

INDEX - SHEET

CAUSE TITLE 216/89 (1) OF 198

Name of the Parties Smt. Gading Seivastava

Versus

Union of India

Part A, B and C

Sl.No.	DESCRIPTION OF DOCUMENTS	PAGE
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Check
 [Signature]
 24/6/2011

56 (J)

That no further action is required to take and that the
 assignment to the record room (D)

Regd

(W/20015107)
 5-6-97

CENTRAL ADMINISTRATIVE TRIBUNAL
CIRCUIT BENCH, LUCKNOW

22.8.89

Registration No. 216 of 1989 (L)

APPLICANT(S) Dr. (Smt.) Garima Srivastava
RESPONDENT(S) Union of India & others

19/1

Particulars to be examined

Endorsement as to result of examination

1. Is the appeal competent? yes
2. a) Is the application in the prescribed form? yes
b) Is the application in paper book form? yes
c) Have six complete sets of the application been filed? Five sets have been filed.
3. a) Is the appeal in time? yes
b) If not, by how many days it is beyond time? No
c) Has sufficient cause for not making the application in time, been filed? yes
4. Has the document of authorisation/Vakalatnama been filed? yes
5. Is the application accompanied by B.D./Postal Order for Rs.50/- yes
6. Has the certified copy/copies of the order(s) against which the application is made been filed? yes
7. a) Have the copies of the documents/relied upon by the applicant and mentioned in the application, been filed? yes
b) Have the documents referred to in (a) above duly attested by a Gazetted Officer and numbered accordingly? yes
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 out come of such representation 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

AT/L

<u>Particulars to be Examined</u>	<u>Endorsement as to result of examination</u>
11. Are the application/duplicate copy/spare copies signed ?	YES
12. Are extra copies of the application with Annexures filed ?	YES
a) Identical with the Original ?	YES
b) Defective ?	NO
c) Wanting in Annexures	NO
Nos. _____ pages Nos _____ ?	
13. Have the file size envelopes bearing full addresses of the respondents been filed ?	NO
14. Are the given address the registered address ?	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 ?	YES
17. Are the facts of the case mentioned in item no. 6 of the application ?	YES
a) Concise ?	YES
b) Under distinct heads ?	YES
c) Numbered consecutively	YES
d) Typed in double space on one side of the paper ?	YES
18. Have the particulars for interim order prayed for indicated with reasons ?	YES
19. Whether all the remedies have been exhausted.	YES

dinesh/

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
CIRCUIT BENCH, LUCKNOW

ORDER SHEET

A2
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REGISTRATION No. 216 of 1989, (L)

APPELLANT
APPLICANT

Dr. (Smt.) Garima Srivastava

VERSUS

DEFENDANT
RESPONDENT

Union of India & others

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

28-9-89

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

Issue notice to opposite parties to show cause why the application may not be admitted and list for admission on 27.10.89.

A.M.

V.C.

rrm/

Hon. Justice K. Nath, V.C.

Put up on 10-11-89 before the Division Bench for admission

JC
V.C.

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

Hon'ble K. Obayya, J.M.

O/R
NOTICE issued by Regd party
J/1/90
Notices were issued on 4.10.89
No. [redacted]
regd copy has been return back
submit for admission
h h
9/11
26/11

See original order on [redacted] relation

27/10/89

10/11/89

Shri H.P. Srivastava Counsel for the applicant and Shri I.M. Qudus Counsel for the respondents are present. Counsel for the respondents prayed for time to file reply by means of an application. Allowed. Let reply be filed within 30 days hereof. List on 8-1-90 for admission.

C.A. filed today
h
13/11

(SNS)

A.M.

JC
J.M.

183/1

CENTRAL ADMINISTRATIVE TRIBUNAL, CIRCUIT BENCH, LUCKNOW

Registration (O.A. No. 216 of 1989)

Dr. Garima Srivastava ... Petitioner

Vs.

Union of India & others ... Respondents

Hon'ble Mr. Justice K. Nath, VC,

Hon'ble Mr. K. Obayya, AM

(Delivered by Hon'ble Mr. Justice K. Nath, VC)

This application under Section 19 of the Administrative Tribunals Act, 1985, has been filed by the applicant praying for a direction to the respondents to allow the applicant to continue in service as Medical Officer of the Central Government Health Scheme, Lucknow, together with continuity of service w.e.f. 30-12-1982, the date of her initial appointment. It has also been prayed to regularise the applicant's appointment as Medical Officer.

2. Counter affidavit/Rejoinder affidavit have been exchanged.

3. It appears that the applicant namely Dr. (Smt.) Garima Srivastava was initially appointed on 22-12-1982 for a period of 89 days lasting till 19-7-88 and that appointment continued to be extended after short breaks from time to time with the last renewed appointment by order dated 21-4-1988 (Annexure-23). This order clearly mentions that the appointment of the applicant was purely on monthly wages (contract) basis for a period of 89 days with the right of the respondents to terminate the petitioner's services at any time without any notice or without assigning any reason. The term of this appointment

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was to expire on 19-7-1988 and on that date the petitioner submitted her resignation (Annexure B-1) in the following words;

"I hereby tender my resignation w.e.f. 19-7-1988. This is for your kind information".

It is also admitted in para 3 of the petition that soon after expiry of her contractual period of service, she alongwith her husband left for IRAN where her husband is residing and is serving. The petitioner came back to India on 21-2-1989.

4. The grievance of the petitioner is that her letter of resignation was never accepted by the respondents and unless it was accepted, the services of the petitioner cannot come to an end. There is no worth in this contention. The resignation was tendered by the petitioner on the date on which the specific period of appointment came to an end. That being so, there was nothing to be accepted in the letter of resignation (Annexure B-1). All that the petitioner mentioned in her letter of resignation was that 'she tenders her resignation w.e.f. 19-7-1988. This is for your kind information'. There was no occasion for recording proper acceptance of resignation, but the subsequent conduct of the petitioner confirms her intention to give up her job for good in as much as she went to a foreign country with her husband and came back there from after almost 7 months.

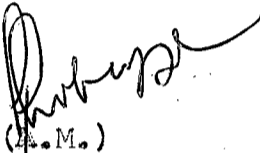
5. In the case of renewed appointment from time to time with artificial breaks, the petitioner cannot derive any benefits because it is the definite case of the respondents that the post of Medical Officer was to be filled up in a regular manner through the Union Public Service Commission on the basis of combined medical examination and interview. Since that process was not

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making any progress, time bound appointment was being made from time to time under the orders issued by the Ministry. It is for this reason that short duration appointments were given to the petitioner from time to time with genuine breaks in service.

6. In view of the above, the petitioner is not entitled for any of the reliefs and the aforesaid petition is dismissed. Parties shall bear their own costs.



(H.M.)



(V.C.)

Lucknow : Dated by :

July 25 , 1990.

ES/

AY

FORM - I

Deputy Registrar(J)

APPLICATION UNDER SECTION 19 OF THE ADMINISTRATIVE TRIBUNALS
ACT, 1985

Dr. (Smt.) Garima Srivastava ... Applicant

Versus

Union of India & others ... Respondents

I N D E X

Sl. No.	Description of documents relied upon	Page No.
1.	Application	1 to 10
2.	<u>Annexure No.1</u> True photostat copy of letter dated 1982 calling the applicant for interview	
3.	<u>Annexure No.2</u> True copy of letter dated 22.12.82 offer of appointment.	
4.	<u>Annexure No.3</u> True copy of order date 6.5.83	
5.	<u>Annexure No.4</u> True photostat copy of order dated 29.6.83	
6.	<u>Annexure No.5</u> True copy of order dated 28.9.83	
7.	<u>Annexure No.6</u> True copy of order dated NIL	
8.	<u>Annexure No.7</u> True copy of order dated 23.3.84	
9.	<u>Annexure No.8</u> True copy of order dt. 21.6.84	
10.	<u>Annexure No.9</u> True copy of order dated 19.9.84	
11.	<u>Annexure No.10</u> True copy of order dated 18.12.84	
12.	<u>Annexure No.11</u> True copy of order dated 18.3.85	
13.	<u>Annexure No.12</u> True copy of order dated 17.6.85	
14.	<u>Annexure No.13</u> True copy of order dated 18.9.85	
15.	<u>Annexure No.14</u> True copy of order dated 10.12.85	

(contd...2)

Garima Srivastava

Filed to day
on 22/8/89
no fee for
28/9/89
H. Srivastava
22/9/89

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Sl.No. Description of paper/documents relied upon page No.

16. Annexure No.15
True photostat copy of order dated NIL appointing petitioner from 13.3.86 to 7.6.86
17. Annexure No.16
True photostat copy of order dated 5.6.86
18. Annexure No.17
True copy of order dated 3.12.86
19. Annexure No.18
True photostat copy of order dated 5.3.87
20. Annexure No.19
True copy of order dated 8.6.87
21. Annexure No.20
True copy of order dated 4.8.87
22. Annexure No.21
True copy of order dated 26-10-87
23. Annexure No.22
True photostat copy of order dated 21.1.88
24. Annexure No.23
True photostat copy of order dated 21.4.88
25. Annexure No.24
True photostat copy of certificate dated 7.7.88
26. Power

Dated: ²⁹ August 1989
Lucknow

Amirul Karim
Signature of the Applicant

14/3

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL ADDITIONAL BENCH
ALLAHABAD

CIRCUIT BENCH AT LUCKNOW

Original Application No. 216 of 1989(2)

Dr (Smt.) Garima Srivastava, aged about 35 years
wife of Dr. Neel Kamal Srivastava R/O C/O Shri S.P.
Srivastava, 'SRINIKETAN' Gurdwara Road, Lucknow,
formerly posted as Medical Officer Central Govt.
Health Scheme Dispensary No.3 Lucknow ... Applicant

Versus

1. Union of India through the Secretary,
Department of Health & Family Welfare,
Government of India, New Delhi.
2. The Chief Medical Officer, Central Govt. Health
Scheme, Lucknow.
3. The Medical Officer Incharge, Central Govt.
Health Scheme, Dispensary No.3 Lucknow.

