

CENTRAL ADMINISTRATIVE TRIBUNAL
LUCKNOW BENCH LUCKNOW

ANNEXURE

CAUSE TITLE INDEX SHEET
OF
NAME OF THE PARTIES..... *Ram Lal*
..... Applicant
Versus
..... *C.A.I. Bank* Respondent
Part A, B & C

Sl. No.	Description of documents	Page
1	<i>Check List</i>	<i>A1 to A2</i>
2	<i>Order sheets</i>	<i>A3 to A8</i>
3	<i>Judgment order dt 23-10-92</i>	<i>A9 to A10</i>
4	<i>Written Petition Annexure / Power</i>	<i>A11 to A26</i>
5	<i>Written Reply</i>	<i>A27 to A40</i>
6	<i>Rejoinder Affidavit</i>	<i>A41 to A45</i>
7	<i>Applicant's Summoning document</i>	<i>A46 to A53</i>
8	<i>Notice / Power / others papers</i>	<i>A54 to A62</i>
9		
10		
11		
12		
13		

CERTIFICATE

Certified that no further action is required to be taken and that the case is fit for consignment to the record room (deposited)

W. S. D. S.

Dated... *13-3-12* ... *B/c destroyed on 9-5-12*

Counter Signed.....

Section Officer / In charge

Signature of the
Dealing Assistant

Apparatusment

DI

CENTRAL ADMINISTRATIVE TRIBUNAL
ADDITIONAL BENCH,

23-A, Thornhill Road, Allahabad-211001

Registration No. 1139 of 1987

APPLICANT (s) Ram Lal & 4 others.

RESPONDENT(s) D. R. M., N. R. Ly. Moradabad & 2 others.

Particulars to be examined

Endorsement as to result of Examination

1. Is the appeal competent ?
2. (a) Is the application in the prescribed form ?
(b) Is the application in paper book form ?
(c) Have six complete sets of the application been filed ?
3. (a) Is the appeal in time ?
(b) If not, by how many days it is beyond time ?
(c) Has sufficient case for not making the application in time, been filed ?
4. Has the document of authorisation/Vakalat-nama been filed ?
5. Is the application accompanied by B. D. /Postal-Order for Rs. 50/-
6. Has the certified copy/copies of the order (s) against which the application is made been filed ?
7. (a) Have the copies of the documents/relied upon by the applicant and mentioned in the application, been filed ?
(b) Have the documents referred to in (a) above duly attested by a Gazetted Officer and numbered accordingly ?

Yes

Yes

Yes

Yes, 5 sets filed.

No

—

Yes

Yes

Yes

The application is not against any particular order.

Yes

Yes

ORDER SHEET
IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

A3

ALLAHABAD

CA 1139/87

.....No.....of 198 ..

.....Vs.....

Sl.No. of order	Date of order	ORDERS WITH SIGNATURE	Office Notes as to action (if any) taken on order
	25/1/88	<u>Registrar</u> Reply filed today. Rejoinder can be filed by 17/2/88 as prayed.	
	17-2-88	<u>DR</u> On the Request of Counsel for applicant, he is allowed to file Rejoinder by 18-3-88	
	14/3/88	<u>OR</u> Rejoinder not filed so far, Submitted for orders.	
	18-3-88	<u>Registrar</u> Rejoinder not filed so far, Submitted for orders.	
		<u>Registrar</u> Rejoinder not filed so far, Submitted for orders.	

OA 1139/07

25/4/88

Hon. S. Zahoor H. Asan V.C. (J)
Hon. Ajay John A.M.

AM

No one appeared for the parties.
The case is adjourned to 27-5-88.
Inform the Counsel for the respondent
at Allahabad.

98

A.M.

22

Inform the Counsel for respondent. V.C.

disn.
20/4/88

27.5.1988

Hon. Ajay John, AM
Hon. A.S. Sharma, JM

Sri A.K. Dixit has sent an
application for adjournment of the case.
The case is accordingly adjourned to
22.8.1988 for hearing.

98

AM

27-5-88

very

JM

SA 1139/87

AS

19-7-88

Hon. Ajay John, Am.

Shri A.K. Verma for the applicant
Shri S.P. Srivastava for respondents.

An application has been made by
the applicant's counsel for summoning
the records. These are the relevancy
list where the names of the applicants
2, 3 & 4 are included. The second
document is in respect of the
applicants 1 & 5 which is being
challenged in the reply given by
the respondents that these persons
never worked and the cards that
they have produced are forged
documents. The learned counsel
for the applicant is requesting
for summoning of the pay sheets
for the months of July, 78 and
September, 1983 pertaining to
10 W. Balaram where the applicants
1 & 5 are reported to have been working.
Shri S.P. Srivastava undertakes to
produce the documents at the time
of final hearing which is fixed
for 21-9-88.

2

A.M.

Am

CA 1139/87

A6

O.A. 1139/87 (L)

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

Hon' Mr. D.K. Agrawal, J.M.

30/3/89

Shri A.K. Dixit learned counsel for the applicant and Shri S.P. Srivastava, learned counsel for the respondents are present. On the request of both the parties the case is adjourned to 25/4/89.

J.M.

A.M.

(sns)

30/3

BR

The learned counsel for the applicant has filed an application for amendment of Union of India. Submitted for order.

push
20/3

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

Hon' Mr. D.K. Agrawal, J.M.

25/4/89

The application for the amendment in the claim petition filed by the applicant is allowed, and the same be incorporated in the claim petition within a week. Shri S.P. Srivastava, learned counsel for the respondents states that no further reply need be filed, and the reply already filed would suffice for the purpose. List this case for final hearing on 17-7-1989.

J.M.

A.M.

(sns)

OR
Case is Submitted
for hearing

17.7.89

No sitting. Adj. to 19.9.89
for hearing.

h
B.O.C.

31/7

19/3/90

Hon. Mr. D.K. Agrawal, J.M.
Hon. Mr. K. Obayya, A.M.

A7

None appears.

List it for orderson 17/7/90.

[Signature]
A.M.

[Signature]
J.M.

17-7-90

no sitting adj. to 12/11/90

12.11.90

Hon. Mr. Justice K. Nath, V.C.
Hon. Mr. M.Y. Priolkar, A.M.

By order dated 19.2.90 the applicant was directed to furnish certain material which has not been done. The case is otherwise ready and may be listed for final hearing on 17.12.90.

[Signature]
A.M.

[Signature]
V.C.

17.12.90

no sitting Adj to 4-3-91

(u)

4-3-91

Hon. Mr. Justice U.C. Senivastawa v/c OR
Hon. Mr. A.B. Gouthi S.P. 7

26/2/91

Applicant Sri Ram Lal is present in person. Sri Ravi Ranjan Bhat holder of Sri S.P. Senivastawa is present for respondents. On the request of both the parties case is adjourned to 26.3.91 for hearing

[Signature]
A.M.

V.C.

AD

20.5.92

Hon. Mr. Justice G. S. Srivastava, VC.
Hon. Mr. K. O. Banna. AM.

Notices may be sent to Union of India by the office within one ~~month~~^{week} informing that S. P. Srivastava, Counsel for the Respondents has become a Judge of the Allahabad High Court. So some arrangement should be made by them otherwise the case will be heard and disposed of ex parte. List this case on 11.8.92 for hearing.

[Signature]

[Circular stamp]

In order copy
K.K. Pandey
Chief Clerk
22/5/92 Amt

OR
Notice issued
on 25.5.92
[Signature]

11.8.92

No sitting of D.M. adj to
16.10.92

O.R.

16.10.92

No sitting of D.M. adj
to 23.10.92

can be
S. F. H.

[Signature]
22/10/92

15

AG

CENTRAL ADMINISTRATIVE TRIBUNAL

LUCKNOW BENCH

LUCKNOW

O.A. No. 1139/87

Ram Lal and others

Applicant

versus

D.R.M., N. Railway and others

Respondents.

Hon. Mr. Justice U.C. Srivastava, V.C.
Hon. Mr. K. Obayya, Adm. Member.

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

Applicants claim that they worked as casual labour for long duration since prior to 1.8.78 till they were ~~not~~ finally asked not to work and have approached the Tribunal. According to the applicants they have worked for 398 days (applicant No. 1), 770 days (applicant No. 2), 746 days (applicant No.3), 467 days (applicant No. 4) and 149 days (applicant No.5) and as such the casual labour who have completed requisite period of continuous working, are entitled to be included in the list/register for the purpose they have a prior claim of job over outsiders.

2. The respondents have denied the claim of the applicants and have stated that the applicant No. 1 was engaged for 2 months and not for 398 days and the applicant No. 5 was never engaged as a casual labour for any period and that no casual labour card was ever issued to the applicants. According to the respondents the Live Register was already prepared long back in

W

the year 1985 and the name of the applicants 2,3 and 4 are already on record and the dispute is regarding applicant No. 1. There is denial of working of applicant No. 1, ^{who} has given the labour card of Ram Lal son of Bhikha resident of village Bahidin Post Kachhona, District Hardoi while the applicant in the instant case has been described as Ram Lal son of Shri Mangali resident of village Fattepur.

