

## CENTRAL ADMINISTRATIVE TRIBUNAL

LUCKNOW BENCH

Hari Lal - vs - J.O.I.

## FORM OF INDEX

D.A./T.A./P.A./C.G.P./ No. 825-1986

## PART - I

1.	Index Papers	:-	Nil
2.	Order Sheet	:-	1 to 13
3.	Any other orders	:-	X
4.	Judgement Dd. 16.9.91	:-	4 Pg (14 to 17)
5.	S.L.P.	:-	X

D.Y. Registrat

Supervising Officer

Dealing Clerk

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

Nil

1. Index Sheet A18

2. Copy of Petition/Answer A19 to A31

3. Letters of the man A32 to A35 Dealing Clerk

4. Registers A36 to A37

28/12/98

B/C. distributed and destroyed

By [Signature]

S.O. (Signature)

V.K. Mishra

प्रपत्र संख्या—२

## आदेश-पद्धति

(संस्कृत अध्याय ५, नियम १४३)

五-3

प्रारम्भिक वाद

संख्या

मामला

359 18s-

संग 19

50

310

अभिलेख

Patent Office  
Washington D. C. 19136

Det. Shima yabs  
1/12/18  
for Plaintiff

M.J.Soceth M.A.

R.S.N. 359/83

3

25-3-86 case put up to day  
No. 135. Free P.C.  
on leave today -  
Put order on the date  
six.  
M.J.Soceth M.A.

22/3

31-3-86

Filed  
Shivna Gopal  
for Plaintiff  
22/3

Case called.

First call done. Done  $\frac{1}{2}$   
the bill.

Deas. above

R.P. 22-5-86

M.J.Soceth M.A.

11-4-86 In compliance with  
Honble High Courts C.L. No.  
29/IV P. 238 dated 30/11/85  
and Central Adm. Tribunal letter  
No. C.A.T. (Adm) 5 (Judicial)  
No. 132 of 13-2-86 the  
file is sent to the Dy. Regd.  
Tribunal for necessary action  
according to law.

M.J.Soceth M.A.

ORDER SHEET  
IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD

Registration No. Q25(T) OF 1986

Hari Lal vs. Union of India

SL NO of order	Date of order	ORDERS WITH SIGNATURE	Office Notes as to action (if any) taken on order
	21-10-86	<p>Hon. S. Zakeer Hasan, V.C. Hon. Ajoy John, M.M.</p> <p>Sri G.C. Bahrami for the applicant appeared and filed Valadatnama. No expenses for the respondent.</p> <p>Put up on 11.11.86 for hearing on 10.12.86.</p> <p style="text-align: center;">11 3/2</p> <p>V.C. M.M.</p>	<p><u>Office report-</u></p> <ol style="list-style-type: none"> <li>OSN No. 359/85 received on transfer from DJ Lucknow</li> <li>Cause of action - Seniority and promotion.</li> <li>Position at the stage of transfer -  <ol style="list-style-type: none"> <li>WS not filed.</li> <li>Pending for further order.</li> </ol> </li> <li>Notice issued by regd post to both the parties.</li> <li>No undelivered regd cover recd back so far submitted for orders.</li> </ol> <p><u>Placed</u></p> <p>Valadatnama for 17/10/86 no applicant dayan G.C. Bahrami filed key and kept on record.</p> <p><u>of</u></p> <p>In compliance with 21/10/86 Hon. Tribunal's order dt. 11/11/86, neither WS nor rejoinder filed so far submitted</p>
	11-11-86	<p>Hon. S. Zakeer Hasan, V.C. Hon. Ajoy John, M.M.</p> <p>Sri G. P. Aparna for the respondent Sri G.C. Bahrami for the applicant.</p> <p>written statement can be filed within a month. Rejoinder can thereafter be filed within ten days.</p> <p>Put up on 2-1-86 for final hearing.</p> <p style="text-align: center;">W 3/2 V.C. M.M.</p>	<p><u>Placed</u></p> <p>Valadatnama for 17/10/86 no applicant dayan G.C. Bahrami filed key and kept on record.</p> <p><u>of</u></p> <p>In compliance with 21/10/86 Hon. Tribunal's order dt. 11/11/86, neither WS nor rejoinder filed so far submitted</p> <p style="text-align: right;">R 11/11/86</p>

Rlm

# Order Sheet

8

825/86(T)

18-2-88

Honorable D.S. Mishra - A.M  
Honorable G.S. Sharma - T.M

On the request of plaintiff  
Counsel, the case is adjourned  
to 22-4-88 for hearing.  
A.M. <sup>B</sup> T.M. <sup>C</sup>

22-4-88

No sitting AdJ to 16-8-88.

16-8-88 No sitting, list this case <sup>8</sup> before D.R.J. on 25-10-88  
for fixing a date for final hearing. <sup>D</sup>

25-10-00

~~list~~  
on the request of parties, 2nd  
before court for hearing on 6-12-00

6-12-00

Hon. D.S. Mishra - A.M  
Hon. G.S. Sharma - T.M

Shri G.P. Agarwal for the Respondents  
is present. On the request of learned  
Counsel for the Applicant, the case  
is adjourned <sup>to</sup> list before D.R.J.  
on 7-2-89 for fixing date of hearing.

T.M. <sup>E</sup>

D.R.J. <sup>F</sup> A.M.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
CIRCUIT BENCH, LUCKNOW

ORDER SHEET

REGISTRATION NO. 025 of 1986 (V)  
(C.S. 359/05)

APPELLANT  
APPLICANT

Hair Lai

VERSUS

DEFENDANT  
RESPONDENT

U.O.L (N.Rly)

Serial number of order and date	Brief Order, Mentioning Reference if necessary	How complied with and date of compliance
255 17/7/89	No. sitting Adjourned to 17/7/89 for Hearing. B.O.C. 255	OR TA 025/06 (V) (C.S 359/05) has been received on Transfer from C.A.T. Adj under the order of O.R (V) Counter & rejoinder has filed. O.S. against the order of Promotio & seniority Case is ready for hearing. Submitted for hearing
26/9/89	No. Justice K. Nath, V.C. Non. K. Obaiya, A.M. On the request of the learned Counsel for the applicant the case is adjourned and be listed for final hearing on 29-11-89. H A.M.	OR case is submitted for hearing B.O.C.
29/11/89	No. sitting Adj. to 23-1-90 Applicant is present 29/11/89	OR Case is submitted for hearing
23/1/90	No. sitting Adj. to 14-3-90	S.I.T.

3

3.0.9.1

No filing adj 16.9.9.

J

16.9.9.

Hon. Justice V.C. Srivastava - V.C.  
Hon. Mr. A. B. Gorthi A.M.

The T.D. has been disposed of  
by a separate order.

Received copy  
Harish  
8/11

P.M.

V.C.

Received  
Copy  
14/11

14

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD

CIRCUIT BENCH  
LUCKNOW

T.A. 825/1986

(O.S.No. 359/85)

Hari Lal

Plaintiff/Applicant.

versus

Union of India & others

Respondents.

Hon. Mr. Justice U.C. Srivastava, V.C.  
Hon. Mr. A.B. Gorthi, Admin. Member.

(Hon. Mr. Justice U.C. Srivastava, VC)

The applicant with a complaint that gross injustice has been done to him, filed Civil Suit before the court of learned Munsif for declaration praying that a decree may be granted declaring that his withholding from the post of Ticket Collector with effect from 31.3.83 is wholly illegal, unconstitutional, arbitrary void and inoperative and he is entitled to the said post with retrospective effect.

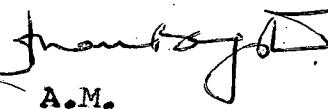
2. Written statement was filed by the Railway Administration contesting the prayer, when the case was transferred to this Tribunal under section 29 of the Administrative Tribunals Act, 1985.

3. The applicant who entered the service of Railway in 1962 was transferred to the Parcel office

where he was utilised as Lorry Cleaner although he was a porter. The category of the applicant was changed vide order dated 30.3.1970 and he was promoted as Lorry Driver in the pay scale of Rs 260-400 in the Commercial Department. But according to the applicant notwithstanding the fact that he was promoted as Lorry Driver in the grade of Rs 260-400, the work of Fork Lift Driver (Scale Rs 330-560) was taken from him. On his protest the Railway Administration promoted the applicant to the post of Fork Lift Driver and started to pay his wages in the scale of Rs 330-560 with effect from 30.4.1973. He was also confirmed in the grade of Rs 330-560 with effect from 27.4.1978. The applicant who had already passed the suitability test for the post of Ticket Collector, in the year 1973, was given an alternative post of Ticket Collector in the scale of Rs 330-560. The applicant was found fit and that is why the Divisional Railway Manager made recommendations in his favour. He continued to work on the said post upto 31.8.83, whereafter he was spared from the said post and was sent back to the Department where from to R.T.I. Northern Railway. The applicant joined the post under protest. He represented against the same but in vain.

-4-

was issued, it appears that the applicant was not even thought that he belonged to that cadre and was not considered for promotion to the post of Ticket checking Staff for which he was qualified and on which post he had worked. Accordingly, it was the duty ~~of~~ to cast upon a direction to be given by the Headquarter <sup>and</sup> on the same has not been complied with but the fact remains that the applicant had earned seniority and fully qualified for promotion to the post of Ticket Collector. The application is allowed. The respondents are directed to consider the seniority of the applicant, and in case any person junior to him was promoted as Ticket Collector or retained as Ticket Collector, the applicant shall be promoted as Ticket Collector, taking his seniority in accordance with law. This will be done within a period of three months of the date of communication of this order.



A.M.



V.C.

Lucknow Dated: 16.9.91

2. The respondents, in the written statement stated that as no work was available, he was utilised as Ticket Collector in the Commercial Department purely on temporary arrangements and without assigning any seniority in T.C. Cadre. The persons similarly situated were asked to go to their parent cadre and he cannot claim it.

3. The applicant has pointed out that the persons junior to the applicant were promoted and posted as Ticket Collector and they were not reverted and he has given the names of four such persons in the Rejoinder which has not been challenged. The applicant has also stated that by virtue of his seniority in the year 1973 various persons like him were promoted from Class IV quota. The recommendations were made for him by the D.R.M. His case <sup>is</sup> deserving and his proper seniority may be fixed. The Railway Board's letter dated 16.5.85 addressed to the D.R.M. Northern Railway has also been placed on record by the applicant. In the said letter it has been decided by the C.P.O that a single post cannot be termed as a cadre post and is to be treated as an ex-cadre one for all the purposes. Further as per provisions of the Indian Railway Establishment Manual an employee continues to maintain his lien in his parent cadre even if he has been confirmed in an ex-cadre post.

4. Notwithstanding the fact that such a direction

एच०सी०जे०प्रपत्र सं० ७ भाग IX

१८

सामान्य सूची (अध्याय 4, नियम 4)

स्थानांश

वाद संख्या

359/85-

वर्ष 198 ६०

स्थान

हैदराबाद

धाना

बृहत्याकृति

राज्य सरकार बना।

आत्मज

जाति

५६७४० आ०८०५३८

स्वतंत्र

निवासी

धाना।

जिला

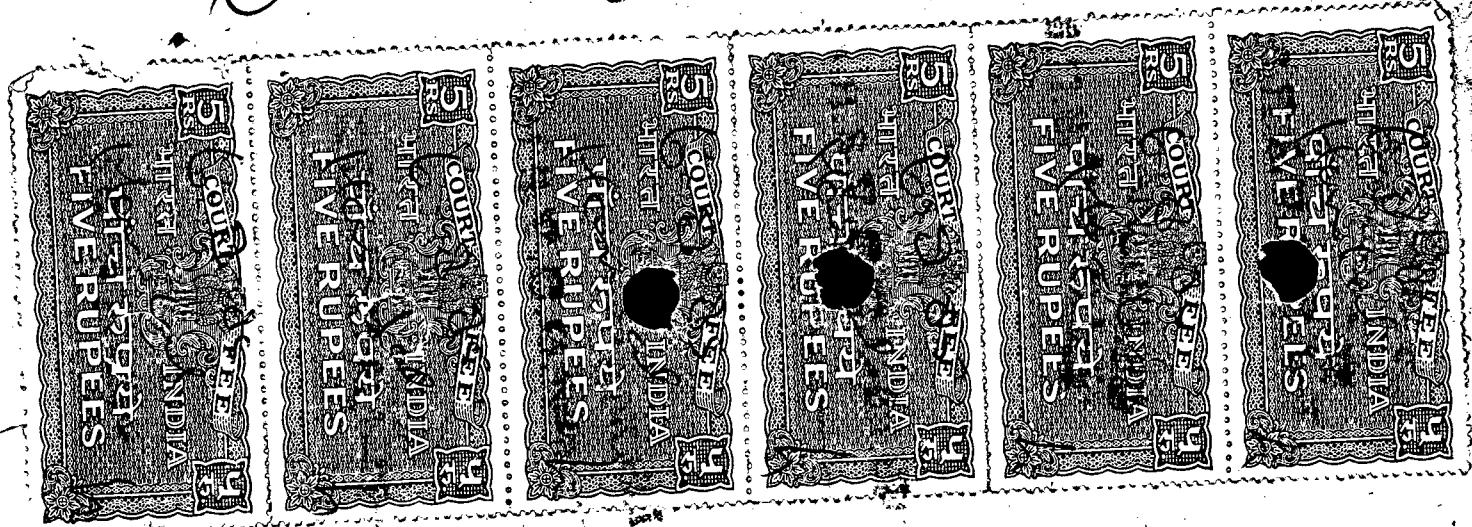
निर्णय का दिनांक

अध्याय 12 नियम 1 के अनुसार पत्रावली का प्रकार

पत्र की अम-संख्या	पत्रजात का प्रकार	नत्यो (क) या नत्यो (ख)	सम्मिलित किये गये पत्रजात के एवं दो की सू	न्यायालय शुल्क		पत्रजात को पत्रावली में सम्मिलित किये जाने का दिनांक	अध्युक्ति
				टिकटों (स्टाम्पों) की संख्या	मूल्य		
1	2	3	4	5	6	7	8
1.	सूची ५३८	५	१	-	८.८५-		
2.	१५८-५३८	५	६	६	३०.८०		
3.	१५८-५३८	५	१	-	-		
4.	१५८-५३८	५	१	-	-		
5.	१५८-५३८	५	१	-	-		
6.	Postal receipt	५	१	३	१.५०		
7.	A/D	५	१	-	-		
8.	copy of notice	५	१	-	-		

R. S. No. 359/85 821  
In the court of Munsif South, Lucknow.

Regular Suit No. of 1985



Hari Lal, aged about 43 years, son of Shri -  
Mool Chand, resident of 1/1, Kabir Marg (Out  
House) Clay Square, Lucknow.

.... Plaintiff.

*Plaintiff - B. 30/11/60  
6/9/85*  
Versus

Union of India through the General Manager,  
Northern Railway, Baroda House, New Delhi.

.... Defendant.

Suit for declaration.  
Valuation .. Rs. 1000/-  
Court Fee Paid .. Rs 30/-

The plaintiff respectfully submits as under:-

1. That in the year 1962, the plaintiff was initially appointed as a Parcel Porter in Commercial Cadre under the then Divisional Superintendent, (now Divisional Railway Manager), Northern Railway Hazratganj, Lucknow. He was then posted under the Station Superintendent, Northern Railway, Faizabad.

2. That thereafter in the year 1964, the plaintiff was transferred from Faizabad and posted in the aforesaid capacity under the Station Superintendent, Northern Railway, Charbagh, Lucknow. He was given duty in the Parcel Office, Northern Railway.

A  
20  
S.Y.

Charbagh, Lucknow.

3). That in the Parcel Office, the plaintiff was being utilized as a Lorry Cleaner although he was a porter. It may be mentioned that the post of Lorry Cleaner was also in commercial cadre.

4). That by an order dated 30.3.1970, the Railway Administration, on its own accord, changed the category of the plaintiff and promoted him as a Lorry Driver in scale Rs. 260-400 in the commercial department as the plaintiff was knowing the driving of vehicles. It may be mentioned that the post of Lorry Driver is a class III post whereas the post of Parcel Porter is a class IV post.

5). That although the plaintiff was promoted as a Lorry Driver in grade Rs. 260-400 yet he was put to work as a Fork Lift Driver which was in grade Rs. 330-560 in the Commercial Cadre but he was being paid his wages in scale Rs. 260-400. On protest made by the plaintiff, the Railway Administration, on its own accord, promoted the plaintiff on the post of Fork Lift Driver and started to pay his wages in scale Rs. 330-560 with effect from 30.4.1973 and he was also confirmed in the said grade with effect from 27.4.1978.

6). That in the year 1981, the aforesaid post of Fork Lift Driver stopped to operate and as such the plaintiff became surplus. It being so, the plaintiff, as per extent rules, was to be given some alternative post in the commercial cadre and in case no such post was available in the said cadre, then he was to be absorbed in other cadres in the said grade ( Rs. 330-560) with full benefit of seniority and pay protection etc.

*Harish*

3/3

7). That thereafter the plaintiff was given an alternative post of Ticket Collector grade Rs. 330-560 in Commercial Cadre and he joined the post on and with effect from 6.5.1982 at Charbagh Railway Station, Lucknow. It may be mentioned that the plaintiff, in a selection held in the year 1973 for promotion of class IV staff to the post of Ticket Collector ( class III Post), was already found suitable for that post.

8). That the Divisional Authority of Northern Railway, Lucknow, on a reference made by the Chief Inspector of Tickets ( Station), Charbagh, Lucknow under whom the plaintiff was posted as a Ticket Collector, declared the plaintiff fully fit to hold the independant charge of the post of Ticket Collector in grade Rs. 330-560 and this decision was made after a careful examination of the plaintiff. It may be mentioned that this declaration was made by the Divisional Railway Manager, Northern Railway Lucknow, who is the highest authority of Lucknow Division.

9). That the plaintiff continued to work on the aforesaid post of Ticket Collector upto 31.8.1983 (FN) that is beyond the period of 15 months without any complaint from any corner.

10). That all of a sudden on 31.8.1983, the plaintiff was spared by his Chief Inspector of Tickets, Northern Railway, Charbagh, Lucknow with a direction to report for his further duties under the R.T.I., Northern Railway, Lucknow, who was under the Mechanical Department of Northern Railway, Lucknow. It may be mentioned that no opportunity of showing cause was offered to the plaintiff while withdrawing ~~the~~ him from the post of Ticket Collector and directing him to work in a seperate department.

*Abu Sal*

11). That in compliance of the administrative orders, the plaintiff reported under the R.T.I., Northern Railway, Lucknow under protest. It may be mentioned that ever since the plaintiff is being used like that of a casual employee having no lien any where. He has not been given any post of permanent nature. As and when any necessity is arisen, he is utilised as a jeep driver, lorry driver in all the departments and some times he is made to sit idle.

12). That no such post as mentioned in the above paragraph is available in the Railway Department nor the the rules of the department permit the authorities to utilize a permanent employee of commercial cadre according to their sweet will without assigning any permanent job and seniority.

13). That the seniority of the plaintiff in the scale of Rs. 330-560 has no where been assigned in any category of post which ought to have been done under the extent rules.

