

CENTRAL ADMINISTRATIVE TRIBUNAL
LUCKNOW BENCH, LUCKNOW

INDEX SHEET

T.A. No. 1128/87

W.P. No. 971/83

CAUSE TITLE..... OF

NAME OF THE PARTIES..... *Praklad Chandra*..... Applicant

Versus

U.C. F. Case

..... Respondent

Part A.

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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 on 14/12/2011 without 'Bosta'

Check on

Dated 12/12/11.....

Counter Signed.....

*Rajeev
14/12/2011*

Signature of the
Dealing Assistant

Section Officer/In charge

ANNEXURE - A

CAT

CENTRAL ADMINISTRATIVE TRIBUNAL
Circuit Bench, Lucknow
Opp. Residency, Gandhi Bhawan, Lucknow

INDEX SHEET

CAUSE TITLE TA 1128/87(1) of 19

NAME OF THE PARTIES _____

Smt. Pranab Chandra _____ Applicant

Versus

Union of India _____ Respondent

Part A, B & C

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(B)		
		B1 to B-30
(C)		
		C1 to C.6

11.91

Annexure -B

CENTRAL ADMINISTRATIVE TRIBUNAL
Circuit Bench, Lucknow
Opp. Residency, Gandhi Bhawan, Lucknow

APPLICATION No. _____ of 19

TRANSFER APPLICATION No. _____ of 19

OLD WRIT PETITION No. : _____ of

CERTIFICATE

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

Dated :

COUNTER SIGNED :

Signature of the
dealing Assistant

Section Officer/Court Officer

CIVIL
CRIMINAL

SIDE

GENERAL INDEX

(Chapter XLI, Rules 2, 9 and 15)

Nature and number of case..... W.P. No. 971-83

Name of parties..... Prabhad Chandra vs. Union of India

Date of institution..... 21-2-83 Date of decision,.....

File no.	Serial no. of paper	Description of paper	Number of sheets	Court-fee		Date of admission of paper to record	Condition of document	Remarks including date of destruction of paper, if any
				Number of stamps	Value			
1	2	3	4	5	6	7	8	9
					Rs. P.			
1		1- with Annex and affidat.	18-	-	102-00			
2		Power	1-	-	5-00			
3		Cmtt 2022 (W) 883 p 84	1-	-	5-00			
4		order sheet	1-	-	-			
5		Bench Copy	1-	-	-			

I have this

day of

198

examined

the record and compared the entries on this sheet with the papers on the record. I have made all necessary corrections and certify that the paper correspond with the general index, that they bear Court-fee stamps of the aggregate value of Rs. that all orders have been carried out, and that the record is complete and in order up to the date of the certificate

Munsarim

Clerk

Serial
Number
of
order
and date.

Brief Order, Mentioning Reference
if necessary

How complied
with and
date of
compliance

17-11-07

No Sitting. Adj to 8-1-90
None is present

This case has been received on
transfer. As reported by Office notice
were issued to the counsels. Let a
fresh notice be issued to the
parties, as directed by Hon'ble
Sri D.K. Agarwal, TM.

List this case for order on
8-1-90.

L
17/11/07

No Sitting. Adj to 31-1-90

L
8/1/90

31/1/90

Hon. Justice K. Nath, V.C.
Hon. K.J. Raman, A.M.

The learned counsel for
the applicant has applied for
adjournment.

List for admission on

27-2-90.

KN

A.M.

DR

V.C.

m.

27.2.1990

Hon. Justice K. Nath, V.C.
Hon. K.J. Raman, A.M.

Shri P. Suroop for the applicant
and Shri Dinesh Chandra for respondent's No1 to 3
are present. Orders were passed on 22.2.1983
that the respondent's standing counsel will
produce the copy of the appointment letter of the
applicant, letter of the applicant... Respondant's

Dinesh

P.T.O.

1120/07/11

1 to 3 may file a short counter affidavit along with a copy of the applicant's appointment order. List for admission on 20.3.1990 on which date the case will be disposed off finally.

AM
A.M.

AM
V.C.

sd.

20-3-90

Hon. D.K. Agrawal J.M.

Mrs. K. Dangayya, A.M.

Mr. P. Swaroop for Petitioners

Mr. D. Chander for Respondents.

OR
No CA filed
a. F.A.
19/3

Learned counsel for the respondent files counter affidavit today, in pursuance of the orders passed on 22-2-83 by the High Court and on 27-2-90 by the Tribunal. However, the letter of appointment has not been filed. The learned counsel states that it will be filed shortly. Learned counsel for the applicant desires to be filed rejoinder. List it on 18-7-90 for hearing.

AM

AM
J.M.

18-7-90 No sitting Adj. to 24/7/90

24-10-90

No sitting Adj. to 7-11-90

OR Use for the reply
has not filed any letter
N.R.A.M. S. Ry

1128/87 (F)

(3)

AM

7.11.90

Hon. Mr. M. V. Bhalkar - AM.
Hon. Mr. D. K. Agarwal - JM.

Due to resolution of Bar Association
Case is adj. to 11.12.90.

11/12/90

Hon. Mr. Justice K. N. Path, VC
Hon. Mr. K. O. Venkayya, AM.

(V)
B. OC.

M.P. No. 686/90 only contains a
plea to dismiss the transfer Appln.
on merit for reasons stated therein.
This application shall be treated
to be a part of the respondents'
reply to the main case. The
applicant's counsel has sent an
application ^{for adjournment} on the ground that
he will be out of station. The
case is adjourned to 8/1/91 for
final hearing. In the meantime,
the applicant may file a rejoinder
to the points raised in
M.P. No. 686/90.

MP 686/90/6
filed. L
2/1/11

OR
4c for the repts
has been filed MP 686/90/6
for dismissal -
S. PO

L
5/12

No RA filed

S. H. N. L
2/1/11

Am.

VC.

Re

Group A 15 (4)

1412 86

IN THE HON'BLE HIGH COURT OF JUDICATURE AT ALLAHABAD,
LUCKNOW BENCH, LUCKNOW.

Writ Petition No. 971 of 1983.

Prahлад Chandra. Petitioner.

V e r s u s .

3435 Union Of India & Others. Respondents.

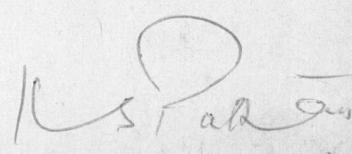
I N D E X

Sl. No.	Particular	Page No.
1.	Memo Of The Writ Petition.	1 to 9.
2.	Annaxure No. 1.	10 to 11
3.	Annaxure No. 2.	12 to 13
4.	Annaxure No. 3.	14 to 15
5.	Affidavit.	16 to 18
6.	Wakalat- Nama.	19

Lucknow:

Dated: 15 Feb, 1983.

