

CENTRAL ADMINISTRATIVE TRIBUNAL
LUCKNOW BENCH LUCKNOW

INDEX SHEET

CAUSE TITLE C.C.P. 21 OF 90

NAME OF THE PARTIES R.C. Tewari

.....Applicant

Versus

Area Manager, C.S.D.....Respondent

Part A,B & C

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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.. 28/12/2011

Counter Signed.....

Section Officer / In charge


 Signature of the
Dealing Assistant

CENTRAL ADMINISTRATIVE TRIBUNAL

LUCKNOW BENCH LUCKNOW

INDEX SHEET

Cause No. 51 of 1961

Name of the parties R. G. Hawa Applicants.

Versus

Area Manager C.S.I.R. Respondents.

Part B.C.

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Replies by Annexures

Counter-Validation

26.11.90

Hon. Mr. Justice K. Nathwani
Hon. Mr. M. M. Singh, A.M.

Heard the counsel (for the applicant) who says that no notice has yet been given to the applicant to show cause as specifically directed with Judgment dated 20.7.90 in O.A No. 38 of 1988.

Issue notice to respondents to show cause why it should not be summarily ^{committed} for ^{committing} Contempt of Court in so far as they have failed to comply with directions of this Tribunal contained in the aforesaid Judgment and list for disposal on 7-1-91. It will not be necessary for the respondents to be present in person for hearing being but they ~~should~~ shall file a reply on affidavit.

H. H. S.

A.M.

Dr
VC

OR
Notices mentioned on 6/12/90.

Neither reply nor any current repd. has been received.

S.F.O

21/12/20

राम यादव तिवारी
मा १८९८

A 3

IN THE CENTRAL ADMINISTRATIVE TRI BUNAL

CIRCUIT BENCH

LUCKNOW

Contempt No. 21 of 1990.

Ram Chandra Tewari

Applicant.

Shri B.K. Srivastava

Counsel for Applicant.

versus

Area Manager, C.S.D.

Respondents.

Lucknow & others.

Shri V.K. Chaudhary

Counsel for Respondent.

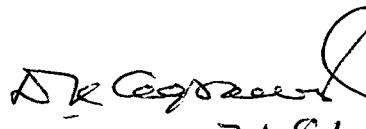
Hon. Mr. D.K. Agrawal, J.M.

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

(Hon. Mr. D.K. Agrawal, J.M.)

In compliance of the order dated 26.11.90 the opposite parties filed counter affidavit wherein they have stated that the applicant has been re-engaged. It has further been ~~xxx~~ brought to our notice that the applicant was given a show cause notice by the competent authority but he has not given reply thereto. The applicant is directed to give a reply thereto forthwith. The show cause notice is hereby discharged. The contempt application is disposed of ~~with the above order accordingly~~.


A.M.


D.K. Agrawal
J.M. 7.1.91

Lucknow Dated: 7.1.91

In The Central Administrative Tribunal, Lucknow

Bench Lucknow
Contempt No. 21/2011
Application No. 88 of 1988

Between

Ram Chandra Tewari **Applicant**

and

Union of India and other Respondent

Details of applicant

(1) Name of applicant Ram Chandra Tewari

(2) Name of Father..... Late Sri Mata Prasad
Tewari

(3) Age of applicant ... About 27 years

(4) Designation and particulars: Mazdoor/Watchman
of office in which employed: Canteen and store Department
or was employed before : 39 Havelock Lines Lal
Bahadur Shastri Marg Post
Ceasing to be in service : Book No. 1002 Lucknow -
226002

(5) Address for Service or
Notice : Ram Chandra Tewari c/o
Sri B. K. Srivastva Advocate
511/121 old Badshahnagar
Lucknow-226007

PARTICULARS OF ANSWERING RESPONDENTS

Respondent No. 1

Area Manager

Canteen Store Department

39 Havelock - Lines

Lal Bahadur Shastri Marg,

Post Book No. 1002

Lucknow - 226002 .

Respondent No. 2

General Manager Canteen

Stores Department ,

ADELPHI ,

119 Maharsi Karve Road

Bombay - 400020 .

Botal Fair
26/11/90
16 Bhavilas
Rohini

265 - 266

APPLICATION UNDER SECTION 19 READ WITH SECTION
17 OF THE ADMINISTRATIVE TRIBUNAL ACT 1985.

INDEX

Serial No.	Description of the Documents relied upon	Annexure No.	page No.
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2.	Copy Show cause Notice No. 3/A-3/C.C. 58/1158 of Oct. 9, 1990	A	6
3.	Copy of letter No. LUD/ EST/EAT/ 88/89/01982 dated 23-10-90.	B	7
4.	Copy of Judgement of O.A. No. 222---- of 1990 (L) Devi Prasad Misra Versus Union of India & others	-----	8
5.	Copy Judgement dated 20-7-90 in case of Application No. 88 of 1988, Ram Chandra Tewari Versus Union of India, Area Manager Canteen Stores Department & others	----- -D- 13	

*Filed today
20/11/90*

Signature of Applicant

Date of filing

21/11/90

Signature of ROX for
Registrar

A 7

IN THE HON'BLE CENTRAL ADMINISTRATIVE TRIBUNAL
LUCKNOW BENCH, LUCKNOW.

Application No. L 88 of 1988

Ram Chandra Tewari ... Applicant.

Versus

The Union of India and others Respondents.

APPLICATION U/S 19 READWITH SECTION 17 OF THE
ADMINISTRATIVE TRIBUNAL ACT 1985

The humble applicant most respectfully submit as under:-

1. That the aforesaid application No. L 88 of 1988 Ram Chandra Tewari Versus Union of India and others was decided by this Hon'ble Court Tribunal on July 20, 1990 and copies of the judgment were promptly served on the applicant and the opposite parties.
2. That the copy of the judgment dated 20.7.90 issued on 30.7.90 was promptly and locally served on Sri K.C. Sinha counsel for the respondents at Allahabad on 30.7.90.
3. That this Hon'ble Tribunal was pleased to quash the impugned punishment order no. LUD/EST/34/399 dated 10.5.1988, removing the name of the applicant from the penal of watchman, Mazdoor and also from the consolidated penal, copy contained in Annexure No. 1 to the application



रम चंद्र तेवारी

...2..

No. 88 of 1982. The Hon'ble Tribunal was further pleased issuing directions to the respondents as under:-

" That the competent authority among Respondent shall give an opportunity to the applicant to show cause as to why his name may not be be deleted from the penal, and after considering the cause, if any, shown by the applicant, take a decision within a period of two months from the date of receipt of a copy of this judgment, If the respondents retain his name on the Panel, they shall also re-engage as a casual labour at the earliest say within a Fortnight of the date of such decision."

4. That the specified period of two months expired on September 30, 1990. During this period of two months neither any show cause notice was issued to the applicant nor any decision was taken.
5. That the Assistant General Manager (P) for General Manager Canteen stores Department (Adelphi) 119, Maharsi Karka Road, Bombay issued show cause notice no. 3/A-3/e.e.-58/1158 dated October 9, 1990. Though it was addressed in the name of the applicant but instead of sending it direct to the applicant, it was sent to Manager Canteen Stores Department 39, Lal Bahadur Shastri Marg, Lucknow. It was received there on October 17, 1990. The manager kept it pending in his office for about one week and then passed it on to the applicant, through registered post, with his covering letter no. LUD/EST/CAT/8

89/01982 dated 23.10.1990. True copies both the

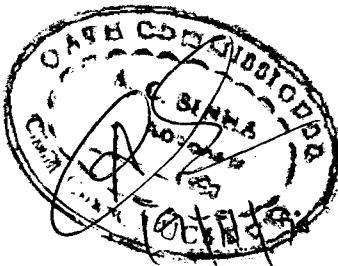
•••3•••

letters dated October 9, 1990 and October 23, 1990 are annexed herewith as Annexure No. A & B to this application.

6. That the present address of the applicant was well known to all the opposite parties including the respondents at Head Office Bombay and Manager at Lucknow. The applicant's present address noted recorded as under, was ~~recd~~ in the application no. 88 of 1988 and also in applicant's representation dated 29.6.88, Annexure No. 6 to the application no. 88 of 1988. The copies of the application no. 88 of 1988 as well as representation dated 29.6.88 were sent under registered post to all the respondents and also acknowledged by them, hence they can not deny that they were not posted ~~with~~ ^{dated} ~~with~~ ^{on} ~~oneself~~ ^{on} postal address of the applicant at Lucknow proper, but even they all have avoided to adopt a right cause of action.

ADDRESS.

Ram Chandra Tewari,
C/O Sri Bharat Kishore Srivastava, Advocate
511/121, Old Badshah Nagar, Lucknow-226007.



7. That the above mentioned facts obviously prove, what to say of taking decision within specified period of two months, a show cause notice was not issued to them two months. It was issued after expiry of the period fixed by this Hon'ble Tribunal and the same was served on the applicant on his old village address of District Faizabad.
8. That as stated in para no. VIII & XI of the application (No. 88 of 1988) the applicant was co-accused in case crime no. 41/411 Registered at police station Alambagh Lucknow, main accused

...4..

is Sri Devi Prasad Misra. The applicant was implicated in the case. He was bailed out and the case is pending enquiry before the Hon'ble Court at Lucknow. This Hon'ble Tribunal was pleased to decide the case of main accused Devi Prasad Misra involved in the said case Cr. No. 41/411 of Police Station Alambagh Lucknow pending trial before the competent court of law. A true copy of the judgment delivered by this Hon'ble Tribunal in application no. O.A. NO. 222 of 1990 (L) Devi Prasad Misra Versus Union of India and others is annexed as Annexure No. C to this application.

9. That in view of the facts and circumstances stated in foregoing paras, it is obviously proved that the respondents have been adopting delaying tactics showing utter disregard to the orders and instructions issued by the Hon'ble Tribunal. The petitioner does not hope to get any justice at the hands of the respondents.

P R A Y E R

It is, therefore, most respectfully prayed that this Hon'ble Tribunal be pleased:-

(i) Allow the applicant to resume his duties as a casual labour as usual maintaining his name his name in Panel of watchman, Mazdoor regularising his services, in order of seniority, taking into account his continuous services from 1981 as admitted by the answering Respondent in para 5 of the counter affidavit filed on 14.11.88, in reply to the application no. 88/88 before this Hon'ble Tribunal.

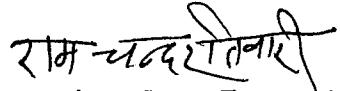
रामचन्द्र (राम)

...5..

...5...

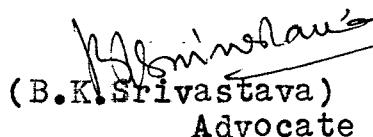
initiate
(ii) To issue contentemt proceedings as deemed fit and proper to save the petitioner from miscarriage of justice.

Lucknow



Dated: Nov. 19, 1990 (Ram Chandra Tewari)

Applicant.
(C/O Sri B.K. Srivastava)
Advocate
511/121 Old Badshah Nagar,
Lucknow.


(B.K. Srivastava)
Advocate

in the Hon'ble Central Administrative Tribunal
Mehmone - Keenah - Mehmeen A12
Application No. 77 of 1988

Purnachandra Tewari vs Union of India and others
Amicus Curiae A

भारत सरकार

GOVERNMENT OF INDIA

कृतीन स्वेच्छा विभाग

CANTEEN STORES DEPARTMENT

Mr. CANSIND.

Mr. K.C. GASKIN

Mr. D.S. D'SOUZA

Mr. D.S. D'SOUZA

"ADELPHI"

119, MAHARSHI KARVE ROAD,

BOMBAY-400 020

राजा मंत्रालय

MINISTRY OF DEFENCE

Mr. 3/4-3/80-5B/1152

Date : 29 Oct '90

119-A/4

CONFIDENTIAL

Shri Ramachandor Tewari
Ex-Daily Rated Macdoor
Old Depot
Loknayak Jai Prakash Narayan



SHOW CAUSE NOTICE AS PER
JUDGEMENT DATED 30/7/90
OA NO. 88 OF 1988

1. That on the night of 17/3/88 at 23.30 hrs
as a party of 12 Madras Rgt. apprehended Shri Ramachandor
Ex-Daily Rated Macdoor, and another Macdoor of
Sgt. at Lucknow alongwith 5 No's of Indoex No. 37008
Sgt. Case Safari Galaxy - 21" and handedover the duo to the
local police who in turn registered a case under section -
41/411 of IPC which is still pending with the civil court
ZCC - II Lucknow.

2. That the Manager and Assistant Manager
carried out a physical checking of the stocks of the
said cases and ~~found~~ found one case of the aforesaid brand
short in the assembled lot of 39 CTC Varanasi kept outside
the godown with the depot premises.

3. Thus the said Shri Ramachandor Tewari by his
above act did not maintain integrity and devotion to
duty which exhibited conduct unbecoming of a Govt.
servant.

4. In view of the above you are directed to
show cause as to why your name ~~should~~ not be deleted from
the list penal to enable us comply with judgement dated
30/7/90 in OA No. 88/88 filed by you in CAT Circuit
Court Lucknow.