14). That the act of the Railway Administration withdrawing the plaintiff from the post of Ticket Collectors and directing him to join under R.T.I., Lucknow are wholly illegal, unconstitutional and without jurisdiction rather arbitrary in law.

15). That the plaintiff made several representations against the injustice as stated above but in-vain.

16). That the Railway Administration has acted against law and rules by making frequent changes of the plaintiff's category without his consent resulting into block of his avenue of promotion and as such the said acts are not only against the Principles of Natural Justice

*Mandal*

withdrawl from the post of Ticket Collector with effect from 31.3.83 is wholly illegal, unconstitutional, arbitrary, void and inoperative in law be passed in favour of the plaintiff and against the defendant entitling ~~to~~ him to continue on the said post of Ticket Collector with retrospective effect that is from the date of withdrawl with full benifits of seniority and promotions, which would have accured to him had he not been withdrawn from the said post.

(b). Cost of the suit be awarded to the plaintiff and against the defendant.

(c). Any other relief which this Hon'ble Court may deem fit and proper in the circumstances of the case be awarded to the plaintiff and against the defendant.

Lucknow:  
Dated 6-8-1985.

*Munawar Seelam*  
Plaintiff,  
Advocate

Verification:

I, the above-name plaintiff do hereby verify that the contents of paragraphs nos. 1 to 18 are correct to my personal knowledge and those of paragraphs nos. 19, 20 and ~~relief para~~ are correct to my belief.

Signed and verified this 6 day of ~~Aug~~ Aug. 1985 in the Civil Court Compound at Lucknow.

*Munawar Seelam*  
Plaintiff.

प्रथम संख्या—१  
आदेश-पत्र  
(भूम्याय-५ नियम 143)

सिविल वाय  
संख्या  
मामला  
दिनांक

सं. 10

५०

भाग

आदेश का दिनांक	आदेश, भूम्यासील व्यापारीय के संसिद्ध हस्ताक्षर संहित	निर्देश उस प्राविन्दग- पत्र अथवा वद का जिस पर मूल आदेश लिखा गया	आदेश के प्रतिपाद्य में किये गये प्रतिवेदन की संख्या तथा दिनांक का निर्देश
2	3	4	5

but also are in violation of the provisions contained in Articles 14 and 16 of the Constitution of India besides infringements of the railway rules and, therefore, the same amount to punishment.

17). That the withdrawl of the plaintiff from the post of Ticket Collector without being given him an opportunity to show cause or being heared amounts to punishment and as such the plaintiff is entitled to a declaration that he is entitled to continue on the said post with retrospective effect that is from 31.8.1983 with full benifits of seniority and further promotions which would have accured to him had he not been withdrawn from that post.

18). That the plaintiff gave notice under section 80 C.P.C. under registered cover to the defendant on 12.10.84 which has been served on him on 15.10.1984.

19). That the cause of action accured to the plaintiff and against the defendant within the jurisdiction of this Hon'ble Court on 31. 8.1983 when he was withdrawn from the post of Ticket Collector without being given him an opportunity of being heared, on 12.10.1984 when notice under section 80 C.P.C. was ~~xxx~~ given and finally on 14.12.1984 when the statutory period of notice expired but the defendant gave no reply.

20). That the valuation of the suit for the purposes of court fee and jurisdiction is Rs. 1000/- on which the requisite court fee of Rs. 30/- has been paid. The relief being incapable of valuation, the plaintiff gives his own valuation.

*Hari Joshi*  
That the plaintiff prays for the following  
reliefs:-

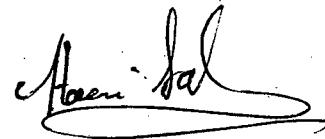
(a) A decree declaring that the plaintiff's

withdrawl from the post of Ticket Collector with effect from 31.3.83 is wholly illegal, unconstitutional, arbitrary, void and inoperative in law be passed in favour of the plaintiff and against the defendant entitling ~~to~~ him to continue on the said post of Ticket Collector with retrospective effect that is from the date of withdrawl with full benifits of seniority and promotions, which would have accured to him had he not been withdrawn from the said post.

(b). Cost of the suit be awarded to the plaintiff and against the defendant.

(c). Any other relief which this Hon'ble Court may deem fit and proper in the circumstances of the case be awarded to the plaintiff and against the defendant.

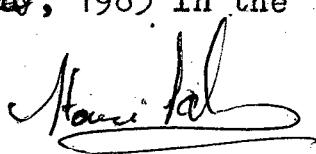
Lucknow:  
Dated 6-8-1985.

  
Plaintiff,  
Manawar Seelam  
Advocate

Verification:

I, the above-name plaintiff do hereby verify that the contents of paragraphs nos. 1 to 18 are correct to my personal knowledge and those of paragraphs nos. 19, 20 and ~~relief para~~ are correct to my belief.

Signed and verified this 6 day of ~~Aug~~ Aug. 1985 in the Civil Court Compound at Lucknow.

  
Plaintiff.

प्रपत्र संख्या—२

आदेश-पत्र

(भाष्यम् ५, नियम १४३)

नियम वाद

संस्का

मामला

दस्तावेज़

सं. १०

६०

भाष्य

आदेश का विवरण	आदेश, भव्यातीत भव्यादीय के संशोधन हस्ताक्षर सहित	निर्देश उत्तराधिकारी पत्र भव्यादीय का जित पर मूल आदेश की संख्या तथा विवाह का निर्देश	आदेश के प्रतिपाद्य में किये गये परिवर्तन की संख्या तथा विवाह का निर्देश
२	३	४	५

New No. H. C. J. Part-IV-71

Old No H.C.J. Part-XXI-71

( सर्व साधारण में विक्यार्थ )

15

# वादी/प्रतिवादी द्वारा पेश किये गये दस्तावेजों की सूची

[ आदेश १३ नियम ]

विक्यार्थ

Plaintiff South Lucknow

स्थान

वाद संख्या

सन १९८५ ई०

Hanif

वादी

बनाम

Union of India.

प्रतिवादी

Plaintiff

वाद पत्र के साथ

वादी/प्रतिवादी की ओर से पेश किये गये दस्तावेजों की सूची

इस सूची को Plaintiff

पथम सुनाई के समय

ने आज सन १९८५ के ८५-८-६ दिवस को पेश किया

क्रम सं०	१	२	३	
कागज किया हुआ				
क्रम सं०	दस्तावेज का अभिवर्णन और उसकी तारीख	यदि अभिलेख में सम्मिलित कियागया तो प्रदर्शन चिन्ह जो उसपर डाला गया	यदि नामंजर हुआ तो पक्षकार को लौटाये जाने की तारीख एवं पक्षकार या उसके अभिवक्ता के हस्ताक्षर जिसको कागज लौटाया गया	यदि वाद निश्चय के पश्चात कागज अभिलेख में रह जाये और अध्याय ३ नियम २५ के अधीन लिफाफे में बन्द किया तो लिफाफे में बन्द जाने की तारीख
१.	Original receipt of posting of notice u/s ४० C.P.C. dated १२.१०.८५			
२.	Original acknowledgement due of the above dated १५.१०.८५			
३.	Copy of the notice u/s ४० C.P.C. sent to the defendant through counsel of the plaintiff			

रायाज्ञय का नाम  
वाद संख्या  
पक्षकारों के नाम

मूल्य एक प्रति ५ पैसे

सूची पेश करने वाले पक्षकार के हस्ताक्षर

16  
6-८-८५

In the Court of Munsif South, Lucknow  
R. S. No 91985

Hamid

Plaintiff

V3  
Union of India

Defendant

51)

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Stamps affixed except in case of uninsured  
letter, of not more than the initial weight  
prescribed in the Post and Telegraph Guide  
on which no acknowledgement is due.

Received a V.P. registered

Date stamp

Addressed to The Union of India

Through The General Manager

M. U. Baroda Office

..... Write here 'letter' 'parcel' or railway receipt with  
Signature of receiving officer. The word 'Insured' before it when necessary

to be filled in only when the article is to be insured otherwise to be crossed

out by means of two diagonal lines.

Insured for Rs. (in figures) ..... (in word) .....

weight rates

Grams

Fee Rs. ..... P. ..... (in words) .....

Grams

In the Court of Munsif South Lucknow  
R. S. No. <sup>22</sup> of 1985

Masi Lal

Plaintiff

VS  
Union of India — Defendant

58

प्राप्त स्वीकृति (रसीद) ACKNOWLEDGMENT

\* एक रुपये, अंकोड़/पंचांग/पात्र प्राप्त हुआ।

Received a Registered Letter/Postcard/Packet/Parcel  
Insured

{ क्रमांक 209  
No. 121X

पात्र वाल के द्वारा  
Addressed to (name) } The Union of India through  
the General Manager, Northern  
Railway, Baroda House, New Delhi.

पात्र का मन्त्र नं. 5  
मात्र 5 रुपये

मित्र वाल का दिनांक 1985  
Date of delivery

\* अनावश्यक कोट दिया जाए

पात्र वाल वस्तुओं के लिए

पात्र वाल के हस्ताक्षर/Signature of addressee  
\*Score out the matter not required.  
For insured articles only.

26-8-85

Masi Lal

Plaintiff

Munawar Sultan,  
Advocate,  
Din Dayal Road,  
Ashrafabad, Lucknow.

Registered A/D  
Dated 12.10.1984

Notice under Section 80 C.P.C.

Notice is hereby given by Munawar Sultan, Advocate, Din Dayal Road, Ashrafabad, Lucknow on behalf of Shri - Hari Lal, prospective plaintiff ( fully described below) pursuant to section 80 C.P.C. Act V, 1908 calling upon the Union of India through the General Manager, Northern Railway, Baroda House, New Delhi to pass an order withdrawing and cancelling the order by means of which the prospective plaintiff was withdrawn from the post of Ticket Collector with effect from 31.8.1983 (FN) and reinstating him on the said post of Ticket Collector with retrospective effect with full benefits of seniority and promotions etc, which would have accrued to him had he not been withdrawn from the said post.

The Union of India is further called upon to grant such other reliefs to the prospective plaintiff which are s' own and hereinafter claimed by him. The information required by the Union of India in accordance with section 80 C.P.C. are hereunder given:-

I. Name and full particulars of the  
Prospective plaintiff.

Shri Hari Lal, aged about 42 years, son of  
Shri Mool Chand, resident of 1/1, Kabir Marg  
(Out House ) Clay Square, Lucknow.

II. Facts

1). That the aforesaid Shri Hari Lal, Prospective plaintiff hereinafter called the plaintiff was initially appointed as a Parcel Porter in Commercial Cadre under the then Divisional Superintendent ( Now Divisional Railway - Manager), Northern Railway, Faizatganj, Lucknow in the year 1962. He was then posted under the station Superintendent,

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visions of Articles 14 and 16 of the Constitution of India  
des infringements of the Railway rules and, therefore, the  
ount to punishment.

17). That the withdrawal of the plaintiff from the post of Ticket Collector without being given him an opportunity to show cause or being heard amounts to punishment and as such the plaintiff is entitled to a declaration that he is entitled to continue on the said post with retrospective effect that is from 31.3.1932 with full benifits of seniority and further promotions which would have accured to him had he not been withdrawn from that post.

18). That the cause of action accrued to the plaintiff and against the defendant on 31.3.1932 when he was withdrawn from the post of Ticket Collector without being given him an opportunity of being heard.

### III. Relief Claimed by the plaintiff.

If within two months next after the service of this notice the prospective defendant does not pass an order withdrawing and cancelling the order of withdrawl of the plaintiff from the post of Ticket Collector with effect from 31.3.1932 and if he is not posted on the said post with retrospective effect with full benifits of seniority and promotion etc which would have accured to him had he not been withdrawn from that pos t, he shall have no option but to file a suit for the said reliefs in the competent court of law and shall also claim damages as a consequence of the impunged acts, hence this notice.

Munawar Sultan

Adv.  
( Munawar Sultan), Advocate.

1932

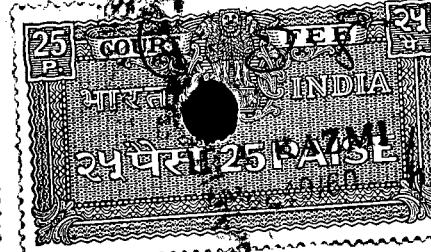
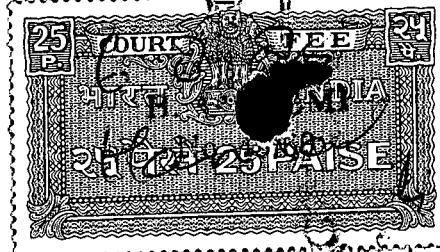
ब अदालत श्रीमान्  
[ वादी ] अपीलाइट  
श्री  
प्रतिवादी [रेस्पाडेन्ट]

Munsif South Lucknow

महोदय

Plaintiffs

वकीलतनामा



Hali Lal Plaintiff

क्रमांक ११३ वर्ष २००५ वनाम गलत प्रतिवादी (रेस्पाडेन्ट)

मुकद्दमा R.S. No. सन् १९८५ पेशी की ता० १६ ई०

कवर लिखे मुकद्दमा में अपनी ओर से श्री Mirzadar Sultan Adi  
Deendayal Road, Ashajabad, Hyderabad. वकील महोदय  
एडवोकेट

बाम अदालत नं० ११३ मुकद्दमा नं० १६ ई० एडवोकेट

को अपना वकील नियुक्त करके प्रतिज्ञा ( इकरार ) करता हूं और लिखे देता हूं इस मुकद्दमा में वकील महोदय स्वयं अथवा अन्य वकील द्वारा जो कुछ पैरवी व जबाब देही व प्रश्नोंसर करें या कोई कागज दाखिल करें या लौटावें या हमारी ओर से डिगरी जारी करावे और रुपया वसूल करें या मुलहनामा व इकबाल दावा तथा अपील निगरानी हमारी ओर से हमारी या अपने हस्ताक्षर से दाखिल करें और तसदीक करें मुकद्दमा 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 गई वह सब कार्यवाही हमको सर्वथा स्वीकार है और होगी मैं यह भी स्वीकार करता हूं कि मैं हर पेशी पर स्वयं या किसी अपने पैरोकार को भेजता रहूंगा। अगर मुकद्दमा अदम पैरवी में एक तरफ मेरे खिलाफ फँसला 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 ६ महीना ८ सन् १६ ई०

स्वीकृत

एडवोकेट

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD

(T)

Registration No. 825/1986

Hari Lal.....Plaintiff

Vs

Union of India.....Defendant.

Written statement on behalf  
of Union of India. ....Defendant.

1. that para 1 of the plaint is admitted to the extent that the plaintiff was appointed as Parcel Porter in Commercial cadre and was posted under Station Superintendent, Faizabad.
2. that para 2 to 5 of the plaint needs no admission or denied being not disputed.
3. that para 6 to 8 of the plaint are admitted to the extent that the Plaintiff was utilized as T.C. in Commercial Cadre in grade Rs. 330-560(RS), on being made surplus in his own cadre i.e. Fork Lift Driver in grade Rs. 330-560(RS). It is also further clarified that the plaintiff was utilized as Ticket Collector in Commercial ~~because~~ the services of the plaintiff were utilized so long as no work was available in his own cadre. i.e. Mechanical Cadre and/avoid his idle ness This arrangement was made purely on temporary basis without assigning any right of the plaintiff to claim his permanent lien in the Commercial Cadre and to continue as Ticket Collector and claim further promotion in the Commercial Cadre.
4. that the contents of para 9 - 10 of the plaint are not admitted as stated. It is further clarified that he was taken back to his own cadre as Fork Lift Driver/Parcel Lorry Driver in grade Rs. 330-560(RS) on availability of post and work of Driver in Mechanical Cadre w.e.f. 31.8.1983.
5. that para 11 of the plaint needs no admission or denied, being not disputed.

Additional Commissioner  
Northern Region  
1986

✓ D.P.S.

.....2/-

6. that para 12 of the plaint is not admitted. Additional pleas may kindly be seen.

7. that para 13 of the plaint is not admitted. Additional pleas may kindly be seen.

8. that para 14 of the plaint is not admitted. Additional pleas may kindly be seen.

9. that para 15 of the plaint is not admitted. He did not make any representation to the Rly. Adm. regarding his grievances to be redressed by the Rly. Adm.

10. that para 16 of the plaint is not admitted. The claim of the plaintiff is not maintainable as the same does not cover with in Rly. Rules. The plaintiff has to continue in his own Mechanical Cadre and has to work as Fork Lift Driver & Parcile Lorry Driver and thus there is no violation of Law of Natural Justice and Article 14 of the Contribution of India.

11. that para 17 of the Plaintiff is not admitted. Additional pleas may kindly be seen.

12. that para 18 of the plaint is not admitted. No notice U/S 80 CPC was served by the plaintiff upon the answering defendant.

13. that para 19 of the plaint is not admitted. Additional Pleas may kindly be seen.

14. that para 20 of the Plaintiff needs no admission ~~and~~ or denied being a legal issue.

15. <sup>Scit w/</sup> that the ~~suit~~ of the plaintiff is not maintainable against the answering defendant and liable to be dismissed with costs.

Additional Pleas

16. that the relief sought by the plaintiff can not be granted as the plaintiff was appointed as a Parcel Porter in Commercial cadre and he discharged his duties till the job of this nature of work was available and further he was promoted as Driver

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Bengal Commercial  
Northern Railways  
LICIA 11/10/10

✓ P.D.

## i.e. Form Lift Driver &amp; Parcel Lorry Driver.

17. that since the no work was available in his cadre, the Plaintiff was utilized as Ticket Collector in Commercial cadre in grade Rs. 330-560(RS) purely on temporary arrangements & are without assigning any seniority in T.C/Cadre.

18. that it is also made clear that the applicant and two other his colleagues, who were working as Ticket Collector purely on temporary basis, ~~were~~ made surplus as no further vacancy's were available, during the prevailing period as a result of that they were ordered to go to their parent cadre. Accordingly the plaintiff was spared by Chief Inspector Ticket, Lucknow to report to the concerned authorities for utilizing his services as Fork Lift Driver/Parcel Lorry Driver which is ~~his~~ permanent cadre and thus withdrawal of the applicant from the post of T.C. to the post of Fork left Driver/Paroel Lorry Driver does not amount any violation of Rly. Rules and Law and even no monitory loss in payment of wages is caused to the plaintiff.

19. that the plaintiff has to continue as Fork Lift Driver/Parcel Dorry Driver in his permanent cadre. Merely utilizing of services of the plaintiff as Ticket Collector for the time being on temporary arrangement basis, does not give him any legal right to claim his seniority in other cadre and same is also not permissible under Law & Rules.

The suit of the plaintiff is not maintainable against the answering defendant.

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Additional Comptroller  
Northern Railways  
LUCKNOW

OK (P)

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Additional Comptroller  
Northern Railways  
for and on behalf of Union of India.

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VERIFICATION

I Vikram Singh Assitt. Personnel

Officer, Northern Railway, Lucknow do hereby verify that the contents of Para 1 to 20 of its written statement are partly true on the basis of information, desired from available office record and partly true on the basis legal advice. So received.