3. On behalf of the applicant an application has been moved stating that the applicant's father name has been wrongly typed. Even if the correction is allowed, that will not serve the purpose.

4. Respondents may include the name of the applicant No. 1 in the casual register in case the applicant appears before the respondents within 3 months to produce the Casual Labour Card ^{Care and} / respondents to consider the name. The application stands disposed of ^{as} ~~with no~~ above with no order as to costs.


A.M.


V.C.

Lucknow: Dated 23.10.92.

FORM I

(See Rule 4)

APPLICATION UNDER SECTION 19 of THE ADMINISTRATIVE
TRIBUNAL ACT, 1985.

Ram Lal and 4 others..

.. Applicants.

Vs.

Divisional Rail Manager, Mooradabad..

.. Respondents.

I N D E X

Sl. No.	Description of documents relief upon.	Page No.
1.	Application	1-12
2.	ANNEXURE No. A-1 Working days certificate of applicant No.1	13
3.	ANNEXURE A-2 Working days certificate of applicant no. 2	14
4.	Annexure A-3 Working days certificate of applicant no.x33	15
5.	Annexure A-4 Working days certificate of applicant no. 3 4	16
6.	Annexure A-5 Working days certificate of applicant no. 5	17
7.	Annexure No. A-6 Railway Board circular dt. 11/12.5.81	18
8.	Annexure A-7 respondent letter dt. 19.11.83	19
9.	Annexure No. A-8 Respondent letter dt. 4.3.87	20

Haled
Sumiss
P.A.

Noted for 2/12/87

11/12/87

A12

Sl. No.	Description of documents relied upon.	page no.
10.	Annexure No. A-9 respondent letter dt. 1.6.87	21-22
11.	Annexure No. A-10 application dated 26.10.87	23
12.	Vakalatnama.	24

Allahabad

Signatures of applicants.

Dated:- Nov. 26, 1987.

(Ram Lal & 4 others.)

Ram Lal

FOR USE IN TRIBUNAL'S OFFICE

Date of filing

or

Date of Receipt by Post

Registration No.

Signature

For Registrar.

B13

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, ADDITIONAL
BENCH AT ALLAHABAD.

B E T W E E N

Ram Lal and 4 others.

• Applicants

V E R S U S

Divisional Rail Manager, Moradabad and others

• Respondents.

DETAILS OF APPLICATION

1. Particulars of applicants :-

- | | | |
|--------------------------------|---|---------------------------------|
| (i) Name of the applicants :- |) | As per details
given below:- |
| (ii) Name of father/Husband:- |) | |
| (iii) Age of the applicants :- |) | |

1. Ram Lal aged about 39 years s/o Sri Mangali
Village Fattepur, Post Gaju, District Hardoi.
2. Khanna aged about 34 years son of Sri Mangal
Village Fattepur, Post Gaju, District Hardoi.
3. Baboo Lal aged about 29 years son of Sri Putan
Village Deonpur, Post Kachhona, District Hardoi.
4. Ram Swaroop aged about 23 years son of Sri
Mohan Lal Village Deonpur, Post Kachhona, District
Hardoi.
5. Virendra Singh aged about 27 years son of
Sri Ramendra Bahadur, Village Kukhi, Post Kachhona,
District Hardoi.

12. 25. 21/5/20

[Signature]

A14

(iv) Designation and
particulars of office
in which employed :-

Inspector of Works
Northern Railway,
Balamau Jn.
District Hardoi.

(v) Office Address :

-Do-

(vi) Address for ~~whix~~ service
of Notices:-

Ram Lal s/o Sri Mangal
Village Fatteypur, Post Gaj,
District Hardoi.

2. Particulars of the
Respondents.

- | | | |
|--|---|----------------|
| (i) Name of respondent. |) | |
| (ii) Name of father/Husband. |) | |
| (iii) Age of the respondent. |) | As per details |
| (iv) Designation & particulars
of office (Name & station)
in which employed. |) | given below: |
| (v) Office Address. |) | |
| (vi) Address for service of
Notices. |) | |

1. Divisional Rail Manager, Northern Railway, Meerut.
2. Assistant Engineer, Northern Railway Hardoi.
3. Inspector of works, Northern Railway Balamau Jn.
4. Union of India Through Secretary to Dept of Railway,
Ministry of Railways New Delhi. *plm*
3. Particulars of order against *25/4*
which application is made

*Represent No. 4
Added order
Conti order
25.4.87
ABK
25/4*

The application is against the following order:-

- | | | | |
|---------------|----|----|------|
| (i) Order No. | .. | .. | Nil. |
| (ii) Date | .. | .. | Nil. |

नि. 31 जलाल



plm

A15

(iii) Passed by Applicants have worked as casual labour under Inspector of works, Northern Railway, Balmain Jn. Prior to 1.8.78 for a very long time under broken periods. They are legally entitled for inclusion of their names in the register/list for employment in future. Since no action for entering up their names has been taken by the I.O.W. Northern Railway Balmain, Jn. this claim is preferred.

(iv) Subject in All the applicants have worked
Brief:- as Casual labour i.e. Mason, Khallasi etc. for very long duration in broken periods under Inspector of Works Balmain Jn. such prior to 1.8.78. Under Para 2512 of Railway Establishment Manual and according to the direction of Railway Administration applicants are entitled to the inclusion of their names in the register/list for providing employment in future. Applicants names have not been included in such list/registers and as a matter of fact no such list has been prepared, for which respondents have statutory liability, as such applicants are preferring the present claim for issuing a command, direction or order in the nature of Mandamus that respondent be ordered to prepare such list by including names of applicant in accordance with seniority keeping in view the

17.3.79

plm

ALG

duration of their working period and to provide them with the suitable jobs strictly in accordance with such list.

Since right of relief arises from the same type of act or transaction, the applicant are jointly interested in the same cause of action and identical question of controversy with regard to fact and law is involved; applicants being unemployed persons belonging to Weaker Section of society and financially wasble to prefer separate claims, beg to seek leave of Hon'ble Tribunal to prefer this joint application on single set of fee.

4- Jurisdiction of the
Tribunal.-----

The applicants declare that the subject matter of the action against which they want redressal is within the jurisdiction of this Hon'ble Tribunal.

5- Limitation : The applicants further declare that the application is within limitation prescribed in Sec. 21 of The Administrative Tribunal's Act 1985. In any case if Hon'ble Tribunal feels that application in view the circumstances mentioned in Para's 6.2 of this petition, the Hon'ble Tribunal may be pleased to condone the delay under Section 21 (3) of the Administrative Tribunal's Act.

श्री. क. रामलाल

ALG

A17

Condonation of delay is prayed only when Hon'ble Tribunal feels that claim is not within time.

6. FACTS OF THE CASE :

6.1 That applicants were engaged as Casual Labours by Inspector of Works (herein-after referred as IOW) Northern Railway Balaram Jn. District Haridwar . They have put in very long period of faithful employment in broken periods under respondent no.3 from time to time as indicated below :-

<u>Name of applicant.</u>	<u>Period of Work</u>	<u>Total Days.</u>
1. Ram Lal	16.1.76 - 12.9.83	393
2. Khanna	18.12.72 - 14.2.84	770
3. Baboo Lal	10.4.77 - 14.9.84	746
4. Ram Swaroop	4.6.78 - 4.2.84	465
5. Virendra Singh	30.4.77 - 14.7.78	149

6.2 That above working days are entered in detail over the respective casual labour cards of claimants.

True Photostat copies of Casual Labour Cards, in respect of applicants are attached herewith as ANNEXURE No. A-1 to A-5 of this claim.

6.3 That casual labours who have not completed requisite period of continuous working are

17.3.14

A/8

entitled to be included in the list / register prepared for the purpose and they have a prior claim of job over outsiders. Employment should be given to them strictly in accordance with their seniority of working days. Relevant provisions of Para 2512 (i) to Railway Establishment Manual are reproduced below:-

2512:- Absorption of Casual Labour in regular Vacancies:-

(i) Casual labour who acquire temporary status as a result of having worked on other than projects for more than 6 months or who have worked for more than 6 months, shall be considered for regular employment without having to go through Employment Exchanges. Other Casual labour who have not completed six months, will, of course, be required to get, themselves registered in the relevant Exchanges before they are considered by the Selection Boards. They will have a prior claim over outsiders. In order to ensure this the names of all casual labour wherever employed should be entered in the registers maintained by Divisions or Districts or by any other convenient unit of recruitment strictly in the order of their taking up casual appointment at the initial stage, and for the purposes of empanelment for regular Class IV posts they should, as far as possible, be selected in order maintained in the aforesaid registers.

27/3/51
M. P. S. C.

[Signature]

While showing preference to casual labour over other outsiders in the matter of recruitment to regular Class IV establishment, due consideration and weightage should be given to the knowledge and experience gained by them, other conditions being equal, total length of service as casual labour, either continuous or in broken periods, irrespective of whether they have obtained the temporary status or not, should be taken into account so as to ensure that casual labour who are senior by virtue of longer service, are not left out.