(R.K.SHARMA)
Asst. General Manager (P)
for General Manager

e.T.e.
Harmeshwar
Rao,
29-10-1990

CONFIDENTIAL

• a. Name the smallest cell in the body. Red blood cell
b. Name the largest cell in the body. Liver cell
c. Name the cell that carries oxygen. Red blood cell

A 13

Franklin Park, Ill., B

भारत सरकार
GOVERNMENT OF INDIA
गोपनीय सरकारी विभाग
CANTEEN STORES DEPARTMENT

Lucknow Depot

THE STATE
MINISTRY OF DEFENCE

R. S. SUMMERS (1870-1919),
4116 (dated 1899, signed 1900).
39, Lut. Bahadur Shastri Mary,
P. B. No. 1002
Lucknow (U.P.)

2017/02/03/15431042

REGISTERED/10

Chapter 1: Introduction

MARCH 1970

and the **Widener** jewel
(a daily **newspaper**)
in the **July 10** issue
at 60 **cents**.

CASE NOTICE AS PER JUDGEMENT
D-30-7-90 C.A.N.O. 88 OF 1988

... a confidential letter (in original) leaving
113-3767/CW-4/1158 int of Daily-46 received from Lt
Gandy, cont. advised for further action at your end.

Placing him under the care of the nurse to be
under instruction to this office.

18. 1. 1948 8/6 1948

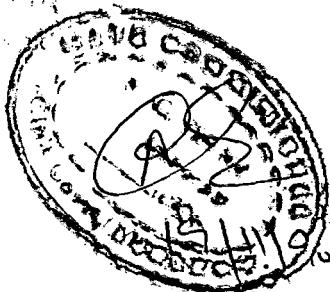
(D.L.L. 11.11)

616. **AM (P)** *On 20th May, alone the following letter, purporting to be written in the original, letter is sent to the author. It is copied to main office.*

Request lists for information.

please communicate to the department and not to individuals, name

2014-09-07 10:25:14 (11)
C.T.E.
Administrator
Rehe 215 2014 (11)
Date: 2014-09-07 10:25:14 (11)
Source: communication (11)



-8-

A.I.Y.

Central Administrative Tribunal
Lucknow - Branch - Discrepancy
Petition No. 271 of 1990

Mr. Arun Jaiswal - Adv. of Pet. and Resp.

Amrit Singh - Adv.

O/C.

CENTRAL ADMINISTRATIVE TRIBUNAL

CIRCUIT BENCH LUCKNOW

Q.A. NO. 271 of 1990 (L.)

Devi Prasad Misra

Applicant.

versus

Union of India & Others

Respondents.

24.7.1990

Hon'ble Mr. Justice K. Nath, V.C.

Hon'ble Mr. K. Obreyya A.M.

Counsel for the applicant files a copy of P.I.R. Issue notice intime of the order dated 23.7.1990 and list for orders and commission on 7.8.1990. To direct that the respondents shall proceed with the disciplinary enquiry but will not pass final orders till further order of this Tribunal. A copy of this order may be given to Sri S.B. Chauhan, counsel for the officers within 24 hours.

ACV-

ACV-

Adm.

V.C.

checked
S.P.J.
21/7/90

1st True Copy 11

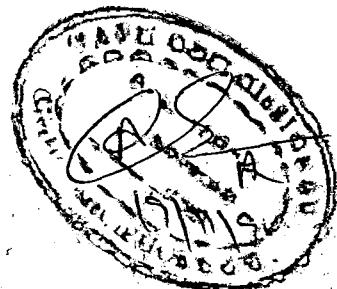
2/1

Deputy Registrar

Central Administrative Tribunal

Lucknow Branch

Lucknow



C.T.C.
K. Obreyya A.M.
21/7/90

(C. I. L. C. S.)

Registration C.A. NO. 60 of 1988

Ran Chandra Tewari ... Applicant

vs

The Area Manager Canteen Store
Department etc others Respondents

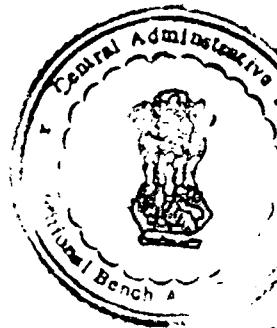
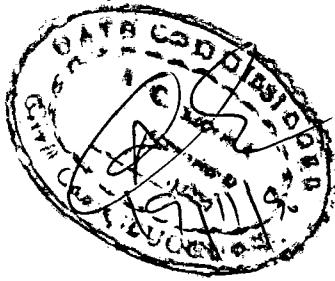
Hon' Mr Justice Kameshwar Nath, V.C.

Hon' Mr K. Obayya, A.M.

(By Hon' Mr Justice K. Nath, V.C.)

This application under section 19 of the Administrative Tribunals' Act, 1985, is for quashing an order dated 10-5-1988 (Annexure-1) whereby the applicant's name was deleted from a panel of Watchman, Mazdoor and from the consolidated panel. There is also a prayer for a direction to the respondent no.1 to allow the applicant to join his duties in the Canteen Store Department, treating him to have continued his service from 18-3-1988.

2. The material facts are not in dispute. In 1981, the applicant was engaged to work as daily rated casual labour in the canteen store department of the Defence services. On 20-1-1987, he was placed on a panel of Mazdoors, watchmen etc, after selection. He was a watchman when he was arrested in the night of 17th and 18th March, 1988 by the Military Police along with Devi Prasad Misra who was carrying one suit case containing five pieces of Safari Galaxy 21" suit cases belonging to the canteen stores. On 18-3-88 they were made over to the Civil Police with the allegation that they had committed theft of one case of suit cases containing 5 numbers of ~~supersafes~~ Safari Galaxy 21". Having been challaned for offences

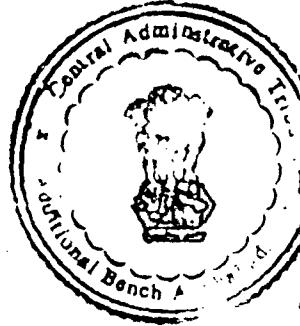


20-3-1988
e.t.e
Hansimla's
Ade

punishable u/s 41 and 411 I.P.C. they were granted bail on 19-3-88. But when the applicant went to report for duty of Chaukidar which he had been performing for more than a year on 21-3-88, he was not permitted to work. Since then he has been out of job. He was served with a letter dated 10-5-88 (Annexure No.1) issued by the respondent no.1 mentioning that under the directions of the Head Office his name was deleted from the panel of Watchmen/Mazdoors and also from the consolidated panel. He made a representation dated 29.6.88 (Annexure-6) against Annexure-No.1; the respondents have not taken any decision on that representation.

3. The applicant's grievance is that he had worked as a daily rated casual labour for several years and had been placed on the panel after selection but, he was not allowed to work since after 21-3-88 on the alleged false involvement in the theft case and that his name was deleted from the panel without recording any reasons and without giving him any opportunity to show cause.

4. The case of the respondents is that although the applicant was on the panel, he had never been given any regular or permanent appointment, with the result that he never held any civil post and has no right to any post. It was added that having been arrested along with Devi Prasad Misra for involvement in the case of theft of the Department's Government property, he was not considered for permanent appointment in the Department and, therefore, he did not acquire any legal right which could entitle him to re-engagement.



o CTC,
Bhawanpur
Rawalpindi

31/12/1998

5. The learned counsel for the respondent contended that the respondent was not the operating authority and therefore he was not competent to prevent the applicant from working as casual labour. There is no substance in this contention because, the order cancelling his name from the panel ~~given~~ mistakenly mentions that it was done under the direction of the Head Office.

6. The main question is, whether on account of the applicant's having been placed on the panel of watchmen/zaddoors etc. after a selection, it was permissible to delete his name from the panel without any opportunity to show cause, simply because the applicant continued to be a daily rated casual labour who had not been regularised. The learned counsel for the applicant has referred to the case of Govinda Raju vs. Karnataka State Road Transport Corporation, 1986 SCC (L&S) 520 to show that once a candidate is selected and approved for appointment, his name cannot be struck off without an opportunity to show cause for deleting his name from the panel. That was a case of a conductor who was appointed on temporary vacancy in the State Road Transport Corporation and had worked for more than one year and was on the select list. There is a distinction between appointment against the temporary vacancy and the bare engagement without any appointment on any post temporary or otherwise. It is well settled that a ~~g~~ casual labour does not hold a civil post. The Full Bench decision in the case of Fahimullah and others vs. Union of India and others, decided by the Principal Bench of this Tribunal and published in Bahri Series "Full Bench Judgments of the Tribunal (1986-89)" is clear on this point. In para 21 of the decision



E.T.C

Administrative Rule

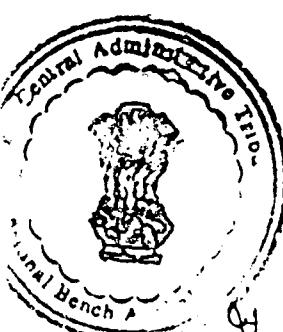
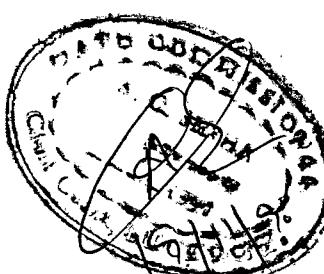
RTI 2005

It is pointed out that a service of the casual daily wages/daily rated worker and is ~~tempus~~ and can be terminated at any time, whereas those in regular service are protected by Article 311(2) of the Constitution of India. On principle, therefore, the decision in the case of Govinda Rajulu Karnataka State Road Transport Corporation (Supra) cannot be made applicable to the case of the applicant.

7. There is also a distinction between a daily rated casual labour's right to work and right to be retained on a panel. Since a casual labour is not the holder of a civil post, he has no legal right to any post and that being so, a refusal to permit him to work is not illegal per se unless it could be said to be arbitrary. He has a better right to be retained on the panel to which he was selected and removal of the name from the panel may appear to be arbitrary, if it is not proceeded by an opportunity for the purposes of Article 14 of the Constitution of India. The opportunity does not flow from any condition of service; it only flows from a right to be protected from arbitrary action which is guaranteed to every citizen under Article 14 of the Constitution of India. He may say, therefore, that inclusion of his name in the panel of selected watchmen/warders entitles him to ~~enough~~ enough protection against ~~the~~ arbitrary action within the meaning of Article 14 of the Constitution of India. It is in that sense that his name may not be deleted from the panel without an opportunity to show cause, even though the Department may have thought that he was involved in a crime of theft of the Department's Government property. That ground may be a good reason for not permitting him to work as daily rated casual labour.

e.T.C.
Bhawna
Ahu

RTM 21.12.1988



because were working as such, does not confer any legal right or title to any post. He is a bare worker without any kind of right and therefore, may be coased from work, if the Department feel that he is not a suitable person to be retained in employment.

8. We may say that if the applicant had actually been working and during the course of employment, he had laid a claim for regularisation on account of his long services as a daily rated casual labour, he might have had some claim for regularisation. However, we are not expressing any final opinion on that question, but since he has been coased from work, in the circumstances indicated above, he cannot claim any legal right to be re-engaged. The best relief which he can get is to be reconsidered for being retained in or removed from the panel.

9. For reasons stated above, we allow this application in part and quash the order dated 10-5-88 Annexure-1 whereby the applicant's name has been deleted from the panel. We direct that the competent authority among the respondents shall give an opportunity to the applicant to show cause as to why his name may not be deleted from the panel, and after considering the cause, if any, shown by the applicant, take a decision within a period of two months from the date of receipt of a copy of this judgment. If the respondents retain his name on the panel, they shall also re-engage him as a casual labour at the earliest say within a fortnight of the date of such decision. Parties shall bear their costs.

gnd
 (SHARAD KUMAR) 30/7/90
 SECTION OFFICER
 Central Administrative Tribunal
 Allahabad
 as a casual labour at the earliest say within a fortnight of the date of such decision. Parties shall bear their costs.

MEMBER (A) 30/7/90

VICE-CHAIRMAN

(ms) July 20, 1990.

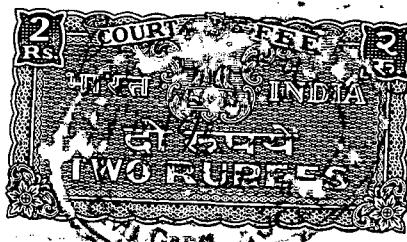
etc.
 Administative
 Panel

RTA 27/7/90 (11/11/90)



IN THE HON'BLE CENTRAL ADMINISTRATIVE TRIBUNAL
LUCKNOW BENCH, LUCKNOW.

Application No. 88 of 1988



Ram Chandra Tewari

Applicant

Versus

Union of India and others ... Opp. Parties.

AFFIDAVIT

I, Ram Chandra Tewari, aged about 27 years, s/o late Sri Mata Prasad Tewari, r/o village Dala Ka Purwa, Post Office Khandasa, District Faizabad, do hereby solemnly affirm and state on oath as under:-

1. That the deponent is the applicant in application no. 88 of 1988, who is fully conversant with the facts and circumstances of the case.
2. That paras 1 to 9 of the accompanying application are based on records and informations received by the deponent who is believed to be true.
3. That the copies of Annexure No. A, B & C annexed to the accompanying application are true copies of the originals.

