

In the Central Administrative Tribunal: Additional
Bench: Allahabad.

.....

Reply on behalf of the Respondents

In

Registration No. 452 of 1986

Shitla Prasad Petitioner

Versus

The Union of India

and others Respondents.

Affidavit of Sri Hari Ram, aged
about 45 years, Son of Shri Hira
Lal, Chief Law Assistant, Northern
Railway, Lucknow.

.....

Deponent

I, the deponent abovenamed, do hereby solemnly
affirm and state on oath as under :-

1. That the deponent is the
Chief Law Assistant, Northern Railway, Lucknow

N. Ram

K. G.

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:: 2 ::

and is fully acquainted with the facts deposed to hereinafter.

2. That the contents of the petition filed by the petitioner has been read and fully understood by the deponent.

3. That the contents of the paragraph nos. 1 to 5 of the said petition need no reply.

4. That in reply to the contents of paragraph no. 6(i) and (ii), it is stated that they are admitted.

5. That in reply to the contents of the paragraph no. 6(iii) of the said petition, it is stated that the petitioner did not qualify the selection and he was not empanelled.

6. That the facts stated in paragraph no. 6(iv) of the said petition are

Handwritten signature: Hanu

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not admitted. In Annexure 'I', the name of Shri P.N.Dubey has been correctly shown amongst the General candidates with the name of his father.

7. That the contents of the paragraph no. 6(v) of the said petition are absolutely vague and are denied. The procedure prescribed by the Railway Board vide its circular dated 7/10.12.1973 and Circulars dated 25.7.1979, 17.10.1979 and 27/30.10.1979 were strictly followed by the Selection Board.

8. That the contents of the paragraph no. 6(vi) of the said petition are denied. The Selection Committee consisted of the Divisional Mechanical Engineer, Divisional Commercial Superintendent and Executive Assistant. At the relevant time, there was no post of Divisional Personnel Officer and the Competent Authority, The Divisional Railway Manager, nominated Sri P.L.Arya Executive Assistant to Divisional Railway Manager to function as Personnel Officer in the said Selection. It is relevant to point out that the Executive Assistant to the Divisional Railway Manager belonged to the Personnel Branch.

Handwritten signature

It is also relevant to point out here that the petitioner at no stage during the selection

1721

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:: 4 ::

proceedings raised such objections as pointed out in the para under reply. Since the petitioner was declared unsuccessful in the said selection, he has come with such false pleas to get the selection proceedings quashed. Since the petitioner did not raise such objections at the relevant time, when the course of action according to him had accrued when Mr.P.L.Arya joined the Selection Board, he has no cause of action to challenge the same.

In view of the above facts and circumstances as stated, the petitioner is not entitled to get any relief which he has claimed in his petition and the petition is liable to be rejected.

Hari Ram

VERIFICATION:

I, Hari Ram, aged about 45 years Son of Sri ^{Am} ~~Hira~~ Lal, Chief Law Assistant, Northern Railway Lucknow do hereby verify that the contents of paragraphs 1 to 8 of this reply are true to my personal knowledge and belief, that I have not suppressed any material facts.

Place: ^{Lucknow} ~~Allahabad~~

Date: ~~30.3.1987~~
13.4.87

Hari Ram
.....

Deponent-

No. of Order	Date of Order	ORDER WITH SIGNATURE	Office notes to action (if any) taken on order
-----------------	------------------	----------------------	--

253-8

Hon D S MISRA-AM
Hon G S SINGH-JA

A Junior of Sr Surgeon
is present for the appeal
and Sr Lalji Singh is
present for the respondent.
The copy of paper book
has not been supplied
to Sr Singh so far. The
petitioner's counsel shall
supply a copy of paper
book to Sr Singh within
two days. The case is
adjourned to 14-4-57
for hearing.

AM
JMS

EM

A22

Application under section 22(3)(h) of the Administrative
Tribunal Act, 1985.

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In the court of the Administrative Tribunal Allahabad
Circuit Bench, Lucknow.



Date of filing 20/4/89

Registration No. 452/86

Signature _____

Registrar _____

C.M. An. No 07/89 (L)

on 452/86

Sri Shitla Prasad, aged about _____ years, son of Sri Ram
Asrey, C/o S.S.N. Railway Charbagh, Lucknow, / Ram Sagar
Runny Shed Colony, L.D. 28, Alambagh, Lucknow.

..... Petitioner.

Versus

- 1- Union of India, through General Manager,
Baroda House New Delhi.
- 2- Divisional Railway Manager, N. Railway Hazratganj,
Lucknow.

..... Opp. Parties.

Inre:

Registration O.A. No. 452 of 1986

Sri Shital PrasadVs.... Union of India and another

Decided Ex-parte on 20.3.1989

by Hon'ble Mr. Justice Kamleshwar Nath
V.C. and Hon'ble Ajai Jauhari.

The humble applicant submits that for the facts and
reasons stated in the accompanying affidavit it is therefore
prayed that the ex-parte order deciding the registration
O.A. 452 of 1986 "Shital Prasad...Vs...Union of India and ors.

on 20.3.1989, ex parte, may be recalled and set aside and
21/4/89

A23

2-

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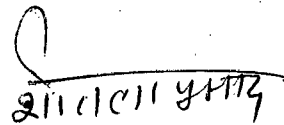
the the petition may be disposed of on its merits after
affording the opportunity of being heard to the applicant.

In verification

I, Shitla Pd., aged about years, son of Sri Ram
Asrey, c/o S.S. N.Railway Charbagh, Lucknow do hereby
~~solemnly~~ verify that the contents of this application
are true to my personal knowledge, and belief, and that
I have not suppressed any material of fact.

Lucknow:

Dated: 29/1/89



Applicant.

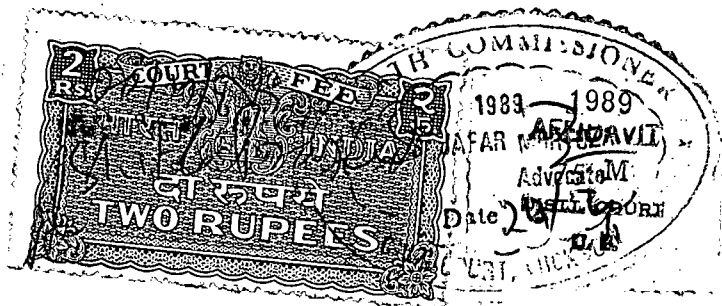
To,

The Registrar,
Central Administrative Tribunal
Principal Bench, New Delhi
Addl. Bench at Allahabad
Circuit Bench, at Lucknow.

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In the court of Central Admn. Tribunal, Allahabad
Circuit Bench, Lucknow.

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~~Mr~~ Sri Shitla PrasadPetitioner.
Versus
Union of India and othersOpp. Parties.

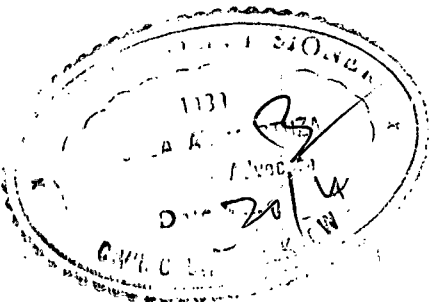
Affidavit in support of application under section
22(3) (h) of the Administrative Tribunal Act, 1985.

.....

I, Shitla Prasad, aged about years, son of Sri
Ram Asrey, c/o S.S. N.Railway, Charbagh, Lucknow, /Ram Sagar
Runny Shed Colony, L.D.28, Alambagh, Lucknow, the deponent
do hereby solemnly affirm and state on oath as under:-

- 1- That the deponent is the applicant in the above
noted case and is fully conversant with the
facts of the case.
- 2- That on 20.3.1989 the abovenoted case was listed
for final hearing as well as for filing the
documents in terms of the order passed in 1987.
- 3- ² That on 20-3-89 the deponent was
on medical leave, which was
Sanctioned latter on, 2

21/01/1989



and so far the counsel of the deponent is concerned his mother in law expired in Gorakhpur, so he too left the city on 19th of March, 1989 and as such none was there when the case was called out, and was decided ex parte.

4- That the documents required have not been filed by the Union of India and others, and the important decision as well as the rules and the guide lines framed by the Railway Board have also not been pressed due to absence of any one from the side of the deponent.

5- That the entire carrier of the deponent is blocked and as such it is highly desirable in the ends of justice that the abovenoted case registration NO.O.A. No.452 of 1986 Shital Prasad...Vs...Union of India and another may be decided on its merits after affording the opportunity of being heard to the deponent and after setting aside the ex parte order dated 20.3.1989.

6- That in case the deponent is not allowed to be heard than he shall suffer irreparable loss and injury.

Lucknow:

Dated: 20/4/89

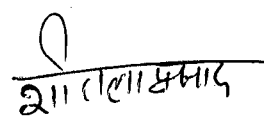
[Signature]
Deponent.

Verification

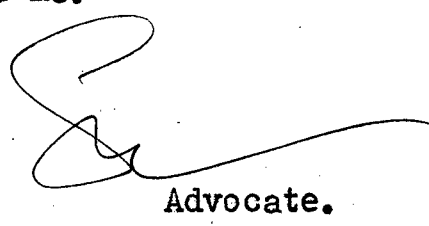
I, the abovenamed deponent do hereby verify that the contents of paras 1 to 5 of this affidavit are true to my personal knowledge, and those of para 6

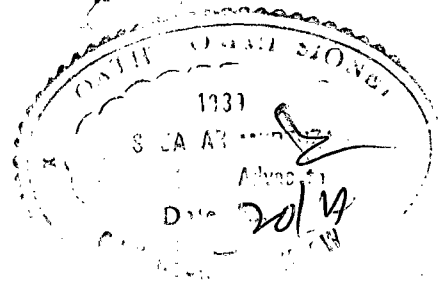
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of the same are believed to be true. No part of this affidavit are false and nothing material have been concealed in it so help me God.


Deponent.

I, identify the deponent who has signed this affidavit before me.

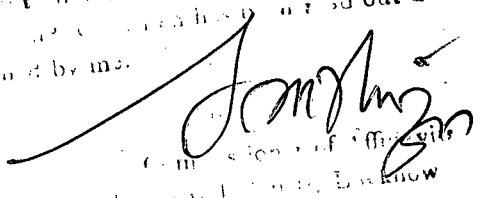

Advocate.



Solemnly affirmed before me on 20/11/31 at 11-01 am/pm by the deponent Sri Shikharasad who is identified by Sri Suraj Kant Advocate High Court Lucknow Bench, 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.

Solemnly affirmed before me this 20th day of Nov 1931 at 11-01 am by the deponent Sri Shikharasad who is identified by Sri Suraj Kant Advocate High Court Lucknow Bench, Lucknow. I have satisfied myself by examining the deponent that he understands the contents of this affidavit which have been read out and explained to him by me.