(ii)

(iii)

6.4. That from time to time Railway administrative has also issued directions to engage ~~and~~ such casual labours and to prepare & list of such persons for employment in future.

True Photostat copies of directions of Railway Administration Dt. 11/12.5.81, 19.11.83, 4.3.87 and 1.6.87 issued from time to time are attached herewith as ANNEXURES No. A-6 to A-9 to this Claim Petition.

6.5. That persual of Annexure A - 6 to A - 9 goes to show that there are positive instruction on behalf of Railway Administration that those Casual Labourers who have been in service prior

६.५. २५/५/८७
Rohu

A20

to 1.8.78 to 4.10.78 should be enlisted and given employment having regard to their seniority of working days.

6.6. That Railway Board vide its circular Number E (NG) ii- 80/CL /25 Dt. 22.10.80 has issued postive instructions that in case any person complains about his non-engagement his record of service be checked and engaged in preference to juniors if his claim is found correct.

6.7. That petitioners along with others have moved representations and made personal approaches for their engagements or inclusion of their names in the list, but no attention has been paid. Last time also 26.3.87 applicants moved a representation.

True copy of aforesaid representation Dt. 26.3.87 is attached herewith as ANNEXURE No. A-10 to this claim.

6.8. That so far respondent have no prepared any such list as required and at least they

A20

to 1.8.78 to 4.10.78 should be enlisted and given employment having regard to their seniority of working days.

6.6. That Railway Board vide its circular Number E (NG) ii- 80/CL /25 Dt. 22.10.80 has issued postive instructions that in case any person complains about his non-engagement his record of service be checked and engaged in preference to juniors if his claim is found correct.

6.7. That petitioners along with others have moved representations and made personal approaches for their engagements or inclusion of their names in the list, but no attention has been paid. Last time also 26.3.87 applicants moved a representation.

True copy of aforesaid representation Dt. 26.3.87 is attached herewith as ANNEXURE No. A-10 to this claim.

6.8. That so far respondent have no prepared any such list as required and at least they have not included names of applicants for employment.

6.9. That having no regard of applicants working days respondent are engaging outsiders and juniors to casual employment with the result that persons having such less working days at their credit have been regularised even.

6.10. That since respondents have failed to perform

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१५/१०

A21

statutory duty imposed upon them, regarding preparation of list as aforesaid, applicants beg to prefer this claim, on and amongst other the following grounds. Cause of action for which is recurring:-

G R O U N D S

- (A) Because respondent have statutory obligation to prepare a list, including the names of applicants for employment in future.
- (B) Because action of respondents in not preparing the list of casual laboures in accordance with having regard to their working days, is arbitrary and malafide.
- (C) Because applicants are legally entitled to get their names included in the list and to have an engagement according to their seniority to the exclusion of outsiders and juniors.
- (D) Because applicants have a legal right and respondents have a legal obligation to perform.

7. Details of Remedies
exhausted

The applicants declare that they have availed all the remedies available to them under relevant rules. None of the representation have been decided by an order in writing. True copy of last representation Dt. 26.3.87 has been attached as Annexure A10 to this claim.

17/3/87
[Signature]
[Signature]

A22

8. Matters not previously
filed or pending with
any other court.

The applicants further declare that they had not filed previously any application, writ petition or suit regarding the matter in respect of which this application has been made, before any court of law or any other authority or any other Bench of the Tribunal and nor any such application, writ petition or suit is pending before any of them.

9. Reliefs Sought:

- (i) a Declaration, direction or order in favour of applicants in the nature of Mandamus/ Command that applicants are entitled for inclusion of their names in the list which should be prepared by respondents within a time to be fixed by Hon'ble Tribunal, and are further entitled to be engaged as Casual labours in accordance with their seniority, for which respondents be ordered to comply.
- (ii) Costs of the claim petition and such other relief as may be deemed fit and proper in the circumstances of the case, be also granted to applicants.

17/3/15 CD

10. Interim order, if any
prayed for

:: 11 ::

A23

11. Application is presented through Counsel
SRI ABHAYA KUMAR DIXIT, Advocate, 509/28Ka,
Old Hyderabad, Lucknow.

12. Particulars of Bank Draft/Postal order in
respect of the application fee.

1. Name of the Bank on which drawn.

2. Demand Draft No:

OR.

1. No. of Indian Postal Order: DD/3 224949

2. Name of Issuing Post Office Hd.P.O.Sitapur.

HIGH COURT BENCH, LUCKNOW Post Office.

3. Date of Issue of Postal Order:- 25.11.1987

4. Post Office at Which Payable:- ALLAHABAD.

13. List of enclosures:-

1. Demand draft/Postal Order.

2. Index of documents.

3. Paper book having details of Annexures
as mentioned in the Index.

4. Vakalatnama.

स. अ. उ. व. र.

पुष्प

:: 12 ::

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VERIFICATION

We, Ram Lal, Khanna, Baboo Lal, Ram Swaroop and Virendra Singh, whose names and addresses are given in array of parties do hereby verify that the contents of paras 6.1 to 6.9 are true to our personal knowledge and those of paras 6.10 and 7 to 13 are believed to be true on legal advise and that we have not suppressed any material facts.

ALLAHABAD:

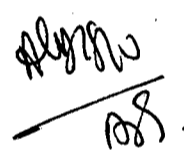
Dated: 26.11.1987

Ram Lal & others

Applicants.

 15 m
21/11/87

 15 m
26-11


R.L.


आपका आदेश

To,

The Registrar,

Central Administrative Tribunal,

Additional Bench, Allahabad.

 15 m
21/11/87

अपका आदेश

13
A25

इन्दि सेन्ट्रल एडमिनिस्ट्रेटिव ट्रिब्यूनल एडीशनल जेज एच.इ.ए.ए.ए.
 रामलाल आदि ————— याची
 विनीजन्तल गैजेजर —————
 शे.कि.र.ज.प. —————

(4)

नियत मजदूर के रूप में काम करने का रिकार्ड
 RECORD OF SERVICE AS CASUAL LABOUR

प्रारम्भिक नियुक्ति की तारीख
 Date of initial employment

नौकरी की अवधि Period of employment		कार्य का स्वरूप Nature of assignment	पर्यवेक्षक की तारीख सहित हस्ताक्षर और पदनाम Sig. & Design. of Supr. with date
कब से From	कब तक To		
1-7-76	11-3-76	21	60
13-6-76	7-7-76	30 days	27-APN-76
10-7-76	14-8-76	41 days	37-APN-76
20-8-76	4-12-76	106 days	10-6-76
20-1-77	31-12-76	62 days	12-11-76
1-2-77	14-4-77	27 days	33-APN-76
21-4-77	31-5-77	40	33-APN-76
Total		1300	1400 days

only one copy to be submitted

(5)

नियत मजदूर के रूप में काम करने का रिकार्ड
 RECORD OF SERVICE AS CASUAL LABOUR

प्रारम्भिक नियुक्ति की तारीख
 Date of initial employment

नौकरी की अवधि Period of employment		कार्य का स्वरूप Nature of assignment	पर्यवेक्षक की तारीख सहित हस्ताक्षर और पदनाम Sig. & Design. of Supr. with date
कब से From	कब तक To		
1-12-77	1-12-77		
1-10-81	31-10-81	31 days	
15-07-82	14-8-82	30 days	
15-07-83	12-9-83	60 days	

के.के. रामलाल

ATTESTED FOR COPY

[Signature]

Advocate
 HIGH COURT
 LUCKNOW.

14
A2C6

दि येन्द्रल हडमि... दि... ज... २२, ३, १९७२

राम लाल अग्नि... जा...
रा...

दि नोटेनल मेनेजर... दि...

२२/०३/७२ - A-2

(5)

पंजीकृत मजदूर की सेवा में काम करने का रिकार्ड
RECORD OF SERVICE AS CASUAL LABOUR

प्रारम्भिक नियुक्ति की तारीख: 18-12-72
Date of initial employment:

नियुक्ति की अवधि Period of employment		काम का स्वरूप Nature of assignment	पंजीकृत मजदूर की तारीख Date of initial employment
सेवा से From	तक तक To	काम का स्वरूप Nature of assignment	पंजीकृत मजदूर की तारीख Date of initial employment
30-3-74	24-4-74	14	76
15-5-74	14-6-74	30	30
2-6-74	30-6-74	09	09
1-7-74	2-8-74	30	30
17-9-74	24-10-74	28	28
1-11-74	28-11-74	28	28
10-12-74	16-6-75	12	12
2-7-75	4-9-75	12	12
1-9-75	21-10-75	13	13
30-12-75	28-1-76	30	30
1-2-76	3-3-76	13	13
3-4-76	16-5-76	19	19

375

इन्दि सेंद्रल एडमिनिस्ट्रेटिव ट्रिब्युनल एंडीशनल बेंच एडु इन्फो/1/14

राम लाल आदि याची

डिजीजल मैनेजर

बनाम

रेस्पॉन्डेंट

एनेक्शन

A-3

A2

(6)

प्रतिष्ठित मजदूर के रूप में काम करने का रिकार्ड
RECORD OF SERVICE AS CASUAL LABOUR

प्रारम्भिक नियुक्ति की तारीख
Date of initial employment

नौकरी की अवधि Period of employment		कार्य का स्वरूप Nature of assignment	प्रयोजक की तारीख सहित हस्ताक्षर और पदनाम Sig. & Design. of Supr. with date
कब से From	कब तक To		

01-3-84	31-3-84	6520	
01-5-84	31-6-84	31	
01-7-84	31-9-84	62	

746 "

निर्माण निरीक्षक
Inspector of Work
30.10.84
Rly. Balawan

N.R.-2183/11-Jan., 1976 - 20,000 Bks.