50M

Dated:

राम चंद्र तेवारी

Deponent

Verification

I, the above named deponent do hereby verify that the contents of paras 1 to 3 of this affidavit

are true to my own knowledge, nothing is false and no material has been concealed, so help me God.

Lucknow

Dated:

राम चंद्र तेवारी
 (Ram Chandra Tewari)

Deponent

I identify the deponent who has signed before me.

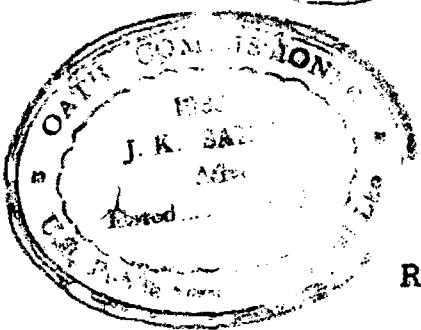
Advocate
 (मी. क्रो. श्री वास्तव राय)

1990
AFFIDAVIT
100 M
DISTT. COURT
U.P.

A 21

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
CIRCUIT BENCH, LUCKNOW

CONTEMPT APPLICATION NO. 21/90(L)



Ram Chandra Tiwari ... Applicant

-versus-

Area Manager CSD and
another ... Respondents

COUNTER AFFIDAVIT ON BEHALF OF RESPONDENTS.

PC
F.C. 11/11
I.D.L. Handa, aged about 53 years,
son of *Lal Sh. Bhagwan Das Handa*,
at present posted as Area Manager, CSD Depot
39, Lal Bahadur Sastri Marg, Lucknow do hereby
solemnly affirm and state as under:

1. That the deponent is the contemner-Respondent no.1 in the aforesaid application and he has read and understood the contents of contempt application and gone through other relevant records as such he is well conversant with the facts of the case and the facts deposed to herein under in reply thereof.
2. That the deponent has been authorised to sign this counter affidavit on behalf of Respondent no.2 also.
3. That it is respectfully submitted that

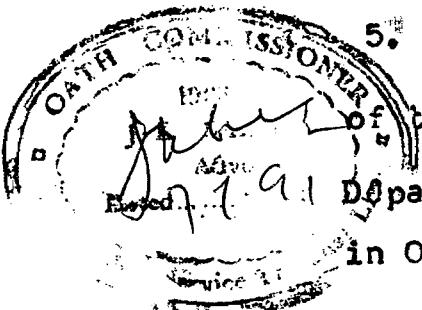
W. H. Handa

the deponent never intended in any manner to disregard the directions of this Tribunal.

The delay is due to administrative reasons which is very much regretted. Steps have already been taken to comply with the directions of Hon'ble Tribunal.

4. That the deponent further submits that the deponent has highest respect for the authority of law, the judiciary including the Hon'ble Tribunal and has never even thought of lowering the dignity of this Hon'ble Tribunal. It is, therefore, respectfully submitted that since the directions of the CAT have already been complied with, this Hon'ble Tribunal may be pleased to discharge the deponent from contempt proceedings initiated against him by the petitioner. It is submitted that there is no intentional or deliberate delay on the part of the deponent. However, even for unintentional delay an unconditional apology is hereby tendered.

5. That in reply to the contents of para 1 & 2 of the application it is submitted that the Department received the judgement dated 20.7.90 in O.A. No. 88/88 only in 22.8.1990 and referred the case to the Ministry of Law & Justice, Bombay



W.H. - ands

for their advice. The advice No.1769/90 Adv (Bd) dated 12.9.1990 received from Ministry of Law and Justice is being filed herewith as Annexure No.6-1 to this affidavit.

6. That in reply to the contents of para 3 & 4 of the contempt application it is submitted that the OA No. 88/88 filed by the applicant was partially allowed by the judgement dated 20.7.1990. Accordingly the department has issued show-cause notice No. 3/A-3/CC-58/1158 dated 9.12.1990 to the applicant under letter No. LUD/EST/CAT/88/1982 dated 23.10.1990 as per the advice of the Law Ministry, Bombay quoted above. Photostat copies have already been furnished of the above show cause notices annexed filed by the applicant himself along with his contempt petition as Annexures ~~Exhibits~~ ~~Exhibits~~ ~~Exhibits~~ ~~Exhibits~~ A & B.

7. That in reply to the contents of para 5 to 9 of the contempt petition it is submitted that at no time the department has adopted delaying tactics in the aforesaid case. On receipt of the judgement the department had referred the matter to the Law Ministry and as per advice of the Law Ministry show cause notice to the applicant was issued and received by the applicant and it is very clear from the Annexure A & B to the contempt application filed by the applicant.

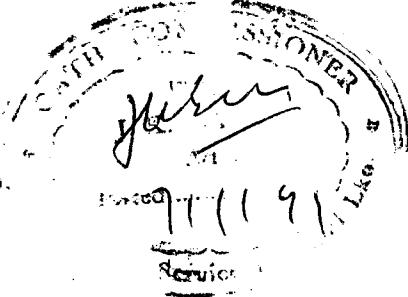
Wiff an ds

-4-

It is further submitted that the Department have already engaged the applicant as Daily Rated Mazdoor on 2.1.1991 as per the advice of the Respondent no.2 in the office of the Respondent no.1 ~~and it is to be apprised and known~~ vide post copy of Tele ram No. LUD/EST(CAT)/88/88 /2396 dated 21.12.1990 and he assumed his duties on 2.1.1991 as Daily Rated Mazdoor. A photostat copy of the post copy of telegram sent to the applicant is being filed herewith as Annexure No.C-2 to this affidavit. The answering deponent has passed the order for reinstatement of the applicant as per directions from Respondent No.2 vide telex No.3/A-3/CC-58/1460 dated 18.12.90 Photostat copy of the said telex is being filed herewith as Annexure No.C-3 to this affidavit.

8. That it is further submitted that the services of the applicant were terminated due to his involvement in a theft case of 5 No. Suit cases from Depot Stock. Thus he is a co-accused in the Criminal case No. 41/411 which is still pending with the Court at Lucknow. Keeping a dishonest man in service will be a bad precedent and the same may affect morale of the employees adversely. Hence the Department earnestly requested not to give any relief to the applicant.

W.H. Lands



-5-

9. That it is further submitted that Canteen Stores Department is a Central Government Department under Ministry of Defence. The contention of the applicant that judgement in respect of OA No. 222/90 is delivered by the same Hon'ble Tribunal is incorrect. On the contrary, the judgement has not so far pronounced in the said case.

10. That in reply to prayer clause (i) & (ii) of the contempt application it is submitted that the department has issued the show cause notice to the applicant as per the judgement vide show cause Notice No. 3/A-3/CC-58/1158 dated 9.10.90 which was forwarded under letter No. LUD/EST/CAT/88/88/1982 dated 23.10.90 and copies of these letters were attached with the contempt petition by the petitioner himself as Annexures A&B of the contempt application No. 21/90 (L). Further it is submitted that the Respondent no.1 has already engaged the applicant as Daily Rated Mazdoor as per directions from the Respondent no.2 on 2.1.1991.

That in view of the facts and circumstances

W.H. Ands

Sharma
7/1/91

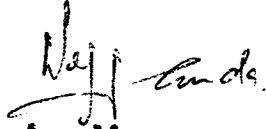
-6 -

stated in the foregoing paragraphs
 the department has already been implemented
 and complied the judgement of the Hon'ble
 Tribunal and there is no grievances of the applicant
 are pending with the Department, as such the
 contempt application filed by the applicant is
 liable to be dismissed with costs to the
 Respondents.

Deponent.

Lucknow,

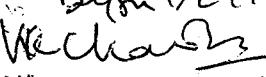
Dated: 5th January, 1991


 Area Manager
 Canteen Stores Department
 Lucknow Cantt.

Verification.

I, the above named deponent do hereby verify that
 the contents of para 1 & 2 are true to my personal
 knowledge, those of paragraphs 3 to 11 of the
 affidavit are true on the basis of records and
 information gathered, and on the basis of legal
 advice. No part of this affidavit is false
 and nothing material fact has been concealed.

sworn before me in my office
 at 10.30 A.M. on 1.1.91
 who is identified by me
 as being D.L. Haunder
 Clerk.


 Deponent
 signed by me.

Lucknow,

Dated: 5th January 1991

Court Compound, Lucknow

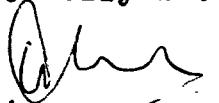
Ques. 7/1/91

I identify the deponent who has

signed before me and is also personally known to me.

Deponent.


 Area Manager
 Canteen Stores Department
 Lucknow Cantt.


 (VK Chaudhary)
 Addl Standing Counsel for Central Govt
 (Counsel for Respondents)



Min. of Law & Justice
Bombay

Divine C-1 A27
M.P.W.A. 14/1/81

Sub:- CAT O.A. No. 88/88
R.C. Tewari (Ex-D/R Mazdoor, CSD Depot Lucknow)
Vs.
Union of India & Ors. - CAT. Allahabad.

The CAT Allahabad, after a number of hearing, decided the case vide Judgment dt. 20.7.90, which is as under:-

"For reasons stated above, we allow this application in part and quash the order dt. 10.5.88 Annexure-1 whereby the applicant's name has been deleted from the panel. We direct that the competent authority among the respondents shall give an opportunity to the applicant to show cause as to why his name may not be deleted from the panel, and after considering the cause, if any, shown by the applicant, take a decision within a period of two months from the date of receipt of a copy of this judgment. If the respondents retain his name on the panel, they shall also re-engage him as a casual labour at the earliest say within a fortnight of the date of such decision. Parties shall bear their costs.

It appears that the Deptt. had passed an order dt. 10.5.88 whereby the applicant's name was deleted from a panel of Watchman Mazdoor. He has therefore filed an original application treating him to have continued his service from 18.3.88. The applicant was engaged to work in the C.S.D. On 20.1.87 he was placed on a panel of Mazdoors, Watchmen after selection. On 17/18th March 1988 by the Military Police along with Davi Prasad Misra who was carrying one suit case containing five pieces of Safari Galaxy 21 suit cases belonging to the canteen stores. On 18.3.88 they were made over to the Civil Police with the allegation that they had committed theft of one case of suit cases containing 5 numbers of safari galaxy 21. Having been challenged for offences punishable u/s. 41 and 411 IPC, they were granted bail on 19.3.88. As he has completed one year service, he was not permitted to work. Since then he has been out of job. He was served with a letter dt. 10.5.88. The applicant's grievance is that he was not allowed to work since after 21.3.88 on the alleged false involvement in the theft case and that his name was deleted from the panel without recording any reasons and without giving him any opportunity to show cause. It is the case of the Department that he never hold any civil post and has no right to any post. It is the case of the applicant that the respondent No. 1 was not the appointing authority and therefore he was not competent to prevent the applicant from working as causal labour. The decision of 1986 G.C. (L.S) 520 Govinda Raju vs. Karnataka State Rd. Transport Corporation to show that once a candidate is selected and approved for appointment his name cannot be struck without an opportunity to show cause for deleting his name from the panel. That was a case of a conductor who was appointed on temporary vacancy in the State Road Transport Corporation and had worked for more than one year and was

Waj (on the select list.)

11/1/90
11/1/90
11/1/90

AD/PA/13 A28
Jan 2

T.E.L.E.X.

CSD DEPOT
LUCKNOW

REFYRILET LUD/BST/CAT/88/342367 DATED FIFTEENTH DEC/90
AND CONTEMPT NOTICE NO.21/90(L) DATED SIXTH DEC/90
FILED BY SHRI R.C.TIWARI EX-D/R HAZDOOR (.) REINSTATE
SHRI R.C.TIWARI AS DAILY RATED HAZDOOR IMMEDIATELY
AS PER JUDGEMENT DATED TWENTIETH JULY/90 AND INFORM
CAT CHANDIGAR ON SEVENTEEN JAN/91 THROUGH GOVT STANDING
COUNSEL ACCORDINGLY AND GET CONTEMPT CASE DISMISSED (.)
PARA-WISE COMMENTS IS BEING FORWARDED ALONGWITH CONF
COPY (.) ACCORD PRIORITY

// CANSIND //

Ref. No.: 3/A-3/CC-58/1460

Date: 18 Dec. '90.

T.G.
CONFIDENTIAL

(H.K.Sharma)
Asst. General Manager (P)
for General Manager

Confirmatory copy

The Manager
CSD Depot, LUCKNOW.

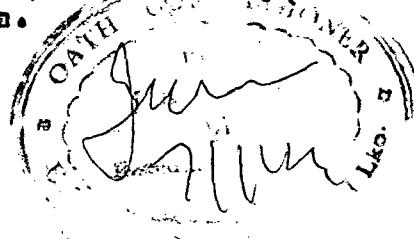
Reforonco year letter No. LUD/Bst/
CAT/88/342367 dated 15/12/90.

