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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

Reserved on: 10.02.2016
Pronounced on: 17.02.2016

\+ **<u>LPA 855/2015 and CM NOS. 28337-28338/2015, CM 30028/2015 and 5034/2016</u>**

GOVT OF NCT OF DELHI ..... Appellant
Through: Mr. Sanjoy Ghose, ASC and Mr. Ankur Chhibber, Advocate.

versus

JHARNA BANERJEE & ORS ..... Respondents
Through: Ms. Padmini Gupta, Advocate, for Respondent No.1.
Ms. Nanda Devi Deka and Ms. Neha Singh, Advocates, for Respondent No.2.
Mr. Sanjeev Narula,CGSC with Mr. Ajay Kalra and Ms. Aastha Jain, Government Pleaders for UOI.
Mr. Siddharth, Advocate, for Family Planning Association.

\+ **<u>LPA 74/2016 and CM NOS. 4107-4109/2016</u>**

GOVT OF NCT OF DELHI ..... Appellant
Through: Mr. Sanjoy Ghose, ASC and Mr. Ankur Chhibber, Advocate.

versus

DR. SHAMPA KHAITAN & ORS ..... Respondents
Through: Mr. Sanjeev Narula,CGSC with Mr. Ajay Kalra, Ms. Aastha Jain and Mr. Jitendra Kumar Tripathi, Government Pleaders for UOI.
Ms. Nanda Devi Deka and Ms. Neha Singh, Advocates for Private Respondents

\+ **LPA 76/2016 and CAV. 105/2016 and CM NOS. 4122-4124/2016**

GOVERNMENT OF NCT OF DELHI & ANR ..... Appellants

Through: Mr. Sanjoy Ghose, ASC along with Mr. Siddharth Dutta, Advocate, for GNCTD.

versus

SUBHASH CHAND & ORS ..... Respondents

Through: Ms. Padmini Gupta, Adv. for Respondent Nos.1 and 2.

Mr. Abhay Prakash Sahay, CGSC and Mr. S.A. Saud, Government Pleader for UOI.

Mr. Siddharth, Advocate, for Family Planning Association

\+ **LPA 91/2016 and CM NOS. 4841-4843/2016**

GOVT OF NCT OF DELHI ..... Appellant

Through: Mr. Sanjoy Ghose, ASC and Mr. Ankur Chhibber, Advocate.

versus

DR. NIRMAL SHOKEEN & ORS ..... Respondents

Through: Ms. Nanda Devi Deka and Ms. Neha Singh, Advocates for Private Respondents.

Mr. Manish Mohan, CGSC and Mr. Shivam Chanana, Advocate, for UOI.

\+ **LPA 56/2016 and CM NOS. 2732-2734/2016**

GNCT OF DELHI ..... Appellant

Through: Mr. Sanjoy Ghose, ASC along with Mr. Siddharth Dutta, Advocate, for GNCTD.

versus

MANGALA KHATTAR AND ORS ..... Respondents

Through: Mr. Siddharth, Advocate, for Family Planning Association

\+ **LPA 66/2016 and CM NOS. 3603-3605/2016**

GOVERNMENT OF NCT OF DELHI ..... Appellant

Through: Mr. Sanjoy Ghose, ASC along with Mr. Siddharth Dutta, Advocate, for GNCTD.

versus

DR. ALKA NAYAR & ORS ..... Respondents

Through: Ms. Nanda Devi Deka and Ms. Neha Singh, Advocates, for Private Respondents.
Mr. Sanjoy Ghose, ASC along with Mr. Siddharth Dutta, Advocate, for GNCTD.

\+ **LPA 68/2016 and CM NOS. 3621-3623/2016**

GOVT OF NCT OF DELHI ..... Appellant

Through: Mr. Sanjoy Ghose, ASC and Mr. Ankur Chhibber, Advocate.

versus

DR. PRITEE BHANJA & ORS ..... Respondents

Through: Ms. Nanda Devi Deka and Ms. Neha Singh, Advocates, for Private Respondents.
Mr. Jasmeet Singh, CGSC with Ms. Aastha Jain, Government Pleader for UOI.