(4)

प्रतिष्ठित मजदूर के रूप में काम करने का रिकार्ड
RECORD OF SERVICE AS CASUAL LABOUR

प्रारम्भिक नियुक्ति की तारीख
Date of initial employment

नौकरी की अवधि Period of employment		कार्य का स्वरूप Nature of assignment	प्रयोजक की तारीख सहित हस्ताक्षर और पदनाम Sig. & D. Supr. with date
कब से From	कब तक To		

10-4-77	9-5-77	30	
1-2-77	14-2-77	14	
3-3-77	3-4-77	32	
9-4-77	8-5-77	20	
14-5-77	12-6-77	30	
23-6-77	22-7-77	30	
28-7-77	16-8-77	20	
3-9-77	4-9-77	12	
1-10-81	31-10-81	31	

219 कार्य निरीक्षक
Rly. Balawan

(5)

प्रतिष्ठित मजदूर के रूप में काम करने का रिकार्ड
RECORD OF SERVICE AS CASUAL LABOUR

प्रारम्भिक नियुक्ति की तारीख
Date of initial employment

नौकरी की अवधि Period of employment		कार्य का स्वरूप Nature of assignment	प्रयोजक की तारीख सहित हस्ताक्षर और पदनाम Sig. & Design. of Supr. with date
कब से From	कब तक To		

6-5-78	4-6-78	30	
9-6-78	19-7-78	31	
12-7-78	9-8-78	24	
1-9-78	1-10-78	29	
5-10-78	1-6-79	30	
1-7-79	1-8-79	30	
1-8-79	1-9-79	31	
1-9-79	1-10-79	31	
1-10-79	1-11-79	31	
1-11-79	1-12-79	31	
1-12-79	1-1-80	31	
1-1-80	1-2-80	31	
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1-12-80	1-1-81	31	
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1-11-81	1-12-81	31	
1-12-81	1-1-82	31	
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1-3-82	1-4-82	31	
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प्रमाण 18 577 (5)
प्रमाण मजदूरों के काम करने का प्रकार
RECORD OF SERVICE AS CASUAL LABOUR

प्रारम्भिक नियुक्ति की तारीख
Date of initial employment

नौकरी की अवधि Period of employment		कार्य का स्वरूप Nature of assignment	प्रमाणिक के तारीख Date of assignment
कब से From	कब तक To		
14-1-82	14-1-82	18 230	18 230
01-3-82	31-03-82	17 060	17 060
15-7-82	14-8-82	30 "	30 "
15-8-82	14-9-82	30 "	30 "
15-09-82	14-10-82	30 "	30 "
15-07-83	14-08-83	31 "	31 "
15-08-83	14-09-83	31 "	31 "
15-01-84	14-02-84	30 "	30 "
		465 040	465 040

10.7-82

(4)
प्रमाण मजदूरों के काम करने का प्रकार
RECORD OF SERVICE AS CASUAL LABOUR

प्रारम्भिक नियुक्ति की तारीख
Date of initial employment

नौकरी की अवधि Period of employment		कार्य का स्वरूप Nature of assignment	प्रमाणिक के तारीख Date of assignment
कब से From	कब तक To		
04-4-78	25-4-78	20	20
04-07-78	18-5-78	13	13
19-5-78	05-5-78	7	7
26-5-78	06-6-78	15	15
18-10-78	31-12-78	15	15
15-12-77	14-7-79	30	30
1-08-79	12-8-79	12	12
15-9-79	28-9-79	14	14
1-11-79	05-11-79	08	08
15-11-79	19-12-79	30	30
		209	209
		31	31
		535	535

10.7-82

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10.7-82

इसके बाद मैंने अपने दोस्तों के साथ मिलकर एक छोटी सी बैठक की।

સામંતના ગામ

ending

1. संविधान

2014-1-10

A-5

A29

THE

SECRET

Certified that Sh. Virnata Singh S/o S. S. Ramendra Bahadur Singh has worked in Shohajhpur since 21.5.55 to 14.9.55 for a total period 55 (fifty five) days.

His salary paid from Dec 1/11/15
through Casual Labour pay sheet.

10-11-1944

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Shri Kishore Singh, 4th Division

Binding was on 47 mm

Mr. G. L. in Canal, Lubeca

Division 244 Co-9861 Jacob in

12-13-14

20-1-16

1-2	11/3	3-6	11/30	1
1-2	11/3	3-6	11/30	1
1-2	11/3	3-6	11/30	1

10000-10000

[illegible]

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2/2/74

Advocate

HIG. COURT
LUCKNOW.

इन दि सेन्द्रल एडमिनिस्ट्रटिव ट्रिबुनल
एडीशनल बैच टै इलाहाबाद।

18
130

साम लाल आदि:-

-- पाची

बनाम

डीवीजनल मैनेजर आदि:-

-- अपो0 पार्टीज

अनेकजर स. 6

उत्तर रेलवे

मंडल रेल प्रबंधक कार्यालय
मुरादाबाद।

पत्र संख्या 1144- ई / एन0आर0एम0यू0/911/11/80 दिनांक 11/12-5-81

सेवा में,

लोको फोर में मुरादाबाद लक्सर बरेली, राजा, शोडमै देहरादून व
बालामऊ

विषय:- आकस्मिक श्रमिकों/सब्सटीयूट की लिस्ट।

नीचे लिखे ग्रास (प्रोफार्मा) पर एक सप्ताह के अंदर 1-8-78 से
पूर्व कार्य किये आकस्मिक श्रमिकों/सब्सटीयूटों जो नियुक्ति की प्रतीक्षा में है, की
लिस्ट इस कार्यालय को प्रधान लिपिक ई पी.-2 के साथ विशेष दूत द्वारा भेजे
इसमें एक दिन काम करने वाला भी आ सकता है।

उक्त निर्देशों की अपेक्षा अनुशासनिक नियम के अन्तर्गत कठोरता के
साथ देखा जायेगा।

1- क्रम सं०

2- नाम

3- पिता का नाम

4- स्टेशन

5- अनुसूचित जाति या अनुसूचित जन जाति

6- नियुक्ति का मूल दिनांक व कुल दिन

7- विशेषांक

इसके अतिरिक्त श्रेणी के अनुसार 196-232 वेतनमान में रिक्त स्थानों
की स्थिति भी उक्त सूचना के साथ अवश्य आनी चाहिये।
80/-
10-5-81
कृते/मंडल रेल प्रबंधक
मुरादाबाद।

ATTACHED TRUE COPY

अन्य

इन्दि सेन्ट्रल एडमिनिस्ट्रेटिव ट्रिब्युनल एडीशनल बेंच एड, इलाहाबाद
राम लाल आदि

डिप्टी जनरल मैनेजर

बनाम

याची

एनेक्तर नं०

रेस्पॉन्डेंस

A-17

उत्तर : रेलवे

सं. 220-ई.ओ.-11, (ई.एम.सी. 2) 37

मण्डल रेल प्रबंधक कार्यालय,
उ.रे. मुरादाबाद 19.11.83

संयुक्त अधिकारीमण, मुरादाबाद मण्डल

संयुक्त प्रवर्तक अधिकारी, (उ.रे. मुरादाबाद मण्डल)

संयुक्त अधिकारी, सहायक अधिकारी, प्रधान, लिपिक कार्मिक आदि

प्रतिलिपि- मण्डल सचिव/ यू.आर.एम. यू. मुरादाबाद

मण्डल सचिव/ एन.आर.एम. यू. मुरादाबाद

TOP PRIORITY

Sub: Regularisation of casual labour appointed after 1.8.78.

Attention is invited to this office letter of even number dated 29.10.82 and telegraphic reminders dated 16.12.82, 21.1.83 and 1.6.83 but the information has not so far been furnished by you. Headquarter is pressing hard for Regularisation of casual labour appointed after 1.8.78 i.e. between 1.8.78 to 4.10.78. It is, therefore, requested to furnish the information on the following proforma immediately.

separately (Ann. A & B)

R. R. Puri

for Divl. Railway Manager,
Moradabad.

ANNEXURE 'A'

S.No.	Name	Father's name.	Design ation.	Station	Date of engage-ment.	Reasons due to which engaged.
-------	------	----------------	---------------	---------	----------------------	-------------------------------

1	2	3	4	5	6	7
---	---	---	---	---	---	---

Authority for engage-ment.	Temporary sanction if any (No. and date should be given).	Date of discharge.
----------------------------	---	--------------------

8	9	10
---	---	----

Certified that all C/labour/Substitute who have been engaged between 1.8.78 and 4.10.78 who had not worked prior to 1.8.78 have been included and no one have been left out.