You are requested to re-instate
Shri R.C.Tiwari Ex-D/Rated Hazdoor
Immediately as per the judgement
dated 20/7/90 of CAT Chandigarh
and inform CAT through Govt. Standing
Counsel accordingly and get the
contempt case dismissed.

We are forwarding herewith para-wise
comments in duplicate with a request
to prepare written statement of defences
through Govt. Standing Counsel for
filing the same before CAT in respect
of the aforesaid contempt case.
Accord top priority and intimate the
cut-come on 7/1/91 to be followed by
Telex/Telegram.

N.O.O.

cc: Sub-Group A-1.



W.H. (Anand)

A 29

June 2-83

App. → (C)

GOVT OF INDIA
CANTEEN STORES DEPARTMENT
DUCKHAW DAFTT-2

SRI R. CHANDRA TEWARI
VILLAGE- DALAKA PURVA
PO KHANDASA
FATZABAD

REPORT FOR DUTY AS DAILY RATED MAZDOOR
IMMEDIATELY

CANSIND

N.T.T.

W.H. H. (S)
(D.L.HANDA)
MANAGER
CSD DEPOT LEO.

LUD/ EST/ CAT/ 88/ 88/ 2398

dt. 21-12-90

CONFIRMATORY COPY BY POST TO:-

Sri R. Chandra Tewari
Daily Rated Mazdoor
Village- Dalaka Purva
PO, KHANDASA
FATZABAD

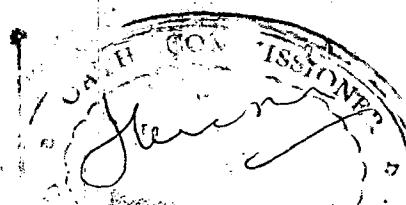
We confirm having sent the above telegram to you.

You are advised to report for duty as daily rated Mazdoor
immediately.

CC - R.M. (C) LEO: for inf. pl.

CC - H.O. Section-5 Bombay: This has reference to your
telegram dated 19-12-1990 received by us on 20-12-90,
regarding to reinstate Sri R. Chandra Tewari as
daily rated Mazdoor.

W.H. H. And



30
B85

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
LUCKNOW BENCH, LUCKNOW

CONTEMPT NO.188 of 1991(L)
in re: OA No.88 of 1988(L)

Ram Chandra Tewari ... Applicant
-versus-
Union of India and others .. Respondents

SUPPLEMENTARY COUNTER AFFIDAVIT IN REPLY TO
REJOINDER REPLY FILED BY THE APPLICANT ON
BEHALF OF RESPONDENTS.

PJ
24/7

I, Maj, Gen. V. Uberoy aged about 54
years, son of Dr. J C Uberoy, at present
posted as Chairman and General Manager Board of
Administration, Canteen Stores Department,
Ministry of Defence, 'Adelphi' 119-Maharshi Karve
Road, Bombay -400 020, do hereby solemnly affirm
and state as under:-

1. That the deponent is the contemner
Respondent no.2 in the aforesaid application and
he has read and understood the contents of ~~exhibit~~
rejoinder affidavit filed by the applicant and gone.

~~804~~ (3)

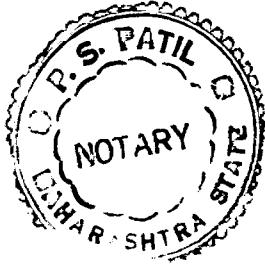
-2-

2. That the contents of para 1 of the rejoinder need no comments.

3. That in reply to the contents of para 2 of the rejoinder affidavit it is submitted that the Hon'ble Tribunal had pleased to direct the Respondents of the OA No.88/1988(L) to give the applicant reasonable opportunity of being heard before removing him from service. The respondent Department further state that nothing has concealed from the Hon'ble Tribunal in this case.

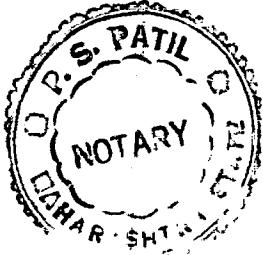
4. That in reply to the contents of para 3 of the rejoinder affidavit it is submitted that in compliance of the judgement of the Hon'ble Tribunal the petitioner was issued a show cause notice dated 9.10.1990. On not submitting any reply by the applicant, the contempt petition No.21 of 1990 was dismissed on 7.1.1991 by this Hon'ble Tribunal.

5. That in reply to the contents of para 4 of the rejoinder affidavit it is further reaffirmed and re-iterated that the Department has implemented the



judgement dated 20.7.1990 passed by this Hon'ble Tribunal has implemented by the Respondent Department. The operational part of the judgement is as under:-

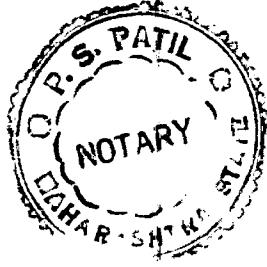
" 9. For reasons stated above, we allow this application in part and quash the order dated 10.5.1988 Annexure-I whereby the applicant's name has been deleted from the panel. We direct that the competent authority among the respondents shall give an opportunity among the respondents shall give an opportunity to the applicant to show cause as to why his name may not be deleted from the panel, and after considering the cause, if any, shown by the applicant, take a decision within a period of two months from the date of receipt of a copy of this judgement. If the respondents retain his name on the panel, they shall also re-engage him as a casual labour at the earliest may within a fortnight of the



date of such decision. Parties shall bear their costs."

6. That in reply to the contents of para 5 of the rejoinder affidavit it is submitted that the applicant had submitted an explanation to the show cause notice which was duly considered by the Competent authority alongwith all the documents relevant in the case of the applicant and passed a speaking order on 1.4.1991. It is to state that there has been no disobedience or any omission on the part of the respondents in compliance of the Hon'ble Tribunal's directions. In this connection it is pertinent to mention that the applicant found to be involved in a theft case of Department/^{al} property and as such he was not found suitable to be retained in Govt. Service.

7. That in reply to the contents of para 6 of the rejoinder affidavit it is submitted that the applicant was reinstated in service on Daily Rated Mazdoor as per the direction contained in the judgement dated



29.7.1990. Accordingly, a show cause notice dated 9.10.1990 had issued to the individual/applicant.

However, the explanation ~~dated~~ submitted by the applicant was not convincing and his services were discontinued.

8. That in reply to the contents of para 7 of the ~~appk~~ rejoinder affidavit it is submitted that the Respondent Department has in no way shown any dis-respect or dis-regard to the directions of the Hon'ble Tribunal. On the contrary the Department has given ample opportunity to submit his explanation to the show cause notice.

9. That in reply to the contents of para 8 of the rejoinder it is submitted that the applicant was re-engaged on 2.1.1991 and allowed to continue till his explanation was finally disposed off on 6.4.1991.

10. That in reply to the contents of para 9 to 11 of the affidavit it is ~~submited~~ re-affirmed and

reiterated that the Department has implemented the judgement of the Hon'ble Tribunal in toto. The Department had complied all the requirements of the said judgement. The Department has full faith in the judicial system and even never dreamed to commit any contempt or disobedience of orders passed by any of the Court in the Country.

11. That in view of the facts, reasons and circumstances stated in the foregoing paragraphs and counter affidavit filed by the Respondents, the contempt application filed by the applicant is liable to be dismissed with costs to the Respondents.

V. J. EROY
V. J. EROY
M. A. GEN.
General Manager,
Custos. Stores Department
Deponent

Bombay,

Dated: 7-5-92

Verification.

I, the above named deponent do hereby verify that the contents of para 1 is true to my personal knowledge and those of paragraphs

889

36

- 5 -

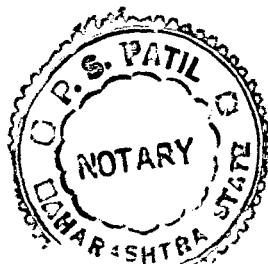
2 to 10, of the supplementary affidavit
are true to the basis of records and information gathered and on the basis of legal advice. No part of this affidavit is false and nothing material fact has been concealed.

D. J. D. J. D. J.
Deponent.

Bombay,

Dated: 7 - 5 - 92

Deponent,
Bombay, 92



I hereby identified the deponent
who has signed before me is personally
known to me.

Advocate.

Solemnly affirmed this ~~Second~~
day of ~~May~~ 1992 at Bombay
at ~~am~~/pm.

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

Deponent before me
P. S. Patil ✓
NOTARY

MAHARASHTRA STATE

6/197, "Nandadeo",
Roop Nagar,
Behind P.F.Bldg., Dombivli
Bombay-400 051.

Notary Public/Oath
Commissioner

- 7 MAY 1992

ब अदालत श्रीमान्

[यादी] अपीलान्ट

प्रतिवादी

— ३ —

—का दक्षालतनामा

B 82

(टिकट)

वादी (अपीलान्ट)

R. C. Tewari बनाम Union of India & Others प्रतिवादी (रस्पान्डेंट)

मुकदमा नं० A. P. सन् No. 188/पेशी की तां

၁၃၀

Concurrent No. 21/90 (4)

ऊपर लिखे मुकदमा में अपनी ओर से खी बी० के० चौधरी एडवोकेट हाईकोर्ट
ऊपर स्थायी अधिवक्ता भारत सरकार लखनऊ वेन्य, निवास- १४/६२६
बरफखाना, नईबस्ती अलंकार नेमा के पास लखनऊ टेली. न. २३४६८६
हाईकोर्टे चैम्बर न. १४ टेली. न. २४१०७

तमि अदाहत
भुक्तमा नं० जाम
फरीकीन
बुतमा

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

स्वीकृत

Alhauri
(बी.० के० चौधरी)
एड्वोकेट हाईकोर्ट

साक्षी (गवाह) साक्षी (गवाह)

दिनांक..... २५ महीना..... सन् १६ अ ई.

साक्षी (गवाह).....

Gautam, Sto. Domingo
Lucknow Cantt *for his books*

CENTRAL ADMINISTRATIVE TRIBUNAL
LUCKNOW BENCH LUCKNOW

INDEX SHEET

CAUSE TITLE M.P.: 1.88 OF 91
on 88/88

NAME OF THE PARTIES..... Ram chandea Tewari

..... Applicant

Versus

..... Union of India Respondent

Part A,B & C

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13		

CERTIFICATE

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

Dated. 27-12-2011

Counter Signed.....

Section Officer / In charge

Signature of the
Dealing Assistant

CENTRAL ADMINISTRATIVE TRIBUNAL

LUCKNOW BENCH LUCKNOW

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Cause No. 100 of 1981

Name of the parties. Applicants.

Versus

Respondents.

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ORDER SHEET

A/

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD/C.B. LUCKNOW

MP 100/91h

Case No.

No. 21

OF 1990

R. C. Tewari

Vs.

U.O.R.

Sl.No.	Date	Office Report	Orders
	22/4/91	4c for the applicant has filed M.P. 188/91h in Contempt An No 21/91. S.F.O. L 274.	
	25.4.1991	Hon. Mr. D.K. Agrawal, J.M. Hon. Mr. K. Obayya, A.M.	This application is not in proper order. Let the names of the Opp. Parties/contemnor be specified, only then notice be issued. A.M.
	DR 26/4/91	Honble learned Mr. Justice passed an order on MP 247/91 for issuing notice against the parties No 182 for 26.6.91. Office to comply.	26-6-91 Hon Mr. K. Obayya (A.M) Hon Mr. S.N. Prasad, J.M. None for applicant. Learned Counsel has Reshah replies and is allowed 4 weeks time to file reply in M.P. 188/91 list the case on 2.8.91
	DR 26/4/91	Notice were issued on 01/5/91 written reply now any answer reqd. can be given after 06/05/91	J.M.

Received 2 copies
from the parties
S.C. 17/5/91
by copy

original
order on the
contempt below
is as follows

L
20/8/

GHANSHYAM/

Notice were issued
on 01/5/91
written reply now
any answer reqd. can
be given after 06/05/91

S.F.O.

274

2.8.91 NO Siting adjd to 3.8.91

L

A3 O.A No. 88/88

4.3-92 Hon Mr Justice U.C. Srinivas, V.C.
Hon Mr M.P. Gorde, M.M.

~~or~~
C.P. & M.A. have been
exchanged
S.P.D.
19/6/92

Pleadings are complete.
The case be listed for final
hearing on 20/4/92.

W

fm

VR

20.4.92 - No setting adj. to 24.6.92

1

A.Y

THE CENTRAL ADMINISTRATIVE TRIBUNAL, LUCKNOW BENCH

LUCKNOW.

M.P. NO.188 of 1991.

(O.A. No. 88 of 1988)

Ram Chandra Tewari Applicant.

Versus

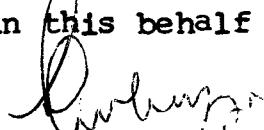
Union of India and others..... O. Parties.

Hon'ble Mr. Justice U.C.Srivastava- V.C.
Hon'ble Mr. K. Obayya - Member (A).

