

CENTRAL ADMINISTRATIVE TRIBUNAL
LUCKNOW BENCH, LUCKNOW

INDEX SHEET

CAUSE TITLE *T.A. No. 1110/87*
W.P. No. 327/83 OF

NAME OF THE PARTIES *Radha Krishna* Applicant

Versus

MOI 8089 Respondent

Part A.

Sl.No.	Description of documents	Page
1	<i>Index sheet</i>	<i>A1 to 42</i>
2	<i>order sheet</i>	<i>A3</i>
3	<i>judgment order sheet dt 28-4-89</i>	<i>A4</i>
4	<i>writ petition / annexure</i>	<i>A5 to A28</i>
5	<i>bandar</i>	<i>A29</i>
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18		

CERTIFICATE

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

This file received from record room without defect

Checked Dated *09-12-71*.....

Counter Signed.....

Rajesh
14/12/71

Section Officer/In charge

[Signature]
Signature of the
Dealing Assistant

ORDER SHEET

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD

TA NO. 1110 OF 1987 (1)

Radha Krishna VS. U.O. 9.

SL NO of order	Date of order	ORDERS WITH SIGNATURE	Office Notes as to action (if any) taken on order
		<p>Office Report.</p> <p>this is a WP NO. 327/83 Transferred from High Court Lucknow Bench Lucknow.</p> <p>Notices were issued fixing 25-10-88 by Regd Post both the Parties.</p> <p>Notices has not received back after Service. Last notices No. 2 and 3 with Remarks.</p> <p>2- निरिवत पत्र पर नही भेजा</p> <p>3- नर नही</p> <p>Submitted mls</p> <p>25/10/88 legn</p> <p>Applicant no. 1 is present - Complaint may be filed by 20.12.88.</p>	

legn

T.A. 1110/87(t)

(3) 1/2

(1/2)

22/4/89. D.R.

No one is present. The case
is adjourned to 28/4/89

D.R.

OR

Counsel for
respondents has not
filed any reply so far.
Submitted for order

And
22/4

CENTRAL ADMINISTRATIVE TRIBUNAL
Circuit Bench at Lucknow.

Registration T.A No.1110 of 1987.

Radha Krishna & others ... Petitioners.

Versus.

Union of India & Others. Respondents.

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

Hon. D.K. Agarwal, J.M.

Applicant in person. Shri. A.K. Gaur
learned counsel for the respondents files
an application in which it is stated that the
petition has become infructuous as the petitioner
has been promoted on a higher post. A copy of this
application was received by the applicant with the
remark that he has no objection to the prayer contained
in the application that the petition be dismissed as having
become infructuous.

On going through the record of the case we find
that the petitioner had prayed for quashing the transfer
order dated 7.1.1983. While entertaining the application,
the learned Judges of the High Court had granted stay of
the transfer order. Since ^{the} applicant has been promoted to a
higher post, the application has become infructuous. We
accordingly dismissed the application without any order
as to costs.

in the meantime

D.K. Agarwal

Member (J)

Dhrm

Member (A)

Dated: 28th April, 1989.

brc/

Annexure- YDY
CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD /
CIRCUIT BENCH, LUCKNOW

Application No. _____ 198 .

Transfer Application No. _____

Old Writ Petition No. _____

CERTIFICATE

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

Dated: _____

Countersigned _____

for Shy

Signature of the
Dealing Assistant. YDY

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD /
CIRCUIT BENCH, LUCKNOW

Section Office/Court Officer. *****

Application No. _____ 198 .

Transfer Application No.

Old Writ Petition No.

CERTIFICATE

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

Dated: _____

Countersigned _____

Amit/

Signature of the
Dealing Assistant. YDY

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD /
CIRCUIT BENCH, LUCKNOW

Section Office/Court Officer. *****

Application No. _____ 198 .

Transfer Application No.

Old Writ Petition No.

CERTIFICATE

Annexure - A
CAT- 82

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD
CIRCUIT BENCH, LUCKNOW

INDEX - SHEET

CAUSE TITLE TA-1110/87 PART OF 190

Name of the Parties Radha Krishna & ors

Versus

Northern Railway & ors

Part A, B and C.

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A4	objection Application	2
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B1	Vakalatnama (Power)	1
B2	Application dt. 25.10.88	2
B3	Notices.	3

होमिद प्रजापति

16/5/85

558 Group A - 14 (th)

(4)

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1

In the Hon'ble High Court of Judicature at Allahabad,

(Lucknow Bench) Lucknow

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Writ Petition NO. 327 of 1983

Radha Krishna and anotherPetitioners

Versus

Northern Railway and another ...Opp.Parties.

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4.	Annexures 4 & 5 True copies of transfer orders to Lucknow on request	15 16-17
5.	Annexure 6 True copy of letter dt. 3.9.1981	18-19
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7.	Annexure 8 True copy of the circular dated 13.9.66	21
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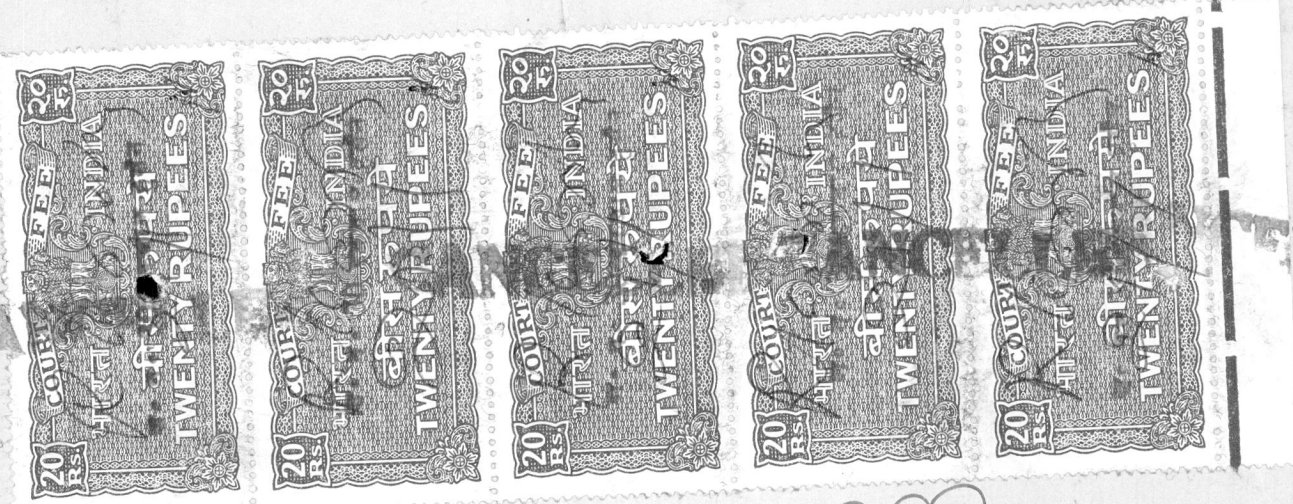
Lucknow
January 21, 1983

J. Bhalla
Advocate
Counsel for the petitioners

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In the Hon'ble High Court of Judicature at Allahabad,
(Lucknow Bench) Lucknow,



Self-100/-
by
21-183

Writ Petition NO. 327 of 1983

1. Sri Radha Krishna, aged about 36 years,
son of Sri Bankey Bihari Srivastava,
resident of 52/4 Chander Nagar, Alambagh,
Lucknow.
2. Sri Shyam Deo Prasad Sharma, aged about 35 years,
son of late Sri Brij Lal Sharma, resident
of C 39/8 Manak Nagar, Lucknow

....Petitioners

Versus

1. Northern Railway through its General Manager,
Baroda House, New Delhi.
2. Chief Workshop Engineer, Baroda House,
New Delhi.