Signature of Sr. Subordinate
Seal/Design/Station and date

दि. 30.11.83

TRUE COPY

HIGH COURT
LUCKNOW.

20

A32

इति संज्ञा हस्ताक्षरितेन दिवसे ।

रामलाल झाटि

व्यक्ति

हि नो जनल मैजिस्ट्रेट

रानी कडा रानी

② - A - 0

विषय: कैमिस्ट्रिक श्रमिक-जीवित कैमिस्ट्रिक श्रमिक पत्रिका गेटेस करता ।

रेलवे बोर्ड के पत्र सं० ई(एनजी) ॥-७८/सीएल/२ दिनांक २५/१/८८ (पु.सं.)

८८८९) द्वारा प्रेषित निर्देशों की तरफ ध्यान आकर्षित किया जाता है । जहाँ तब पारिवारिक
के कैमिस्ट्रिक श्रमिकों का संबंध है निर्देश प्रथम कार्यालय के मु.सं. ९०४९ में उल्लेख किया जाता
सूची तथा असाई ओहदा देने के निर्देश दिये जा चुके हैं । इसी क्रम में रेलवे बोर्ड के पुनः
परिचयना के कैमिस्ट्रिक श्रमिक जो १५-८१ के पहले कार्य कर चुके हैं और काम समाप्त
होने पर विरामित जा चुके हैं और उनको पुनः काम पर वहीं लगाया गया है । उल्लेख
होसरी में लगते तथा मु.सं. ९०४८ में दिये गये निर्देशों के अनुसार प्राप्त तथा का अनुसार
देने के संबंधित निर्देश इस कार्यालय के पत्र सं० २२०ई/१९०५॥ (ई-१४) दिनांक ११/३/८७

(मु.सं. ९१९१) द्वारा भी प्रेषित किया गया है । तदनुसार यह तथा रेलवे बोर्ड के
और तदनुसार कैमिस्ट्रिक श्रमिकों को देने का विनिश्चय किया है इस कारण में रेलवे बोर्ड
के पत्र सं० ई(एनजी) ॥-७८/सीएल/२ दिनांक १४/३/८७ की प्रतिलिपि सूचना माहौल में
आवश्यक कार्यवाही हेतु प्रेषित की जा रही है ।

इस पर तदनुसार व्यापक प्रचार के साथ जारी करें ताकि सबको अपनी जानकारी
हो सके तदनुसार आवश्यक कार्यवाही की जाय ।

पत्र का किसी अनुवाद न होना चाहिए ।

इसकी पावनी अवश्य दें ।

हस्ताक्षर/मोहर

हो (रहित डा.)
दूत महामहान (१८)



ATTESTED TRUE COPY

Abhaya Kumar Singh
Advocate

HIGH COURT
LUCKNOW.

इन दि सेन्दल एडमिनिस्ट्रटिव दिबुनल
एही शसल बैच से इलाहाबाद।

21
A33

राम लाल आदि:-

--वाचीगण

बनास

हीवीजनल रेल मैजर आदि:-

--अपो0 पार्टीज

अनेकजर ए. 9

उत्तर रेलवे,
मंडल रेल प्रबंधक कार्यालय,
उत्तर रेलवे/मुरादाबाद।

पत्र संख्या डी/डीटी-2/की निम/चतुर्थ श्रेणी/86 दिनांक 1-6-1987,

मुरादाबाद मण्डल के सभी स्टेशन अधीक्षक।

स्टेशन मास्टर, यात्रायात निरीक्षक एवं वाणिज्य निरीक्षक।

मुख्य कन्ट्रोलर, रौजा, मुरादाबाद।

कार्यालय अधीक्षक मण्डल कार्यालय, मुरादाबाद।

विषय:- परिवहन और वाणिज्य विभागों में एक्जी तथा कार्यरत श्रमिकों
की नियुक्ति।

परिवहन एवं वाणिज्य विभाग के चतुर्थ श्रेणी के रिक्त स्थानों
को भरने हेतु फैल बनाने के लिए इन विभागों को कौएल लेबरों एवं एक्जियों से
आवेदन पत्र आमंत्रित किये जाते हैं जिन्होंने 31-5-87 तक इन विभागों में 120
दिन लगातार, यदि लगातार न होतो 121 दिन या अधिक मंडल में 4-10-88
से पूर्व भी कार्य किया हो। कोई भी कर्मचारी जिसने 4-10-88 से पूर्व मण्डल के
किसी विभाग में कार्य नहीं किया है, उनका आवेदन पत्र इस कार्यालय को न
भेजा जाय।

केवल ऐसे कर्मचारी जो अनुसूचित जाति/अनुसूचित जनजाति के अन्तर्गत
हैं तथा उनके दिनांक 31-5-87 तक परिवहन व वाणिज्य विभाग में कार्य दिवस
120 दिन से कम भी है, आवेदन कर सकते हैं, लेकिन इन प्रार्थना पत्रों पर विचार
बाद में आवश्यकता पड़ने पर किया जायेगा।

सभी पात्र कर्मचारी आवेदन पत्र संलग्न प्रपत्र 'अ' पर पूर्ण रूप से

दि 30. 2. 1988

Advocate
HIGH COURT
LUCKNOW

22
A34

भारकर दिनांक 15-6-87 तक अपने अन्तिम कार्य किये गये स्टेशन के इंचार्ज को दे दें एवं उससे पावती प्राप्त कर लें। कर्मचारी अपने आवेदन पत्रों के साथ सभी प्रमाण पत्रों की सत्यापित प्रतिलिपियाँ संलग्न करें।

मण्डल के सभी स्टेशन अधीक्षक, मुख्य कन्ट्रोलर तथा कार्यालय अधीक्षक मण्डल कार्यालय मुरादाबाद अपने कर्मचारियों की सूची प्रपत्र 'बी' पर सीधे ही इस कार्यालय को श्रीमती के०एल० गोयल वरिष्ठ हित निरीक्षक मण्डल कार्यालय मुरादाबाद के नाम से भेजें। लिफाफे के ऊपर "परिवहन एवं वाणिज्य विभाग में कर्तुर्धन श्रेणी कर्मचारियों की स्क्रीनिंग" लिखा होना किसी भी दशा में प्रार्थना पत्र सीधे इस कार्यालय को न भेजे जायें।

इस पत्र के तथ्यों का भली प्रकार प्रचार किया जाये। छापड के यातायात वाणिज्य निरीक्षक यह सुनिश्चित करें कि उनके छापड के प्रत्येक स्टेशन मास्टर ने अपने स्टेशन का विवरण देे आवेदन पत्र जो 10-6-86 दिनांक तक प्राप्त किये है, सत्यापित करके उन्हें दिनांक 16-6-87 तक भेज दिया है। दिनांक 10-6-87 के पश्चात आवेदन पत्र स्वीकार नहीं किए जायेंगे।

अपूर्ण आवेदन पत्रों पर विचार नहीं किया जायेगा। आवेदन पत्रों के साथ सभी आवश्यक प्रमाण पत्रों की सत्य प्रतिलिपियाँ संलग्न होनी चाहिये।

इसे व्यापक प्रचार के लिए नोटिस बोर्ड पर भी लगाया जाय।

कृते मण्डल रेल प्रबंधक

उ०प्र० मुरादाबाद।

प्रतिलिपि:-

मण्डल सचिव एवं सम्मत शाखा सचिव एन०आर०एम०यू० एवं यू०आर०एम० यू० आप सभी से भी अनुरोध है कि इस पत्र का व्यापक प्रचार किया जाय जिससे सभी पात्रता रखने वाले अभ्यर्थी आवेदन कर सकें।

नि.सं.-२११७२



Abhaya Kumar J. J.

Advocate
HIGH COURT
LUCKNOW.

इन दि सेन्दल स्टुमिनिस्ट्रेटिव ट्रिबुनल
एडीशनल बैच टै इलाहाबाद ।

23
A35

राम लाल आदि:-

--याचीगण

बनाम

डीवीजनल रेल मैनेजर आदि:-

--अपोपाटीज

अनेकजर ए - 10

सेवा में,

श्रीमान निर्माण निरीक्षक महोदय,
उत्तर रेलवे बालासोर,
जिला हरदोई।

श्रीमान जी,

कृपया सूचित हो कि हम लोगों ने समय समय पर आपके तहत
कैजुआल इण्टी की है। हम लोग बरीब सन 77 से काम कर रहे हैं। कभी काम
में शिकायत नहीं रही है कई बार हम लोग स्कीनिम के लिये बुलाये गये लेकिन
न तो यह पता चला कि पेक्तर दिये गये और न लिस्ट में नाम ही आया। इस
सम्बंध में 5-7 दरख्वास्तें भी सब लोग दे चुके हैं कोई जवाब भी नहीं मिलता
है। हम सब लोग काफी परेशान हैं। बुनियात लोगों को लगाया जा रहा है।
हमारा कोई पुरसा हात नहीं है।

अब अगर हम लोगों को एक माह के अन्दर काम पर नहीं लगा
लिया गया और लिस्ट का प्रकाशन करके काम न लिया गया तो हम लोग
अदालत जाने को मजबूर होंगे।

प्रार्थीगण

दिनांक:- 26-3-87

नि. अ. 2/गलर

राकेश कुमार, रामलाल,
वीरेन्द्र सिंह, नजीर, बाबूलाल
खन्ना, रामस्वरम, मुनाल
श्यामबीर सिंह ।

Adv. Anwar Durrani
Advocate
HIGH COURT
LUCKNOW.