... Respondents

Details of Application :

1. Particulars of the order
against which the application
made:

This application is
directed against the
illegal action of the

respondents in appointing the applicant on
contract basis on the post of Medical Officer
from time to time for a period of 89 days
at a time w.e.f. 22.12.1982 till 19.7.1988
and not renewing her contract thereafter.

U. Srivastava

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The applicant by means of this application is also challenging the aforesaid action of the respondents in not allowing her to continue in service beyond 19.7.1988 as well as their action in not regularising her on the post of Medical Officer despite her serving the respondents for more than 6 years.

2. Jurisdiction of the Tribunal :

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

3. Limitation: The applicant further declares that since her grievance against which she is preferring the instant application is a continuous cause of action as every day on which the respondents have not allowed her to continue in service a fresh cause of action accrued to her and goes on accruing to her and also since her claim for regularisation of service is also a continuous cause of action, this application is within the limitation prescribed in Section 21 of the Administrative Tribunal Act, 1985.

In case the Hon'ble Tribunal comes to the conclusion that the grievance raised by the applicant does not give rise to

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a continuous cause of action, the applicant submits that under Sub section 3, the Hon'ble Tribunal has the power to entertain an application beyond the prescribed period of limitation and in view of the above and in view of the fact that the applicant got married on 10.4.1988, i.e. soon after the expiry of her contractual period of service and thereafter she along with her husband left for IRAN where her husband is residing and is serving as well as the fact that she returned to India on 21 February 1989 whereafter she gave birth to a child on 26.5.1989, she could not prefer the instant application within the limitation prescribed under the Administrative Tribunals Act and as such it is necessary in the ends of justice to her that the Hon'ble Tribunal may be pleased to entertain her application in exercise of powers vested in it under section 21(3) of the Administrative Tribunal Act.

4. FACTS OF THE CASE:

I) That the applicant who holds the Degree of M.B.B.S. and is a qualified Medical practitioner, in response to an advertisement calling for applications for the post of Medical Officer under the Central Govt. Health Scheme Lucknow, applied for the same and in response to her application, she

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received a letter dated 1982 issued by the Chief Medical Officer Central Government Health Scheme Lucknow calling her for an interview for the selection of Medical Officer scheduled to be held on 3.11.1982 in the office of the Chief Medical Officer Central Government Health Scheme, Lucknow. A True copy of the concerned ~~ix~~ letter is being annexed hereto as ANNEXURE NO.1.

Annex.1

II. That the applicant duly appeared in the aforesaid interview and on being successful in the said interview by means of an order dated 22.12.1982 issued by the Chief Medical Officer, Central Government Health Scheme, Lucknow, the applicant was offered the post of Medical Officer on monthly wage basis under the Central Government Health Scheme Lucknow on a consolidated pay of Rs.650/- per month. A true copy of the concerned order is annexed hereto as ANNEXURE NO.2.

Annex.No.2

III. That the applicant duly accepted the aforesaid offer and joined as Medical Officer and was posted to the Central Government Health Scheme Dispensary No.2 Lalbagh, Lucknow.

IV. That the aforesaid appointment of the applicant as would be evident from the aforesaid order itself was for a period of 89 days or till such time the post was filled on regular basis, whichever was earlier.

V. That the aforesaid appointment of the applicant was continued from time to time for a period of

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89 days at a time by the Chief Medical Officer, Central Govt. Health Scheme, Lucknow ~~and~~ and the same continued till the applicant's last appointment which was made by means of an order dated 21.4.1988 passed by the Chief Medical Officer, Central Government Health Scheme, Lucknow appointing her for a period of 89 days with effect from 22.4.1988 to 19.7.1988. The applicant is filing herewith the copies of the order dated 6.5.1983, appointing her with effect from 11.4.1983 to 27.6.1983, order dated 29.6.83 appointing her with effect from 29-6-83 to 25.9.1983, order dated 28.9.83, appointing her with effect from 27.9.83 to 24.12.1983, order dated NIL passed by the respondent No.2 appointing her with effect from 24.12.83 to 21.3.1984, order dated 23.3.1984 appointing her with effect from 23.3.1984 to 19.6.84, order dated 21.6.1984 appointing her with effect from 21.6.1984 to 17.9.1984, order dated 19.9.1984 appointing her

** 1984 appointing her

** with effect from 19.9.1984 to 16.12.1984, Order dated 18.12.1984 to 16.3.1985, order dated 18.3.1985 appointing her with effect from 18.3.85 to 14.6.85, order dated 17.6.1985, appointing her with effect from 17.6.85 to 11.9.85, order dated 18.9.85 appointing her with effect from 18.9.85 to 11.12.85, order dated 10.12.85 appointing her with effect from 13.12.85 to 11.3.1986, order dated NIL appointing her with effect from 13.3.86 to 7.6.86, order dated 5.6.86 appointing her with effect from 10.6.86 to 6.9.86,

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order dated 3.12.86 appointing her with effect from 6.12.86 to 4.3.1987, order dated 5.3.87 appointing her with effect from 6.3.87 to 2.6.87, order dated 8.6.87 appointing her with effect from 4.6.87 to 31.8.87, order dated 4.8.87 appointing her with effect from 29.7.87 to 24.10.87, order dated 26.10.87, appointing her with effect from 26.10.87 to 22.1.88, order dated 21.1.1988 appointing her with effect from 25.1.88 to 20.4.88 and the order dated 21.4.88 appointing her with effect from 22.4.1988 to 19.7.1988 as ANNEXURE NO. 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, and 23 respectively.

VI

That the aforesaid appointment orders clearly show that the applicant has been in continuous service of the Central Government Health Scheme with effect from 30.12.1982 without any break, whatsoever, continuously except for the notional breaks given by the respondents on account of the intervening holidays between the expiry of one period of appointment and the beginning of a new period of appointment which practice can be regarded as notional and of no consequence.

VII.

That the aforesaid facts further go to show the arbitrary and illegal action of the respondents in continuously appointing the applicant for fixed periods of time for more than 5 years without either considering her for regular appointment or infact without even making any efforts to make regular appointment on the post of Medical Officer.

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VIII. That it is pertinent to point out here that the applicant on account of her marriage, which was fixed on 10th April 1988 before the expiry of her last period of appointment i.e. 19.7.1988 had submitted resignation from her post with effect from 19.7.1988, but it is submitted that the said resignation is ineffective as in any case the period of appointment of the applicant came to an end on 19.7.1988 and as such the resignation submitted by the applicant under coercion and possible apprehension that she would not be able to continue in service after her marriage, is ineffective and cannot be taken into consideration to her detriment.

IX. That the fact that the applicant has been serving continuously with effect from 30.12.1982 till 19.7.1988 would be evident from a certificate dated 7.7.1988, issued by the Chief Medical Officer Central Government Health Scheme Lucknow, certifying therein that the applicant had served as a Medical Officer with effect from 30.12.1982 till date. A true copy of the concerned Certificate is annexed hereto as ANNEXURE NO. 24.

Annex.24

5. GROUNDS FOR RELIEF WITH LEGAL PROVISIONS:

- A. Because action of the respondents hereto in repeatedly appointing the applicant on fixed term basis is arbitrary, illegal and violative of Article 14 and 16 of the Constitution of India.
- B. Because the respondents ought to have considered the applicant for regular appointment on the post

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of Medical Officer, moreso in view of the fact that the post concerned was of a permanent nature and was likely to continue indefinitely.

C. Because the Hon'ble Supreme Court of India has in a number of decisions deprecated the practice of making time bound appointments and not considering the persons so appointed for regular appointment and has also given direction to the Union of India to prepare a scheme for regularising the service of the persons who had continuously served temporarily for one year or more.

D. Because the failure of the respondents in not allowing the applicant to continue in service after 19.7.1988 is also arbitrary and illegal as there were no reasons on the basis of which the applicant could have been refused for renewing the contract of appointment more so in view of the fact that there were no complaints of work and conduct against the applicant and no regular appointments for the post of Medical Officer had been made by the respondents.

6. DETAILS OF THE REMEDIES EXHAUSTED:

Since the applicant has no remedy available to her against the grievance raised in the instant application, she is filing the instant application without availing of any remedy.

7. MATTERS NOT PREVIOUSLY FILED OR PENDING WITH ANY OTHER COURT.

Aggravated

(9)

The applicant further declares that she has not 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 nor any such application, writ petition or suit is pending before any of them.

8. RELIEFS SOUGHT:

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

- i) To direct the respondents hereto to allow the applicant to continue in service as Medical Officer of the Central Government Health Scheme, Lucknow, together with continuity of service with effect from 30.12.82, the date of her initial appointment and payment of salary as and when the same falls due together with the arrears of the same.
- ii) Direct the respondents hereto to regularise the applicant on the post of Medical Officer w.e.f. 30.12.82 and grant her all consequential benefits including seniority etc.
- iii) Any other reliefs deemed fit and proper in the circumstances of the case, including the relief awarding cost of this petition in favour of the applicant.

9. INTERIM ORDER, IF ANY, PRAYED FOR:

Pending final decision on the application the applicant seeks the following interim relief:

A direction may be issued to the respondents to allow the applicant to continue in service as

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Medical Officer Central Government Health Scheme
Lucknow during the pendency of the instant
applicant.

10. In the event of applicant being sent by registered
post, it may be stated whether the applicant desires to
have oral hearing at the admission stage and if so,
he shall attach a self-addressed Post Card or Inland letter
at which intimation regarding the date of hearing
could be sent to him.

NOT APPLICABLE

11. Particulars of Bank Draft/Postal Order filed in
respect of the application fee. ₹ 826500 dated 17.8.89

12. List of enclosures :

- (1) Application
- (2) Annexure No. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11,
12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22,
23 and 24.

VERIFICATION

I Dr (Smt) GARIMA SRIVASTAVA, wife of Dr. Neel Kamal
Srivastava, aged about 35 years, formerly working as
Medical Officer, Central Government Health Scheme,
Dispensary No.3 Lucknow, R/O C/O Shri S.P. Srivastava,
'SRINIKETAN' Gurdwara Road, Lucknow do hereby verify
that the contents of paragraphs
are true to my personal knowledge, and paras
are ~~xxx~~ believed to be true on legal advice and that
I have not suppressed any material fact.

Date: 22/9/1989

Place: Lucknow

Signature of Applicant

Garima Srivastava

Garima Srivastava

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Amn...