....Opp. Parties.

Writ Petition Under Article 226 of the
Constitution of India

To

The Hon'ble the Chief Justice and the
Companion Justices of the aforesaid court.

The humble petitioners abovenamed most
respectfully beg to state as under:

Radha Krishna



2.

1. That this writ petition is directed against the order passed by the opposite party no.2 transferring the petitioners from Carrage and Wagon Workshop Alambagh Lucknow to Carrage and Wagon Workshop Jagadhari, a true copy of the said transfer order is being annexed as Annexure no.1 to this writ petition.

2. That the petitioners were appointed on Junior Chemical and Metelorgical Assistant by an order dated 18.8.1970 and 25.5.1970 respectively. The true copies of the appointment orders of the petitioners are being annexed herewith as Annexures no. 2 and 3 to this writ petition in the grade of Rs 150-300.

3. That subsequently both the petitioners were promoted to the post of Chemical and Meterlorgical Assistant in the month of 10th February, 1973 and 5.10.1972 respectively, and thereafter in the year 1978 both of them were again promoted to the post of Laboratory Superintendent in the scale of Rs 550-900 due to their meritorious records, heard work, integrity and honesty.

4. That the petitioner no.1 was posted in the year 1973 at Deisel Shed Moghalsarai and in the year 1979 the petitioner no.2 was posted at Northern Railway Workshop Jadhpur. Both of the petitioners were transferred to Lucknow on their own request by an order dated 24.6.1976 and on 30.1.1979 respectively. It may be mentioned here that a Railway employee is transferred on request he is

Rachan'shna

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not entitled of free passes, journey time and travelling allowances etc. Both the petitioners had made their applications on ~~the~~ domestic ground to the transferred to Lucknow. The true copy of the transfer orders are being annexed as Annexures no. 4 and 5 to this writ petition.

5. That by an order dated 3.9.1981 the General Manager(P) had communicated to Deputy Chief Mechanical Engineer Workshop, Northern Railway, Alambagh, Lucknow that one Sri R.S.L. Tewari may temporarily be transferred to Jagadhari workshop. He may be brought back as soon as sanction for creation of more posts is conveyed to your office. The true copy of the letter is being annexed herewith as Annexure no. 6 to this writ petition.

6. That thereafter Sri R.S.L. Tewari was transferred to Jagadhari alongwith his post by an order dated 5.9.1981, a true copy of the said order is being annexed herewith as Annexure no. 7 to this writ petition. Similarly one Sri I.P. Singh was also transferred alongwith his post from Loco Workshop, Charbagh to Carrage and Wagon Workshop Jagadhari. vide letter no CM/27-E/PT-II dated 5/10/81 ✓

7. That in view of the Circular Sri R.S.L. Tewari and Sri I.P. Singh were transferred from Lucknow to Jagadhari which indicates the transfers in the event of curtailment of cadre. The true copy of the circular dated 13.9.1966 is being

Radha Krishnan,

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annexed herewith as Annexure no.8 to this writ petition.

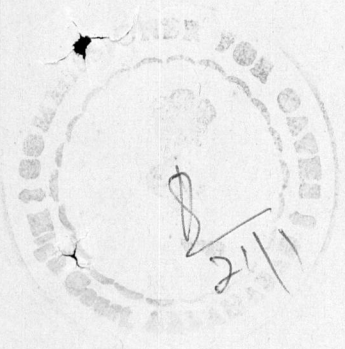
8. That till year 1981 there were 7 posts of Laboratory Superintendent at Alambagh, Lucknow and 6 posts of Laboratory Superintendent at Loco Workshop, Charbagh and two posts on which Sarvasri R.S.L. Tewari and I.P. Singh were working were curtailed from Lucknow and were sent to Jagadhari as already mentioned in the presiding paragraph. These two persons being the junior most were sent alongwith their post to Jagadhari.

9. That at Lucknow, there are two junior persons Sri B.B. Jha and sri B.K. Verma officiating Laboratory Superintendent are posted and are working.

10. That these two persons were appointed initially at Lucknow on the post of Junior Chemical and Metallurgical Assistant though they were promoted but till now they have never been transferred out of Lucknow since their posting which is about 8 years and one Sri C.L. Shaw is also working from the last 13 years without any transfer.

11. That other Laboratory Superintendent who had definitely longer stay as compare to the petitioners had not come to Lucknow on their own request as in the case of the petitioner, the said persons namely M.A. Khan, M.C. Dixit, A.K. Paul, J.K. Saxena, G.S. Srivastava.

12. That the petitioners have been



Rachha Krishna

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singled out for the reasons best known to the authorities though they were transferred to Lucknow on their own request.

13. That by an order contained in Annexure no.1 Sri R.S.L.Tewari and Sri D.P.Singh are being transferred to Lucknow in place of the petitioners but their posts are not being transferred to Lucknow.

14. That the transfer orders have been passed under certain influence overlooking the fact that two persons Sri R.S.L.Tewari and Sri I.P. Singh were transferred alongwith posts to Jagadhari.

15. That the petitioners have represented against their transfer and even reminders were sent to opposite party no.1 but no orders were passed till now.

16. That the petitioner no.1's daughter is under medical treatment of Neurologist from last several years and petitioner no.1 had taken leave for the ^{eye} operation of his mother which were later on cancelled.

17. That the petitioner's children are studying at Lucknow and cannot be taken to Jagadhari where there is ^{no} facility of the Central School.

Rachakrishna,

18. That the petitioners are still holding the charge and are on medical leave with the advice of Medical Doctor and no body has taken over charge till date.

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19. That the transfer of Sarvasri R.S.L. Tewari and I.P. Singh are against the order of Headquarter because till now Board has not sanctioned for the creation of more posts, and curtailed two posts of Laboratory Superintendents.

20. That the order of transfer of petitioners is illegal and without jurisdiction and is liable to be set-aside.

21. That the post on which Sri Tewari and Sri I.P. Singh were working were transferred to Jagadhari the said posts are not transferred back to Lucknow.

22. That the persons mentioned above are working at Lucknow with more duration but they are not being transferred.

23. That the persons junior to the petitioners are also holding the post at Lucknow for more duration of period as compared to the petitioners.

24. That being aggrieved against the impugned order dated 7.1.1983 contained in annexure no. 1 and having no equally and efficacious and alternative remedy beg to prefer this writ petition on the following amongst other:

GROUNDS

I. That the transfer of Sri R.S.L. Tewari and Sri I.P. Singh are against the order of Head Quarter because till now Board has not sanctioned for the creation of more posts.



Rachha K. Vishner.

J. Bhalla

7.

II. Because the post on which Sri Tewari and Sri I.P. Singh were working were transferred to Jagadhari the said posts are not transferred back to Lucknow.