In the Central Administrative Tribunal
Additional Bench at ALLAHABAD

A36

ब अदालत भीमान

[गदी] अपीलान्त

प्रतिवादी [रंभाडे]

महोदय

Ram Lal Sothi

वकालतनामा

Ram Lal Sothi

७७

दिकर



Divisional Rail Manager Moradabad (रंभाडे)

सं० मुकद्दमा

सन्

पेशी की ता०

१९ ई०

ऊपर लिखे मुकद्दमा में अपनी ओर से श्री

— Mr. A.K. Dixit Advocate —

वकील

महोदय

एडवोकेट

509/28 Raoul Hyderabad, Lucknow

को अपना वकील नियुक्त करके प्रतिज्ञा (इफरार) करता हूं और लिखे देता हूं इस मुकद्दमा में वकील महोदय स्वयं अथवा अन्य वकील द्वारा जो कुछ पैरवी व जबाब देही व प्रश्नोंत्तर करें या कोई कागज वाखिल करें या लौटावें या हमारी ओर से डिगरी जारी करावे और रुपया वसूल करें या सुलहनामा व इकबाल दावा तथा अपील निगरानी हमारी ओर से हमारी या अपने हस्ताक्षर से वाखिल करें और तसदीक करें मुकद्दमा उठावें या कोई रुपया जमा करें या हमारी विपक्षी (फरीकसानी) का वाखिल किया हुआ रुपया अपने या हमारे हस्ताक्षर युक्त (बस्तखती) रसीद से लेवे या पंच नियुक्त करें—वकील महोदय द्वारा की गई वसूली कार्यवाही हमको सर्वथा स्वीकार है और होगा मैं यह भी स्वीकार करता हूं कि मैं हर पेशी पर स्वयं या किसी अपने पैरोकार को भेजता रहूंगा अगर मुकद्दमा अदम पैरवी में एक तरफा मेरे खिलाफ फैसला हो जाता है उसकी जिम्मेदारी मेरे वकील पर नहीं होगी इसलिए यह वकालतनामा लिख दिया प्रमाण रहे और समय पर काम आवे।

नाम अदालत
मुकद्दमा नं०
नाम फरीकन

महोदय

Lt. Ram Lal
हस्ताक्षर

साक्षी (गवाह)

साक्षी (गवाह)

७/६/२४

दिनांक

स्वीकृत

महोदय

Lt. Khanna

सन् १८ ई०

Lt. Ram

→ Ram Swaroop

517

A37

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL,
ALLAHABAD BENCH, ALLAHABAD

WRITTEN REPLY
ON BEHALF OF THE RESPONDENTS No. 1, 2 and 3

IN
REGISTRATION No. 1139 OF 1987

Ram Lal and others Applicants

Versus

Divisional Rail Manager & others. . . Respondents

The written reply on behalf of the
respondents No. 1, 2 and 3 is as under:

1. That in regard to the allegations made in paragraph 3 of the application it is stated that a joint application by five persons is not maintainable as all of them have separate cause of action. It is further stated that the applicants, other than applicant No. 5, were engaged as casual labourers on daily wage basis to discharge the duties of Khalasi only. Since they (the applicants) have not paid fee separately the application deserves to be rejected on this ground alone.

2

Copy sent by registered
post as counsel for applicant
not available.
B.H. to S. S. P. Srivastava
R/A

A38

2. That in regard to the allegations made in paragraph 5 of the application it is stated that the application is clearly barred by time. No ground at all has been made out for condonation of delay and the application deserves to be rejected out-right.

3. That the allegations made in paragraph 6.1 of the application are absolutely incorrect and are emphatically denied. It is further stated that Ram Lal, applicant No.1, was engaged for a total period of two months as casual labourer for doing the work of Khalasi under the Inspector of Works, Balamau, in the year 1983. He has not worked for 393 days under him, as suggested. It is further stated that so far as the applicant No.5, Virendra Singh, is concerned, he was never engaged as a casual labourer for any period. He has not worked even for a single day.

4. That the allegations made in paragraph 6.2 of the application are incorrect and are denied. It is further stated that Virendra Singh was never issued any casual labour card. The casual labour card alleged to have been issued in his favour, a true copy of which has been filed along with the application, is a forged, fabricated and manufactured document.

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A39

5. That the allegations made in paragraphs 6.3, 6.4, 6.5 and 6.6 of the application are incorrect and are denied. It is further stated that the applicants are not entitled to get any relief from this Hon'ble Tribunal.

6. That the allegations made in paragraph 6.7 of the application are incorrect and are denied. No representation has been received. The representation alleged to have been sent is fabricated for the purposes of the case.

7. That the allegations made in paragraph 6.8 of the application are absolutely incorrect and are emphatically denied.. The live register and seniority list have already been prepared long back in the year 1985. The names of the applicants No. 2, 3 and 4 stand recorded in these documents. They will be given employment whenever requirement arises.

8. That the allegations made in paragraph 6.9 of the application are absolutely incorrect and are emphatically denied.

9. That the allegations made in

✓

A40

paragraph 6.10 are absolutely incorrect and are emphatically denied. No ground at all has been made out for any relief from this Tribunal. The application deserves to be rejected.

VERIFICATION

I, O.P. Singh, Assistant Engineer, Northern Railway, Hardoi do hereby declare that the contents of this written reply are true to my knowledge and belief.



(O.P. Singh)
Assistant Engineer, Northern Rly.
Hardoi

Place of verification: *Hardoi*

Date of verification: *24/12-87*

A46

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD,
CIRCUIT BENCH, LUCKNOW

O.A. NO: 1139 of 87:

F.F. 25-1-89

Ram Lal & Others.

....Applicants:

Versus:

Divisional Rail Manager
& Others.

.....Respondents:

APPLICATION FOR SUMMONING DOCUMENTS FROM
RESPONDENTS:

The applicants begs to submit as under: -

1- That in response to the applicant's applications and order of Hon'ble Tribunal for summoning records respondent have disclosed in their application dt: 24-11-1988 that pay-sheets for the month of July 1978 pertaining to IOW Balamau have been weeded out.

2- That since respondents have denied the working period of applicant No:1 therefore he furnishes specific details of his few pay-sheets, (as he remembers), in which his name has been entered.

(1) Pay Sheet No: 446 and 472 IOW Balamau for the year 1982 and 1983.

(2) Pay Sheet No: 136 IOW Balamau for the year 1986:

It is therefore most respectfully prayed that respondents be ordered to produce above mentioned pay Sheets before Hon'ble Tribunal.

Lucknow:

Applicants:

Dated: Jan, 1989;

(Ram Lal & Others)
Through their Counsel:
(A.K. DIXIT) Advocate:

weeded out
at 1.30 PM today
25-1-89

AM7

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD CIRCUIT
BENCH, LUCKNOW.

MISC APPLICATION NO. OF 1988

On behalf of

Divisional Railway Manager and others - - - - Res/applicants

in

O.A. No. 1139 of 1987.

Ram Lal and others - - - - - Claims.

Versus

Divisional Rail Manager and others - - - Respondents.

To:

The Hon'ble Vice Chairman and other companion Members,

The applicant named above most respectfully submits as

under:-

1- That on 19-7-88 the case was taken up at about 10.45 a.m. and in the absence of the dealing assitant presuming that the records mentioned in the order dated 19.7.88 will be available, it was under taken to produce them at the time of final hearing.

2- That later on, after verification it transpired that in persuance of the directions contained in the circular dated 10.6.77 issued by the Railway Board, the paysheet of the month of July, 1978 pertaining to I.O.W. Balamau were weeded out and destroyed in the year 1985. A true copy of the letter dated 29.9.88 issued by Divisional Accounts Office where in the period of retention of documents is mentioned in detail is filed herewith as Annexure-I to this application.

L

*Revised Petition
19/8/88
20/11/88*

A48

-2-

3- That in the circumstances indicated above it has become impossible to produce the paysheet of the month of July, 1978, mentioned in the order dated 19.7.1988.

4. That in circumstances of the case it is necessary in the interest of justice the order dated 19.7.88 so far as it relates to the production of paysheet of the month of July, 1978, be recalled.


P R A Y E R

It is, therefore most respectfully prayed that the order dated 19.7.1988 passed by this Hon'ble Court so far as it relates to the production of the paysheet of the month of July, 1978, be recalled.