17


(K.S. PATHAK)
Advocate.
Counsel For The Petition

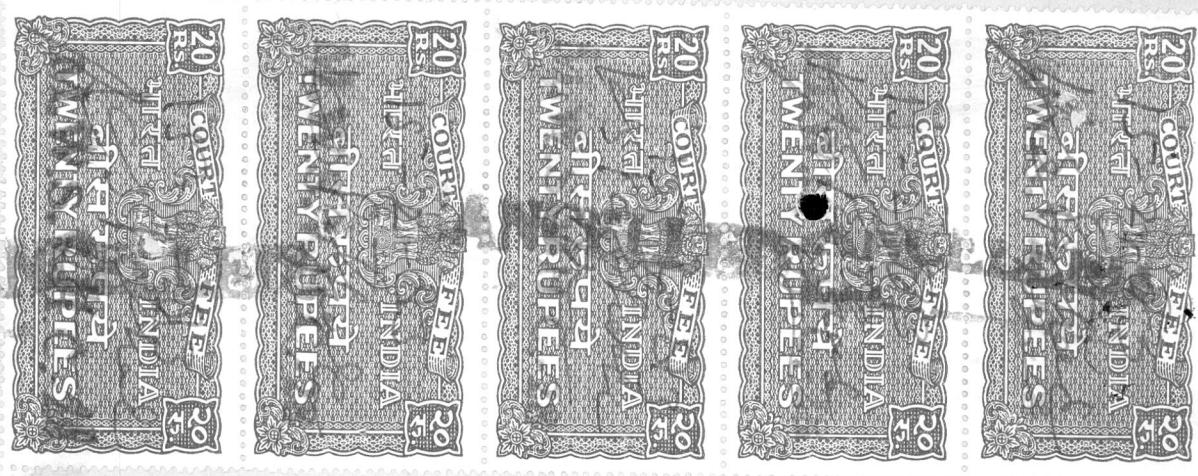
A 46

IN THE HON'BLE HIGH COURT OF JUDICATURE AT ALLAHABAD,
LUCKNOW BENCH, LUCKNOW.

Writ Petition No.

971

of 1983.



Set - 100/-

17/2/83

Prahlad Chandra, aged about 32 years,
son of Ghuruhu, resident of Balbharia,
Pergana, Tahsil and District Gonda. Petitioner.

V e r s u s



1. Union Of India through,
Post Master General, Lucknow (U.P.).
2. Superintendent of Post Offices,
Gonda, Civil Line, Gonda.
3. Sub. Divisional Inspector of Post
Offices, Gonda (Central) Sub-Division
Gonda.
4. Sri Mawadin Gupta, aged about 20 years,
son of Hanuman Prasad, Village, and Post
Balbharia, Pergana, Tehsil, & District
Gonda. Respondents.

प्रदल्लापन वर्तमान

WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION
OF INDIA.

The humble petitioner of the petitioner most respectfully prayeth as under:-

1. That there is a Branch Post Office, next door to the house of the petitioner, in village Balbharia, Pergana, Takasil and District Gonda maintaining three postal personnel only one of which is the post of extra ~~Departmental~~ Delivery Agent, referred to t-
Ex. the short as D.D.A.
2. That since the then D.D.A was due to be promoted as Town Post Office T.P.M. in sort, in the month of July 1982, the post of E.D.D.A as the Branch Post Office, Balbharia, was advertised at the notice board in a clear vacancy in the month of May 1982.
3. That the qualifications sought by the Respondents for the post of E.D.D.A was, the educational qualification upto Class VIII, a good character certificate, certificate of residence and it was declared that persons belonging to Scheduled Castes or Scheduled Tribes or backward classes living in the vicinity of the Branch Post Office Balbharia would be preferred.
4. That out of several applicant's the petitioner was selected and was allowed to join and take charge as from 26.7.82.



Yamini

(3)

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5. That the petitioner joined his duties and took the charge as E.D.D. A at the Branch Post Office Balbharia (near Dhanepur) Pergana, Teksil and District Gonda on 26.7.1982 and continued to occupy that post and position until 27.1.1983. The True Copy of the Charge Slip whereby the petitioner took charge and joined of his duties on 26.7.82 is appended hereto as ANNEXURE NO. I to this WRIT PETITION.

6. That even during the year 1977, the petitioner had worked as the E.D.D. A for nearly three months on a temporary vacancy and had as such already gained sufficient experience before his ~~being~~ joining again as E.D.D.A on 26.7.1982.

7. That during the whole course of his services with the post office, the work of the petitioner was always considered as satisfactory without any complaints what so ever.

8. That although the petitioner was working quite satisfactorily as E.D.D.A on a ~~clear~~ clear vacancy and there had never been a cause of complaint against the petitioner, the Respondent No. 2 advertised on its notice board the post again and advised the petitioner that since there had been some departmental ~~irregularity~~, unknown to the petitioner, in the election and appointment of the petitioner he, the petitioner, ~~should~~ should apply again and his appointment then would be regularised. The True Copy of the notification dated 21.8.82



True Copy

inviting application for the post of D.D.A ,
referred to above is appended here to as
ANNEXURE NO. II to this Writ Petition.

9. That induced, ^{advised} and assumed by the Respondent the petitioner moved an application for the post of E.D.D.A which post carried a salary of Rs:-145/- per month only .

10. That the Respondent No. 4 was one of other five applicants who had applied the same post of E.D.D.A to work at the Branch Post Office Balbharia.

11. That nothing was heard of the applications taken from the aspirants for the post of E.D.D.A until 27.1.1983 and the petitioner to work and perform his duties as E.D.D.A. Branch Post Office Balbharia as usual without suspecting any foul play and ^{continued} ^{by} ² lulling himself under the impression that the alleged irregularity in the selection and appointment of the petitioner might have been put right by that time.

12. That the petitioner had no reasons to suspect any foul play by the Respondents as he has been assumed by the Respondents that a fresh application of E.D.D.A was only a matter of formality, that there will be ^{no} ^{any} interference in his working and that the selection and appointment of the petitioner was a certainty.



HEMANT

13. That on 27.1.1983 the Respondent No. 2 came to the Branch Post Office Balbharia along with the Respondent No. 4 and told the petitioner briskly to hand over the charge to the Respondent No. 4 as, according to the Respondent No. 2, he, the Respondent No. 4, had been selected as the new E.D.D.A Branch Post Office Balbharia in place of the petitioner, although Respondent No. 4 did not belong to back word classes, had no ^{previous} ~~person~~ ^{experience} and the petitioner was in every way preferable to Respondent No. 4.

14. That the Respondent No. 2 then forcibly took ^{the} ~~regignation~~ signatures of the petitioner as ^{having} given charge to the Respondent No. 4 who was allowed to take charge immediately. A True Copy of the Charge slip dated 27.1.1983 whereby the charge from the petitioner was taken and then handed over to the Respondent No. 4, is appended hereto as ANNEXURE NO. III to this Writ Petition.

15. That the device of ^{requiring} ~~requiring~~ the petitioner to apply for the post of E.D.D.A which post the petitioner had already been selected and had been working since 26.7.1982 was a fraudulent, ³ ~~malicious~~ and illegal act. whereby the petitioner was merely duped and which has no force in law.

16. That taking of the charge from the petitioner and relieving him not only of the charge of his office but also from his post and position as E.D.D.A., in fact, amounts to ^a ~~summary~~ ^b ~~summary~~



4314-44

X
P

B

survarwary dismissal of the petitioner from his post and position as E.D.A without framing any charge, calling for an explanation or affording any opportunity of being heard.