III. Because the petitions mentioned in the preceding paragraphs are working at Lucknow with more duration but they are not being transferred.

IV. Because the ~~petitions~~ persons junior to the petitioners are also holding the post at Lucknow for more duration of period as compared to the petitioners.

V. Because the transfer orders have been passed under certain influence overlooking the facts that two persons Sri R.S.L. Tewari and Sri I.P. Singh were transferred alongwith posts to Jagadhari.

VI. Because the petitioner's children are studying at Lucknow and cannot be taken to Jagadhari where there is no facility of the Central School.

VII. Because the petitioners have been singled out for the reasons best known to the authorities though they were transferred to Lucknow on their own request.

Wherefore, it is most respectfully prayed that this Hon'ble Court may be pleased to:-

(A) issue a writ, order or direction in the nature of certiorari and to quash the impugned order dated 7.1.1983 contained in Annexure no.1 to the writ petition,

J Bhalla

8.

- (B) issue a writ, order or direction in the nature of mandamus commanding the opposite parties not to enforce the order contained in annexure no.1 against the petitioners.
- (C) issue any other writ, order or direction which this Hon'ble Court may deems fit and proper in the circumstances of the case.
- (D) Award cost of petition to the petitioners against the opposite parties.

Lucknow: January
, 1983

J. Bhalla
Advocate
Counsel for the petitioners

Certified that there is no defects in the writ petition

Advocate
Counsel for the petitioners

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1. Addl. C.M.E(W) CB-Iko

2. Addl. CME(W)/JUD

3. Dy. CME(W) Amr. Iko

4. C&M CB Iko

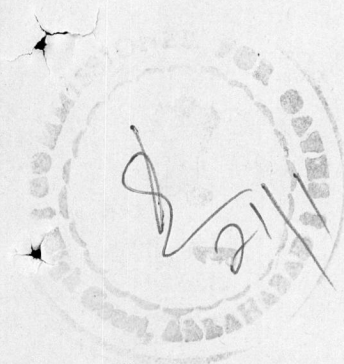
5. ACME EIIW

Sd/- M.S.Rawat

6.1.83

Rachha Krishna,

(True copy)



(15)
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In the Hon'ble High Court of Judicature at Allahabad,
(Lucknow Bench) Lucknow,

Writ Petition NO. of 1983

Radha Krishna and anotherPetitioners

Versus


Northern Railway and anotherOpp. Parties.

Annexure no. 2

NORTHERN RAILWAY

Metallurgical Laboratory, Charbagh, Lucknow

Staff Order no. CM/27-A Sr.NO.17 dated 18th Aug.,70



Sri Radha Krishna s/o Sri Bankey Bihari
Srivastava an approved Selected candidate by
Railway Service Commission, Allahabad, whose name
has been forwarded by General Manager(P) N.Rly,
Baroda House, New Delhi vide letter no. 220-E/244
(Rectt) dated 22.8.70 is hereby appointed as
a Jr.Chemical and Metallurgical Asstt.(Trainee)
in Gr.Rs 150-300(AS) onusual terms and conditions
on 18.9.1970(F.N.) and is posted at Chemical and
Mettalurgical Laboratory, Bikaner Workshop against
the post of C& M Asstt. Gr.210-425 temporarily down
graded and to be operated in Gr.150-300 as per CME's
order conveyed to this office vide G.M.(P)'s letter
no.755 E/32-III(Eiia) dated 15.7.1970 and is
posted under WM/Bikaner.

Sri Radha Krishna will be kept under

Radha Krishna.

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Training for a period of one year during which he will be entitled to draw Rs 150/- as a stipend plus DP/AP as per rules. After completion of one year successful training he will be absorbed in the regular grade of Rs 150-5-160-8-240-EB-280-10-300(AS)

Sri Radha Krishna has passed the medical test in class BI as per DMO/LKO's certificate no.491 dated 7.9.70.

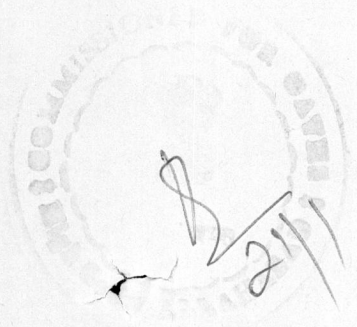
Sd/-S.C.Chakraborty
Chemist & Metallurgist

Copy for information and necessary action to:-

- (i) W.M./BKN
- (ii) WAO N.Rly BKN
- (iii) G.M.(P) New Delhi
- (iv) Lab Supdt. N.Rly. BKN.
- (v) Sri Radha Krishna at Lucknow

(True copy)

Radha Krishna



In the Hon'ble High Court of Judicature at Allahabad,
(Lucknow Bench) Lucknow,

Writ Petition NO. of 1983

Sri Radha Krishna and anotherPetitioners
Versus
Northern Railway and another ...Opp.Parties.

Annexure no. 3

NORTHERN RAILWAY

Metallurgical Laboratory, Charbagh, Lucknow
Staff Order NO. CM/27-ASR 14 dated 25th May, 70

Sri Shyam Deo Prasad Sharma S/o Sri Brij Lal Sharma, as approved selected candidate by Railway Service Commission, Allahabad whose name has been forwarded by General Manager(P) N.Rly. Baroda House New Delhi vide letter no. 220-E/2449Rectt) dated 10.4.70 is hereby appointed as Jr. Chemical and Metallurgical Assistant (Trainee) in Gr. Rs 150-300 on usual terms and conditions on 25.5.1970 (F.N.) and is posted at Chemical and Metallurgical Laboratory, Jodhpur Workshop vice Sri Nandi Chandaury transferred to Water Treatment Organisation, Jodhpur under DS/JU

Sri Shyama Deo Prasad Sharma will be kept under training for a period of one year during which he will be entitled to draw Rs 150/- as a stipend plus DP/DA as per rules, After completion of

Radha Krishna,

2.

one year successful training, he will be also ordered in the regular grade Rs 150-5-160-8-240-EB-8-280-10-300(AS) Sri Sharma has passed Medical Test in class BI as per D.P.O./E.Rly./JMP's certificate no. 283(071330) dated 30.4.70.

Sd/- S.C.Chakraborty

Chemist and Metallurgist

Copy for information and necessary action to

1. Dy.CME/N.Rly/Jodhpur for information and necessary action .Sri Sharma should be shown against the working post which is vacant due to transfer of Sri J.Nandi Chawdhury and he be put under training for one year.

2. WAO/NR/Jodhpur

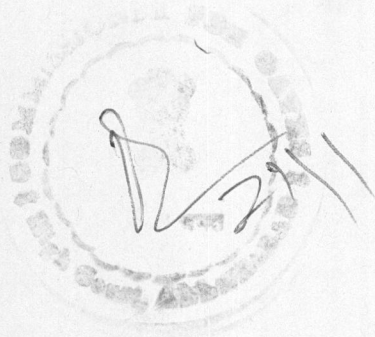
3. G.M.(P) Ndis

4. Labi Supdt. N.Rly. Jodhpur

5. Sri Shyam Deo Pd. Sharma at Lucknow

(True copy)

Rachha Krishna



19 ^A/₂₀

In the Hon'ble High Court of Judicature at Allahabad,
(Lucknow Bench) Lucknow,

Writ Petition NO. of 1983

Radha Krishna and anotherPetitioners

Versus

Northern Railway and anotherOpp. Parties.