VERIFICATION

I, O.P. Singh, Assistant Engineer, Northern Railway, Hardoi do hereby declare that the contents of paragraph Nos. 1 to 4 indicated above are true to the best of my knowledge and information received by me which I believe to be true.

SO HELP ME GOD.



(Respondents)

Asstt. Engineer
N. Rly. Hardoi

No.49/Record/84

Dt: 29.09.1988

Divl. Accounts Office

N.Rly., Moradabad.

The FA & CAO (Books), (Estt), Baroda House/NILS.
 The FA & CAO (Costs), Dashmirigate, Delhi.
 The Sr. CAO/NILS/LKO, ALD, JU, IKN, FZR, UMB.
 The W.A.O/CB-LKO/ALM-LKO/ASR/HKN/JUD.
 The CO (JA), NILS, DC/MB, Sr. DPC, DSE, Sr. DCS, Sr. DOS, Sr. DSO, Sr. DSTE, Sr. IME,
 DME (C&F), DEE, DMO/MB, Principal/ZTS/CH, HE, DEN-I, DEN-II, DEN-III,
 DEN(G), DEN/RK, MB, HQ-MB, EL, SPN, HRI, ARN (Spl) DIN.

The Commandant/RPF/MB.

All Section Officers of DMO's Office/MB, AD AO I & II/MB.

Reg:- Weeding out of old and time barred records of Sr. DAO's Office/MB.

In terms of Para-121-A and Appendix-IX of the Indian Rly. Code for Accounts Deptt. and Rly. Bds. letter No-74/AD/CR/MISC/AC/APP-IX Dt.10.6.77 circulated vide FA & CAO (Books) letter No.77/B.V.VII/G Record Dt: 20.6.77, the old and time barred records of this office noted below, are due for destruction. You are, therefore, requested to kindly intimate this office if any of the paid vouchers for the particular period are required to be preserved for further reference. Incase no reply is received by 30.10.88 it will be presumed that your demand is NIL.

S.No.	Particulars of Record	Period of Retention	Period upto which proposed to be destroyed.
1-	Salary Bill	10 years	upto 6/78
2-	Labour Pay Sheet	5 "	- 6/83
3-	Misc. paid vouchers & Pay Orders.	5 "	- 6/83
4-	Bank Challan	5 "	- 6/83
5-	Monthly Cash Book.	5 "	- 6/83
6-	Counter foils of Cheques	5 "	- 6/83
7-	C.D Catering etc.	5 "	- 6/83
8-	Journal Slips Cap. & Rev.	5 "	- 6/83
9-	Suspense Register.	5 "	- 6/83
10-	Monthly A/c Current Cap & Rev.	2 "	- 6/86
11-	Dak Register.	3 "	- 6/85
12-	Old Files.	3 "	- 6/85

Note:- (i) Salary Bill AB No. (c) & (EGC)
 (ii) Labour Pay Sheet- AB No. (EB) & (XB)
 (iii) Misc. Paid vouchers & Pay Orders.

AB No.- PFA, PFF, Pension, O.T., KM, EADA, ST, X,
 IC, KS, YA, EA, EIS, INS, GIS, REIS, ECIS, XCIS,
 EGA, SE, XHN, NDA, CTG, XP, XLS, XREIS, XNS, XADA,
 EPLB, XPLB, BA, XELC, XTF.

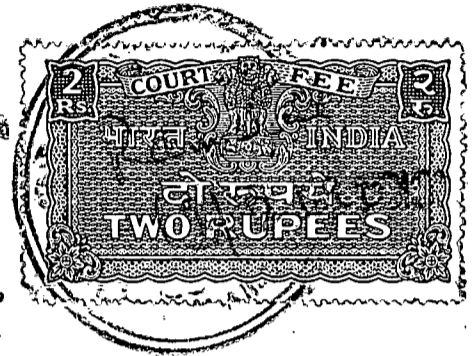
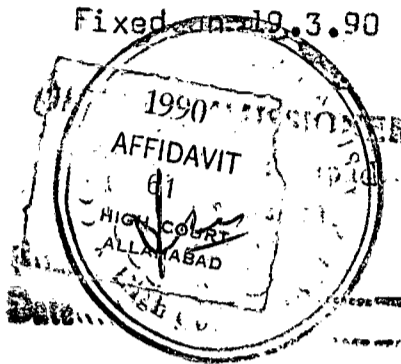
Sr. Divl. Accounts Officer,
 N.Rly., Moradabad.

29/9/88

In The Central Administrative Tribunal, Circuit Bench,
Lucknow.

O.A. No. 1139-87

Fixed on 19.3.90



Ram Lal and oths..

..Claimant.

Vs.

Union of India & oths..

..Opp.Parties.

AFFIDAVIT

I, Ram Lal aged about 31 years son of Sri Bhikha, resident of Village Bahidin Post Kachhona, District Hardoi do hereby solemnly affirm and State on oath as under in the name of Almighty God:-

1. That deponent is applicant No. 1 in O.A. No. 1139-87 and it is only due to typing error that in claim petition his father's name and residence as "Sri Mangali" and "Village Fattepur" has been wrongly typed. As a matter of fact correct name of deponents father is "Sri Bhikha" and not "Sri Mangali"

Similarly deponents residence is village Bahidin and not Fattepur.

.../2.

AS/

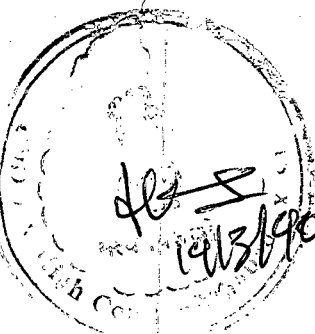
2. That as ordered by Hon'ble Court on 19.2.90 deponent has collected the original Cards of his own and that of his colleagues Sarva Sri Khanna, Babu Lal, and Ram Swaroop, which he is submitting to day in original. Deponent could not contact Sri Virendra Singh-applicant No. 5.

3. That entries on all the cards have been made by the concerned office clerks as were posted in the concerned offices from time to time, whose names are not known to deponent.

4. That names of officers who have signed on these cards from time to time are Sarva Sri Mustafa Ali Qureshi, Jogendra Prasad Pathania, Luxmi Narain Vishwakarma (presently posted as I.O.W. Balamau) and Sri Satya Pal Jatula.

5. That first photograph pasted on card of Sri Khanna had become so fade and invesiabale that it was subsequently changed and the later photograph has been signed by Sri Jogendra Singh Pathania.

6. That names of Respondents Ram Lal, Khanna, Babu Lal and Ram Swaroop finds place at Sl.No. 52, 73, 95 and 92 in seniority list of Casual Laboures of I.O.W. Balamau (which has been filed in O.A. No. 1140-87 Sadhu Ram Vs. Union of India decided on 19.2.90 by this Hon'ble Tribunal). Perusal of the said list goes to show that person whose name



LT Ranbir

10/30

A52

xxxxx finds place at Sl. No. 96 has been engaged
ignoring the respondents who are senior than
person at Sl. No. 96 and have got right to be
engaged.

19 March, 1990

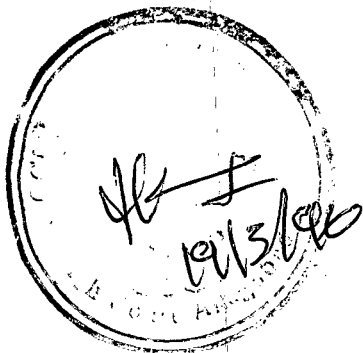
Deponent,



(Ti) Ram Lal

(Ram Lal)

above.



VERIFICATION

I, deponent named above do hereby verify the
contents of paras 1 to 6 of this affidavit
to be true from personal knowledge and
no part of it is false and nothing material
has been concealed so help me God.

(Ti) Ram Lal

19 March, 1990

Deponent,



(Ram Lal)

above

(Ti) Ram Lal

I know and identify the deponent
who has affixed his LTI in
my presence.

A.K. Dixit,
Advocate.

AS

Solemnly affirm before me on19/3/90

at...11.40....a.m./~~p.m.~~ by Sri Ram Lal who is

identified by Sri A.K.Dixit, Advocate, High Court

Lucknow Bench. I have satisfied myself by

examining the deponent that he understands the

contents of this affidavit which have been reveal

over and explained by me to him.



J.P.K.
OATH COMMISSIONER *re*
HIGH COURT.

No. 25/2/90.....
Date 19/3/90.....

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
LUCKNOW BENCH : LUCKNOW
Opp. Residency, Gandhi Enclave, Lucknow

26/5

NO. CPT/CB/LKO/ATRL/ 1393

Date :

REGISTRATION NO. 1139/87 OF 199

(L)

Ram Lal

Applicant

VERSUS

D R M N Rly. Officers

Respondents

Union of India, through Secretary, Ministry of Rly.,
New Delhi

Please take notice that the applicant above named has presented an application a copy of which is enclosed herewith which has been registered in this Tribunal and the Tribunal has fixed 11th day of August, 92 for hearing.

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

25 day of 5 199 2

FOR DEPUTY REGISTRAR.