17. That even if the application fraudtelenly obtained from the petitioner may be taken as ~~complaint~~^{competent} one, the petitioner fulfilled all the conditions as given in the ~~as~~ verification Annexure No. I. Essentially the conditions were that a candidate must have received education of Class VIII, must be in the recency of the post office must be overage of 20 years and be of good character. Preference was given to the applicants :-

(i) being to Scheduled Castes/Tribes or backward classes and (ii) having or working experience of the Department.

18. That the petitioner fulfilled all the conditions but surpassed all other candidates including the Respondant No. 4 in having gained experience by working in the department on E.D.D.A and also by belonging to backward classes of Kurmi.

19. That on the grounds mentioned in the foregoing para, the petitione above ought to ~~have~~ been selected, not the Respondant No. 4, and as such the selection and appointment of the Respondant No. 4 as E.D.D.A is illegal, malafide and unmentionable. Though the petitioner has no other remedy ~~as~~ except to file this Writ Petition on ~~the~~ amongst other the following grounds ~~as~~ no other application and proper remedy is available to the petitioner except by filing this writ petition. Contd...7



4614-45

G_R_O_U_N_D_S

i) Because the removal and dismissal of the petitioner from the post and position of E.D.D.A of Branch Post Office Belbhabia is illegal, malafide and wrongfully.

ii) Because the post of the E.D.D.A having already been filed by the petitioner on a clear vacancy on 26.7.82, the same could not have been notified as vacant and the issuance of the notification contained in Annexure No. I is illegal, erroneous and malafide.

iii) Because no opportunity having been afforded to the petitioner prior to his removal from the post operation of E.D.D.A, the dismissal and removal of the petitioner is unconstitutional and infringes the fundamental rights guaranteed to the petitioner under the Constitution of India.

iv) Because in any case the selection and appointment of the Respondent No. 4 instead of the petitioner is illegal, malafide, arbitrary and against the terms of the notification Annexure No. i.

v) Because of all the candidates the petitioner alone had experience and belonged to backward

YEMIHT

Classes, the Respondant's No. 1 to 3 were bound to follow the ^b rules of the selection formulated by ^b them and ought to have ^b preferred ^b for ~~offered~~ the petitioner as against the Respondant N. 4.

vi) Because the removal of the petitioner and selection and appointment of the Respondant in his place is absolutely illegal, ~~is~~ ^b unconstitutional, malafide and arbitrary.

vii) Because removal of the petitioner is against the natural justice, equity and good ² ~~conscience~~ ² ~~conscience~~ as ^b recognised in law.

P_R_A_Y_E_R

WHEREFORE, it is most respectfully prayed that the following relief may kindly be given:

a) That a Writ in the nature of CERTIORARY may kindly be issued thereby order of appointment of Respondent No. 4 dated 12.1.83 containing as Annexure No. III of this Writ Petition may be quashed or ^b set liable to be set aside.

b) That a Writ in the nature of Mandamus may also ^b kindly be issued whereby the Respondents No. 1 to 3 may be directed to treat the petitioner in service throughout.

(9)

✓/A

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c) That Any other order, Writ, or direction to this Hon'ble High Court deem fit in the ² circumstances of the case may also be issued in favour of the petitioner and against the Respondants ² ~~No. 4~~.

d) Costs of this Writ Petition may be awarded in favour of the Petitioner and against the Respondants.

Lucknow:

K. S. Pathak

Dated: 17 Feb, 1983.

(K. S. PATHAK)
Advocate.
Counsel For The Petitioner.

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The Hon'ble High Court of Judica-
ture at Allahabad
Lucknow Bench Lucknow

Ex. $\frac{1}{4}$

W.P. No. . . . of 1983

Prahлад Chandra . . . Petitioner

VS

Union of India & others. Respondents

ANNEXURE NO. 1.



15/12/83

भारतीय डाकतार विभाग

कार्यालय :- निरीक्षक डाकघर के न्द्रीय उपप्रखंड गोण्डा
ज्ञापन सं० ए/वेलभरिया दिनांक गोण्डा- 21-8-82

१

५४

इसाखा डाकघर वेलभरिया लेहा कार्यालय धानेपुर जिला गोण्डा में एक अति विभागीय क्षितरक एजेन्ट पद के लिये सुयोग्य साक्षर स्थानीय व्यक्तियों से निम्नलिखित प्राप्त्य में सादे कागज पर आवेदन पत्र आमंत्रित किए जाते हैं अध्यर्थी की आयु । -7-82 को 18 वर्ष से कम नहीं होनी चाहिए पद के लिए न्यूनतम शिक्षा कक्षा 8 उत्तीर्ण होना चाहिए । आवेदन पत्र के साथ शिक्षा, जन्मतिथि, चरित्र प्रमाण पत्र तथा निवास का प्रमाण पत्र अनिवार्य है चरित्र एवं निवास का प्रमाण पत्र ग्राम प्रधान से या किन्हीं अन्य दो सम्मानित व्यक्तियों से प्राप्त करके संलग्न करें । से या किन्हीं अन्य दो सम्मानित व्यक्तियों से प्राप्त होने पर मान्य होगा । अनुचित जाति, जनजाति या पिछड़ी जाति के लिए जाति प्रमाण पत्र राज्य सरकार द्वारा साक्षम अधिकारी से प्राप्त होने पर मान्य होगा । पद अनारक्षित है वरिष्ठा विभाग द्वारा निर्दिष्ट नि यानुसार देय होगी । अपूर्ण, अहस्ताक्षरित, बिना उपरोक्त प्रमाण पत्रों के तथा अंतिम तिथि के बाद प्राप्त आवेदन पत्र पर विवार नहीं किया जाएगा । आवेदन पत्र बिना कारण बताए निरस्त किए जा सकते हैं । नियुक्ति के परिणाम के संबंध में कोई पत्र व्यवहार स्वीकार नहीं होगा । किसी भी प्रकार की सिफारिश आवेदन पत्र को अग्राह्य बना देगी ।

पद का कर्त्तव्यानुभव 145/- प्र० माह है याद्यादेश समय समय पर संशोधित देय है इस कार्यालय में आवेदन पत्र प्राप्ति की अंतिम तिथि 10-9-82 है ।

॥ आवेदन पत्र का प्राप्त्य ॥



१-नाम १२१ पिता का नाम १३१ पूरा पता ग्राम, डाकघर, थाना, तहसील १४१ जाति १५१ शिक्षा १६१ जन्मतिथि १७१ व्यवसाय १८१ मासिक आय १९१ श्रोत २०१ अचल संपत्ति २११ विभागीय अनुभव ।
मैं प्रमाणित करता हूँ कि उपरोक्त सूचनाएं सत्य हैं मैं साइकिल चालक हूँ नि-
साइकिल से कार्य करने में सहमत हूँ यदि उपरोक्त सूचना असत्य प्रमाणित हुय-
ता में दुँड़ का भागी हूँगा तथा नियुक्ति स्वतः रद्द हो सकती ।

॥१० आवेदक के हस्ताक्षर

14. 96 ~~10~~

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

W.P. NO. - - - of 1983

Prahlad Chandra — Petitioner

VS

Union of India & others - Respondent

ANNEXURE NO. 3.