Annexure no. 4

Northern Railway

Office of the Chemist and Metallurgist
Charbagh, Lucknow

Dated 2.7.1976

NOTICE

In terms of G.M.(P) NDLS Notice no. 755-E/32-iii
(Eiii) of ...76 Sri Radha Krishna C&M Asstt. in gr.
425-700(AS) who has been transferred on his
own request on same pay and grade released by Sr
DME/DSL/MGS vide notice no. DME/MGS/Lab of 24.6.76
and reported for duty to this Lab on 25.6.76. He
posted as such vice Sri N.C. Srivastava transferred to
DSL/Shed/MGS vide this office notice no. CM/27-E Pt. II
of 27.6.76.

Sd/-C.P. Khare
Chemist and Metallurgist
N.Rly. CB/LKO

NO CM./27-E Pt II
copy to all concerned

(True copy)

Radha Krishna,



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In the Hon'ble High Court of Judicature at Allahabad,
(Lucknow Bench) Lucknow,

Writ Petition NO. of 1983

Radha Krishna and another ...Petitioners

Versus

Northern Railway and another ...Opp.Parties.

Annexure no. 5

Dy.C.M.E(W) Office

Northern Railway/Jodhpur

NO.755E/C&M/75/VolIII/XX dated 30.1.79

Notice

Sri V.K.Verma, Chmist Gr.425-700 having been relieved of his duties and spared from KKK Shops under AWM/KKK's letter no. 753 E/63/1 dated 22.1.79 interms of S.P.O.(M) Hd Qr.office Baroda House, New Delhi's letter no. 755E/32-1/Eiiw dated 17.1.79 is appointed to officiate on Lab Supdt. on Rs 550/- in grade Rs 550-900 w.e.f. 31.1.79. FN. temporarily pending selection Sri S.D.P.Sharma offg. LabSupdt. Gr. Rs 500-900(RS) working in JU.Workshop is relieved of his duties w.e.f. 30.1.79 Anand spared to carryout his transfer to AMR Shop Iko on Lab Supdt. (Paint) on same pay and in the same grade at his own request interms of SPO(M)'s letter no. 755E/32-IV (Eiiw) dated 20.11.78 and 17.1.79.

No joining time and passes are allowed to Sri SDP Sharma

Sd/-CME(W) JU

Radha Krishna

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In the Hon'ble High Court of Judicature at Allahabad,
(Lucknow Bench) Lucknow,

Writ Petition NO. of 1983
Radha Krishna and another ...Petitioners
Versus
Northern Railway and anotherOpp.Parties.

Annexure no. 6

NORTHERN RAILWAY

HEAD. QUARTER'S OFFICE

BARODA HOUSE NEW DELHI

0.755-E/32-V/EiiW(L) dated 3.9.81

The Add.C.M.E.(W) N.Rly./JUD

The Dy.C.M.E.(W) N.Rly/Amr/Iko

The C& M/N.Rly/CB Iko

Subject: Transfer of Sri R.S.L.Tewari Lab Supdt./Amr/Iko
to JUD.

Ref; This office Notice of even number dated 20.3.81

Further to this office notice of even number dated

20.3.1981 the case was referred to Rly Board who have
passed the following orders:

The Rly Ministry have considered the case and
agreed to your proposal that Sri R.S.L.Tiwari
Lab Supdt. may temporarily be transferred to
JUD Workshop. He may be brought back as soon
as the Board sanction for creation of more
posts is conveyed to your office.

Further necessary action may please be taken

Radha Krishna.

2.

accordingly and the date when Sri R.S.L.Tiwari is
recieved on transfer to JUD Shop advised to this office
promptly.

Sd/-B.R.Nigam
G.M.(P)

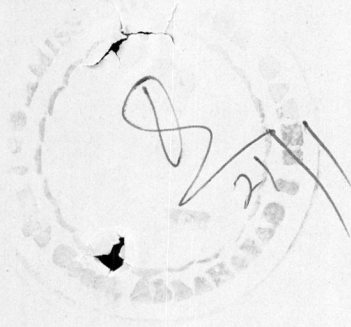
Copy forwarded for information to

(i) ACME(E) Hd.Quarter NDLs

(ii) JUD

(True copy)

Radhakrishna



24/ A
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In the Hon'ble High Court of Judicature at Allahabad,
(Lucknow Bench) Lucknow,

Writ Petition NO. of 1983
Radha Krishan and anotherPetitioners
Versus
Northern Railway and another ...Opp. Parties.

Annexure no. 7

NORTHERN RAILWAY

Office of the Dy.C.M.E./W/C& W/ Shop Alm.Lko
S.O. NO. 652 Dated 15.9.81

In terms of G.M.(P) New Delhi's letter
Number 755-E/32-V(EiiW)L dated 3.9.81 and CMI/CB/
LKO's DO NO. CM/27-E/Pt.II dated 9/15/9/81 Sri R.S.L.
Tewari Lab Supdt.(Ultrasonic) grade Rs 550-900()
of these works is spared w.e.f. 15.9.81(AN) and
transferred to N.Rly Workshop Jagadhri alongwith his
post purely as a temporary measure.

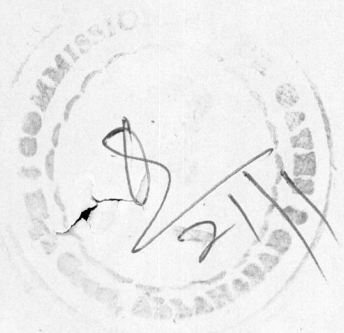
sd/-for Dy.CME(W)
C& W/Shop Alm/Lko

NO.DCME/792/Pt.I dated 15.9.81

Copy to all concerned.

(True copy)

Radha Krishan



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In the Hon'ble High Court of Judicature at Allahabad,
(Lucknow Bench) Lucknow,

Writ Petition NO. of 1983

Radha Krishan and another ...Petitioners

Versus

Northern Railway and another ...Opp.Parties.

Annexure NO. 8

Serial NO. 3601-Circular NO. 940-E/o-III(Eiv) dated 13th
September 1966

Copy of Rly Board's Letter no.E(NG) 66T R 2/20 dated
27.7.1966

Sub: Transfer in the event of curtailment of
Cadre etc.

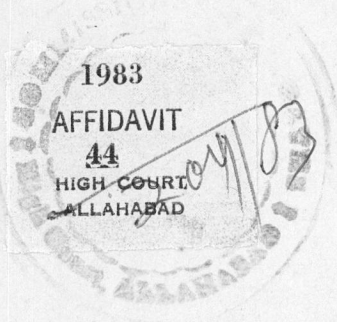
It has been brought to the notice of the Board that
practice of transferring staff in the event of
curtailment of a cadre varies from Railway to Railway
and even from division to division on a Railway
with a view to bring about uniformity in the matter, the
Board desire that as a general rule, the junior most
employee should be transferred first whenever any
curtailment in the cadre takes place.

Pl.Acknowledge receipt.

