

CENTRAL ADMINISTRATIVE TRIBUNAL
LUCKNOW BENCH LUCKNOW

ANNEXURE

INDEX SHEET

CAUSE TITLE *TA 1153 OF 1987*

NAME OF THE PARTIES *Summet Kumar*

Applicant

Versus

Union of India Respondent

Part A, B & C

Sl. No.	Description of documents	Page
1	<i>order sheet</i>	<i>A-1 to A-2</i> ✓
2	<i>Interment</i>	<i>A-3 to A-6</i> ✓
3	<i>Index</i>	<i>A-7 to 8</i> ✓
4	<i>Petition</i>	<i>A-9 to A-25</i> ✓
5	<i>Counter Affidavit</i>	<i>A-26 to A-34</i> ✓
6	<i>Rejoinder Affidavit</i>	<i>A-35 to A-40</i> ✓
7	<i>Power</i>	<i>A-41</i> ✓
8	<i>order sheet H-C</i>	<i>A-42</i> ✓
9	<i>Notices</i>	<i>A-43 to A-45</i> ✓
10		
11		
12		
13		

CERTIFICATE

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

Rechecked on Dated *11/4/12*

File B/C destroyed on 9-5-12

Counter Signed.....

Section Officer / In charge

Signature of the
Dealing Assistant

Serial
number
of
order
and date

Brief Order, Mentioning Reference
if necessary

How complied
with and
date of
compliance

9-11-89

Hon. Mr. K. Aggarwal - JM

Hon. Mr. K. Obayya - AM

This case has been received
on transfer. Notice were issued to
the parties by the office at Allahabad.
None present for the parties. Let
notice be issued to the parties
again.

list this case for orders
on 31-1-90.

AM

JM

31-1-90

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

Sri V.K. Chaudhary files his
vakalatnama on behalf of the respondents.
Sri Ved Prakash is present for the
applicant. List for admission on
1.3.90.

The learned counsel for the
respondents may obtain instruction
to indicate why the applicant was not
permitted to join despite issue of
appointment order. The case is
likely to be disposed of at the time
of admission.

AM

R

A.M.

V.C.

OR
noted for

13/12/89

OR

Notices were
issued on 13/1/90.
No undelivered
repd cover has been
returned back.

Submitted for
adv.

20/1/90

OR

Submitted for
admission.
Notice of op
No 4 has been
returned back.

20/2

1153/0717

(A2)

20.9.90

No sitting Adj to 12-12-90

(WQ)

12.12.90

Case not reached Adj to 15.1.91

15.1.91

No sitting Adj to 15.3.91

Doc: 8B

CA/RA have
been exchanged.

S.F.A.

L
7/12/90

15.3.91

No sitting Adj to 12.4.91
g

12.4.91

No sitting Adj to 2.7.91

Recd Copy
Maharaj

C/o In UK. DL

Acc

17-7-91

Received
Suneet Kumar
18/7/91

(A3)

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD

LUCKNOW CIRCUIT BENCH

Registration T.A. No.1153 of 1987 (L)

(W.P. No.2420 of 1983)

Suneet Kumar Applicant

Versus

Union of India & Others..... Respondents

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

Hon. Mr. A.B.Gorthi, Member (A)

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


The applicant was working in K.G's Medical College, Lucknow. In pursuance of the advertisement for the recruitment of Para Medical Staff required for P&T Dispensaries in U.P. designated as Medical Store Keeper, the applicant applied for the same through his Department as he was fulfilling all the requisite qualifications. The applicant alongwith others was also called for interview on 11.11.80. He appeared in the interview. Thereafter he was also medically examined. He submitted the attested copies of his testimonials and mark sheets from High School to M.A. on 29.6.81. Thereafter, he made enquiries about the fate of his appointment from the Opposite Parties 2 and 3. He was informed that the matter is under process and he shall be communicated about the appointment in due course. Again the applicant submitted a letter dated 10.6.82 to opposite party No.2 and in reply to that letter he was informed vide letter dated 19.7.82 that he could not be located by the police at the address given by him

in the attestation form and as such police verification could not be done. The applicant replied that his house is situated within the jurisdiction of P.S. Wazirganj, Lucknow. Thereafter the appointment letter was issued and the applicant was directed to report for duty to the Medical Officer-in-Charge P & T Dispensary III, Mahanagar, Lucknow within 15 days vide letter dated 5.10.82. The letter clearly directed that the applicant is hereby offered provisional appointment as Medical Store Keeper. He should clearly understand that his appointment is purely temporary and will not confer upon him any right for permanent absorption in the Department. His permanent absorption will depend upon the availability of the vacancy and also of satisfactory record of service. Thereafter the applicant was relieved from the K.G's Medical College, Lucknow and was instructed to fill six copies of the charge report and ^{was} directed to submit four copies to the Medical Officer-in-Charge and keep two copies with him. It was accordingly done but the Medical Officer-in-Charge declined to accept the charge report saying that he has been instructed verbally by the Divisional Engineer, Telecommunication, respondent No.5, ^{not} to allow him to join his duties without obtaining his permission. The applicant met the General Manager and submitted an application dated 16.10.82 mentioning that Medical Officer-in-Charge declined to accept the charge report and permitted ~~him~~ him to join his duties as per appointment. He also submitted a copy of the charge report on 16.10.82. The General Manager assured that he will look into the matter. Thereafter, he met to the

General Manager number of times but to no effect. He was then compelled to give notice on 22.3.83 but no reply to the same was given by the respondents although out of six, five candidates were selected alongwith him and the applicant was made to leave the job from the K.G's Medical College, Lucknow but he was not given the job.

2. In the Counter affidavit it has been stated that a some short of explanation or lame excuse on the part of the Govt. has also been made. At the same time, it has been pleaded that as a result of the policy of the Govt. there was Divisionalization and the P&T Dispensaries including Store Keepers were divisionalised and ceased to be a circle cadre staff, as a result of which Para Medical Staff came under the administrative control of the D.E.T. Lucknow instead of G.M.T. U.P. Circle Lucknow. Undoubtedly, he was offered appointment but in view of the fact that due to the divisionalization of the Para Medical Staff, the D.E.T. Lucknow having become the controlling and appointing authority was duty bound to satisfy himself about the correctness of the formalities. After completion of formalities, the applicant was directed by the D.E.T. Lucknow vide letter dated 10.5.83 on his two known addresses to report for duty in the office of the P&T Dispensary III, Mahanagar, Lucknow. The applicant did not join. The police verification report was delayed because he could not give his complete address and that is why he could not be appointed alongwith other five candidates. Consequent upon the formation of a separate Department of Posts it was decided that the P&T Dispensaries located in U.P. Circle may be transferred to the charge of the Postal Wing, accordingly, the P&T Dispensaries located at Lucknow were transferred to the

charge of Director Postal Services, Lucknow w.e.f. 7.6.85, vide letter dated 12.6.85. Under the changed circumstances, the respondents are not having any control over the P&T located in the U.P. Circle Lucknow but due to the lapse of the Govt. the applicant should not be made to suffer and he should not be penalised. In the case of State of Maharashtra Vs. J.A. Karandikar 1989 SCC (Supp) 393 it has been held that the employee should not be made to suffer for the lapse of the Govt. The applicant was given appointment in the year 1982 and the bifurcation of the Department took place in the year 1985. It is only an internal matter of the Department. The respondents are bound to give appointment to the applicant. The applicant should not be subjected to suffer for the lapse of the Department. With these observations, the application is allowed ^{and} the respondents are directed to give appointment to the applicant from the date on which five other candidates were selected alongwith him. But the applicant shall not get any salary for the above period. Let the compliance be done within one month from the date of communication of this order.


