
6. A.S.R.B. (15 copies)
7. D.A.R.E. (10 copies)
8. Secretary (non-official) Central Joint Staff Council (5 copies)
9. The Section Officer, Engineering Cell, Krishi Anusandhan Bhawan, Pusa, New Delhi-12.
10. The Information System Officer, Agricultural Research Information Centre, Krishi Anusandhan Bhawan, Pusa, New Delhi-12.


(N. SOMAN)
DEPUTY DIRECTOR (CDN)

LIST OF PAPER FORWARDED:

O.M. No. 11012/13/85-Estt.(A) dated 26th June, 1989
received from the Department of Personnel and Training

MS

17.7.89

450

COPY

No. 11012/13/85-Estt. (A)
Government of India
Department of Personnel & Training

North Block, New Delhi-110001
Dated the 26th June, 1989

OFFICE MEMORANDUM

Subject:- Rule 15 of CCS(CCA) Rules, 1965-Supply of copy of inquiry report to the accused Government servant before final orders are passed by the disciplinary authority.

The undersigned is directed to state that the issue as to whether in cases, where the disciplinary authority itself is not the inquiry officer, a copy of the inquiry report should be furnished to the accused Government servant to enable him to make his submissions, if any, before the disciplinary authority in regard to the findings of the report, before such authority passes its final orders, has been examined. The constitutional requirements laid down in Article 311 (2) of the Constitution of India, and the provisions of Rule 15 and 17 of the CCS(CCA) Rules, 1965 and rulings of the various benches of the Central Administrative Tribunal and of various courts on the matter have been kept in view.

2. The full bench of the Central Administrative Tribunal in the case of Prem Nath Sharma Vs. Union of India (represented by Ministry of Railways) have held that to fulfil the constitutional requirement of affording a reasonable opportunity, it is necessary that in all cases where the disciplinary authority is itself not the inquiry authority, a copy of the inquiry report shall be furnished to the accused Government's servant to enable him to make his submissions in regard to the findings of the inquiry, before the disciplinary authority passes its order imposing the penalty. While giving its verdict, the full bench had taken into account rulings of the various courts pronounced earlier on this issue. Although the special leave petition filed by the Ministry of Railways against the aforesaid judgement has been admitted for hearing and a stay order has been granted by the Supreme Court against its operation, the various benches of the Tribunal continue to follow the ratio laid down by the full bench. The special leave petitions filed by the concerned Ministries and Departments in some of the subsequent cases have not been admitted by the Supreme Court. In another similar

Contd...2/-

A36

_Before Central Administrative Tribunal
Bench at Lucknow

Rejoinder Affidavit of Shri Anujay Krishna, Son of
Shri Krishna Sahai Saxena, aged about 55 years,
resident of A-92 Rajaji Puram, Lucknow.

In

Registration No. 95 of 1989 (L)

Shri Anujay Krishna Petitioner

Versus

Union of India & others.

Rejoinder Affidavit of Shri Anujay
Krishna, son of Shri Krishna Sahai, Saxena, resident
of A-92, Rajaji Puram, Lucknow.

.....deponent.

I aforesaid deponent hereby solemnly
affirm and state on oath as under :-

That the deponent is the petitioner in
the above noted case and as such he is fully
conversant with the facts deposed to herein below :-

1. That the deponent has read over the
contents of counter reply signed by Shri B.N. Pathak,
Legal Adviser, Indian Council of Agricultural Research
New Delhi, are denied unless expressly admitted
herein after. It is submitted that Shri B.N. Prasad
Pathak Legal Adviser is not a party in the aforesaid
case and he could not file reply under his signatures
and he is not competent to sign the reply on behalf of

Recd. today
at 4:15 PM
Be as
14/11

Shri Anujay Krishna
(ANUJAY KRISHNA)

the opposite parties. It is submitted that the reply filed by Shri B.N. Pathak is liable to be rejected and case be proceeded Ex-Parte against the opposite party.

2. That contents of para 1 to 4 of the petition are reiterated.

3. That the contents of para 2 of the counter affidavit are denied. It is pertinent to mention here that under provision clause (a) of Sub-section (1) of section 21, the application should have been filed within a period of one year from the date of final order. It is here to be stated that the present application has been filed within time because the appeal of the applicant was rejected by the opposite parties on 4.5.1988 and application has been filed on 3.5.1989. So the application is within time and may not be rejected on this ground.

4. That the contents of para 3 of the counter affidavit are denied and contents of para 6 (1) to 6(v) of the application are reiterated as correct.