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

The applicant has prayed that the respondents may be punished for flouting the order passed by this Tribunal dated 7.1.1991 and dis-continuation notice dated 6.4.91 may also be issued and direction be issued to allow the applicant's position as on 5.4.91. It appears that the applicant service were earlier terminated. Against the termination order the applicant approached this Tribunal. The Tribunal passed a particular order, and in pursuance of the order passed by this Tribunal the applicant was re-engaged. It was thereafter another show cause notice was given to the applicant. Against this he approached this tribunal again by filing a contempt application. The Tribunal passed an order on 7th January, 1991 taking notice of the fact that the applicant has not given reply to the show cause notice given by the department. Consequently the Tribunal directed the applicant to give reply forthwith and show cause notice which was issued to the respondents as to why they should not be punished for committing contempt of court was discharged and the contempt application was disposed of in these terms. The grievance of the applicant is that they are notwithstanding the said direction,

subsequently the respondents adhered to the original position and again removed the service of the applicant and restrained him from doing the work. Feeling aggrieved by the same, the applicant filed this contempt application in which certain more prayers regarding quashing of dis-continuation order and for issuance of directions have been included. All these matters have to be agitated in separate application and these prayers cannot be joined with contempt application. As for as the ~~as~~ contempt is concerned, it cannot be said that any contempt has been committed or the direction given in the order dated 7.1.1991 has been flouted. No direction in this behalf has been given by the Tribunal. Regarding the other prayers which have been made in this application, it is ~~is~~ for the applicant to file a fresh application as in the contempt application ^{useless} they are extraneous affairs. So far as ^{prayer for} punishing the respondents under the contempt of Court Act, is refused and the application in this behalf is rejected.


Member (A).


Vice Chairman.

Dt: June 20, 1992.

(DPS)

A 6

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

CIRCUIT BENCH

LUCKNOW

M. P. No. 188/91

L 88

Application No. 588 of 1988

Connected with Contempt Application No. 21/90(C)

Ram Chandra Tewari

Applicant

Versus

The Union of India and Others Respondents

APPLICATION U/S 19 READ WITH SECTION 17 OF THE

ADMINISTRATIVE TRIBUNAL ACT, 1985

The humble applicant most respectfully states as under :-

1. That in response to the notice issued by this Hon'ble Tribunal on aforesaid Contempt Application, Counter-Affidavit on behalf of respondents was filed by Sri D.L. Handa, Area Manager, Canteen Store Department, 39, Lal Bahadur Shastri Marg, Lucknow, on 7.1.1991 wherein averments were made as under :-

(i) In para No. 7 admitted that " the answering deponent has passed the order for reinstatement of the applicant as per directions from the

: 2 :

1. Administration
Circuit Bench, Lucknow
Date of filing : 9/4/91
Date of hearing : 7/1/91
Deputy Registrar
S. S. S.
9/4/91

respondent No. 2 vide Telex No.3/a-3/CC-58/1460 dated 18.12.90. Photostat copy of the said Telex is being filed herewith as Annexure No.C-3 to this affidavit ". On the strength of the Telex dated 18.12.90 letter No.CUD/EST/CAT/88/88 /2396 dated 21.12.90 was issued by the answering respondent to the applicant asking him to report for duty immediately. On receipt of this ~~copy~~ ^{copy} telegraphic message the applicant resumed his duty on the forenoon of 2.1.1991. A true copy of letter dated 21.12.90 is annexed as Annexure No. C to the Counter-Affidavit filed by the answering respondent on 7.1.91 before this Hon'ble Tribunal in response to Contempt Notice issued to the opposite parties.

(ii) In para No. 10, it was averred the " Further it is submitted that the Respondent No.1 has already engaged the applicant as Daily ^{rated} Mazdoor as per directions from Respondent No. 2 on 2.1.1991. In view of the facts and circumstances stated in the foregoing paras the department has already implemented and complied with the Hon'ble Tribunal and there is no grievances of the applicant are pending with the Department."

(iii) In para No. 4, it was stated that " However, even for unintentional delay an unconditional apology is hereby tendered."

३४८-८०२.८०९.५

: 3 :

2. That the Hon'ble Tribunal very kindly verified the aforesaid facts from the ^{after My} Applicant and ~~other~~ hearing both the parties disposed of the Contempt Application No. 21 of 1990. A photostat copy of the order dated 7.1.91 passed by this Hon'ble Tribunal is annexed as Annexure No.A. to this Contempt Application. It was received by the Applicant on 16.1.91.

Annexure No.A

3. That in compliance to the order dated 7.1.1991 of this Hon'ble Tribunal, received by the applicant on 16.1.1991, he filed reply to the departmental Show Cause Notice on 28.1.1991. A copy of his reply dated 28.1.91 presented to Answering Respondent (Shri D.L.Handa, Area Manager, C.S.D. Depatt, Lucknow) on the same day i.e. 28.1.91, was also filed before this Hon'ble Tribunal. It was endorsed and personally presented by the Applicant to the Registrar, Central Administrative Tribunal, Circuit Bench, Lucknow, on 30.1.1991, for information of the Hon'ble Tribunal and keeping it on record alongwith orders dated 07.01.91 delivered by this Hon'ble Tribunal on Contempt Application No. 21 of 1990.

4. That the detailed reply dated 28.1.91 filed by the applicant, in response to Show Cause Notice is still lying pending with the Respondents and the applicant is totally unaware about action, if any, has since been initiated to proceed ahead in the matter.

28-1-91

: 4 :

5. That the applicant continuously worked in Canteen & Store Department, Lucknow since 1981. The applicant was engaged as daily rated Mazdoor but his services were utilised as Watchman violating the existing provisions where it is specifically defined according to the circular order issued by Head Office, Bombay, the services of only Permanent Staff should be utilised as Watchman and not a daily rated Mazdoor. During his deployment as Watchman the applicant signed the Duty Register maintained in the Office of Answering Respondent No. 1 for the year 1986-87 and 1988. The applicant was put double and triple duty in shift, in one day without any break. He worked as such for months together as is proved on the face of the record.

6. That the applicant was selected and his name was brought in panel through order No.3/A-1/1107/LKO/41 dated 20.01.87. The appointment order No.3/A-1/1107(LKW)/1661 dated 26.02.88 for appointment of the applicant on the post of Watchman was also issued from Head Office, Bombay, by Respondent No.2. The name of the Applicant was noted first on Serial No.1 before the names of Virendra Bahadur Singh noted at Serial No.2 and others. Virendra Bahadur Singh and all others Junior to the applicant were appointed out of them as Watchman since 1.6.88. Identity Card No. 5475 of C.S.D. Lucknow was issued to Virendra Bahadur Singh. The applicant was arbitrarily ~~disseminated~~ ^{disseminated} upon in matter of appointment as compared to similarly situated and Juniors on panel violative of Article 14 & 16 of the Constitution of India.

: 5 :

7. That this Hon'ble Tribunal was pleased to quash order No.LUD/EST/34/399 dated 10.5.1988 whereby the name of the Applicant was deleted from the consolidated panel of Watchman, Mazdoor issued by Answering Respondent No.1, annexed as Annexure No. 1 to his application No. 88/88, in the judgment delivered on 20.7.1990, copy of which was earlier annexed to Contempt Application No. 21 of 1990.

8. That Devi Prasad Misra was implicated as main accused and applicant as co-accused in false case Crime No. 123/88 U/S 41/411 I.P.C. Registered at Police Station, Alambagh, Lucknow, which is still pending trial before the Contempt Court of Law as admitted by the Answering respondent in Counter-Affidavit dated 7.1.91 filed in response to Contempt Notice No. 21 of 1990. This Hon'ble Tribunal was pleased to issue order dated 24.7.1990 in Application No. O.A. No. 222 of 1990(L) of Main accused Devi Prasad Misra V/S Union of India and Others, A true copy of the order dated 24.7.1990 is annexed as Annexure No. C to Applicant's Contempt Application No. 21 of 1990. The Hon'ble Tribunal was pleased to order :-

" We direct that the respondents shall proceed with the disciplinary enquiry but will not pass final orders till further orders of this Tribunal "

: 6 :

9. That to utter surprise the Applicant was dramatically served on notice for discontinuation of service through letter No. LUD/EST/CAT/88/88/674 dated 6.4.1991 on 6.4.1991. This notice was served on the applicant at about 3 P.M. on 6.4.91 while he was on duty and the applicant was marked absent on 6.4.91. A true copy of Discontinuation Notice dated 6.4.91 is annexed as Annexure No. B to this application.

Annexure -B

10. That the Respondents No. 1 & 2 knowingly and deliberately flouted the order of this Hon'ble Tribunal passed on 7.1.91 wherein it was categorically made clear that the applicant was re-engaged in his job and keeping in view the facts stated in foregoing para No.1, the Show Cause Notice issued by Hon'ble Tribunal, on Contempt Application was discharged. Respondents No. 1 & 2 surprisingly changed the position' as done into undone' by adopting Maleficent attitude through decieving prattice in Manoeuvring the Discontinuation Notice dated 6.4.91 served on the Applicant. It is a NON-SPEAKING order without any communication on the Applicant's reply dated 28.1.1991 filed in response to Show Cause Notice.

PRAYER

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

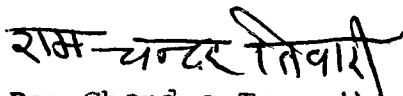
रामदासपाल

: 7 :

1. To punish the respondents No. 1 & 2 for showing utter disregard and flouting the order of this Hon'ble Tribunal dated 7.1.1991 in the manner as deemed fit and proper to maintain the prestige of the Judiciary including this Hon'ble Tribunal quashing the Discontinuation Notice dated 6.4.1991, copy of which is contained in Annexure No.B and further issuing an order or direction to respondents No. 1 & 2 to allow the applicant his position as was on 5.4.1991 prior to issue of Discontinuation Notice dated 6.4.1991. It is further prayed that an order identical to the order dated 24.7.90 passed in case of Devi Prasad Misra, as stated in para No. 8 of this application, be issued to save the applicant from miscarriage of justice and avoid any reoccurrence of arbitrary action to be taken by the Respondents.

Lucknow:

Dated: April 4, 1991



(Ram Chandra Tewari)

Applicant



(B.K. Srivastava)

Advocate

Counsel for the Applicant.

A13

CONTempt of Court by the State of Uttar Pradesh
Case No. 21

Court of 7-1-1990

Amended. A

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

CIRCUIT BENCH

LUCKNOW

Contempt No. 21 of 1990.

Ram Chandra Tewari

Applicant.

Shri B.K. Srivastava

Counsel for Applicant

versus

Area Manager, C.S.D.

Respondents.

Lucknow & others.

Shri V.K. Chaudhary

Counsel for Respondent

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

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

(Hon. Mr. D.K. Agrawal, J.M.)

In compliance of the order date 26.11.90 the opposite parties filed counter affidavit where in they have stated that the applicant has been re-engaged. It has further been ~~prayed~~ brought to our notice that the applicant was given a show cause notice by the competent authority but he has not given reply thereto. The applicant is directed to give a reply thereto forthwith. The show cause notice is hereby discharged. The contempt application is disposed of ~~with the above order a record~~.

A.D.

J.M.

7.1.91

Lucknow Dated: 7.1.91

Patwari, Court of
Mhd. Umar Khan
Counsel,
Central Administrative Tribunal,
Circuit Bench,
LUCKNOW.

A 14

एम्स-कान्सीनीप ऐन्ड्रू इंजिनियर्स ट्रिप द्विपुक्त ज०५० ताज़ा ।
ताज़ा ऐन्ड्रूज़ ।

पट्टिलेसा न०-८८ वर्ष १९८९

Amritsar, B
भारत सरकार Govt. of India

कॅन्टीन स्टोर्स विभाग

CANTEEN STORES DEPARTMENT

LUCKNOW DEPOT

तार: कान्सीन्ड

टेलीफोन: ५०३२७

Telegram: CANSIND

Telephone: 50327

३९, हेलॉक लाईन, लाल बहादुर शास्त्री मार्ग

पो. बॉक्स नं. १००२, लखनऊ २२६००२.

39, Havelock Lines,

Labhahadur Shastri Marg,

P. B. No. 1002, Lucknow-226002.

संदर्भ Ref.

LUD/EST/CAT/88/88/674

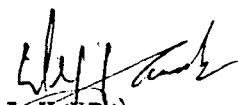
दिनांक Date: 6-4-1991

Shri Ram Chandra Tewari
Daily Rated Mazdoor
CSD Depot, LUCKNOW.

DISCONTINUATION OF SERVICE.

Reference HO telegram dated 4-4-1991.

2. As per HO instructions contained in the telegram under reference, your services as a daily rated Mazdoor in this department is being discontinued with immediate effect i.e. 6-4-1991, consequent of the dismissal of contempt notice No. 21/90 on 7-1-1991.


(D.L. Handa)

MANAGER
CSD DEPOT LUCKNOW-2

CC: - R.M. (C) LKO: for information please.

CC: - H.O. Section-3 Bombay: This has reference to your above telegram.

Attested
L.O. - H.O. Section-6 Bombay: for information please.