Commissioner of Affidavits
High Court of Lucknow

Central Administrative Tribunal

Lucknow Bench

INDEX SHEET

Cause Title 457 of 1986 (y)

Name of the Parties Munirul Kamajia Applicant

Versus
union of doctors Respondents

Part A.E.C.

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1. Checklist	A1	
2. Index	A1	
2. Judgment in OA 406/86 (y) A2	A3 - A11	
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6. Reply		
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C - Part	C1 - C5	

CENTRAL ADMINISTRATIVE TRIBUNAL

LUCKNOW BENCH

Nauni Lal - v - Govt

FORM OF INDEX

O.A./T.A./R.A./C.C.P./ No: 457---1986

P A R T - I

1. Index Papers :- 1 to 3
2. Order Sheet :- 4 to 15
3. Any other orders :- X
4. Judgement *is in* :- CA 406/86 16 (1 Page)
5. S.L.P. *at 20-3-89* :- X

23/12/88
DY. Registrar

31/12/88
Supervising Officer

9
Dealing Clerk

Note :- If any original document is on record - Details.

nil

Dealing Clerk

30/12

Central Administrative Tribunal
Lucknow Bench

INDEX SHEET

Cause Title OA-457/86 of 1993

Name of the Parties Dr. Haim Lal Applicant

Versus

Union of India Respondents

Part A.E.C.

Sl. No.	Description of documents	Page
	<u>File n</u>	
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CENTRAL ADMINISTRATIVE TRIBUNAL
ADDITIONAL BENCH,

23-A, Thornhill Road, Allahabad-211001

Registration No.

457 of 1986

APPLICANT (s) Maume Lal Kanoujia

RESPONDENT(s) Union of India through General Manager

Baroda House New Delhi & another

Particulars to be examined

Endorsement as to result of Examination

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

Order Sheet

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
ADDITIONAL BENCH ALLAHABAD

No. 457 of 1986.

VS

Date	Note of progress of proceedings and routine orders	Date to which case is adjourned
1	2	3
5.9.86	Lawyers are on strike today. The case is adjourned to 30.9.86 - for admission. B.O.C. Jen 59	
30.9.86	Mr. S. Zahed Hasan, V.C. Mr. - Ajay Kumar, member (A) The petitioner in person is present. He states that his counsel is ill. Put up on 24.10.86 for admission. V.C. A.M.	

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AM

ORDER SWEET

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD

.....NO. 457.....OF 1986

N. L. Karmaria VS. U. O. T.

SL NO of order	Date of order	ORDERS WITH SIGNATURE	Office Notes as to action (if any) taken on order
	20/11/86	<p>Hon. D. S. Mishra - AM. Hon. G. S. Sharma - JM</p> <p>Mr. Surya prakash for the applicant and Sri Lalji Sinha for the respondents are present. Copy of the petition has been given to Sri Sinha. On his request he is allowed to file reply within (3) weeks. Rejoinder may thereafter be filed within one week. The case be now listed for hearing on 6-1-87. The question of admission shall be considered at that time.</p> <p style="text-align: center;">✓</p> <p>Members (A) Members (B)</p>	
	6/1/87	<p>Hon. D. S. Mishra - AM. Hon. G. S. Sharma - JM</p> <p>Sri Surya Kant for the petitioner informs that two other cases (No-406 and 407 of 1986) are listed on 12/1/86 and this case be now listed on that date. It is ordered accordingly.</p> <p>AM. <i>[Signature]</i> JM. <i>[Signature]</i></p>	<p><i>OR</i></p> <p>Counsel for respondents has not filed any reply so far. Case is submitted for hearing as directed by Court.</p> <p><i>[Signature]</i> 21/1</p>

ORDER SHEET
IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD

.....NO. 457.....OF 1986
.....VS.....

Sl. No. of Order	Date of order	ORDERS WITH SIGNATURE	Office Notes as to action (if any) taken on order
	14-4-87	<p>Hon. A. Jay. Johni - AM. Hon. G. S. Sharma - JM</p> <p>Sri G. S. Srivastava is present on behalf of the Sri Surya Kari. No body is present on behalf of the respondents. He wants adjournment for one week. Court's affidavit has not yet been filed in this case. The case is adjourned to 21-4-87 for decision.</p> <p>AM JM</p>	
	21-4-87	<p>Hon. D. S. Mishra - AM. Hon. G. S. Sharma - JM</p> <p>The applicant's counsel wants time to file amendment application. He was allowed to do so within twenty days.</p> <p>AM JM</p>	<p>OR No amendment application has been filed, so for submitted. 4/5/87</p>

आदेश पत्रक
ORDER SHEET

आ० अ० अ-18
JAN 18

अपील
निर्देश आर्देन रजिस्टर में सं०
No. in Reference Application
Appeal Register

Registration No. 111/86 in
457/88

अपील अधिकरण
Appellate Tribunal

अपीलार्थी
आर्देन

Appellant
Applicant

अपीलार्थी
आर्देन द्वारा

Appellant
Applicant

प्रत्यर्थी द्वारा
Respondent

Narain Lal Kanungia vs. Union of India

आदेश की क्रम संख्या
और तारीख
Serial number of
order and date

संक्षिप्त आदेश, निर्देश दते हुए, यदि आवश्यक हो
Brief order, mentioning reference, if necessary

पालन कैसे हुआ और पालन
करने की तारीख
How complied with and
date of compliance

29/7/87

Deputy Registrar
List this application
before court, alongwith previous
papers on 26-8-87.
Inform the applicant, as
the application has been filed
by post.

DR
The case was
dismissed in default
of the petitioner on
15-8-87.
Now the petitioner
moves this application
for restoration on
the original number.
Kindly fix the
date in this case.
29/7/87

26/8/87

Hon. D.S. Mishra-Am.
Hon. G.S. Sharma-Jm

on the request of
applicant's counsel, the case
is adjourned to 21/10/87 for date
hearing
26/10/87

OR
The applicant has
been informed of the
date fixed.
submitted.
20/8/87

(क०५०३०/P.T.O)

Order Sheet

(A7)

Post App

04457/1986

12-4-88

Hon. A. Jay. Solur - AM

Hon. G. S. Sharma - JM

No One is present for
the Applicant, The Case
is adjourned to 2-8-88
for hearing.

J. M.

3/ AM.

2/8/88

Hon. D. S. Misra - AM.

Hon. G. S. Sharma - JM

None is present
for the applicant the
case is adjourned.

J. M.

AM.

OR

As no date has been given by
the Hon'ble Court, this case be
listed ^{on 12-8-88} before DR (J) to fix a
date in this case.

19/8/88

12.8.88

Page

No one appears for
the parties. The case is
for order on 4.10.88

Page

GA 457/86

(17)

24-2-89

Hon. D.S. Misra, A.M.

Hon. G.S. Sharma, J.M.

No one appears for the applicants,
Sh. Lalji Singh puts an appearance for
reply. Put up on 20.3.89 for
final hearing.

J.M.

J.M.

20.3.89

Hon. Justice K. Nath, V.C.

Hon. A. Johni, A.M.

For Orders see our
orders of date passed
on separate sheet in
GA No 406/86.

Sd-
A.M.

Sd-
V.C.

GR.

This case is connected
with GA No 406/86 which was
decided en banc on 20.3.89
by the bench consisting of
Hon. Mr. Justice K. Nath, V.C.
and Hon. Mr. A. Johni, A.M.

Applicant has filed one
interim application no 89/894
on 20.4.89 for recalling the
order of court dt 20.3.89.

C.M. application dt 20.4.89
is submitted for orders.

And
1/5

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

Hon' Mr. D.S. Misra, A.M.

3/5/89

For order, see our orders,
dated 3/5/89 passed on the
ordersheet of O.A.No. 406/86.

A.M.

V.C.

(sns)

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

Hon' Mr. K.J. Raman, A.M.

27/6/89

For order, see our orders,
dated 27/6/89 passed on the
ordersheet of O.A. No. 406/86.

A.M.

V.C.

(sns)

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Central Administrative Tribunal, Allahabad
Circuit Bench at Lucknow

Registration O.A. No. 457 of 1986

Navmi Lal Kanavjia Vs. Union of India & Others
Connected with

Registration O.A. No. 458 of 1986

Bechan Lal Vs. Union of India & Others
Connected with

Registration O.A. No. 406 of 1986

Ram Kumar Vs. Union of India & Others
Connected with

Registration O.A. No. 407 of 1986

Bhagwati Shanker Vs. Union of India & Others
Connected with

Registration O.A. No. 452 of 1986

Shitla Prasad Vs. Union of India & Others
Connected with

Registration O.A. No. 456 of 1986

Devi Bux Singh Vs. Union of India & Others

Hon. Justice Kamleshwar Nath, V.C.

Hon. Ajay Johri, A.M.

(By Hon. Justice Kamleshwar Nath, V.C.)

For judgements see our judgements of date
passed in O.A. No. 406 of 1986 Ram Kumar Vs. Union of
India and Others.

Member (A)

Vice Chairman

Dated the 20th March, 1989

RKM

(13)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL ALIHAHAD

Registration No. 457 of 1986.

Sri Naumi Lal Kansujia

Applicant.

Versus

Union of India and others

Opposite-Parties.

I N D E X

Sl.No.	Particulars	Pages
1.	Application	1 to 6
2.	List of documents	6
3.	Annexure No. 1 Impugned order	7
4.	Vakalatnam ₂	8

Lucknow:

Dated: 27.8.1986.



(Surya Kant)
Advocate

10, Shiv Puri, Lucknow.

Naumi Lal Kansujia

Counsel for the Applicant.

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APPLICATION UNDER SECTION 19 OF THE ADMINISTRATIVE TRIBUNAL

ACT 1985.

Reg. No. 157 of 1986
Central Administrative Tribunal

For use in the Tribunal's Office:-

Additional Bench

ALLAHABAD/PATNA/JABALPUR

Date of Filing... 29. 9. 86 ... OR

Date of Receipt by Post

Date of filing

Registration No.

Chander
Deputy Registrar.

Signature

Registrar

In the Central Administrative Tribunal,
Additional Bench of Allahabad.

Between

Sri Naumi Lal Kanaujia

Applicant.

And

Union of India and others

Opp. Parties.

Details of the Application:

1. Particulars of the Applicant:

- (i) Name of the Applicant: Naumi Lal Kanaujia
- (ii) Name of the father: Late K.R. Kanaujia
- (iii) Designation and office Coach Attendant
in which employed S.S. Charbagh, Lucknow.
- (iv) Office Address C/o S.S. N. Railway
Charbagh, Lucknow.
- (v) Address for service of C/o I.O.M. Workshop
all notices. Bandaria Bagh, Lucknow.