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No. 3-46/88-CGHS/LKO/204-7
Govt. of India
Central Govt. Health Scheme
Gen. Rana Pratap Marg Lucknow
Date: 21-4-88

OFFICE ORDER.

X Dr. Ganika Sivaraj is hereby engaged as Medical Officer on purely monthly wage (contract) basis for a period of 89 days days w.e.f. 22-4-88 to 19-7-88 and this office reserves the right to terminate his/ her services at any time without any notice or assigning any reason thereof.

He will get the pay of Rs. 2000/- (Two thousand) P.M. plus all the other allowances viz NPA, HRA, CCA, DA etc. as ~~xxx~~ admissible under rules to other Jr. Medical Officers on the pay of Rs. 2000/- from time to time at this station.

Dr. Ganika Sivaraj is hereby posted at CGHS dispensary No. 3 Lucknow with instruction to report for duty to Medical Officer Incharge CGHS dispensary No. 3 at 7.00 AM on 22-4-88;

Sd/-
Chief Medical Officer
Central Govt. Health Scheme
Lucknow.

To,

Dr. Ganika Sivaraj
Shri Anand Kher Ground Road Lucknow

Copy to:-

1. Accountant, CGHS, Lucknow.
2. P.A.C. LHMC, & Hospital New Delhi.
3. MOI/C, CGHS, dispensary No. 3 for information and with the instruction that the joining report of Dr. Ganika Sivaraj may be sent to this office.

Sd/-
Chief Medical Officer
Central Govt. Health Scheme
Lucknow.

Before the Central Administrative Tribunal, At
Lucknow Bench, Lucknow.

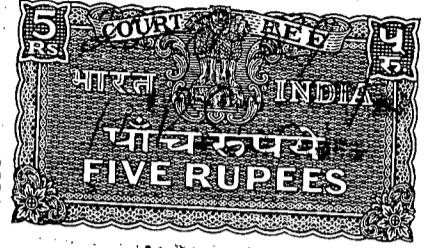
AS

ब अदालत श्रीमान _____ महोदय

वादी (महदई)

प्रतिवादी (मुद्दाअलेह)

का **वकालतनामा**



टिकट

Dr. (Smt) GADIMA SRIVASTAVA

वादी (मुद्दई)

UNION OF INDIA AND OTHERS

प्रतिवादी (मुद्दालेह)

नं० मुकद्दमा सन् १६ पेशी की ता० १६ ई०

उपर लिखे मुकद्दमा में अपनी ओर से श्री AMIT BOSE and
Harendra Prakash Srivastava एडवोकेट
32/33 Gandhi Nagar, Lucknow महोदय

वकील

नाम अदालत
नं० मुकद्दमा
नाम करीकेन

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

हस्ताक्षर.....

साक्षी (गवाह).....साक्षी (गवाह).....

दिनांक 22 महीना 8 सन् 1989

Accepted
Am
22/8
Hosnawala
Am

Annexure No. 1

(11)

No. 3-46/81-CONS/LKO/5415-44
Government of India
Central Government Health Scheme
9-A, Rana Partap Marg, Lucknow-1

Reg

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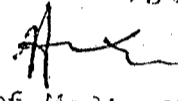
Dated 1982

MEMORANDUM

An interview for the selection of M.O.
will be held on 3-11-82 in the office of Chief
Medical Officer, Central Government Health Scheme, Lucknow
at 11.00 A.M. At 9 A, Rana Partap marg. Lko.

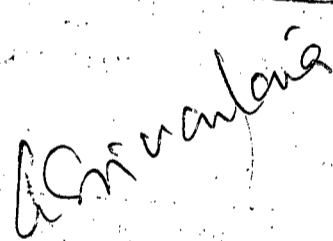
Shri/Smt/Km M. Garima Srivastava therefore
required to present himself at the time place and date
mentioned above for interview. He should bring original
certificates of educational qualifications, date of
birth and of S.C./S.T. if any.

NO TA/DA will be admissible for attending
interview.


Chief Medical Officer
Central Government Health Scheme
Lucknow

To,

Shri/Smt/Km M. Garima Srivastava
"Sri Niketan", Gurudwara road
Lucknow

True copy


mv-

Memorandum No 2

Registered

No. 3-46/81-CGHS/EKO/ 8774
Govt of India
Central Govt. Health Scheme,
A-Rana Pratap Marg, Lucknow.

Dated: 22.12.82

MEMORANDUM

Dr. (Miss) Garima Srivastva is hereby offered a post of Medical Officer (Jr.) on monthly wage basis under the Central Govt. Health Scheme Lucknow on a pay of Rs. 650/- P.M. plus allowances i.e. A.R.A., C.C.A., D.A., A.D.A. and N.P.A. as admissible.

2. The terms of appointment is as under:-

The appointment will be purely on monthly wage basis for a period of 90 days or till the post is filled on regular basis, whichever is earlier. This office, however reserves the right to terminate his/her services at any time without any notice or assigning any reason there of.

3. No candidate who has more than one wife/husband living or who having a spouse living marriage in any case in which such marriage is void by reason of its taking place during the life-time or such spouse shall be eligible for appointment to any of the services under the Govt. of India ~~sex~~ unless the Govt. of India after being satisfied that there are special grounds for doing to exempt any male candidate from the operation of this rule.

4. No candidate appointed on monthly wage basis will be entitled for earned Leave, Medical leave and conveyance allowance.

5. The appointment will be further subject to:

a. The production of Certificate of fitness from the competent Medical Authority.

b. Taking of an oath of allegiance to the Constitution of India in the prescribed form.

c. Production of the following original Certificates:-

i. Degree/Diploma/Certificate of Education and other qualifications (also bring 2 attested copies of each)

ii. Certificate of age/date of birth.

iii. An attestation form duly filled.

iv. A certificate of character from a ~~I class Magistrate~~ /Gazetted officer (two) a proforma of the same is enclosed.

v. Certificate in the prescribed form of previous employment, if any.

6. If any declaration given or information furnishing by the Candidates proves to be false or if the candidate is found to have willfully suppressed any material information he will be liable to removal from the service or such other action as Govt. may deem necessary.

7. If Dr. (Miss) Garima Srivastva accepts the offer on the above terms he/she should report to the undersigned immediately latest by 31.12.82. If no reply is received or the Candidate fails to report personally by the prescribed date, the offer will be treated as cancelled.

True copy
G. Srivastava

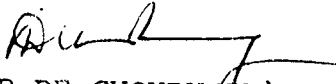
Annexure No. 3

No.3-46/82 -CGHS/LKO/ 528/32
Government of India,
Central Government Health Scheme,
9-A, Rana Pratap Marg, Lucknow.

Dated the 6-5-1983.

OFFICE ORDER.

Dr.(Miss) Garima Srivastava is hereby appointed as Medical Officer on monthly wages (Contract) basis for 78 days i.e..w.e.f.11.4.1983(F.N.) to 27.6.1983 or till the post is filled on regular basis, whichever ever is earlier at a pay of Rs.650/- plus other allowances viz.H.R.A.,C.C.A.,DA/ADA, and NPA as admissible to other Jr. Medical officers on the pay of Rs.650/- from time to time at that station.


(DR. P.B.DE CHOUDHURY)
Chief Medical officer,
Central Government Health Scheme,
Lucknow.

Copy to:

1. Dr.(Miss) Garima Srivastava, Lucknow.
2. The Pay & accounts officer, Lady Hardings medical college & Hospital, New Delhi.
3. Accounts section, CGHS, Lucknow.
4. The Director, CGHS, Nirman Bhawan, New Delhi.
5. The M.O.I/C. CGHS dispensary No.4, Nakkhas, Lucknow for information and necessary action.

Chief Medical Officer,
Central Government Health Scheme,
Lucknow.

Tripathi/

True copy
G Srivastava

Memo No. 4

14

AG
4

No. 3-46/81-CGHS/LKO/1510
Govt of India
Central Govt. Health Scheme,
9A-Rana Pratap Marg, Lucknow.

Dated: 29-6-83

MEMORANDUM

Dr. Miss Ganima Srivastava is hereby offered a post of Medical Officer (Jr.) on monthly wage basis under the Central Govt. Health Scheme Lucknow on a pay of Rs. 650/- P.M. plus allowances i.e. A.R.A., C.C.A., D.A., A.D.A. and N.P.A. as admissible.

2. The terms of appointment is as under:-

The appointment will be purely on monthly wage basis for a period of 90 days or till the post is filled on regular basis, whichever is earlier. This office, however reserves the right to terminate his/her services at any time without any notice or assigning any reason there of.

3. No candidate who has more than one wife/husband living or who having a spouse living marriage in any case in which such marriage is void by reason of its taking place during the life time or such spouse shall be eligible for appointment to any of the services under the Govt. of India ~~xxx~~ unless the Govt. of India after being satisfied that there are special grounds for doing to exempt any male candidate from the operation this rule.

4. No candidate appointed on monthly wage basis will be entitled for earned Leave, Medical leave and conveyance allowance.

5. The appointment will be further subject to:

a. The production of Certificate of fitness from the competent Medical Authority.

b. Taking of an oath of allegiance to the Constitution of India in the prescribed form.

c. Production of the following original Certificates:-

i. Degree/Diploma/Certificate of Education and other qualifications (also bring 2 attested copies of each)

ii. Certificate of age/date of birth.

iii. An attestation form duly filled.

iv. A certificate of character from a I class Magistrate /Cazetted officer (two) a proforma of the same is enclosed).

v. Certificate in the prescribed form of previous employment, if any.

6. If any declaration given or information furnishing by the Candidates proves to be false or if the candidate is found to have willfully suppressed any material information he will be liable to removal from the service or such other action as Govt. may deem necessary.

7. If Dr. Miss Ganima Srivastava accepts the offer on the above terms she/she should report to the undersigned immediately latest by 4-7-83. If no reply is received or the Candidate fails to report personally by the prescribed date, the offer will be treated as cancelled.

Univallan

Annexure No. 5

No. 3-46/83-CGHS/LKO/ 3920-29
Government of India,
Central Government Health Scheme,
9-A, Rana Pratap Marg, Lucknow.