B.K. SRIVASTAVA 14/91
ADVOCATE
111/21, OLD BADSHAHNAGAR
LUCKNOW-226007

कृपया पत्र व्यवहार विभाग के नाम से करें, किसी व्यक्ति के नाम से नहीं

Please address communications to the department and not to individuals by name



BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL

CIRCUIT BENCH, LUCKNOW

CONT 21/904
CONTempt PETITION NO. 188 of 1991

in re: OA No. 88 of 1988 (L)

Ram Chandra Tewari ... Applicant

-versus-

Union of India and others ... Respondents

Counter reply in Contempt Petition No. 188 of 1991
in re: OA No. 88/88(L) on behalf
of Respondent No. 1.

1991
AFFIDAVIT
70 M
DISTRICT COURT
U. P.
I, D. L. Handa, aged about 53, years,
son of Lal Si Bhagwan Das Handa, M
at present posted as Area Manager, CSD Depot,
39, Lal Bahadur Sastri Marg, Lucknow do hereby
solemnly affirm and state as under:-

1. That the deponent is the petitioner-
Respondent no. 1 in the aforesaid Contempt petition
and he has read and understood the contents of
contempt petition and gone through other relevant
records as such he is well conversant with the
facts of the case and the facts deposed to herein-
under in reply thereof.

2. That this Hon'ble Bench was pleased to
direct the Respondents of the OA No. 88 of 1988 (L)
(RC Tewari-vs- Union of India and others) to

filed today

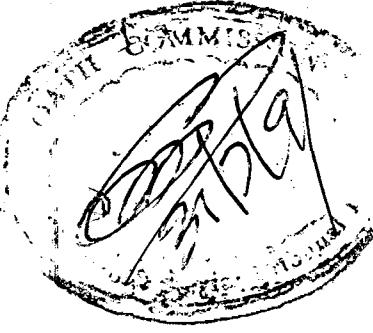
over
29/10/91

W.L.H.

give the applicant reasonable opportunity of being heard before removing him from service.

3. That in compliance of the judgement of the Hon'ble Tribunal the petitioner was issued a show cause notice dated 9.10.1990. A photo state copy of the said order is being filed herewith as Annexure No.C-1 to this affidavit.

4. That the applicant Shri R.C. Tewari instead of giving reply to the show cause notice filed a contempt petition before this Hon'ble Tribunal ie. Contempt No.21 of 1990, in which the Respondents filed a counter affidavit alleging that the applicant was not submitted reply to the show cause notice and on this count alone, the said contempt petition No.21 of 1990 was dismissed on 7.1.1991. A true copy of the said order is being enclosed herewith as Annexure no.C-2 to this affidavit.



5. That there has been no dis-obedience or any omission on the part of the Respondents in compliance of this Hon'ble Tribunal's directions. Although there is some delay in passing the final order by the competent authority ie. attributable to the applicant's omissions because he has not

W.Y. Tewari

-3-eu-

submitted his explanation to the show cause notice well in time.

6. That it is regretted that due to some clerical mistake and over-sight the applicant was communicated wrongly that he has been removed from service as the previous contempt application has been dismissed. The real fact is that since his explanation was not found satisfactory and after giving him an opportunity it was decided by the Respondent no.2 to discontinue the applicant and he was removed as per directions and instructions of this Hon'ble Tribunal. ~~Copy enclosed of order Dr. 1.4.91 enclosed as Annexure C-3 &~~

7. That the applicant was found to be involved in theft cases and as such he was not found suitable to be retained in Government Service like Service of the Canteen Stores Department, as such he was not re-engaged and was removed from the post on which he was working on the ~~strong~~ strength of the orders passed by this Hon'ble Tribunal.

8. That the deponent never intended in any manner to disregard the directions of this Hon'ble Tribunal.

9. That the deponent further submits that the deponent has highest respect for the authority of law, the judiciary including the Hon'ble Tribunal

W. J. H. S.

-4-

and has never even thought of lowering the dignity of this Hon'ble Tribunal. It is, therefore, respectfully submitted that since the directions of the CAT have already been complied with, this Hon'ble Tribunal may be pleased to discharge the deponent from contempt proceedings initiated against him by the petitioner.

10. That it is submitted that there is no intentional or deliberate ~~xxxay~~ on the part of the deponent. However, even for unintentional omission or act ~~xxxay~~ an unconditional apology is hereby tendered.

11. That the deponent is always ready to comply and obey the instructions and directions issued by this Hon'ble Tribunal and as such he is liable to be discharged from contempt proceedings.



Central Commission
for the Protection of Jails
Lucknow
1989



Deponent

Lucknow,

Dated: 31-7-91

Verification.

I, the above named deponent do hereby verify that the contents of para 1 is true to my personal knowledge, those of paragraphs 2 to 11 of the affidavit are true on the basis of records



-5-

and information gathered and on the basis of legal advice. No part of this affidavit is false and nothing material fact has been concealed.

W.H. Chaudhary
Deponent.

Lucknow,

Dated: 31.7.91

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

Chaudhary

(VK Chaudhari)

Addl. Standing Counsel for Central Govt.
(Counsel for Respondent no.1)

Solemnly affirmed before me *31/7/91*
by the deponent this *31st* day of *July* 1991
at *5:15 pm* who has been identified by
Shri VK Chaudhari, Advocate, High Court, Lucknow.

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

Oath Commissioner

31/7/91

W.H. Chaudhary

Annexure - I

Appendix - B

3/A-3/cc-58/1158

29 Oct '90

Shri Ramachander Tewari
Ex- Daily Rated Headdoor
CSD Depot
LUCKNOW.

SHOW CAUSE NOTICE AS PER
JUDGEMENT DATED 30/7/90
OA NO. 88 OF 1988

That on the ~~xx~~ night of 17/3/88 at 23.30 hrs the ~~xx~~ night of 12 Madras Rent. apprehended Shri Ramachander Tewari Daily Rated Headdoor, and another Headdoor of CSD Depot Lucknow alongwith 5 No's of Index No. 37008 Unit Cane Baffri Galaxy - 21" as handedover the dues to the Doctl police who in turn registered a case under section - 41/411 of ITC which is still pending with the civil court Luck - II Lucknow.

2. That the Manager and Assistant Manager carried out a physical checking of the stocks of the unit cans and ~~xx~~ found one can of the aforesaid brand short in the assembled lot of 39 CTU War-nani kept outside the godown with the depot premises.

3. Thus the said Shri Ramachander Tewari by his above act did not maintain integrity and devotion to duty which exhibited conduct unbecoming of a Govt. servant.

4. In view of the above you are directed to show cause as to why your name ~~may~~ not be deleted from the panel to enable us comply with judgement dated 30/7/90 in OA No. 88/88 filed by you in CAT Circuit Bench Lucknow.

D.K.G.
(R.K.SHARMA)
Asst. General Manager (P.)
for General Manager
9/10/90

HOO

The Manager
CSD Depot
LUCKNOW

:- Please send the same through a responsible person to the residence of the individual and handover the original letter to the individual against his signature and confirm having done so.

cc : RM (C)

cc : 3/A-1

RECEIVED
CONT'D BY ITAL

Attested
Sajay Saxena
Adv.
29/10/91

राजनीतिक लिट्रा संडिगिनिस्ट्रैटिक द्विव्युत जग्गा लखाड़ ।

Hon. C-2

राजाड़ लखनऊ जग्गा लखाड़ ।
अस्थीकृत २०-३३ अप्रैल १९९०

APPENDIX 'F'

Annexure D.O.A

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

CIRCUIT BENCH

LUCKNOW

Contempt No. 21 of 1990.

Ram-Chandra Tewari

Applicant.

Shri B.K. Srivastava

Counsel for Applicant

Various

Area Manager, C.S.D.

Respondents.

Lucknow & others.

Counsel for Respondents

Shri V.K. Chaudhary

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

(Hon. Mr. D.K. Agrawal, J.M.)

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

In compliance of the order dated 26.11.90 the opposite parties filed counter affidavit wherein they have stated that the application has been examined. It has further been prayed brought to our notice that the applicant was given a show cause notice by the competent authority but he has not given reply thereto. The applicant is directed to give a reply thereto forthwith. The show cause notice is hereby discharged. The counter affidavit is admitted of record (dated according).

A.M.

A.M.

A.M.

Alcohol

Alcohol dated 7.1.91

Afterted

Sajay Saxena
Adv.
29/10/91

Yashwant Singh
Advocate
B. K. SRIVASTAVA & CO.
11121, OLD BBD BLDG.
LUCKNOW-226001

Comments on the Statement

A 22

119, Mahalaxmi Lane Road,
BOMBAY - 400 020.

An : C-3

Ref. No: 3/4-3/CC-58/434A

गोपनीय
CONFIDENTIAL

Datos 01 Apr'9.

O R D E R

WHEREAS Shri Ram Chandra Tewari, Ex-Daily Rated
Khadoor, CSD Doyot, Lucknow has submitted his reply
dated 28-01-91 in response to our Show Cause Notice
No.3/A-3/CC-58/1158 dated 09 Oct'90.

2. AND WHEREAS on a careful examination of his aerofoil reply and evidence available on record, the undersigned is satisfied that the following charge framed against the said Shri Ram Chandra Tevaria stands substantiated :-

That on the night of 17/03/88 at 23.30 hrs the constry of 12 Madras Regt. apprehended Shri Ram Chandra Tevari Daily Ratoed Hazdeor and another Hazdeor of CSD Dopat, Lucknow alongwith 5 Nos. of Index No.37003 Suit Case Safari Galaxy 21" and handed over the dues to the local police who in turn registered a case under Section 41/411 of IPC which is still pending with the Civil Court - LCC-II Lucknow.

that the Manager and Assistant Manager carried out a physical checking of the stocks of the suit cases and found one case of the aforesaid brand short in the aforesaid lot of 39 GTC Varanasi kept outside the godown within the depot promised.

From the said Shri Ram Chandra Tewari by his above act did not maintain integrity and devotion to duty which exhibited conduct unbecoming of a Government servant.

3. NOW, THEREFORE, the undersigned imposes on the said
Shri Ram Chandra Sawari, the following penalty :-

"REMOVAL FROM SERVICE WITH IMMEDIATE EFFECT"

Attested:
Sajay Sene. Adv.
29/10/91

(S.S. BALE)
Air Commodore
Joint General Manager I
(Disciplinary Authority)

A.23

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
CIRCUIT BENCH, LUCKNOW

CONTEMPT PETITION NO. 188 OF 91
in OA NO.88 OF 1988(L)

R.C. Tewari

... Applicant

- versus -

Union of India and others

... Respondents

COUNTER REPLY IN CONTEMPT PETITION NO.188/91
IN OA NO.88 OF 1988(L) ON BEHALF OF
RESPONDENT NO.2.

I, Maj. Gen. V. Uberoy aged about 54 years,
son of Dr. J C Uberoy, at present posted as
Chairman and General Manager Board of Administration
Canteen Stores Department, Ministry of Defence,
"Adelphi" 119-Maharshi Karve Road, Bombay-400 020,
do hereby solemnly affirm and state as under :-

1. That the deponent is the contemner
Respondent no.2 in the aforesaid application and
he has read and understood the contents of
contempt application and gone through other
relevant records as such he is well conversant
with the facts of the case and the facts deposed
to herein under in reply thereof.

Filed today
2/8/91

2. That this Hon'ble Bench was pleased to
direct the Respondents of the OA No.88/1988(L)
(RC Tewari-vs-Union of India and others) to
give the applicant reasonable opportunity of
being heard before removing him from service.

Annexure-1

3. That the operative portion of the order is being quoted herein under:-

"9. For reasons stated above, we allow this application in part and quash the order dated 10.5.88 Annexure-1 whereby the applicant's name has been deleted from the panel. We direct that the competent authority among the respondents shall give an opportunity to the applicant to show cause as to why his name may not be deleted from the panel, and after considering the cause, if any, shown by the applicant, take a decision within a period of two months from the date of receipt of a copy of this judgement. If the respondents retain his name on the panel, they shall also re-engage him as a casual labour at the earliest say within a fortnight of the date of such decision. Parties shall bear their costs."

4. That in compliance of the judgement of the Hon'ble Tribunal the petitioner was issued a show cause notice dated 9.10.1990. A photostate copy of the said order is being filed herewith as Annexure no.C-1 to this affidavit.

5. That the applicant Shri R.C. Tiwari instead of giving reply to the show cause notice filed a contempt petition before this Hon'ble Tribunal i.e. Contempt No.21 of 1990, in which the Respondents filed a counter affidavit alleging that the applicant Shri RC Tiwari was not submitted reply to the show cause

ij

notice and on this count alone, the said contempt petition No.21 of 1990 was dismissed on 7.1.1991. A true copy of the said order is being enclosed herewith as Annexure No.C-2 to this affidavit.

6. That thereafter the applicant Shri R.C. Tiwari was submitted an explanation to the show cause notice which was duly considered by the competent authority alongwith all the documents relevant in the case of the applicant and passed a speaking order on 1.4.1991. A true copy of the said order is being filed herewith as Annexure no.C-3 to this affidavit.

7. That there has been no dis-obedience or any omission of the part of the Respondents in compliance of this Hon'ble Tribunal's directions. Although there is some delay in passing the final order ie. attributable to the applicant's omissions because he has not submitted his explanation to the show cause notice well in time.