Member (A)


Vice Chairman

Dated the 2nd July, 1991.

RKM

CIVIL

SIDE

GENERAL INDEX

(Chapter XLI, Rules 2, 9 and 15)

Nature and number of case..... W.P. No. 2420-83.Name of parties..... Suneet Kumar B. Union of IndiaDate of institution..... 5-5-83.

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-	W.P. with affidavit and Affidavit.	17-	-	102.00			
	2-	Power	1-	-	5.00			
	3-	Order sheet	1-	-	-			
	4-	Banded 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 order have been carried out, and that the record is complete and in order up to the date of the certificate

Munsarim

Clerk

Date.....

GROUP-A-15(c)

3695

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

Writ Petition No. 2420 of 1983.

Suneet Kumar

...Petitioner.

Versus

Union of India and others

...Opposite-parties.

I N D E X.

Sl. no.	Description	Page No.	Annexure.
1.	Writ Petition with court fees.	1--6	-
2.	Affidavit	7--8	-
3.	Letter Copy of letter dated 19.7.82 sent by O.P.2 to the petitioner, informing that he could not be located at the address given. at the on Police verification?	9-10	1
4.	Copy of reply to above dt. 22.7.82 by petitioner.	10	2
5.	Photostate copy of appointment letter dated 5.10.82 directing the petitioner to take over charge.	11	3
6.	Copy of letter dated 16.10.82	12	4
7.	Copy of charge report	13	5
8.	Copy of letter dated 2.11.82	14	6
9.	Copy of letter dated 1.12.82	15	7
10.	Copy of notice dated 22.3.83	16	8
11.	Copy of letter dated 27.4.83	17	9
12.	Vakalatnama	18	-

Dated: May 4, 1983.

(Ved Prakash)
Advocate
Counsel for petitioner.

1

(S/)

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

Writ Petition No. *24/20* of '83

*5cf=100/-
by 4/5/83*

Suneet Kumar S/o Rishi Kesh Bajaj, Permanent R/o 18/1,
Labour Colony, Govind Nagar, Kanpur at present residing
at House No. 101, Ganga Prasad Road, Molvi Ganj, Lucknow.

..... Petitioner

Versus

1. Union of India through the Secretary to Govt. Ministry of Post and Telegraph (Telecommunication) New Delhi
2. The General Manager, Telecommunication, U.P. Circle, Hazratganj, Lucknow.
3. Asstt. Director, Telecommunication (P.P.) U.P. Circle, Lucknow.
4. Medical Officer Incharge, P & T Dispensary III Mahanagar, Lucknow.
5. Divisional Engineer, Telegraph, Lucknow.

..... Opposite Parties.

Petition under Article 226 of the Constitution of India

The Petitioner most humbly and respectfully submits
as under :-

1. That the opposite party No.2 vide advertisement No.2/79 advertised for the recruitment of Para Medical Staff required for P & T Dispensaries in U.P. The post was designated as Medical Store Keeper. The posts were six in number.

Suneet Kumar

.....contd. 2

2. That the petitioner who fulfills all the qualifications for the said post applied for one of the said posts and vide registered letter No.RECTT/P & T Disp./II/6 dated 24.10.80, the opposite party informed the petitioner along with other candidates to appear for interview at 11.00 A.M. on 11.11.1980. His interview Roll Number was U.P.-4/79. The petitioner appeared in the interview and then he was informed by the Opposite Party No.2 vide letter No.Staff/1192-ES/8 dt. 6.12.80 to appear for medical examination and the petitioner appeared for his medical examination before the Dy. Chief Medical Officer, Kanpur as required in this letter.

3. That the petitioner had submitted the attested copies of his testimonials and marksheets from High School to M.A. on 29.6.1981 to the Opposite Party No.2 as also required by him in the above letter dated 6.12.1980.

4. That after the medical examination when the petitioner did not get any communication from the Opposite Party No.2 & 3 then he made enquiries about the fate of his appointment from the Opposite Parties No.2 and 3. The Petitioner was informed that matter is under process and he shall be communicated about the appointment in due course.

5. That when nothing was heard by the petitioner then on 10.6.82 he submitted a letter to the Opposite Party No.2 and in reply to this letter, the Opposite Parties No.2 and 3 informed the petitioner vide letter No.Staff/1192-ES/8 dt. 19.7. 82 that the petitioner could not be located by the Police Authorities at the address given by him in the attestation form as such police verification could not be done. A true copy of this letter is filed herewith as Annexure 1. The petitioner replied the same by his letter dated 22.7.82, a true copy which is filed herewith as annexure 2, in which he informed that his house falls within P.S.Wazirganj, Lucknow.

Suneet Kumar

6. That after completing all the formalities the petitioner was issued an appointment letter by Opposite Party No.2 in which he was directed to report himself for duty to the Medical Officer Incharge, P & T Dispensary - III, Mahanagar, Lucknow, within 15 days vide letter dated 5.10.82, a photostat of which is enclosed herewith as annexure 3.

7. That it is submitted that at the time, the petitioner submitted his application for appointment on the post of Medical Store Keeper in persuance to advertisement published by Opposite Party No.2, the petitioner was working in K.G's. Medical College, Lucknow and he applied for the above post through his department.

8. That after being relieved from K.G's. Medical College Lucknow the petitioner went to the office of Opposite Party No.2 on 16.10.1982 to enquire about the location of the Dispensary, then there he was given six copies of charge report and he was instructed to fill the same and submit four copies to the Medical Officer Incharge Opposite Party No.4 and keep two copies with him. The petitioner filled six copies of charge report and went to Dispensary and submitted four copies of charge report to Medical Officer Incharge Opposite Party No.4. The petitioner was surprised when the Medical Officer Incharge Opposite Party No.4 declined to accept the charge report from the petitioner saying that she has been instructed verbally by the Divisional Engineer Telegraph Opposite Party No.5 not to accept the charge report from the petitioner and allow him to join duty without obtaining his permission. Immediately thereafter the petitioner went to General Manager Opposite Party No.2 met him and submitted an application dated 16.10.82 mentioning that the medical Officer Incharge Opposite Party No.4 declined

Suresh Kumar

(X) 4

to accept the charge report and permit him to join his duties as per appointment letter annexure 3. The petitioner also submitted a copy of the charge report along with his application dated 16.10.82 to him, a true copy of this application is enclosed herewith as annexure 4 and a true copy of the charge report is filed herewith as annexure 5. The General Manager assured the petitioner to look into the matter himself and communicate the petitioner very soon in the matter.

9. That thereafter the petitioner met the General Manager several times but to no effect. On the last occasion the General Manager instructed the petitioner to meet the Director Telecommunication (Central) Lucknow in the matter as such the petitioner also met with him on 2.11.82 and submitted him an application, a true copy of which is filed herewith as annexure 6. When nothing was heard by the petitioner, he again met the General Manager Opposite Party No.2, submitted an application dated 1.12.82 and requested him to decide the matter of the petitioner at an early date, a true copy of this application dated 1.12.82 is filed herewith as annexure 7.