Dated, the

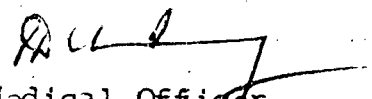
19

28/9/83

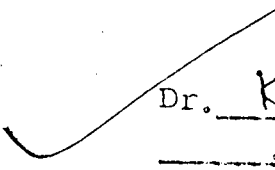
OFFICE ORDER.

Dr. Km. Ganima Srivastava is hereby appointed as Medical Officer on monthly wages (contract) basis for 09 days days w.e.f. 27-9-83 to 26.12.83 or till the post is filled on regular basis, which ever is earlier at a pay of Rs.650/- plus other allowances viz. HRA, CCA, DA/ADA and NPA as admissible to other Junior medical officers on the pay of Rs.650/- from time to time at that station.

Dr. Km. Ganima Srivastava is hereby posted to CGHS dispensary No. 4 Lucknow alongwith instruction to report for duty to the M.O. I/C. CGHS dispensary No. 4 Lucknow on 27-9-83 at 5.00 P.M.


Chief Medical Officer,
Central Government Health Scheme,
Lucknow.

To


Dr. Km. Ganima Srivastava
Sri. Niketan, Ghodwana Road
Lucknow

Copy to:

1. The Pay & Accounts Officer, Lady Hardings medical College and Hospital, New Delhi.
2. Accounts section, CGHS, Lucknow.
3. The Director, CGHS, Nirman Bhawan, New Delhi.
4. The M.O. I/C. CGHS dispensary No. 4 Lucknow for information with instruction to send the joining report of Dr. _____ to this office.

Chief Medical Officer,
Central Government Health Scheme,
Lucknow.

True copy

G. Srivastava

Anneru No. 6

(16)

No. 3-46/83-CGHS/IKO/ 8749-54
Government of India,
Central Government Health Scheme,
9-A, Rana Pratap Marg, Lucknow.

28/6

Dated the 19

OFFICE ORDER.

Dr. (M.) Prasad Srivastava is hereby appointed as Medical Officer on monthly wages (contract) basis for 39 (thirty nine) days w.e.f. 24.12.1983 to 21.3.1984 or till the post is filled on regular basis, which ever is earlier at a pay of Rs.650/- plus other allowances viz. HRA, CCA, DA/ADA and NPA as admissible to other Junior medical officers on the pay of Rs.650/- from time to time at that station.

Dr. (M.) Srivastava is hereby posted to CGHS dispensary No. 4, Makkhas Lucknow alongwith instruction to report for duty to the M.O. I/C. CGHS dispensary No. 4 Lucknow on 21.12.83. at

S. Srivastava
Chief Medical Officer,
Central Government Health Scheme,
Lucknow.

To

Dr. (M.) Prasad Srivastava
Sriniketan, Gurudwara Road,
Lucknow.

Copy to:

1. The Pay & Accounts Officer, Lady Hardings medical College and Hospital, New Delhi.
2. Accounts section, CGHS, Lucknow.
3. The Director, CGHS, Nirman Bhawan, New Delhi.
4. The M.O. I/C. CGHS dispensary No. 4 Lucknow for information with instruction to send the joining report of Dr. (M.) Srivastava to this office.

Chief Medical Officer,
Central Government Health Scheme,
Lucknow.

Tripathi/
11.8.83

True copy
G. Srivastava

17

As / 7

M. memo No. 7.

No. 3-46/83-CGHS/LKO/10 del-5
Government of India,
Central Government Health Scheme,
9-A, Rana Pratap Marg, Lucknow.

Dated the 23.3.84

OFFICE ORDER.

Dr. (Kam) G. Srivastava is hereby appointed as Medical Officer on monthly wages (Contract) basis for Eighty nine days days w.e.f. 23.3.84 to 19.6.84 or till the post is filled on regular basis, which ever is earlier at a pay of Rs.650/- plus other allowances viz. TRA, CCA, DA/ADA and NPA as admissible to other Junior medical Officers on the pay of Rs.650/- from time to time at that station.

Dr. (Kam) Srivastava is hereby posted to CGHS dispensary No. 4 Lucknow alongwith instruction to report for duty to the M.O.I/C. CGHS dispensary No. 4 Lucknow on 23.3.84 at 5 PM.

P. K. T.

Chief Medical Officer
Central Government Health Scheme,
Lucknow.

To

✓ Dr. (Kam) Srivastava
✓ Sri Nibelan Gansdwar Road,
Lucknow.

Copy to:

1. Accounts section, CGHS, Lucknow.
2. The Director, CGHS, Nirman Bhawan, New Delhi.
3. The Pay & Accounts Officer, Lady Hardings medical College & Hospital, New Delhi.
4. The M.O.I/C. CGHS dispensary No. 4 Lucknow for information with instruction to send the joining report of Dr. Srivastava to this office.

Chief Medical Officer,
Central Government Health Scheme,
Lucknow.

True copy
ASrivastava

Tripathi/
23.12.83.

Memorandum No. 8

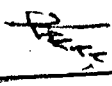
No. 3-46/83-CGHS/LKO/856-58
Government of India,
Central Government Health Scheme,
9-A, Rana Pratap Marg, Lucknow.

Dated the 21-6-84

OFFICE ORDER.

Dr. (Km.) Gunima Srivastava is hereby appointed as Medical Officer on monthly wages (Contract) basis for Eighty nine days days w.e.f. 21.6.84 to 17.9.84. or till the post is filled on regular basis, whichever is earlier at a pay of Rs.650/- plus other allowances viz. HRA, CCA, DA/ADA and NPA as admissible to other Junior medical Officers on the pay of Rs.650/- from time to time at that station.

Dr. (Km.) Gunima Srivastava is hereby posted to CGHS dispensary No. 3 Lucknow alongwith instruction to report for duty to the M.O. I/C. CGHS dispensary No. 3 Lucknow on 21.6.84. She will be working in cons. sub No. 3 till further order.


Chief Medical Officer 21/6/84
Central Government Health Scheme,
Lucknow.

✓ Dr. (Km.) G. Srivastava,
Sri Niketan, Gurudwara
Road, Lko.

Copy to:

1. Accounts section, CGHS, Lucknow.
2. The Director, CGHS, Nirman Bhawan, New Delhi.
3. The Pay & Accounts Officer, Lady Hardings medical College & Hospital, New Delhi.
4. The M.O. I/C. CGHS dispensary No. 3 Lucknow for information with instruction to send the joining report of Dr. G. Srivastava to this office.

Chief Medical Officer,
Central Government Health Scheme,
Lucknow.

True Copy
ASrivastava

Annexure No 9

2078-82

No. 3-46/83-CGHS/LKO/2
Government of India,
Central Government Health Scheme,
9-A, Rana Pratap Marg, Lucknow.

Dated the

17-9-84

OFFICE ORDER.

Miss. Dr. Garima Srivastava is hereby appointed as Medical Officer on monthly wages (Contract) basis for 89 (Eighty nine) days w.e.f. 19.9.84 (F.N.) to 16.12.84 or till the post is filled on regular basis, which ever is earlier. (16.12.84) at a pay of Rs.650/- plus other allowances viz. HRA, CCA, DA/ADA and NPA as admissible to other Junior medical Officers on the pay of Rs.650/- from time to time at that station.

Dr. Miss. Garima Srivastava is hereby posted to CGHS dispensary No. 4 Nahas Lucknow alongwith instruction to report for duty to the M.O. I/C. CGHS dispensary No. 4 Lucknow on 19.9.84 (F.N.)

19.9.84
Chief Medical Officer,
Central Government Health Scheme,
Lucknow.

✓ Dr. Miss. Garima Srivastava
Srinikatan Gurdwara Road
Lucknow.

Copy to:

1. Accounts section, CGHS, Lucknow.
2. The Director, CGHS, Nirman Bhawan, New Delhi.
3. The Pay. & Accounts Officer, Lady Hardings medical College & Hospital, New Delhi.
4. The M.O. I/C. CGHS dispensary No. 4 Lucknow for information with instruction to send the joining report of Dr. to this office.

19.9.84
Chief Medical Officer,
Central Government Health Scheme,
Lucknow.

Tripathi/
23.12.83.

Free copy
to Srivastava

Annexure No 10

20
46
10

No. 3-46/83-CGHS/LKO/ 2706-10
Government of India,
Central Government Health Scheme,
9-A, Rana Pratap Marg, Lucknow.

Dated the 18.12.84

OFFICE ORDER.

Dr. (Miss) Gaxima Srivastava is hereby appointed as Medical Officer on monthly wages (Contract) basis ~~16.3.85 or 89 (Eighty Nine days)~~ 89 days w.e.f. 18.12.84 till the post is filled on regular basis, which ever is earlier at a pay of Rs.650/- plus other allowances viz. HRA, CCA, DA/ADA and A as admissible to other Junior medical Officers on the pay of 650/- from time to time at that station.

Dr. (Miss) Gaxima Srivastava, is hereby posted to CGHS dispensary No. 4, Lucknow alongwith instruction to report for duty to the M.O. I/C. CGHS Dispensary No. 4, Lucknow on 18.12.84.

[Signature]
Chief Medical Officer
Central Government Health Scheme,
Lucknow.

To,
✓
Dr. (Miss) Gaxima Srivastava,
X
Sriniketan, Gurudwara Road,
Lucknow.

Copy to:

- Accounts section, CGHS, Lucknow.
- The Director, CGHS, Nirman Bhawan, New Delhi.
- The Pay & Accounts Officer, Lady Hardings medical College & Hospital, New Delhi.
- The M.O. I/C. CGHS dispensary No. 4, Lucknow for information with instruction to send the joining report of Dr. (Miss) Gaxima Srivastava, to this office.

Chief Medical Officer,
Central Government Health Scheme,
Lucknow.

Srinathi/
23.12.83.

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Annexure No 11

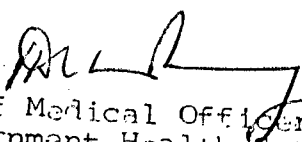
No. 3-46/83-CGHS/LKO/3925-29
Government of India,
Central Government Health Scheme,
79-A, Rana Pratap Marg, Lucknow.

Dated the 18.3.85

OFFICE ORDER.