2. Particulars of the Respondents:

(i) Designation of the respondents:

(A) Union of India through General Manager,
Baroda House New Delhi.

Naumi Lal Kanaujia

(B) Divisional Railway Manager N. Railway Hazratganj,
Lucknow.

(ii) Office address of the Respondents:

(A) Union of India through General Manager,
Baroda House New Delhi.

(B) Divisional Railway Manager N. Railway Hazratganj,
Lucknow.

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

The application is against the following order:-

(i) Order No. 220-E6/E-T.C./84

(ii) Date, June 30, 1986.

(iii) Passed by Divisional Railway Manager N. Rly.,
Hazratganj, Lucknow.

(iv) Subject in Brief:-

That the applicant is at present working as Coach Attendant. He was previously selected in the competition for appointment on the post of Commercial Clerk, but not sent for training by the respondents No. 1 and 2, and is working as Coach Attendant. He has wronging been failed on the post of Ticket Collector. The constitution of the selection committee was also illegal and the result has wrongly been declared. The ~~constitution of the~~ selection Board not applied their mind properly and violated the relevant provisions of law made by the Railway Board.

4. Jurisdiction of the Tribunals: Allahabad.

The applicant declares, that the subject matter of the order against which he wants reversal is within the jurisdiction of the tribunal.

Naumi Lal Kamougi,

AS

5. Limitation:-

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

6. Facts of the case:

- (i) That the applicant is senior most Schedule Caste and from sports Quota he was appointed as Mali in 1970 and in 1977 he changed his category and became Porter.
- (ii) That since 12.1.12.1978, the applicant is Coach Attendent he is High School also, and is performing his duties with utmost honesty, labour in as much as no complaint of any kind have been received, and his service record is neat and clean.
- (iii) That the applicant appeared for the selection on the post of Ticket Collector and he qualified but in the interview he has wrongly been failed by the respondents, and a Photostat copy of the said result is filed herewith as Annexure No. 1 to this application.
- (iv) That in Annexure No. 1 the name of the parentage of Sri P.N. Dubey has wrongly been mentioned and Sri Hanuman Prasad has wrongly been selected from the Schedule caste, gupta. He is a High Caste Hindu, and several persons are Junior to the applicant.
- (v) That the selection Board have not followed the law made by the Railway Board, vide No.R(N.G)1-72 PMT/100 of 7/10.12.1973 and also not complied

-----4/

Naumi Lal Kamariya

the Railway Board's letter dated 25.7.79, 17.10.1979 and 27/30.10.1979 which provides the procedure for selection.

- (vi) That vide Railway Board's letter No.E(N.G.) 1-72 EMI/100 of 7/10.12.1973. The Railway Board have made mandatory that one officer of the selection Board must be from the Personal Branch, but in the present case none of the Officer of the Personal Branch was forming the part of the selection Board, hence entire selection have been viciated on this ground alone and the applicant having no alternative prefers this application on the grounds interalia:-

G_R_O_U_N_D_S

- (A) Because the applicant is Senior to Several Persons mentioned in Annexure No. 1 and in the selection the procedure laid down by the Railway Board have not been followed.
- (B) Because in absence of any member from the personal Branch, the entire selection has viciated.
- (C) Because the candidature of the applicant has not properly been considered by the selection Board and the representations have wrongly been decided and the respondents ought to have declared the applicant successful.

7. Reliefs sought: In view of the facts mentioned above in para 6, the applicant prays for the following reliefs:

- (i) to issue a suitable orders, direction or
- Naumi Lal Komwajia -----5p/

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A7

command declaring the applicant passed in the selection of Ticket Collector (T.C.).

(ii) To issue a suitable order direction or command quashing the entire selection vide Annexure No. 1 to this application as the same is void and illegal.

(iii) to direct the respondent No. 1 and 2 to produce all the papers of the selection and constitution of the selection Board, before this Hon'ble Tribunal.

(iv) Costs of the application may be awarded to the applicant and against the respondents.

8. Interim order is prayed for:

Pending final decision on the application, the applicant seeks the issue of the following interim orders.

(i) Respondents No. 1 and 2 may be directed to produce all the papers of the selection and the constitution of the selection committee, and not to destroy them during the pendency of this application.

(ii) to stay the implimentation of the result contained in Annexure No. 2 1 to this application.

9. Details of the Remedy Exhausted:

In view of the facts that the Railway Board's directions have been violated and the representation ~~submitted~~ have been rejected, though the order s can not be communicated.

10. Matter not pending with any other court:- The applicant further declare, that the matter regarding which this

Naumi Lal Kameyji

application has been made is not pending before any court of law or any other authority, or any other Bench or Tribunal.

11. Particulars of the Postal order in respect of the Applicant-
-ion: *Postal order No. DD 458604*
5

12. Details of the Index: An Index in duplicate containing the details of the documents, to be relied upon is enclosed:-

13. List of Enclosures:

- (i) Annexure No. 1- Impugned order of selection
- (ii) Vakalatnama;
- (iii) Index;
- (iv) Postal order. *DD 458604*
5

IN VERIFICATION:

I, Naumilal Kanungo s/o K.R. Kanungo
aged about 39 years, working as Coach Attendant at
Charbagh, Lucknow, resident of Bardonia Bagh
Lucknow, do hereby verify that the
contents of 1 to 13 are true to my personal knowledge,
and belief, and that I have not suppressed any material fact

Lucknow:

Dated: 27.8.1986.

A p p l i c a n t.

Naumilal Kanungo

NORTHERN RAILWAY

No.220-E6/8-TC/84

Divl. office,
Lucknow.

June 30, 1986.

Reg: Selection (written test followed by viva-voce) for the post of Ticket Collector from amongst class IV staff.

In the written test held for the post of Ticket Collector, grade Rs.260-400, held on 20.1.85 followed by viva-voce test held on 23.4.86 to 25.4.86 the following candidates have been placed on panel of Ticket Collector grade Rs.260-430 from amongst class IV staff :-

General candidates

- | | |
|---|-------------|
| 1. Sri H.C.Mathur s/o Sri B.B.L.Mathur | HQ/LKO |
| 2. Sri Ashok Kumar s/o Sri Ayodhya Prasad | HQ/LKO |
| 3. Sri Marari Pandey s/o Sri N.Pandey | HQ/Dilkusha |
| 4. Sri Cm Prakash Tewari s/o Sri R.K.Tewari | HQ/LKO |
| 5. Sri K.C.Kanojia s/o Sri K.L.Kanojia | HQ/LKO |
| 6. Sri Sabir Ali s/o Sri Rahmat Ali | HQ/LKO |
| 7. Sri Ashok Kumar s/o Sri Basant Lal | HQ/LKO |
| 8. Sri Cm Prakash Singh s/o Sri B.Singh | HQ/PKX |
| 9. Sri Ramesh Prasad s/o Sri Mathura Pd. | HQ/LKO |
| 10. Sri P.N.Dubey s/o Sri R.C.Dubey | HQ/LKO |
| 11. Sri A.K.Mishra s/o Sri Kaushal Misra | HQ/LKO |
| 12. Sri D.K.Tripathi s/o Sri B.D.Tripathi | HQ/LKO |
| 13. Sri Balbir Rana s/o Sri J.B.Rana | HQ/LKO |

S.C.Candidates

- | | |
|---|--------|
| 1. Sri Hanuman Prasad s/o Sri Ram Gulam | HQ/LKO |
| 2. Sri Budhram s/o Sri Calbal | HQ/LKO |
| 3. Sri Shyam Lal s/o Sri Baboo Lal | HQ/LKO |

S.T.Candidates

- | | |
|---|--------|
| 1. Sri Fagoo Basera s/o Sri Lakhan Basera | HQ/PEH |
|---|--------|

EA/Divl.Rly.Manger,
Lucknow.

Copy for information and necessary action to :-

1. DPO/LKO
2. APO(II) LKO
3. Station Supdt., Lucknow, Pratapgarh, Varanasi
4. Station Master, Dilkusha & Pakhrauli.

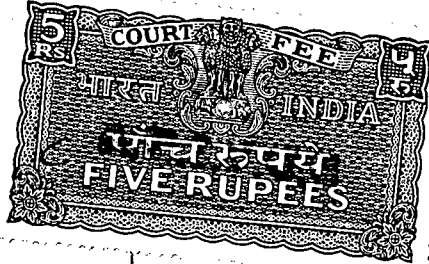
Naumi Lal Koneugia

अदालत श्रीमान्
[वादी] अपीलान्त

Central Schuster

महोदय

[रेस्पाडेन्ट]



वकालतनामा

वादी (अपीलान्त)

न० मुकदमा

ऊपर लिखे मुकदमा में अपनी ओर से श्री

Naumi Lal Kamouji
वनाम
Shri Anandia

प्रतिवादी (रेस्पाडेन्ट)

पेशी की ता० १९ ई०

Shri Kant, Advocate
10 - Mr. J. P. Singh, Radhey Mohan
Advocate, Lucknow

वकील

महोदय

एडवोकेट

नाम अदालत
मुकदमा न०
नाम फरीकेन

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

Naumi Lal Kamouji
हस्ताक्षर

साक्षी (गवाह)

साक्षी (गवाह)

दिनांक

महीना

सन् १९६० ई०

स्वीकृत

Signature
Signature

AD

and the claim petition may be restored to its original number & the matter may be disposed off on its merits.

Surya Kant
(SURYA KANT)

Advocate,

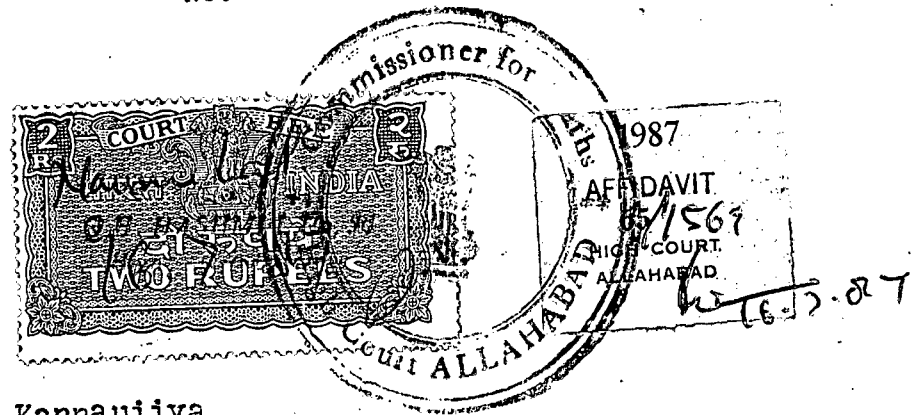
Counsel for the Applicant

P. K. A.

A12

In the Central Administrative Tribunal , Allahabad Bench
Allahabad

No. of 1987.