8. That it is regretted that due to some clerical mistake and over-sight the applicant was communicated wrongly that he has been removed from service as the previous contempt application has been dismissed. The real fact is that since his explanation was not found satisfactory and after giving him an opportunity it was decided by the Respondent No. 2 to discontinue the applicant and he was

removed as per directions and instructions of this Hon'ble Tribunal.

9. That the applicant was found to be involved in theft cases and as such he was not found suitable to be retained in Government Service like Service of the Canteen Stores Department, as such he was not re-engaged and was removed from the post on which he was working on the strength of the orders passed by this Hon'ble Tribunal.

10. That the deponent is the law abiding citizen having full faith in the judicial system and even never dreamed to commit any contempt or dis-obedience of orders passed by any of the Court in the country and in case in ignorance any omission have been committed by the answering deponent he tenders unconditional apology for the said omission or act.

11. That the deponent is always ready to comply and obey the instructions and directions issued by this Hon'ble Tribunal and as such he is liable to be discharged from contempt proceedings.


V. UDEROY
MAJ. GEN.
General Manager,
Canteen Stores Department
Deponent.

Bombay,

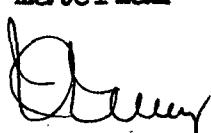
Dated: 30 Jul 91

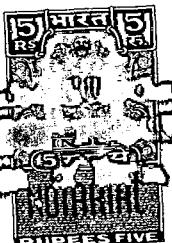


Verification

I, the above named deponent do hereby verify that the contents of para 1 is true to my personal knowledge, those of paragraphs 2 to 11 of the affidavit are true on the basis of records and information gathered and on the basis of legal advice. No part of this affidavit is false and nothing material fact has been concealed.

Solemnly affirmed this
30th day of July 1991 at
Bombay.


V. UBEROY
MAJ. GEN.
General Manager,
Canteen Stores Department
Deponent.



Identified by me. The Deponent who has signed before is also personally known to me.

MAHENDRA J. SETHNA *30/7/91*
Advocate, SUPREME COURT, Mahendra J. Sethna
15/47, M. G. ROAD, NOTARY PUBLIC
FAZAL BHOG BLDG., 2ND FLOOR, Unit of [unclear]
BOMBAY - 400 001.
T. NO. 0224533 (RES); 25133 (OFFICE)

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

Notary Public



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
Bench.

Ram Chandra Tewari

...
Versus

Area Manager Canteen Store Department,
Lucknow and others.

Annex No. 1
Applicant

A 209

Respondent.

ANNEXURE NO. 1

Govt. of India

MINISTRY OF DEFENCE

MINISTRY OF DEFENCE

Canteen Stores Department

22, 175 Chota Barha

Alambagh, Lucknow, U.P. 226002

LUCKNOW (U.P.) 226002

LUD/EST/34/399

REGD A/D

10th May 1983

Shri. Ram Chander
954/Ka-175 Chota Barha
Alambagh
LUCKNOW.

PANEL FOR WATCHMAN AND MAZDOOR.

We have been instructed by our H.O to advise you that your name from the panel of Watchman, Mazdoor and also from the consolidated panel has been deleted.

Sd/-
Sd/-
(A.P.S. PILLAI
MANAGER

CC - H.O. Section-3 Bombay: with reference to your letter
No. 3/A-1/1107/(Lucknow) 3235
dated 30-4-88 for information
please.

CC: - The R.M. (C) Lucknow: for information please.

Certified
True copy.
R. K. SHARMA
A.S.T. GEN. MANAGER (P)

119, Maharashtra Road,
BOMBAY 400020.

DNN-10-17

66
67

A29

3/A-3/CO-58/1158

09 Oct '90

Shri Ramachander Tewari
Ex- Daily Rated Magdoor
CSD Depot
LUCKNOW.

SHOW CAUSE NOTICE AS PER
JUDGEMENT DATED 30/7/90
OA NO.88 OF 9988

That on the mm night of 17/3/88 at 23.30 hrs the entry of 12 Madras Rgt. apprehended Shri Ramachander Tewari Daily Rated Magdoor, and another Magdoor of CSD Depot Lucknow alongwith 5 No's of Indo No.37008 Suit Case Safari Galaxy - 21" and handedover the duos to the Local police who in turn registered a case under section - 41/411 of IPC which is still pending with the civil court LCC - II Lucknow.

2. That the Manager and Assistant Manager carried out a physical checking of the stocks of the suit cases and found one case of the aforesaid brand short in the assembled lot of 39 CTC Varanasi kept outside the godown with the depot premises.

3. Thus the said Shri Ramachander Tewari by his above act did not maintain integrity and devotion to duty which exhibited conduct unbecoming of a Govt. servant.

4. In view of the above you are directed to show cause as to why your name may not be deleted from the panel to enable us comply with judgement dated 30/7/90 in OA No. 88/88 filed by you in CAT Circuit Bench Lucknow.

R.K. SHARMA
(R.K.SHARMA)
Asst. General Manager (P)
for General Manager
9/10/90

NOO

The Manager
CSD Depot
LUCKNOW

:- Please send the same through a responsible person to the residence of the individual and handover the original letter to the individual against his signature and confirm having done so.

cc : RM (C)

cc : 3/A-1

*Certified to me
Copy Only*

रामचंद्र शर्मा
CONFIDENTIAL
R. K. SHARMA
ASST. GENERAL MANAGER (P)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

CIRCUIT BENCH

LUCKNOW

Annex-1-c-2

112

A 30

Contempt No. 21 of 1990.

Ram Chandra Tewari

Applicant.

Shri B.K. Srivastava

Counsel for Applicant

versus

Area Manager, C.S.D.

Respondents.

Lucknow & others.

Shri V.K. Chaudhary

Counsel for Respondents

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

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

(Hon. Mr. D.K. Agrawal, J.M.)

In compliance of the order date 26.11.90 the opposite parties filed counter affidavit wherein they have stated that the applicant has been re-engaged. It has further been ~~prayed~~ brought to our notice that the applicant was given a show cause notice by the competent authority but he has not given reply thereto. The applicant is directed to give a reply thereto forthwith. The show cause notice is hereby discharged. The contempt application is disposed of ~~in accordance with the order of the date~~ ~~according~~.

A.M.

J.M.

7.1.91

Lucknow Dated: 7.1.91

TRUE COPY

(Mohd. Umar Khan)

(Asst. Officer,

Central Administrative Tribunal,

Circuit Bench,

LUCKNOW.

Certified
true copy

R. K. SHARMA
Asst. Officer (P)

Canteen Stores Department
"A L E L F H I"
119, Maharshi Karve Road,
BOMBAY-400 020.

Annex No A3

A31

Ref. No: 3/A-3/CO-58/434A

Date: 01 Apr'

O R D E R

WHEREAS Shri Ram Chandra Tewari, Ex-Daily Rated Mazdoor, CSD Depot, Lucknow has submitted his reply dated 28-01-91 in response to our Show Cause Notice No. 3/A-3/CC-58/1158 dated 09 Oct'90.

2. AND WHEREAS on a careful examination of his aforesaid reply and evidence available on record, the undersigned is satisfied that the following charge framed against the said Shri Ram Chandra Tewari stands substantiated :-

That on the night of 17/03/88 at 23.30 hrs the sentry of 12 Madras Regt. apprehended Shri Ram Chandra Tewari Daily Rated Mazdoor and another Mazdoor of CSD Depot, Lucknow alongwith 5 Nos. of Index No. 37008 Suit Case Safari Galaxy 21" and handed over the duos to the local police who in turn registered a case under Section 41/411 of IPC which is still pending with the Civil Court - LCC-II Lucknow.

That the Manager and Assistant Manager carried out a physical checking of the stocks of the suit cases and found one case of the aforesaid brand short in the assembled lot of 39 GTC Varanasi kept outside the godown within the depot premises.

Thus the said Shri Ram Chandra Tewari by his above act did not maintain integrity and devotion to duty which exhibited conduct unbecoming of a Government servant.

3. NOW, THEREFORE, the undersigned imposes on the said Shri Ram Chandra Tewari, the following penalty :-

"REMOVAL FROM SERVICE WITH IMMEDIATE EFFECT"

(S.S. Balse)
(S.S. BALE)
Air Commodore
Joint General Manager I
(Disciplinary Authority)

Certified true
Copy
R. K. SHARMA
N. MANAGER (P)

BEFORE THE HON'BLE CENTRAL ADMINISTRATIVE TRIBUNAL
CIRCUIT BENCH, LUCKNOW

Contempt Petition No. MP 188 of 1991
in Cont. No. 21/90 (L)
In ref: O.A. No. 88 of 1988 (L)

Ram Chandra Tewari ... Applicant

Versus

Union of India & Others ... Respondent

Fixed for 29.10.1991

REPLY TO COUNTER REPLY IN CONTEMPT PETITION NO. 188 OF
1991 FILED ON BEHALF OF RESPONDENT NO. 1 & 2

I, Ram Chandra Tewari aged about 29 years son
of Late Sri Mata Prasad Tewari, C/o Sri Bharat Kishore
Srivastava, Advocate, 511/121, Old Badshah Nagar, Lucknow-
226 007, do hereby affirm and state as under :-

filed today

28/10/91

1. That the contents of para no. 1 of the counter reply filed by Maj. Genl. V. Uberoy, need no comments.
2. That the contents of para no. 2 of the counter reply are wrong and misconceived. The answering respondent has concealed the fact as stated in the operative portion of the judgement as given in the para no. 3 of the counter reply.
3. That the contents of para no. 4 of the counter reply need no comments.

- 2 -

4. That the contents of para no. 5 of the counter reply are basically wrong and misconceived, hence denied. In reply it is stated that the answering respondent has knowingly and deliberately adopted fraudulent practice to misguide this Hon'ble Tribunal as is proved on the face of records. It is pertinent to state that the answering respondent in para no. 5 averred that the contempt petition No. 21 of 1990 was DISMISSED on ~~xx~~ 7.1.1991 where as it was DISPOSED OF with the observations made by this Hon'ble tribunal in order dated 7.1.91 a true copy of which has also been annexed as Annexure No. C-2 to the counter reply filed by the answering respondent. The content petition No. 21 of 1990 of the applicant was DISPOSED OF in view of the facts admitted and stated by the answering respondent in his counter reply filed in the month of Jan. 1991 as under :-

(i) In para no. 7, it has been categorically said that "it is further submitted that the Department has already engaged the applicant as daily rated mazdoor on 2.1.1991 as per the advice of the respondent No. 2.....and he resumed his duty on 2.1.1991.....the answering respondent has passed the order for reinstatement of the applicant as per directions from respondent no. 2 vide telex no. 3/A-3/CC-58/1460 dated 18.12.1990.

(ii) Identical facts were stated in para no. 10 of the counter reply.

200-242 (1991)

- 3 -

(iii) That in the concluding para it has been stated that "in view of the facts and circumstances stated in foregoing paras the department has already implemented and complied the judgement of the Hon'ble Tribunal, and there is no grievance of the applicant are pending with the department, as such contempt application filed by the applicable is liable to be dismissed".

(iv) That as per contents of para no. 4 of the counter reply and unconditional apology was tendered by the respondents.

The contempt application no. 21 of 1990 was DISPOSED OF with these facts and circumstances of the case as is evident from the contents of the order dated 7.1.1991 (Annexure No. C-2) annexed to the counter reply.

5. That the contents of para no. 6 of the counter reply are wrong and misconceived hence denied. In reply it is stated that the applicant in compliance to the orders of this Hon'ble Tribunal , dated 7.1.1991 (Annexure No.C-2) filed detailed reply dated Jan. 28, 1991 in response to show cause notice, a copy of the reply was also filed to this Hon'ble Tribunal , a true copy of which is annexed as Annexure No. R-1. The applicant's reply dated 28.1.91 was arbitrarily disposed off without considering the facts and circumstances of the case, ignoring the legal points raised by the applicant, arguments putforth with the documentary proofs mentioned therein.

Annexure R-1

(ii) That in para 8 of the reply it has been admitted by the respondents that the applicant is a

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- 4 -

co-accused in criminal case no. 41/411 which is still pending in the court at Lucknow. A copy of order dated 24.7.1990 passed by this Hon'ble tribunal in case of main accused Sri Devi Prasad Misra has been annexed as annexure No. C to applicant's contempt application no. 21/90. This fact was again reproduced in para no. 8 of second contempt application No. M.P. 188 of 1991. The respondent no. 2 in annexure no. C-3, annexed to his counter reply, again arbitrarily passed removal orders saying that the applicant did not maintained integrity, devotion to duty which exhibited conduct unbecoming of a government servant. This conclusion drawn by the respondents is quite arbitrary rather unwarranted, without any law or logic in view of the facts stated above.