\+ **LPA 70/2016 and CM NOS. 3779-3781/2016**

GOVT OF NCT OF DELHI ..... Appellant

Through: Mr. Sanjoy Ghose, ASC and Mr. Ankur Chhibber, Advocate.

versus

DR. MRS PREETI SAXENA & ORS ..... Respondents

Through: Ms. Nanda Devi Deka and Ms. Neha Singh, Advocates, for Private Respondents.
Mr. Vikram Jetly, CGSC with Ms. Astha Jain, Government Pleader, for UOI.
Mr. Charanjeet Singh and Mr. Siddharth, Advocates, for Respondent No.7 (Andhra Vanita Mandali)

CORAM:
HON'BLE MR. JUSTICE S. RAVINDRA BHAT
HON'BLE MS. JUSTICE DEEPA SHARMA

MR. JUSTICE S. RAVINDRA BHAT

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1. In these appeals, the GNCTD is aggrieved by the judgment and order of a learned Single Judge partly allowing the writ petitions preferred by the respondents (hereafter called the "writ petitioners"). The writ petitioners had sought, *inter alia,* continuation of their employment as doctors, regularization of said employment, and the benefit of higher pay/scales and connected emoluments admissible pursuant to the Sixth Central Pay Commission recommendations [hereafter "VI PC"]. The impugned judgment declined the relief of reinstatement/continuation of employment and regularization but granted the benefit of VI PC till 31.03.2014.

2. The brief facts of the case in all these appeals are that the GNCTD, in terms of its then prevailing policy, tasked various voluntary agencies/non-governmental organizations (NGOs) to undertake its voluntary welfare programmes. These NGOs/voluntary agencies were not part of the GNCTD but were autonomous and *inter alia* also carried on other activities. However, in respect of the family welfare and allied healthcare activities carried out by the

writ petitioner doctors these agencies received full funding from the GNCTD. This arrangement was in terms of the Central Government's policies and pattern of funding and to undertake steps for achieving larger purpose of public healthcare and family welfare. The Central Government used to provide annual grants for the purpose of the National Family Welfare programmes formulated and sought to be implemented by it. However, the implementation provided by voluntary agencies/NGOs was under the supervision and monitoring of State Governments and Union Territories.

3. All the writ petitioners were aggrieved by the discontinuance and termination of their services. The claim for their regularization was rejected. Learned Single Judge relied upon *State of Karnataka and Others v. Umadevi* 2006 (4) SCC 1. He, however, directed the release of benefits accruing to them on the basis of the VI PC recommendations in the following terms:

> *"9. No doubt, the writ petition has to be dismissed so far as the relief claimed of quashing of letters terminating the employment of the petitioners is concerned, however, in terms of the judgment in the case of* ***M.P.Singh (supra)*** *petitioners will be entitled to all monetary benefits which they were entitled to once the respondent no.3 is a State under Article 12 of the Constitution of India till 31.3.2014. This aspect is also covered in favour of the petitioners by para 3 of the judgment in the case of* ***Dr. T. Renuka (supra).*** *Petitioners therefore will be entitled to all benefits as prescribed by the respondent no.2 which are available to authorities of the State under Article 12 of the Constitution of India including of salary increases in terms of the 6th Central Pay Commission till the time their employment continued till 31.3.2014 and from which date the funding of respondent no.3 was stopped by the respondent no.2. Of course I clarify and hasten to add that the entitlement of the petitioners to salaries and monetary emoluments will be till the time the petitioners actually worked with the respondent no.3 or 31.3.2014 whichever is later and in terms of extant guidelines of the respondent nos. 1 & 2 applicable to the*

respondent no.3. In case, the necessary dues of the petitioners are not cleared by the respondent no.3, and to whom the respondent 2 should grant the necessary funding for clearing of the dues and which shall be positively done with a period of six weeks from today, thereafter, petitioners will be entitled to interest at the rate of 6% per annum simple from the date from which the amounts being the salary increases and another monetary emoluments became due to the petitioners.

10. No other issue is pressed or urged before this Court as otherwise discussed above.

11. The writ petition is however allowed to the extent stated above of granting the petitioners all monetary emoluments including increases of their salaries in terms of the 6th Central Pay Commission till 31.3.2014 as were being paid to any other arm/authority of the State as per Article 12 of the Constitution of India."