Dr. (Miss) Garima Srivastava is hereby appointed as Medical Officer on monthly wages (Contract) basis for (Eighty nine days) days w.e.f. 18.3.85 to 14.6.85 till the post is filled on regular basis, which ever is earlier a pay of Rs.650/- plus other allowances viz. HRA, CCA, DA/ADA and HRA as admissible to other Junior medical Officers on the pay of 650/- from time to time at that station.

Dr. (Miss) Garima Srivastava is hereby posted to CGHS dispensary No. 4 Lucknow alongwith instruction report for duty to the M.O. I/C. CGHS dispensary No. 4 Lucknow on 18.3.85


Chief Medical Officer
Central Government Health Scheme,
Lucknow.

✓
Dr. (Miss) Garima Srivastava
Sriwikatan Gurudwara Road
Lucknow.

Copy to:

- Accounts section, CGHS, Lucknow.
- The Director, CGHS, Nirman Bhawan, New Delhi.
- The Pay & Accounts Officer, Lady Hardin's medical College & Hospital, New Delhi.
- The M.O. I/C. CGHS dispensary No. 4 Lucknow for information with instruction to send the joining report of Dr. to this office.

Chief Medical Officer,
Central Government Health Scheme,
Lucknow.

Binathi/
12.83.

True copy
ASrivastava

Procedure No. 12

22

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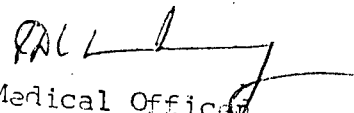
No. 3-46/83-CGHS/LKO/1472-75
Government of India,
Central Government Health Scheme,
9-A, Rana Pratap Marg, Lucknow.

Dated the 17-6-85

OFFICE ORDER.

Dr. (Miss) Garima Srivastava is hereby appointed as Medical Officer on monthly wages (Contract) basis for Eighty Seven days w.e.f. 17.6.85 (F.N.) to till the post is filled on regular basis, which ever is earlier 11.9.85 in a pay of Rs. 650/- plus other allowances viz. HRA, CCA, DA/ADA and HRA as admissible to other Junior medical Officers on the pay of Rs. 650/- from time to time at that station.

Dr. (Miss) Garima Srivastava is hereby posted to CGHS dispensary No. 3 Lucknow alongwith instruction to report for duty to the M.O. I/C. CGHS dispensary No. 3 Lucknow on 18.6.85 (F.N.)


Chief Medical Officer,
Central Government Health Scheme,
Lucknow.

Dr. (Miss) Garima Srivastava
Sriniketan Gurudwara
Lucknow.

Copy to:

1. Accounts section, CGHS, Lucknow. (two copies)
2. The Director, CGHS, Nirman Bhawan, New Delhi.
3. The Pay & Accounts Officer, Lady Hardings medical College & Hospital, New Delhi.
3. The M.O. I/C. CGHS dispensary No. 3 Lucknow for information with instruction to send the joining report of Dr. to this office.

Chief Medical Officer,
Central Government Health Scheme,
Lucknow.

ripathi/
3.12.83.

True copy
G. Srivastava

Annexure No 13

23

As
13

No. 3-46/83-CGHS/LKO/2147-51
Government of India,
Central Government Health Scheme,
9-A, Rana Pratap Marg, Lucknow.

Dated the 18-9-83

OFFICE ORDER.

Engaged
Dr. (Miss) Gayima Sivadava is hereby
appointed as Medical Officer on monthly wages (Contract) basis
for Eighty five days w.e.f. 18.9.83 (F.N.) to
or till the post is filled on regular basis, which ever is earlier 11.12.
at a pay of Rs.650/- plus other allowances viz. HRA, CCA, DA/ADA and 85.
NPA as admissible to other Junior medical Officers on the pay of
Rs 650/- from time to time at that station.

-10
Dr. Miss Gayima Sivadava is hereby posted to
CGHS dispensary No. 3 Lucknow alongwith instruction
to report for duty to the M.O. I/C. CGHS dispensary No. 3 Lucknow
on 18.9.83 (F.N.)

S. S. S. S.
Chief Medical Officer
Central Government Health Scheme,
Lucknow.

To
Dr. Miss Gayima Sivadava
Sivikatan Gurudwara
Lucknow.

Copy to:

1. Accounts section, CGHS, Lucknow.
2. The Director, CGHS, Nirman Bhawan, New Delhi.
3. The Pay & Accounts Officer, Lady Hardin's medical College & Hospital, New Delhi.
4. The M.O. I/C. CGHS dispensary No. 3 Lucknow for information with instruction to send the joining report of Dr. to this office.

Chief Medical Officer,
Central Government Health Scheme,
Lucknow.

Trinathi/
23.12.83.

True copy
G. Sivarani

Annexure No. 14

No. 3-46/85-CGHS/LKO/ 3727-27
Govt. of India
Central Govt. Health Scheme
9-A, Rana Pratap Marg, Lucknow.

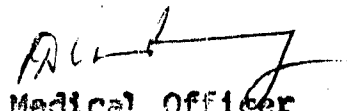
24
17/12/85

Dated. 10.12.85

OFFICE ORDER.

Dr. Miss Garing Srivastava is hereby appointed as Medical Officer on monthly wages (Contract) basis for period of 34 days u.e.f. 13.12.85 to 11.3.86 or till the post is filled on regular basis, which ever is earlier at a pay of Rs. 650/- plus other allowances viz. HRA, CCA, DA, ADA and NPA as admissible to other Junior Medical Officers on the pay of Rs. 650/- from time to time at that station.

Dr. Miss Garing Srivastava is hereby posted to CGHS Dispensary No. 3 Lucknow alongwith instruction to report for duty to the M.O. I/C CGHS Disp. No. 3 Lucknow on 13.12.85 at 7.30 AM.


Chief Medical Officer
Central Govt. Health Scheme
Lucknow.

To


Dr. Miss Garing Srivastava
Sriniketan Gandhiwara Road,
Lucknow.

Copy to :-

1. Accounts Section, CGHS, Lucknow.
2. The Director, CGHS, Nirmana Bhawan, New Delhi.
3. P.A.O., L.H.M.C. & Hospital New Delhi.
4. The M.O. I/C CGHS Dispensary No. 3 Lucknow for information ~~xxx~~ with instruction to send the Joining report of Dr. Miss Garing Srivastava to this office.

Chief Medical Officer
Central Govt. Health Scheme
Lucknow.

True Copy


G. Srivastava

Annexure No. 15

No. 3-46/86-CGHS/LKO/ 5722-27
Govt. of India
Central Govt. Health Scheme
9-A, Rana Pratap Marg Lucknow.

Dated:

OFFICE ORDER.

Dr. Miss Garima Srivastava is hereby appointed as Medical Officer on monthly wage (contract) basis for a period of 89 days w.e.f. 13.3.86 to 7.6.86 or till the post is filled on regular basis, which ever is earlier at a pay of Rs. 650/- plus other allowances viz. HRA, CCA, DA, ADA and NPA as admissible to other Junior Medical Officers on the pay of Rs. 650/- from time to time at that station.

Dr. Miss Garima Srivastava is hereby posted to CGHS Disp. No. 3 Lucknow alongwith instruction to report for duty to the MOI/C CGHS Disp. No. 3 Lucknow on 13.3.86 at 7.30 A.M.

Chief Medical Officer
Central Govt. Health Scheme
Lucknow.

To,

Dr. Miss Garima Srivastava
Sriniketan Gurudwara Road Lucknow.

Copy to:-

1. Accounts Section, CGHS Lucknow. (two copies)
2. The Director, CGHS Nirman Bhavan New Delhi.
3. P.A.O., LHMC. & Hospital New Delhi.
4. The MOI/C CGHS Dispensary No. 3 Lucknow for information and with instruction to send the joining report of Miss. Srivastava to this office.

Chief Medical Officer
Central Govt. Health Scheme
Lucknow.

True copy
ASrivastava

Annexure No. 16

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No. 3-46/86-COM /XG/ 774-78
Govt. of India
Central Govt. Health Scheme
9-A, Rana Pratap Marg Lucknow.

Dated: 5-6-86

OFFICE ORDER.

Dr. (Miss) Garima Srivastava is hereby appointed as Medical Officer on monthly wages (contract) basis for a period of 89 days w.e.f. 10.6.86 to 6.9.86 or till the post is filled in on regular basis, which ever is earlier at a pay of Rs. 650/- plus other allowances viz. HRA, ODA, DA, and NTA as admissible to other Junior Medical Officers on the pay of Rs. 650- from time to time at that station.

Dr. (Miss) Garima Srivastava is hereby posted to COMS Dispensary No. III Alambag Lucknow alongwith instruction to report for duty to the Medical Officer Incharge COMS Dispensary No. III Lucknow on 10.6.86 at 7.00 A.M.

[Signature]
Chief Medical Officer
Central Govt. Health Scheme
Lucknow.

To,
Dr. Miss Garima Srivastava
Sriniketan Gurudwara Road
Lucknow

Copy to:-

1. Accounts Section, COMS Lucknow.
2. The Director, COMS Nilam Sharan New Delhi.
3. P.A.O., LMC, & Hospital New Delhi.
4. The MTC COMS Dispensary No. III Lucknow for information and with instruction to send the joining report of Dr. Miss Srivastava this office.

Chief Medical Officer
Central Govt. Health Scheme
Lucknow.
True copy
G. Srivastava

Annexure No. 17

No. 3-46/P6-CGHS/LKO/ 2735
Govt. of India
Central Govt. Health Scheme
9-A, Rana Pratap Marg Lucknow.

Dated: 3-12-86

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MEMORANDUM

Dr. Miss *Janina Sinhas* is hereby offered a post of Medical Officer (Jr.) on monthly wage basis under Central Govt. Health Scheme Lucknow on a pay of Rs. 650/- P.M. plus allowances i.e. HRA, CCA, DA, ADA and NPA as admissible.

The terms of appointment is as under: -

2. The appointment will be purely on monthly wage basis for a short period ^{of 30 days} or till the post is filled on regular basis, which ever is earlier. This office, however reserves the right to terminate his/ her services at any time without any notice or assigning any reason thereof.