Naumilal Kannaujiya
.....Applicant.

versus

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

AFFIDAVIT IN SUPPORT OF APPLICATION UNDER RULE 15(2)
OF THE RULES FRAMED UNDER THE ADMINISTRATIVE TRIBUNALS
ACT, 1985.

I, Naumilal Kannaujiya, aged about 40 years
son of Late K.R. Kannaujiya working as Coach Attendant
at Charbagh, Lucknow resident of c/o I.O.W. Shop
Bandariya Bagh, Lucknow do hereby solemnly affirm and
state on oath as under:-

1. That the deponent is the applicant in the abovenoted case and as such he is fully conversant with the facts of the case.
2. That the case having registration no. 457 of 1986 Naumilal Kannaujiya versus Union of India and others was always taken-up along with the petition Ram Kumar versus Union of India and others registration no. 406 of 1986 which is the leading case in the matter since in both the petitions as well as in the several other petitions the



Naumilal Kannaujiya

AVB

question of law and facts involved are similar.

3. That the deponent has not having any knowledge that how the case registration no. 457 of 1986 has been fixed for another date and he was also not having any knowledge that the case was listed on 15-5-87 and as such none appeared for and on behalf of the deponent on 15-5-1987.
4. That the non-appearance of any one on the aforesaid date on 15-5-1987 is accidental hence it is highly desirable in the ends of justice that the same may be restored to its original number so that it may be disposed off and decided on merits.

Nannu Lal Kamariya
DEPONENT

Verification



DTI of 82. N.L. Kamariya

I, the abovenamed deponent do hereby verify that the contents of the paras 1 to 4 of this affidavit are true to my personal knowledge.

Signed and verified this 11th day of July 1987

Nannu Lal Kamariya

DEPONENT



DTI of 82. N.L. Kamariya

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

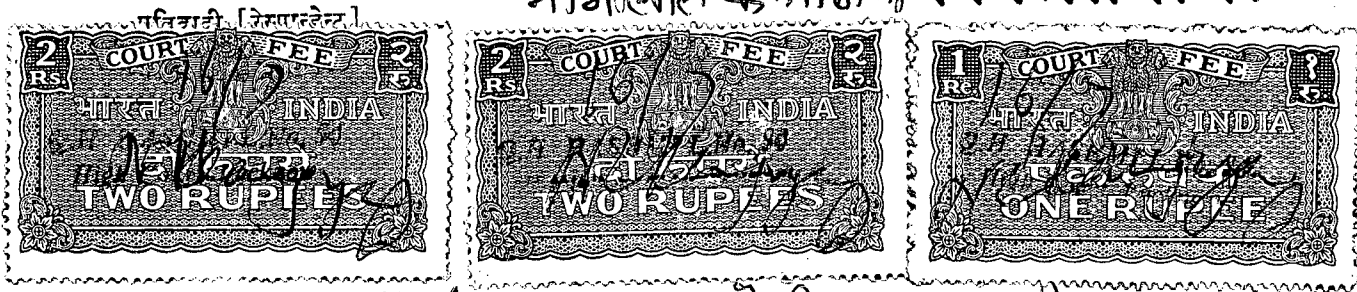
Surya Kant
(SURYA KANT)

Advocate.

Nannu Lal Kamariya



ब अवालित श्रीमान शेन्दल एसमिनिस्ट्रेटि ट्रिब्यूनल महोदय
इलाहाबाद पीठ, इलाहाबाद
 [वादी] अपीलान्ट श्री नौमीलाल कन्नोडिया **वकालतनामा** 414



नौमी लाल कन्नोडिया - वादी

मुकदमा नं० यूनिफॉर्म हाफ डेपॉजिट नं० ४२५ - प्रसिद्ध बनाम प्रतिवादी (रेस्पान्डेंट)
 सन् पेशी की ता० १६ ई०

ऊपर लिखे मुकदमा में अपनी ओर से श्री सुप्रीमन्ट, एनकेट
10 शिन्धुरी, लखनऊ वकील महोदय एडवोकेट

नाम अवालित.....
 मुकदमा नं० नाम.....
 फरीकन बनाम.....

को अपना वकील नियुक्त करके प्रतिज्ञा (इकरार) करता हूँ और लिखे देता हूँ कि इस मुकदमा में वकील महोदय स्वयं अथवा अन्य वकील द्वारा जो कुछ पैरवी व जबाबदेही व प्रश्नोत्तर करें या कोई कागज़ 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 कायवाही हमको सर्वथा स्वीकार है और होगी मैं यह भी स्वीकार करता हूँ 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 होगी इसलिए यह वकालतनामा लिख दिया प्रमाण रहे और समय पर काम आवे।

Naunmi Lal Kanodia
 हस्ताक्षर

Accepted
SL

साक्षी (गवाह) _____ साक्षी (गवाह) _____
 दिनांक 16 महीना 7 सन् 1948 ई०

(A15)

In the Central Administrative Tribunal: Additional
Bench: Allahabad.

.....

Reply on behalf of the Respondents

In

Registration No. 457 of 1986

Naumi Lal Karmojia Petitioner

Verus

The Union of India

and others Respondents

Affidavit of Sri Hari Ram, aged
about 45 years, Son of Shri ~~Pran~~
Lal, Chief Law Assistant, Northern
Railway, Lucknow.

.....

Deponent

I, the deponent abovenamed, do hereby solemnly
affirm and state on oath as under :-

1. That the deponent is the
Chief Law Assistant, Northern Railway, Lucknow
and is fully acquainted with the facts deposed to
hereinafter.

Naumi Lal

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:: 2 ::

2. That the contents of the petition filed by the petitioner has been read and fully understood by the deponent.

3. That the contents of the paragraph nos. 1 to 5 of the said petition need no reply.

4. That in reply to the contents of paragraph no. 6(i) and (ii) of the said petition, it is stated that they are admitted.

5. That in reply to the contents of the paragraph no. 6(iii) of the said petition, it is stated that the petitioner did not qualify the selection and he was not empanelled.

6. That the facts stated in paragraph no. 6(iv) of the said petition are not admitted. In Annexure 'I', the name of Shri P.N. Dubey has been correctly shown amongst the General candidates with the name of his father.

7. That the contents of the paragraph no. 6(v) of the said petition are absolutely vague and are denied. The procedure

Handwritten signature

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:: 3 ::

prescribed by the Railway Board vide its circular dated 7/10.12.1973 and Circulars dated 25.7.1979 17.10.1979 and 27/30.10.1979 were strictly followed by the Selection Board.

8. That the contents of the paragraph no. 6(vi) of the said petition are denied. The Selection committee consisted of the Divisional Mechanical Engineer, Divisional Commercial Superintendent and Executive Assistant. At the relevant time, there was no post of Divisional Personnel Officer and the Competent Authority, the Divisional Railway Manager, nominated Sri P.L. Arya Executive Assistant To Divisional Railway Manager to function as Personnel Officer in the said selection. It is relevant to point out that the Executive Assistant to the Divisional Railway Manager belonged to the Personnel Branch.

It is also relevant to point out here that the petitioner at no stage during the selection proceedings raised such objections as pointed out in the para under reply. Since the petitioner was declared unsuccessful in the said selection, he has come with such false pleas to get the selection proceedings quashed. Since the petitioner did not raise such objections at the relevant time, when the

Ham

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:: 4 ::

course of action according to him had accrued when Mr.P.L.Arya joined the Selection Board, he has no cause of action to challenge the same.

In view of the above facts and circumstances as stated, the petitioner is not entitled to get any relief which he has claimed in his petition and the petition is liable to be rejected.

Har Ram

Verification:

I, Hari Ram, aged about 45 years, Son of Sri Hira Lal Chief Law Assistant, Northern Railway Lucknow do hereby verify that the contents of the paragraphs 1 to 8 of this reply are true to my personal knowledge and belief, that I have not suppressed any material facts.

Place: *Lucknow*
~~Allahabad~~

Dated: *13.4* 1987

Har Ram
.....

Deponent.

(A9)

Application under section 22(3)(h) of the Administrative
Tribunal Act, 1985.

In the court of Administrative Tribunal Allahabad

Circuit Bench, Lucknow.

Date of filing

20/4/89

Registration No.

457/86

Signature

Registrar

C.M. An. No. 89/89 (C)

OA 457/86

Naumi Lal Kanaujia, aged about years, son of late
K.R. Kanaujia, C/o S.S. N. Railway, Charbagh, Lucknow, /
I.O.W. Workshop Bandaria Bagh, Lucknow.

.....Petitioner.

Versus

- 1- Union of India through General Manager,
Baroda House New Delhi.
- 2- Divisional Railway Manager, N. Railway Hazratganj,
Lucknow.

.....Opp. Parties.

In re:

Registration O.A. 457 of 1986

SRI Naumi Lal KanaujiaVs..... Union of India and others.

Decided ex parte on 20.3.1989

by Hon'ble Mr. Justice Kamleshwar

Nath V.C. and Hon'ble Ajai Jauhari

A.M.

The humble applicant submits that for the facts
and reasons stated in the accompanying affidavit it is
therefore prayed that the ex parte order deciding the
registration O.A. 457 of 1986 ^{Naumi Lal Kanaujia} ~~Naumi Lal Kanaujia~~ Vs. Union of
India and other, on 20.3.1989 ex parte may be recalled and

Naumi Lal Kanaujia

set-aside and the petition may be disposed of on its merits after affording the opportunity of being heard to the applicant.

In Verification

I, Naumi Lal Kanaujia, aged about 40 years, son of late K.R. Kanaujia, I.O.W. Workshop Bandaria bagh Lucknow do hereby verify that the contents of paras of this application are true to my personal knowledge, and belief, and that I have not suppressed any material of fact.

Lucknow;

Dated: 7/4/08
26/4/08

Naumi Lal Kanaujia

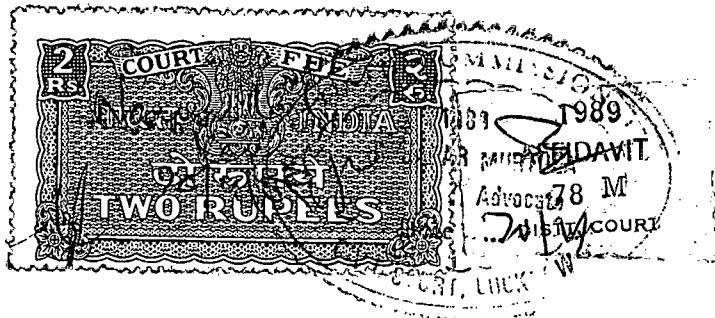
Applicant.