YEME-13

15.

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8/20

8/20

ए. सी. जी. ६१

भारतीय डाक-न्याय विभाग

A.C.G.-61 INDIAN POSTS AND TELEGRAPHS DEPARTMENT

(दस्तिए नियम 267, डाक-न्याय वित्तीय प्रृस्तिका, खण्ड 1, द्वितीय संस्करण)
(See Rule 267, Posts and Telegraphs Financial Handbook, Volume 1, Seco. 3 Edition)वार्ज और बदली पर वार्ज रिपोर्ट और नकदी और टिकटों की रसीद
Charge Report and Receipt for cash and stamps on transfer of charge

प्रमाणित किया जाता है कि

Certified that the charge of the office of डॉ बड़ा सैक्षी,

वार्ज.....
was made over by (name) श्री नवाजीन लाल वर्मा १८८८(नाम) को
to (name)स्थान
at (place) फलकीदारोदा २२ फरवरी १९६३ को पूर्वान्त में
भर्त्यस्तon the (date)..... fore
after noon in accordance with
15/2/63सं. No. A/311/2, तारीख Dated 12/1/63 के अनुसार दे दिया।
fromBellock Branch EDDA
भारमुक्त अधिकारी Bellock
Relieved Officerनवाजीन लाल E.D.D.A. नवाजीन
भारमुक्त अधिकारी

Relieving Officer

(कृपया पृष्ठ उल्टिये)
(P. T. O.)K. K. K.
P. T. O.
Mail Officer
Dhananjaypur 27/1/63
27/1/63

पृष्ठ उल्टी

*प्रमाणित किया जाता है कि बाज़ के दिवाली कार्यालय की अनेक गुम्बारों के बड़ाधर (स्टॉक पुस्तक और रजिस्टरों समेत) और लेखांगों का जाय की ओर इन्हें ठाक पाया।

*Certified that the balances of this date of the several books (including Stock Book and Registers) and accounts of the office have been checked and found correct.

*प्रमाणित किया जाता है कि निम्नलिखित बजाया मत्ते भारमुक्त अधिकारी न मौजूद दिए और मैं इनके लिए जिम्मेदार हूँ।

*Certified that the balances as detailed below were handed over to me by the Relieved Officer and I accept the responsibility for the same.

रु. पै. ०
. Rs. P. ०

(अ) नकदी/Cash
(ब) अपदाय टिकट/Stamp Imprest

5 — ०

जिसमें ये शामिल हैं—
Made up of

(1) टिकट/Stamps
(2) नकदी/Cash

Ramchandra EDDA Balbhanra

भारमुक्त अधिकारी
Relieving Officer

भारमुक्त अधिकारी
Relieved Officer

तारीख
Dated the

1975
1975

(Forwarded to....Shri....S. S. S. D. A.को भेजा गया।)

*बब प्रमाण पत्र की वापश्यकता न हो तो इसे काट दिया जाए।

*The certificate when not actually required may be scored through.

M.G.P.A.H.—402 P. & T./76—23-6-76—17,50,000.

(28-9-68 MI)

BIMLA (Himla)
DATE COMMISSIONER
High Court (Lucknow Bench)
I KNOW

No. 20/275
Date (512183)



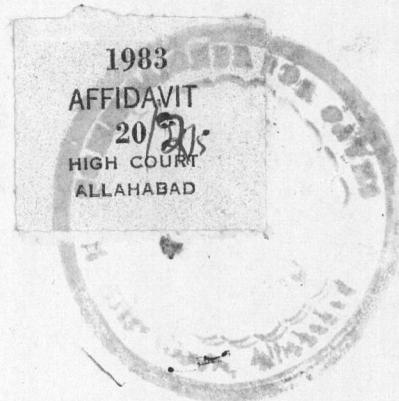
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IN THE HON'BLE HIGH COURT OF JUDICATURE AT ALLAHABAD,
LUCKNOW BENCH, LUCKNOW.

AFFIDAVIT.

In. Writ Petition No.

of 1983.



Prahald Chandra.:Petitioner.

Versus
The Union Of India & others. Respondents.

A_F_F_I_D_A_V_I_T

I, Prahald Chandra, aged about 32 years, son of Ghuruhi, resident of Balbharia, Pergana, Tahsil, and District Gonda, do hereby solemnly affirm and state on oath as under:

Brind
15/12/83
Court Allahabad

1. That the deponent is the petitioner in the above noted case- Writ Petition and, as such, is fully conversant with the facts deposed to hereunder.
2. That the contents of the Writ Petition have been read over and explained to the deponent who has fully understood them.
3. That the contents of paragraphs of the Writ Petition have been read over and explained to the deponent.

(2)

A/2

deponent who has fully understood them.

3. That the contents of paragraph 1 to 19 ² ~~are~~ except the bracketed portions of the Writ Petition are true to the own knowledge of the deponent and those of bracketed portions are believed to be true.

4. That the Annexures 1 to 3 to the Writ Petition are certified to be true copies of their originals.

Dated: Lucknow.

YEMIAG

15/21, 1983-

Deponent.

Verification

I the above named deponent, do verify that the contents of paragraph's 1 to 4 of this affidavit are true to the own knowledge of the deponent. No part of it is false and nothing material has been concealed, so help me God.



Lucknow: Dated

YEMIAG

15/2, 1983.

Deponent.

I identify the above named deponent who has signed before me.

K. Patel
Advocate's Clerk. Advocate

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(3)

Solemnly affirmed before me on 15/2/83

at 12:15 a.m./p.m. by Sri Prahla Chaudhary

the deponent who is identified by ~~Prahla Chaudhary~~

Sri K. S. Pathak Advocate

~~Clerk to Sri~~

Advocate, High Court, Allahabad,



XX I have satisfied myself by examining the deponent that no understands the contents of this affidavit which have been read over and explained by me.

.....

Bimla H. Maini
OATH COMMISSIONER
High Court, (Lucknow Bench)
LUCKNOW
No. 20/275
Date 15/2/83

Y. C. M. H. Maini

A-23

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL AT ALLAHABAD
CIRCUIT BENCH, LUCKNOW.

M.P.No. 686 of 1990 (2)

APPLICATION FOR DISMISSAL

Union of India & Others Applicant.

In

T.A.No. 1128/89. (1)

Prahlad Chandra Petitioner.

Versus

Union of India & Others Opp. Parties.

To,

The Hon'ble Vice Chairman and his companion members
of the aforesaid Tribunal.

The humble application of the applicant most respectfully sheweth :-

1. That the facts and circumstances of the case have been set out in the accompanying affidavit.
2. That it is in the interest of justice that the accordingly affidavit is brought on record.
3. That from the accompanying affidavit it is borne out that no appointment letter was issued to the petitioner as the applicant was engaged as a substitute.
4. That no legal claim ^{accrues} ~~accuses~~ to the applicant for the post of Extra Department Delivery Agent, Balbharia for which Shri Navin Gupta was selected and he has been working on the said post since 27-1-83.