5. That the contents of para 4 of the counter affidavit are denied. It is here to be stated that order of punishment, findings of the punishing authority as well as enquiry officer

Mr. Mishra
(ANUJAY KRISHNA)

and order of appellate authority are perverse and the available evidence, which are on record if any does not prove any case against the petitioner. Appellate order as well as punishment order have been passed without application of mind and are non-speaking order and against the provision of natural justice as well as against the rule of 14, 15 and 17 of C.C.A. (G.C.S.) rules.

6. That the contents of para 5 of the counter affidavit are denied and contents of para 8 of the application are reiterated as correct. It is pertinent to mention here that applicant ~~also~~ demanded Shri V.P. Kunwar as defence witness because he had full knowledge of the case of the applicant but Inquiry Officer ~~has~~ in very casual manner arbitrary and illegally denied to summon Mr. V.P. Kunwar as defence witness. It is again pointed out that arbitrary denied of the defence witness Shri V.P. Kunwar is violative of the principle of natural justice.

7. That the contents of para 6 and 7 of the counter affidavit are denied and contents of para 10 and 11 of the application are reiterated as correct. That is pertinent to mention here that no inquiry report has been given to the applicant before passing the order however by the Inquiry officer ^{the applicant} has ^{been exonerated} very clearly held that acted beyond his jurisdiction exerted on him and entitled

A39

officer held that available evidence do not prove that the applicant actually tampered with the office record. Thus it is now crystal clear that the punishment order as well as appellate order both are non-speaking order and once applicant has been exonerated by the Inquiry Officer then before passing the punishment order, the applicant should have been given an opportunity to place his submission before the authority which could have been only possible if Inquiry Report would have been made available prior passing the punishment order to meet the ends of justice.

8. That in reply to the contents of para 8 of the counter affidavit ^{they} are denied and contents of para 12 of the application are reiterated as correct. Further it may be pointed out that applicant has not been given enquiry report before passing the punishment order nor applicant was given any opportunity to make any submission before the punishing authority pertaining in the enquiry report and his defence, if at all punishment order was to be passed. It is pertinent to mention here that their lordship of the Supreme Court held in the case of Union of India Vs. Bashyan A.I.R. 1988 S.C. Page 1000 that before passing the punishment order enquiry report should be given to delinquent and if the same has not been done naturally it will be the violation of natural justice.

22/8/18
(ANUJAY KRISHNA)

9. That in reply to ~~the~~ contents of para 10 of the counter affidavit ^{filed} are denied and contents of para 14 of the application are reiterated as correct. It may be pointed out that appeal of the applicant was rejected by the president by non-speaking order signed for and on behalf of the president by Shri S. Vasudeva in violation of the C.C.S. Rule 27 Sub-rule (2) and Govt. of India's decisions. A copy of the Govt. of India decisions and rule 27 Sub-rule (2) is being annexed as Annexure No. R-1 and R-2 of this rejoinder affidavit. It may be further pointed out that appellate order is in violation of C.C.A. (C.C.S.) Rules and against the provision of natural justice. That under section 27 of the C.C.A. Rules it has been very clearly provided that appellate order will ~~be~~ speaking order and all the grounds and evidence which have been raised in appeal by the applicant should have been discussed in the order by the appellate authority. Thus in view of Section 27 of the C.C.S. Rules, appellate order is not speaking order and punishment order has been passed without giving any opportunity ^{but} on ~~the~~ basis of records, evidence and circumstances, if any which were not brought out by the prosecution officer for and on behalf of the punishing authority during the enquiry and thus is an act at the back of the delinquent and it is also the violative of the natural justice.

27/11/57
(ANUJAY KRISHNA)

10. That in reply to the contents of para 11 of the counter affidavit ^{they} are denied and contents of para 12 and 14 and the grounds of the petition are reiterated as correct.

11. That the contents of para 12 of the Counter affidavit are denied and the application is full of merits and deserve to be allowed in the interest of justice.

Dated: Lucknow:
14-11-90
~~October~~, 1989

(Signature)
(ANUJAY KRISHNA)
Deponent

Verification

I the above named deponent do hereby verify that the contents of paras 1 to 11 of the affidavit are true to my own knowledge. Nothing is wrong in it and nothing material has been concealed so help me God.