 Signed and verified on 9th the day of June 1987  
at Lucknow.

  
Assistant Commd Officer  
Northern Railway  
for and on behalf of (Union) of India

( Defendant )

Before the Central Administrative Tribunal, Allahabad

Registration no. 825/1986

Hari Lal - - - - - Plaintiff

Vs.

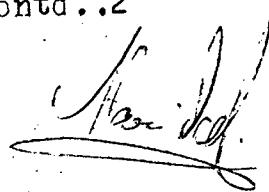
Union of India - - - - - Defendant.

Rejoinder to written statement of Union of India

The plaintiff begs to state the following in reply to the contents of the defendants contained in their W.S.

1. That the defendant has admitted the contents of para 1 of the plaint and no comment thereon.
2. That the defendant has admitted the contents paras 2 to 5 of the plaint and hence no comments thereon.
3. That the defendant has admitted in para 3 of the W.S. ~~contentions~~ the ~~conteneence~~ of paras 6 to 8 of the plaint. The defendant also had admitted that I had been surplus in my cadre of H.S. Grade II Fork Lift Driver, Grade Rs.330-560(RS) ~~their contentions~~ Regarding ~~there~~ ~~conteneence~~ about making purely temporary arrangement etc. in the last sentence of the statement, the plaintiff begs to submitt that their ~~conteneence~~ are after thought and therefore the same is denied. In this respect it is respectfully submitted that, as they have already admitted the fact of the plaintiff being surplus and utilizing him on the work of T.C., which is an alternative service. As per extent rules the surplus workman has to be given an alternative service in the same pay scale as far as possible. Accordingly the plaintiff was absorbed in the alternative job of T.C. grade Rs.330-560(RS)

contd..2



that being in the same department that is commercial.

It is further submitted that the departmental candidates

are eligible for appointment in the post of T.C. on

transfer in the administrative interest. Employees are

also appointed on the post of T.C. on their own request

subject to their being found suitable for the same. There

are examples that staff from other department have been

appointed on transfer on the their request as T.Cs'

The plaintiff's appointment as T.C. <sup>Scale</sup> rate Rs. 330-560(RS) in  
lieu of his service of his parent cadre, being surplus due  
to defects in the equipment on which he was employed, his  
appointment as T.C. was as such quite regular and in order.  
Other departmental staff and staff of different department  
of the Northern Railway on the post of T.C. long after the  
plaintiff i.e.

i) Shri Dal Bahadur Singh now T.C. Lucknow

Ex Clerk under LF/PBH

ii) Shri Tirath Raj Misra now T.C. Lucknow

Ex. Clerk under LF/PBH.

iii) Shri S.P. Chandeok now T.C. Lucknow

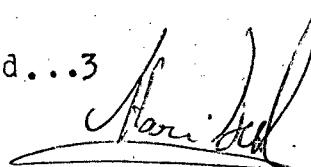
Ex. Mini Bus Staff Car Driver, DRM/Lucknow.

iv) Shri M.K. Sarswat now T.C. Lucknow

Ex. Typist under CR/BSB.

are still being continued on their posts, while the  
plaintiff was reverted to his parent cadre without any  
purpose and work. Since the date of his re-joining his  
earlier section, he has been made without any work. Since then

contd...3



the plaintiff is continuously sitting idle and performing no work whereas he is being paid his wages regularly of the grade of T.C. commercial Rs. 330-560 (RS).

These acts of the defendants are not fair.

It is pertinent to mention that the plaintiff is a candidate selected for the post of T.C. scale Rs. 260-400(RS) in the and in grade

selected year 1973 from Class IV quota. But he was not posted in grade of T.C., nor <sup>was</sup> he offered the appointment for the post although he was a selected candidate whereas persons in the lower positions of the same selection were appointed and being continued. His calling back to his old department was ~~unclassified~~ and arbitrary because they could not provide any

### service of Fork Lift Driver.

4. That the contents of para 4 of the W.S. are denied being false and ~~cock~~<sup>contentious</sup> story. The ~~sentencence~~ of paras 9 to 10 of the plaint are re-affirmed and reiterated. Their statement that the plaintiff was taken back as Fork Lift Driver/Parcel Lorry Driver scale Rs.330-560(RS) an availability of post and work of driver in mechanical cadre w.e.f. 31.8.1983 are all false and fabrication after thought. It has already being affirmed in the idle para that the plaintiff has not being performing the work of Fork Lift Driver or Parcel Lorry Driver, except in one or two occasion of driving parcel lorry. Practically the plaintiff has been kept idle whole <sup>the</sup> period right from 31.8.83 to date. The plaintiff have been representing to the defendant right from January '82 for his permanent absorption

...4 class fed

in the trade of T.C. and regularizing his service ~~in buy~~  
proper assignment of seniority in the cadre of TCS. A copy  
of the applications alongwith the postal receipt are  
Annexure  
1-7 attached herewith as annexures 1 - 7 as proof in support  
of the fact. Hence their statement are all false and  
after thought.

5. That the defendant had since admitted the ~~contention~~ <sup>contention</sup>  
of para 11 of the plaintiff hence no comments thereon.

6. That the ~~contention~~ <sup>contention</sup> of paras 6 to 13 of the W.S. are ~~not~~  
denied in full. The statement in paras 12 to 19 of the  
plaintiff are reaffirmed and ~~reiterated~~ <sup>reiterated</sup>.

Regarding their claim that the plaintiff did not make any  
representation to the Railway Administration is denied. His  
representation of 1983 and Dharangaj Singh M.P. Lok Sabha's

Annexure  
8 d.o. letter to the D.R.M. annexed herewith as annexure - 8  
fully acknowledged by the D.R.M. office are evidence in its  
support. In addition his representation dated 2.2.84 on which  
the A.P.O. himself has recorded his remarks is the second  
evidence in his support, the photo copy of the Divisional  
Commercial Superintendent/Lucknow d.o. letter no:DCS/Misc/

83 dated 13-6-1983 to Chief Commercial Superintendent, Northern

Railway, New Delhi is an expressed admission of my having  
represented to the Railway Administration vide his representa-

Annexure  
9 tion dated 7-6-1983. A copy of the same is also annexed herewith  
as Annexure - 9

The D.R.M., Lucknow had examined the plaintiff and declared him fit for holding of the post of T.C. vide his letter no: C/131-138-62/82 G.M. dated

Annexure  
-10  
19-6-1982 in the direction of permanently absorbing the plaintiff in the cadre of T.C. Their claim have therefore been proved with document as false.

Regarding the defendant's claim that his claim is not maintainable under Railway Rule are base less. They have totally fail to cite rule number etc. Their claim is only in ~~presumption~~ and wisefull and thus have no life to stand before law.

Their claim that the plaintiff has to continue in the Mechanical cadre and has to work as Fork Lift Driver and Parcel Lorry Driver are not supported by any rule or law. It is added that the plaintiff has not been given any seniority in the mechanical department in the cadre of Motor Driver because his juniors have already been given higher pay scale and promotion in the channel whereas he has been left out without equal treatment and renumeration viz. Sh. Sudama, Fork Lift Driver scale Rs. 260-400(RS) has been promoted to the post of Motor Driver scale Rs.380-560(RS). He is also likely to get the pay scale of Master Crafts Man, scale Rs.425-640(RS).

In addition to him one Shri Daram Raj has also been given promotion of the higher grade compared to the plaintiff. In support of the facts, a copy of seniority

Annexure  
list circulated under D.P.O./Lucknow letter no: 847E/1-5-75-

-11  
Lorry Driver dated 8-8-1975 and copy of D.R.M., Lucknow

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letter no: 755-E/1-5/Rost/M.Driver dated 7.12.85

11-12

are attached herewith as annexures - in support of  
the claim.

80CPC

Their claim of not giving notice under ~~TOPTC~~ are  
denied in full. In this <sup>respect</sup> para 19 of the plaint  
may kindly be perused.

7. The <sup>contentions</sup> of para 14 of the W.S. have not been  
disputed and therefore no comments on that point.

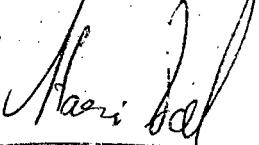
8. The <sup>contentions</sup> of the defendant in para 15 of the  
W.S. are denied.

9. The statements of the defendants in para 16 of the  
W.S. are denied. In this respect it is respectfully  
submitted that the motor drivers/lorry driver and  
fork lift driver are all covered under the nomenclature  
of "Motor Driver". In D.R.M./Lucknow letter  
dated 17.12.1985 is the proof against their claim.  
Shri Sudama Fork Lift Driver has been <sup>accepted</sup> to  
be in cadre of motor driver. Hence it is wrong  
for them to make false statement before the lawfull  
authorities.

10. That the statement of the defendant in para 17 of  
the W.S. are totally incorrect and after thought, so  
denied.

11. That the statement of defendant in para 18 of the  
W.S. are all fabrication after thought to justify  
<sup>illegal</sup> their ~~illegal~~ actions, and therefore denied in full.

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A.Y.

Annexure  
12A

It is wrong to say in their part that there was no vacancy of T.C. and as a result the plaintiff was called back to work in its old post. In this aspect the CIT-STN/LKO. Letter no. CIT-STN/35/83 dated 30-8-1983 is the documentary evidence that the plaintiff was called back with ~~malafide~~ intention, not that CIT/LKO spared the plaintiff at his own. The withdrawal of the plaintiff from working as T.C. and keeping him idle right from 31-8-1983 till date is unfair, malafide and arbitrary.

These act of the defendant are all violation of rules and law and the principle of the natural justice ~~once~~ compared to others in the similar position, and the juniors in the grade of T.C. were retained to work as T.C. These are all violation of articles 14 and 16 of the constitution of India.

12. That these statement of the defendant in para 19 of the W.S. are all denied because of those being base less, false and wishfull presumption.

The plaintiff had been tested and declared suitable by the competent authority to hold the post of T.C. permanently, he being decelared surplus in his trade/grade. As per extent rules and the law on equality before law and equal opportunity in employment, the plaintiff deserved to havee been retained and permanently absorbed with all benefits of seniority etc.

in the category of T.C. from the date of joining the trade/catagory. Any other treatment with the plaintiff meeted with him are illegal and arbitrary.

13. That the claim of the defendant in para 20 of the  
W.S. are denied being their ~~wishfull~~ <sup>plaint</sup> ~~plead~~ claim.

WHEREFORE, the plaintiff prays for the reliefs prayed  
in his ~~plead~~ being due and deserving under the principle of  
nature justice.

Allahabad,

Dt: 5-8-1987.

PLAINTIFF



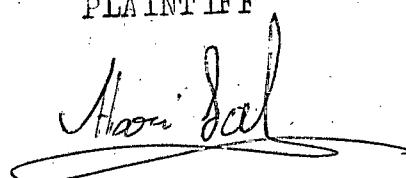
Verification

I, Hari Lal, do hereby verify that the contents  
of para 1 - 13 are true to his knowledge and  
belief.

Allahabad

Dt: 5-8-1987.

PLAINTIFF



सेवा में,

(152)

श्री माल रेलवे मण्डल प्रबन्धक महोदय,  
उत्तर रेलवे, लखनऊ।

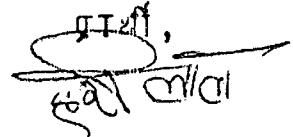
A/4

विषय: प्लेटफार्म इंजिनियर टी 0टी 0ई० पा बी०आई०सी० के पद हेतु।

महोदय,

बिवेदनयह है कि प्राथी हरीलाल फार्म लिप्ट इंजिनियर जो फि 1970 से बराबर फार्थ कर रहा है एक ही पद पर मेरा वेतन 330 से 560 वाला है जबकि मेरा पद फार्मिंगल में है और फार्मिंगल में अन्य लोगों को अगला ब्रेक 425/- वाला भी मिला है जबकि हमको 10 वर्ष से अभी तक यह ब्रेक बहीं मिला जबकि मैं आरक्षण फोटे से भी इस ब्रेक में आ सकता हूँ और फार्थफाल के आधार पर भी अन्य प्रार्थिता यह है कि मैं ने प्लेटफार्म इंजिनियर के लिये प्रार्थिता की थी जिसका ब्रेक 455/- है तो यह प्रश्नाखण फा. फार्थ है कि वह हमको पहले 425/- फा. ब्रेक दे तब 454/- में अगली पद उठनी तो हो देते हुए पद एवं फेंडर है इस पर फोई भी अपनी योग्यता के अनुसार आवेदन कर सकता है और इसी प्रकार मैंने भी प्रार्थिता की है कि मेरा भी फार्थ देख लिया जावे। मैं इस पद पर 1976-77 से बराबर प्रार्थिता कर रहा हूँ अगले बार प्रार्थिता की ओर से फोई संतोषजनक उत्तर बहीं मिला। मैं सब 1976-77 से बराबर प्रार्थिता कर रहा हूँ मुझको रेलवे में सेवा करते हुये 10 वर्ष हो गये हैं मैंने अबेकों बार उपरोक्त पदों के लिये आवेदन किया बताते पदोन्नति हुयी और ना ही पद मिला मुझे आशा है कि आप इस प्रार्थिता पर अवश्य ध्यान देने की कृपा करेंगे और सेवा फा. अवधर प्रदान करेंगे।

दिनांक: 12 Jan. 1982



हरीलाल फार्म लिप्ट इंजिनियर  
पर्सनल अफिस, लखनऊ।

Alleged  
Signature  
Date

Mr. 65/2/1/3

निजो परिवार

विराज दत्ता द्वारा दर्शाया गया

गति विभाग

PRIVATE SECRETARY TO  
MINISTER OF  
EDUCATION & SOCIAL WELFARE  
GOVERNMENT OF INDIA  
NEW DELHI-110011

September 7, 1953.

The Divisional Railway Manager,

North Eastern Railway,

LUCKNOW

Sir,

I have been desired to forward herewith  
a request from Shri Keri Lal, T.C. under 87/70,  
LKO Division duly recommended by Shri Ram Gopal,  
Secretary, City Congress Committee(I), regarding  
his absorption in commercial cadre and also  
fixing up his proper salary.

I shall be grateful if you could kindly  
get the same examined expeditiously.

Yours faithfully,

S.K.

(D.O., ARDN.)

Copy to Shri Ram Gopal, Secy., City Congress  
Committee(I), 85/22, Makbulganj, Lucknow for  
information.

(D.O., ARDN.)

Allected  
Doss  
P.D.

The Divl.Railway Manager,  
N.Railway, Lucknow.

Hon'ble Sir,

Sub: Absorption in commercial cadre and fixing up the proper seniority.

Most respectfully it is submitted as under for your honour's sympathetic consideration and doing justice.

1. The applicant was initially appointed as Parcel porter in commercial cadre and worked as such for about over 10 years ~~xxx~~ and thereafter was promoted as Fork Lift Driver in Parcel office maintaining his link in the commercial category.

2. That as the applicant had already passed the written test of TC much earlier i.e. in 1969 was ordered to work as TC in grade 330-560 and has been working as TC for the last over 1½ years. Necessary entry for qualifying as TC in written test was also made in the SR accordingly.

3. That while working as Fork Lift Driver applicant represented his case for fixing up the proper seniority and awarding the promotion accordingly. The representation was addressed to CCS.M.Rly, Baroda House, New Delhi, copy docketted to DRM LKO but of no avail.

4. That besides several reminders subsequently in response to my last representation dated 6.6.83 DCS M.Rly, Lucknow was pleased to recommend the case to Headquarter office vide D.O. No. DCS/Misc/83 dated 13.6.83 which is still pending consideration ~~there with CCS M.Rly, Baroda House, New Delhi.~~ but no response has been received in the meantime.

5. That in the meanwhile without awaiting the decision from the Headquarters office the applicant vide memo No.CIT. STN/85/83 dated 30.8.83 has now again been ordered to work as Fork Lift Driver.

6. That the applicant had been made a rolling tock assigning various nature of duty also before intervals, without paying heed to my representation followed by reminders for fixing up the proper seniority and give effect to due promotion accordingly.

7. That the applicant despite several applications and personal contents has been kept in dark as to where he stands.

8. That having been aggrieved now I venture to approach your goodself for favour of justice and order.

It is ~~xxx~~ therefore most respectfully prayed to very kindly pass orders to retain the applicant as TC pending disposal of his case i.e. fixing up the proper seniority and entitlement of the further promotion with retrospective effect. The applicant has a right to work as TC with full benefits of promotion etc. attached to that post.

Thanking you very much.

Yours faithfully,

*Hari Lal*  
( Hari Lal )  
T.C.

Under SS/LKO

LKO Divn.

Dated 1983.  
Address: Kabir Marg 1/1  
Lucknow.

Attested  
DD2  
DDV

३४८

ਸੀਮਾਨ ਸਾਡੇ ਰੇਖੇ ਪ੍ਰਕਾਸ਼ ਸਹੌਦਿ,  
ਹੋਰੇਖੇ, ਲਪਨਾ।  
ਵਿਖਾਵ:- ਪਾਰਿਸ਼ਿਫਟ ਛਾਈਵਾ ਦੀ ਸੀਮਿਕਾਰਟੀ ਤਥਾ ਕਾਨੂੰਨਿਕ ਦੀ ਸੀਮਿਕਾਰਟੀ ਵਿਖਾਵ ਦੀ ਸ਼ਾਮਲ ਸਹੌਦਿ।  
ਸਹੌਦਿ,

ਕਿਨ੍ਹ ਸਿਹੇਦਨ ਯਹ ਹਿ ਪ੍ਰਾਈ ਕੌ ਰੈਂ ਸੇਖਾ ਕਰਤੇ ਹਨ ਕਿਵੇਂ ਹੋ ਜਾਂਦੇ ਹਨ। ਅੰਦਰੋਂ ਪ੍ਰਾਈ ਦੀ ਹੋਰਨ ਵਾਲੀ 260-100 ਮੈਂ 1970 ਮੈਂ ਵੈਲਨ ਵਾਲੀ 330-260 ਮੈਂ ਪ੍ਰਕਿਰਿਆਨ ਦੇਕਾਂ ਕਾਈ ਸਿਲਾਈ ਪ੍ਰਾਈ ਦੇ ਕਾਰ੍ਯ ਵਾਲੀ ਸਿਖਿਤ ਕਿਥਾ। ਪ੍ਰਾਈ ਟ੍ਰੈਨਿੰਗ ਸਾਸ ਹੈ ਕਾਨੂੰਨੀ ਮੀਡੀ ਹੈ। ਜਾਣ ਸਿਥੁਪਲ ਕਾਸਟ ਕਾ ਹੈ। ਸੋ ਏਕਸਟਰੋਕਾਰਡੋਨ ਅੰਕਿਤਾ ਹੈ। ਸਮੇਂ 1970 ਮੈਂ ਜਾਣ ਅਗ੍ਰੋਡਿਗ ਹੁੰਦੀ ਸੀ ਪ੍ਰਾਈ ਦੀ ਨਹੀਂ ਦੀ ਜਾਂਦੀ। ਸੁਖਿਤ ਕਿਥਾ ਗਥਾ ਕਿ ਕਿ ਕਾਮਦਿੰਡਿਲ ਕਾ ਹੈ ਕਵੇਤਿੰਡਿਲ ਕਾ ਹੈ ਸਹੀ। ਕਲੋਂ ਕਾਰਣ ਕਥਾ ਪ੍ਰਾਈ ਕਾਂ ਅਗ੍ਰੋਡਿਗ ਪੌਡੇ ਰਹ ਗਈ।

अब तक इस विषय में निर्णय नहीं फिरा गया। इन्हाँ विषय में अवृत्ति फिरा आयगा इस विषय पर इरार्थी वहसे भी प्रार्थना पत्र है इसे हूँ। इरार्थी कालहित्यवत में अवृत्ति देता माम ३३०-४६० में वहसे एवं टी०ली० का छार्थ भी। से.डर हूँ। जिसमें इसमें लिखित परीक्षार्थ इसीना भर ती के थी। वरन्तु २ वर्ष छार्थ के बराबात इरार्थी छोड़ छार्थ लिप्त के छार्थ पर बापस बुला लिया गया। कार्डलिप्त के छार्थाक्षोर कई बास है इरार्थी छार्थ रवित है।

अतः द्वार्थी की वीमान जी से उत्तरिता है। जि उसकी सही सीमितर-  
ती तथा वर्गीकृति दी जाए तो वह तभ न हो गयी। अब दो 1978 से ही  
वारोंटीवार्ड ग्रेड में अडिसनल ग्रेड में "द्वार्थिर उत्तरार्थ का एक एवं अनी तथा  
रिवर्स है। अगर द्वार्थी बाबरिंगल का है तो उसे काबरिंगल में ही सीमितर-  
ती तथा लकड़ेडिन दी जाय। अगर अडिसनल का है तो अडिसनल में ही जाए।

मन्यणा प्राची को जाहार होकर बदामता की यारा निभी बड़ी जल सम्बन्ध में प्राची की प्रार्थना वज्र है। यूठा भैरा कार्यतात्म भी इन्हें बर दिया जाय जाएकी जडान उपकार होता। यूठे बरने वर्षारों से यूर्ण जाहा होता है जिसे अम्ब यी न्याय प्राप्त होता। कार्यतात्म हो जैरे प्रार्थना वज्र का उपयोग होता है यह सम्बूद्धा कि यूठे बरने बदामता में भेजा जा रहा है।

प्राचीन भाषा

દર્શા, કાશી.

