

CENTRAL ADMINISTRATIVE TRIBUNAL

LUCKNOW BENCH

Bechan Lal -W - V.C.I.

FORM OF INDEX

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

P A R T - 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)
5. S.L.P. in OA 406/86 :- X

D.Y. Registrat

Supervising Officer

Dealing Clerk

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

Nil

File B/C destroyed on 09-5-72 Dealing Clerk

30/72

Recd
SOGRecd
on 21-2-72

V.K. Mishra

17-2-93

Central Administrative Tribunal

Lucknow Bench

INDEX SHEET

Cause Title 458 of 1988 (S)

Name of the Parties Bechau Lal Applicant

Versus
Union of India Respondents.

Part A, B, C.

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2.	order sheet	A3 - A8
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6.	Reply on behalf of Respondents	A19 - A22
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	<u>B file N/A</u>	
	<u>for existing copies of petition</u>	

CENTRAL ADMINISTRATIVE TRIBUNAL
ADDITIONAL BENCH,

23-A, Thornhill Road, Allahabad-211001

Registration No.

458 of 1986

(A)

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 ?	YB
2. (a) Is the application in the prescribed form ?	YB
(b) Is the application in paper book form ?	YB
(c) Have six complete sets of the application been filed ?	Yes, 7 sets filed
3. (a) Is the appeal in time ?	YB
(b) If not, by how many days it is beyond time ?	-
(c) Has sufficient cause for not making the application in time, been filed ?	-
4. Has the document of authorisation/Vakalat-nama been filed ?	YB
5. Is the application accompanied by B.D./Postal-Order for Rs. 50/-	YB
6. Has the certified copy/copies of the order (s) against which the application is made been filed ?	YB
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

2
AB

No. 458 of 1986.

VS

Date	Note of progress of proceedings and routine orders	Date to which case is adjourned
1	2	3
5.9.86.	<p>Lawyers are on strike today. The case is adjourned to 30.9.86 for admission. B.O.C <u>from</u> <u>5.9.86.</u></p>	
30.9.86	<p>From S. Zahoor Hasan, V.C from Ajay Dohar, Member (A)</p> <p>The petitioner in person is present. He states that his counsel is ill. Put up on 24.10.86 for admission</p>	
22-10-86 Reb	<p><u>M</u> <u>D</u> V.C Member (A)</p> <p><u>OK</u> Case is submitted for admission as directed by court</p> <p><u>QF</u> <u>27/10</u></p>	

ORDER SHEET

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD

NO..... 458 OF 1986

Bechain Lal vs. V.O.P.

4
Air

SL NO of order	Date of order	ORDERS WITH SIGNATURE	Office Notes as to action (if any) taken on order
	2 nd 11/86	<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 respondent are present. Copy of the petition has been given to Sri Sinha. On his request he is allowed to file reply within (3) weeks. Reply 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 align="center">W } Member (A) Member (J)</p> <p align="center">APM. D.S. Misra - AM HON. G.S. Sharma - JM</p>	<p>Mr. Surya Prakash for the applicant 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 align="center">W } AM. JM.</p>
	6/1/87		<p align="right">OR No reply has so far been filed by the court for respondents. Case is to be listed for hearing as directed by court.</p> <p align="right">AP JM.</p>

ORDER SHEET

(AS)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,

ALLAHABAD

..... NO. 458 OF 1986.

..... VS.

Date	ORDER WITH SIGNATURE	Office Notes as to action (if any) taken on order
21-4-87	<p><u>Hon. D. S. Misra - AM</u> <u>Hon. G. S. Sharma - JM</u></p> <p>The applicant's counsel wants time to move an amendment application. It is to be done within fifteen days.</p> <p>AM</p> <p>jm</p> <p>SP</p>	<p>OB</p> <p>Amendment application yet not filed. Submitted for order. (F. P. 31/8/87)</p>
6/5/87	<p><u>Hon. D. S. Misra - AM</u> <u>Hon. G. S. Sharma - JM</u></p> <p>Sri Lafi Singh filed counter-affidavit today. Reference 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</p> <p>jm</p>	<p>OB</p> <p>RA has yet not been filed.</p> <p>Submitted.</p> <p>(F. P. 31/8/87)</p>

OA 458/86

8

AB

7/12/87

DR

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

DR (J)

22-12-87

Hon. S. Rakesh Hasan, VC

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

22

V.G.