10. That unfortunately when the petitioner did not hear any thing from the Opposite Parties then on 22.3.83 he sent a notice dated 22.3.83 to the General Manager Opposite Party No.2 by registered post A.D. which was received by him on 24.3.83, a true copy of this notice is also filed herewith as annexure 8 but the Opposite Party No.2 did not reply the same as well. The petitioner also submitted an application dated 27.4.83 to inform him the names of other five candidates who were selected for the post of Medical Store Keeper alongwith the petitioner but that too was not replied by the Opposite Party No.2, a true copy of this letter dated 27.4.83 is filed herewith as annexure 9.

Suneet Kumar

11. That it is submitted that since the petitioner appeared in the interview, was selected therein, and an appointment letter was issued to him directing him to take over the charge of the post, he acquired a valuable right for the said post and the denial of the opposite parties allowing him to join on the post in question is malafide arbitrary and for some extraneous considerations.

12. That it is also submitted that since after the communication vide letter dated 5.10.82 annexure 3; the petitioner left his job from the K.G's. Medical College, Lucknow, and it is most unjust, improper and malafide to deny him the post on which he was selected and directed to take charge.

13. That it is also submitted that out of the candidates who applied for the post in question, six candidates including the petitioner were selected and out of six, five have been posted by the opposite parties in different P & T Dispensaries and to deny the petitioner the same benefit is a sheer discrimination amongst the persons similarly situate.

14. That in the aforesaid circumstances having no alternative effective and efficacious remedy, the petitioner files this writ petition amongst others on the following grounds:

G R O U N D S

(a) Because the opposite parties acted arbitrarily, malafide and in sheer abuse of their executive power in denying the petitioner ^{to join} his posting as mentioned in letter dated 5.10.82 annexure 3.

Smart Kumar

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(b) Because the action of the opposite parties in denying the petitioner to join on the post of which he was selected and appointed is discriminatory and hit by Articles 14 and 16 of the Constitution of India particularly when out of six selected candidates, five have been appointed by opposite parties by allowing them to join on the posts.

(c) Because the action of the opposite parties in denying to join the duties has caused substantial injury to the petitioner.

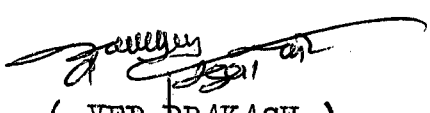
(d) Because the appointment having been made in pursuance of the rules and as provided, the same could not be rendered invalid by any action.

(e) Because the action of the opposite parties in denying the petitioner to join on his post is obviously wrong and for extraneous considerations and abuse of executive powers.

Wherefore it is most humbly and respectfully prayed that the Hon'ble Court be pleased to issue a Writ of Mandamus or any other suitable writ direction or order commanding the opposite parties to treat the petitioner to have joined on his post of Medical Store Keeper in P & T Dispensary-III, Mahanagar, Lucknow, on 16.10.82. ^{and continue on his post} entitled to receive his pay allowances etc. as admissible to him from the opposite parties.

Costs of this Writ petition and any other relief which may be deemed just and proper in the circumstances be also awarded to the petitioner.

Dated : May 4 , 1983.


(VED PRAKASH)
Advocate,
Counsel for Petitioner.

Sweet Kumar

In The Hon'ble High Court of Judicature at
Allahabad Sitting at Lucknow.

Writ Petition No. of 1983

Suneet Kumar Petitioner

Versus

Union of India & others Opposite Parties

Affidavit in support of Writ Petition

I, Suneet Kumar aged about 27 years son of
Sri Rishi Kesh Bajaj, resident of House No. 101, Ganga Prasad
Road, Lucknow, do hereby take oath and state as under :-

1. That the deponent is petitioner in the above noted
writ petition.

2. That the contents of paras 1 to 14 of the Writ
Petition are true to my knowledge.

3. That annexures 1, 2 and 4 to 9 are the true copies
of their originals which the deponent has compared and
annexure -3 is the photostate copy of its original.

Dated : 3.5.83

Suneet Kumar
Deponent

I, the deponent do hereby verify that the contents
of paras 1 to 3 are true to my knowledge. No part of this
affidavit is false and nothing material has been concealed so
help me God.

Suneet Kumar

Signed and verified this ^{3rd} ~~2nd~~ Day May 1983 within
the Hon'ble High Court Compound, Lucknow.

Suneet Kumar
Deponent

I identify the deponent who has signed before me.

Ved Prakash
(Ved Prakash)
Advocate



Solemnly affirmed before me on 3/5/83
at 9.00 a.m./p.m. by Sri Suneet Kumar,
the deponent who has been identified by
Sri Ved Prakash, Advocate, High Court, Lucknow Bench,
Lucknow.

I have satisfied myself by examining the
deponent that he understands the contents of this
affidavit which have been read over and explained by
me.

[Signature]
[illegible]
[illegible]

No. 41/306
3/5/83

(P/A) 9

In the Hon'ble Court of Judicature at
Allahabad sitting at Lucknow

Writ Petition No. of 1983

Suneet KumarPetitioner

Versus

Union of India & others.....Opposite parties

Annexure No. ...1.....

INDIAN POST AND TELEGRAPHS DEPARTMENT

Corr-22

From

Seal.

In reply
Please quote

General Manager
Telecommunications,
U.P.Circle,Lucknow

To,

Shri Suneet Kumar
House No.101
Ganga Prasad Road
Molviganj,Lucknow

No.

Dated at

SUBJECT


No. Staff / 1192-ES /8 dt 19-7-82

Sub: Appointment in the cadre of Medical Store Keeper

---o---

With reference to your letter dt.10.6.82,it is
to inform you that you could not be located by the
Police authorities at the address given by you in
the attestation form and as such in your case Police
verification could not be done. In absence of the Police
verification report no further action can be taken by
this office.

Sd xxxxxxxxxxxxxxx
(S.N.Mukerji)
Seal


Suneet Kumar

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

Writ Petition No. of 1983

Suneet Kumar Petitioner

Versus

Union of India & others Opposite parties

Annexure No. ...2....

To,
The General Manager
Telecommunication
U.P.Circle,
Lucknow-226001

Sir,

With reference to your letter No. 1192-ES/ 8
dated 19-7-82 I beg to say that it is surprising that
as to how I could not be located at the address given
in the attestation form. I am residing in that address
since 12-8-76. However in this connection I beg to say
that my areas falls under Police Station Wazirganj.

It is requested that necessary action may be
Kindly be taken to get the verification at an early date
and I may be offered appointment as early as possible.

Thanking You.

Your's Faithfully

dated 22-7-82

(Suneet Kumar)
House No. 101
Ganga Prasad Road
Molviganj,
P.S. Wazirganj
Lucknow

Seal

For General Manager
Telecommunication
Uttar Pradesh Circle
Hazratganj, Lucknow-226001

Suneet Kumar



In the Hon'ble Court of Judicature at
Allahabad Sitting at Lucknow

12
P/80

Writ Petition No. of 1983

Suneeet Kumar Petitioner

Versus

Union of India & others.....Opposite parties

Annexure No.4.....

To,
The G.M.T.
U.P.Circle
Lucknow.

Sir,

With reference to your memo No. Staff/1192-ES/ 8
dt. 5-10-82. I went to P & T Dispensary III
Mahanagar Lucknow for taking over charge of Medical-
Store Keeper today in the forenoon, but the M.O. I/C
refused to take my joining report on the plea that
she has been instructed verbally by the D.E.T. Lucknow
not to allow to join the candidate before obtaining
his permission.