3. No candidate who has more than one wife/ husband living or who having a spouse living marriage in any case in which such marriage avoid by reasons of its taking place during the life time or such spouse shall be eligible for appointment to any of the services under the Govt. of India unless the Govt. of India after being satisfied that there are special grounds for doing to exempt any male candidates from the operation of this rule.

4. No candidate appointed on monthly wage basis will be entitled for any kind of leave.

5. The appointment will be further subject to:-

i. The production of certificate of fitness from the competent Medical authority.

ii. Taking of an oath of allegiance to the constitution of India in the prescribed proforma.

iii. Production of following original certificates:

(a) Degree/ Diploma/ certificate of Education and other qualifications (also bring 2 attested copies of each).

(b) Certificate of age / date of birth.

(c) A certificate of character from I'st Class Magistrate/ Gazetted Officers (two) .

(d) Certificate of previous employment if any.

6. If any declaration given or information furnishing by the candidate proves to be false or if the candidate is found to have wilfully suppressed any material information he will be liable to removal from the service or such other action as Govt. may deem necessary.

If Dr. *Janina Sinhas* accepts the offer on above terms he/ she should report to the undersigned immediately latest by *3-12-86*. If no reply is received or the candidate fails to report personally by the prescribed date, the officer will be treated as cancelled.

No. T.A. will be allowed for joining to the post.

True Copy
G. Sinhas

Memorandum No. 18

(28)

No. 3-46/86-CGHS/LKO 4390-93
Government of India
Central Govt. Health Scheme
9-A, Rana Pratap Marg, Lucknow

1/6/87

Dated: 5.3.87

OFFICE ORDER

Dr. (Miss) Garima Srivastava is engaged as Medical Officer on monthly wage basis for a short period of 89 (Eighty Nine) days w.e.f. 6.3.87 to 2.6.87 or till the post is filled in on regular basis which ever is earlier. Her pay and allowances will be drawn at a pay of Rs. 650/- basic plus other allowances viz. H.R.A., NPA, CCA, DA, ADA, etc. as admissible under rules to other Jr. Medical Officers on a pay of Rs. 650/- basic from time to time at the station.

Dr. (Miss) Garima Srivastava is hereby posted to CGHS disp. No. 3, 21-Patel Nagar, Alam Bagh Lucknow with instruction to report for duty to MOI/c CGHS disp No. 3 on 6.3.87 at 7.30 A.M.

[Signature]
Chief Medical Officer
Central Govt. Health Scheme
Lucknow

To,

Dr. (Miss.) Garima Srivastava
Shri Niketan
Gurudwara Road,
Lucknow

Copy to,

1. MOI/c CGHS Disp. No. III for information and with the instruction that the joining report of Dr. (Miss) Garima Srivastava may be sent to this office.
2. Pay and Accounts Officer, LHMC New Delhi.
3. Accounts Section CGHS Lucknow for information alongwith one spare copy.

Chief Medical Officer
Central Govt. Health Scheme
Lucknow

*True copy
ASrivastava*

Annexure No. 19

(29)

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No. 3-46/87-CGHS/LKO/ 666-70
Govt. of India
Central Govt. Health Scheme,
o-A, Rana Pratap Marg, Lucknow.

Dated : 8-6-87

Office Order

Dr. Garima Srivastava is hereby

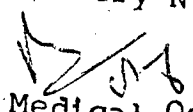
engaged as Medical Officer on monthly wages (contact basis) for a

period of 89 days w.e.f. 4-6-87 to 31-8-87 or till

the post is filled in on regular basis which ever is earlier @ a

Rs. 650/- P.M. Plus other allowances viz. HRA,
NPA, CCA, DA, ADA, etc. as admissible under rules to other
Jr. Medical Officers on the pay of Rs. 650/- from time to time
at the station.

Dr. G. Srivastava is hereby posted to CGHS Dispensary
No. 3 Lucknow with instruction to report for
duty to Medical Officer Incharge CGHS Dispensary No.

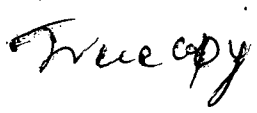

Chief Medical Officer
Central Govt. Health Scheme Lucknow.

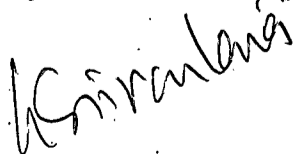
To,

Dr. G. Srivastava

Copy to:-

1. Accountant, CGHS Lucknow.
2. P.A.O. L.H.M.C. & Hospital New Delhi.
3. MOI/C CGHS Disp. No. 3 for information
and with the instruction that the joining report
of Dr. G. Srivastava may be sent to this office.


Chief Medical Officer
Central Govt. Health Scheme
Lucknow.



Memorandum No. 20

*As
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No. 3-46/87-CGHS/LKO/ 906-9-
Govt. of India
Central Govt. Health Scheme,
o-A, Rana Pratap Marg, Lucknow.

Dated : 4/8/87

Office Order

Dr. (Miss) Garima Srivastava is hereby engaged as Medical Officer on monthly wages (contact basis) for a period of 88 days w.e.f. 29.7.87 to 24.10.87 or till the post is filled in on regular basis which ever is earlier @ a

Rs. 650/- P.M. Plus other allowances viz. HRA, NPA, CCA, DA, ADA, etc. as admissible under rules to ~~the~~ other Jr. Medical Officers on the pay of Rs. 650/- from time to time at the station.

Dr. (Miss) Garima Srivastava is hereby posted to CGHS Dispensary No. 3 Lucknow with instruction to report for duty to Medical Officer Incharge CGHS Dispensary No.

[Signature]
Chief Medical Officer
Central Govt. Health Scheme Lucknow.

To, Dr. (Miss) Garima Srivastava
Sriniketan, Gurudwara Road,
Lucknow.

Copy to:-

1. Accountant, CGHS Lucknow.
2. P.A.O. L.H.M.C. & Hospital New Delhi.
3. MOI/C CGHS Disp. No. 3 for information and with the instruction that the joining report of Dr. (Miss) Srivastava may be sent to this office.

[Signature]
Chief Medical Officer
Central Govt. Health Scheme
Lucknow.

true copy
Garima Srivastava

(31)

Memorandum No. 21

26/10

No. 3-46/87-CGHS/LKO/1565-68
Govt. of India
Central Govt. Health Scheme,
o-A, Rana Pratap Marg, Lucknow.

Dated : 26-10-87

Office Order

Dr. Mim Garima Srivastava is hereby

engaged as Medical Officer on monthly wages (contact basis) for a period of 89 days w.e.f. 26.10.87 to 22.1.88 or till

the post is filled in on regular basis which ever is earlier @ a

Rs. 650/- P.M. Plus other allowances Viz. HRA, NPA, CCA, DA, ADA, etc. as admissible under rules to other Jr. Medical Officers on the pay of Rs. 650/- from time to time at the station.

Dr. Mim Srivastava is hereby posted to CGHS Dispensary No. III, Patel Nagar, Lucknow with instruction to report for duty to Medical Officer Incharge CGHS Dispensary No.

[Signature]
Chief Medical Officer
Central Govt. Health Scheme Lucknow.

To,
Dr. Miss Garima Srivastava
Sri Niketan Gurudwara Road
Lucknow

Copy to:-

1. Accountant, CGHS Lucknow.
2. P.A.O. L.H.M.C. & Hospital New Delhi.
3. MOI/C CGHS Disp. No. III for information and with the instruction that the joining report of Dr. Mim Srivastava may be sent to this office.

True copy
[Signature]
Chief Medical Officer
Central Govt. Health Scheme
Lucknow.

Memorandum No. 22

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By Hand

2249-53

No. 3-46/88-CGHS/LKO/
Govt. of India
Central Govt. Health Scheme
9-A, Rana Pratap Marg, Lucknow.
Dated: 21-1-88

OFFICE ORDER.

Dr. (Miss) Garima Srivastava is hereby engaged as Medical Officer on purely monthly wage (contract) basis for a period of 87 (Eighty seven) days w.e.f. 25.1.88 to 20.4.88 and this office reserves the right to terminate his/her services at any time without any notice or assigning any reason thereof.

He will get the pay of Rs. 2000/- (Two thousand) P.M. plus all the other allowances viz NPA, HRA, CCA, DA etc. as ~~xxx~~ admissible under rules to other Jr. Medical Officers on the pay of Rs. 2000/- from time to time at this station.

Dr. (Miss) Garima Srivastava is hereby posted at CGHS dispensary No. III, Patel Nagar Hko. Lucknow with instruction to report for duty to Medical Officer Incharge CGHS dispensary No. at 7.30 AM on 25.1.88.

Chief Medical Officer
Central Govt. Health Scheme
Lucknow.

To,

Dr. Miss. Garima Srivastava
Sriniketan Gurudwara Road.
Hko.

Copy to:-

1. Accountant, CGHS, Lucknow.
2. P.A.C. LHMC, & Hospital New Delhi.
3. MOI/C, CGHS, dispensary No. III for information and with the instruction that the joining report of Dr. Miss Srivastava may be sent to this office.
4. Director, CAHS Nirman Bhavan New Delhi.

Chief Medical Officer
Central Govt. Health Scheme
Lucknow.

True Copy

RG. Srivastava

Memo No 23

AG/M

No. 3-46/88-CGHS/LKO/204-7.
Govt. of India
Central Govt. Health Scheme
9-A, Rana Pratap Marg Lucknow.
Dated: 21-4-88

OFFICE ORDER.

Dr. Ganiga Srinivasan is hereby engaged as Medical Officer on purely monthly wage (contract) basis for a period of 87 days days w.e.f. 22-4-88 to 19-7-88 and this office reserves the right to terminate his/ her services at any time without any notice or assigning any reason thereof.

He will get the pay of Rs. 2000/- (Two thousand) P.M. plus all the other allowances viz NPA, HRA, CCA, DA etc. as ~~xxx~~ admissible under rules to other Jr. Medical Officers on the pay of Rs. 2000/- from time to time at this station.

Dr. Ganiga Srinivasan is hereby posted at CGHS dispensary No. 3 Lucknow with instruction to report for duty to Medical Officer Incharge CGHS dispensary No. 3 at 7.00 AM on 22-4-88;

[Signature]
Chief Medical Officer
Central Govt. Health Scheme
Lucknow.

