

CENTRAL ADMINISTRATIVE TRIBUNAL  
LUCKNOW BENCH

FORM OF INDEX

Chander Deo Singh ~~D.A./T.A./R.A./C.C.P.~~ No. 1155/187  
vs  
U.O/

PART - I

|    |                  |           |
|----|------------------|-----------|
| 1. | Index Papers     | :- 1      |
| 2. | Order Sheet      | :- 2 to 4 |
| 3. | Any other orders | :- 10     |
| 4. | Judgement        | :- 5 to 9 |
| 5. | S.L.P.           | :- NIL    |

*DR*  
D.Y. Registrat

*TS*  
Supervising Officer

*AC*  
30/12/98  
Dealing Clerk

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

1 - Index Sheets A1 & A2 : NIL

2 - H.C. orders Sheets A3 -

3 - C.A.T orders Sheets A4 to A6 -

4 - Judgement orders dt 28-1-92, 47 to A11

5 - Writ Petition/Annexure A12 to A18

6 - Written Statement A39 to A47 -

7 - Rejoinder affidavit A48 to A112

8 - Lawyer A113 to A115

9 - Notices/Com. 193) - A116 to A117

*AC*  
30/12/98  
Dealing Clerk

File B/C destroyed  
on 9-5-12

V.K. Mishra

Rechecked  
on 21-3-12

*TS*  
S.O.S.J.

ANNEXURE - A

CAT

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

T.A.NO. 1155/87

W.P. 2428/83

CAUSE TITLE T.A. 1155 of 1987

NAME OF THE PARTIES

Chandra Deo Singh

Applicant

Versus

Union of India & others

Respondent

Part A, B & C

| Sl. No. | Description of documents           | PAGE            |
|---------|------------------------------------|-----------------|
| 1.      | Order- Sheets                      | A1 - A4         |
| 2.      | Judgment Dt. 28.01.92              | A5 - A9         |
| 3.      | Index with Petition                | A10 - A36       |
| 4.      | Vakela Namana / Sm B. C. Sivakumar | A37             |
| 5.      | Counter Affidavit                  | A38 - A43       |
| 6.      | Reponder Affidavit                 | A48 - A112      |
|         | <u>B. file</u>                     |                 |
| 7.      |                                    | B. 113 - B. 213 |
| 8.      | <u>C. file</u>                     | C. 214 - C. 221 |

Carot S. N. 104

25/02/92

## ORDER SHEET

IN THE HIGH COURT OF JUDICATURE AT ALLAHABAD

W.L. No. 2420

of 1983

vs.

A/3  
B/2  
2

| Date    | Note of progress of proceedings and routine orders       | Dated of<br>which<br>case is<br>adjourned |
|---------|--|---|
| 1       | 2  | 3   |
| 5-5-83. | Hon. W.E.S. J.<br>Hon. K.N. Bagal, J.                    |   |
|         | Admit.   |   |
|         | Notice has been taken by<br>the Senior Counsel for - - - |   |
|         | - - - - - weeks thereafter                               |   |
|         | Sd/-<br>Sd/-   |   |
|         |  | S.R.                                      |
|         |  |   |
|         |  |   |
|         |  |   |
|         |  |   |
|         |  |   |
|         |  |   |
|         |  |   |
|         |  |   |
|         |  |   |
|         |  |   |
|         |  |   |

## Order-Sheet

TA no. (1132 of 1987) & Date  
C. D. Singh vs. (103)Serial  
number  
of  
order  
and dateBrief Order, Mentioning Reference  
if necessary

(3)

How com.  
with am.  
date of  
compliance

9-11-89

Hon. Mr. D. K. Agrawal - TM  
Hon. Mr. K. Obayya - AM

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

list this case for orders  
on 01/2/90.

D  
AMDR  
JK

1/2/90

Hon. Justice K. Rath, 26.

Hon. K. J. Ramam, AM

by P. C. Sahoo for the applicant.

No one is present for the opposite parties. List for ex parties hearing on 26/3/90.

DR  
AMDR  
RC

26-3-90

No sitting. Ady. to 8-10-90.  
Fully filed & cm. No 193/90(L)

DR N  
26/3/90

Dinesh

8-10-90 No sitting Ady. to 6-11-90

17-12-90 No sitting Ady. to 20-2-91

NO sitting Ady. to 9-5-91

ORDER SHEET

A4

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD/C.B. LUCKNOW

(4)

1165

No.

OF 1982 IT

C. D. Singh vs. B. C. J.

| Sl.No. | Date | Office Report | Orders                  |
|--------|------|---------------|-------------------------|
|        |      | 28/11/91      | No Siting off n 28/1/92 |

Reed Copy for opns) to 3

✓ Chandras

4.5.83 AD

for Chandras AD

One return AD  
Due adhesive AD  
Total 100/-

Correct but final Court fee will be made on receipt of lower Court record.