My application was forwarded through proper
channel and I have been relieved by the Principal
K.G's Medical College, Lucknow on 15-10-82 (after-
noon) in accordance with your appointment order.

However I have left four copies of my charge
report to M.O. I/C Mahanagar , Lucknow, and a copy
is also enclosed herewith for your time information
& necessary action.

Thanking You.
date 16-10-82

encl:
1. Charge report

Your's Faithfully
Sd xxxxxxxxxxxxxx
(Suneeet Kumar)
H.No. 101,
Ganga Prasad Road
Molviganj, Lucknow.

Suneeet Kumar



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

Civil Petition No

of 83

11

Suneet Kumar

versus

Union of India and others

Petitioner

opposite parties

Annexure 3

OFFICE OF THE GENERAL MANAGER TELECOM. U.P. CIRCLE

Memo.No.STAFF/1192-ES/8. Dated at Lucknow-226001, the 5-10-82

Sub :- Appointment of Medical Store Keeper.

Shri Suneet Kumar, an approved candidate for appointment as Medical Store Keeper, is hereby offered provisional appointment in the said cadre (Medical Store Keeper) in the pay scale of Rs.330-10-380-ED-12-500-ED-15-560 with usual allowances as admissible under rules and posted in the P&T Dispensary-III, Mahanagar, Lucknow.

Shri Suneet Kumar should clearly understand that his appointment is purely temporary and will not confer upon him any right for permanent absorption in the Department. His permanent absorption will depend upon the availability of the vacancy and also of satisfactory record of service.

Shri Suneet Kumar should report for duty to the Medical Officer I/C, P&T Dispensary-III, Mahanagar, Lucknow within fifteen days from the date of receipt of this letter failing which it will be treated that he is not interested to join this department and his name will be removed from the approved list.

Charge reports should be submitted to all concerned. Formal appointment orders will be issued by the D.E.T. Lucknow on receipt of his charge report.

(S.N.MUKHJEE)
ASSTT.GENERAL MANAGER TELECOM.(STAFF)
O/O General Manager Telecommunications
Uttar Pradesh Circle
Muzraiganj, Lucknow - 226001

Copy forwarded to :-

1. The D.E.T. Lucknow for information and further necessary action. This is in continuation of this office letter of even no. dated 3-9-82 addressed to the Director Telecom. (Central), Lucknow and copy to him.
2. The Medical Officer I/C, P&T Dispensary-III, Mahanagar, Lucknow. A copy of the charge-report submitted by the candidate should be sent to this office; Director Telecom. (Central), Lucknow and D.E.T. Lucknow.
3. Shri Suneet Kumar S/O Shri Rishi Kesh Bajaj, House No.101, Ganga Prasad Road, Muzraiganj, Lucknow.
4. The Director Telecom.(Central), Lucknow. This is in continuation of this office letter of even no. dated 3-9-82.
5. Rectt.Section, GMT's Office, Lucknow w.r.to D.O.No. Rectt/P-22/MC/1, dated 7-8-1982 addressed to Shri Chandrama Ojha, A.D.T.(A) O/O Director Telecom.(Central), Lucknow.
6. Spare.

Suneet Kumar

In the Hon'ble Court of Jodicateure at
Allahabad sitting at Lucknow



Writ Petition No. of 1983

Suneet Kumar Petitioner

Versus

Union of India & others Opposite parties

Annexure No. 5

कार्यालय महाप्रबन्धक दूर संचार
क्रम संख्या

Seal: 16 OCT 1982

उत्तर प्रदेश परिमंडल, लखनऊ ।

INDIAN POSTS AND TELEGRAPHS DEPARTMENT

(RULE 267, Posts and Telegraphs Financial Handbook,
Volume I)

(Second Edition)

C H A R G E R E P O R T

Medical Storekeeper
P&T Disp III

Certified that the charge of the Office.....

Mahanagar, Lucknow

..... W.....

taken

Suneet Kumar

was relinquished-/assumed/made over by (Name).....

To (Name).....X.....At (Place)..... Lucknow

on forenoon / Afternoon. 16.10.82. (Date) in accordance with

LW No. Staff/1192-ES/8 Dated. 5.10.82 From G.M.T. Lucknow

Relieved Officer

Sd xxxxxxxxxxxxxxxxx

Relieving Officer



Suneet Kumar

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

14
A/C
2/2

Writ Petition No. of 1983

Suneet KumarPetitioner

Versus

Union of India & others.....Opposite parties

Annexure.....6.....

To,

The Director Telecom.
(Central) Lucknow.

Sir,

Respectfully I beg to inform you that I got an appointment order No. Staff 1192-ES / 8 dt. 5-10-82 for the post of Medical Store Keeper, P & T Dispensary III Mahanagar, Lucknow from the G.M. T. U.P.Circle, Lucknow.

I was asked to report for duty within fifteen days. Accordingly I went to the Medical Officer I / C Mahanagar to take over the charge but I was not allowed to join. The Medical Officer I/C told me that D.E.T. Lucknow has verbally ordered that I may not be allowed to join. However I have submitted a copy of the charge report to G.M.T. on 16-10-82.

I would request you kindly to allow me to attend my duty.

Thanking You
dt. 2-11-82

Your's Faithfully
Sd xxxxxxxxxxxx
(Suneet Kumar)
H.No. 101,
Ganga Prasad Road,
Molviganj, Lucknow



Suneet Kumar

In the Hon'ble High Court of Judicature
At Allahabad Sitting at Lucknow.

15

Writ Petition No.

of 1983

Suneet Kumar

.....

Petitioner

Versus

Union of India & Others

Opposite parties

Annexure No.. 7...

सेवा में,

महा प्रबन्धक,
दूरसंचार, उत्तर प्रदेश मंडल,
(उत्तर प्रदेश)

महोदय,

सेवा में निवेदन इस प्रकार है कि प्रार्थी को आपके यहाँ से रजिस्ट्री के माध्यम से मेडिकल स्टोर कीपर के पद का नियुक्ति पत्र तारीख 8.10.82 को मिला था जिसमें उसे प्रन्द्रह दिन के अन्दर महानगर चिकित्सालय में ज्वाइन करना था। प्रार्थी 16.10.82 को वहाँ ज्वाइन करने गया परन्तु उस चिकित्सालय की इन्चार्ज ने प्रार्थी को ज्वाइन नहीं करने दिया और प्रार्थी से कहा कि उन्हें डॉ. ई. टी. लखनउ ने मना किया है कि प्रार्थी को इस पद पर ज्वाइन न करने दिया जाय। इसके पश्चात प्रार्थी आपसे दो बार मिल चुका है परन्तु आपने इस केस के बारे में कुछ नहीं किया है। प्रार्थी डॉ. ई. टी., डॉ. टी. सी. (सेन्टर) लखनउ से भी कई बार मिल चुका है परन्तु उन्होंने बरबली (barbally) मना कर दिया कि हम आपको ज्वाइन नहीं करने देंगे। आपका नियुक्ति पत्र मिलने पर प्रार्थी ने अपनी पहली नौकरी छोड़ दी। अब प्रार्थी डेढ़ महीने से (16.10.82) से अबतक बेरोजगार हो गया है।

अतः आपके अनुरोध है कि प्रार्थी के केस के बारे में जल्द से जल्द निर्णय करें। प्रार्थी 16.10.82 से रोजाना आपके आफिस से आता है और अबतक कोई निर्णय नहीं हो पाया है।

धन्यवाद,

प्रार्थी,

हठ सुनीत कुमार

(सुनीत कुमार)

मकान नं. 101,

गंगा प्रसाद रोड, मौलवीगंज,
लखनउ।

रिसीव
1.12.82
(सील)

तारीख 1.12.82.