To,

The Registrar,
Central Administrative Tribunal,
Principal Bench, New Delhi,
Addl. Bench, at Lucknow.

A11

In the Central Administrative Tribunal Allahabad
Circuit Bench, Lucknow.



Naumi Lal Kanaujia Petitioner.

Vs.

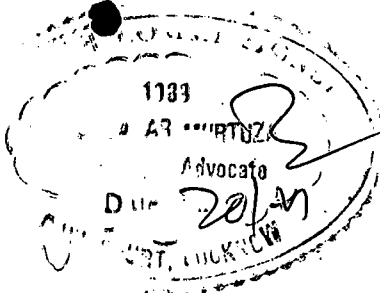
Union of India and others Opp. Parties.

Affidavit in support of application u/s 22(3)(h)
of the Administrative Tribunal Act, 1985.

I, Naumi Lal Kanaujia, aged about years, son of
K.R. Kanaujia, C/o S.S.N. Railway, Charbagh, Lucknow/I.O.W.
Workshop Bandaria Bagh, Lucknow the deponent do hereby
sokemnly affirm and state on oath as under:-

- 1- That the deponent is the applicant in the
abovenoted case and is fully conversant with the facts.
- 2- That on 20.3.1989, the abovenoted case was listed
for final hearing as wellas for filing the documents in
terms of the order passed in 1987.
- 3- ² That on 20-3-89 the depart was on
Duty with 10 Dr. Doon Express left the
Lucknow at about 9.20 AM,
and so far the counsel for the deponent is concerned his
mother-in-law expired in Gorakhpur, so he too left the city
on 19th of March, 1989 and as such none was there when the
case was called out, and was decided exparte.

Naumi Lal Kanaujia. 21



112

2-

4- That the documents required have not been filed by the Union of India, and others, and the important decision as well as the rules and the guide lines framed by the Railway Board have also not been pressed due to absence of any one from the side of the deponent.

5- That the entire carrier of the deponent is blocked and as such it is highly desirable in the ends of justice that the abovenoted case registration no. 457 of 1986 Naumi Lal..Vs..Union of India and others may be decided on its merits after affording the opportunity of being heard to the deponent and after setting aside the exparte order dated 20.3.1989.

6- That in case the deponent is not allowed to be heard than he shall suffer irreparable loss and injury.

Lucknow:

Dated: 25/4/89

Naumi Lal Kamya
Deponent.

Verification

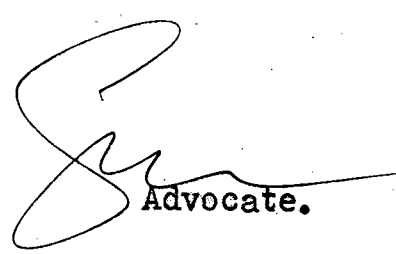
I, the abovenamed deponent do hereby verify that the contents of paras 1 to 5 of this affidavit are true to my personal knowledge, and those of para 6 of the same are believed to be true.

Signed and verified this 25th day of April, 1989 at Lucknow.

Naumi Lal Kamya
Deponent

1713

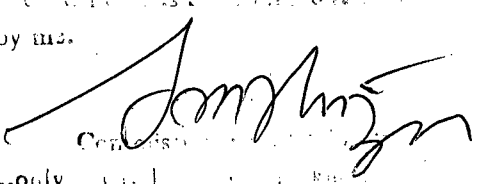
I, identify the deponent who has signed this affidavit before me.


Advocate.

1001
JA AD
Advocate
Date 20/11

Solemnly affirmed before me on
at 11-05am/pm by the deponent Sri Mammi Lal
who is identified by Sri S. Kaul
Advocate High Court Lucknow Bench, Lucknow.

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

11-03
Nayana Lal Kanawia
Sudaya Kant
Advocate
781m
Solemnly affirmed before me in office this
at 11-03am/pm by the deponent Sri
who is identified by Sri
Advocate High Court Lucknow Bench, Lucknow.
I have satisfied my self by examining the deponent that he understands the contents of this affidavit which have been read over and explained to him by me.

Rs.....only

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL ALIHAHAD

Registration No. 457 of 1966.

Sri Naumi Lal Kansujia

Applicant.

Versus

Union of India and others

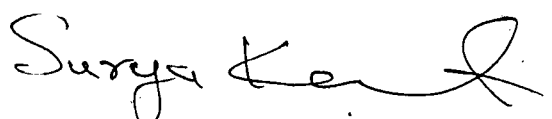
Opposite-Parties.

I N D E X

Sl.No.	Particulars	Pages
1.	Application	1 to 6
2.	List of documents	6
3.	Annexure No. 1 Impugned order	7
4.	Vakalatnamā	8

Lucknow:

Dated: 27.8.1966.


(Surya Kant)
Advocate

10, Shiv Puri, Lucknow.

Counsel for the Applicant.

Naumi Lal Kansujia

APPLICATION UNDER SECTION 19 OF THE ADMINISTRATIVE TRIBUNAL

ACT 1985.

For use in the Tribunal's Office:-

Date of filing _____

Registration No. _____

Signature _____

Registrar _____

Reg. No. 157 of 1986
Central Administrative Tribunal

Additional Bench

ALLAHABAD, PATNA, JALPAIGURI

Date of receipt by Post _____ OR

[Signature]
Deputy Registrar.

In the Central Administrative Tribunal,

Additional Bench of Allahabad.

Between

Sri Naumi Lal Kanaujia -----

Applicant.

And

Union of India and others -----

Opp. Parties.

Details of the Applications:

1. Particulars of the Applicant:

- (i) Name of the Applicant: Naumi Lal Kanaujia
(ii) Name of the father: Late K.R. Kanaujia
(iii) Designation and office: Coach Attendant
in which employed: S.S. Charbagh, Lucknow.
(iv) Office Address: C/o S.S. N. Railway
Charbagh, Lucknow.
(v) Address for service of all notices: C/o I.O.W. Workshop
Bandaria Bagh, Lucknow.

2. Particulars of the Respondents:

(1) Designation of the respondents:

- (A) Union of India through General Manager,
Baroda House New Delhi.

-----2/

Naumi Lal Kanaujia

Attested

Surya K. [Signature]

(B) Divisional Railway Manager N. Railway Hazratganj,
Lucknow.

(ii) Office address of the Respondents:

(A) Union of India through General Manager,
Baroda House New Delhi.

(B) Divisional Railway Manager N. Railway Hazratganj,
Lucknow.

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

The application is against the following order:-

(i) Order No. 220-E6/E-T.C./84

(ii) Date, June 30, 1986.

(iii) Passed by Divisional Railway Manager N. Ry.,
Hazratganj, Lucknow.

(iv) Subject in Brief:-

That the applicant is at present working as Coach Attendant. He was previously selected in the competition for appointment on the post of Commercial Clerk, but not sent for training by the respondents No. 1 and 2, and is working as Coach Attendant. He has wronging been failed on the post of Ticket Collector. The constitution of the selection committee was also illegal and the result has wrongly been declared. The ~~constitution of the~~ selection Board not applied their mind properly and violated the relevant provisions of law made by the Railway Board.

4. Jurisdiction of the Tribunals: Allahabad.

The applicant declares, that the subject matter of the order against which he wants reversal is within the jurisdiction of the tribunal.

5. Limitation:-

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

6. Facts of the case:

(i) That the applicant is senior most Schedule Caste and from sports quota he was appointed as Mali in 1970 and in 1977 he changed his category and became Porter.

(ii) That since 12.1.12.1978, the applicant is Coach Attendant he is High School also, and is performing his duties with utmost honesty, labour in as much as no complaint of any kind have been received, and his service record is neat and clean.

(iii) That the applicant appeared for the selection on the post of Ticket Collector and he qualified but in the interview he has wrongly been failed by the respondents, and a Photostat copy of the said result is filed herewith as Annexure No. 1 to this application.

(iv) That in Annexure No. 1 the name of the parentage of Sri P.N. Dubey has wrongly been mentioned and Sri Manuman Prasad has wrongly been selected from the Schedule caste, quota. He is a High Caste Hindu and several persons are Junior to the applicant.

(v) That the selection Board have not followed the law made by the Railway Board, vide No.R(N.G)1-72 PRT/100 of 7/10.12.1973 and also not complied

Naumi Lal Khandelwal — *Attested*
Surya Kant

the Railway Board's letter dated 25.7.79, 17.10.1979 and 27/30.10.1979 which provides the procedure for selection.

(vi) That vide Railway Board's letter No.E(N.G.) 1-72 EMI/100 of 7/10.12.1973. The Railway Board have made mandatory that one officer of the selection Board must be from the Personal Branch, but in the present case none of the Officer of the Personal Branch was forming the part of the selection Board, hence entire selection have been viciated on this ground alone and the applicant having no alternative prefers this application on the grounds interalia:-

_G_R_O_U_N_D_S_

- (A) Because the applicant is Senior to Several Persons mentioned in Annexure No. 1 and in the selection the procedure laid down by the Railway Board have not been followed.
- (B) Because in absence of any member from the personal Branch, the entire selection has viciated.
- (C) Because the candidature of the applicant has not properly been considered by the selection Board and the representations have wrongly been decided and the respondents ought to have declared the applicant successful.

7. Reliefs sought: In view of the facts mentioned above in para 6, the applicant prays for the following reliefs:

- (i) to issue a suitable orders, direction or

Naumi Lal Kamoury
-----5p/
Surya Singh

command declaring the applicant passed in the selection of Ticket Collector (T.C.).

- (ii) To issue a suitable order direction or command quashing the entire selection vide Annexure No. 1 to this application as the same is void and illegal.
- (iii) to direct the respondent No. 1 and 2 to produce all the papers of the selection and constitution of the selection Board, before this Hon'ble ~~Ex~~ Tribunal.
- (iv) Costs of the application may be awarded to the applicant and against the respondents.

8. Interim order is prayed for:

Pending final decision on the application, the applicant seeks the issue of the following interim orders.

- (i) Respondents No. 1 and 2 may be directed to produce all the papers of the selection and the constitution of the selection committee, and not to destroy them during the pendency of this application.
- (ii) to stay the implimentation of the result contained in Annexure No. 3 1 to this application.

9. Details of the Remeay Exhausted:

In view of the facts that the Railway Board's directions have been voilated and the representation ~~contained~~ have been rejected, though the order s can not be communicated.

10. Matter not pending with any other court:- The applicant further declare, that the matter regarding which this

Naumi Lal Kamougn
Attorney
Surge K. K. K.

application has been made is not pending before any court of law or any other authority, or any other Bench or Tribunal.