To,

Dr. Ganiga Srinivasan

Copy to:-

Srinivasan Srinivasan Road LKO

1. Accountant, CGHS, Lucknow.
2. P.A.C. LHMC, & Hospital New Delhi.
3. MOI/C, CGHS, dispensary No. 3 for information and with the instruction that the joining report of Dr. G. Srinivasan may be sent to this office.

[Signature]
Chief Medical Officer
Central Govt. Health Scheme
Lucknow.

True copy
A. Srinivasan

Annexure No 24

(34)

NO. 3-46/88-A/CGHS/LKO/ 29
GOVT. OF INDIA
CENTRAL GOVT. HEALTH SCHEME
9-A, RANA PRATAP MARG LUCKNOW.

27

DATED. 7-7-00

TO WHOM IT MAY CONCERN.

This is to certify that Dr. (Mrs) Garima Srivastava has been working on the post of Medical Officer on monthly wage contract basis w.e.f. 30.12.82 till date, with usual breakups.

During the period of her service she is very efficient in her duties, well disciplined and very co-operative with the staff and Senior Officers.

(Dr. J.K. Jain)
CHIEF MEDICAL OFFICER AND
OFFICIATING DEPUTY DIRECTOR
CENTRAL GOVT. HEALTH SCHEME
LUCKNOW
Chief Medical Officer
Central Government Health Scheme
LUCKNOW

TO

Dr. (Mrs) Garima Srivastava
Medical Officer CGHS dispensary No. 111
Alambag Lucknow.

True copy
Srivastava

17

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

Original Application No. 216 of 1989

Dr. (Smt. Garima Srivastava) Applicant.

Versus

Union of India and others Respondents

PRELIMINARY OBJECTIONS ON BEHALF OF THE OPPOSITE
PARTIES

The opposite parties make their objections against the admission and Interim Relief Prayer of the applicant as under:-

- 1) That the applicant barred by the limitation specified in section 21 (3) of the Administrative Tribunal Act 1985. The application is barred by limitation and there is no sufficient cause for exemption of granting limitation as the applicant had tendered her resignation on her sweet will with an intention not to continue further as Medical Officer in the department. The application has been made with allegations which are after

*Filed today
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13/1/89*

S
Dy. Director,
G.H.S., LUCKNOW.

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✓


thought and through their application the applicant wants continuity of her service inspite of the facts that she had tendered her resignation and left the country immediately thereafter as mentioned by the applicant herself in this paragraph as well as in paragraph 4 (VIII) of the application has specifically stated that she tendered her resignation w.e.f. 19.7.1988 and left the country immediately thereafter. The instant case is not the denial of the opposite parties for giving her job but it is the case of unwillingness to do the job by the applicant. Moreover after her delivery i.e. 26.5.1989 she was free to move application before the expiry of the limitation period i.e. 19.7.1989.

- 2) That the applicant had submitted her resignation from the post in question w.e.f. 19.7.1988 as already stated by her in paragraph 4 (VIII) of her application that she ~~was~~ had submitted her resignation from the post in question w.e.f. 19.7.1988 which shows that she was not interested to work any more after 19.7.1988 i.e. the date when her time bound appointment had come an end. It is also significant to mention here that her appointment was made on monthly wages basis till 19.7.1988. The applicant has also stated in

Director,
LUCKNOW.


paragraph 3 of her application that she had left this country immediately thereafter. In view of this there was no occasion for the opposite parties to renew her appointment or to issue a fresh appointment order after 19.7.1988. The application has been filed after a lapse of more than one year with the allegations which are after thought. Hence no cause of action has been accrued to the applicant for filing the application. A true copy of her resignation letter duly forwarded by the Medical Officer Incharge of the dispensary who was her immediate boss is being filed herewith as ANNEXURE NO. B-1 to this objection.

- 3) That the Central ~~Max~~ Government Health Scheme Lucknow is a Unit, functioning under the control of the Ministry of Health and Family Welfare New Delhi. The ~~xxxxxxx~~ regular appointments to the posts of Medical Officers are made by the Ministry of Health and Family Welfare New Delhi, on behalf of the President of India on the recommendation of the Union Public Service Commission, on the basis of combined Medical Service Examination selection by interview Methods. The vacant posts of Medical Officers, sanctioned for the Central Government Health Scheme Lucknow are


Dy. Director,
C.G.H.S., LUCKNOW.

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not filled up timely. In order to tide over the difficult position in running the Central Government Health Scheme dispensaries on account of shortage of Medical Officers, the Central Government Health Scheme units have been authorised to engage Medical Officers on purely monthly wage contract basis in accordance with the guidelines issued by the Ministry of Health and Family Welfare New Delhi vide letter no. A-12026/12/78-CHS. I, dated 11.5.1978, a true photostat copy of the said letter is being filed herewith as ANNEXURE NO. B-2 to this objection, as amended time to time vide Ministry of Health and Family Welfare New Delhi letter no. A-12026/12/78-CHS. I, dated 27.1.1981 and letter No. A-12026/12/78-CHS. I, dated 9.3.1981 and letter No. A-12026/13/88-CHS. I, dated 20.5.1988. The true photostate copies of the abovesaid letters are being filed herewith as ANNEXURE NOS. B-3, B-4, and B-5 respectively to this objection.


DY. DIRECTOR,
C.G.H.S., LUCKNOW.

4) That the candidates, which were appointed before the applicant on monthly wage contract basis, against the vacant posts of the Medical Officers of Central Health Service, left the service and the applicant became senior most among the monthly wage Medical Officers. Moreover atleast one or

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two posts remain kept vacant by the regular Medical Officers of Central Health Service. Hence the appointment of the applicant was continued time to time by giving one day break after expiry of 89 days of period.

The last appointment offer was given to the applicant on purely monthly wages contract basis at the pay of Rs. 2000/- + NPA and other allowances admissible to the regular Medical Officers time to time vide the Chief Medical Officer, Central Government Health Scheme O.M.No. -3-56/88-CGHS/Lko/203, dated 21-4.1988. A true ~~copy~~ photostat copy of the same is being filed herewith as ANNEXURE NO. B-6 to this objection.

5) That the applicant accepted the terms and conditions as laid down in the offer vide her letter dated 21.4.1988. A true photostat copy of the same is being filed herewith as ANNEXURE NO. B-7 to this objection.

Lucknow; dated:

Oct. 10th Nov. 1989.

VERIFICATION


I, the abovenamed deponent do hereby verify that the contents of paragraphs 1 to 5 of this objection is true to my own knowledge. No part of it is false and nothing material has been concealed. So help me God.

Lucknow; dated:

10th Nov. 1989.


Dy. Director,
C.G.H.S., LUCKNOW.


Dy. Director,
C.G.H.S., LUCKNOW.


Dy. Director,
C.G.H.S., LUCKNOW.

THROUGH PROPER CHANNEL.

To,

The Deputy Director
Central Govt. Health Scheme
9-A, Rana Pratap Marg
LKO.

Sir,

I hereby tender my resignation with effect from
19th July 1988.

This is for your kind information.

Yours faithfully

Dated: 19th July 88.

Sd/-

(Dr. Garima Srivastava)

M.O. Disp. No. III, CGHS LKO.

Forwarded with the remarks that one doctor in
place of Dr. Garima Srivastava may be provided , so that
the work of dispensary may not suffer.

Sd/-

(Dr. J.K. Jain)

Medical Officer Incharge
CGHS disp. No. III.

Attd skd
*
Dy. Director,
C.G.H.S., LUCKNOW.

No. 12026/12/78-GHS.I
Government of India
Ministry of Health and Family Welfare
(Department of Health)

New Delhi, dated the 11th May, 1978

To

All the Heads of Offices of Central Government
Health Scheme Except Delhi.

Subject: Appointment of Medical Officers on a monthly
wages basis.

Sir,

I am directed to say that in order to tide over the present difficult position in running the dispensaries smoothly on account of shortage of Medical Officers, it has been decided to authorise you to make appointment of medical officers on monthly wages basis for a period not exceeding six months in the first instance. These arrangements will be applicable to all cities where CGHS is functioning other than Delhi.

2. You should place a demand of your requirement of Medical Officers on your local Employment Exchange. The employment exchange may be given about a week's time to give you lists of the candidates. Reservation of vacancies for S.C./S.T. candidates etc. should be strictly observed. All the eligible candidates who are within the 30 years of age as on 1.1.1978 and who possess the M.B.B.S. degree after completion of Internship should be called for interview by the Selection Committee, which should consist of the Chief Medical Officer of the Central Government Health Scheme and two other officers of the C.G.H.S. or of any other Department of the Central Govt. or State Govt. One of these officers should belong to a Scheduled Caste or Scheduled Tribe. Applicants whose names have not been sponsored by the employment exchange should not be interviewed. The interview should be held as early as possible and proceedings of the Selection Committee drawn up and kept on record. It should also be clearly stated in the appointment order that the officer will have no claim to any preferential treatment or right for selection to a regular post whatsoever, on account of this appointment, as regular appointments are made by the U.P.S.C. on the basis of open competition from time to time.

akshid
[Signature]

Dy. Director,
C.G.H.S., LUCKNOW.

No.A.12026/12/78-CHS.I
Government of India
Ministry of Health and Family Welfare
(Department of Health)

New Delhi, dated the 27th Jan.81 ✓

To

All the Participating Units in
the C.H.S.-(Except CGHS, Delhi)

Subject: Appointment of Medical Officers on short-term
contract basis.

...

Sir,

I am directed to invite a reference to this Ministry's letter No.A.12026/12/78-CHS.I dated 11th May, 1978 on the subject mentioned above and to say that instead of limiting the monthly wage to Rs.1155/- the Medical Officers appointed in accordance with the above mentioned guidelines will be entitled to all the allowances including Non-Practising-Allowance etc which are admissible to Medical Officers at that station from time to time in the pay-scale of Rs.650-1200. These orders will apply to all the Medical Officers already appointed/ to be appointed, in future, in accordance with the guidelines indicated in the letter under reference, with effect from 1st February, 1981.

2. As already stipulated in the letter under reference, all such appointments will be outside Central Health Service.

Yours faithfully,

Sd/
(JOGINDAR SINGH)
UNDER SECRETARY

Attked
[Signature]
By Director,
C.G.H.S., Lucknow.