१-इसमें व्यक्ति वाले नियम द्वारा नियंत्रित,  
कारबटी वाले नियम,  
इसमें नियम, व्यक्ति।

Form 2-2.64

Attested  
John  
Dew

संवा

श्री मान लनरत मैनपुर  
नार्दि रेलवे, बोर्ड हाउस  
नर्दि दिल्ली

Annexure 10

11/48

## विषय:- फार्कलिफ्ट द्वारा पर की सीनियारटी तथा अग्रेडिंग के लिए न्याय की मांग। प्रहोदय,

विनम्र निवेदन यह है कि प्रार्थी को रेल सेवा करते 21 वर्ष हो गये हैं। और प्रार्थी को वेत्तन मान 260-400 से 1970 में वेत्तन मान 330-360 से पुभोरान देकर फार्क लिफ्ट द्वारा पर कार्य पर लिया गया। प्रार्थी द्वेष टेस्ट पास है कन्फर्म भी है। तथा लियोन बास्ट का है। लो एलोआरो में व बित है। लेकि 1978 में वह अग्रेडिंग हुई तो प्रार्थी को नहीं दी गयी। और सुधित किया गया कि वह कामशियिल का है म्केनिकल का नहीं। अतः इस कारण का प्रार्थी को अग्रेडिंग में दी रह गया।

अब तक इस विषय में निगम नहीं किया गया कि प्रार्थी किस में अग्रेड किया जायगा। इस विषय पर प्रार्थी वहले भी प्रार्थना पत्र दे कुगा है।

प्रार्थी कामशियिल में आने वेत्तन मान 330-360 से रहे हुए टी०टी० का कार्य भी 1983 तक है। जिसमें उत्तरे लिफ्ट परीक्षा प्राप्तीर्ण कर ली दी गयी। पर 2 वर्ष कार्य के पश्चात प्रार्थी को फार्क लिफ्ट के कार्य पर वापस छुका किया गया। फार्कलिफ्ट न चलने के कारण और कई मास से प्रार्थी कार्य रद्दित है।

अतः प्रार्थी की श्रीमान् जी से प्रार्थना है कि उसकी सही सीनियारटी तथा अग्रेडिंग की जाप यो अब तक न ही दी गयी है जब की 1978 के ही आर०टी०आर०० गोवे में म्केनिकल ग्रेड में द्वारा द्वारा द्वारा एवं पद अभी तक दिक्षित है। अह प्रार्थी कामशियिल का है तो उसे कामशियिल में ही सीनियारटी तथा अग्रेडिंग की जाय। आम म्केनिकल का है तो म्केनिकल में ही जाए। जब की आर०टी०आर०० गोवे मेरी सिनियरिटी सब से कम है।

अन्यथा प्रार्थी को लावार होकर अदालत की राइट लेनी पड़ेगी इस सम्बन्ध में प्रार्थी कई प्रार्थना पत्र दे चुका है। क्या मेरा कार्यालय में ही निगम कर दिया जाए वापका महान उपकार होगा। मूले आने असरो से प्रार्थी लावार है कि मूले अब ही ज्या प्राप्त होगा। कायाक्षय से मेरे प्रार्थना पत्र का उत्तन न मिलने पर मैं यह समझूँगा कि मूले जबरन अदालत में भेजा जा रहा है।

### धन्यवाद।

अन्तिम-

(1) श्री मान् रेलवे भवनधनक अदादम डेटर रेलवे लखनऊ।  
महां पर अपलिकेशन द्वेष पर कोई अतर नहीं  
भास्त हुआ। उस्तुत अपतीकरान का छातीकीपि  
दिनांक 2-2-84 को दिया गया कोई जवाब  
नहीं आया अन्यथा अप ही गद्द करें।

(2) श्री ग्राम सोलटी अदादम रेलवे बड़ी हाई से  
रेल अवन नहीं दिल्ली।

दिनांक → 31.3.84

Alleged  
R.D.W.

प्रार्थी।  
हरी लाल। फार्क लिफ्ट द्वारा  
आर०टी०आर०० गोवे  
उत्तर रेलवे, लखनऊ।

बजीर मार्ग  
कोठी नं ५/।

रेलवे 226.00

सेवा भूमि

ਕੀਮਾਨ ਮਣਤਲ ਰੈਲਵੇ ਪ੍ਰਵਾਨਗ ਸਹੀਦਿ  
ਡੱਬੇ ਲਾਗਨਾਂ ।

विषय :- शाश्वत शाश्वर की सीमियरटी के लिए व्याय की मांग  
—oo—

महोदय,

सीवन्य निवेदन यह है कि प्राप्ति और रेत सेवा करते हुए 22 साल  
हो जाए है और इसमें वैतनमात्र 260-400 में कार्य भर रहा है। तथा  
1979 में उसमें खेती का अनुच्छेद में दो०सौ० के कार्य के समानी लिखित परोप्ता  
दृष्टिकोण भर ली गयी एवं यह प्राप्ति को 1980 में वैतनमात्र 33४ और 360  
में प्रोत्तरान देकर भाग्यवर के कार्य पर नियुक्त किया गया। यद्योऽपि  
इस कार्य के लिए और व्यवित न है। अतः प्राप्ति दो०सौ० के कार्य से ०  
रही है रहा। और जब बारह टौ० जारी बैच में 1979 में अधिक दूइ तो  
प्राप्ति दो० छाँसिताज्ज्ञ का स्वतान्त्र हुए अंग्रेज नहीं किया गया।

अतः प्राची की लीकान जी से प्राप्ति है कि अगर उसकी स्तिनियटो, कामरियल में है तो वामरियल ऐकीन भ्रन्ति में है । अगर हेक्लने मैकेनियल में है तो मैकेनियल है दै । अतः अगर पासल्स में है तो पासल्स है दै । महोदय से प्राप्ति है कि अप सदैव एस डाय को जलद से जल्द कराये । तो क्षितिजित्यार्थ को न्याय दिल सेके वापको गदान कूपा होगी ।

ਪਿਨਾਡ : - 23-4-84.

प्रियांका- 7-8-84.

Mr. T.,  
Barrie

## । दरी साल - पौरी तरफ़ छापवर बार० टो बार० गैरेज - वारदान

Altered  
book  
Rev



धर्मगज सिंह

संसद राजस्य

(लोक सभा)

पत्रांक

देल गवर्नर के चिरोड़ा घर 4, डॉ राजेन्द्र प्रसाद रोड,

भारत ।

नई-दिल्ली-110001

दस्तावेजी-12-1982

धियर सोहलिया,

हरदोह (उत्तर प्रदेश)

टेलीफोन नं. 505

प्रिय श्री घृटा, साहब

तिथि :

उपरा गेरे पत्रांक अंक 02936/80 दिन 05 दिसंबर, 1980 का जबलौकन वरे चिसके अन्तर्गत गेरे श्री दरी लाल, फार्क लिफ्ट द्वारा घर, उपरा पार्टी पार्टीलिय, लकड़ा घा प्य प्रार्थना-पत्र आपकी सेवा में राष्ट्रनुभूति पूर्वक विचार भरने हेतु भेजा जा।

उपर दर्शाई वा निवेदन है कि उसे विभागीय स्तर पर एलफार्म निर्देश या घल टिक्ट परीक्ष के रा में पूर्वोन्नति दिया जाय चाहोहि 1980 से यह 40330-360 के बेतन मान में जारी है तो राके आगे उरकी पटोन्नति जारी है। इस प्रकार यह नुस्खान एहा रहा है, याहोहि गदि वा लाने नूल पद प्रशासनिक आधार पर नहीं लाया गया होता तो वह लाभान्वत रहता है कि देरे उपर पत्र वा उत्तर आल तक गुरु नहीं निला। मैं भी दरी लाल के प्रार्थना-पत्र की एक प्रतिलिपि ला अने बधित पत्र की प्रतिलिपि पुनः संग्रह कर रहा हूँ और आकाश करता हूँ कि आप विवरणत गामले में शीघ्र आकाश का विश्वासी कर दें अवगत कराने की लूपा ले रही ।

संसद-उत्तरोन्तर

आपका

श्री एप्र०प्त० अर्जा,  
महिल रोता पूर्वन्धु,  
उत्तर-रोती, लखनऊ ।

धर्मगज सिंह ।

Altered  
10/12/82  
PN

Annexure 9

At  
SV

Northern Railway

J.S.Gayatri  
Divl.Comml.Suptt.

D.O.No.DCS/Misc/83

Divisional Office,  
Lucknow.

June 13, 1983.

Dear Sri Srivastava,

Sub: Absorption in Commercial Cadre.

Ref: Representation of Sri Hari Lal, working as TC  
under SS/LKO, dt. 7.6.1983.

Shri Hari Lal was initially appointed as Parcel  
Porter in Commercial Cadre and he worked as such for  
about over 10 years. Thereafter he was promoted as  
Fork Lift Driver in Parcel Office maintaining his lien  
in the Commercial Category and at present he is working  
as T.C. under SS/LKO.

The above case is deserving and is strongly  
recommended for issue of necessary favourable orders  
to get his absorbed as T.C. fixing up his proper  
seniority in the category of T.C. accordingly. The case was  
discussed with the Office of the Purpse.  
With kind regards,

Yours sincerely

(J.S. Gayatri)

Sri I.P.Srivastava,  
Chief Comml.Suptt.,  
Northern Railway,  
Baroda House,  
New Delhi.

DA: as above.

Attested  
Sar  
RDN

राजस्तान रेलवे  
NORTHERN RAILWAY

Annexure - B1

मामिला/No. .... 8478/1-5/75 /Recovery document  
प्रेषक/From

Divl. Rec. & It's Office  
Lokmanya

दिनांक/Dated 8-9-1975

रेका से/To

The No. 700/CD/R. M.Y./L&D  
Ex. 100/- Dated 1975.

विषय/Subject:

provisional seniority list of Fork Lift Driver  
हंसर्व/Reference: (Ex. No. 2678/1-5/75).

provisional seniority list of Fork Lift Drivers as on  
is sent herewith.

Provisional seniority list should be delivered under clear instructions to  
the staff concerned. Representation if any received from the staff  
should be forwarded to this office within a period of one month. No  
representation would be entertained after that date under any  
circumstances.

Please acknowledge receipt.

Ex. DME/DS2868 - 1975 = 2 copies of S/L&D &  
Ex. DME/DS2869 - 1975 = 2 copies of S/L&D on reverse.

Kindly  
Personal Officer,  
for Divisional Headquarters  
Lokmanya

Ex. 8/50775

Attested  
DOS  
RDN

11-100014-82

G. M. T. C. 1982  
B. D. 1982UNIVERSITY OF MUMBAI  
MUMBAI MUSICAL RAILWAY

31-138-62/82 GM

09/6/82

RM/100

C. I. T. (S14)

Lokman

- Utilization of Smt. Hari Lal, Fork lift driver.
- your letter no C18-112-38-82  
dated 04/6/82.

Shri Hari Lal is examined  
and he is found fit to hold  
independent charges,

(Signature)

for DRM/100

Attested  
By  
Adv.

A  
34

## Northern Military.

X-1 736-A/Industries/Driver.

Divisional Officer,  
Northern Div. 17.12.85

The C.S./ES/ALD.  
 The C.P.C./R.M.L. M.C.L.  
 The RTI CO LTD.  
 The Proprietary Electrode Co Ltd.  
 The OIL Road Co CY LTD. ✓

Ex-1: Trade test of Lorry & Tractor Driver  
in terms of P.R. 8765.

The trade test in terms of Military Board Letter P.R. 8765 dated 30/10/85 received under OT(P) in Letter No: 831-A/85-30/ Vol. I/ II & II (Loos) on 12.12.85 of Motor Lorry Driver will be conducted by 173 (Loos) NY known in his office on 20.12.85 and 31.12.85 at 10.00 hrs.

The following staff may be armed with all their original certificates/licences etc well in time for the above trade test.

Place of working.	6.M.C.	Present Grade.	Officiating Grade for which NY is last held.
-------------------	--------	----------------	--

Proprietary Co.	1. Smt. Dinesh Dutt. W/Driver C/ LDC.	200-400	33-560.
ATV/LTC.	2. " S.K. Prakash W/Driver	-do-	-do-
CPO/PGS.	3. " Sudam. (S/C) W/Driver.	-do-	-do-
RTI/LDC.	4. " John Dutt. W/Driver.	200-400	330-530
ATV/LDC.	5. " RYM Intq. Dutt. "	200-400	-do-
Proprietary Co/LTC.	6. " Parooq.	" "	-do-
CPO/ALD.	7. " Smt. Lal. W/Driver	-do-	-do-
RTI/LDC.	8. " S.P. Talyan Dutt. "	-do-	-do-

For Div. Military Manager,  
— LITMUS.

Attested

bom

Adv. Copy to I.M.R. (Loco) Mandir, Lucknow for information.

S.N.-301/82-2,00,000 Pds.

No. CII-SR/1/25/83

जी० ए० १९८८/G.L. १९-८

मार्ग ११८८ ग्राम ग्रन्ति ११८८ ग्राम

१३४८/११८८ नॉर्थ एनरी

NORTHERN RAILWAY

From CII-SR/1/25/83

246

To

The RTI/100

Sub: Sri Mani Lal for Right division

Re: Effectiveness of Right division  
Scheme for Month 29/8/83

The above named is spared West Bengal  
for the effect of RTI to work in  
Right division.

CII-SR/1/25/83

Attended

by

DAN

## CENTRAL ADMINISTRATIVE TRIBUNAL

LUCKNOW BENCH

Hari Lal - vs - U.O.I.

FORM OF INDEX

D.A./T.A./R.A./C.C.P./ No. 825-1986

P A R T -I

1.	Index Papers	:-	Nil
2.	Order Sheet	:-	1 to 13
3.	Any other orders	:-	X
4.	Judgement Df. 16.9.91	:-	4 Pgs (14 to 17)
5.	S.L.P.	:-	X

D.Y. RegistratSupervising OfficerDealing Clerk

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

Nil

1. Index Sheet A18

2. Copy of Petition/Answer A19 to A31  
Leave

3. Letters of leave A32 to A35 Dealing Clerk

4. Revisions A36 to A55

28/12/98

B/C. attached and forwarded

S.O. by [unclear]

V.K. Mishra

प्रष्ट संघा—2

आदेश-पत्र

(सम्यात 5 दिनम 143)

5-3

प्रारम्भिक वाद

संघा

मामला

359/85-

पत्रम

हरी नाम वक्तव्य— दिनांक 26 नवम्बर 1985

सं. 19

६०

अभिलेख

भाग

आदेश की संख्या	आदेश पा. विनाइ	आदेश, सम्बासीन व्यायाधीश के संक्षिप्त एस्टेक्टर सहित	निर्देश उस प्रार्थना-पत्र अथवा पत्र का जिस पर मूल आदेश लिखा गया	आदेश के प्रतिपालन में किये गये प्रसिद्धेश की संख्या तथा दिनांक का निर्देश
1	2	3	4	5
		<p>115- प्रति 359- 3 दिनांक 8.8.85-</p> <p>सं. 19 नाम पत्र 3- 8.8.85-</p> <p>मुल्यांकन : - २०- १०००.००</p> <p>115- का अधिकारी : - ३१- मुमुक्षु अधिकारी १५९१३२-</p>		
	8.8.85-	<p>115- कुल (म-३)- नाम पत्र</p> <p>पत्र नाम ग्राम ।</p> <p>प्रति 359-</p> <p>सामाजिक सभी हैं । एक रजिस्टर है।</p> <p>उत्तरार्द्ध के नाम पत्र 29.10.85 का १२.</p> <p>सितम्बर १९८५ का नाम पत्र ११.११.८५- ११.११.</p> <p>दिसंबर १९८५ का नाम पत्र ११.१२.८५-</p> <p>आदेश द्वारा दार्शन</p> <p>कानूनिक दिन २-१-८६ का</p> <p>पत्र है।</p>		

10/10/10

Noted  
Kishan Gopal  
11/12/18  
for PlaintiffA.M.  
11/12/18

12/Seetha Rao

R.S.N. 329/83 -

3

25-3-86 Case put up to day  
No. 13. File P.C.  
on leave today -  
order  
Put up on the date  
fixed.

12/Seetha  
Rao

22/3

31-3-86

Case closed.

\* noted  
Sharma Gopal  
plaintiff  
22/3

Issue closed one copy to  
the party.

Done above

Rs 22.50/-

12/Seetha  
Rao

11-4-86 In compliance with  
double High Courts C.A. No.  
29/IV P. 238 dated 30-11-85  
and Central Admin. Tribunal letter  
No. C. AT (All) 5 (judicial)

05/92 dt. 13-2-86 the  
file is sent to the Dy. Registrar  
Tribunal for necessary action  
according to law.