DR

8/2/88

Hon. D.S. Misra - AM

Hon. G.S. Sharma - TM

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

AM
JS.

TM

22-4-88 No sitting. Adj. to 9-2-88.

22/4/88

10
 AP

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
 CIRCUIT BENCH AT LOCH NO.

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

Applicant(s)

Versus

Respondent(s)

Sr. No.	Date	Orders
23-12-88		NO setting, Adjourned to 24-2-89 for hearing. <i>Resm</i> <u>23/12</u>
24-3-89		Hon. D.S. Mitala, AM Hon. G.S. Sharma, JM No one appears for the applicant. S. Lalji Sinha files an appearance for resmt. Put up on 20.3.89 for final hearing. <i>bz</i>
20.3.89		Hon. Justice K. Nath, VC <i>J. M.</i> Hon. A. John, AM For orders of see our orders of date passed on separate sheet in O.D. 406/88 SD AM <i>SD</i> <i>VC</i>

OR

This is connected with
 case O.A. no 406/88 which
 was decided on 20.3.89
 ex parte by the bench consist
 of Hon. Justice K. Nath, VC &
 Hon. A. John, AM.
 Applicant has filed one
 Cr. application no 86/89 C/1
 for recalling the ex parte
 order of 20.3.89.
 Cr. application is submitted
 for orders.

Adj
8/5

4520/06

:: 2 ::

12-

(A)

Serial number of order and date	Brief Order, Mentioning Reference if necessary	How complied with and date of compliance
27.10.90	No sitting Adli to 3/1/90 L 67/1	
3-1-90	Hon. Justice K. Nath, VC Am. Mr. K. Obayya, AM	
	for order see order at pannel in OA 406/06	AM VC
<u>OR</u>	Applicant is present Put up before the Hon'ble Bench on 6/10/90, for orders	
<u>8.10.90</u>	No sitting Adli to 23.11.90	(A)

Dinesh

(A9)

13

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

AO

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD

Registration No. 458 of 1986.

Sri Bechan Lal

Applicant.

Versus

Union of India and others

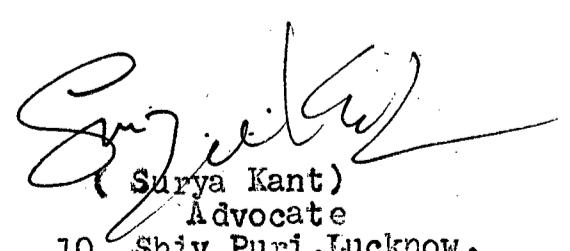
Opp. Parties.

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.	Vakalatnama	8

Lucknow:

Dated: 27.8.1986.


Surya Kant
Advocate
10, Shiv Puri, Lucknow.

Counsel for the Applicant.

(All)

APPLICATION UNDER SECTION 19 OF THE ADMINISTRATIVE TRIBUNAL

ACT 1985.

Reg. No 459 of 1986
Central Administrative Tribunal

Additional Bench

ALIABAD/PATNA/JABALPUR

Date of Filing ... 29.8.86 ... OR

Date of Receipt by Post

For use in the Tribunal's office:-

Date of filing _____

Bechan Lal
For Deputy Registrar.

Registration No. + _____

Signature _____

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

C/o S.S.N.Railway

in which employed:

Charbagh, Lucknow.

(iv) Office address

C/o S.S. N. Railway,

Charbagh, Lucknow.

(v) Address for service of

68/345, Chitwapur Pajawa

all notices:

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/

A/W

(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 wrongfully 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 ~~members 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.

Bechard

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 partentage of Sri P.N. Dubey has wronglly 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

Roshan Lal

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/

(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 ~~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 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 ~~exhausted~~ have been rejected, though the order's can not been communicated.

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

Bechan Lal

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:

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) Vaikalatnama;
- (iii) Index;
- (iv) Postal order.

IN VERIFICATION:

I, Bechandal s/o Kalhu Ram
aged about _____ years, working as Coach Attendant at
Charbagh, Lucknow, resident of Chitragupta Nagar
Gandhi 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.

Applicant.

Bechandal

~~Annexure No. 1~~

BG
AJ

NORTHERN RAILWAY

No. 220-E6/8-TC/84

Divl. Office,
Lucknow.

June 30, 1986.