Filed today
R
21/11/90

-: PRAYER :-

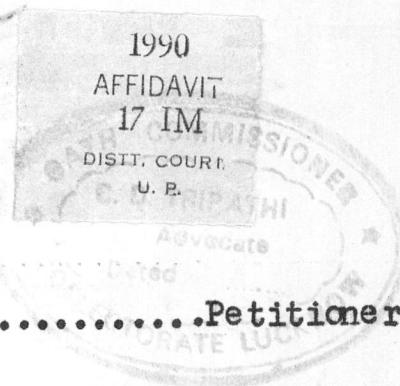
Wherefore it is most respectfully prayed that this Hon'ble Tribunal be kind enough to dismiss the petition filed by Shri Prahlad Chandra with cost as the same is not tenable and is liable to be dismissed.

(DR. DINESH CHANDRA)
COUNSEL FOR RESPONDENT.

24

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL AT ALLAHABAD
CIRCUIT BENCH, LUCKNOW.

Affidavit
In
T.A. No. 1128/87(T)



Prahlad Chandra Petitioner

Vs

Union of India & Others Respondents

I, R.S. Singh, aged about 48 years, son of Shri Raj Bahadur Singh do hereby solemnly affirm and state as under:-

1. That vide ~~under~~ dated 27-2-1990, this Hon'ble Tribunal had directed that the Respondents 1 to 3 will file a copy of the applicants appointment letter.
2. That the applicant was engaged as a substitute of Shri Vishnu Dutt, Extra Department Delivery Agent on his risk and responsibility, who had been relieved for training.
3. That the applicant took over charge of E.D.D.A., Balbhadra on 26-7-1982.
4. That it is denied that the applicant was selected out of several candidates and took over charge on 26-7-1982.
5. That no appointment letter was issued to the applicant appointing him on the post of E.D.D.A., Balbhadra Post Office. He was merely a substitute of Shri Vishnu Dutt who had gone on training.

R.S. Singh

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Deponent.

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VERIFICATION

I, the above named deponent do hereby verify that the
contents of paras 1 to 5 of this affidavit
are true to my personal knowledge and those of paras 1 to 5
are believed by me to be true based on records and as per
legal advise of my counsel. That nothing material facts
has been concealed and no part of it is false, so help me
God.

Signed and verified this the 1st day of Oct.

1990 within the court compound at Lucknow.

Lucknow.

Dated; 11/10/90

R.S. Singh
Deponent.

I identify the deponent who signed
before me.

J. (L)
Advocate.

R.S. Singh
D. Deponent

11/10/90

वकालत-नामा



15/2/83
17/2/83

पक्ष

प्रदलाद चन्द्र शुभ्रह मिशन वकालत में छिल गाहा

न्यायालय

मानीपुर उच्च न्यायालय वक्तव्य लिखित

मोंडा

प्रार्थी वादी

अपीलान्ट अभियोगी

प्रति

विपक्षी प्रतिवादी

प्रार्थना-पत्र

रेसपान्डेन्ट अभियोगी

वाद अभियोग

न्यायालय का नाम
नम्बर मुकदमा
नाम फरीदन

श्रीमान कलैल पाठ्यकार (द्वारा) लिखा गया अभियोगी का वकील साहब का या जिस वकील साहब को श्रीमान वकील साहब अपनी ओर से भेजें उनको अपना वकील नियत करके बचन देता हूं और प्रतिज्ञा करता हूं कि उल्लिखित वकील साहब उपरोक्त मुकदमे व अपील व निगरानी में जो कुछ पैरबी या उत्तर प्रत्युत्तर करें या कोई कागजात सनद या सनदे इत्यादि पेश करें या वापस ले या हमारी ओर से इजराय डिगरी कराके वह रूपया जो हमें मिलने को है वसूल करें या राजीनामा या इक्वाल दावा हमारा ओर से करें या दाखिल करें या प्रतिवादी द्वारा दाखिल किया हआ रूपया स्वयं अपने हस्ताक्षरों से या हमारी दस्तखत की हुई रसीद द्वारा लेवें या मुकदमे में पंच नियत करें या सब मय हानि-लाभ जो मिसल में कायबाही करेंगे हमें स्वीकार होगा और नियत मेहनताना मिलने पर श्रीमान वकील साहब को अधिकार होगा कि वह उपरोक्त मुकदमे अपोल या निगरानी की पैरबी न करें इसलिये यह वकालत-नामा लिख दिया कि सनद हो और आवश्यक समय पर काम आवे।

दिनांक

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स्वीकार किया

Advocate
Pleader

Deepak Singh
Bikram

K. P. Ramau
15/2/83

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On the 20.2.1983
In the Hon'ble High Court of Judicature at Allahabad,
(Lucknow Bench), Lucknow.

Writ Petition No. 971 of 1983

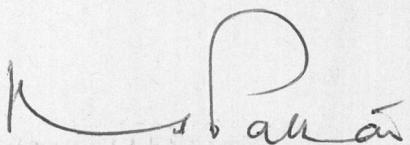


Application for Stay

and grant interim relief.

For the facts and reasons assigned in the accompanying affidavit and inclusive writ petition it is respectfully prayed that this Hon'ble Court may be pleased to stay the operation of impugned order as contained in Annexure No. during the pendency of the above noted writ petition.

Lucknow, dated
15.2.1983


Counsel for the Petitioner

ORDER SHEET

IN THE HIGH COURT OF JUDICATURE AT ALLAHABAD

W.P.

No.

971

of 1983.

V/ 59

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v.s.

Date	Note of progress of proceedings and routine orders	Dated of which case is adjourned
1	2	3
21-2-83	Mem Sc M, Mem S.A., Put up to tomorrow	
	through the athenant rule	
	sd Sc M	
	sd S.A.	
21-2-83		21-2-83
22-2-83	Mem Sc M, Mem S.A., The petitioner has not filed	
	list on 14th March 1983	14th March
	sd Sc M	
	sd S.A.	
	22-2-83	
	cm An No 2027	22-2-83
22-2-83	Mem Sc M, Mem S.A., Put up along with the w.p.	
	sd Sc M	
	sd S.A.	
	22-2-83	
23-2-83	14-3-83 fixed w.p. cm An No 2027 12-3-83 for orders	by com Bench

Date	Note of progress of proceedings and routine orders	Dated of which case is adjourned
1	2	3
24-3-83	<p><u>2 of 2 orders</u></p> <p><u>He KXGJ</u> <u>H ACB 82</u></p> <p><u>16/3/83</u> <u>Court forade</u></p> <p><u>Hoe TS MR</u> <u>Hoe DND 207</u></p> <p><u>fixed with</u> <u>court 25/3/83. B/w</u> <u>for order</u></p>	

In the Central Administrative Tribunal at Allahabad,
Circuit Bench, Lucknow.

A 29

Misc. Application No. of 1990.
Union of India & Others Applicant.
In
Registration No. T.A. 1128 of 1989 (L)
Prahlad Chandra Petitioner
Versus.
Union of India and others Respondents.