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2. Will they be entitled to Central Govt. Health Scheme benefits after paying the prescribed contribution. No.
3. Will they be entitled to General Provident Fund benefits. No.
4. Will they be entitled to any form of leave, Earned Leave, Casual Leave etc. As the C.C.S. (Leave) Rules are not applicable to such Officers, they will not be entitled to any Earned Leave, Medical Leave or Casual Leave.
5. Does the admissibility of allowances include conveyance allowance also No conveyance allowance is admissible.

Yours faithfully,

Sd/-...
(R.N. TEWARI)
UNDER SECRETARY

Attested
Sd/-
By. Director.
C.G.H.S., LUCKNOW.

Annexure No. B5

No. A.12026/13/88-CHS. I
Government of India
Ministry of Health and Family Welfare
(Department of Health)

17/10

New Delhi, dated the 20 MAY 1988

To

(All participating Units of CHS)

Subject: - Appointment of Medical Officers on monthly wage (contract) basis in the various Organisations participating in the Central Health Service.

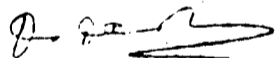
Sir,

I am directed to say that in order to tide over the difficult position in running the dispensaries smoothly on account of shortage of Medical Officers, the participating units of the Central Health Service were authorised to make appointment of Medical Officers on monthly wage (contract) basis in accordance with the guidelines/instructions issued by this Ministry vide letter No. A.12026/12/78-CHS. I dated the 11th May, 1978 as amended from time to time. The Medical Officers so appointed cannot be regularised unless they apply to the Union Public Service Commission for appointment to the posts of Medical Officers as and when advertised and are recommended by the U.P.S.C. for appointment on regular basis on the basis of Combined Medical Service Examinations/Selection by interview methods.

Altered

By Director,
C.C.H.S., LUCKNOW.

Yours faithfully,



(P.S. TANDON)

UNDER SECRETARY TO THE GOVT. OF INDIA

9/4/88
25/5/88

vs

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- Coby -

No. J-46/88-CONS/LEO/ 203
 Govt. Of India
 Central Govt. Of India
 9-A, Bana Pratap Marg, Lucknow

Dated: 21.4.88

MEMORANDUM

Dr. Garima Srivastava is hereby offered a post of Medical Officer on purely monthly wage contract basis under the Central Govt. Health Scheme Lucknow on a pay of Rs. 2000/- (Two thousand) P.M. plus all the allowances which are admissible to Medical Officers at this station from time to time.

2. ✓ The terms of appointment is as under.
 The appointment will be purely on monthly wage contract basis for a period of 89 days. and this Office reserves the right to terminate his/her services at any time without any notice or assigning any reason thereof.

3. No candidate who has more than one wife/husband living or who having a spouse living marriage in any case in which such marriage avoid by reasons of its taking place during the life time or such spouse shall be eligible for appointment to any of the services under the Govt. of India unless the Govt. of India after being satisfied that there are special grounds for doing to exempt any sale candidate from the operation of this rule.

4. No candidate appointed on monthly wage basis will be entitled for Medical Leave and conveyance allowance. However they will be entitled for 21 days of Earned Leave and one day Casual leave for 30 days of service with no carry forward to the next spell of contract period.

5. The appointment will be further subject to:-
 i) The production of certificate of fitness from the competent authority.
 ii) Taking of an oath of allegiance to the constitution of India in the prescribed form.
 iii) Production of following original certificates:
 a) Degree/Diploma/Certificate of Education and other Qualifications (also bring 2 attested copies of each)
 b) Certificate of age/date of birth.
 c) A certificate of character from the 1st Class Magistrate/Commissioned Officer (TMO).
 d) Certificate of previous employment if any.

6. If any declaration given or information furnished by the candidate proves to be false or if the candidate is found to have willfully suppressed any material information he will be liable for removal from the services or such other action as Govt. may deem necessary.

If Dr. Garima Srivastava accepts the offer on the above terms and conditions he/she should report to the undersigned immediately latest by 29.4.88. If no reply is received or the candidate fails to report personally by the prescribed date, the offer will be treated as cancelled. NO TA will be allowed for the joining to the post.

sd/-

Deputy Director,
 CCMS, Lucknow

To
 Dr. Garima Srivastava, Sriniketan
 Dr. Gayadwara Road, Lucknow

Annexure No. B-7

-- Copy --

17
12

To,

The Chief Medical Officer
Central Govt. Health Scheme
●-A, Rana Pratap Marg
Lucknow.

Sir,

With reference to your letter No. 3-46/ 88-
CGHS/LKO/202, dated 21.4.88 I hereby give my acceptance
for the post of Medical Officer on contract basis .

My educational certificates and other credentials
are already with the office.

Thanking you.

Yours faithfully

Sd/-

(Dr. G. SRIVASTAVA)

Dated: 21.4.88.

All-std
R
Dy. Director,
C.G.H.S., LUCKNOW.

188
/

Before the Central Administrative Tribunal,
Additional Bench Allahabad, Circuit
Bench at Lucknow.

Original Application No.216 of 1989

Dr.Garima SrivastavaApplicant.

Versus

Union of India and others.....Respondents.

Reply to the preliminary objection
filed on behalf of opposite parties.

Handwritten initials/signature

The applicant, above named, in reply
to the preliminary objections filed on behalf
of opposite parties begs to state as under:

1- That in reply to the contents of
paragraphs no.1 and 2 of the preliminary
objection filed on behalf of opposite parties,
it is stated that sufficient cause has been
shown for the delay which has occurred in
preferring application O.A.No.216 of 1989 before
the Hon'ble Tribunal. It was after considering
the cause shown by the applicant and the reasons
for the delay in filing application before the
Hon'ble Tribunal, the Hon'ble Tribunal was
pleased to issue notices to the opposite parties
on the application preferred by the applicant.

Handwritten signature

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(2)

as the Hon'ble Tribunal has ample power to condone the delay under Section 21 of the Administrative Tribunals Act. More-over the cause of action in respect of the grievances of the petitioner is continuous one as her claim for continuation in office and regularisation of services is a continuous cause of action and goes on accruing to her till the same is met by the opposite parties. In reply to this para it is further stated that even though the applicant had submitted resignation under coercion and in certain misapprehension that she would not be able to continue in the service after her marriage. Besides the opposite parties have not till date communicated the acceptance of the resignation tendered by the applicant and as such the resignation submitted by the applicant under coercion and under certain misapprehension is liable to be ignored as no resignation becomes effective until it is accepted, by the appointing authority. In reply to paras under reply it is further stated that the applicant is always prepared to work with utmost sincerity, honesty and dedication to the service as she has always been doing in the past as her work and conduct while working on the post of Medical Officer has always been above-board and she has earned appreciation of one and all be they superior officers or subordinate employees. She would have continued to serve the opposite parties if she had not feared that she would not be able to continue her job after her marriage and if she would not

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have been put under misapprehension by the opposite parties that her services would not be regularised and she would not be able to continue in this service for long time.

2. That in reply to the contents of paras 3,4 and 5 it is stated that the Hon'ble Supreme Court in Civil Appeal No. 3519 of 1984 and Writ Petition No. 1228 of 1986 Dr. P.P.Rawani and others Versus Union of India and others have been pleased to consider the similar objections which have been raised in the instant application and after considering the entire aspects in respect of regularisation of the services of persons employed on monthly wage contract basis like the petitioner, had been pleased to direct the opposite parties to regularise the services of the persons, thus, employed in temporary capacity. A true copy of the order passed by the Hon'ble Supreme Court in Civil Appeal No. 3519 of 1984 and writ petition No. 1228 of 1986 is being annexed hereto as Annexure No. R-1 to the reply.

Annexure No. R-1

3. That in view of the facts and circumstances stated hereinabove the preliminary objection filed on behalf of the opposite parties is liable to be over-ruled by this Hon'ble Tribunal and the application preferred by the applicant is liable to be heard and allowed on merits.

Garima Sriyastava
Dr. (Garima Sriyastava)
Applicant

Lucknow: Dated:

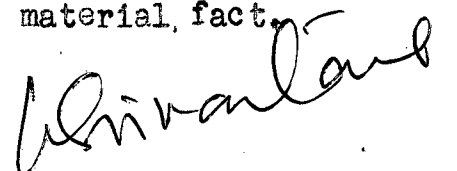
20/11, 1990.

(4)

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VERIFICATION

I, (Dr.) Garima Srivastava, W/o Dr. Neel Kamal Srivastava, aged 36 years, R/o C/o Sri S.P. Srivastava, 'Shri Niketan', Gurdwara Road, Lucknow, do hereby verify that the contents of Paragraphs 1 of the reply are true to my personal knowledge and Paragraphs 2 of the same are believed by me to be true on the basis of record and those of Paragraphs 3 of the same are believed by me to be true on the basis of the legal advice received and that I have not suppressed any material fact.


Signature of the applicant

Dated: 20th / 6 / 90

Place: Lucknow.

PB
/

Annexure No. A-1

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE & ORIGINAL JURISDICTION
CIVIL APPEAL NO. 3519 OF 1984.
AND
WRIT PETITION NO. 1228 OF 1986.

Dr. P.P.C. Rawani & Ors.

..... Appellants

VERSUS

Union of India & Ors.

..... Respondents

O R D E R

Pursuant to the interim directions and suggestions made by us the services of several of the petitioners have already been regularised and we are assured that the services of the rest will also be regularised. It is, however, stated by the learned counsel for the Union of India that there can be some problem regarding their seniority since some have been regularised earlier and some later. The difficulty anticipated is capable of easy solution. All orders of regularisation made pendente lite are naturally subject to our final orders. Those in respect of whom orders of regularisation have already been issued and the others are all parties before us. If the orders of regularisation of appointment are made to take effect from their respective dates of original appointment and seniority so determined there will be no other problem. Shri. Venkatesh Gopal, learned counsel assured us that none of the doctors have any objection to this course. It may be so done. This order disposes of the appeal and the Writ Petition.

sd/-
(O. Chinnappa Reddy)

New Delhi.
April 9, 1987.

sd/-
(M.M. Dutt)

True copy

P. Ashirvander