

CENTRAL ADMINISTRATIVE TRIBUNAL

LUCKNOW BENCH

Bechan Lal -M- vol I

FORM OF INDEX

O.A./T.A./R.A./C.C.P./ No. 458-1986

PART - I

1. Index Papers :- 1
2. Order Sheet :- 2 to 12
3. Any other orders :- X
4. Judgement dt. 20.3.89 :- 13 (1 Page)  
is in OA 406/86
5. S.L.P. :- X

DR. Registrar

Supervising Officer

Dealing Clerk

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

Nil

Dealing Clerk

File B/C destroyed on 09-5-12

30/12

Recheck  
on 21-2-12

V.K. Mishra

SO (3)

Central Administrative Tribunal  
Lucknow Bench

INDEX SHEET

Cause Title 458 of 1986(6)  
Name of the Parties Bechan Lal Applicant  
Versus  
Union of India Respondents.

Part A.E.C.

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~~B file N.A.~~

~~Four extra copies of petition~~

✓

5/9

# CENTRAL ADMINISTRATIVE TRIBUNAL

## ADDITIONAL BENCH,

23-A, Thornhill Road, Allahabad-211001

Registration No.

458 of 1986

APPLICANT (s)

Bechan Lal

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. 458 of 1986

VS

Date	Note of progress of proceedings and routine orders	Date to which case is adjourned
1	2	3
5.9.06.	<p>Lawyers are on strike today. The case is adjourned to 30.9.06 for admission. B.O.C JSM 5/9/06</p>	
30.9.06	<p>Hon. S. Zaher Hosain, V.C. Hon. Ajay John, Member (A)</p> <hr/> <p>The petitioner in person is present. He states that his counsel is ill. Put up on 24.10.06 for admission</p> <p><i>[Signature]</i> V.C. <i>[Signature]</i> Member (A)</p>	
22-10-06	<p><i>[Signature]</i> Case is submitted for admission as directed by court Ap 24/10</p>	

**ORDER SHEET**  
**IN THE CENTRAL ADMINISTRATIVE TRIBUNAL**  
**ALLAHABAD**

.....NO. 458.....OF 198 6

Beckham Lal VS. V.O.P.

SL NO of order	Date of order	ORDERS WITH SIGNATURE	Office Notes as to action (if any) taken on order
	20 <u>11</u> / 86	<p>Hon. D.S. Misra - 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. Retort 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>Member (A) } Member (J) }</p>	
	<u>6/1/87</u>	<p>Hon. D.S. Misra - 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 of similar nature which are listed on 14/1/87 and this case be now listed on that date. It is ordered accordingly.</p> <p>AM. } JM. }</p>	<p>OK No reply has so far been filed by the court for respondents. Case is so brought for hearing as directed by court.</p> <p>ap 5/11</p>

AM.  
JM.

JM.

# ORDER SHEET

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD

NO. 458 OF 1986  
VS.

Case No.	Date of Order	ORDER WITH SIGNATURE	Office Notes as to action (if any) taken on order
	21-4-87	<p>Hon. D.S. Misra - AM Hon. G.S. Sharma - JM</p> <p>The applicant's counsel wants time to move amendment application. Let it be done within fifteen days.</p> <p>AM <i>bc</i> JM</p>	<p>Amendment application yet not filed. Submitted for orders. <i>for file 21/5/87</i></p>
<p><i>for file 8/5/87</i></p>	8/5/87	<p>Hon. D.S. Misra - AM Hon. G.S. Sharma - JM</p> <p>Sri Lalji Sinha filed counter-affidavit today. Rejoinder-affidavit may now be filed within fifteen days. Put up on 10/8/87. The question of admission shall be considered at the time of final hearing.</p> <p>AM <i>bc</i> JM</p>	<p>RA has yet not been filed. Submitted. <i>for file 31/8/87</i></p>

OA 458/86

8

AG

7/12/87

DR

As the cases of Shri Lalji Surha are adjourned, list this case before court on 22/12/87 as prayed.

DR(J)

22-12-87

Hon. S. Ramesh Das, VC

list this case before Bench No. 2 on 8-2-88.

VC

VC

Bu

8/2/88

Hon. D.S. Misra - AM  
Hon. G.S. Sharma - JM

On the request of parties the case is adjourned to 22/4/88 for hearing.

AM  
JS.

JM

22-4-88

No sitting. Adj to 9-8-88.

22/4/88

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
CIRCUIT BENCH AT LJOINO.

\*\*\*\*

O.A./T.A. No. 458 198

Applicant(s)

Versus

Respondent(s)

Cr. No.	Date	Orders
23-12-88	NO setting, Admonned For hearing.	Jo 24-2-89 <u>Perm</u> 23/12
24-3-89	Hon. D.S. Mura, AM Hon. G.S. Sharma, JM	No one appears for the applicant. Sr. Kalp Singh puts an appearance for repdts. Put up on 20.3.89 for final hearing.
<u>20.3.89</u>	Hon. Justice K. Math, VC Hon. A. John, AM	For orders of see our orders of date passed on separate sheet in OA 406/88 SD AM SD VC

OR  
This is connected with  
case OA no 406/86 which  
was decided on 20.3.89  
exparte by the bench consist  
of Hon. Justice K. Math, VC &  
Hon. A. John, AM.  
Applicant has filed one  
CM Application no 86/89 &  
for recalling the exparte  
order of 20.3.89.  
CM application is submitte  
for orders.