11. Particulars of the Postal order in respect of the Applicant

-ion: Postal order No - DP 458604
5

12. Details of the Index: An Index in duplicate containing the details of the documents, to be relied upon is enclosed:-

13. List of Enclosures:

- (i) Annexure No. 1- Impugned order of selection
- (ii) Vakalatnama;
- (iii) Index;
- (iv) Postal order.

IN VERIFICATION:

I, Naumi Lal Kamoury s/o K.R. Kamoury
aged about 39 years, working as Coach Attendant at
Charbagh, Lucknow, resident of Bandaria Bagh
Lucknow, do hereby verify that the
contents of 1 to 13 are true to my personal knowledge,
and belief, and that I have not suppressed any material facts.

Lucknow:

Dated: 27.8.1986.

A p p l i c a n t.

Naumi Lal Kamoury
Attested
Surya Kant
Dew

Annexure AG-1

16

NORTHERN RAILWAY

No.220-E6/2-TC/84

Divl. Office,
Lucknow.

June 30, 1986.

Reg: Selection (written test followed by viva-voce) for the post of Ticket Collector from amongst class IV staff.

In the written test held for the post of Ticket Collector, grade Rs.260-400, held on 20.1.85 followed by viva-voce test held on 23.4.86 to 25.4.86 the following candidates have been placed on panel of Ticket Collector grade Rs.260-430 from amongst class IV staff :-

General candidates

- | | |
|---|-------------|
| 1. Sri H.C.Mathur s/o Sri B.B.L.Mathur | HQ/LKO |
| 2. Sri Ashok Kumar s/o Sri Ayodhya Prasad | HQ/LKO |
| 3. Sri Murari Pandey s/o Sri N.Pandey | HQ/Dilkusha |
| 4. Sri Cm Prakash Tewari s/o Sri R.K.Tewari | HQ/LKO |
| 5. Sri K.C.Karajia s/o Sri K.L.Karajia | HQ/LKO |
| 6. Sri Sabir Ali s/o Sri Rahmat Ali | HQ/LKO |
| 7. Sri Ashok Kumar s/o Sri Basant Lal | HQ/LKO |
| 8. Sri Cm Prakash Singh s/o Sri B.Singh | HQ/PKX |
| 9. Sri Ramesh Prasad s/o Sri Mathura Pd. | HQ/LKO |
| 10. Sri P.N.Dubey s/o Sri R.C.Dubey | HQ/LKO |
| 11. Sri A.K.Mishra s/o Sri Kaushal Misra | HQ/LKO |
| 12. Sri D.K.Tripathi s/o Sri B.D.Tripathi | HQ/LKO |
| 13. Sri Balbir Rana s/o Sri J.B.Rana | HQ/LKO |

S.C.Candidates

- | | |
|---|--------|
| 1. Sri Hanuman Prasad s/o Sri Ram Gulam | HQ/LKO |
| 2. Sri Budhram s/o Sri Calbal | HQ/LKO |
| 3. Sri Shyam Lal s/o Sri Baboo Lal | HQ/LKO |

S.I.Candidates

- | | |
|---|--------|
| 1. Sri Fagoo Basera s/o Sri Lakhan Basera | HQ/PEH |
|---|--------|

EA/Divl. Rly. Manager,
Lucknow.

Copy for information and necessary action to :-

1. DPO/LKO
2. APO(II) LKO
3. Station Supdt., Lucknow, Pratapgarh, Varanasi
4. Station Master, Dilkusha & Pakhrauli.

Nauman Lal Koneyia

Attested
Surya Kumar

मेवा

भूतान सरकार के आवाधिकार से भान
पुलाहा बाद

नोटिस -
निवेदन है कि जॉर्ज ने 1986 में उपरान्त
के द्वारा मिश्रा भा जिसका केस नं० 0A 457/86
है उसका उपचार के कोर्ट में सौंपा गया है
पाया है जॉर्ज का जॉर्ज का कोर्ट में प्रमाणित
वाक्य के कोर्ट में रहने वाले हैं।

अतः उपरान्त पुराने का मामला है कि
मेरा केस को करवमान एकांतरण कर दिया
जाय गया हुआ है।

0.A.457/86

Listed case before Circuit Bench
at Lko on 25.10.88.

DR 13 988

जॉर्ज
0A 457/86

CA HCO N. B. L.

(1)

Before the Honble Central Adm'n. Bench
at Allahabad, sitting at del
case no. 457/86

Nalini Jai Kamandia

Uma of India.

The whole applicant submit as under:-

1:- That case no 406/86 is pertaining to
the same matter as is involved in the
present case.

both
25/10/88
25/10/88:- That it is highly desirable in the ends of
justice that the above cases also be
taken up along with the case no 406/86
407/86, 452/86, 453/86, 458/86

When it is proved that
Yam Jaisingh may truly be placed to
take up these case along with the above
cases & dilige

25.10.88

Expt. Kar
Central Adm'n. Bench

(2)
/Registered/

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH, ALLAHABAD

Ram Kumar

23-A Thornhill Road

Allahabad - 211 001

Allahabad - 211 001

Registration No.

407486, 452486, 456986, 458986 & 457986

No. CAT/Alld/Jud/

Dated. :

To ① Sri Surya Kant, Advocate. R/o 10 Shiv Puri,
Lucknow.

② Sri Lalji Sinha, Standing Counsel
R/o 39 George Town, Allahabad.

Please take notice that the applicant above named
has presented an application a copy whereof is enclosed herewith
which has been registered in this Tribunal and the Tribunal
has fixed 25th day of October 1938 for before

Central Admin. Tribunal, Lucknow Circuit Bench, Lucknow

If no, appearance is made on your behalf, your
pleader or by some one duly authorised to Act and plead
on your in the said application, it will be heard and decided
in your absence.

Given under my hand and the seal of the Tribunal
this 19th day of Oct. 1938

dinesh

[Signature]

DEPUTY REGISTRAR (Judicial)

[Handwritten mark]

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
ADDITIONAL BENCH,
23-A, Thornhill Road, Allahabad-211001

No. CAT/ ALLD/

Dated :

En re
Restoration No. 111/87 in
Registration No. 457 of 1986

Naumi Lal Kanaujia Applicant

Versus

Union of India

Respondent

To, ① Sri Surya Kant, Advocate, 9
R/o 10, Shivpur, Lucknow.

② ~~Sri Surya Kant, Advocate~~
~~Advocate General, Allahabad~~

Please take notice that the applicant abovenamed has presented an application, a copy whereof is enclosed herewith which has been registered in this Tribunal and the Tribunal has fixed...26th...day of August...1987...for the hearing of the said application..

If no appearance is made on your behalf, you pleader or by someone duly authorised to act and plead on your behalf in the said application, it will be heard and decided in your absence....

Given under my hand and the seal of the Tribunal this....
20th...day of July.....1987..

DEPUTY REGISTRAR

7/21/87

REF. _____

DATE 25/8/87

Before the Central Administrative Tribunal,
Allahabad Bench at Allahabad.

Registration No 457 of 1986.

9

NAUMILAL KANNAUJIYA Applicant

Vs.

UNION OF INDIA & OTHERS Respondent

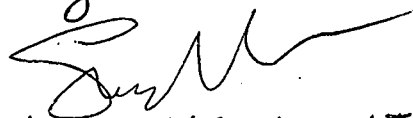
APPLICATION FOR ADJOURNMENT.

The humble applicant submits as under. —

1. That the undersigned is the counsel for applicant in the abovenoted case which is fixed before this hon'ble Court on 16-10-87.
2. That the undersigned is not feeling well in these days and is going to be hospitalised for major operation very soon.

WHEREFORE it is most respectfully prayed that this hon'ble Court may kindly be pleased to adjourn the abovenoted case and some other date for about one month or so may also kindly be fixed and oblige.

Lucknow
25/8/87


(SURYA KANT)
Advocate
Counsel for Applicant

(5)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
23-A, Thornhill Road, Allahabad-211 001.

No. CAT/Alld/
Repto. No. 111/57 dated: _____
Or. No. 437/86
M.L. Karanaga APPLICANT(S)

Versus

Union of India RESPONDENT(S)

To ① Sri Surya Kant Adv.
10 Shalpur Lucknow.

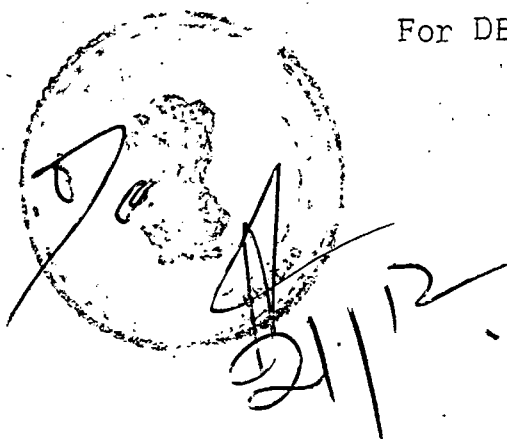
② Mr. J. G. Singh Adv., CAT

Please take notice that the applicant above named has presented an application, a copy whereof is enclosed herewith which has been registered in this Tribunal, and the Tribunal has fixed 11th day of Feb. 1985.

If no, appearance is made on your behalf, your pleader or by some one duly authorised to act and plead on your behalf in the said application, it will be heard and decided in your absence.

Given under my hand and the seal of the Tribunal this 21st day of Dec. 1982.

mg
For DEPUTY REGISTRAR



IN RE: ...

Registration No. 457 of 1916.

1. ...

... applicant.

702910

2. ...

... Party.

...

3. ...

...

...

1. Application

1 to 6

2. List of ...

6

3. ...
...

7

4. ...

8

...

Dated: 27.3.1916.

S. Lal

(Sd/-)
...

10, ...

... for the applicant.

Noum Lal Karmacharya

(B) Divisional Railway Manager N. Railway Hazratganj,
Lucknow.

(ii) Office address of the Respondents:

(A) Union of India through General Manager,
Baroda House New Delhi.

(B) Divisional Railway Manager N. Railway Hazratganj,
Lucknow.

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

The application is against the following order:-

(i) Order No. 220-E6/E-T.C./84

(ii) Date, June 30, 1986.

(iii) Passed by Divisional Railway Manager N. Rly.,
Hazratganj, Lucknow.

(iv) Subject in Brief:-

That the applicant is at present working as Coach Attendant. He was previously selected in the competition for appointment on the post of Commercial Clerk, but not sent for training by the respondents No. 1 and 2, and is working as Coach Attendant. He has wronging been failed on the post of Ticket Collector. The constitution of the selection committee was also illegal and the result has wrongly been declared. The ~~constitution of the~~ selection Board not applied their mind properly and violated the relevant provisions of law made by the Railway Board.

4. Jurisdiction of the Tribunals: Allahabad.

The applicant declares, that the subject matter of the order against which he wants reversal is within the jurisdiction of the tribunal.