Application for condonation of Delay in Filing Counter ~~affidavit~~ ^{Reply}
on behalf of the Respondents.

The applicant above named respectfully begs to submit as under :-

1. ^{Reply} That the counter ~~affidavit~~ could not be filed within the prescribed time allotted by this Hon'ble Tribunal.

2. That on receipt of the para-wise comments, from the respondents, the draft counter ^{Reply} ~~affidavit~~ was prepared by the counsel for the respondents and the same was sent to the department for vetting.

3. ^{Reply} That on receipt of the vetted counter ~~affidavit~~ the same was typed and sworn by the respondent. ~~That a copy of the counter affidavit has been served on the Counsel of the applicant.~~

4. ^{Reply} That the duly sworn counter ~~affidavit~~ is being filed without any further delay.

5. ^{Reply} That the delay in filing the Counter ~~affidavit~~ is bonafide, not deliberate and is liable to be condoned.

Wherefore, it is, respectfully prayed that this Hon'ble Tribunal may be pleased to condone the delay in filing the counter ^{Reply} ~~affidavit~~ and the same may be brought on record.

Lucknow ;
Dated : 19-3-90.

D.G. 19/3
(Dr. Dinesh Chandra)
Advocate,
Counsel for the Applicant.

(A)
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In the Hon'ble Central Administrative Tribunal at Allahabad,
Circuit Bench, Lucknow.

Misc. Application No. of 1990

on behalf of Respondents.

Union of India & others Applicant.

In

Registration No. T.A. 1128 of 1989 (L)

Prahlad Chandra Petitioner
Versus.

Union of India & Others Respondents.

To,

The Hon'ble Vice Chairman & His Companion Members
of the aforesaid Tribunal.

The application of the humble applicant most respectfully sheweth :-

1. That full facts have been given in the accompanying Counter *Reply Affidavit*.
2. That for the facts and circumstances stated in the accompanying Counter affidavit it is expedient in the interest of justice that the Counter *Reply Affidavit* may be taken on record and the petition may be dismissed with costs.

It is, therefore, most respectfully prayed that this Hon'ble Tribunal may be pleased to admit the accompanying counter *affidavit* and to dismiss the petition with costs.

D. D. Chandra
19/3

(Dr. Dinesh Chandra)
Advocate,
Addl. Standing Counsel,
Counsel for the Respondents.

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In the Central Administrative Tribunal at Allahabad,
Circuit Bench, Lucknow.

Reply
COUNTER AFFIDAVIT ON BEHALF OF RESPONDENT NO. 1 TO 3 :

In.

Case No. T.A. 1128 of 1989 (L)

Prahlad Chandra Petitioner

Versus.

Union of India & Others Respondents.

I, R.S. Singh, aged about 47 years, son of S. Ray
Bahadur Singh, Supdt. of Post Offices, Gonda, do
hereby solemnly affirm and state as under :-

1. That the deponent is competent to *Reply* *swear* the affidavit on behalf of all the respondents.
2. That the deponent has read the petition filed by Shri Prahlad Chandra and has understood the contents thereof.
3. That the deponent is well conversant with the facts of the case deposed hereinafter.
4. That it will be worthwhile to give a brief history of the case as under :-

BRIEF HISTORY OF THE CASE

ON promotion of Shri Vishnu Dutt Extra Departmental Delivery Agent of Branch Post Office, Belbharia to the post of postman, Shri Prahlad Chandra was provided as substitute by Shri Vishnu Dutt on his risk and responsibilities till a regular

R.S. Singh



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appointment on the post was made. Shri Prahlad Chandra took over charge as EDDA on 26.7.82. The vacancy was notified through public advertisement (Annexure -~~1~~¹) of the affidavit) on 21.8.82. In response to the said advertisement six applications including that of the applicant and Shri Navadin Gupta were received. The applications were got verified through the Mail Overseas, ~~and~~ Dhaneypur and on the basis of his report, Shri Navadin Gupta was found the most suitable candidate for the post and was appointed as EDDA, Belbharia. Consequently the ~~provisional~~ arrangement engaging Shri Prahlad Chandra as 'Substitute' of Shri Vishnu Dutt ~~was~~^{placed} set aside. Shri Prahlad Chandra was relieved of the charge on 27.1.83. Feeling aggrieved, Shri Prahlad Chandra filed a writ Petition in the Lucknow Bench of the Hon'ble High Court of Judicature at Allahabad which has now been transferred to the Hon'ble Tribunal for disposal. It may be mentioned that Shri Navadin Gupta has been working as EDDA, Belbharia since 27.1.83.

PARA-WISE COMMENTS

5. That the contents of para 1 of the writ Petition are admitted.
6. That the contents of para 2 are denied. The vacancy was advertised on 21.8.82 (Copy filed as Annexure R-1).
7. That in reply to para 3 it is stated that minimum educational qualification for EDDA was VIII standard (Matriculation or equivalent may be preferred). It is also indicated in the ^{Recruitment} ~~Resentment~~ Instructions that EDDA may, as far as possible, reside in or near the place of their work. There is, however, no provision for

R S Singh

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giving preference to candidates belonging to backward classes.

8. That the contents of para 4 are denied. The applicant was not selected for the post of EDDA. He was merely a substitute of Shri Vishnu Dutt and worked on his risk and responsibility.
9. That the contents of the para 5 are admitted. The petitioner joined as a substitute of Shri Vishnu Dutt on 26.7.82.
10. That in reply to para 6 it is stated that the petitioner had worked as a 'Substitute' of Shri Vishnu Dutt from 19.2.79 to 30.4.79.
11. That the contents of para 7 need no comments.
12. That in reply to para 8 it is submitted that the petitioner worked as a 'substitute' of Shri Vishnu Dutt on his risk and responsibility and worked as such till a regular incumbent was appointed after following the prescribed method of recruitment for the said post.
13. That the contents of para 9 and 10 are admitted.
14. That in reply to para 11 it is submitted that the petitioner worked as a 'substitute' provided by Shri Vishnu Dutt. There was no provision for giving preference to a 'substitute' at the time of regular selection for appointment.
15. That the contents of para 12 are not admitted and hence denied. The selection for the post of EDDA, for which the petitioner was also a candidate, was made in accordance with the prescribed 3....

R S Singh

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procedure and there had been no foul play as
alleged.

16. That the contents of para 13 & 14 are denied
devoid of facts and are denied.

17. That in reply to para 15 and 16 it is submitted
that the petitioner was never selected for the post
of EDDA. He worked as a "Substitute" only. The
question of framing any charges etc. against him
was not called for as the applicant was only a
substitute of Shri Vishnu Dutt and worked on the risk
and responsibility of Sh. Vishnu Dutt.

18. That in reply to the contents of para 17 it is
stated that the petitioner applied for the post of
EDDA in response to the advertisement and was
considered for appointment but the other candidate
viz. Ram Respondent No. 4 was found more suitable
for ~~the~~ the post.

19. That in reply to para 18 it is stated that the
Recruitment ~~Instructions~~ do not provide any preference
for backward classes, neither any weightage is to be
given for ~~previous~~ previous experience.