12/Seetha  
Rao

ORDER SHEET

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD

Registration No. .... Q25(T) .... OF 1986

Harilal vs. Union of India

SL NO of order	Date of order	ORDERS WITH SIGNATURE	Office Notes as to action (if any) taken on order
21-10-86		<p>Hon. S. Zakeer Hasan, V.C. Hon. A. Jay Jayaram, M.C.B.</p> <p>Sri G.C. Gahsana for the applicant appeared and filed Valakat nama. No one appears for the respondent.</p> <p>Put up on 11-11-86 for hearing on 10-12-86.</p> <p style="text-align: center;">17 3/</p> <p>V.C. m (R)</p>	<p><u>Office report</u></p> <p>1. OSN No. 359/85 received on transfer from DJ Lucknow.</p> <p>2. Cause of action - Seniority and promotion.</p> <p>3. Position at the stage - transfer -</p> <p>(i) W.S. not filed.</p> <p>(ii) Pending for further hearing.</p> <p>4. Notice issued by post to both the parties.</p> <p>5. No undelivered cover received back so submitted for order.</p> <p style="text-align: right;">Mojil</p> <p>Valakat nama for 17/10/86 was applied on day 10 G.C. Gahsana filed by and kept on record.</p> <p style="text-align: right;">R 21/10/86</p> <p>In compliance with Hon. Tribunal's order dt. 11/11/86, neither W.S. nor re-petition filed so far submitted</p> <p style="text-align: right;">R 11/11/86</p>
11-11-86		<p>Hon. S. Zakeer Hasan, V.C. Hon. A. Jay Jayaram, M.C.B.</p> <p>Sri T. P. Aparna for the respondent.</p> <p>Sri G.C. Gahsana for the applicant.</p> <p>written statement can be filed within 9 month. Rejoinder can thereafter be filed within ten days.</p> <p>Put up on 2-1-87 for final hearing.</p> <p style="text-align: center;">N 3/</p> <p>V.C. N.M.</p>	

Ram

अदेश पत्रक  
ORDER SHEET

निर्देश आवेदन रजिस्टर में सं०

No. in Reference Application  
Appeal Register

825 ८१८६

अपील अनिकरण  
Appellate Tribunal

अपीलार्थी

आवेदक

Appellant  
Applicant

अपीलार्थी

आवेदक द्वारा

बनाम

प्रत्यक्षी

Appellant

Applicant

प्रत्यक्षी द्वारा

Respondent

Harish vs. T. M. D. Respondent

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

संक्षिप्त आदेश, निर्देश देते 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

7-87

Hm. S. Jaiswal (Hm. V-  
Hm. D. S. Jaiswal (Hm. A)

For the information of  
the Plaintiff - Smt. P. Agarwal  
for the Respondent -  
Brij Singh  
5-3-87 and registered.

32  
VK

33  
M(A)

# Order Sheet

8

825/86(T)

18-2-88

Honble D.S. Mridha - A.M  
Honble G.S. Sharma - T.M

On the request of plaintiff  
Counsel, the case is adjourned  
to 22-4-88 for hearing.

A.M.

T.M.

22-4-88

No sitting. Adj to 16-8-88.

16-8-88 No sitting. List this case <sup>sl</sup> before D.R.J. on 25-10-88  
for fixing a date for final hearing.

25-10-88

~~list~~ on the request of parties, 2nd  
before court for hearing on 6-12-88

6-12-88

Hon D.S. Mridha - A.M  
Hon G.S. Sharma - T.M

~~list~~

Shri G.P. Agarwal father respondent  
is present. On the request of learned  
Counsel for the applicant, the case  
is adjourned to list before D.R.J.  
on 7-2-89 for fixing date of hearing.

T.M.

~~DJ~~ A.M

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
CIRCUIT BENCH, LUCKNOW

ORDER SHEET

REGISTRATION NO. 825 of 1986 (T)

(O.S. 359/05)

Hair Lef

APPELLANT  
APPLICANT

DEFENDANT  
RESPONDENT

VERSUS

U.O.L (N.Rly)

Serial number of order and date	Brief Order, Mentioning Reference if necessary	How complied with and date of compliance
25/5	No sitting Adjudicated to 17/7/89 for Hearing.	OR T.A. 825/86 (T) (O.S. 359/05) has been received on Transfer from C.A.T. And under the order of O.R. (5) Counter & rejoinder has filed.
17.7.89	No sitting adj. to 26.9.89 for hearing	O.S. against the order of Promulgation of sentence Case is ready for hearing Submitted for hearing
26/9/89	From Justice K. Nath, re. Non K. Obayya, Am.	OR Case is submitted for hearing on 26/9/89
	On the request of the learned Counsel for the applicant the case is adjourned and be listed for final hearing on 29-11-89.	OR Case is submitted for hearing
29/11/89	No sitting adj. to 23-1-90 Applicant is present	OR Case is submitted for hearing
23.1.90	No sitting adj. to 14.3.90	OR S.I.C.

3

3-2-91

No hearing adj to 16-9-91

J

16-9-91

Hon. Justice V.C. Srivastava - V.C.  
From Mr. A. B. Gorthi A.M.

The T.D. has been disposed of  
by a separate order.

Received copy  
Hans  
8/11

8.M.

v.e.

Received  
Copy  
14/11

14

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD

CIRCUIT BENCH  
LUCKNOW

T.A. 825/1986

(O.S.No. 359/85)

Hari Lal

Plaintiff/Applicant.

versus

Union of India & others

Respondents.

Hon. Mr. Justice U.C. Srivastava, V.C.  
Hon. Mr. A.B. Gorthi, Admn. Member.

(Hon. Mr. Justice U.C. Srivastava, VC)

The applicant with a complaint that gross injustice has been done to him, filed Civil Suit before the court of learned Munsif for declaration praying that a decree may be granted declaring that his withholding from the post of Ticket Collector with effect from 31.3.83 is wholly illegal, unconstitutional, arbitrary void and inoperative and he is entitled to the said post with retrospective effect.

2. Written statement was filed by the Railway Administration contesting the prayer, when the case was transferred to this Tribunal under section 29 of the Administrative Tribunals Act, 1985.

3. The applicant who entered the service of Railway in 1962 was transferred to the Parcel office

ii

where he was utilised as Lorry Cleaner although he was a porter. The category of the applicant was changed vide order dated 30.3.1970 and he was promoted as Lorry Driver in the pay scale of Rs 260-400 in the Commercial Department. But according to the applicant notwithstanding the fact that he was promoted as Lorry Driver in the grade of Rs 260-400, the work of Fork Lift Driver (Scale Rs 330-560) was taken from him. On his protest the Railway Administration promoted the applicant to the post of Fork Lift Driver and started to pay his wages in the scale of Rs 330-560 with effect from 30.4.1973. He was also confirmed in the grade of Rs 330-560 with effect from 27.4.1978. The applicant who had already passed the suitability test for the post of Ticket Collector, in the year 1973, was given an alternative post of Ticket Collector in the scale of Rs 330-560. The applicant was found fit and that is why the Divisional Railway Manager made recommendations in his favour. He continued to work on the said post upto 31.8.83, whereafter he was spared from the said post and was sent back to the Department where from to R.T.I. Northern Railway. The applicant joined the post under protest. He represented against the same but in vain.

W.

2. The respondents, in the written statement stated that as no work was available, he was utilised as Ticket Collector in the Commercial Department purely on temporary arrangements and without assigning any seniority in T.C. Cadre. The persons similarly situated were asked to go to their parent cadre and he cannot claim it.

3. The applicant has pointed out that the persons junior to the applicant were promoted and posted as Ticket Collector and they were not reverted and he has given the names of four such persons in the Rejoinder which has not been challenged. The applicant has also stated that by virtue of his seniority in the year 1973 various persons like him were promoted from Class IV quota. The recommendations were made for him by the D.R.M. His case is deserving and his proper seniority may be fixed. The Railway Board's letter dated 16.5.85 addressed to the D.R.M. Northern Railway has also been placed on record by the applicant. In the said letter it has been decided by the C.P.O that a single post cannot be termed as a cadre post and is to be treated as an ex-cadre one for all the purposes. Further as per provisions of the Indian Railway Establishment Manual, an employee continues to maintain his lien in his parent cadre even if he has been confirmed in an ex-cadre post.

4. Notwithstanding the fact that such a direction

was issued, it appears that the applicant was not even thought that he belonged to that cadre and was not considered for promotion to the post of Ticket checking Staff for which he was qualified and on which post he had worked. Accordingly, it was the duty ~~of~~ cast upon a direction to be given by the Headquarter <sup>and</sup> ~~on~~ the same has not been complied with but the fact remains that the applicant had earned seniority and fully qualified for promotion to the post of Ticket Collector. The application is allowed. The respondents are directed to consider the seniority of the applicant, and in case any person junior to him was promoted as Ticket Collector or retained as Ticket Collector, the applicant shall be promoted as Ticket Collector, taking his seniority in accordance with law. This will be done within a period of three months of the date of communication of this order.

*Shambhu*  
A.M.

*luz*  
V.C.

Lucknow Dated: 16.9.91

एच ० सी ० जे ० प्रपत्र सं ० ९ भाग IX

सामान्य सूची (अध्याय ४, नियम ४)

प्रागत्य

दाद संख्या

३५९/८५-

वर्ष १९८५ ई०

३१०१३-

स्थान

हिमाचल प्रदेश

राज्य सरकार बना।

आत्मज

थाना

प्रवसार

निवासी

जाति

निर्णय का दिनांक

अध्याय १२ नियम १ के अनुसार पदावली का प्रकार

जिला

४६७४० आम ५३५

ब-११५

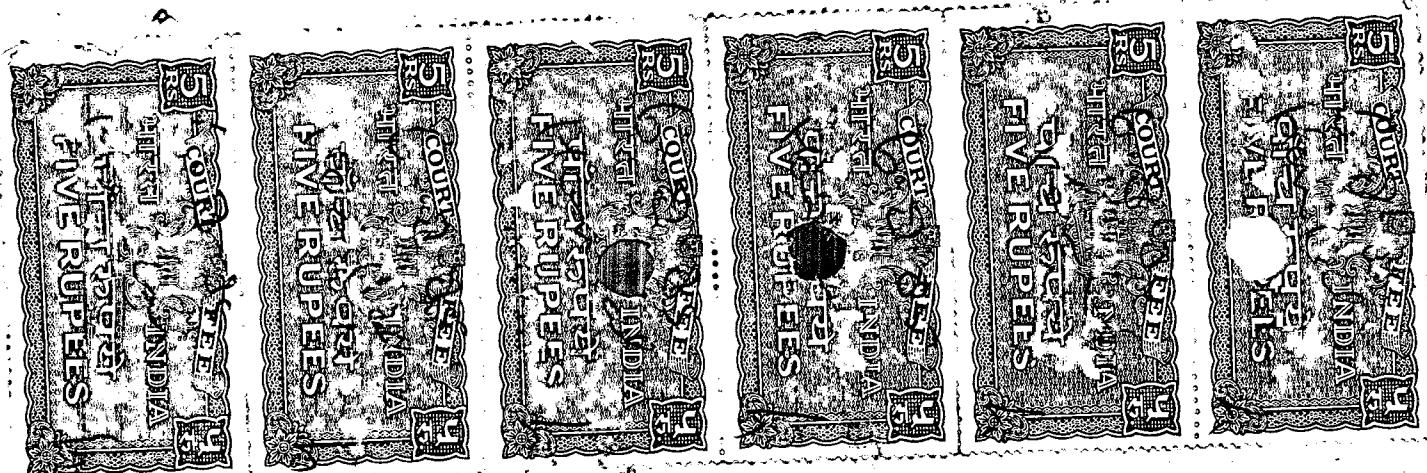
पद की क्रम-संख्या	पदजात का प्रकार	नत्यी (क) या नत्यी (ख)	सम्मिलित किये गये पदजात के पदों की सं०	न्यायालय शुल्क		पदजात को पदावली में सम्मिलित किये जाने का दिनांक	अनुदित
				टिकटों (स्टाम्पों) की संख्या	मूल्य		
1	2	3	4	5	6	7	8
1.	सुनी ५५-	५	१	—	—	४८.८५-	
2.	८१५-५२१-	५	६	६	३०.००	—	
3.	३११२१-५२१-	५	६	६	३०.००	—	
4.	८१११-५११-	५	१	—	—	—	
5.	२१८८-५११-	५	१	—	—	—	
6.	Postal receipt -	५	१	३	१.५०	—	
7.	A/D	५	१	—	—	—	
8.	copy of notice	५	१	—	—	—	

R. S. No. 359/85 A/9

In the court of Munsif South, Lucknow.

821

Regular Suit No. of 1985



Hari Lal, aged about 43 years, son of Shri -  
Mool Chand, resident of 1/1, Kabir Marg (Out  
House) Clay Square, Lucknow.

.... Plaintiff.

Year = 1962-1963  
6/8/85 Versus

Union of India through the General Manager,  
Northern Railway, Baroda House, New Delhi.

.... Defendant.

Suit for declaration.  
Valuation .. Rs. 1000/-  
Court Fee Paid .. Rs 30/-

The plaintiff respectfully submits as under:-

1. That in the year 1962, the plaintiff was initially appointed as a Parcel Porter in Commercial Cadre under the then Divisional Superintendent, (now Divisional Railway Manager), Northern Railway Hazratganj, Lucknow. He was then posted under the Station Superintendent, Northern Railway, Faizabad.
2. That thereafter in the year 1964, the plaintiff was transferred from Faizabad and posted in the aforesaid capacity under the Station Superintendent, Northern Railway, Charbagh, Lucknow. He was given duty in the Parcel Office, Northern Railway.

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Charbagh, Lucknow.

3). That in the Parcel Office, the plaintiff was being utilized as a Lorry Cleaner although he was a porter. It may be mentioned that the post of Lorry - Cleaner was also in commercial cadre.

4). That by an order dated 30.3.1970, the Railway Administration, on its own accord, changed the category of the plaintiff and promoted him as a Lorry Driver in scale Rs. 260-400 in the commercial department as the plaintiff was knowing the driving of vehicles. It may be mentioned that the post of Lorry Driver is a class III post whereas the post of Parcel Porter is a class IV post.

5). That although the plaintiff was promoted as a Lorry Driver in grade Rs. 260-400 yet he was put to work as a Fork Lift Driver which was in grade Rs. 330-560 in the Commercial Cadre but he was being paid his wages in scale Rs. 260-400. On protest made by the plaintiff, the Railway Administration, on its own accord, promoted the plaintiff on the post of Fork Lift Driver and started to pay his wages in scale Rs. 330-560 with effect from 30.4.1973 and he was also confirmed in the said grade with effect from 27.4.1978.

6). That in the year 1981, the aforesaid post of Fork Lift Driver stopped to operate and as such the plaintiff became surplus. It being so, the plaintiff, as per extent rules, was to be given some alternative post in the commercial cadre and in case no such post was available in the said cadre, then he was to be absorbed in other cadres in the said grade ( Rs. 330-560) with full benefit of seniority and pay protection etc.

*Hanif*

39

7). That thereafter the plaintiff was given an alternative post of Ticket Collector grade Rs. 330-560 in Commercial Cadre and he joined the post on and with effect from 6.5.1982 at Charbagh Railway Station, Lucknow. It may be mentioned that the plaintiff, in a selection held in the year 1973 for promotion of class IV staff to the post of Ticket Collector ( class III Post), was already found suitable for that post.

8). That the Divisional Authority of Northern Railway, Lucknow, on a reference made by the Chief Inspector of Tickets ( Station), Charbagh, Lucknow under whom the plaintiff was posted as a Ticket Collector, declared the plaintiff fully fit to hold the independant charge of the post of Ticket Collector in grade Rs. 330-560 and this decision was made after a careful examination of the plaintiff. It may be mentioned that this declaration was made by the Divisional Railway Manager, Northern Railway Lucknow, who is the highest authority of Lucknow Division.

9). That the plaintiff continued to work on the aforesaid post of Ticket Collector upto 31.8.1983 (FN) that is beyond the period of 15 months without any complaint from any corner.

10). That all of a sudden on 31.8.1983, the plaintiff was spared by his Chief Inspector of Tickets, Northern Railway, Charbagh, Lucknow with a direction to report for his further duties under the R.T.I., Northern Railway, Lucknow, who was under the Mechanical Department of Northern Railway, Lucknow. It may be mentioned that no opportunity of showing cause was offered to the plaintiff while withdrawing ~~the~~ him from the post of Ticket Collector and directing him to work in a seperate department.



11). That in compliance of the administrative orders, the plaintiff reported under the R.T.I., Northern Railway, Lucknow under protest. It may be mentioned that ever since the plaintiff is being used like that of a casual employee having no lien any where. He has not been given any post of permanent nature. As and when any necessity is arisen, he is utilised as a jeep driver, lorry driver in all the departments and some times he is made to sit idle.

12). That no such post as mentioned in the above paragraph is available in the Railway Department nor the the rules of the department permit the authorities to utilize a permanent employee of commercial cadre according to their sweet will without assigning any permanent job and seniority.

13). That the seniority of the plaintiff in the scale of Rs. 330-560 has no where been assigned in any category of post which ought to have been done under the extent rules.

14). That the act of the Railway Administration withdrawing the plaintiff from the post of Ticket Collectors and directing him to join under R.T.I., Lucknow are wholly illegal, unconstitutional and without jurisdiction rather arbitrary in law.

15). That the plaintiff made several representations against the injustice as stated above but in-vain.

16). That the Railway Administration has acted against law and rules by making frequent changes of the plaintiff's category without his consent resulting into block of his avenue of promotion and as such the said acts are not only against the Principles of Natural Justice

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but also are in violation of the provisions contained in Articles 14 and 16 of the Constitution of India besides infringements of the railway rules and, therefore, the same amount to punishment.

17). That the withdrawal of the plaintiff from the post of Ticket Collector without being given him an opportunity to show cause or being heard amounts to punishment and as such the plaintiff is entitled to a declaration that he is entitled to continue on the said post with retrospective effect, that is from 31.8.1983 with full benefits of seniority and further promotions which would have accrued to him had he not been withdrawn from that post.

18). That the plaintiff gave notice under section 80 C.P.C. under registered cover to the defendant on 12.10.84 which has been served on him on 15.10.1984.

19). That the cause of action accrued to the plaintiff and against the defendant within the jurisdiction of this Hon'ble Court on 31. 8.1983 when he was withdrawn from the post of Ticket Collector without being given him an opportunity of being heard, on 12.10.1984 when notice under section 80 C.P.C. was ~~not~~ given and finally on 14.12.1984 when the statutory period of notice expired but the defendant gave no reply.

20). That the valuation of the suit for the purposes of court fee and jurisdiction is Rs. 1000/- on which the requisite court fee of Rs. 30/- has been paid. The relief being incapable of valuation, the plaintiff gives his own valuation.

*Harish*  
That the plaintiff prays for the following  
reliefs:-

(a) A decree declaring that the plaintiff's

withdrawl from the post of Ticket Collector with effect from 31.3.83 is wholly illegal, unconstitutional, arbitrary, void and inoperative in law be passed in favour of the plaintiff and against the defendant entitling ~~to~~ him to continue on the said post of Ticket Collector with retrospective effect that is from the date of withdrawl with full benifits of seniority and promotions, which would have accured to him had he not been withdrawn from the said post.