Dated: Lucknow:
14-11-90
~~October~~, 1989

(Signature)
(ANUJAY KRISHNA)
Deponent

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

Dated: Lucknow:
14-11-90
~~October~~, 1989

Asit Kumar Chaturvedi
Adv
Clerk to Shri A. Mannan, Advocate

(I) Self-contained, speaking and reasoned order to be passed and to issue over signature of prescribed disciplinary/appellate reviewing authority:- As is well known and settled by courts, disciplinary proceedings against employees conducted under the provisions of C.C.S. (C.C.A.) Rules, 1965, or under any other corresponding rules, are quasi-judicial in nature and as such, it is necessary that orders in such proceedings are issued only by the competent authorities who have been specified as disciplinary/appellate/reviewing authorities under the relevant rules and the orders issued by such authorities should have the attributes of a judicial order. The Supreme Court, in the case of Mahavir Prasad v. State of U.P. (A.I.R. 1970 S.C. 1302) observed that recording of reasons in support of a decision by a quasi-judicial authority is obligatory as it ensures that the decision is reached according to law and is not a result of caprice, whim or fancy or reached on ground of policy or expediency. The necessity to record reasons is greater if the order is subject to appeal.

2. However, instances have come to the notice of this Department where the final orders passed by the competent disciplinary/appellate authorities do not contain the reasons on the basis whereof the decisions communicated by that order were reached. Since such orders may not conform to legal requirements, they may be liable to be held invalid, if challenged in a court of law. It is, therefore, impressed upon all concerned that the authorities exercising disciplinary powers should issue self-contained, speaking and reasoned orders conforming to the aforesaid legal requirements.

3. Instances have also come to notice where, though the decisions in disciplinary/appellate cases were taken by the competent disciplinary/appellate authorities in the files, the final orders were not issued by that authority but only by a lower authority. As mentioned above, the disciplinary/appellate/reviewing authorities exercise quasi-judicial powers and as such, they cannot delegate their powers to their subordinates. It is, therefore, essential that the decisions taken by such authorities are communicated by the competent authority under their own signatures, and the order as issued should comply with the legal requirements as indicated in the preceding paragraphs. It is only in those cases where the President is the prescribed disciplinary/appellate/reviewing authority and where the Minister concerned has considered the

Arjun Singh

T. C.
Dr. Kumar Chaturvedi
Adm

case and given his orders that an order may be authenticated by an officer, who has been authorised to authenticate orders in the name of the President.

In spite of the above instructions it has come to notice that speaking orders are not issued while passing final orders in disciplinary cases. It has been essential legal requirement that, in the case of decisions by quasi-judicial authorities, the reasons should be recorded in support thereof. An orders passed by disciplinary authorities are in exercise of quasi-judicial powers. it is necessary that self-contained, speaking and reasoned orders should be issued while passing final orders in disciplinary cases.

(Govt of India, Ministry of Home Affairs)
 (Administrative Reforms)
 G.I. M. H. A., Dept of Personnel & A.R. O. M.
 No. 134/1/81 - ADV - I dated 13th July 1981.

Anujay Trishna

T.C.
 Arif Kumar Chaturvedi
 Ado

Annexure R-2

Sub-rule (2) of Rule 27 clearly lays down that the appellate authority shall consider:-

- (a) whether the procedure laid down in the C.C.S. (C.C.A) Rules has been complied with and if not whether such non-compliance has resulted in the violation of any provisions of the Constitution of India or in the failure of justice;
- (b) whether the findings of the disciplinary authority are warranted by the evidences on the record; and
- (c) whether the penalty is adequate, inadequate or severe.

Thus the rule requires that even if the appellant has not brought out any new points in the appeal, it is obligatory on the part of the appellate authority to discuss now there has been no procedural flaw or denial of opportunity of defence and that the findings of the disciplinary authority are based on evidence and are just. This is rarely done and the result is obvious. It has also created a feeling (though may not be quite correct) that the decisions of the appellate authority are arbitrary and summary in nature. The appellate authorities should bear this in mind and issue the appellate orders in such a way that such unjust feelings or impressions are not created. This is possible only if the appellate orders discuss thoroughly the following points:-

- (i) the procedural aspects as well as the justness of the findings of the disciplinary authority with reference to the admissible evidence;
- (ii) a proper discussion of the points raised in the appeal; and
- (iii) any objective assessment of the lapse on the part of the punished official with a view to coming to a decision that the charge(s) had been established and that the penalty is appropriate/adequate and does not require to be either toned down or enhanced.

Anujay & Vishwa

T.C.
Bis Kumar Chaturvedi
Adv

before Central Administrative Tribunal

Lucknow at Lucknow

Rejoinder Affidavit of Shri Anujay Krishna, son of
Shri Krishna Chari Saxena, aged about 55 years,
resident of A-94, Rajaji Park, Lucknow.