And  
7/5



450/06

:: 2 ::

12-AB

Serial number of order and date	Brief Order, Mentioning Reference if necessary	How complied with and date of compliance
27.8.90	No sitting Adj to 3/11/90 h 67/1	
3-1-90	<p>Hon. Justice K. Nath, VC Hon. Mr. K. O'Gara, AM</p> <hr/> <p>For order see order at panel in OA 406/06. AM V.C.</p>	
8.10.90	<p><u>OR</u></p> <p>Applicant is present Put up before the Hon'ble Bench on 6/10/90 for orders</p> <p>No sitting Adj to 23.11.90</p>	<p>④</p>

Dinesh

Central Administrative Tribunal, Allahabad

Circuit Bench at Lucknow

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

Connected with

Registration O.A. No.457 of 1986

Navmi Lal Kanavjia 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

A10

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL ALIHAHAD

Registration No. 458 of 1986.

Sri Bechan Lal

-----

Applicant.

Versus

Union of India and others

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Opp. Parties.

I N D E X

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

Lucknow:

Dated: 27.8.1986.

  
(Surya Kant)  
Advocate  
10, Shiv Puri, Lucknow.

Counsel for the Applicant.

(411)

**APPLICATION UNDER SECTION 19 OF THE ADMINISTRATIVE TRIBUNAL  
ACT 1985.**

For use in the Tribunal's office:-

Reg. No. 459 of 1986  
Central Administrative Tribunal  
Additional Bench  
ALLAHABAD/PATNA/JABALPUR  
Date of Filing... 29.8.86 OR  
Date of Receipt by Post

Date of filing \_\_\_\_\_

Registration No. + \_\_\_\_\_

Signature \_\_\_\_\_

Registrar \_\_\_\_\_

For *Chandra*  
Deputy Registrar.

In the Central Administrative Tribunal,  
Additional Bench of Allahabad.

Between

Bechan Lal

Applicant.

Versus

Union of India and others

Opp. Parties.

Details of the Application:

1. Particulars of the Applicant:

(i) Name of the Applicant:	Bechan Lal
(ii) Name of the Father:	late Kallu Ram
(iii) Designation and office in which employed:	C/o S.S.N. Railway Charbagh, Lucknow.
(iv) Office address	C/o S.S. N. Railway, Charbagh, Lucknow.
(v) Address for service of all notices:	68/345, Chitwapur Pajawa Gandhi Nagar, Lucknow.

2. Particulars of the Respondents:

(i) Designation of the Respondents:

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

*Bechan Lal*

Contd----2/

(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  
wrongly 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.

*Bechar*

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-: 3 :-

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 in 1959, the applicant was appointed as Telegraph Peon by the respondents and he worked upto the full satisfaction of his superiors.
- (ii) That the applicant was selected as Commercial Clerk but the Railway Administration not sent the applicant for training at Chandausi and posted the applicant as Coach Attendant and since 1978, the applicant is performing his duties as Coach Attendant with utmost honesty and labour, 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 partantage of Sri P.N. Dubey has woongly been mentioned and Sri Hanuman 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 PMT/100 of 7/10.12.1973 and also not complied

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*Bochan Kel*

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

-----5p/

*Beach*

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-: 5 :-

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. ~~2~~ 1 to this application.

9. Details of the Remedy Exhausted:

In view of the facts that the Railway Board's directions have been voilated and the representation ~~was not~~ 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

*Bechan Lal*



AKG

-: 6 :-

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:-

DD 984346  
4

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, Bechan Lal s/o Kallu Ram  
aged about \_\_\_\_\_ years, working as Coach Attendant at  
Charbagh, Lucknow, resident of Chhotoghat Pargana  
Ganeshi Nagar 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.

Bechan Lal

*Amrapur* 16

16

NORTHERN RAILWAY

Nb.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 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 Budhran 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 |
|---|--------|

*P. Singh 93*  
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.