Suneet Kumar

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

16
8/24

Writ Petition No. of 1983

Suneet Kumar Petitioner

Versus

Union of India & others Opposite parties

Annexure No. ... 9

Regd. A.D.

From: Sri Suneet Kumar son of Sri
r/o, 101, Ganga Prasad Road, Molviganj, Lucknow.

Through : Girja Shanker Shukla, Advocate
403/140 Katra Bizam Beg, Lucknow.

To
The General Manager,
Telecommunication,
U.P. Circle, Hazratganj, Lucknow.

Dear Sir,

I have been instructed by my above named client to
give you the following notice:

1. That my above named client was offered provisional appointment in the said cadre (Medical Store Keeper) in the pay scale of Rs. 330-10-380-EB-12-500 EB-560 in the P and T dispensary - III Mahanagar, Lucknow, vide your memo No. Staff / 1192-ES / 8 dated ~~XXXXXX~~ 5-10-82.
2. That after receiving the said letter my above named client on 16.10.82 went to join and take over charge of ~~XXXXX~~ Medical Store Keeper, But the Medical Officer Incharge refused to take his joining report on the plea that she has been instructed verbally by the D.E.T. Lucknow not to allow him to join before obtaining his i.e.D.E.T's permission.
3. That on hearing this he was too much astonished as he was already relieved by the Principal K.G. Medical College Lucknow on 15.10.82. He left four copies of his charge report with M.O. Incharge, Mahanagar, Lucknow who refused to acknowledge it.
4. That my above named client has also sent a letter to you on 16.10.82 but since then he has received no reply for the reasons best known to yourself.
5. That since then wherever my said client went there he had been told that the matter is under consideration.

Now you are asked through this notice to enquire into the matter and report to my above named client with in ten days after the receipt of this notice failing which neccessary legal action will be taken for the mental torture as well as pecuniary losses which my above named suffers during this period.

Thanks.

date 22/3/83

Sd Your's Faithfully
XXXXXXXXXXXXXX

(Girja Shanker Shukla)

Advocate

Suneet Kumar

3/5/83
HAB

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

17

Writ Petition No. of 1983

Sunset Kumar Petitioner

Versus

Union of India & others Opposite parties

Annexure No.9.....

To,

The General Manager
U.P. Telecommunication
U.P. Circle,
Lucknow.

Sir,

I shall be grateful if you kindly provide
the names & place of posting of five candidates
who were selected for the post of Medical Store-
Keeper with me. The interview was held on 11 Nov. 80.

Thanking You,

Your's Faithfully
Sd xxxxxxxxxxxxxxxx
(Sunset Kumar)
House No. 101,
Ganga Prasad Road,
Molviganj, Lucknow.

Received

Sd/- Illegible

Seal 27.4.1983

U.P. Telecommunication
Uttar Pradesh Circle
Hazratganj, Lucknow-226001



Sunset Kumar

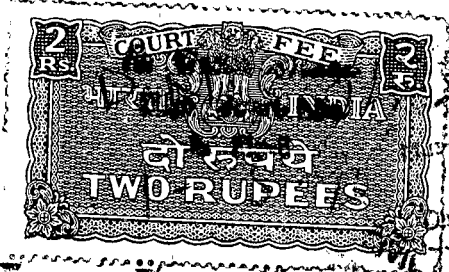
[Signature]

No. 315283
Date

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BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
CIRCUIT BENCH AT LUCKNOW

T.A.No.1153 of 1987



1987
AFFIDAVIT
87 IM
DIST. COURT
U. P.

Sumeet Kumar

.... Petitioner.

Versus

Union of India and others

.... Opposite parties.

COUNTER AFFIDAVIT

I, D.N. Singh, aged about 53 years, son of

Late Shi Kamte Singh, Divisional Officer Engineering in the
Office Telecom Engineering Division Faizabad do hereby
solemnly affirm and state on oath as under :-

1. That the deponent is Divisional Officer Engineering in the office of Telecom Engineering Division Faizabad and as such is fully acquainted with the facts of the case. The contents of petition have been read over and explained to the deponent and its para-wise reply is as follows :
2. That the contents of para 1 of the writ petition are admitted to the extent that an advertisement was released in daily news papers inviting applications for the appointment of Six medical store keepers in various Post and Telegraph Dispensaries located in Uttar Pradesh.
3. That in reply to the contents of the para 2 of the writ petition only this much is admitted that the petitioner was finally selected for appointment as a store keeper and was got medically examined by Deputy

.../2.

Signature

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11/3/87

11/3/87
CIVIL

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Chief Medical Officer.

4. That the contents of para 3 of the writ petition are not disputed.
5. That in reply to the contents of para 4 of the writ petition it is stated that after medical examination of the petitioner the matter was referred for verification of his character and antecedents as it was a prerequisite condition prior to appointment of the petitioner. The verification was naturally to take some time and the petitioner had to wait for his appointment.
6. That in reply to the contents of para 5 of the writ petition it is stated that the police verification of the petitioner could not be done as he could not be located by the police at the address given by him in attestation form.
7. That with respect to the contents of para 6 of the petition it is stated that meanwhile after the petitioner was offered the appointment certain changes took place in the government policy, accordingly to which the paramedical staff in the Post & Telegraph dispensaries including store keepers were divisionalised and ceased to be a circle cadre staff, as a result of which the paramedical staff came under the administrative control of D.E.T. Lucknow instead of G.M.T. U.P., circle, Lucknow.
8. That the contents of para 7 of the writ petition needs no comments.
9. That in reply to the contents of para 8 of writ petition it is stated that no doubt the petitioner

[Signature]

was offered the appointment of medical store keeper vide G.M.T. Lucknow memo No. Staff/1192/ES/8, dated at Lko. 5.10.82, with the direction to report for duty in the Post & Telegraph Dispensary III, Mahanagar Lucknow, but meanwhile due to divisionalisation of the paramedical staff the D.E.T. Lucknow having become the controlling and the appointing authority, was duty bound to satisfy himself about the correctness of the formalities. The petitioner was not as such allowed to join his duty. The D.E.T. Lucknow desired that he should be supplied with all the documents to verify and satisfy himself about the correctness of all the formalities which are normally observed by the appointing authority before offering the appointment. Hence there was no intention at all for the denial of appointment to the petitioner as alleged.

10. That in reply to the contents of para 9 of the writ petition it is stated that due to change in the government policy the D.E.T. Lucknow being the appointing authority had to satisfy himself about the correctness of all the formalities which resulted delay in appointment of the petitioner as stated in para 8 above.

11. That in reply to the contents of para 10 of the writ petition it is stated that the correct facts have been submitted in para 9 above. The delay in appointment actually occurred due to verification of correctness of the documents and formalities as stated in the preceeding paragraphs.