Naumu Lal Kameariya

*Attested by
S. K. S. S.*

the Railway Board's letter dated 25.7.79, 17.10.1979 and 27/30.10.1979 which provides the procedure for selection.

(vi) That vide Railway Board's letter No.E(N.G.) 1-72 EMI/100 of 7/10.12.1973. The Railway Board have made mandatory that one officer of the selection Board must be from the Personal Branch, but in the present case none of the Officer of the Personal Branch was forming the part of the selection Board, hence entire selection have been viciated on this ground alone and the applicant having no alternative prefers this application on the grounds interalia:-

G_R_O_U_N_D_S

- (A) Because the applicant is Senior to Several Persons mentioned in Annexure No. 1 and in the selection the procedure laid down by the Railway Board have not been followed.
- (B) Because in absence of any member from the personal Branch, the entire selection has viciated.
- (C) Because the candidature of the applicant has not properly been considered by the selection Board and the representations have wrongly been decided and the respondents ought to have declared the applicant successful.

7. Reliefs sought: In view of the facts mentioned above in para 6, the applicant prays for the following reliefs:

- (i) to issue a suitable orders, direction or

Nammi Lal Kamegani

-----5p/

[Handwritten signature]

command declaring the applicant passed in the selection of Ticket Collector (T.C.).

(ii) To issue a suitable order direction or command quashing the entire selection vide Annexure No. 1 to this application as the same is void and illegal.

(iii) to direct the respondent No. 1 and 2 to produce all the papers of the selection and constitution of the selection Board, before this Hon'ble Tribunal.

(iv) Costs of the application may be awarded to the applicant and against the respondents.

8. Interim order is prayed for:

Pending final decision on the application, the applicant seeks the issue of the following interim orders.

(i) Respondents No. 1 and 2 may be directed to produce all the papers of the selection and the constitution of the selection committee, and not to destroy them during the pendency of this application.

(ii) to stay the implementation of the result contained in Annexure No. 1 to this application.

9. Details of the Remedy Exhausted:

In view of the facts that the Railway Board's directions have been violated and the representation ~~submitted~~ have been rejected, though the orders can not be communicated.

10. Matter not pending with any other court:- The applicant further declare, that the matter regarding which this

Haymi Lal Komouji ~~attested~~ ⁻⁻⁻6/
S. K. S. S.

application has been made is not pending before any court of law or any other authority, or any other Bench or Tribunal.

11. Particulars of the Postal order in respect of the Application: Postal order No- DP 458604
5

12. Details of the Index: An Index in duplicate containing the details of the documents, to be relied upon is enclosed:-

13. List of Enclosures:

- (i) Annexure No. 1- Impugned order of selection
- (ii) Vakalatnama;
- (iii) Index;
- (iv) Postal order.

IN VERIFICATION:

I, Nauni Lal Kameariya/o K. R. Kameariya
aged about 39 years, working as Coach Attendant at
Charbagh, Lucknow, resident of Bandra Bagh
Lucknow, do hereby verify that the
contents of 1 to 13 are true to my personal knowledge,
and belief, and that I have not suppressed any material facts.

Lucknow:

Dated: 27.8.1986.

A p p l i c a n t.

Nauni Lal Kameariya
Attested
S. Kant
[Signature]

NORTHERN RAILWAY

No. 220-E6/8-TC/84

Divl. Office,
Lucknow.

June 30, 1986.

Reg: Selection (written test followed by viva-voce) for the post of Ticket Collector from amongst class IV staff.

In the written test held for the post of Ticket Collector, grade Rs. 260-400, held on 20.1.85 followed by viva-voce test held on 23.4.86 to 25.4.86 the following candidates have been placed on panel of Ticket Collector grade Rs. 260-430 from amongst class IV staff :-

General candidates

- | | |
|--|-------------|
| 1. Sri H.C. Mathur s/o Sri B.B.L. Mathur | HQ/LKO |
| 2. Sri Ashok Kumar s/o Sri Ayodhya Prasad | HQ/LKO |
| 3. Sri Murari Pandey s/o Sri N. Pandey | HQ/Dilkusha |
| 4. Sri Om Prakash Tewari s/o Sri R.K. Tewari | HQ/LKO |
| 5. Sri K.C. Karanjia s/o Sri K.L. Karanjia | HQ/LKO |
| 6. Sri Sabir Ali s/o Sri Rahmat Ali | HQ/LKO |
| 7. Sri Ashok Kumar s/o Sri Basant Lal | HQ/LKO |
| 8. Sri Om Prakash Singh s/o Sri B. Singh | HQ/PKX |
| 9. Sri Ramesh Prasad s/o Sri Mathura Pd. | HQ/LKO |
| 10. Sri P.N. Dubey s/o Sri R.C. Dubey | HQ/LKO |
| 11. Sri A.K. Mishra s/o Sri Kaushal Misra | HQ/LKO |
| 12. Sri D.K. Tripathi s/o Sri B.D. Tripathi | HQ/LKO |
| 13. Sri Balbir Rana s/o Sri J.B. Rana | HQ/LKO |

S.C. Candidates

- | | |
|---|--------|
| 1. Sri Hanuman Prasad s/o Sri Ram Gulam | HQ/LKO |
| 2. Sri Budhran s/o Sri Galbal | HQ/LKO |
| 3. Sri Shyam Lal s/o Sri Baboo Lal | HQ/LKO |

S.T. Candidates

- | | |
|---|--------|
| 1. Sri Fagoo Basera s/o Sri Lakhan Basera | HQ/PEH |
|---|--------|

[Signature]
EA/Divl. Rly. Manager,
Lucknow.

Copy for information and necessary action to :-

1. DPO/LKO
2. APO(II) LKO
3. Station Supdt., Lucknow, Pratapgarh, Varanasi
4. Station Master, Dilkusha & Pakhraul.

[Signature]
Attested
Surya Kant

[Signature]
Naumilal Komariya

IN THE SUPREMACY AND INQUIRY TRIBUNAL ALMA-ATRA

Registration No. 457 of 1956.

Shri Naumi Lal Karmacharya

Applicant.

Versus

Union of India and others

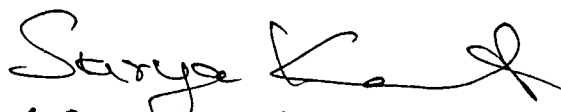
Opposite-Parties.

I N D E X

Sl.No.	Particulars	Pages
1.	Application	1 to 6
2.	List of documents	6
3.	Annexure No. 1 I signed order	7
4.	Vakalatnam	8

Lucknow:

Dated: 27.3.1956.


(Surya Kant)
Advocate

10, Shiv Puri, Lucknow.

Counsel for the Applicant.

Naumi Lal Karmacharya

ACT 1985.

Form 1 in the Form 1 of 1985.

Date of filing

Registration No.

Signature

Registered

Reg. No. 157 of 1986

Date of filing

Registration No.

Signature

Registered

In the Court of the District Judge,
At the District Court of the District.

Particulars

Naumil Lal Karmajia

Applicant.

And

Joint of the other parties

Of Parties.

Particulars of the application:

1. Particulars of the applicants:

- (i) Name of the applicant: Naumil Lal Karmajia
- (ii) Address: 10/10, Karmajia
- (iii) Occupation: Teacher
- (iv) Where employed: U.S. Government, Lucknow.
- (v) Office: W/o U.S. Government, Lucknow.
- (vi) Address for service of: C/o I.O.M. Workshop, Lucknow.

2. Particulars of the respondents:

(1) Particulars of the respondents:

- (i) Name of the respondent: Naumil Lal Karmajia

Naumil Lal Karmajia
Attested
Surya Kant

(B) Divisional Railway Manager N. Railway Hazratganj,
Lucknow.

(ii) Office address of the Respondents:

(A) Union of India through General Manager,
Baroda House New Delhi.

(B) Divisional Railway Manager N. Railway Hazratganj,
Lucknow.

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

The application is against the following order:-

(i) Order No. 220-E6/E-T.C./84

(ii) Date, June 30, 1986.

(iii) Passed by Divisional Railway Manager N. Ry.,
Hazratganj, Lucknow.

(iv) Subject in Brief:-

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4. Jurisdiction of the Tribunals: Allahabad.

The applicant declares, that the subject matter of the order against which he wants reversal is within the jurisdiction of the tribunal.

Naumi Lal Komariya
Attested -----
Surge Karan

5. Limitation:-

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

6. Facts of the case:

(i) That the applicant is senior most Schedule Caste and from sports quota he was appointed as Mail in 1970 and in 1977 he changed his category and became Porter.

(ii) That since 12. 1.12.1978, the applicant is Coach Attendant he is High School also, and is performing his duties with utmost honesty, labour in as much as no complaint of any kind have been received, and his service record is neat and clean.

(iii) That the applicant appeared for the selection on the post of Ticket Collector and he qualified but in the interview he has wrongly been failed by the respondents, and a Photostat copy of the said result is filed herewith as Annexure No. 1 to this application.

(iv) That in Annexure No. 1 the name of the parentage of Sri P.N. Dubey has wrongly been mentioned and Sri Manuman Prasad has wrongly been selected from the Schedule caste, quota. He is a High Caste Hindu, and several persons are junior to the applicant.

(v) That the selection Board have not followed the law laid by the Railway Board, vide No.R(H.O)1-72 PWT/100 of 7/10.12.1973 and also not complied

Naumi Lal Khera
Attested
Surya Kant
Saw

the Railway Board's letter dated 25.7.79, 17.10.1979 and 27/30.10.1979 which provides the procedure for selection.

- (vi) That vide Railway Board's letter No.E(N.G.) 1-72 EMI/100 of 7/10.12.1973. The Railway Board have made mandatory that one officer of the selection Board must be from the Personal Branch, but in the present case none of the Officer of the Personal Branch was forming the part of the selection Board, hence entire selection have been viciated on this ground alone and the applicant having no alternative prefers this application on the grounds interalia:-

_G_R_O_U_N_D_S_

- (A) Because the applicant is Senior to Several Persons mentioned in Annexure No. 1 and in the selection the procedure laid down by the Railway Board have not been followed.
- (B) Because in absence of any member from the personal Branch, the entire selection has viciated.
- (C) Because the candidature of the applicant has not properly been considered by the selection Board and the representations have wrongly been decided and the respondents ought to have declared the applicant successful.

7. Reliefs sought: In view of the facts mentioned above in para 6, the applicant prays for the following reliefs:

- (i) to issue a suitable orders, direction or

Naum Lal Karmajir - Attested -5p/
Swara Singh

command declaring the applicant passed in the selection of Ticket Collector (T.C.).