AL

VAKALATNAMA

In The Central Administrative Tribunal
Lucknow Bench, Lucknow

Ram Lal

VERSUS

Union of India

TA No. 1139 of 1987

I/We, the undersigned, do hereby nominate and appoint Shri **ANIL SRIVASTAVA**,
Advocate, Registration (Enrolment) No. U. P. 1208/84, B-9, Sector H, Near Sangam Crossing, Aliganj Ext.,
Lucknow-20 and Shri.....

..... Advocate(s)

to be counsel in the above matter, and for me/us and on my/our behalf to appear, plead, act and answer in the
above Court, Tribunal or any Appellate Court or any Court, Tribunal to which the business is transferred in
the above matter, and to sign and file petitions, statements, accounts, exhibits, compromises or other
documents, whatsoever, in connection with the said matter arising therefrom, and also to apply for and
receive all documents or copies of documents, depositions, etc, etc, and to apply for issue of summons and
other writs or subpoena and to apply for and get issued any arrest, attachment or other executions, warrants
or orders and to conduct any proceeding that may arise thereout, and to apply for and receive payment of
any or all sums or submit the above matter to arbitration.

Provided, however, that, if any part of the Advocate's fee remains unpaid before the first hearing
of the case or if any hearing of the case be fixed beyond the limits of town; then, and in such an event
my/our said advocate(s) shall not be bound to appear before the court and if my/our said advocate doth appear
in the said case he shall be entitled to an outstation fee and other expenses of travelling, lodging, etc.
Provided ALSO that if the case be dismissed by default, or if it be proceeded ex parte, the said advocate(s)
shall not be held responsible for the same. And all whatever my/our said advocate(s) shall lawfully do,
I do hereby agree to and shall in future ratify and confirm.

ACCEPTED :

(ANIL SRIVASTAVA) Advocate

..... Advocate

Signature of Client.....

..... A.E.N. S.P.C.

..... A.E.N.S

C 100 156

In the Central Administrative Tribunal, Lucknow.

CM An. No 43/09(C)

Q.A.No: 1139 of 1989.

Fixed on 30 March, 1989. (S. No. 39)

Ram Lal and othrs

...Applicants.

Versus

Divisional Rail Master
and othrs

...Respondents.

Application on behalf of Claimants for Impleadment of

Union of India.

It is submitted that in the above noted case Union of India has been left from being impleaded which ought to have been impleaded. An objection to this effect has also been raised by Respondents.

It is therefore most humbly prayed that applicants be permitted to implead Union of India as Respondent No 4 in the following manner in array of Respondents, by amending the claim accordingly.

4 Union of India, through Secretary of Railways,
Ministry of Railways, NEW DELHI."

Lucknow:

Dated: 30 March 1989

Counsel for applicants.

(A.K. M. M.)

Advocate

Called for
in
30/3
C 101
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In the Central Administrative Tribunal, Circuit Bench,

Lucknow.
C.M. An 43/09 (C)
Q.A.No: 1139 of 1988.

Fixed on 30 Mch, 1989. (SR No. 39)

Ram Lal and others.

...Applicants.

Versus

Divisional Rail Manager
others.

...Respondents.

Application on behalf of Claimants for Impleadment of

Union of India.

It is submitted that in the above noted case Union of India has been left from being impleaded which ought to have been impleaded. An objection to this effect has also been raised by Respondents.

It is therefore most humbly prayed that applicants

be permitted to implead Union of India as Respondent No 4 in the following manner in array of Respondents by amending the claim accordingly.

" 4 Union of India, through Secretary of Railways Ministry of Railways, NEW DELHI."

Lucknow:

Dated: 30 Mch 1989

Counsel for applicant

(A.K. Jha)

Advocate

List before
Court.

mahegan
30/3/89

C-102

In The Central Administrative Tribunal, Additional Bench,
at
Allahabad

A/S

APPLICATION FOR SUMMONING RECORDS
=====

In re:

Regis. No. 1139 of 87
Filed on 18.3.88

Ram Lal and oths..

..Applicants.

Vs.

Divisional Rail Manager & oths..

..Respondents

Application on behalf of Claimants

for summoning records from Respondents.
=====

It is most humbly submitted on behalf of
applicants:-

1. That aforesaid claim petition has been filed with the prayer for relief that names of claimants who have worked with the Railway Administration be taken on list and they be given employment as per provisions of Railway Establishment Manual and other directions issued by the Railway Administration from time to time.

2. That respondents have denied the claimant no. 5 to have ever worked with them and it has also been stated in para 7 of their reply that names of claimants 1,2,3 and 4 have been included in the list No. details of list have been given which is

As made by
B. S. J. S.
12/11/88

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necessary as disclosed in para 6 of the Rejoinder Affidavit. Similarly relevancy of pay sheets has been disclosed in para 4 of Rejoinder affidavit.

3. That in view of facts stated above it is clear that following documents are relevant and necessary to be brought before Hon'ble Tribunal for proper adjudication of rights of parties and points of controversy involved.

1. Pay sheets of wages paid to the casual Labour under 10 W Balamau for the period 18.12.72 to 14.9.84.
2. Complete Seniority list in respect of casual labourers as prepared on the basis of Live Register as indicated in para 6 of reply of respondents.

Wherefore, it is respectfully prayed that respondents be directed to produce above mentioned documents after supplying an attested copy of document no. 2 "The List" to the claimants.

Counsel for the claimant,

March 1988

(A.K. Dixit)
Advocate.

Abhaya Kumar Dixit

Advocate
HIGH COURT

Ph. 72629

509/28 Ka Old Hyderabad
LUCKNOW

Dated ...27.5.88...

To,

The Bench Secretary
CAT, Circuit Bench
Lucknow.

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104
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As I am feeling indisposed
for the last two days, mine
following case may kindly be
requested to their Lordships for
being stand out:-

Sl. No (9) 1139-87 Ramdal vs DRM Nally

Abhaya
Counsel for Applicant

Abhaya Kumar Dixit

Advocate

HIGH COURT

Ph. 72629

509/28 Ka Old Hyderabad.

LUCKNOW.

Dated

To,

sri O.P. Singh,
Asstt. Engineer,
Northern Railway,
HARDOI

Dear Sir,

Subject:- Duplicate of Written Statement/Reply
in claim No. 1139-87 Ram Lal Vs. D.R.M.
fixed on 17.2.88.

Upon an enquiry made by me on 29.1.88 in
the office of Central Administrative Tribunal, Allahabad
it has been brought to my notice that written statement/
Reply has been filed by you before Hon'ble Tribunal in
the aforesaid claim on 25.1.88 but without supplying
its duplicate to me.

Claim is now fixed on 17.2.88 for Rejoinder.

You can appreciate that I am not supposed to
file Rejoinder unless I receive duplicate of your
reply already filed by you.

It is therefore requested that supply of
duplicate of W.S. to me be insured by you without
further loss of time, failing which the adjournment
on 17.2.88 will be at your risk.

Yours Faithfully,

(A.K. Dixit) 8/2/88
for claimant.

CC to

The Deputy Registrar,
Central Administrative Tribunal
23-A Thon Hill Road, Allahabad
for information please.

Sd/-
for info

DR(5)
10-2-88

ms
10/2

Shri Azamdar

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25/1

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SPECIAL POWER OF ATTORNEY:

In the Central Administrative Tribunal; Allahabad Bench
OA No. 1139 of 87
Ram Lal & others. Plaintiff, Appellant, Patitioner

VERSUS

ORM/ma & others

Defendant, Respondent, Opposite Party.

Sukhdev Gupta, Div. P. Manager

KNOW all men by these present that I

Northern Railway Moradabad do hereby appoint and authorise

S/Sri S. P. Srivastava Advocate to appear, plead, and act for me jointly or severally in the above noted case and to

take such steps and proceedings as may be necessary for the prosecution or defence of the said matter, as the case may be and for the purpose to make sign, verify and present all necessary petitions, written statements and other documents to compromise suit admit the claims and to lodge and deposit money in Court and to receive payment from the court of money deposited and to file and withdraw documents from Court and Generally to set in the premises and in all proceedings arising thereout whether by execution appeal or others or in any manner connected therewith as effectually to all intents and purposes as I could personally present I hereby agree to ratify and confirm what shall be lawfully done by virtue of these presents.

In witness where of I hereinto set my hand this day of 198

Accepted S.P. Srivastava Advocate counsel for the Respondent

Sd/- Sukhdev Gupta Divisional Manager Northern Moradabad

MPs.

To,

C
107

X/2

The Deputy Registrar (Judicial)
Central Administrative Tribunal
Allahabad

Sir,

Subject: Transfer of Claim No. 1139-87
Ramdal and othrs vs. DRM
Fixed on 12.5.88

It is submitted that above noted claim is fixed for disposal of application for summoning records. Matter pertains to Distt HARDOI. Counsel for claimant also belongs to Lucknow.

Wherefore it is most respectfully prayed that aforesaid claim may kindly be transferred to Circuit Bench at Lucknow.

Counsel for claimant.

A. K. Dixit
(A. K. Dixit)
Advocate.

509/28 Kg, old Khandwa
Lucknow

13.4.88.