20. That the grounds mentioned in the petition have been
adequately dealt with in the submission made in the
above paragraphs.

21. That in view of the submissions made in the above
paragraphs, the petition is not tenable in fact and
law, it lacks merit and is liable to be dismissed
with costs.

Lucknow ;

Dated : 16.3.9.

R C Singh
Deponent.

contd. ... 5..

VERIFICATION

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I, the above named deponent do hereby verify that the contents of paras 1 to 3 of this affidavit are true to my personal knowledge and those of paras 4 to 21 are believed by me to be true based on records and as per legal advise of my counsel. That nothing material facts has been concealed and no part of it is false, so help me God.

Signed and verified this the 18th day of March 1990 within the court compound at Lucknow.

Lucknow;

Dated : 18/3/90

R. C. Singh
Deponent.

I identify the deponent who has signed before me.

D. K. D.
Advocate.

Solemnly affirmed by the deponent
at a.m./p.m. who has been identified
by Shri , Advocate, High
court of Lucknow Bench.

I have satisfied myself by examining the
deponent who has been identified and understands the
contents of this affidavit which has been read over
and explained to him by me.

Prakhar Chaudhary

भारतीय डाक-तार विभाग

कार्यालय निरीक्षक डाकघर केन्द्रीय उप प्रमाण गोडा

द्वापन संख्या- ए/बैलभरिया दिनांक गोडा 21.8.82

शाखा डाकघर बैलभरिया लेखा कार्यालय धानेपुर गेजला गोडा में एक अतिरिक्त विभागीय वितरक स्पेन्ट पद के लिए सुयोग्य साक्षर स्थानीय व्यक्तियों से निम्न लिखित प्रारूप में सादे कागज पर आवेदन पत्र आमीनित किए जाते हैं अभ्यर्थी की अनुयु 1.7.82 को 18 वर्ष से कम नहीं होनी चाहिए पद के लिए न्यूनतम शिक्षा कक्षा 8 उत्तीर्ण होना चाहिए। आवेदन पत्र के साथ शिक्षा, जन्म तिथि, वरित्र प्रमाण पत्र तथा निवास का प्रमाण पत्र अन्य दो सम्मानित व्यक्तियों से प्राप्त करें संलग्न करें। अनुसूचित जाति, जनजाति या पिछड़ी जाति के लिए जाति प्रमाण पत्र राज्य सरकार द्वारा सध्य अधिकारी से प्राप्त होने पर मान्य होगा। पद अनारीक्षित है वरियता विभग द्वारा निर्दिष्ट नियमानुसार देय होगी। अपूर्ण, अहस्ता क्षिरित, बिना उपरोक्त प्रमाण पत्रों के तथा अंतिम तिथि के बाद प्राप्त आवेदन पत्र पर विचार नहीं किया जाएगा। आवेदन पत्र बिना कारण बताए निरस्त किए जा सकते हैं। नियुक्ति के परिपाम के सम्बन्ध में कोई पत्र व्यवहार स्वीकार नहीं होगा।

किसी भी प्रकार की ईस्फारिस आवेदन को अग्राह्य बना देगी।

पैदा का वर्तमान भत्ता 145/- प्रमाण है या यथादेश समय समय पर संशोधित देय है इस कार्यालय में आवेदन पत्र प्राप्ति की अंतिम तिथि 10.9.82 है।

I- आवेदन का प्रारूप :-

I-नाम १२१ पिता का नाम १३१ पूरा पता ग्राम, डाकघर, थाना, तहसील १४१ जाति १५१ शिक्षा १६१ जन्म तिथि १७१ व्यवसाय १८१ मासिक आय एवं श्रोत १९१ अचल सम्पत्ति १०१ विभागीय अनुभव ।

मैं प्रमाणित करता हूँ कि उपरोक्त सूचनाएं सत्य हैं। मैं साइरिकल चालक हूँ निजी साइरिकल से कार्य करने में सहमत हूँ यदि उपरोक्त सूचना असत्य प्रमाणित हो द्यी तो मैं दंड का भागी हुआ तथा नियुक्ति स्वतः रद्द हो सकेगी।

II. आवेदक के हस्ताक्षर

(S)

सब डिवीजनल
इन्स्पेक्टर आफ पोस्ट आफेज
गोडा सेन्टर सब डिवीजन
गोडा-271001.

प्रति प्रेषित है सूचनार्थ, प्रचारार्थ, सूचना पट पर टागने हेतु -

I- उप डाकपाल धानेपुर १२१ शाखा डाकपाल बैलभरिया १३१ थानाध्यक्ष इटिया थोक ४१ ग्राम प्रधान बैलभरिया ५१ डाक सेवक धाने पुर के ग्राम प्रधान से मुनादी कराकर मुनादी का प्रमाण पत्र मैं।

(A)
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XAS

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD

LUCKNOW BENCH

T.A. No. 1128/87
(W.P. No. 971/83)

Prahlad Chandra

Applicant.

versus

Union of India & Ors.

Respondents.

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

Hon. Mr. K. Obayya, A.M.

(Hon. Mr. D.K. Agrawal)

Writ petition No. 971/83 filed before the High Court, Lucknow Bench of transfer to this Tribunal under section 29 of the Administrative Tribunal Act, 1985 was registered as T.A.No. 1128/87 ~~xxxxxx~~ as indicated above.

2. The writ petition is directed against the selection of respondent No. 4 as Extra Departmental Delivery Agent and non selection of the petitioner therein. The facts are that the petitioner was made to work as Extra Departmental Delivery Agent at the branch post office Balbharia Pargana and Tahsil and District Gonda with effect from 26.7.82. However, on selection being made and after consideration of the petitioner as well as respondent No. 4, the Selection Committee selected respondent No. 4 for the post of Extra Departmental Delivery Agent and he was given charge on the post of Extra Departmental Delivery Agent with effect from 27.1.83. The petitioner, feeling

aggrieved filed above writ petition challenging the selection of respondent No. 4. ^A ~~The~~ ^{the} ~~of~~ prayer has also been made that the petitioner be treated to have been in service as Extra Departmental Delivery Agent.

3. We have heard the learned counsel for the parties and perused the record. The settled position of law is that the Tribunal is not to sit in appeal or substitute itself for the selection committee i.e. the Tribunal has not to judge the relative merits of the candidate and give its own findings. The interference in selection is limited on grounds of malafides or arbitrariness. Therefore, we find it difficult to hold that the selection of respondent No. 4 was not a proper selection. The only point that has been canvassed convincingly before us is that the petitioner was a backward class person. If so, he was entitled to preferential treatment in accordance with the instructions of P&T Department from time to time. In view of this we consider that it would meet the ends of justice if the petitioner is given due weightage for belonging to backward class in the selection hereinafter held ~~which~~ ^{wherein} he applies for.