(b). Cost of the suit be awarded to the plaintiff and against the defendant.

(c). Any other relief which this Hon'ble Court may deem fit and proper in the circumstances of the case be awarded to the plaintiff and against the defendant.

Lucknow:  
Dated 6-8-1985.

Plaintiff,  
Munawar Seelam  
Advocate

Verification:

I, the above-name plaintiff do hereby verify that the contents of paragraphs nos. 1 to 18 are correct to my personal knowledge and those of paragraphs nos. 19, 20 and ~~relief para~~ are correct to my belief.

Signed and verified this 6 day of ~~Aug~~ 1985 in the Civil Court Compound at Lucknow.

Plaintiff.

प्रपत्र संख्या—२

प्रादेश-पत्र

(अध्याय ५, निम्न १४३)

संघ पत्र

संघ

मासिक

संघ

सं. १९

५०

भाग

प्रादेश का विवरण	प्रादेश, अध्यासील भागाधीक्षा ठे संवित्त हस्ताक्षर संग्रह	निर्देश उस प्रादेश-पत्र अध्यवा पत्र का जिस पर मूल प्रादेश लिखा गया	प्रादेश के प्रतिपाद्य से किये गये प्रतिवृत्त की संख्या तथा विवरण का निर्देश
२	३	४	५

New No. H. C. J. Part-IV-71

Old No H.C.J. Part-XXI-71

( सर्व साधारण में विक्रार्थी )

155

# बादी/प्रतिवादी द्वारा पेश किये गये दस्तावेजों की सूची

[ आदेश १३ नियम ]

न्यायालय *Munsif South* स्थान *Archibonw*

वाद संख्या *Manilal* सन १९८५ ई०

16

वादी

बनाम

Union of India.

प्रतिवादी

*Plaintiff*

वाद पत्र के साथ

बादी/प्रतिवादी की ओर से - - - - - पेश किये गये दस्तावेजों की सूची

इस सूची की *Plaintiff*

प्रथम सुनाई के समय

ने आज सन १९

८५-८-६

दिवस को पेश किया

१	२	३			
		कागज किया हुआ			
क्रम सं०	दस्तावेज का अभिवर्णन और उसकी तारीख	यदि अभिलेख में सम्मिलित किया गया तो प्रदर्शन चिन्ह जो उसपर डाला गया	यदि नामंजूर हुआ तो प्रकार को लौटाये जाने की तारीख एवं पक्षाकार या उसके अभिवक्ता के हस्ताक्षर जिसको कागज लौटाया गया	यदि वादनिशब्द के पश्चात कागज अभिलेख में रह जाये और अभ्याय ३ नियम २५ के अधीन लिफाफे में बन्द किया तो लिफाफे में बन्द जाने की तारीख	टीणी
१.	Original receipt of post of notice u/s 80 C.P.C. dated 12-10-84				
२.	Original acknowledgement due of the above dated 15-10-85				
३.	Copy of the notice u/s 80 C.P.C. sent to the defendant through counsel of the plaintiff				

रायालय का नाम  
वाद संख्या  
पक्षकारों के नाम

मूल्य एक प्रति ५ पैसे

सूची पेम करने का पक्षकार के हस्ताक्षर

Adarsh  
6-8-85

In the Court of Munsif South, Amethi  
R. S. No. 91985

Manilal

Plaintiff

Vs.  
Union of India

Defendant

51)

No.  
209

Stamps affixed except in case of uninsured  
letter, of not more than the initial weight  
prescribed in the Post and Telegraph Guide  
on which no acknowledgement is due.



Received a V.P. registered Date stamp  
addressed to The Union of India  
through The General Manager  
M. U. Bawali Lisse  
..... Write the 'letter' 'parcel' or railway receipt with  
Signature of receiving officer. the word 'Insured' before it when necessary  
To be filled in only when the article is to be insured otherwise to be crossed  
out by means of two diagonal lines.  
insured for Rs. (in figures) ..... (in word) .....

weight	rates
.....	.....

Grams

..... fee Rs. ..... P. ..... (in words) .....

Manilal

Plaintiff

In the Court of Munsif South Lucknow  
R. S. No. <sup>A/27</sup> of 1985

Hari Lal

Plaintiff

VS  
Union of India — Defendant

58

प्राप्ति स्वीकृति (स्वीकृति) ACKNOWLEDGMENT

मान्यता प्राप्ति का प्रमाण प्राप्ति का प्रमाण  
Received a Registered insured Letter/Postcard/Packet, etc. { क्रमांक. No. 209  
from the General Manager, Northern Railway, Baroda House, New Delhi. } No. 12/X  
Date: 1985  
मान्यता प्राप्ति का प्रमाण प्राप्ति का प्रमाण  
Received a Registered insured Letter/Postcard/Packet, etc. { क्रमांक. No. 209  
from the General Manager, Northern Railway, Baroda House, New Delhi. } No. 12/X  
Date: 1985

पाल वाल के हस्ताक्षर/Signature of addressee  
\*Score out the matter not required.  
for insured articles only.

Hari Lal

26-8-85

Plaintiff

Munawar Sultan,  
Advocate,  
Din Dayal Road,  
Ashrafabad, Lucknow.

Registered A/D,  
Dated 12.10.1984

Notice under Section 80 C.P.C.

Notice is hereby given by Munawar Sultan, Advocate, Din Dayal Road, Ashrafabad, Lucknow on behalf of Shri - Hari Lal, prospective plaintiff ( fully described below) pursuant to section 80 C.P.C. Act V, 1908 calling upon the Union of India through the General Manager, Northern Railway, Baroda House, New Delhi to pass an order withdrawing and cancelling the order by means of which the prospective plaintiff was withdrawn from the post of Ticket Collector with effect from 31.8.1983 (FN) and reinstating him on the said post of Ticket Collector with retrospective effect with full benifits of seniority and promotions etc, which would have accrued to him had he not been withdrawn from the said post.

The Union of India is further called upon to grant such other reliefs to the prospective plaintiff which are shown and hereinafter claimed by him. The information required by the Union of India in accordance with section 80 C.P.C. are hereunder given:-

I. Name and full particulars of the Prospective plaintiff.

Shri Hari Lal, aged about 42 years, son of Shri Mool Chand, resident of 1/1, Kabir Marg (Out House ) Clay Square, Lucknow.

II. Facts.

1). That the aforesaid Shri Hari Lal, Prospective plaintiff hereinafter called the plaintiff was initially appointed as a Parcel Porter in Commercial Cadre under the then Divisional Superintendent ( Now Divisional Railway - Manager), Northern Railway, Hazratganj, Lucknow in the year 1962. He was then posted under the station Superintendent,

et Collector <sup>as</sup> and directing him to work in the  
ent.

That in compliance of the administrative orders, plaintiff reported under the P.I.R., Northern Railway, under protest. It may be mentioned that ever since plaintiff is being used like that of a casual employee having no job anywhere. He has not been given any post of permanent nature. As and when any necessity is arisen, he is utilised as a Jeep Driver, Lorry Driver in all the departments and some times he is made to sit idle.

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That no such post as mentioned in the above  
available in the Railway Department nor the rule  
ment permit to authorities to utilize a permane  
Commercial Cadre according to their sweet will  
ning any permanent job and seniority.

3).

that the seniority of the plaintiff in the  
0-560 has no where been assigned (in any case)  
ought to have been done under the extent if

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14) That the act of the Railway Administration  
withdrawing the plaintiff from the post of Ticket Collector  
and directing him to join under R.T.I., Lucknow are  
illegal, unconstitutional and without jurisdiction  
arbitrary in law.

15)

15). That the plaintiff made several re-  
against the injustice as stated above but invalid

16)

16). That the Railway Administration law and rules by making frequent changes of category without his consent resulting into promotion and as such the said acts are not in accordance with the Principles of Natural Justice but also

87

visions of Articles 14 and 16 of the Constitution of India  
as infringements of the Railway rules and, therefore, the  
Court to punishment.

17). That the withdrawal of the plaintiff from the post of Ticket Collector without being given him an opportunity to show cause or being heard amounts to punishment and as such the plaintiff is entitled to a declaration that he is entitled to continue on the said post with retrospective effect that is from 31.3.1932 with full benefits of seniority and further promotions which would have accrued to him had he not been withdrawn from that post.

18). That the cause of action accrued to the plaintiff and against the defendant on 31.3.1932 when he was withdrawn from the post of Ticket Collector without being given him an opportunity of being heard.

III. Relief Claimed by the plaintiff:

If within two months next after the service of this notice the prospective defendant does not pass an order withdrawing and cancelling the order of withdrawal of the plaintiff from the post of Ticket Collector with effect from 31.3.1932 and if he is not posted on the said post with retrospective effect with full benefits of seniority and promotion etc which would have accrued to him had he not been withdrawn from that post, we shall have no option but to file a suit for the said reliefs in the competent court of law and shall also claim damages as a consequence of the impugned acts, hence this notice.

Munawar Sultan  
Adv.

(Munawar Sultan), Advocate

10/5/1981

In the court of Munsif South, Lucknow.

Reg. Suit No. of 1985.

Hari Lal

...

Plaintiff

Venus

Union of India ...

Defendant.

Registered Address.

" HARI LAL SON OF SHRI MOOL CHAND, RESIDENT  
OF 1/1, KABIR MARG ( OUT HOUSE ) CLAY SQUARE,  
LUCKNOW."

Hari Lal

Lucknow  
Dated 6-8-85

Munawar Sehgal  
Advocate  
Case for plaintiff

ब अदालत श्रीमान्  
[ वादी ] वपीलान्ट  
प्रतिवादी [ रेस्पांडेन्ट ]

Munsif South Lucknow महोदय

Plaintiff

बकालतनामा



Hali Lal Date Plaintiff  
15/11/85 विवाह विवाह  
मुफद्दमा R.S. No. सन् 1985 पेशी की ता० १६ ई०

प्रतिवादी (रेस्पांडेन्ट)  
प्रतिवादी (रेस्पांडेन्ट)

ठशर लिखे मुफद्दमा में अपनी ओर से श्री Minadar Sultan, Advocate  
Den Dayal Road, Agra, Lucknow. पत्रिका महोदय  
एडपोफेट

बनाम	—	—
अदालत	नं०	—
मुफद्दमा	नाम	कर्ता
माम	मुफद्दमा	नाम

को अपना बफील नियुक्त करके प्रतिज्ञा ( इक्करार ) करता हूं और लिखे देता हूं इस मुकद्दमा में बकील महोदय स्वयं अथवा अन्य बकील द्वारा जो कुछ पैरवी व जवाब देही व प्रश्नोंत्तर करें या कोई कागज दाखिल करें या लौटावें या हमारी ओर से डिगरी दारी करावे और रुपया वसूल करें या मुलहनामा व इफबाल दावा तथा अपील निगरानी हमारी ओर से हमारी या अपने हस्ताक्षर से दाखिल करें और तसदीक करें मुफद्दमा उठावें या कोई रुपया जमा करें या हमारी विपक्षी ( फरोफसानी ) का दाखिल किया हुआ रुपया अपने या हमारे हस्ताक्षर युक्त ( दस्तखती ) रसीद से लेवे या पंच नियुक्त करें—बकील महोदय द्वारा को गई वह सब कार्यवाही हमको सर्वथा स्वीकार है और होगी मैं यह मी स्थीफार करता हूं कि मैं हर पेशी पर स्वयं या किसी अपने पैरोकार को भेजता रहूंगा। अगर मुकद्दमा अदम पैरवी में एक तरफ मेरे खिलाफ फैसला हो जाता है उसकी जिम्मेदारी मेरे बकील पर नहीं होगी इसलिए यह बकालतनामा लिख दिया प्रमाण रहे और समय पर काम आवे।

हस्ताक्षर

Hali Lal

साक्षी ( गवाह )

साक्षी ( गवाह )

दिनांक

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महीना

सन् १६

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स्वीकृत

Mulla  
एडपोफेट

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD

Registration No. 825/1986

Hari Lal.....Plaintiff

VS

Union of India.....Defendant.

Written statement on behalf  
of Union of India. ....Defendant.

1. that para 1 of the plaint is admitted to the extent that the plaintiff was appointed as Parcol Porter in Commercial cadre and was posted under Station Superintendent, Faizabad.
2. that para 2 to 5 of the plaint needs no admission or denied being not disputed.
3. that para 6 to 8 of the plaint are admitted to the extent that the Plaintiff was utilized as T.C. in Commercial Cadre in grade Rs. 330-560(RS), on being made surplus in his own cadre i.e. Fork Lift Driver in grade Rs. 330-560(RS). It is also further clarified that the plaintiff was utilized as Ticket Collector in Commercial ~~because~~ the corvees of the plaintiff were utilized so long as no work was available in his own cadre, i.e. Mechanical Cadre and/avoid his idle ness This arrangement was made purely on temporary basis without assigning any right of the plaintiff to claim his permanent lion in the Commercial Cadre and to continue as Tickot Collector and claim further promotion in the Commercial Cadre.
4. that the contents of para 9 - 10 of the plaint are not admitted as stated. It is further clarified that he was taken back to his own cadre as Fork Lift Driver/Parcel Lorry Driver in grade Rs. 330-560(RS) on availability of post and work of Driver in Mechanical Cadre u.o.f. 31.8.1983. 1983.
5. that para 11 of the plaint needs no admission or denied, being not disputed.

Central Government  
Ministry of Home Affairs  
1983

d SP2

.....2/-

6. that para 12 of the plaint is not admitted. Additional pleas may kindly be seen.

7. that para 13 of the plaint is not admitted. Additional pleas may kindly be seen.

8. that para 14 of the plaint is not admitted. Additional pleas may kindly be seen.

9. that para 15 of the plaint is not admitted. He did not make any representation to the Rly. Adm. regarding his grievances to be redressed by the Rly. Adm.

10. that para 16 of the plaint is not admitted. The claim of the plaintiff is not maintainable as the same does not cover <sup>7/10</sup> with in Rly. Rules. The plaintiff has to continue in his own Mechanical Cadre and has to work as Fork Lift Driver & Parcels Lorry Driver and ~~thus~~ thus there is no violation of Law of Natural Justice and Article 14 of the Constitution of India.

11. that para 17 of the Plaintiff is not admitted. Additional pleas may kindly be seen.

12. that para 18 of the plaint is not admitted. No notice U/S 80 CPC was served by the plaintiff upon the answering defendant.

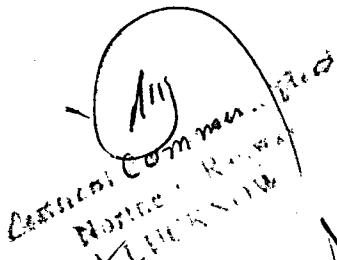
13. that para 19 of the plaint is not admitted. Additional Pleas may kindly be seen.

14. that para 20 of the Plaintiff needs no admission ~~and~~ or denial being a legal issue.

15. that the <sup>Scit w/</sup> suit of the plaintiff is not maintainable against the answering defendant and liable to be dismissed with costs.

Additional Pleas

16. that the relief sought by the plaintiff can not be granted as the plaintiff was appointed as a Parcel Porter in Commercial cadre and he discharged his duties till the job of this nature of work was available and further he was promoted as Driver



W. B.

i.e. Fork Lift Driver & Parcel Lorry Driver.

17. that since the no work was available in his cadre, the Plaintiff was utilized as Ticket Collector in Commercial cadre in grade Rs. 330-560(RS) purely on temporary arrangements & are without assigning any seniority in T.C Cadre.

18. that it is also made clear that the applicant and two other his colleagues, who were working as Ticket Collector purely on temporary basis, ~~were~~ made surplus as no further vacancy is were available, during the prevailing period as a result of that they were ordered to go to their parent cadre. Accordingly the plaintiff was spared by Chief Inspector Ticket, Lucknow to report to the concerned authorities for utilizing his services as Fork Lift Driver/Parcel Lorry Driver which is his permanent cadre and thus withdrawal of the applicant from the post of T.C. to the post of Fork lift Driver/Parcel Lorry Driver does not amount any violation of Rly. Rules and Law and even no monetary loss in payment of wages is caused to the plaintiff.

19. that the plaintiff has to continue as Fork Lift Driver/Parcel Lorry Driver in his permanent cadre. Merely utilizing of services of the plaintiff as Ticket Collector for the time being on temporary arrangement basis, does not give him any legal right to claim his seniority in other cadre and same is also not permissible under Law & Rules.

20. The suit of the plaintiff is not maintainable against the answering defendant.

(11)  
Addl. Commr. of Police  
Northern Railway  
LUCKNOW  
20/10/1988  
O.P. [Signature]

(11)  
Addl. Commr. of Police  
Northern Railway  
for and on behalf of Union of India.

( 4 )

VERIFICATION

I Vikram Singh Assitt. Personnel

Officer, Northern Railway, Lucknow do hereby verify that the contents of Para 1 to 20 of its written statement are partly true on the basis of information, desired from available office record and partly true on the basis legal advice. So received.

 Signed and verified on 9<sup>th</sup> the day of June 1987  
at Lucknow.

  
Assist. Commd Officer  
for and on behalf of Union of India

( Defendant )

Before the Central Administrative Tribunal, Allahabad

Registration no. 825/1986

Hari Lal - - - - - Plaintiff

Vs.

Union of India - - - - - Defendant.

Rejoinder to written statement of Union of India

The plaintiff begs to state the following in reply to the contents of the defendants contained in their W.S.

1. That the defendant has admitted the contents of para 1 of the plaint and no comment thereon.
2. That the defendant has admitted the contents para 2 to 5 of the plaint and hence no comments thereon.
3. That the defendant has admitted in para 3 of the W.S. ~~contentions~~ the ~~senteneene~~ of para 6 to 8 of the plaint. The defendant also had admitted that I had been surplus in my cadre of H.S. Grade II Fork Lift Driver, Grade Rs.330-560 (RS) ~~their contentions~~ Regarding ~~there conteneene~~ about making purely temporary arrangement etc. in the last sentence of the statement, the plaintiff begs to submitt that their ~~sentencence~~ are after thought and therefore the same is denied. In this respect it is respectfully submitted that, as they have already admitted the fact of the plaintiff being surplus and utilizing him on the work of T.C., Which is an alternative service. As per extent rules the surplus workman has to be given an alternative service in the same pay scale as far as possible. Accordingly the plaintiff was absorbed in the alternative job of T.C. grade Rs.330-560 (RS)

contd..2

that being in the same department that is commercial.