Radha Krishan

26
A
27

In the Hon'ble High Court of Judicature at Allahabad,
(Lucknow Bench) Lucknow,



Affidavit

Writ Petition NO. of 1983

Radha Krishna and anotherPetitioners

Versus

Northern Railway and another ...Opp. Parties.

Radha Krishna, aged about
36 years, son of Sri Bander
Bihari Srivastava, resi-
dent of 52/4 Chander
Nagar, Alambagh, Lucknow.

....Deponent

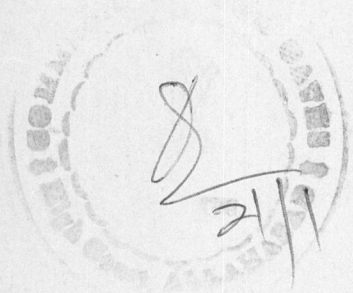
I, the deponent abovenamed do hereby
solemnly affirm and state as under:

1. That the deponent is the petitioner no. 1
and is the pairokar of the petitioner no. 2 and is
fully conversant with the facts deposed to herein.

2. That the contents of paragraphs

of the writ petition are true to my personal knowledge
and the contents of paragraphs
of the writ petition are true to my belief to be
true.

Radha Krishna



28

In the Hon'ble High Court of Judicature

व अदालत श्रीमान

at Allahabad, Sitting at Lko

महोदय

वादी (मुद्दे)

प्रतिवादी (मुद्दालेह)

का वकालतनामा

3



1825/-
21-1-83

वादी (मुद्दे)

बनाम

प्रतिवादी (मुद्दालेह)

नं० मुकद्दमा सन् १६ पेशी की ता० १६ ई०

ऊपर लिखे मुकद्दमा में अपनी ओर से श्री

J. Bhalla, Advocate एडवोकेट

1/A River Bank Colony वकील Lko

महोदय

को अपना वकील नियुक्त करके प्रतिज्ञा (इकरार) करता हूँ और लिखे देता हूँ इस मुकद्दमा में वकील महोदय स्वयं अथवा अन्य वकील द्वारा जो कुछ पैरवी व जवाबदेही व प्रश्नोत्तर करें या अन्य कोई कागज दाखिल करें या लौटावें या हमारी ओर से डिगरी जारी करावें और रुपया वसूल करें या सुल्हनामा या इवबाल दावा तथा अपील व निगरानी हमारी ओर से हमारे या अपने हस्ताक्षर से दाखिल करें और तसदीक करें या मुकद्दमा उठावें या कोई रुपया जमा करें या हमारी या विपक्ष (फरीकसानी) का दाखिल किया रुपया अपने या हमारे हस्ताक्षर-युक्त (दस्तखती) रसोद से लें या पंच नियुक्त करें - वकील महोदय द्वारा की गई वह कार्यवाही हमको सर्वथा स्वीकार है और होगी मैं यह भी स्वीकार करता हूँ कि मैं हर पेशी स्वयं या किसी अपने पैरोकार को भेजता रहूँगा अगर मुकद्दमा अदम पैरवी में एक तरफा मेरे खिलाफ फैसला हो जाता है उसकी जिम्मेदारी मेरी वकील पर न होगी। इसलिए यह वकालतनामा लिख दिया कि प्रमाण रहे और समय पर काम आवे।

नाम अदालत
नं० मुकद्दमा
नाम फरीकसानी

accepted
J. Bhalla

Rachakulma
हस्ताक्षर
Petitioner 1
Petitioner 2

साक्षी (गवाह) साक्षी (गवाह)

दिनांक महीना

N.R.

VAKALATNAMA

N.P. No. 327/83



Before The Hon'ble The High Court of Justice in Allahabad at Lucknow
In the Court of

Radha Krishna and
Sons

Plaintiff
Defendant

Claimant
Appellant
Petitioner

Versus

Munir & Sons

Defendant
Plaintiff

Respondent

The President of India do hereby appoint and authorise Shri. C. A. Basir Advocate and
Abdul Naim Advocate

to appear, act, apply, plead in and prosecute the above described suit/appeal/proceedings on behalf of the Union of India to file and take back documents, to accept processes of the Court, to appoint and instruct Counsel, Advocate or Pleader, to withdraw and deposit moneys and generally to represent the Union of India in the above described suit/appeal/proceedings and to do all things incidental to such appearing, acting, applying Pleading and prosecuting for the Union of India SUBJECT NEVERTHELESS to the condition that unless express authority in that behalf has previously been obtained from the appropriate Officer of the Government of India, the said Counsel/Advocate/Pleader or any Counsel, Advocate or Pleader appointed by him shall not withdraw or withdraw from or abandon wholly or partly the suit/appeal/claim/defence/proceedings against all or any defendants/respondents/appellant/plaintiff/opposite parties or enter into any agreement, settlement, or compromise whereby the suit/appeal/proceeding is/are wholly or partly adjusted or refer all or any matter or matters arising or in dispute therein to arbitration PROVIDED THAT in exceptional circumstances when there is not sufficient time to consult such appropriate Officer of the Government of India and an omission to settle or compromise would be definitely prejudicial to the interest of the Government of India and said Pleader/Advocate of Counsel may enter into any agreement, settlement or compromise whereby the suit/appeal/proceeding is/are wholly or partly adjusted and in every such case the said Counsel/Advocate/Pleader shall record and communicate forthwith to the said officer the special reasons for entering into the agreement, settlement or compromise.

The President hereby agrees to ratify all acts done by the aforesaid Shri. C. A. Basir and
Abdul Naim
in pursuance of this authority.

IN WITNESS WHEREOF these presents are duly executed for and on behalf of the President of India this the..... 19 ..

Accepted
C. A. Basir

Accepted
Abdul Naim

Accepted

Dated. 16/3.....1983

N.R.—149/1—June, 1981—75,00 F.

NW 25/11/83

5/11/83

Designation of the Executive Officer

अपर मुख्य न्यायाधिकारी,
प्रधान कार्यालय, उत्तर रेलवे
नयी दिल्ली

के समक्ष
के न्यायालय में

वादी
प्रतिवादी

प्रतिवादी
वादी

बनाम

वावेदार
अपीलार्थी
अर्जीदार
प्रत्यार्थी

भारत के राष्ट्रपति इसके द्वारा श्री.....