6. That the contents of para 7 of the counter reply are further wrong and misconceived hence denied. The fact is that the respondents initially, interpreted the word 'disposed of' as dismissed showing their malicious intention as stated in foregoing para no. 4. Later on they reinstated the applicant, re-engaged from 2.1.1991, tendered unconditional apology to this Hon'ble tribunal as stated in foregoing para no. 4(Iv) and now again removed the applicant from service from 6.4.91 through an order dated 6.4.91 shown to have been issued in reference to H.O. Telegram dated 4.4.1991, copy contained in annexure no. B annexed to the subsequent contempt application No. M.P. 188/91(L). The applicant is unaware

214-202/1991

- 5 -

about letter No. 3/A-3/CC-58/434A dated April 1, 1991 copy annexed as annexure no. C-3 to counter reply.

7. That the contents of para no. 8 of the counter reply are further wrong and misconceived hence denied. In reply it is stated that the fact is that the respondents fraudulently issued the removal order in contravention with their own commitments and the applicant was reinstated and re-engaged. This was done showing utter disregard to the latest orders of this Hon'ble tribunal dated 7.1.1991 copy contained in annexure No.C-2. It is totally false on the part of the respondents that this Hon'ble tribunal has ^{ordered} directions or instructions about the removal of the applicant.

8. That the contents of para no. 9 of the counter reply are further wrong and baseless hence denied. It is false and contrary to the facts that the applicant was not re-engaged in the service, the fact is that the applicant was re-engaged on 2.1.1991 and allowed to continue till 6.4.1991. Furthermore, the respondents were never authorised by this Hon'ble tribunal to remove the applicant from service.

9. That the contents of para no. 10 of the counter reply are nothing only lame excuse shown by the respondents. The respondents definitely and apparently disregarded the directions issued by this Hon'ble tribunal.

10. That in reply to the contents of para no. 11 of the counter reply it is stated that similar request was previously made by the respondents in para no. 4 of the reply of Jan. 1991 filed in response to first contempt application no. 21/90.

राम चंद्र देव

11. That the respondent no. 1 has not put up any new fact in his reply, rather repeated and reiterated the version of respondent no. 2.

The respondents tried to misguide this Hon'ble tribunal by concealing the fact, that the applicant's first contempt application no. 21/90 was not in fact dismissed rather disposed off, keeping in view the admissions and commitments made by the respondents before this Hon'ble tribunal in their first reply of Jan., 1991. Evidently they are responsible for concealment of the fact flouting the orders of this hon'ble tribunal and putting up the whole case in a colourable manner. Obviously they deserves to be suitably dealt with for the end of justice and also to maintain the prestige of the judiciary including this hon'ble tribunal.

Dated: 28.10.1991

राम चन्द्र तेवारी
(RAM CHANDRA TEWARI)
APPLICANT

ब.क.सिंहासन
(B.K. SRIVASTAVA)
28/10/91
COUNSEL FOR THE APPLICANT

Bharat Kishore Srivastava

BEFORE THE HON'BLE CENTRAL ADMINISTRATIVE TRIBUNAL
CIRCUIT BENCH, LUCKNOW

A 38

Contempt Sam Granada Tevarri

Union of India & Others

• • •
Vs.
• • •

Applicant

Respondent.

Annexure No. R-1

30

The Central Library
Central Library Department "Mysore"
112- Universit Kere Road.
P.M. - 400 020.

References

Mr. Worcester
Creative Stereo Department
39, Lot 1, Worcester Standard Works,
West Seneca, 1002.
W.H. 3-3777 - 226 002.

Subject : Reply to show cause notice No. 1/1-IV
CG/23/1953 dated 20th Oct., 1953
joined with the complaint Doctor Madhupur/DR/
GAR/23/CG/01932 dated 23.10.1953
show cause notice issued by Muzaffarpur
Central Licensor (D) for Central
and covering letter issued by D. L. F.
CGA, Lucknow.

8480

In compliance of the orders of Hon'ble
Central Administrative Tribunal dated 20.7.2016,
Lokman is contentt no.21 of 1993 file dated
20.01.2016 (Applicant) vs Shri D.L. Srivastava
(Council for applicant) V/S. Area Manager CRB,
Lokman and others (respondent) dated 07.01.2016
delivered by Hon'ble Mr. D.L. Srivastava Adminstrative
Member and Hon'ble Mr. K. Shreyas Adminstrative
Member, the humble applicant submit this reply
to above cause notice as under :-

1. (4) Shot the contents of Para 5, 1 of the
new case notice on today and disem-
bodied bones sealed. In reply it is to
be noted, added that any third class Major
12 Madras Regiment lodged with
Major Officer Commanding, Indore,
report to police station, Indore, 150
m under 1-

Government of India
(Ministry of Defence)
Canteen Stores Department
1966

Absinthes
281 x 91

191
Adv. Bharat Kishore Srivastava
Advocate

Counted...2:00000

(2)

under suspicious circumstances. The individuals are one Shri D.P. Misra and Shri H.S. Suman who stated that they are employees of the CSD Depot, Lucknow. At the time of apprehension the individuals were in possession of one bicycle and five brand new Safari Galaxy suitcases - 21". You are requested kindly registered on D.E.R to investigate the matter. The individuals may also be taken over from this unit custody."

Here it is pertinent to state that applicant and D.P. Prasad Misra (both) were kept in custody at 23.30 hrs. on 17.03.88. He both remained in custody from 23.30 hrs. on 17.03.88 to 1.30 A.M. on 18.03.88. Case serial No. 123/88 U/S. 41/411 IPC was registered at 13.30 hrs. on 18.03.88. It is, therefore, hereby that it is obviously proved on the face of the record that case Cr. No. 123/88 U/S. 41/411 IPC was registered by 12th class Dep't const and not by C.S.O. Department. The fact is that no case was registered by any officer or authority of C.S.O. Depot, 39-Lal Bahadur Shastri Nagar, Lucknow about the alleged shortage of 5 suitcases of India No. 57003 suit case Safari Galaxy 21" (inches) as alleged.

1) That in case serial no. 123/88 police station Almora, Lucknow Shri D.P. Misra, in whose possession five brand new Safari Galaxy suitcases 21" were recovered, filed the case in in support of the purchase of five brand new Safari Galaxy 21" before the court of law at Lucknow, the evidence is of a well reputed concern of Lucknow issued on 17.03.88. Shri D.P. Misra and the applicant, both were called out and the bicycle was also given back to Shri D.P. Misra in SUPURMEX.

2. That the applicants do totally know about the contents of para no. 2 of the above notice which are docketed. In reply it is to however stated as under :-

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28/2/91
Rader
Bharat Kishore Srivastava

सम्मिलित

(3)

I) That the applicant lost the GS9 position on 17.03.88, after concluding his watch in watch at 9.00 p.m. His watch was taken by the watchman while on duty and would not be returning the recovered from his possession when he lost GS9 position.

II) That three watchmen no. 3115 Bhola Singh (now transferred to Jalandhar, H.P.), watchmen no. 3128 Rakesh Prasad Kaul (now transferred to Dehradoon), watchmen no. 3101 Jyoti Nath Pal (still posted at Lucknow) were on duty from 6.00 p.m. to 12.00 night on 17.03.88. They all admitted the fact in writing that no incident of any alleged theft occurred during their duty hours from 6.00 p.m. to 12.00 night on 17.03.88. They also denied any sort of damage in boundary wall, and also denied ~~theft~~ any trespass.

3. That the contents of para no. 3 of the above second section are basically and totally untrue, hence emphatically denied, having no iota of evidence in support of the statement. The applicant however states as under :-

(I) That the applicant is posted on GS9 Grade Lucknow class 1981 and during his last about 7 years employment, his work and conduct were always found quite up to the mark and his integrity was always found above board.

(II) That the applicant was knowingly and deliberately implicated in a false case reported against him by 12th Guru Regiment purely on the basis of suspicion developed on Ravi Prasad Kaula from whom certainly the case property was recovered and returned by him himself ^{the owner of the} by filing evidence in support of the purchase of the case property in question. The applicant was in no way concerned

BBM
28/1/91
Adv.
Bharat Kishore Srivastava
Advocate

Costed.....

(A)

with the case property recovered from the possession of Devi Prasad Kishore.

(LXII) That the case crimp no. 123/88 U/S 41/411 IPC is still under trial before the magistrate court of law at Lucknow, obviously there is no law or logic in framing an infallible opinion about the integrity and connection to the duty of the applicant. It is totally unjust, unfair and unprosecutable to jump to the conclusion at a preliminary stage for not maintaining the integrity and connection to the duty by the applicant. The contentions/intentions held in para no. 3 of the above case notice is a pre-ordinately decided step, which is baseless, unfounded, having no legal sanctity in the eyes of law.

6. That the contents of para no. 4 of the above case notice are wrong and mis-conceived term wise. In reply it is stated that the honorable Central Administrative Tribunal (Circuit Bench, Lucknow) has pleased to quash the crimp no. 1 of application no. 88 of 1973 (L) Ram Chandra Sekhari V/S. Aroo Hanogar CSD, Lucknow and others decided on 20th July, 1973 which is a order no. 147/EST/135/393 dated 10th May 1973 issued by Manager CSD, Lucknow, stating that the applicant, "to have been instructed by our local office to advise you that your son from the period of 1970, 1971 and also from the consolidated period has been absconded", it is evident from the first sentence of para no. 4 of the judgment delivered by the honorable tribunal on July 20, 1973, copy of which was already issued to you. The meaning thereby that the contentions and intentions of para no. 4 of the above case notice is a clear violation of the orders of the honorable tribunal according to contents of the orders of the honorable tribunal.

ADDITIONAL INFORMATION OR RE-STATEMENT

That on the face of operative portion of the

Contd... 5...

28-7-1974
Bharat Kishore Srivastava
Advocate
28/7/91
Bharat Kishore Srivastava
Advocate

(5)

judgment, contained in para no.9, dated July 20, 1990, the very order of dislocating the name of the applicant from the panel of volunteers, writer and also from the consolidated panel, has been executed by the honorable tribunal. The meaning being by that the name of the applicant is maintained in word in the panel enclosed by the Head Office in order No.3/4-1/1107/110/41 dated 20.01.87. The name of the applicant is maintained at serial 1 (obtaining top position) in the panel of volunteers and at serial no.2 in the panel of writers. It is further pertinent to state that the ~~original~~ ^{entitled to the name} order no.3/4-1/1107 (110)/1651 dated 20.01.87 has the applicant at serial no.1, and ~~name~~ ^{entitled to the name} Singh at serial no.2, Virender Pratap Lalwani at serial no.3, and ~~name~~ ^{entitled to the name} Mehta at serial no.4, and ~~name~~ ^{entitled to the name} received from head office, Amritsar. The conduct of the CGP did not do justice to the applicant by depriving the applicant from his fundamental right to the appointment on the post of volunteers. And does to contend that the applicant was evidently and deliberately implicated in a false case with a view to dislodge Virender Pratap Singh who was appointed as the post of volunteers with effect from 1.6.89 against a vacancy falls to the lot of the applicant on which the applicant was largely entitled for appointment prior to the Virender Pratap Singh. Obviously the applicant was maliciously discriminated upon in matter of appointment as compared to Virender Pratap Singh and others violating the provisions of article 14, 16, 311(2) of the constitution of India.

6. And the applicant remained as duty after the date of his employment (1991 till 17.03.89) and again resumed his duties on 02.01.1991 as the applicant was reinstated and engaged in employment as ~~word~~ ⁱⁿ per centage of para no.7 and 16 of the another affidavit, on behalf of ~~supplement~~, filed before the honorable tribunal by Shri Bal Mehta, Area Manager CGP expert, ~~on~~ ^{on} 07.01.1991 in reply to contempt notice issued by the honorable tribunal on

Contd....6....

Amritsar
22/1/91
Ayer

(6)

26.11.20. The applicant has not so far been paid his over due dues towards arrears and bonus etc. for the period prior to 17.6.1989. The representation dated 07.01.1991 filed to the Mayor CGD depot, Lucknow, in this connection has not been favourably attended to for knowing the fact that the applicant remained out of the job from 18.03.1989 to 01.01.1991 and the applicant and his dependents are bound to face the days of starvation in the absence of any source of income. The other staff leaving the applicant were already paid their dues long long ago. It is humbly prayed that the amount due to the applicant be paid to him promptly.

7. That the applicant was on leave from 03.03.89 to 16.03.89 in connection with the marriage of his brother's daughter. The applicant returned to his duty on 17.03.89, and he was immediately implicated in a false case in a pre-planned manner to remove him and to eligible Sri Vinod Kumar Behlaur Singh by appointing him out of turn in place of the applicant, which was unfair, corrupt and nobble, killing the spirit of the law.

राम पटेल (91)

Dated : Jan. 28 1991. (राम पटेल द्वारा)

Copy forwarded to : The Registrar Central Administrative Tribunal circuit Lucknow, India for information of the Hon'ble tribunal and keeping it on record alongwith the order on 07.01.91 delivered by the Hon'ble tribunal on contempt on.29 of 1990.

Mr. Gajendra Sonari V/S. ADO Lawyer, CGD, Lucknow & others (subversive organisation no. 47/90)

राम पटेल (91)
(राम पटेल द्वारा)

18/Jan/91
28/1/91
R.A.

Bharat Kishore Srivastava

Advocate