It is further submitted that the departmental candidates are eligible for appointment in the post of T.C. on transfer in the administrative interest. Employees are also appointed on the post of T.C. on their own request subject to ~~there~~ being found suitable for the same. There are examples that staff from other department have been appointed on transfer on the ~~their~~ request as T.Cs' ~~rate~~ <sup>scale</sup> The plaintiff's appointment as T.C. ~~rate~~ Rs. 330-560 (RS) in lieu of his service of his parent cadre, being surplus due to defects in the equipment on which he was employed, his appointment as T.C. was as such quite regular and in order. Other departmental staff and staff of different department of the Northern Railway on the post of T.C. long after the plaintiff i.e. -

i) Shri Dal Bahadur Singh now T.C. Lucknow

Ex Clerk under LF/PBH

ii) Shri Tirath Raj Misra now T.C. Lucknow

Ex. Clerk under LF/PBH.

iii) Shri S.P. Chandeok now T.C. Lucknow

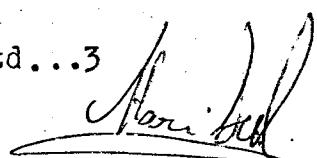
Ex. Mini Bus Staff Car Driver, DRM/Lucknow.

iv) Shri M.K. ~~Sarswat~~ <sup>Srivastava</sup> now T.C. Lucknow

Ex. Typist under CR/BSB.

are still being continued on their posts, while the plaintiff was reverted to his parent cadre without any purpose and work. Since the date of his re-joining his earlier section, he has been made without any work. Since then

contd...3



the plaintiff is continuously sitting idle and performing no work whereas he is being paid his wages regularly of the grade of T.C. commercial Rs. 330-560(RS).

These acts of the defendants are not fair.

It is pertinent to mention that the plaintiff is a candidate selected for the post of T.C. scale Rs. 260-400(RS) in the year 1973 from Class IV quota. But he was not posted in grade of T.C., nor <sup>was</sup> he offered the appointment for the post although he was a selected candidate whereas persons in the lower positions of the same selection were appointed and being continued. His calling back to his old department was ~~unclassified~~ and arbitrary because they could not provide any service of Fork Lift Driver.

4. That the contents of para 4 of the W.S. are denied being false and ~~contentious~~ <sup>old</sup> story. The ~~sentences~~ of paras 9 to 10 of the plaint are re-affirmed and reiterated.

Their statement that the plaintiff was taken back as Fork Lift Driver/Parcel Lorry Driver scale Rs.330-560(RS) an availability of post and work of driver in mechanical cadre w.e.f. 31.8.1983 are all false and fabrication after thought. It has already been affirmed in the idle para that the plaintiff has not been performing the work of Fork Lift Driver or Parcel Lorry Driver, except in one or two occasion of driving parcel lorry. Practically the plaintiff has been kept idle whole <sup>the</sup> period right from 31.8.83 to date. The plaintiff have been representing to the defendant right from January '82 for his permanent absorption

in the trade of T.C. and regularizing his service ~~in buy~~  
proper assignment of seniority in the cadre of TCS. A copy  
of the applications alongwith the postal receipt are  
Annexure  
1-7 attached herewith as annexures 1 - 7 as proof in support  
of the fact. Hence their statement are all false and  
after thought.

contention

5. That the defendant had since admitted the ~~contention~~ of para 11 of the plaint, hence no comments thereon.

6. That the ~~contention~~ of paras 6 to 13 of the W.S. are denied in full. The statement in paras 12 to 19 of the plaint are reaffirmed and ~~reiterated~~.

Regarding their claim that the plaintiff did not make any representation to the Railway Administration is denied. His representation of 1983 and Dharamgaj Singh M.P. Lok Sabha's

Annexure  
8 d.o. letter to the D.R.M. annexed herewith as annexure - 8 duly acknowledged by the D.R.M. office are evidence in its support. In addition his representation dated 2.2.84 on which the A.P.O. himself has recorded his remarks in the second evidence in his support, the photo copy of the Divisional Commercial Superintendent/Lucknow d.o. letter no:DCS/Misc/ 83 dated 13-6-1983 to Chief Commercial Superintendent, Northern

Railway, New Delhi is an expressed admission of my having represented to the Railway Administration vide his representation dated 7-6-1983. A copy of the same is also annexed herewith as Annexure - 9

*[Signature]*

The D.R.M., Lucknow had examined the plaintiff and declared him fit for holding of the post of T.C. vide his letter no: C/131-138-62/82 G.M. dated 19-6-1982 in the direction of permanently absorbing the plaintiff in the cadre of T.C. Their claim have therefore been proved with document as false.

Annexure  
-10

Regarding the defendants claim that his claim is not maintainable under Railway Rule are base less. They have totally fail to cite rule number etc. Their claim is only in ~~presumption~~ <sup>ed</sup> presentation and wisefull and thus have no life to stand before law.

Their claim that the plaintiff has to continue in the Mechanical cadre and has to work as Fork Lift Driver and Parcel Lorry Driver are not supported by any rule or law. It is added that the plaintiff has not been given any seniority in the mechanical department in the cadre of Motor Driver because his juniors have already been given higher pay scale and promotion in the channel whereas he has been left out without equal treatment and renumeration viz. Sh. Sudama, Fork Lift Driver scale Rs. 260-400(RS) has been promoted to the post of Motor Driver scale Rs.380-560(RS). He is also likely to get the pay scale of Master Crafts Man, scale Rs.425-640(RS).

In addition to him one Shri Daram Raj has also been given promotion of the higher grade compared to the plaintiff. In support of the facts, a copy of seniority

Annexure  
-11

list circulated under D.P.O./Lucknow letter no: 847E/1-5-75-

Lorry Driver dated 8-8-1973 and copy of D.R.M., Lucknow

letter no: 755-E-1-5/Rost/M.Driver dated 7.12.85

11-12

are attached herewith as annexures - in support of  
the claim.

80CPC

Their claim of not giving notice under ~~TEPTC~~ are  
denied in full. In this <sup>respect</sup> aspect para 19 of the plaint  
may kindly be perused.

Contentions

7. The contencence of para 14 of the W.S. have not been  
disputed and therefore no comments on that point.

contentions

8. The contenee of the defendant in para 15 of the  
W.S. are denied.

9. The statements of the defendants in para 16 of the  
W.S. are denied. In this respect it is respectfully  
submitted that the motor drivers/lorry driver and  
fork lift driver are all covered under the nomenclature  
of "Motor Driver". In D.R.M./Lucknow letter  
dated 17.12.1985 is the proof against their claim.

accepted

Shri Sudama Fork Lift Driver has been ~~excepted~~ to  
be in cadre of motor driver. Hence it is wrong  
for them to make false statement before the lawfull  
authorities.

10. That the statement of the defendant in para 17 of  
the W.S. are totally incorrect and after thought, so  
denied.

11. That the statement of defendant in para 18 of the  
W.S. are all fabrication after thought to justify  
illegal  
their illegal actions, and therefore denied in full.

...7

Mazib

A  
y/2

Annexure  
12-A

It is wrong to say in their part that there was no vacancy of T.C. and as a result the plaintiff was called back to work in its old post. In this aspect the CIT-STN/LKO. Letter no. CIT-STN/35/83 dated 30-8-1983 is the documentary evidence that the plaintiff was called back with ~~malafide~~ intention, not that CIT/LKO spared the plaintiff at his own. The withdrawal of the plaintiff from working as T.C. and keeping him idle right from 31-8-1983 till date is unfair, malafide and arbitrary. These act of the defendant are all violation of rules and law and the principle of the natural justice compared to others in the similar position, and the juniors in the grade of T.C. were retained to work as T.C. These are all violation of articles 14 and 16 of the constitution of India.

12. That these statement of the defendant in para 19 of the W.S. are all denied because of those being base less, false and wishfull presumption.

The plaintiff had been tested and declared suitable by the competent authority to hold the post of T.C. permanently, he being declared surplus in his trade/grade. As per extent rules and the law on equality before law and equal opportunity in employment, the plaintiff deserved to have been retained and permanently absorbed with all benefits of seniority etc.

in the category of T.C. from the date of joining the trade/catagory. Any other treatment with the plaintiff metted with him are illegal and arbitrary.

*Hari Lal*

13. That the claim of the defendant in para 20 of the  
W.S. are denied being their ~~wisfull~~ ~~plend~~ ~~claim~~

WHEREFORE, the plaintiff prays for the reliefs prayed  
in his ~~plend~~ being due and deserving under the principle of  
nature justice.

Allahabad,

Dt: 5-8-1987.

PLAINTIFF

Hari Lal

Verification

I, Hari Lal, do hereby verify that the contents  
of para 1 - 13 are true to his knowledge and  
belief.

Allahabad

Dt: 5-8-1987.

PLAINTIFF

Hari Lal

सेवा में,

(152)

श्री मातृ रेलवे मण्डल प्रबन्धक महोदय,  
उत्तर रेलवे, लखनऊ

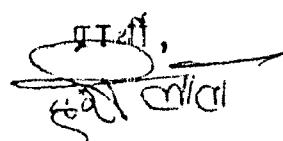
A/45

विवर: एलेटफार्म इन्डस्पेक्टर टी०८००५००५० या बी०आई०सी० के  
पद हैं।

महोदय,

बिषेदबयाह है कि प्रार्थी हरीलाल कार्म लिफ्ट इंजिनियर जो  
कि 1970 से बराबर फार्थ फर रहा है एक ही पद पर मेरा वेतन  
330 से 560 वाला है जबकि मेरा पद फार्मिशियल में है और फार्मिशि-  
यल में उन्नय लोगों को अगला ब्रैड 425/- वाला भी मिला है जबकि हम-  
मो 10 वर्ष से भी तक यह ब्रैड बहीं मिला जबकि में आरक्षण फोटो  
से भी इस ब्रैड में आ सकता हूँ और फार्थकाल के आधार पर भी  
उन्नय प्रार्थिता यह है कि मैं जो एलेटफार्म इन्डस्पेक्टर के लिये प्रार्थिता  
की थी जिसका ब्रैड 455/- है तो यह प्रशासनिक का फार्थ है कि  
वह हममो पहले 425/- का ब्रैड दे तब 454/- में अगली पद उठनी तो  
हो वेष्य पद एक्स कैंटर है इस पर कोई भी अपली योग्यता के  
अवधार आवेदन फर सकता है और इसी के फारण में भी प्रार्थिता  
की है कि मेरा भी फार्थ देख लिया जावे। मैं इस पद पर आउड्रू ब्रैड  
पर भी फार्थ फर सकता हूँ। आशा है कि मैं इस पद पर अपको  
पूरा संतोष देंगा उन्नय को 425/- की अगली पदोन्नति देके  
की कृपा करें मैंने अबकों बार प्रार्थिता की परन्तु प्रशासनिक की ओर  
से कोई संतोषनक उत्तर बहीं मिला। मैं सब 1976-77 से बराबर  
प्रार्थिता फर रहा हूँ मुझको रेत में सेवा फरते हुये 10 वर्ष हो गये  
हैं मैंने अबकों बार उपरोक्त पदों के लिये आवेदन किया न तो  
पदोन्नति हुयी और बा ही पद मिला मुझे आशा है कि आप इस  
प्रार्थिता पर अवश्य ध्यान देने की कृपा फरेंगे और सेवा का अवधार प्रदान  
करेंगे।

दिनांक: 12 Jan. 1982


हरीलाल कार्म लिफ्ट इंजिनियर  
पर्सनल अफिस, लखनऊ




File No. 65-3/5/1/13

मिशन सेक्रियरी  
विद्या विभाग अधिकारी  
मार्ग सचिव

PRIVATE SECRETARY TO  
MINISTER OF  
EDUCATION & SOCIAL WELFARE  
GOVERNMENT OF INDIA  
NEW DELHI-110011

September 7, 1960.

The Divisional Railway Minister,  
North Eastern Railways  
Lucknow

Sir,

I have been desired to forward herewith a request from Shri Hari Lal, T.C. under 87/VI, LKO Division duly recommended by Shri Ram Gopal, Secretary, City Congress Committee(I), regarding his absorption in commercial cadre and also fixing up his proper seniority.

I shall be grateful if you could kindly get the same examined expeditiously.

Yours faithfully,

S.K.V.  
(D.D., AROR)

Copy to Shri Ram Gopal, Secy., City Congress Committee(I), 86/22, Mahbulganj, Lucknow for information.

(D.D., AROR)

Revised  
1000  
P.D.W.

The Divl. Railway Manager,  
N.Railway, Lucknow.

Hon'ble Sir,

Sub: Absorption in commercial cadre and fixing up the proper seniority.

Most respectfully it is submitted as under for your honour's sympathetic consideration and doing justice.

1. The applicant was initially appointed as Parcel porter in commercial cadre and worked as such for about over 10 years and thereafter was promoted as Fork Lift Driver in Parcel office maintaining his lien in the commercial category.
2. That as the applicant had already passed the written test of TC much earlier i.e. in 1969 was ordered to work as TC in grade 330-560 and has been working as TC for the last over 1½ years. Necessary entry for qualifying as TC in written test was also made in the SR accordingly.
3. That while working as Fork Lift Driver applicant approached his case for fixing up the proper seniority and awarding the promotion accordingly. The representation was addressed to CCS.M.Rly, Baroda House, New Delhi, copy docketted to DRM LKO but of no avail.
4. That besides several reminders subsequently in response to my last representation dated 6.6.83 CCS M.Rly, Lucknow was pleased to recommend the case to Headquarter office vide D.O. No. DCS/Misc/83 dated 13.6.83 which is still pending consideration along with CCS M.Rly, Baroda House, New Delhi, but no response has been received in this regard for
5. That in the meanwhile without awaiting the decision from the Headquarters office the applicant vide memo No.CIT. STN/05/83 dated 30.8.83 has now again been ordered to work as Fork Lift Driver.
6. That the applicant had been made a rolling task assigning various nature of duty also before a intervals, without paying heed to my representation followed by reminders for fixing up the proper seniority and give effect to due promotion accordingly.
7. That the applicant despite several applications and personal contents has been kept in dark as to where he stands.
8. That having been aggrieved now I venture to approach your goodness for favour of justice and order.

It is therefore most respectfully prayed to very kindly pass orders to retain the applicant as TC pending disposal of his case i.e. fixing up the proper seniority and entitlement of the further promotion with retrospective effect. The applicant has a right to work as TC with full benefits of promotion etc. attached to that post.

Thanking you very much.

Yours faithfully,

( H. S. )  
T.C.

Under SS/LKO  
LKO Divn.

Dated 1983.  
Address: Kabir Marg 1/1  
Lucknow.

Allesed  
10/2  
D.V.

३४०

वीमान वर्षात्स रेस्ट्रे प्रधान मराठाय,  
उरोस्ये. तपत्ता।

ਪਾਈ, ਤਪਨਾ।  
ਵਿਦਿਆਰਥੀ ਸਿਖਾਈ ਦੀ ਸੀਮਿਕਾਰਟੀ ਵਿਖੇ ਅਨੁਭਿਤਿ 0 ਨਿਰ ਵਾਪ ਦੀ ਦੁ  
ਮਾਂ।

मठीदय

ਚਿਨ੍ਹ ਸਿਖੇਦਨ ਯਾਂ ੦ ਵਿਗ੍ਰਾਹੀ ਦੀ ਰੋਗ ਮੌਕਾ ਪਰਤੇ ੧। ਬਹੁ ਦੀ ਜਾਂ  
ਪੀ। ਅੰਦੀ ਗ੍ਰਾਹੀ ਦੀ ਥੇਹਨ ਮਾਮ ੨੦੦-੪੦੦ਮੀ ੧੯੭੦ ਵਿਖੇ ਪ੍ਰੈਟਲ ਸਾਮ ੭੩੦-੯੦੦ ਮੀ  
ਇਧੀਣ ਦੇਂਦਾ ਕਾਰੀ ਸਿਲਾਈ ਗ੍ਰਾਹੀ ਦੇ ਨਾਥ ਪਰ ਨਿਕੁਣਤ ਹਿੱਸਾ। ਗ੍ਰਾਹੀ ਟ੍ਰੈਂਟ  
ਟੈਂਟ ਹਾਸ ਦੀ ਹੱਦਾਲੀ ਮੀ ਹੈ। ਹੁਣ ਸਿਖੁਪਤ ਪਾਣੀ ਹਾ ਹੈ। ਜੇ ਅਕਾਂਤਾਰਾਵੇਂ  
ਜੀਹਿਤ ਹੈ। ਅਨੁ ੧੯੭੦ ਮੇਂ ਯੇ ਕਾਨੂੰਡਿਗ ਹੁੰਦੇ ਹੋ ਗ੍ਰਾਹੀ ਦੀ ਜਾਂ ਦੀ ਜਾਂ  
ਸੁਹਿਜ ਸਿਖਾ ਗਥਾ ਕਿ ਬਹੁ ਪਾਖਰਿਖਿਤ ਹਾ ਦੀ ਸੀਜ਼ਿਲਿਸ ਹਾ ਹੈ ਜਾਂ। ਤਥਾਂ ਪੜ੍ਹੇ  
ਪਾਰਾਣ ਕਥ ਗ੍ਰਾਹੀ ਦਾ ਕਾਨੂੰਡਿਗ ਹੈ। ਰਹ ਗਈ।

अप तब इस विषय में निर्णय लेनी लिया गया कि ग्राही देव  
में व्याप्रेत लिया पायगा एस विषय पर ग्राही एसे भी ग्राहीना पर ५ हजार ००  
ग्राही लाखरीयता में खर्चे वेतन मास ३३०-००० में एसे पूछ दीजिये  
ए डार्च भी १०। से. छर हजार ० विषये उनमें सिविल पारीणार्य लाईजिंग पर  
ली ० थी। पाराम्पर्य १ वर्ष लाये ० पर जात ग्राही वो लाई सिस्ट ० लाये पर  
प्राप्ति दूला लिया गया। लाईसिस्ट न लगाने हैं लाईणार्यार्य ० मास ही ग्राही  
लाये रखिये ०।

ਧਰਾਈ ਦੀ ਵੀਸਾਨ ਪੀ ਕੇ ਪ੍ਰਾਈਨਾ ਹੈ। ਇਹ ਇਹਾਂ ਜਾਰੀ ਕੀਤਿਆਂ  
ਦੀ ਲੜਾ ਕਾਨੂੰਨੀ ਦੀ ਪਾਥ ਪੀ ਵਹ ਜ਼ਲ ਨ ਵੀ ਗਵੀਂਦੀ ਪਹ ਵੀ 1970 ਵੀ ਦੀ  
ਧਾਰਾ 20 ਦੀ 1980 ਨੇਰੀ ਮੈਂ ਧੰਨੀਤ ਤ੍ਰੈਕ ਮੈਂ "ਗ੍ਰਾਹਿਰ ਚਾਕਾਰਾਂ ਦਾ ਪਤ ਪਹ ਅੰਮ੍ਰਿਤ ਲੜਾ  
ਕਿਣਤ 0। ਅਨਾ ਗ੍ਰਾਹਿ ਧਾਰਾ 20 ਦੀ ਤੀਂ ਕੱਥੇ ਧਾਰਾ 20 ਦੀ ਲੀਨੀਤ  
ਤ੍ਰੈਕ ਲੜਾ ਕਾਨੂੰਨੀ ਦੀ ਪਾਥ। ਅਨਾ ਧੰਨੀਤ ਦਾ 0 ਤੀਂ ਸੰਨੀਤ ਮੈਂ ਵੀ ਪਾਥ।

ଶବ୍ଦବିଜ୍ଞାନ

पर्याप्ति शास्त्र, प्राची.