को उपर्युक्त वाद/अपील/कार्यवाही में भारत संघ की ओर से उपसंजात होने, कार्य करने, आवेदन करने, अभिवचन करने और आगे कार्यवाही करने के लिए दस्तावेज दाखिल करने और वापस लेने, न्यायालय की आदेशिका स्वीकार करने काउंसेल, अधिवक्ता या प्लीडर नियुक्त करने, और उन्हें अनुदेश देने, रुपया वापस लेने और उसका निक्षेप करने तथा उपर्युक्त वाद/अपील/कार्यवाही में भारत सरकार का साधारण प्रतिनिधित्व करने और भारत संघ के लिए इस प्रकार उपसंजात होने, कार्य करने, आवेदन करने, अभिवचन करने और आगे कार्यवाही करने की आनुषंगिक सभी बातें करने के लिए नियुक्त और प्राधिकृत करते हैं। किन्तु यह इस शर्त के अधीन रहते हुए होगा कि जब तक भारत सरकार के समुचित प्राधिकारी से उस निमित्त पहले ही स्पष्ट प्राधिकार प्राप्त नहीं कर लिया गया है, तब तक उक्त काउंसेल/अधिवक्ता/प्लीडर या उसके द्वारा नियुक्त काउंसेल/अधिवक्ता/प्लीडर सभी या किसी प्रतिवादी/प्रत्यार्थी/अपीलार्थी/वादी/विरोधी पक्षकार के विरुद्ध उस वाद/अपील/दावा/प्रतिरक्षा/कार्यवाही को पूर्णतः या भागतः, न तो वापस लेगा, न उसका अधिव्यजन करेगा, न ऐसा कोई करार करेगा या समझौता करेगा जिसके द्वारा वाद/अपील/कार्यवाही पूर्णतः या भागतः समायोजित की जाये और न उससे उद्धृत या उसमें विवादग्रस्त सभी या किसी विषय को मध्यस्थ को निर्देशित करेगा, परन्तु आपवादिक परिस्थितियों में जब भारत सरकार के समुचित प्राधिकारी से परामर्श करने के लिए पर्याप्त नहीं है और बाद में समझौता करने में छोप करना निश्चित रूप से भारत सरकार के हित के प्रतिकूल होगा तो उक्त प्लीडर/अधिवक्ता/काउंसेल ऐसा कोई करार या समझौता कर सकेगा जिसके द्वारा उक्त वाद/अपील/कार्यवाही पूर्णतः या भागतः समायोजित हो जाए और ऐसे प्रत्येक मामले में उक्त काउंसेल/अधिवक्ता/प्लीडर करार या समझौता करने के विशेष कारण बताते हुए उक्त अधिकारी को तत्काल संसूचित करेगा।

राष्ट्रपति इस प्राधिकार के अनुक्रम में श्री.....

द्वारा किए गए सभी कार्यों का अनुसमर्थन करने को सहमत हैं।

इसके साथैवरूप भारत के राष्ट्रपति को लिए और उनकी ओर से इस विलेख को आज तारीख को सम्मेलन रूप से निष्पादित किया जाता है।

तारीख 198 .

निष्पादन करने वाले अधिकारी का पदनाम

हाई कोर्ट इलाहाबाद, लखनऊ बेंच लखनऊ
(अध्याय १२, नियम १ और ७)

दीवानी विभाग

प्रकीर्णक (मुतफर्रिक) प्रार्थना सं० सन १९८३ ई०

..... सं० सन १९८३ ई० में

Radha Krishna and others

प्रार्थी

Northern Railway & others

प्रत्यार्थी

Northern Railway
through its General Manager
Baroda House, New Delhi

प्रत्यार्थी

चूंकि ऊपर लिखे प्रार्थी ने इस न्यायालय में उपर्युक्त लिखे मुकदमें के सम्बन्ध में
..... लिखे प्रार्थना-पत्र दिया है, अतः आपको आदेश दिया जाता है कि आप
दिनांक माह सन १९८३ ई० को या उससे पहले
उपस्थित होकर कारण बतलायें कि प्रार्थना-पत्र क्यों न स्वीकार कर लिया जाय। उक्त प्रार्थना-पत्र की
सुनवाई उसके बाद नियमानुसार विज्ञप्ति किसी और दिन होगी।

विदित हो कि यदि आप ऊपर लिखे दिनांक पर या उससे पहले स्वयं अथवा किसी एडवोकेट
या अन्य व्यक्ति द्वारा जो कानून अंकित हों, उपस्थित न होंगे तो उस प्रार्थना-पत्र की सुनवाई और
निर्णय आरम्भ की अनुपस्थिति में हो जायगा।

मेरे

सन १९

तिथि

1687 Stamps affixed except in case of unusual letters of not more than the initial **Rate-Stamp**
weight prescribed in the Post and Telegraph
Guide on which no acknowledgment is due. 1216

Received a V. P. registered*
addressed to Northern Railway

Write here "letter", "parcel" or "mail" as the case may be.
Sig. of Receiving Officer with 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 horizontal lines.

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

Insurance fee Rs. 4/00 weight rates
in words: grams

सूचना—इस न्यायालय की १९५२ की नियमावली के अध्याय ३७ नियम २ के अधीन प्राप्त तलबाना
मिल गया।

तलबाना प्राप्त करने वाले क्लर्क के हस्ताक्षर

हाई कोर्ट इलाहाबाद, लखनऊ बेंच लखनऊ
(अध्याय १२, नियम १ और ७)

दीवानी विभाग

प्रकीर्णांक (मुतफर्रिक) प्रार्थना सं० WP No 327-83 सन १९८३ ई०

WP सं० सन १९८३ ई० में

Radha Krishna and Others

प्राथी

Northern Railway & Others

प्रत्यार्थी

Northern Railway

through its General Manager

Boroda House, New Delhi

प्रत्यार्थी

चूंकि ऊपर लिखे प्राथी ने इस न्यायालय में उपर्युक्त लिखे मुकदमें के सम्बन्ध में
..... लिखे प्रार्थना-पत्र दिया है, अतः आपको आदेश दिया जाता है कि आप
दिनांक माह सन १९८३ ई० को या उससे पहले
उपस्थित होकर कारण बतलायें कि प्रार्थना-पत्र क्यों न स्वीकार कर लिया जाय। उक्त प्रार्थना-पत्र की
मुनवाई उसके बाद नियमानुसार विज्ञप्ति किसी और दिन होगी।

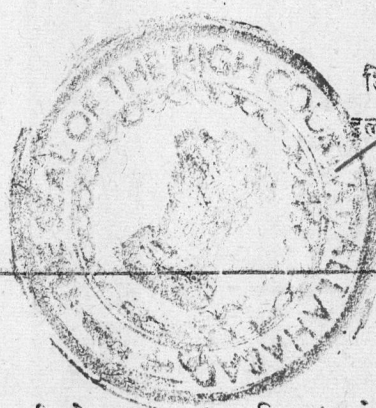
विदित हो कि यदि आप ऊपर लिखे दिनांक पर या उससे पहले स्वयं अथवा किसी एडवोकेट
या ऐसे व्यक्ति द्वारा जो कानून अद्वित हों, उपस्थित न होंगे तो उस प्रार्थना-पत्र की मुनवाई और
निर्णय आपकी अनुपस्थिति में हो जायगा।

मेरे हस्ताक्षर और न्यायालय की मोहर से आज दिनांक माह सन १९८३ ई० को जारी किया गया।

J. Bhalla ने एडवोकेट

तिथि 21.1.83

Mr. Tandon



डि टो रजिस्ट्रार
इलाहाबाद/लखनऊ

सूचना—इस न्यायालय की १९५२ की नियमावली के अध्याय ३७ नियम २ के अधीन प्राप्त तलबाना मिल गया।

तलबाना प्राप्त करने वाले क्लर्क के हस्ताक्षर

हाई कोर्ट इलाहाबाद, लखनऊ बेंच लखनऊ
(अध्याय १२, नियम १ और ७)