4. It is argued by Sh. Sanjay Ghose, learned counsel on behalf of the GNCTD that the learned Single Judge fell into error in directing release of the VI PC benefits. He highlighted that the GNCTD was discharging the role of a disbursing authority and used to just pass on the funds received, to the concerned NGO/voluntary agencies. Reliance is placed upon the letter of the Central Government dated 19.04.2010 which had clearly stated that the recommendations of the VI PC are inapplicable to staff employed by the NGOs/voluntary organizations. The relevant extracts of the said letter are as follows:

"No.N.12012/01/2009-SS
Government of India
Ministry of Health and Family Welfare
(Department of Family Welfare)

NirmanBhavan, New Delhi
Dated the 19th April 2010

To,

The Director (Family Welfare)
Directorate of Family Welfare,
Govt. of NCT Delhi,
BhagwanMahavir Hospital Residential Complex,
Road No.43, PITAM PURA,
Delhi-34.

Subject: Implementation of 6th Pay Commission to the staff working in UFWCS/UHPs run by NGOs under National Family Welfare Programmes – regarding

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Sir,

I am directed to refer to your letter No.F.(350)PLY/DFW/09-10/19964 dated 30.03.2010 on the subject noted above and to inform you that

*1. For Government of India, the Govt. of NCT Delhi has the status of a grantee state in respect of the scheme for National Family Welfare Programme. The Government of India has been giving annual grants for perpetuating the cause of National Family Welfare Programmes. Government of India **does not own the responsibilities in the administrative matters pertaining to the staff of grantee organizations,** and*

*2. The recommendations of Pay Commissions **are not applicable to the Staff** working in Urban Family Welfare Centres/Urban Health Posts **run by Voluntary Organizations/NGOs** running Urban Family Welfare Centres/Urban Health Posts under National Family Welfare Programme.*

Kindly acknowledge the receipt of this letter.

Yours faithfully,

Sd/-
(KUSUM BHARDWAJ)
Under Secretary to the Govt. of India"

5. It was submitted that all the NGOs/voluntary organizations were intimated about this decision by the GNCTD in its letter, dated 03.05.2010, which was placed on record. Learned counsel urged that all these were completely ignored by the learned Single Judge, who, on an assumption that the writ petitioners were entitled to pay parity, directed release of VI PC benefits.

6. The GNCTD next relied upon various letters written in January 2012 to NGOs/voluntary organizations pointing out deficiencies in their performance. These letters, emphasized counsel, had clearly spelt out that the task given to the NGOs/Voluntary agencies, where the writ petitioners were employed as doctors, was being unsatisfactorily discharged. Therefore, these agencies had notice of the possibility of imminent termination of the funding arrangement. Consequently the doctors, who were not employed by the GNCTD, had no right to claim parity with regularly appointed doctors. It was submitted that even contract doctors working for the GNCTD are not paid regular scales and are paid on different scales. Therefore, the learned Single Judge fell into error in directing that the VI CPC benefits should be extended to the writ petitioners.

7. Mr. Ghose, learned counsel also argued that the impugned judgment is in error inasmuch that it did not properly appreciate the import of the learned Single Judge's previous decision, in *Dr. T. Renuka & Ors v Govt of NCT of Delhi* [W.P. (C) 9063/2011, decided on 27.11.2013), which had declined the same relief to another doctor. Reliance on the judgment in *M.P. Singh & Ors v Delhi Administration* [W.P.(C) 3007/1989, decided on 05.08.1992], was not

warranted, submitted counsel. It was lastly argued that the Union Government's decision of 19.04.2010 ultimately led to the discontinuance of the scheme itself. As a result, the writ petitioners, who were unsuccessful in their challenge to the order of termination, could not have contended that they had a right to equal remuneration or equal pay.

8. Ms. Padmini Gupta, learned counsel for the writ petitioners, argued that the learned Single Judge's impugned judgment and order should not be interfered with. She pointed out that the previous ruling in *M.P. Singh (supra)* had gone into the question of the nature of work performed by the petitioner doctors under the scheme which was originally formulated in 1964 and continued ever since. She highlighted that the Court had noticed that at the time of their selection, the petitioners had given up other employment because they were assured pay scales at par with what was offered by the Government. Moreover, though these doctors' employers were not state agencies, but NGOs, the funding for the entire project, which was intrinsically a state obligation- was by the Central Government, through the aegies and agency of the local State/UT Government . Even during the selection of these doctors, the Government's representative was present; the targets and mode of implementation of the scheme were planned and set by the Central Government. No doubt, monitoring was left to the GNCTD. These clearly showed that the GNCTD had control over the activities of the NGOs/petitioners' employers. This decision in *M.P. Singh (supra)* was appealed against. Those matters pertained to the grant of pay scales pursuant to the Fourth Pay Commission recommendations. Even the pay increase after the Fifth Pay Commission recommendations were not implemented, which resulted in another set of proceedings (*Mita Chakraborti &*