Re: 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.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 Om Prakash Singh s/o Sri B.Singh	HQ/PKX
9. Sri Ramesh Prasad s/o Sri Nathura 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/PBH
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By
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 & Pakhravli.

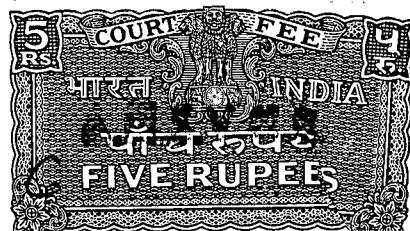
.....
Attested
Surya Dutt

Attested
Surya Dutt

ब अदालत श्रीमान्
[वादी] अपीलान्ट

महोदय

श्री
[रेस्पाइट]



वकालतनामा

वादी (अपीलान्ट)

न० मुकदमा

ऊपर लिखे मुकदमा में अपनी ओर से श्री Surya Kant Advocate

वकील
महोदय
एडवोकेट

को अपना वकील नियुक्त करके प्रतिज्ञा (इकरार) करता हुं और लिखे देता हुं इस मुकदमा में वकील महोदय स्वर्वं अथवा अन्य वकील द्वारा जो कुछ पैरवी व जवाब देही व प्रश्नोत्तर करें या कोई कागज दाखिल करै या लौटावें या हमारी ओर से डिगरी जारी करावे और रूपया वसूल करें या सुलहनामा व इकबाल दावा तथा अपील मिगरानी हमारी ओर से हमारी या अपने हस्ताक्षर से दाखिल करें और तस्दीक करें मुकदमा उठावें या कोई रूपया जमा करें या हारी विपक्षी (फरीकसानी) का दाखिल किया हुआ रूपया 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

27

महीना

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सन् १९८५

स्वीकृत

Bechand
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In the Central Administrative Tribunal: Additional
Bench: Allahabad.

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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.

J. D. Ram

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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 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

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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.

That the contents of the paragraph no. 60vi) 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 raise such objections at the relevant time, the course of action according to him had accrued.

APR

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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.

Verification:

I, Hari Ram, aged about 45 years, Son of Qum Shri 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: Allahabad
Dated: BS. 4/ 1987

Hari Ram
.....

Dependent

A23

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

the Central Administrative Tribunal Allahabad
Circuit Bench, Lucknow.

Date of filing 20/4/09

Registration No. 450176

Signature

Registrar

C.M. An. No. 06/09 (C),
on 20/4/09

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

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

Inre;

Regn. O.A. No. 406 of 1986

Bechan Lal

..... Versus Union of India.

Decided ex parte on 20.3.1989.

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

Bechan Lal
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
No. 406 of 1986 "Bechan Lal Vs. Union of India and another
on 20.3.1989 ex parte, 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 Lal, 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

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

Lucknow:

Dated: 27/11/88

Boedeweld

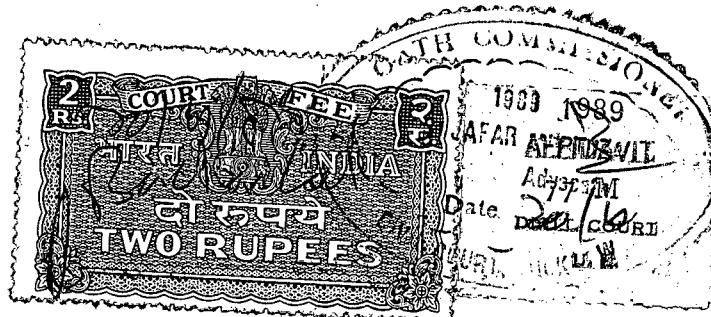
Applicant.

To,

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

(A25)

In the Central Administrative Tribunal Allahabad
Circuit Bench, Lucknow.



Bechan Lal Applicant.

Versus

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

Affidavit insupport 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 *the wife of the younger brother of the deponent suddenly became serious*

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. 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

Bechan Lal
Deponent

....3/

A27

3-

Solemnly affirmed before me on 26/11/2018
at 11-4 am/pm by the deponent Sri Bachan Lal.
who is identified by Sri S. Kartikeyan
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.

Solemnly affirmed before me in office no 771m
at 11-4 am on 26/11/2018 by Sri Bachan Lal
who is identified by Sri S. Kartikeyan
clerk to Sri S. Kartikeyan
I have satisfied myself by examining the
deponent that he understands the contents
of this affidavit which have been read over and
explained to me.


Signature of the witness