दीवानी विभाग

प्रकीर्णांक (मुतफर्रिक) प्रार्थना सं० सन १९८३ ई०

सं० सन १९८३ ई० में

Radha Krishna & Others प्रार्थी

Northern Railway & Others प्रत्यार्थी

Chief Workshop Engineer

Baroda House

New Delhi

प्रत्यार्थी

चूंकि ऊपर लिखे प्रार्थी ने इस न्यायालय में उपर्युक्त लिखे मुकदमें के सम्बन्ध में
..... लिखे प्रार्थना-पत्र दिया है, अतः आपको आदेश दिया जाता है कि आप
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सुनवाई उसके बाद नियमानुसार विज्ञप्ति किसी और दिन होगी।

विदित हो कि यदि आप ऊपर लिखे दिनांक पर या उससे पहले स्वयं अथवा किसी एडवोकेट
या ऐसे व्यक्ति द्वारा जो कानून अज्ञित हों, उपस्थित न होंगे तो उस प्रार्थना-पत्र की सुनवाई और
निर्णय आरम्भ की अनुपस्थिति में हो जायगा।

मेरे हस्ताक्षर और न्यायालय की मोहर से आज दिनांक २३ माह २ ८३

16

Rece
address

Sig. of Rec

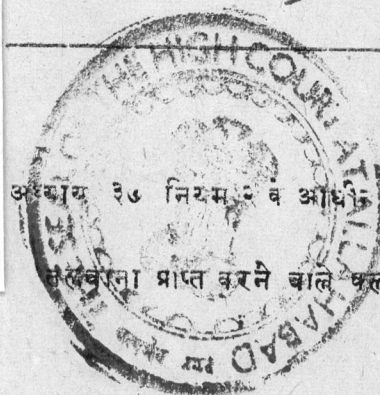
To be fil

Insured f

Insurance

डि टो रजिस्ट्रार

इलाहाबाद/लखनऊ



हाई कोर्ट इलाहाबाद, लखनऊ बेंच लखनऊ
(अध्याय १२, नियम १ और ७)

दीवानी विभाग

प्रकीर्णक (मुतफर्रिक) प्रार्थना सं० WP No 327-83 सन १९८३ ई०

सं० सन १९८३ ई० में

Radha Krishna & Others

प्रार्थी

Northern Railway & others

प्रत्यार्थी

Chief Workshop Engineer

Baroda House

New Delhi

प्रत्यार्थी

चूंकि ऊपर लिखे प्रार्थी ने इस न्यायालय में उपर्युक्त लिखे मुकदमें के सम्बन्ध में
..... लिये प्रार्थना-पत्र दिया है, अतः आपको आदेश दिया जाता है कि आप
दिनांक 25 माह 4 सन १९८३ ई० को या उससे पहले
उपस्थित होकर कारण बतलायें कि प्रार्थना-पत्र क्यों न स्वीकार कर लिया जाय। उक्त प्रार्थना-पत्र की
मुनवाई उसके बाद नियमानुसार विज्ञप्ति किसी और दिन होगी।

विदित हो कि यदि आप ऊपर लिखे दिनांक पर या उससे पहले स्वयं अथवा किसी एडवोकेट
या ऐसे व्यक्ति द्वारा जो कानून अज्ञित हों, उपस्थित न होंगे तो उस प्रार्थना-पत्र की मुनवाई और
निर्णय आरम्भ की अनुपस्थिति में हो जायगा।

मेरे हस्ताक्षर और न्यायालय की मोहर से आज दिनांक 23 माह 2-83
सन १९८३ को जारी किया गया।

J. Bhalla के एडवोकेट

तिथि 21.1.83

K. P. Tandon

डिप्टी रजिस्ट्रार
इलाहाबाद/लखनऊ

सूचना—इस न्यायालय की १९५२ की नियमावली के अध्याय २७ नियम २ के अधीन प्राप्त तलबाना
मिल गया।

तलबाना प्राप्त करने वाले क्लर्क के हस्ताक्षर



7

In the Hon'ble High Court of Judicature at Allahabad
(Lucknow Bench) Lucknow,



Civil Misc. Appln. no.

711 (W) of 1983

In re

Writ Petition NO.

327 of 1983

1. Sri Radha Krishna, aged about 36 years,
son of Sri Banke Bihari Srivastava,
resident of 52/4 Chander Nagar, A lambagh,
Lucknow
2. Sri Shyam Deo Prasad Sharma, aged about
35 years, son of late Sri Brij Lal Sharma,
resident of C 39/8 Manak Nagar, Lucknow

...Applicants/
Petitioners

Versus

1. Northern Railway through its General Manager,
Baroda House, New Delhi
2. Chief Workshop Engineer, Baroda House,
New Delhi.

....Opp. Parties.

Application for interim relief

The applicants above named most respectfully
beg to state as under:

That for the facts and circumstances stated
in the accompanying writ petition it is most respect-
fully prayed that this Hon'ble Court may be pleased
to stay the order dated 7.1.1983 contained in
annexure no.1, and in the meanwhile an ex parte ad
interim order to the same effect may kindly be passed

Lucknow: Jan. 21, 1983

J. B. Shah
Counsel for the applicants

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B3
A 37

Registered
IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH, ALLAHABAD
Post Bag No. 013
23-A, Thornhill Road, Allahabad - 211 001

No. CAT/Alld/Jud/32724

Dated the 05

Registration T.A.No. 1110 of 1987 (T)

Radha Krishora & others Applicant's

Versus

Union of India & others Respondent's

To ② Sri Shyam Deo Borad Sharma, S/o Sri B.L. Sharma
R/o C 39/8 Manak Nagar Lucknow.

Whereas the marginally noted cases has been
Transferred by High Court Lucknow under the provision
of the Administrative Tribunal Act 13 of 1985 and registered
in this Tribunal as above.

Writ Petition No. 327
of 1983

of the _____
Court at High Court Lucknow
of _____
arising out of order dated _____
passed by _____
in _____

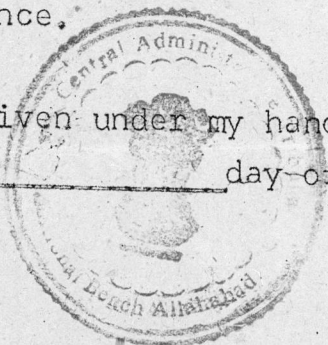
The Tribunal has fixed date
of 25-10 1988.

For the hearing of the matter.

If no, appearance is made
on your behalf by you or some
one duly authorised ~~to~~ Act

on your behalf, the matter will be heard and decided in
your absence.

Given under my hand and seal of the Tribunal
this _____ day of 17-9 1988.



dinesh/

Deputy Registrar
DEPUTY REGISTRAR (J)
Ja

(3) $\frac{1}{2}$ B3/4

7c

Registered
IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH, ALLAHABAD
Post Bag No. 013
23-A, Thornhill Road, Allahabad - 211 001

No. CAT/Alld/Jud/32723 to 24 dated the 0-9.

Registration T.A.No. 1110 of 1987 (T)

Radha Krishora & others. Applicant's

Versus

Union of India & others Respondent's

- To
- ① Sri Radha Krishna, S/o Sri B.B. Srinartana
R/o 52/4 Chandar Nagar, Alambagh Lucknow.
 - ② Sri Shyam Deo Prasad Sharma, S/o Late, B.L.
Sharma, R/o C 39/2 Manak Nagar, Lucknow.