Ors v GNCTD). Another learned Single Judge followed the decision in *M.P. Singh (supra)* and held that the benefit of Fifth Pay Commission recommendations was to be granted. The Division Bench rejected the GNCTD's appeal in *M.P. Singh* [LPA 54/1992, decided on 18.11.2005). The GNCTD's special leave petition to the Supreme Court (SLP No. 6693/2006), was dismissed on 24.04.2006. Likewise, urged Ms. Gupta, the obligation to extend benefits of the Fifth Central Pay Commission recommendations became final with the dismissal of the GNCTD's appeal, by the Division Bench, in *Govt. of NCT of Delhi v Mita Chakraborti & Ors.* [LPA Nos. 2537-39/2005, decided on 02.05.2006].

9. Counsel for the writ petitioners/doctors argued that there is no doubt that the GNCTD was obliged to, and was paying scales which were applicable to its doctors all the while. Whenever the question of increase in pay scales, pursuant to the recommendations of Pay Commissions arose (the Fourth Central Pay Commission and the Fifth Pay Commission recommendations) the GNCTD invariably resurrected its rejected argument that such benefits could not be given to the respondent doctors because they were not Government employees. Each time, the doctors were compelled to seek the Court's aid; each time the GNCTD lost and the matter attained finality. These doctors even were forced to avail of contempt remedies, which led to the ultimate decision (and implementation) of the principle that without being driven to litigation, all doctors equally circumstanced would be given the benefit of revised pay scales. In these circumstances, argued counsel, there are no equities in favour of the GNCTD, which cannot urge that these doctors have no right to same pay scales. Without any change in the circumstances, the Government cannot rake up

settled issues and seek to defeat the rights of the respondent doctors.

10. Learned counsel submitted that the respondent doctors were not made aware of the so called deficiencies which led to the termination of the arrangement between their employers and the GNCTD; moreover, the correspondence relied on was *inter se* GNCTD and the Central Government. As far as the doctors were concerned, plainly they were performing what is essentially a state obligation or function, i.e promoting family welfare programs and undertaking health care activities. Their claim against termination has been negatived; they cannot also seek regularization. After working for long stretches of time, their only grievance is that the parity, which they enjoyed continuously with GNCTD doctors, is sought to be disturbed without any rhyme or reason; it is arbitrary.

Analysis and Conclusions

11. The history of this litigation reveals that on two previous occasions- when the issue of parity between the respondent doctors and those in the GNCTD *vis-à-vis* prescribed scales, placed in the context of pay revisions arose, the appellants stonewalled their demands. The GNCTD's insistence that since they were not Government doctors, they were disentitled to the same pay scales, was in issue in two previous litigations [*M.P. Singh (supra)* and *Mita Chakraborti (supra)*]. In both cases, the learned Judges and Division Benches ruled against the GNCTD and in favour of the doctors. *M.P. Singh (supra)* examined the issue closely and the Court concluded that the nature of responsibilities and obligations cast on the doctors, cent percent funding for the programs and their pay, the manner of their selection and recruitment as well as other features, established that they were entitled to parity in pay scales;

consequently, parity in revised pay scales. *M.P Singh* was even tested before the Supreme Court, which dismissed the GNCTD's special leave petition *in limine*.

12. An important feature of this case is that the GNCTD has been unable to establish any significant change in the circumstances, which compelled it to say that the VI PC revisions made applicable to its employees from 01.01.2006 could no longer be given or extended to the respondent doctors. If the primary and consistent stand had been that they are entirely disparate and parity to the extent of revised pay parity could not be granted, perhaps that might have been justified. However, that is not the case; each time, there was a Central Pay Commission recommendation (4^{th} and 5^{th} CPC reports) the GNCTD denied revised pay parity to these doctors; each time, it could not persuade the Court that its action was legal and warranted. It relies on a letter written to it by the Central Government on 19.04.2010, which states that the latter (Central Government) had been *"giving annual grants for perpetuating the cause of National Family Welfare Programmes."* The Central Government stated that it did not *"own the responsibilities in the administrative matters"*relating to staff of the NGOs and that