In

Registration No. 95 of 1989 (L)

Shri Anujay Krishna Petitioner

versus

Union of India & others.

Rejoinder Affidavit of Shri Anujay
Krishna, son of Shri Krishna Chari Saxena, resident
of A-94, Rajaji Park, Lucknow.

.....deponent.

I, the deponent hereby solemnly
affirm and state as follows :-

That the deponent is the petitioner in
the above noted case and as such he is fully
conversant with the facts deposed to herein below :-

1. That the deponent has read over the
contents of counter reply signed by Shri M.L. Chak,
Legal Advisor, Indian Council of Agricultural Research
Kew Delhi and denied unless expressly admitted
herein after. It is submitted that Shri M.L. Chak
rather Legal Advisor is not a party in the aforesaid
case and he could not file reply under his signature
and he is not competent to sign the reply on behalf of

the opposite parties. It is submitted that the reply filed by Shri C.N. Pathak is liable to be rejected and case be proceeded Ex-Parte against the opposite party.

2. That contents of para 1 to 4 of the petition are reiterated.

3. That the contents of para 2 of the counter affidavit are denied. It is pertinent to mention here that under provision clause (a) of Sub-section (1) of section 21, the application should have been filed within a period of one year from the date of final order. It is here to be stated that the present application has been filed within time because the appeal of the applicant was rejected by the opposite parties on 4.5.1988 and application has been filed on 3.5.1989. So the application is within time and may not be rejected on this ground.

4. That the contents of para 3 of the counter affidavit are denied and contents of para 6 (i) to 6(v) of the application are reiterated as correct.

5. That the contents of para 4 of the counter affidavit are denied. It is here to be stated that order of punishment, findings of the punishing authority as well as enquiry officer

and order of appellate authority are perverse and the available evidence, which are on record if any does not prove any case against the petitioner. Appellate order as well as punishment order have been passed without application of mind and are non-speaking order and against the provision of natural justice as well as against the rule of 14, 15 and 17 of S.C.A. (C.O.S.) rules.

6. That the contents of para 5 of the counter affidavit are denied and contents of para 6 of the application are reiterated as correct. It is pertinent to mention here that application also demanded Shri V.L. Kumar as defence witness because he had full knowledge of the case of the applicant and inquiry officer have in very casual manner arbitrary and illegally denied to summon Sh. V.L. Kumar as defence witness. It is again pointed out that arbitrary denial of the defence witness Shri V.L. Kumar is violative of the principle of natural justice.

7. That the contents of para 6 and 7 of the counter affidavit are denied and contents of para 10 and 11 of the application are reiterated as correct. It is pertinent to mention here that no inquiry report has been given to the applicant before passing the order however by the inquiry officer has ^{been exonerated} ~~been exonerated~~ inquiry officer has very clearly held that petitioner acted beyond his jurisdiction due to the pressure exerted on him and therefore the applicant is entitled to the benefit of doubt and again enquiry

officer held that available evidence do not prove that the applicant actually tampered with the office record. Thus it is now crystal clear that the punishment order as well as appellate order both are non-speaking order and once applicant has been exonerated by the Inquiry Officer then before passing the punishment order, the applicant should have been given an opportunity to place his submission before the authority which could have been only possible if Inquiry report would have been made available prior passing the punishment order to meet the ends of justice.

8. That in reply to the contents of para 8 of the counter affidavit are denied and contents of para 12 of the application are reiterated as correct. Further it may be pointed out that applicant has not been given enquiry report before passing the punishment order nor applicant was given any opportunity to make any submission before the punishing authority pertaining in the enquiry report and his defence if at all punishment order was to be passed. It is pertinent to mention here that their lordship of the Supreme Court held in the case of Union of India Vs. Bashyan A.I.R. 1988 S.C. Page 1000 that before passing the punishment order enquiry report should be given to delinquent and if the same has not been done naturally it will be the violation of natural justice.

10. That in reply to the contents of para 11 of the counter affidavit are denied and contents of para 13 and 14 and the grounds of the petition are reiterated as correct.

11. That the contents of para 12 of the Counter affidavit are denied and the application is full of merits and deserve to be allowed in the interest of justice.