*Attested*

*Attested Sanyal*

*Attested*

*Attested Sanyal*

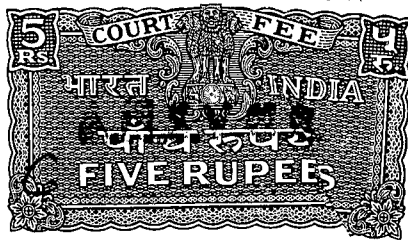
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व अदालत श्रीमान्  
[वादी] अपीलान्त

महोदय

श्री \_\_\_\_\_  
[रेस्पाडेंट]

## वकालतनामा



वादी ( अपीलान्त )

*Bechan Lal*  
बनाम

न० मुकदमा

*Union of India and Others*

प्रतिवादी ( रेस्पाडेंट )

पेशी की ता० १९ ई०

ऊपर लिखे मुकदमा में अपनी ओर से श्री

*Surya Kant Advocate*

*High Court, Lucknow, Rakhay Mohan Advocate*  
*Lucknow*

वकील  
महोदय  
एडवोकेट

नाम अदालत  
मुकदमा न०  
नाम फरीकें

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 हारी विपक्षी (फरीकसानी) का दाखिल किया हुआ रुपया अपने या हकारे 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।

हस्ताक्षर

साक्षी ( गवाह )

साक्षी ( गवाह )

दिनांक

महीना

सन् १९८६ ई०

स्वीकृत

*[Signature]*

*Bechan Lal*

*[Signature]*

*[Signature]*

Alex

In the Central Administrative Tribunal: Additional  
Bench: Allahabad.

.....

Reply on behalf of the Respondents

In

Registration No, 458 of 1986

Bechan Lal ..... 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  
and is fully acquainted with the facts deposed to  
hereinafter.

*Handwritten signature*

:: 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 nos. 6(i) and (ii) of the said petition, it is stated that they are admitted.

5. That in reply to the contents of the said 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

*Shan*

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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 the 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 came with such false pleas to get the selection proceedings quashed. Since the petitioner did not raise such objections at the relevant time, no course of action according to him had accrued.

*Handwritten signature*

(A20)

:: 4 ::

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.

*Handwritten signature*

Verification:

I, *Har Ram* Hari Ram, aged about 45 years, Son of Shri ~~H~~ *Har* 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*

*Handwritten signature*

Deponent

A23

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

the Central Administrative Tribunal Allahabad Circuit Bench, Lucknow.

Date of filing 20/4/89

Registration No. 450/86

Signature \_\_\_\_\_

Registrar \_\_\_\_\_

CM. An. No. 06/89 (C)  
on 450/86

Bechan Lal s/o late Kallu ----- Applicant.  
68/345, Chitwapur Pajawa Gandhi Nagar, Lko.  
Versus

Union of India and another----- Opp. Parties.

Inre; 2

Regn. O.A. No. 406 of 1986

Bechan Lal .....Versus.....Union of India.

Decided exparte on 20.3.1989

by the 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 exparte order deciding the registration O.A. Bechan Lal No. 406 of 1986 "~~RAM KUMAR~~ Vs.. Union of India and another on 20.3.1989 exparte, may be recalled and 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, Bechan La, aged about \_\_\_\_\_ years, son of late Kallu 68/345, Chitwapur Pajawa, Gandhi Nagar, Lucknow, do hereby verify that the contents of this application are true to my

Bechan Lal



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personal knowledge, and belief, and that I have not  
suppressed any material of fact.

Lucknow:

Dated: 27/1/89

Boelchur

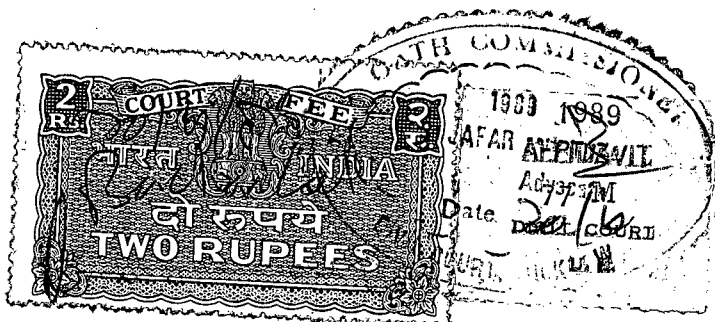
Applicant.

To,

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

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In the Central Administrative Tribunal Allahabad  
Circuit Bench, Lucknow.



Bechan Lal ..... Applicant.

Versus

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

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

I, Bechan Lal, son ~~fm~~ of late Kallu, resident of  
68/345, Chitwapur Pajawa, Gandhi Nagar, Lucknow, the deponent  
do hereby solemnly 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 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- That on 20.3.1989 <sup>the wife of the younger brother</sup>  
<sup>of the deponent suddenly became</sup>  
<sup>seriously ill</sup>

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

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was there when the case was called out, and was decided exparte.

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. OA 458 of 1986 Bechan 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 ex-parte order dated 20.3.1989.

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

Lucknow:

Dated:

Bechan Lal

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 paras 6 - 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.

I, identify the deponent who has signed before me.

Advocate

Deponent

....3/

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Solemnly affirmed before me on 20/11/20  
at 11-4 am/pm by the deponent Sri Bachan Lal.  
who is identified by Sri S. K. [Signature]  
Advocate High Court 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.

1981  
J. A. B. [Signature]  
Advocate  
Date 20/11

Solemnly affirmed before me in office at 11-4  
at 11-4 by Sri Bachan Lal 27/11  
who is identified by Sri [Signature]  
clerk [Signature]  
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.  
[Signature]  
Commissioner of Police