> *"The recommendations of Pay Commissions <u>are not applicable to the Staff</u> working in Urban Family Welfare Centres/Urban Health Posts <u>run by Voluntary Organizations/NGOs</u> running Urban Family Welfare Centres/Urban Health Posts under National Family Welfare Programme."*

13. There is no *rationale* for this view. Neither the GNCTD nor the Central Government state why this policy *volte face,* as it were, occurred in 2010, apart

from stating that such change of view occurred. An identical situation had occurred after the Fourth Central Pay Commission recommendations, which impelled some doctors to approach in *M.P. Singh (supra).* This is what the Court said then:

> *"It had also exercised control in the selection of the petitioners through its nominee on the interview board. After having employed the petitioners on the understanding that they will be entitled to the same pay and allowances as the Government employees performing similar duties, the Respondent No.l unilaterally and without any notice purported to introduce a modification in the conditions of service without any justification for such change in the conditions of service of the petitioners' which had the effect of adversely affecting the staff, i.e. the petitioners in this case, on the basis of a letter dated 9.11.1981 from Government of India which had provided, inter-alia, the following:*
>
> *"3. Meanwhile many States had revised the pay-scales of their employees during the years 1973-76. But due to the restrictions imposed by the 19th August, 1976 orders, many voluntary organizations in various States/U.Ts could not revise the pay-scales of their staff to bring these at par with the revised pay-scales of parallel staff in the State Govt., UTs concerned. In order to remove the grievance of the employees or such voluntary organizations, the Government of India have reviewed the entire matter and taken the following decisions:*
>
> *(i) the State Govts/U.Ts may allow revision of pay-scales in respect of employees of those voluntary organizations, local bodies etc. where the scales of pay of these organizations were previously at par with the corresponding posts in the State Govts./U.Ts before the scales of pay were revised by the States/U.Ts and it is now proposed to bring them at par with the revised scales of pay of the respective State Govt./U.T.*
> *(ii) where the voluntary organizations/local bodies etc. have an independent scale of pay for their staff, which the above ban, the scales of pay of the F.W. staff may also be revised to bring them on*

par with the revised pay-scales of the voluntary organization etc. provided that such scales of pay are not more than the scales of pay of corresponding staff employed by the respective State Govt./U.T. In case the scales of pay of the voluntary organization etc. are more than the scales of pay of the respective State Govt./U.T. then the Central assistance will be restricted to the State/UT scales of pay.

The above will be subject to the proviso that where the voluntary organizations/local bodies etc. have adopted different scales of pay, for their own staff and for the staff employed on Family Welfare schemes being implemented with Government assistance the scales of pay of the staff engaged in FW work should conform to the lower of the scales, of pay viz., the scales of pay given to their own staff or the scales of pay of the respective State Govt./UT."

However, it appears that the said letter was not acted upon even in 1986 when interim relief recommended by 4th Pay Commission for Government Servants was paid to the petitioners. However, the benefits under the 4th Pay Commission which were paid to the Govt. servants doing work similar to the petitioners in 1988 were not extended to the petitioners. No explanation was offered to justify such action of respondent No.1 acting on this communication in 1988, only in the case of petitioners although persons employed at all other centres run by other societies and organizations in Delhi have been extended the benefits under the 4th Pay Commission by Respondent No.1. Even the staff of Family Planning Centres set up by Respondent No.2 in other states under such programmes have also since been paid the pay and allowances in terms of 4th Pay Commission in line with what was paid to Government employees performing similar jobs.

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The reasoning why the revised pay parity was to be restored, is found in the following discussion:

"Moreover, in the present case the Family Planning Centres similar to the one in which the petitioners are working were got set up by Respondent No.l through various organizations and societies

such as Respondent No.2 for promoting the programme of family planning which is one of the important functions undertaken by the Government and bearing total cost of running such centres including payment of pay and allowances to the staff employed to man such centres. The terms of employment including pay and allowances are fixed by Respondent No.l which had declared those to be on par with the government employees discharging functions similar to the functions discharged by the petitioners. An important question for consideration in the present case is as to whether Respondent No.1 could withhold the benefits flowing from the 4th Pay Commission from the petitioners though those benefits had been extended to the Government servants performing duties similar to those discharged by the petitioners. As already observed above, the Respondent No.1 has not disputed its liability to bear 100% expense on running such centres including pay and allowances to the petitioners though through Respondent No.2. It may be added that in a case like the present one where the State gets its job done through a society by bearing full cost thereof and exercises control over selection and performance of the staff employed for the job such technical objections cannot be sustained. I must state that the Respondent No.l has not raised any objection to the maintainability of the writ petition. Objections, in the present case should not stand in the way of the Court, since relief is sought against the Respondent No.1 for making payments in implementation of 4th Pay Commission."