Whereas the marginally noted cases has been
Transferred by High Court Lucknow under the provision
of the Administrative Tribunal Act 13 of 1985 and registered
in this Tribunal as above.

Writ Petition No. 327
of 1983.

of the _____
Court at High Court Lko.
of _____
arising out of order dated _____
passed by _____
in _____

The Tribunal has fixed date
of 25-10- 1988.

For the hearing of the matter.

If no, appearance is made
on your behalf by you or some
one duly authorised ~~to~~ Act

on your behalf, the matter will be heard and decided in
your absence.

Given under my hand and seal of the Tribunal
this _____ day of _____ 1988.

① Northern Railway Through its General Manager
Baroda House New Delhi.

DEPUTY REGISTRAR (J)

② Chief Workshop Engineer, Baroda House
New Delhi. Through Sri A.K. Gaur, Cont. Advocate

For Govt. use

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4

TA. No. 1110/87

VAKALATNAMA

G.V.3

ore the Central Administrative Tribunal, Addl. Bench at Allahabad
he Court of

W.P.No. 327 of 1983

Repn. No. 1110/87 (T)

Plaintiff Shri Radha Krishna and
Defendant another

Claimant
Appellant
Petitioner

Versus

Defendant The Union of India
Plaintiff and others

Respondent

The President of India do hereby appoint and authorise Shri A.K. Gaur, Presenting Officer,
Thornhill Road, Allahabad

to appear, act, apply, plead in and prosecute the above described suit/appeal/proceedings on behalf of the Union of India to file and take back documents, to accept processes of the Court, to appoint and instruct Counsel, Advocate or Pleader, to withdraw and deposit moneys and generally to represent the Union of India in the above described suit/appeal/proceedings and to do all things incidental to such appearing, acting, applying Pleading and prosecuting for the Union of India SUBJECT NEVERTHELESS to the condition that unless express authority in that behalf has previously been obtained from the appropriate Officer of the Government of India, the said Counsel/Advocate/Pleader or any Council, Advocate or Pleader appointed by him shall not withdraw or abandon wholly or partly the suit/appeal/claim/defence/proceedings against all or any defendants/respondents/appellant/plaintiff/opposite parties or enter into any agreement, settlement, or Compromise where by the suit/appeal/proceeding is/are wholly or partly adjusted or refer all or any matter or matters arising on in dispute therein to arbitration PROVIDED THAT in exceptional circumstances when there is not sufficient time to consult such appropriate Officer of the Government of India and an omission to settle or compromise would be definitely prejudicial to the interest of the Government of India and said Pleader/Advocate of Counsel may enter into any agreement, settlement or compromise whereby the suit/appeal/proceeding is/are wholly or partly adjust and in every such case the said Counsel/Advocate/Pleader shall record and communicate forthwith to the said officer the special reasons for entering into the agreement, settlement or compromise.

The President hereby agrees to ratify all acts done by the aforesaid Shri A.K. Gaur, Presenting Officer, Allahabad.
in pursuance of this authority.

IN WITNESS WHERE OF these presents are duly executed for and on behalf of the President of Indian this the.....19 ..

For on behalf of U.O.I.

Dated.....198 ..

(ARUN...KUMAR...NIGAM)
Designation of the Executive Officer

N.R.P/R.Rd. (Pb. Bg.), Delhi-35 -11,110/11-8-1986-1,000.F

उप मुख्य यान्त्रिक अभियन्ता (कर्मो)
सिवारी एवं माल डिब्बा कर्मशाला,
६० रो, आलमबाग, लखनऊ

उप मुख्य यान्त्रिक अभियन्ता (कर्मो)
सिवारी एवं माल डिब्बा कर्मशाला,
६० रो, आलमबाग, लखनऊ

के समक्ष
के न्यायालय में

वादी
प्रतिवादी

बनाम

प्रतिवादी
वादी

दावेदार
अपीलार्थी
अर्जीदार
प्रत्यार्थी

भारत के राष्ट्रपति इसके द्वारा श्री

की उपर्युक्त वाद/अपील/कार्यवाही में भारत संघ की ओर से उपसंजात होने, कार्य करने, आवेदन करने, अभिवचन करने और आगे कार्यवाही करने के लिए दस्तावेज दाखिल करने और वापस लेने, न्यायालय की आदेशिका स्वीकार करने काउंसेल, अधिवक्ता या प्लीडर नियुक्त करने और उन्हें अनुदेश देने, रुपया वापस लेने और उसका निक्षेप करने तथा उपर्युक्त वाद/अपील/कार्यवाही में भारत सरकार का साधारण प्रतिनिधित्व करने और भारत संघ के लिए इस प्रकार उपसंजात होने, कार्य करने, आवेदन करने, अभिवचन करने और आगे कार्यवाही करने की आनुषंगिक सभी बातें करने के लिए नियुक्त और प्राधिकृत करते हैं। किन्तु यह इस शर्त के अधीन रहते हुए होगा कि जब तक भारत सरकार के समुचित प्राधिकारी से उस निमित्त पहले ही स्पष्ट प्राधिकार प्राप्त नहीं कर लिया गया है, तब तक उक्त काउंसेल/अधिवक्ता/प्लीडर या उसके द्वारा नियुक्त काउंसेल/अधिवक्ता/प्लीडर सभी या किसी प्रतिवादी/प्रत्यक्षी/अपीलार्थी/वादी/विरोधी पक्षकार के विरुद्ध उस वाद/अपील/दावा/प्रतिरक्षा/कार्यवाही को पूर्णतः या भागतः न तो वापस लेगा, न उसका अधित्यजन करेगा, न ऐसा कोई करार करेगा या समझौता करेगा जिसके द्वारा वाद/अपील/कार्यवाही पूर्णतः या भागतः समायोजित की जाये और न उससे उद्भूत या उसमें विवाद-ग्रस्त सभी या किसी विषय को मध्यस्थ को निर्देशित करेगा, परन्तु आपवादिक परिस्थितिओं में जब भारत सरकार के समुचित प्राधिकारी से परामर्श करने के लिए पर्याप्त समय नहीं है और वाद में समझौता करने में लोप करना निश्चित रूप से भारत सरकार के हित के प्रतिकूल होगा तो उक्त प्लीडर/अधिवक्ता/काउंसेल ऐसा कोई करार या समझौता कर सकेगा जिसके द्वारा उक्त वाद/अपील/कार्यवाही पूर्णतः या भागतः समायोजित हो जाएं और ऐसे प्रत्येक मामले में उक्त काउंसेल/अधिवक्ता/प्लीडर करार या समझौता करने के विशेष कारण बताते हुए उक्त अधिकारी को तत्काल संसूचित करेगा।

राष्ट्रपति इस प्राधिकार के अनुक्रम में श्री

द्वारा किए गए सभी कार्यों का अनुसमर्थन करने को सहमत हैं।

इसके सक्षमस्वरूप भारत के राष्ट्रपति के लिए और उनकी ओर से इस विलेख की आज तारीख को सम्यक रूप से निष्पादित किया जाता है।

तारीख 198 .

निष्पादन करने वाल अधिकारी का पदनाम

Accepted
Dr. K. G. Gode
रजिस्ट्रार जनरल
नं. १ चान्नी रोड
रेड गॉ स्टेशन के पास में
जयपुर
Counsel for the
Respondent