Dated: Lucknow:

October , 1989

Deponent

Verification

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Dated: Lucknow:

October , 1989

Deponent

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

Dated: Lucknow:

October , 1989

Clerk to Shri A. Mannan, Advocate

9. That in reply to the contents of para 10 of the counter affidavit are denied and contents of para 14 of the application are reiterated as correct. It may be pointed out that appeal of the applicant was rejected by the president by non-speaking order signed for and on behalf of the president by Chri S. Vasudeva in violation of the C.C.S. rule 27 sub-rule (2), and Govt. of India's decisions. A copy of the Govt. of India decisions and rule 27 sub-rule (2) is being annexed as annexure No. A-1 and A-2 of this rejoinder affidavit. It may be further pointed out that appellate order is in violation of C.C.S. (C.S.S.) rules and against the provision of natural justice. That under section 27 of the C.C.S. rules it has been very clearly provided that appellate order will be speaking order and all the grounds and evidence which have been raised in appeal by the applicant should have been discussed in the order by the appellate authority. Thus in view of section 27 of the C.C.S. rules, appellate order is not speaking order and punishment order has been passed without giving any opportunity on the basis of records, evidence and circumstance if any which were not brought out by the prosecution officer for and on behalf of the punishing authority during the enquiry and this is an act at the back of the delinquent and it is also the violative of the natural justice.

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11. That the contents of para 12 of the Counter affidavit are denied and the application is full of merits and deserve to be allowed in the interest of justice.

Dated: Lucknow:

October , 1989

Deponent

Verification

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Dated: Lucknow:

October , 1989

Deponent

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Dated: Lucknow:

October , 1989

Clerk to Shri A. Mannan, Advocate

(I) Self-contained, speaking and reasoned order to be passed and to issue over signature of prescribed disciplinary/appellate reviewing authority:- As is well known and settled by courts, disciplinary proceedings against employees conducted under the provisions of C.C.S.(C.C.A.) Rules, 1965, or under any other corresponding rules, are quasi-judicial in nature and as such, it is necessary that orders in such proceedings are issued only by the competent authorities who have been specified as disciplinary/appellate/reviewing authorities under the relevant rules and the orders issued by such authorities should have the attributes of a judicial order. The Supreme Court, in the case of Mahavir Prasad v. State of U.P. (A.I.R. 1970 S.C. 1302) observed that recording of reasons in support of a decision by a quasi-judicial authority is obligatory as it ensures that the decision is reached according to law and is not a result of caprice, whim or fancy or reached on ground of policy or expediency. The necessity to record reasons is greater if the order is subject to appeal.

2. However, instances have come to the notice of this Department where the final orders passed by the competent disciplinary/appellate authorities do not contain the reasons on the basis whereof the decisions communicated by that order were reached. Since such orders may not conform to legal requirements, they may be liable to be held invalid, if challenged in a court of law. It is, therefore, impressed upon all concerned that the authorities exercising disciplinary powers should issue self-contained, speaking and reasoned orders conforming to the aforesaid legal requirements.

3. Instances have also come to notice where, though the decisions in disciplinary/appellate cases were taken by the competent disciplinary/appellate authorities in the files, the final orders were not issued by that authority but only by a lower authority. As mentioned above, the disciplinary/appellate/reviewing authorities exercise quasi-judicial powers and as such, they cannot delegate their powers to their subordinates. It is, therefore, essential that the decisions taken by such authorities are communicated by the competent authority under their own signatures, and the order as issued should comply with the legal requirements as indicated in the preceding paragraphs. It is only in those cases where the President is the prescribed disciplinary/appellate/reviewing authority and where the Minister concerned has considered the

case and given his orders that an order may be authenticated by an officer, who has been authorised to authenticate orders in the name of the President.

In spite of the above instructions it has come to notice that speaking orders are not issued while passing final orders in disciplinary cases. It has been essential legal requirement that, in the case of decisions by quasi-judicial authorities, the reasons should be recorded in support thereof. An orders passed by disciplinary authorities are in exercise of quasi-judicial powers. it is necessary that self-contained, speaking and reasoned orders should be issued while passing final orders in disciplinary cases.

(Govt. of India, Ministry of Home Affairs)
(Administrative Reforms)
G.I. M.H.A, Dept of Personnel & A.R. O.M.
No - 134/1/81 - ADV - I dated 13th July 1981

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Sub-rule (2) of Rule 27 clearly lays down that the appellate authority shall consider:-

- (a) whether the procedure laid down in the C.C.S. (C.C.A) Rules has been complied with and if not whether such non-compliance has resulted in the violation of any provisions of the Constitution of India or in the failure of justice;
- (b) whether the findings of the disciplinary authority are warranted by the evidences on the record; and
- (c) whether the penalty is adequate, inadequate or severe.