- (ii) To issue a suitable order direction or command quashing the entire selection vide Annexure No. 1 to this application as the same is void and illegal.
- (iii) to direct the respondent No. 1 and 2 to produce all the papers of the selection and constitution of the selection Board, before this Hon'ble ~~Ex~~ Tribunal.
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Pending final decision on the application, the applicant seeks the issue of the following interim orders.

- (i) Respondents No. 1 and 2 may be directed to produce all the papers of the selection and the constitution of the selection committee, and not to destroy them during the pendency of this application.
- (ii) to stay the implementation of the result contained in Annexure No. 1 to this application.

9. Details of the Remedy Exhausted:

In view of the facts that the Railway Board's directions have been violated and the representation ~~maintained~~ have been rejected, though the orders can not be communicated.

10. Matter not pending with any other court:- The applicant further declare, that the matter regarding which this

Naumil Kumar ~~Attorney~~
Surya Kumar

application has been made is not pending before any court of law or any other authority, or any other Bench or Tribunal.

11. Particulars of the Postal order in respect of the Applicant:- Postal order No- DD 458604
5

12. Details of the Index: An Index in duplicate containing the details of the documents, to be relied upon is enclosed:-

13. List of Enclosures:

- (i) Annexure No. 1- Impugned order of selection
- (ii) Vakalatnama;
- (iii) Index;
- (iv) Postal order.

IN VERIFICATION:

I, Naymi Lal Kamouji s/o K.R. Kamouji
aged about 39 years, working as Coach Attendant at Charbagh, Lucknow, resident of Bancharia Bzrh
Lucknow, do hereby verify that the contents of 1 to 13 are true to my personal knowledge, and belief, and that I have not suppressed any material facts.

Lucknow:

Dated: 27.8.1986.

A p p l i c a n t.

Naymi Lal Kamouji

Attested.

Surya Kant

D.O.

Amrapur AC-81

16

NORTHERN RAILWAY

No.220-E6/8-TC/84

Divl. Office,
Lucknow.

June 30, 1986.

Reg: Selection (written test followed by viva-voce) for the
post of Ticket Collector from amongst class IV staff.

In the written test held for the post of Ticket Collector,
grade Rs.260-400, held on 20.1.85 followed by viva-voce test held on
23.4.86 to 25.4.86 the following candidates have been placed on panel
of Ticket Collector grade Rs.260-430 from amongst class IV staff :-

General candidates

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|---|-------------|
| 1. Sri H.C.Mathur s/o Sri B.B.L.Mathur | HQ/LKO |
| 2. Sri Ashok Kumar s/o Sri Ayodhya Prasad | HQ/LKO |
| 3. Sri Murari Pandey s/o Sri N.Pandey | HQ/Dilkusha |
| 4. Sri Cm Prakash Tewari s/o Sri R.K.Tewari | HQ/LKO |
| 5. Sri K.C.Kanojia s/o Sri K.L.Kanojia | HQ/LKO |
| 6. Sri Sabir Ali s/o Sri Rahmat Ali | HQ/LKO |
| 7. Sri Ashok Kumar s/o Sri Basant Lal | HQ/LKO |
| 8. Sri Cm Prakash Singh s/o Sri B.Singh | HQ/PKX |
| 9. Sri Ramesh Prasad s/o Sri Mathura Pd. | HQ/LKO |
| 10. Sri P.N.Dubey s/o Sri R.C.Dubey | HQ/LKO |
| 11. Sri A.K.Mishra s/o Sri Kaushal Misra | HQ/LKO |
| 12. Sri D.K.Tripathi s/o Sri B.D.Tripathi | HQ/LKO |
| 13. Sri Balbir Rana s/o Sri J.B.Rana | HQ/LKO |

S.C.Candidates

- | | |
|--|--------|
| 1. Sri Harman Prasad s/o Sri Ram Gulam | HQ/LKO |
| 2. Sri Budhram s/o Sri Galbal | HQ/LKO |
| 3. Sri Shyam Lal s/o Sri Baboo Lal | HQ/LKO |

S.T.Candidates

- | | |
|---|--------|
| 1. Sri Fagoo Basera s/o Sri Lakhan Basera | HQ/PEH |
|---|--------|

EA/Divl. Rly. Manager,
Lucknow.

Copy for information and necessary action to :-

1. DPO/LKO
2. APO(II) LKO
3. Station Supdt., Lucknow, Pratapgarh, Varanasi
4. Station Master, Dilkusha & Pakhraili.

Handwritten signature

*Attested
Surya Kant*

Naumi Lal Koneujia

Attested

Surya Kant

IN THE COURT OF DISTRICT JUDGE, PRINCIPAL DEPARTMENT

Registration No. 457 of 1926.

Shri Naumi Lal Karmajia

Applicant.

Versus

Union of India and others

Opposite-Parties.

INDEX

<u>Sl.No.</u>	<u>Particulars</u>	<u>Pages</u>
1.	Application	1 to 6
2.	List of documents	6
3.	Annexure No. 1 I signed order	7
4.	Verbal statement	8

Lucknow:

Dated: 27.8.1926.

Surya Kant
(Surya Kant)
Advocate

10, Shiv Puri, Lucknow.

Counsel for the Applicant.

Naumi Lal Karmajia

APPLICATION FOR REGISTRATION OF VOTERS
AND 1905.

For use in the following cases:-

Reg. No. 457 of 1906

Name of the person _____

Registration No. _____

Date of birth _____

Signature _____

29-8-06

Chandra
Prasad

To the Registrar of the District of _____,
 District of _____.

DECLARATION

I hereby declare that I am the _____ applicant.

And

that I am the _____ of the _____.

Particulars of the applicant:

1. Particulars of the applicant:

- (i) Name of the applicant: Devendra Prasad
- (ii) Age of the applicant: 30 years
- (iii) Address of the applicant: 1/1, Main Road, Lucknow.
- (iv) Occupation of the applicant: Teacher.
- (v) Name of the school: Govt. School, Lucknow.

2. Particulars of the witnesses:

- (i) Name of the witnesses:

(a) Name of the witness: Mr. X
Residing at New Delhi.

---2---

Devendra Prasad

Attested by
Surya Kant
Dev.

(B) Divisional Railway Manager N. Railway Hazratganj,
Lucknow.

(ii) Office address of the Respondents:

(A) Union of India through General Manager,
Baroda House New Delhi.

(B) Divisional Railway Manager N. Railway Hazratganj,
Lucknow.

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

The application is against the following order:-

(i) Order No. 220-E6/E-T.C./84

(ii) Date, June 30, 1986.

(iii) Passed by Divisional Railway Manager N. Rly.,
Hazratganj, Lucknow.

(iv) Subject in Brief:-

That the applicant is at present working as Coach Attendant. He was previously selected in the competition for appointment on the post of Commercial Clerk, but not sent for training by the respondents No. 1 and 2, and is working as Coach Attendant. He has wronging been failed on the post of Ticket Collector. The constitution of the selection committee was also illegal and the result has wrongly been declared. The ~~constitution of the~~ selection Board not applied their mind properly and violated the relevant provisions of law made by the Railway Board.

4. Jurisdiction of the Tribunals: Allahabad.

The applicant declares, that the subject matter of the order against which he wants reversal is within the jurisdiction of the tribunal.

Naymibel Komeueja - Attested
Suryakant

5. Limitation:-

The applicant further declares that the application is within the limitation prescribed in section 21 of the Administrative Tribunal Act, 1925.

6. Facts of the case:-

- (i) That the applicant is earlier post holder High Gate and from sports quota he was appointed as Mali in 1970 and in 1977 he changed his category and became Porter.
- (ii) That since 22.1.12.1979, the applicant is Garh Attendant he is High School also, and is performing his duties with utmost honesty, labour in as much as no complaint of any kind have been received, and his services were found to be good and clean.
- (iii) That the applicant appeared for the selection on the post of District Collector and he qualified but in the interview he has wrongly been failed by the respondents, and a protest & copy of the said result is filed herewith as Annexure No. 1 to this application.
- (iv) That in Annexure No. 2 the name of the parentage of Shri D.H. Doley has wrongly been mentioned and Shri Doley has wrongly been selected from the schedule caste category. He is a High Caste Hindu, and covered persons are junior to the applicant.
- (v) That the selection Board have not followed the law laid by the Railway Board, vide No.D(H.O)1-72 P.2/100 of 7/10.12.1973 and also not complied

Naumi Lal Kamouja - Attested
Surya Kant

the Railway Board's letter dated 25.7.79, 17.10.1979 and 27/30.10.1979 which provides the procedure for selection.

(vi) That vide Railway Board's letter No.E(N.G.) 1-72 EMI/100 of 7/10.12.1973. The Railway Board have made mandatory that one officer of the selection Board must be from the Personal Branch, but in the present case none of the Officer of the Personal Branch was forming the part of the selection Board, hence entire selection have been viciated on this ground alone and the applicant having no alternative prefers this application on the grounds interalia:-

G_R_O_U_N_D_S_

- (A) Because the applicant is Senior to Several Persons mentioned in Annexure No. 1 and in the selection the procedure laid down by the Railway Board have not been followed.
- (B) Because in absence of any member from the personal Branch, the entire selection has viciated.
- (C) Because the candidature of the applicant has not properly been considered by the selection Board and the representations have wrongly been decided and the respondents ought to have declared the applicant successful.

7. Reliefs sought: In view of the facts mentioned above in para 6, the applicant prays for the following reliefs:

(i) to issue a suitable orders, direction or

Naamul Lal Kharouji ^{5p/} Sarga Kharouji

command declaring the applicant passed in the selection of Ticket Collector (T.C.).

(ii) To issue a suitable order direction or command quashing the entire selection vide Annexure No. 1 to this application as the same is void and illegal.

(iii) to direct the respondent No. 1 and 2 to produce all the papers of the selection and constitution of the selection Board, before this Hon'ble Tribunal.

(iv) Costs of the application may be awarded to the applicant and against the respondents.

8. Interim order is prayed for:

Pending final decision on the application, the applicant seeks the issue of the following interim orders.

(i) Respondents No. 1 and 2 may be directed to produce all the papers of the selection and the constitution of the selection committee, and not to destroy them during the pendency of this application.

(ii) to stay the implementation of the result contained in Annexure No. 1 to this application.

9. Details of the Remedy Exhausted:

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Naamul Lal Khera - ~~Attorney~~
Surya Khera

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aged about 39 years, working as Coach Attendant at
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contents of 1 to 13 are true to my personal knowledge,
and belief, and that I have not suppressed any material facts.

Lucknow:

Dated: 27.8.1986.

A p p l i c a n t.

Narmi Lal Karmouria
Attested
Surya Kant
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NORTHERN RAILWAY

No. 220-E6/8-TC/84

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Attested
Surya Kumar

Naumilal Komaujia

Attested

Surya Kumar