12. That in reply to the contents of para 11 of the writ petition it is stated that after verification

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of the formalities the petitioner was directed by the D.E.T. Lucknow telegraphically vide his no.E-414/ Coded XT/1730/10 dated 10.5.83 on his two known addresses at Lucknow/Kanpur to report for duty in the Post & Telegraph Dispensary III Mahanagar, Lucknow. Actually the verification of the formalities and documents submitted by the petitioner had taken some time which happened as a result of change of policy of the department. It is pertinent to mention here that the remaining 5 candidates who were selected against the announced vacancies were given appointment by the G.M.T., U.P. Circle, Lucknow after completion of all the formalities including the police verification reports which were received in time. In case of the petitioner the police verification report was delayed as a result of incomplete address given by the petitioner in the attestation form. Had the petitioner given complete address in the attestation form, his police verification report would have been completed and received within time and he could have received his appointment letter alongwith other five candidates as stated above. In fact delay in verification of the petitioner's police verification reports was due to the mistake of the petitioner of his own, for which he himself is liable and not the respondent. (A true copy of the telegrams dated 10.5.83 is being annexed herewith and marked as Annexure No. C.A.-I & C.A.-II.)

13. That in reply to the contents of the para 12 of the writ petition it is stated that no new facts have been raised rather repetition of the previous contents and that have already been replied in the preceding ~~para~~ paragraphs.

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14. That in reply to the contents of the para 13 of the writ petition it is stated that out of six candidates five were given appointment by the G.M.T. U.P. Circle Lucknow as their P.V.R.'s were received in time due to complete address given by them in the attestation forms as stated in para 11 above. The delay in appointment of the petitioner actually caused due to delay in verification of character and antecedent of the petitioner which happened as a result of the mistake of his own by giving incomplete address and further change in the policy of the Govt. vesting the powers of appointment etc. in D.E.T. Lucknow. Though the petitioner was asked telegraphically to report for duty in the Post & Telegraph ~~dispensaries~~ ~~at~~ ~~the~~ ~~III~~ Mahanagar, Lucknow by the D.E.T. Lucknow on 10.5.83, but he failed to report for duty. The petitioner also failed to approach the respondents either personally or through an application showing the reasons for not taking up the appointment offered to him till 7.6.85. Later on, the erstwhile Post & Telegraph department was bifurcated as department of Telecommunications and the department of posts, separately as a Govt. Policy. Consequent upon formation of a separate Department of Posts it was decided that the Post & Telegraph Dispensaries located in U.P. Circle may be transferred to the charge of the Postal wing, accordingly the Post & Telegraph Dispensaries located at Lucknow were transferred to the charge of Director postal Services Lucknow with effect from 7.6.85 vide memo no. ADM(5)/9-Disp/1 dated 12.6.85. Under the changed circumstances the respondent are not having any control over the Post & Telegraph Dispensaries located in U.P. Circle

[Signature]

-: 6 :-

including at Lucknow and vesting with the powers of appointment etc. (A true copy of the orders dated 12.6.85 is being annexed and marked as Annexure C.A.-III.

15. That the contents of para 14 of the petition are denied. It is stated that the grounds taken by the petitioner, all are misconceived and not tenable in the eyes of Law. The petitioner is guilty of his own action for not reporting to duty and as such he is not entitled for the pay as claimed. The principle is well settled that 'No work no pay'. The petition thus filed by the petitioner is liable to be dismissed with cost.

16. That no remedy is available for a person like the petitioner who is neither a government employee nor a daily wage worker under the provision of Section 19 of the Central Administrative Tribunal Act, 1985, hence the petition of the petitioner pending before this Hon'ble Tribunal is liable to be dismissed on the said score alone.

Lucknow.
Dated: 1.3.90.

[Signature]
Deponent.

Verification

I, the above named deponent do hereby verify that the contents of paras 1 to 14 of this counter affidavit are true to my knowledge and those of paras 15 and 16 are believed by me to be true.

Signed and verified this on 1st day of March 1990 at Lucknow.

I identify the deponent who has signed before me.

[Signature]
Deponent.

(Mehar Singh)
Clerk to S. U. N. Shrivastava

Identified by
to Shri
have a notice
only that
of the
JUSHIR A/AM FARD
Civil Court Lucknow

(2)

A/32

Annexure to C.A.I

S. M. Service Message

INDIAN POSTS AND TELEGRAPHS DEPARTMENT

Reed. from	Circuit No.	Sent to
By		At
		By

OFFICE STAMP



To

SUNSET TOWER FOUR TO 101 BANGA THAPAS ROAD HOLVINGHAM
LUCKNOW

U-414 AAA REPORT 501X AS STORE KNOCKED BY AIRCRAFT
REMARKS: LUCKNOW IMMEDIATELY AAA SEND ONE OF REPORT
THROUGH R.O. I/C COMBINED.

(Not to be signalled)

FROM

Encls

11/3/90

(97) ^A/₃₃

Answer no C A. II

Service Message

INDIAN POSTS AND TELEGRAPHS DEPARTMENT

Recd. from _____

Circuit No. _____

Sent to _____

At _____ H. _____ M. _____

At _____ H. _____ M. _____

By _____

By _____

POST STAMP

20-4-01

SUNSET KIMAT HOUSE NO. 12/1 LABOUR COLONY GROUND ROAD

LADPO

E-414 TMA REPORT DUTY AS STOLE RECOVERED DIST III

MAHARAJA LUCKNOW IMMEDIATELY AAA SEND CHARGE REPORT

THROUGH H.O.I/C SOICED NED.

(Not to be signalled)

TO D. S. T. LUCKNOW

FROM D. S. T. LUCKNOW

URGENT 27-4-01 22-4-01 22-4-01
LUGROW.

C

1/3291

Annexure to C.A. III

2748

(117)
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DEPARTMENT OF TELECOMMUNICATIONS

(4)

From:-

The Director Telecommunications
(Central Area)
Seth Building, Behind Leela Cinema, Nawal Kishore Road,
Hazratganj, Lucknow-226 001.

To:-

1. The G.M.T. U.P. Circle, Lucknow.
2. The P.M.G. U.P. Circle, Lucknow.
3. The D.M. Telephones, Lucknow.
4. The R.M.O. Office of the G.M.T. U.P. Circle, Lucknow.
5. The D.E. Teleg, Lucknow.
6. The Superintending Engineer. P&T Civil Circle, Lucknow.
7. The Executive Engineer. P&T Civil Division, Lucknow.
8. The Executive Engineer, P&T Electrical Division, Lucknow.
9. The Director Telecom. (Maintenance) Lucknow.
10. The A.E. Incharge. C.T.S.D. Lucknow.
11. The A.E. Incharge. C.T.T.C. Patna House, Lucknow.
12. The C.A.O. (Telecom. Accounts) Bhopal House, Lalbagh, Lucknow.
13. The D.E.T. Long Distance. Lucknow.
14. The D.E. Phones, Lucknow.
15. The S.S.P.Os Lucknow.
16. The Post Master. G.P.O. Lucknow.
17. The Chief Supdt. C.T.O. Lucknow.
18. The S.S.R.M. 'O' Division, Lucknow.
19. The Manager. R.L.O. Lucknow.
20. The Director Postal Accounts. Aminabad, Lucknow.
21. The Director Telecom. (Central Area) Lucknow.

No. ADM(S)/9-Disp/1

Dated at Lucknow, the

7-6-1985.

Sub:-

Transfer of P&T Dispensaries at Lucknow from the charge of the
Director Telecom. (Central Area) Lucknow to Director Postal Services,
Lucknow.