The very same logic applies, with equal rigor in the present instance too. The GNCTD's attempt to say that the doctors' job was not up to standard, and that their employers were notified of lapses in the administration of the system, relate to instances in 2012. However, it is a matter of fact that pay revision was given effect to in respect of doctors with effect from 01.01.2006. Nor was any logic or *rationale* forthcoming, when as late as on 02.05.2006, the pay revision parity in respect of these very employees' entitlements to the Fifth Pay Commission recommendations became final with the dismissal of the GNCTD's appeal to the Division Bench, in *Mita Chakraborti (supra).*

14. The writ petitioners' claim to revised pay scale at par with what was granted earlier, whenever previous pay revisions took place due to Pay Commission recommendations, stands established as an undisputed matter of record. Each time this claim was made, the GNCTD and Central Government refused to grant the relief; the Court equally repelled the legality of such stand. In the circumstances, the claim of the respondent/doctors is based on historical parity consistently upheld by this Court. This claim is supported by decisions of this Court in *Municipal Corporation of Delhi vs Workmen Virender Kumar & Ors.* (LPA 581/2010, decided on 07.10.2015) and *Dgof Employees Association v Union Of India And Ors* [W.P.(C) 4606/2013, decided on 14.10.2014].

15. The Supreme Court, through several decisions-*M/s Star Enterprises & Ors v City Industrial Development of Maharashtra Ltd* 1990 (3) SCC 280 held that the executive government and authorities have to justify their action in various fields through reasons. Earlier, in *Union Of India vs Mohan Lal Capoor* AIR 1974 SC 87 too, the necessity for giving reasons for an executive order was emphasized. In the present case, no reasons are forthcoming as to why the long established parity with regard to granting revisions in pay, pursuant to Pay Commission recommendations, has not been followed. Granted, the respondents could not insist on the application of the “equal pay for equal work” principle. Yet their claim is not a first time claim for parity; it is that having once admitted parity- at the inception and indeed having been forced to concede parity whenever revisions took place in the past, without any change in the circumstances, the respondents could

not have validly refused the benefits of the VI PC recommendations. In this, the Court finds considerable merit. Article 14 strikes at arbitrariness, which stares at one in the face, if it is realized that the Appellant/GNCTD has no justification to deny the benefit of pay revision.

16. The Centre's share of spending (₹25,154 crores) on Health and Family Welfare schemes in 2010-11 was 0.36% of the total GDP of the country. This expenditure increased to ₹39,238 crores in 2014-15 but the share of GDP decreased to 0.30%. The Union Government and the country have been committed to ensure greater access to health facilities; in this scheme of things, family welfare is crucial. The involvement of the GNCTD and the Central Government, and their commitment to these issues is undoubted. If these are kept in mind, there is no doubt that the respondent doctors were discharging duties that essentially fell within the domain of the Central Government's responsibilities. It would be idle, and too late in the day to say that the Central Government or GNCTD ceased to have any interest in such activities.

17. Considering these circumstances, the Court is of the opinion that the respondents in the present case had a justifiable grievance in saying that the GNCTD and the Central Government were under an obligation to ensure payment of revised pay benefits which the learned Single Judge had ordered. Their claim was justified and warranted for the period beginning 01.01.2006 to 01.04.2014 (the latter being the date when the doctors' services were dispensed with). This Court is also of the opinion that any *inter se* differences between the GNCTD as regards payment would have to be resolved within the institutional framework available to them within four months. However, that cannot delay the release of arrears which the

respondent doctors are entitled to - this shall be given to them, within eight weeks from today.

18. The appeals are dismissed as meritless, but subject to the above directions. No costs.

S. RAVINDRA BHAT
(JUDGE)

DEEPA SHARMA
(JUDGE)

FEBRUARY 17, 2016