1-ପରିଷକାର କାର୍ଯ୍ୟ କରିବାକୁ ପାଇଁ,  
ପାରାମ୍ରୋତ୍ତମା ବାବୁ ପରିଷ,  
ଏକାକୀ ପାଇଁ, କାନ୍ଦିପାଇଁ।

ठिल्हा-२.२.४४

Attested  
John  
Dew

संग्रह

ਅਗੀ ਮਾਨਜ਼ਨਰਲ ਮੈਨਜ਼ਰ  
ਨਾਵਿਨ ਰੋਲਵ, ਕੋਡ ਫਾਉਂਡ  
ਨਾਵਿਨ ਫਿਰਲੀ

Annekeff 10

**विषय:-** छार्टनिलट रुपर्खर की सीनियारटी तथा अग्रेडिंग के लिए प्लान ही बागे।  
प्रणोदय,

विनम्र निवैदन यह है कि प्रार्थी को ऐल देखा करते २१ वर्ष तक रही गयी है। और प्रार्थी की वैलमान २६०-२७० से १७० तक वैलमान २७०-२८० से भूमोराम देकर लार्क हिलट प्रार्थीवार है कार्य एवं प्रियुप्त किया। प्रार्थी द्वैल टेलट पास है वालक्षण भी है। तभा प्रियुप्त लार्क का है। जो एल०जार० में जा गिर है। सन् १७१३ में जब अग्रीठिंग पूर्व तक प्रार्थी जौ वही दी गयी। और सुन्दरि जिया गया कि वह बासियिल का है अद्विक्षित का बरी। यतः एस कारण वह प्रार्थी को अग्रीठिंग में पौछे रख गया।

ਅਥ ਤਕ ਏਸ ਵਿਦਿਤ ਥੇ ਜਿਣਾਂ ਕਿ ਉਨ੍ਹਾਂ ਨਹੀਂ ਕਿਤਾ ਗਿਆ ਕਿ ਪ੍ਰਾਈਫਿਲ ਕੌਂ ਅਗੂਡ ਕਿਤਾ ਜਾਂਦਾ ਹੈ ਏਸ ਵਿਦਿਤ ਦਾ ਪ੍ਰਾਈਫਿਲ ਜਲ੍ਹੇ ਭੀ ਪ੍ਰਾਈਵੇਟ ਪੱਥਰ ਦੇ ਢੂਕਾ ਹੈ।

प्रार्थी छामशिर्यिल ने अपने पेत्न मान १३०-१४० में इसे पुरे टीर्टी० ना कार्य भी १९१० से कर दिया है। जिसमें उत्तरे लिखित घरीजाप उत्तीर्ण कर ली है थी। उत्तर ४ बर्ष कार्य के परभाव प्रार्थी को फार्म लिफ्ट के कार्य वह धारप्त धूमा किया गया। फार्मलिफ्ट ने इनमें से कारण और कई मास से प्रार्थी कार्य रद्दित है।

बृह्यथा पुरार्थी जौ लालार दौकर ज्ञानत की रातण लेनी देखी तुम्ही तुम सम्बाल्ह के पुरार्थी करी पुरार्थिना पन्ह दे रुहा दे। बुरा मेला कार्यालय बै दी निश्चय करे दिला जाए बाबहा मणाव उपलार देना। मुझे ब्यवै ल्लगतो ले पुरार्थ वारारा दे दि बुझे दृढ़ दी च्छा पुरास्त सोगा। वायन्निय मे मेरी पुरार्थिना बद का उत्तम न मिलने वरे बै यह जन्महुआ कि बुझतन खदानत बै देया जा रहा दे।

## धन्यवाद ।

## छात्रलिपि - :

(1) श्री भारत रेलवे भवनधारक गणदाता रेलवे लखनऊ/ ।  
 १ मर्दाना पर अपलीकरान दैनें पर कोई अत्तर नहीं  
 खाली दृश्य दृश्य । अस्तुत अपलीकरान का अपलीकरान  
 दिनांक २-२-८४ को दिया गया जैसका कोई नवाक  
 नहीं भिला अन्यथा उपर ही गढ़ करें ।

(2) श्री गपति साक्षरता गणदाता रेलवे बोर्ड हृषीकेश/ ।  
 १. रेत भवन नहीं दिलवाली ।

प्राप्ति ।  
Hari Se  
महाराजा । काठ दिल्ली काठ  
बारांदी० आर० गैरिल  
उल्लास देवदेव० लक्ष्मी ।

निवास स्थाप व्याप्ति ।

आजीर मार्ग

about 20 y,

CR 13 2260

1984 → 31.3.84

Alvord  
Book  
Dew

मेवर थे,

४७

पीमपून मण्डल ऐवजे प्रदन्त्राठ महोदय  
ठ०४० लालान्ड ।

विषय :- शाक लिस्ट शापवर छो लामिरिटी हे लिए न्याय छो माग

—00—

महोदय,

साँवन्य निवेदन यु ० कि प्राप्तां छो रेत मेवर करते हुए १२ सप्तम  
हो गये हैं और एस्ट्रे वित्तमात्र २६०-५०० में छाय वर रहा ८८८८ । तभा  
१९७९ में उसमें ऐसी प्राप्ति में टी०४० से छो कार्य हो गया लिखिए परीक्षा  
क्षत्तिणा छर लो ८५० एस्ट्रे प्राप्तां को । १९८० में वित्तमात्र ४५४ पर १६०  
में प्रीमोर्टान डेकर, शापवर हे फार्म पर नियुक्त किया गया । क्योंकि  
एस फार्म हे लिए छो व्यापत न था । अतः प्राप्तां टी०४० के छाय हे  
राबद रहा । औ यब जारी टी० जार्द गोरेव में १९७८ में अग्रिम हुए तो  
प्राप्तां छो लामिरिट्य का प्रताते हुए अकेल नहीं छिया गया ।

परन्तु एक लिस्ट १० मात्र आम हे प्राप्तां भारतीय ही गये ।  
जिसमें को प्राप्तां छो याह तक कार्यसिवत रहा । अतः प्राप्तां छो  
मादिन रिठाड देखते हुए उसमें टी०४० से १८५५ लिखिए परीक्षा  
क्षत्तिणा को है । और यह लामिरिट्य का है । प्राप्तां छो टी०४० के कार्य एवं  
नियुक्ति का छर दिया गया । परन्तु डेट वर्ष छार्फ छार्फ हे परवात दिनांक  
१३-६-८५ छो प्राप्तां छो वापस एक लिस्ट हे कार्यपर सुलाइ लिया गया ।  
प्राप्तां में अग्री सीमीयां द्वारा हे लिए के आवेदन पत्र लिया परन्तु  
उमेर उत्तर जो प्राप्तां न हुआ उसके बार्फ के प्राप्तां की सीमियां आर०८०  
आर० गोरेव में सबते ऊपर है । क्या यामिरिट्य में रहते हुए खेल्ये प्राप्तां  
में टी०४० सीमीयां आर०८० सी०४० / पसेट याम एन्सेक्टर छो जगह  
इसमें क्षेत्र गान्धी २००० छो देखते हुए सुकत है ।

अतः प्राप्तां छो लीपास जी में प्राप्तां है कि अगर उसकी  
सीमियां, कामीरायल हे हे तो यामिरिट्य के क्षेत्र छन्द में हे । यदा  
ऐक्से में यामिरिट्य में हे तो यामिरिट्य के हे । यदा अगर पासले में हे तो  
पासले में हे । महोदय से प्राप्तां है कि अप्प गोरेव एस छाय को यामिरिट्य से  
जल्द कराये- क्षेत्रिक प्राप्तां को न्याय द्वारा सेक्स जापको महान कृपा होगी ।

दिनांक :- २५-४-८५,

मिस्रांक :- ७-०-८५,

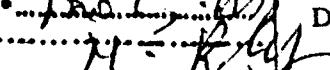
छो टी०

*Mam*

। एसी याम - प्रीमीतट्टा प्रवर  
आर० टी०४० सी०४० गोरेव - यामिरिट्य  
संज्ञा ।

Altered  
by  
RDN

बाना नहीं NOT INSURED  
 लगाये गये टाक टिकटों का मूल्य रु. 3/-  
 Amount of Stamps affixed Rs. P.  
 एक रजिस्टरेड\* ..... प्राप्ति दिया  
 Received a Registered\* .....  
 पानेवाले का नाम .....  
 Addressed to .....  
 पानेवाले का नाम .....  
 Signature of Recd  
 9

बीमा नहीं NOT INSURED		फॉर्म नं. P.N
खगाये गये डाक टिकटों का मूल्य रु. 3.55	Amount of Stamps affixed	5784
एक रजिस्ट्री.....	.....प्राप्त किया	दारोल नीहां
Received a Registered.....		Date Stamp
वानेयाले का नाम.....		
Addressed to.....		
 प्राप्ति करने वाले की क्रमांक Signature of Receiving Officer.		

क्रमांक/N.	
प्राप्ति समाप्त नहीं NOT INSURED	
जगाये दिये खाक दिक्कटों का मूल्य रु. ३१७५/-	
Amount of Stamp Paid R. 3175/-	
एक रजिस्टरेड प्रैस्टमैटिक प्राप्ति किया गया रजिस्टरेड प्रैस्टमैटिक प्राप्ति किया गया	
Received / a Registered Stamp Paid	
पाने वाले का नाम.....	
Addressed to.....	
पाने वाले अधिकारी के स्वाक्षर	
Signature of Receiving Officer	

375-1754

<p>गाये गवे डाक टिकटों का मूल रु. 3175</p> <p>रजिस्ट्रेड ड्राइवर नाम प्रिया दिते का नाम... — <u>Pradeep Singh</u> eased to ..... <u>Pradeep Singh</u></p> <p>पाने वाले व्यक्ति के नाम <u>प्रदीप सिंह</u></p>		<p>रुपये of Stamp Paid R. 3175</p> <p>रजिस्ट्रेड ड्राइवर नाम प्रिया दिते का नाम... — <u>Pradeep Singh</u> eased to ..... <u>Pradeep Singh</u></p> <p>पाने वाले व्यक्ति के नाम <u>प्रदीप सिंह</u></p>
<p>तारीख माहर Date Stamp</p>		2703

Alleged  
loss  
Adv.

## ਧੰਮੰਗਜ ਸਿੱਟ ਚਲਦ ਰਾਦਸ਼ (ਲਾਕ ਸਨਾ)



प्रभारी ---  
रेल गति के दिशेष्यालाई  
भारत ।  
नई-दिल्ली-110001  
दस्तावेज़-12-1982

प्रिय दी पूरा, मात्रल

धियर सोहलिया,  
हरदोह (उत्तर प्रदेश)  
टेलीफोन नं० 505

नई दिल्ली-110001  
टेलीफोन नं. 381448

लूपया गेरे पत्रांक अंक्तार ०-२९३६/८० दिन: ३० रिंगन्यर, १९४० का जवलोकन दरें चिसाढे अन्तर्गत गेने श्री यशी लाल, फार्म लिमिटेड द्वारा पर, ३०८० पारांत चापलिय, लकड़ाखा एवं प्रार्थना-पद आपकी सेवा में राणानुभूति पूर्वक विचार ढारने देह भेजा जा।

उन्हें गर्भावारी का निवेदन है कि उसे विभागीय स्तर पर एलेक्ट्रार्म निर्माण, या छल टिक्ट एकीकृत हो रहा था जो इसे 1930 से बढ़ 10330-560 ने बेतन मान में जारीर है तोर रखके आगे उत्तमी पटो-न्तिरणापत्र है। इस प्रकार यह नुस्खान एका रक्त है, जोकि गद्दि या ज्ञाने मूल पद उत्तरासनिक आधार पर नहीं लाया गया होता तो वह लाभार्थी नहीं रहता। हे कि मेरे उपर पत्र का उत्तर आए तब यह नहीं निता। मैं शी दर्ती लात के प्रार्थना-पत्र की एक प्रतिनिधि अपनी ज्ञाने किसी पत्र की प्रतिनिधि पुनः सलाम कर रहा है और आशा करता हूँ कि आप विषयत मामले में ही इस आकारके गर्भावारी कर दूँ के लक्षण कराने की लापा करें।

सैलाम-जारी-तैयार

## • आपका

श्री एषोप्सो वृत्त,  
निति रेता पृष्ठ-ए,  
उत्तर-रेति, लक्ष्मी

1. ਅੰਗਰੇਜ਼ ਸਿਫ਼ਰ

Attested  
1003  
ADM

Annexure 9

*AS  
SV*

Northern Railway

J.S.Gayatri  
Divl.Comml.Supt.

Divisional Office,  
Lucknow.

June 13, 1983.

D.O.No.DCS/Misc/83

Dear Sri Srivastava,

Sub:Absorption in Commercial Cadre.

Reff:Representation of Sri Hari Lal, working as TC  
under SS/LKO, dt. 7.6.1983.

Shri Hari Lal was initially appointed as Parcel  
Porter in Commercial Cadre and he worked as such for  
about over 10 years. Thereafter he was promoted as  
Pork Lift Driver in Parcel Office maintaining his lien  
in the Commercial Category and at present he is working  
as T.C. under SS/LKO.

The above case is deserving and is strongly  
recommended for issue of necessary favourable orders  
to get his absorbed as T.C. fixing up his proper  
seniority in the category of T.C. accordingly. His case was  
considered in the office for his purpose.

With kind regards,

Yours sincerely,

*(J.S. Gayatri)*

Sri I.P.Srivastava,  
Chief Comml.Supt.,  
Northern Railway,  
Baroda House,  
New Delhi.

DA:as above.

*Approved  
D.S.  
R.D.W.*

11. - 1991.11.04.

On one occasion the  
Dra. de Orellana  
had

000,000 RUPIAH AND RAII WAS

$$31 - 120 = 60/00 \text{ cm} \quad 11/6/02$$

RM 140 C.I.7 (SP4)

1. (0.4-0.5)

- Utilization of 1000000 ton, Fork lift driver.
- your letter no CII-AII-30-0A dated 04/6/08.

This Hari Lal is examined  
and he is found fit to hold  
independent charges.

1922  
for DEM/wo

Attest'd  
J. S. M.  
Adm'.

चत्तर रेलवे  
NORTHERN RAILWAY

Annexure - B1

माम्र/No. .... 8474/103/73 / Mercury adde... ~

प्रेषक/From

Divl. Bn. & P. Office  
Lokmanpura

दिनांक/Dated. 8-9-1975

तोता से/To

Thd. No. Tots/CD/No. 1/yo/1-46  
M. Bn. /Lokmanpura

विषय/Subject:

provisional seniority list of Fork Lift Drivers

पंदर्म/Reference: M. Bn. 20.04.01.1975

provisional seniority list of Fork Lift Drivers as on  
is sent herewith.

provisional seniority list should be delivered under clear circumstances to  
the staff concerned. Representation if any received from the staff  
should be forwarded to this office with in a period of one month. So  
representation would be intimated after that date under any  
circumstances.

Please acknowledge receipt.

Dr. B.M.E./D.S.L.Sched. - 1948 = 2 copies of S/L.LST &  
D.A. (two copies of list)  
(T.S.) D.K.O = 2 copies of S/L.LST on reverse.

Kindly  
forward  
to concerned officers  
for divisional Headquarters  
Lokmanpura

G. S/50775

Attested  
D.S.L.S.  
D.K.O.

Amesia. 12.

三

Enseñanza de la Ley.

ପାଦାରୀରେ ପାଦାରୀରେ ପାଦାରୀରେ ପାଦାରୀରେ

Divisional order,  
Luster Rd. 17.12.81

સાચે કોલા/સાયનિક્સ લિમ્ટેડ.  
સાચે એ.એ.સ્.એસ્.એ. લિમ્ટેડ.  
સાચે એટી લિમ્ટેડ.  
સાચે સિન્ક્રેટિક્સ ક્રોનેટિક્સ લિમ્ટેડ.  
સાચે ઓફિસ સાયનિક્સ લિમ્ટેડ. ✓

1021 इन्हीं तीक्ष्ण तेंदुओं को लेकर विवरण दिया गया है।

స్టేట్ రైట్ న్యూస్ ఇం కెమ్ము of బిల్బో బ్రాష్ డిస్ట్రిక్ట్  
 Fno D(PDF)ప్రెస్ట్ 1 లో 1207వీ రామింజ న్యూస్ ఓటిప్ లో  
 లోచర రె: 831-7/85-289 Fal. I/II-5011 (Noon) దిస్ట 1207 పె  
 ఎ కోలెక్షన్ బ్రింగ్ వల్ బె కెమ్ముకోపి డి 477 (L009)  
 197 లుకును ఇం డిస్ట్ ఎం 20.12.85 ను 31.12.85 ను 12.30 బ్రాష్

The following draft may be copied with all those original corrections/losses etc. will be left for the above letter.

Place of  
Meeting. So.Rc. Date.

Portrait Cards

Officializing Order  
for which I do  
not apply.

ಫೋನ್ ೫೫೦೮೦ C/ LXC	ಬಾ ರೆಡ್ ಕೋರ್ಪೊ ಡಿಎಸ್. ಇಂಜಿನಿಯರ್ಸ್ ಎಂಬ ನಾಮ ನಾಮ.	ನಾಮ-ನಾಮ	೨೩೦೫೬೦
೪೪೪/LT	ಬಾ " ಎ.ಎ.ಎಸ್.ಎಂಬೆ ಎ/ಡ್ರಿವರ್ ನಾಮ.	ನಾಮ	ನಾಮ
೬೮೮/TCB	ಬಾ " ಅಂತಹ್. (E/C) ಇಂಜಿನಿಯರ್ ನಾಮ.	ನಾಮ	ನಾಮ
೫/TCB	ಬಾ " ಜೋಡಿ ಡಿಕ್ಟ್ ಎ/ಡ್ರಿವರ್. ೨೦೦-೬೨	ನಾಮ-ನಾಮ	೨೩೦೫೬೦
೪೪೪/TCB	ಬಾ " ಕ್ರಿಸ್ಟಿನ್ ಇಂಜಿನಿಯರ್. F	ನಾಮ-ನಾಮ	ನಾಮ
ಫೋನ್ ೫೫೦೮೦/LTC	ಬಾ " ಇಂಡೋ	ನಾಮ	ನಾಮ
೪೮೮/TCB	ಬಾ " ಕ್ರಿಸ್ಟಿನ್ ಇಂಡ್. ಇ/ಡ್ರಿವರ್	ನಾಮ	ನಾಮ
೫/TCB	ಬಾ " ಬಿ.ಪಿ.ಎಸ್.ಎಂಬೆ	ನಾಮ	ನಾಮ

for Divlo. Dillyy Khansar,  
Larkana.

Approved

book  
- John

Con to I.R.C. (Loc) Wmngt., looking for info re: the

S.N.-301/82-2,00,000 Pds.

IN. CII-571/125/82

जो० एम० 19-८/G.L. 19-A  
वारत ९९ एवा Gen. ९९ Small

१३०/८२ नवरेसे NORTHERN RAILWAY

From CII-571  
LIC

To The RTI/110

Sub: Sir Marshal for left dinner

Re: The effect of the new platform  
Scheme/04/11/82 29/8/83

The above named is applied to 3000  
to 3500 RTI's to work  
for left dinner.

CII-571/110

Attached

box

AN