In pursuance of the D.G. P&T New Delhi letter no. 2-1/COT/IM/82
dated 23-3-1985 and G.M.T. U.P. Circle, Lucknow Memo. No. Estt/M-1/Ch.II/2
dated 28-5-1985, the charge of all the three P&T Dispensaries functioning at
Lucknow has been handed over by the Director Telecom. (Central Area) Lucknow
to the Director Postal Service, Lucknow with effect from 7-6-1985.

All future correspondence, if any, may please be made with that
office.

(A.K. Navik)

Asstt. Director Telecom. (Admn)
(Central Area) Lucknow-226 001.

Copy for information and necessary action to the following :-

1. The M.O. Incharge. P&T Dispensary I, Hazratganj, Lucknow.
2. The M.O. Incharge. P&T Dispensary II. Rajendra Nagar, Lucknow.
3. The M.O. Incharge. P&T Dispensary III. Mahanagar, Lucknow.

(A.K. Navik)

Asstt. Director Telecom. (Admn)
(Central Area) Lucknow-226 001.
Phone No. 33750.

113190

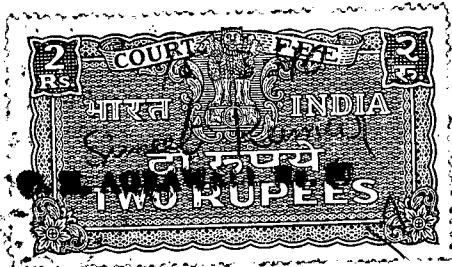
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BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
CIRCUIT BENCH AT LUCKNOW.

T.A. NO. 1153 of 87.

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1990
AFFIDAVIT
40 PM
DIST. COURT
U.P.
Dated
15/12/87



Suneet Kumar Petitioner.

Versus

Union of India & others

Opposite—
Parties.

REJOINDER AFFIDAVIT.

I, Suneet Kumar aged about 34 years son of
Sri Rishi Kesh Bajaj, resident of house no. 101,
Ganga Prasad Road, Lucknow, do hereby take oath
and state as under:-

1. That the deponent has read and has been
explained the contents of the Counter affidavit filed
on behalf of opposite parties which he had understood.
The contents of para 1 of the counter affidavit
needs no reply.
2. That the contents of paras 2 to 5 of the
counter affidavit needs no reply as the contents
of paras 1 to 4 of the petition have been admitted therein.
3. That the contents of para 5 of the petition are
correct and reiterated and whatever contrary has been
stated in its reply in para 6 of the counter affidavit
are wrong and denied. The petitioner's house falls
within P.S. Wazirganj, Lucknow but no efforts were made to
locate the deponent at the address and police station
given by him by the opposite parties.

Suneet Kumar

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4. That the contents of para 6 of the petition are correct and ^{reiterated} ~~reinstated~~ and whatever contrary has been stated in its reply in para 7 of the counter-affidavit are wrong, and denied. It is submitted that the allegations of changing policy are not correct as ^{five} ~~give~~ other candidates selected alongwith the deponent were given posting in pursuance of the appointment letter but the deponent was denied the same benefit illegally and arbitrarily.

5. That the contents of para 8 of the counter-affidavit ^{needs} ~~needs~~ no reply.

6. That the contents of para 8 of the petition are correct and reiterated and allegations about the devisionalition etc. made in this para are not admitted. The deponent was illegally denied the posting and was not allowed to join arbitrarily and malafide.

7. That the contents of paras 9 and 10 of the petition are correct and reiterated and the allegation of the change in Government policy and verification of documents etc. are not admitted. In any case the deponent cannot be made to suffer on account of such laches on the part of the opposite parties specially when other five candidates selected alongwith the ^{deponent} ~~deponent~~ were given the benefit of joining the service in pursuance of their appointment letters issued by the opposite parties.

8. That the contents of para 11 of petition are correct and reiterated. It is submitted that the deponent filed the ^{writ} ~~writ~~ petition in the ^{High} ~~Hon'ble~~ Court on 5.5.83 and thereafter he received an endorsement dated 10.5.83. The deponent replied the same and demanded that it is

Suneet Kumar

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should be confirmed that he shall be treated in the service from 16.10.82 as he had already submitted his joining report by submitting the charge report to M.O. Incharge, Mahanagar. A Photo State copy of the reply is being filed herewith as annexure 10. No reply of annexure 10 was sent by the opposite parties.

9. That the contents of para 12 of the petition are correct and reiterated and the contents of para 13 of Counter Affidavit needs no reply.

10. That the contents of para 13 of the petition are correct and reiterated and whatever contrary has been stated in its reply in para 14 of the Counter Affidavit are wrong and denied.

It is specifically wrong and denied that the deponent gave his incomplete address. The deponent gave his complete address and also mentioned that his house falls within the Police Station Wazirganj, Lucknow, but the Character Verification was delayed owing to the fact that the opposite-parties failed to send the papers earlier for character verification at the address and Police Station given by the deponent. As the deponent was not allowed to join in pursuance of the appointment letter he filed writ Petition on 5.5.83. On receipt of the Telegram dated 10.5.83 the petitioner replied the same on 16.5.1983 but the opp. parties failed to confirm that the deponent shall be treated on duty from 16th. October 82. It is also submitted that when the appointment letter was issued and the deponent submitted his charge report on 16.10.82, the denial and refusal by the opp. parties to allow the petitioner to discharge his duty

Suneet Kumar

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✓ ^{persuance} in ~~persuade~~ of the charge report submitted by him is illegal and malafide on the part of opposite parties and opposite parties are not entitled to derive any advantage of its own ~~latches~~ on the false plea of change in policy and other such manners. The deponent is ^{entitled} ~~is entitled~~ to all the benefits of service ~~xxx~~ since he submitted his joining report on 16th Oct. 1982 and ~~he~~ is entitled to salary etc. from that day. The opposite parties are not ~~entitled~~ entitled to derive any benefit of annexure C.A.3 as all the opposite parties came and worked under the opposite party no.1.

11- That with reference to para 15 of the Counter-affidavit it is submitted that the deponent with an intent to discharge his duties submitted his charge report on 16th October 1982 but he was illegally denied to work on the past he ^{joined} ~~joined~~ in ^{persuance} of the appointment letter. The deponent has been ^{persuing} ~~persuing~~ the matter but the opposite parties have dealt with the deponent ^{with} ~~which~~ shear discrimination and in an arbitrary manner. The deponent is entitled to all the benefits of salary etc. from 16th October 1982 as he never committed any fault or default in joining the services. The petition is liable to be allowed.

12. That the contents of para 6 of the counter-affidavit are wrong and denied. The petition is ^{liable} ~~liable~~ to be allowed with costs throughout.

Dated:- 15/3/90 ✓

Suneet Kumar
Deponent.

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Verification

I, the deponent named above do hereby verify that the contents of paras 1 to 12 of this affidavit are true to my knowledge .

Signed and verified this 15th. day of March, 1990 within the Civil Court Compound at Lucknow .

Lucknow : Dated :

March 15th, 90.

Suneet Kumar
Deponent.

I identify the deponent who has signed before me .

15/3/90
Advocate.