4. There is also a controversy as to whether the petitioner was a substitute or a regularly appointed person. The burden lies on the petitioner to prove that he was appointed as Extra Departmental Delivery Agent. The case of the respondent is that the petitioner was given charge on 26.7.82 only as a substitute. We regret to say that no document has

been brought on record by either parties to establish its case whether the petitioner was regularly appointed person or a substitute. The inference, therefore, is that no appointment letter was issued in favour of the petitioner at any point of time. However, it remains a fact that the petitioner as served as substitute for ^{sometimes} ~~several~~. Therefore, while considering the case of the petitioner for appointment as Extra Departmental Delivery Agent, this factor shall also be taken into account.

5. In the result the petition is disposed of in the light of the above observations without any order as to costs.

*D. Bhup
A.M.*

*Dr. Q. Rawal
J.M. 8/1/91*

Lucknow Dt. 8.1.91

*R.D.
D. Bhup 8/1/91*

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD
CIRCUIT BENCH, LUCKNOW

***** Gandhi Bhawan, Opp. Residency
No. CAT/LKO/Jud/CB/ 2408 to 2412 Lucknow -

Dated the 13/12/05

F.A.No. of 1128 07 (T)

Prabakar Chandra

AFFICANT'S

VERSUS

Union of India

RESPONDENT'S

To Prabakar Chandra, S/o Chhunnu
S/o Balbharia Pergana, Tahsil and
District Gonda

Whereas the marginally noted cases has been transferred by

~~14/12/05~~ Under the provision of the Administrative
Tribunal Act 13 of 1995 and registered in this Tribunal as above.

Writ Petition No. 971/83
of 198

of the Courts of ~~14/12/05~~
arising out
of Order dated
passed by

The Tribunal has fixed date of
8/1/96 1996, The hearing ~~order~~
of the matter.

If no appearance is made
on your behalf by your some
one duly authorised to Act
and plead on your behalf

the matter will be heard and decided in your absence.

Given under my hand seal of the Tribunal this

9 day of 4 1999.

Dinesh/

② U.O.J. Through P.M.G. 2408 DEPUTY REGISTRAR

③ Spdtl of Post offices, Gonda Circle Zone Gonda

④ Sub-Residential Inspector of Post offices, Gonda (Central) Sub Residential Gonda.

⑤ Shri Mawdeem Gupta S/o Hanuman Rd. village and Post Balbharia, Pergana Tehsil S. District Gonda.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
23-A Thornhill Road, Allahabad-211 001

T.A. No. 1128 of 1987
No.CAT/Alld/Jud/

Dated the : 10/15

40452753

Prahled Chandra

APPLICANT'S

VERSUS

Union of India & others

RESPONDENT'S

1. Shri B.K.Srivastava, Advocate, Lucknow High Court, Lucknow.
To

2. " D.S.Randhawa, Advocate, Lucknow High Court, Lucknow.

Whereas the marginally noted cases has been transferred by Lucknow High Court Under Section the provision of the Administrative Tribunal Act XIII of 1985 and registered in this Tribunal as above.

Writ Petition No. 971
of 198
of the Court of Lucknow High Court arising out of order
dated _____
passed by _____ in _____

The Tribunal has fixed date of 17.11.89 1989, The hearing of the matter at Gandhi Bhavan Lucknow (opp. Shaheed Smarak) If no appearance is made on your behalf by your some one duly authorised to Act and plead on your behalf

the matter will be heard and decided in your absence.

Given under my hand seal of the Tribunal this
day of _____ 1989.

dinesh/


DEPUTY REGISTRAR

व अदालत क्षीमान

[वादी] अपीलान्ट

प्रतिवादी [रेस्पान्डेन्ट]

Central Adel. Court, Delhi

Encl. Bond, Luck

श्री

होदय

वकालतनामा

टिकट

(वादीअपीलान्ट)

Prithviraj Chander & Sons v. B. Pratap Singh, M.A. 1128 सन् 1929 प्रतिवादी (रेस्पान्डेन्ट)

नं० मुकदमा A. 1128 सन् 1929 पेशी को ता० १६ ई०

ऊपर लिखे मुकदमा में अपनी ओर से श्री J. D. Chander

Addl. Secy. Encl. Standing Counsel वकील
Lucker महोदय
एडवोकेट

को अपना वकील नियुक्त करके प्रतिज्ञा(इकरार) करता हूँ और लिखे देता हूँ कि इस मुकदमा में वकील महोदय स्वयं अथवा अन्य वकील द्वारा जो कुछ पैरवी व जवाबदेही व प्रश्नोत्तर करें या कोई कागज दाखिल करें या लौटावें या हमारी ओर से डिगरी जारी करावें और रुपया बसूल करें या सुलहनाम व इकबालदावा तथा अपील निगरानी हमारी ओर से हमारे या अपने हस्ताक्षर से दाखिल करें और तसदीक करें या मुकदमा उठावें या कोई रुपया जमा करें या हमारी या विपक्षी (फरीकासनी) का दाखिल किया हुआ रुपया अपने या हमारे हस्ताक्षर युक्त (दस्तखती) रसीद लेवें या पंच नियुक्त करें वकील महोदय द्वारा को गई वह सब कायेवाहो हमको सर्व या स्वीकार हैं और होगी मैं यह भी स्वीकार करता हूँ कि हर पेशी पर स्वयं या अपने किसी पैरोकार को भेजता रहूँगा अगर मुकदमा अदम पैरवी में एक तरफ मेरे खिलाफ फैसला हो जाता है उसको जिसमें दारी मेरे वकील पर नहीं होगी इसीलिए वह वकालत नामा लिख दिया प्रमाण रहे और समय पर काम आवे।

6/1
वकील वकालत
हस्ताक्षर दाता गणेश

दिनांक 31/1/1929

साक्षी (गवाह) साक्षी (गवाह)

दिनांक महीना सन् १६ ई०

स्वीकृत



वकालतनामा

T.A. No. of 1128/87 (T)

न्यायालय श्रीमान:- In the Central Administrative Tribunal
Aligarhabad, Circuit Bench, Lucknow
वादी/अपीलान्ट

Praklad Chennia

वनाम

Union of India and others

प्रतिवादी रेसपाइट

(Praklad Chennia)

याददस्त

1. Parmalama Swaroop Advocate
व मुकदमा मुन्दर्जे इनवान में श्री-
Naresh Ban Association High Court Bench, Lucknow

श्री वकील अपना मुकर्रर करके इकारार करता हूं और निखे देता हूं कि साहब ममूह मुककरा
बाला में जो कुछ पैरबी जवाब देही करें या कोई कागजाद समझ अपनद बगैरा पेश करे या मिनजानिव
हमारे इजराय डिगर्नी कराके रुपया वा कितारी बमूल करें या राजीनामा अकबाल दाका मिनजानिव हमारे
दाखिल करे और तसदीक करें या रुपया दाखिल दिया हुआ फरीकसानी का बजरिये
इसीद दस्तखत हमारे या बपते के लेवे या किसी मुकदमा में पव मुकर करे या मिनजानिव हमारे
अग्रील दायर करे सबसाखता या दाखता मिस्ल करजादात उपला हमको कबूल या मन्जूर होगा। लिहाजा
वकालतनामा लिख दिया कि सनद रहे और वकत जरूरत काम आये।

अलंक

अलंक

गवाह

तारीख

Accepted from
Parimalama
Advocate

PT

३/११९०