Thus the rule requires that even if the appellant has not brought out any new points in the appeal, it is obligatory on the part of the appellate authority to discuss how there has been no procedural flaw or denial of opportunity of defence and that the findings of the disciplinary authority are based on evidence and are just. This is rarely done and the result is obvious. It has also created a feeling (though may not be quite correct) that the decisions of the appellate authority are arbitrary and summary in nature. The appellate authorities should bear this in mind and issue the appellate orders in such a way that such unjust feelings or impressions are not created. This is possible only if the appellate orders discuss thoroughly the following points:-

- (i) the procedural aspects as well as the justness of the findings of the disciplinary authority with reference to the admissible evidence;
- (ii) a proper discussion of the points raised in the appeal; and
- (iii) any objective assessment of the lapse on the part of the punished official with a view to coming to a decision that the charge(s) had been established and that the penalty is appropriate/adequate and does not require to be either toned down or enhanced.

Registered A/D

O/C B01

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD
CIRCUIT BENCH, LUCKNOW

Gandhi Bhawan, Opp. Residency
Lucknow - 226 001

(Registration No. 95 of 1989)

No. CAT/LKO/Jud/CB/1334 to 1536 dated 17.7.89

Anujay Krishna APPLICANT(S)

VERSUS

Union of India RESPONDENT(S)

Please take notice that the applicant above named has prescribed an application a copy whereof is enclosed herewith which has been registered in this Tribunal and has fixed 18 day of 8 1989 for hearing on admission.

If, no appearance is made on your behalf, your pleader or 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 under my hand and the seal of the Tribunal this 17 day of 7 1989.

dinesh/

D. D. Sharma
For DEPUTY REGISTRAR

To,

1) Union of India through Pleader / J.C. H.K.
Krishna Bhawan, New Delhi

2) The President, Indian Council of Agricultural
Research, New Delhi

3) The Director General of Indian Council
of Agricultural Research, New Delhi

Union of India New Delhi

Encl copy of order dt- 7.7.89
Passed this on-

Central Administrative Tribunal
Lucknow Bench, Lucknow.

M.P. 90/93

in

O.A.No. 95/89 (L)

Anujay Krishna ----- Applicant.
versus
Union of India & others. ---- Respondents.

~~XXXXX: XXXXXXXXXX~~

~~XXXXX~~ DATED : ~~25/1/93~~ 04-02-1993.

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

This is an application for extension of time to complete the inquiry in terms of the judgment and order dated 27-8-1992. Taking into consideration the application, time is extended upto 31st March 1993 beyond which no time ~~is~~ ~~extended~~ shall be granted. It was only short matter which is to be disposed of by the respondents, but the respondents are delaying the matter unnecessarily while the applicant has already retired from service.

Sd/-
A-M.

Sd/-
V.C.

Behandze
4/3

Completed
4/3/93

Fixed 6/4/93

18/9/93

सूचना

डिप्टी रजिस्ट्रार

अर्जेंट

सिद्धांत एस गिरी सिंह विरुद्ध दिनेश
चरण

विषय :- OA No 95 of 89 INRE M.P. No 90 of 1993 ~~के विषय~~
के दिनांक 4/2/93 के आदेश की सत्य प्रतिलिपि प्राप्त करने
के सम्बन्ध में प्रार्थना पत्र

अनुपम हुषा वगैरा युनिफा आकड्डा 57 कादि

F.T.

21/3/93

महोदय

उपरोक्त कदमों दिनांक 27.8.92 को आदेश
पारित हुआ है - युवा आ-पशु आदेश के जलन के
किम्बद्वारे के कारण ~~आदेश~~ प्रार्थी ने उक्त वाद में आदेश के पालन की
समय बढ़ाने के लिए अपील कराने मायलप के समक्ष प्रस्तुत
की जिसका M.P. No 90 of 1993 है।

आता की जानकारी विषय प्रार्थी है कि M.P. No 90-93 के
~~आदेश~~ ~~आदेश~~ पारित आदेश की सत्य प्रतिलिपि प्रार्थी
को दिलाने की हवा करी लवि प्रार्थी मायलप के आदेश का

JAO

7/11

अनुपालन ~~कर~~ समय से न करने
होने का परदेस आदेश सम्पन्न कर रहे हैं
धन्यवाद

No 420450523 = 5/00 only

1/3/93

~~सह~~

प्रार्थी

— डिप्टी रजिस्ट्रार
आता की ज्ञा. के अनुसार
हस्ताक्षर