2-2067 Suneet Kumar
is identified by Shri
Work to Shri
I have satisfied by by examining
deponent that he is the undersigned
owner of the property which is
15/3/90
DUSHIR ALAM PAROO
Oath Commissioner
Civil Court Lucknow

Suneet Kumar

Union of India and others

vs.

petitioner

opposite parties

ANNEXURE - 10

Divisional Engineer Telegraph
Engineering Division
Lucknow.

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Sir

With reference to your endorsement
no. E 414/dt. 10-5-83, I beg to say
that I have already submitted charge
report of Medical Storekeeper to Medical
Officer Incharge, P & T Dispensary III,
Maharajan, Lucknow on dated 16-10-82
in reference to my appointment letter
no. Staff / 1192 ES/8 dt 5-10-82.

Kindly confirm that I shall be
treated on duty from 16-10-82.

Thanking you,

Dt. 11-5-83

Yours Faithfully

Suneet Kumar

(Suneet Kumar)

H No 101,

Ganges Prasad Road,
Madhiganj, Lucknow.

Copy to

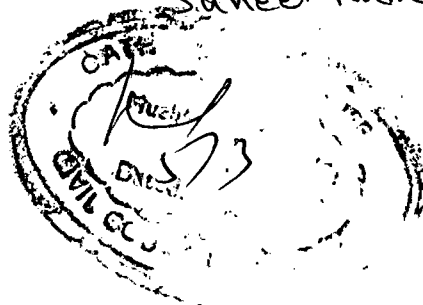
1. G.M.T. U.P. Circle, Lucknow.
2. Director Telecom (Central Area) Lucknow.
3. Medical Officer Incharge P & T Disp III,
Maharajan Lucknow.

Recd

16/5/83

Suneet Kumar

Suneet Kumar



ORDER SHEET

IN THE HIGH COURT OF JUDICATURE AT ALLAHABAD

No.

2420

of 1983

vs.

3/1

Date	Note of progress of proceedings and routine orders	Dated of which case is adjourned
1	2	3
5-5-83	Hon. U.C.S.J. Hon. K.N. Borgeil, J.	
	List in the next week as prayed by late Shri Council for Central Govt. Sd, Sd,	
12-5-83	19-5-83 fixed for order	By court panel
19-5-83	Hon. S.C. M.J. H. S.C.A.J.	
24-5-83	HON. S.C.J. HON. S.C.J.	
	List in July showing the name of U.K. Sharan as respondent's counsel K b 24/5/83	
26-7-83	29-7-83 fixed for order	By court panel
29-7-83	Hon. V.C.S.J. Hon. K.N.G.J.	

(C/20)

A/c

A/43

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

T.A.No. 1153 of 1987

No.CAT/Alld/Jud/

Dated the : 20/9

Sunnet Kumar

APPLICANT'S

VERSUS

Union of India & others

RESPONDENT'S

1. Shri Ved Prakash, Advocate, Lucknow High Court, Lucknow.

2. " D. .Ranchhava, 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. 2420
of 1983 .
of the Court of Lucknow High
Court arising out of order
dated _____
passed by _____ in

The Tribunal has fixed date
of 18.11.89 1989. The
hearing of the matter at Gandhi Shavan
Lucknow (Opp. Chhobad Sagar)
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

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD
CIRCUIT BENCH, LUCKNOW

Gandhi Bhawan, Opp. Residency
Lucknow -

No. CAT/LKO/Jud/CB/

Dated the 13/12/89

T.A. No. 24 of 1989 (T)

APPLICANT'S

Versus

RESPONDENT'S

To

Whereas the marginally noted cases has been transferred by
Under the provision of the Administrative
Tribunal Act 13 of 1935 and registered in this Tribunal as above.

Writ Petition No. _____
of 198 _____
of the Court of _____
_____ arising out
of Order dated _____
_____ passed by _____

The Tribunal has fixed date of
_____ 1989. The hearing
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

_____ day of _____ 1989.

dinesh/

DEPUTY REGISTRAR

62

1/12

18/12/89

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD
CIRCUIT BENCH, LUCKNOW

Gandhi Bhawan, Opp. Residency
Lucknow -

No. CAT/LKO/Jud/CB/

Dated the : 13/12/89

2463

1153

87

T.A.No. of 198 (T)

A-45

Suman Kumar

APPLICANT'S

Union of Workers

~~Medical Officer, Lucknow~~ RESPONDENT'S

To Mr. J. K. Singh, Lucknow

Whereas the marginally noted cases has been transferred by
Under the provision of the Administrative
Tribunal Act 13 of 1935 and registered in this Tribunal as above.

Writ Petition No. 118/89
of 198
of the Court of
arising out
of Order dated
passed by

The Tribunal has fixed date of
198. The hearing
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
day of 1989.

Dinesh/

Deputy Registrar

DEPUTY REGISTRAR

Lucknow

Recd
taken

21/1

न्यायालय श्रीमान्

Hon'ble High Court of Judicature
at Allahabad. Selling at Auction

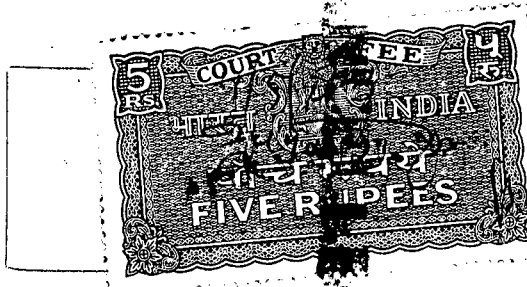
महोदय लखनऊ

10

वादी / अपीलान्त / प्रार्थी

प्रतिवादी / रेस्पान्डेन्ट / विपक्षी

वकालतनामा



10/5/93

Suneet Kumar प्रार्थी / वादी / (मुद्दई) / अपीलान्त

बनाम

Union of India & others

विपक्षी

प्रतिवादी / (मुद्दाअलेह) रेस्पान्डेन्ट

WS No

of 013

नं० मुकदमा

सन १९

पेशी की ता०

१९

ई०

ऊपर लिखे मुकदमा में अपनी ओर से श्री वेद प्रकाश एडवोकेट

सुभाष मार्ग, लखनऊ

G. Shankar Shukla

Advocate

एडवोकेट महोदय

को अपना वकील नियुक्त करके प्रतिज्ञा (इकरार) करता हूँ और लिखे देता हूँ इस मुकदमा में अधिवक्ता महोदय स्वयं अथवा अन्य अधिवक्ता 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 सुलहनामा वा इकबाल दावा तथा अपील व 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 विपक्ष (फरीकसानी) का दाखिल किया हुआ रुपया अपने या हमारे हस्ताक्षर युक्त (दस्तखत) रसीद से लेवें या पंच नियुक्त करें—अधिवक्ता महोदय द्वारा की गई वह सब कार्यवाही हमको सर्वथा स्वीकार है और होगी मैं यह भी स्वीकार करता हूँ कि मैं हर पेशी पर स्वयं या किसी अपने पैरोकार को भेजता रहूँगा अगर मुकदमा अदम पैरवी में एक तरफा मेरे खिलाफ फैसला हो जाता है उसकी जिम्मेदारी मेरे अधिवक्ता पर नहीं होगी। इसलिए यह वकालतनामा लिख दिया कि प्रमाण रहे और समय पर काम आवे।

स्वीकार

एडवोकेट

स्वीकार

एडवोकेट

हस्ताक्षर

Suneet Kumar

साक्षी (गवाह)

साक्षी (गवाह)

दिनांक

4

महीना

5

सन् १९

१३