In time up to

Papers filed. Copy of E

~~must also be filed~~

Copy - Record

Letter of Mandamus

✓ Govind

4.5.83

Har. U.S. Government

Item V-N (601) T.

Admit

A notice has been taken by the Standing Counsel for M.R. Railways on behalf of opposite parties, who may file counter written notice, within two weeks thereafter.

b 1/2

5-5-83

b

AS 8/8

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL - ALLAHABAD  
BENCH LUCKNOW

Transfer Application No. 1155 of 1987. (5)

Shri C.D. Singh..... Applicant.

Versus

Union of India and others..... Opp. Parties.

Hon'ble Mr. Justice U.C. Srivastava - (V.C.)

Hon'ble Mr. A.B. Gorthi - (Member - A).

(By Hon'ble Mr. Justice U.C. Srivastava - V.C.)

The applicant who is said to be a Casual Labour who has not been regularised and ~~continues~~ to be in service Railway Administrative Department as skilled Casual labour. In this transferred case it is prayed that a mandamus be issued to opposite parties to decide the applicant's representations seeking consideration of his case for 25% reserved quota for departmental candidates and pass the necessary orders for regularisation of the applicant against said quota.

The applicant's grievance is that by reason of fulfilling the academic qualifications, he is entitled to have his claim be considered for regularisation against 25% vacancies reserved for departmental candidates and in non-consideration of his case, is clearly arbitrary and capricious; that he had a preferential right for being considered for regularisation against the said quota in comparison to Satya Narain Sharma, who has been regularised ~~by~~ in violation of the provisions of article 14 and 16 of the Constitution of India, and further he has fulfilled the requisite qualifications, non-inclusion of his name in the list of candidates sent to the Railway Board in response to its' communication dated 8.12.82 is wholly arbitrary and capricious and results in denial to the applicant of

his legal right. The applicant entered as work Mistry on daily wages at the rate of Rs. 13/- per day as sanctioned by the office of the Chief Engineer construction. From the facts as stated by the respondent, it appears that the applicant worked as Casual Mistrx between 25.7.74 to 15.6.75 as Casual Work Mistri and from 16.6.75 to 15.8.75 as Casual skilled labour and in between the period 16.8.75 to 29.11.75 he was not in the employment. Between 30.11.75 to 25.7.84 he worked as Casual ~~skilled~~ labour and from 26.7.84 to the date worked as Casual ~~skilled~~ highly skilled/ Temporary Status except work Mistry. Thus for a brief period of three months the applicant continued to remain in service from the month of July 1974 upto this date.

Grievance of the applicant is that one Satya Narain Sharma in accordance with the respondent no longer in service was appointed as Casual work Mistry at the rate of Rs.13/- per day and posted to work under the Asstt. Engineer BG/Gonda ~~skilled~~ (W) vide office order dated 24.5.75, his services were terminated on 15.11.1977 and he remained out of service till November, 1980, when the petitioner was still continuing in service yet the Railway Board vide his letter dated 19.9.79 which was in response to same letter of General Manager Gorakhpur for the absorption of one Sri Indra Deo Pandey who had indicated Casual Labour from both open line as well as on the projects who are working in skilled categories which are eligible for ~~skilled~~ regularisation against 25% vacancies reserved for departmental promotion. The Board directed that suitable action for

A7  
7

regularisation of service of the said Sri Indra Deo Pandey may be taken. Thereafter a circular was issued by the Chief Engineer dated 18.4.80 directing all the Executive Engineers that the Casual Labour from both open line as well as on the projects who are working in skilled categories are eligible for regularisation against 25% vacancies reserved for departmental promotion provided only candidates working in the same recruitment unit. The applicant claims to have been working since continuously in a particular unit, but he was not being regularised against 25% vacancies ~~xx~~ and reserved for the departmental candidates/ Satya Narain Sharma who was out of service for a such long period was taken back and it was directed he may be sent for six month's training as work Mistri. After passing Training course an order was passed that he may be appointed on the posts of work Mistri order dated 19.12.81. The grievance of the applicant is even though Establishment Rule Manual para 2512 ~~vide~~ <sup>frankly</sup> for promotion for direct recruitment of 50% quota in the skilled category should be filled-up to the extent of 25% from un-skilled with educational qualification, yet the applicant was not being appointed or was regularised against this 25% quota to fulfill the requisite qualification and holding a diploma. According to the respondent

According to the respondent the applicant worked as Casual skilled labour on daily rated as per his request alongwith 10 others ~~xx~~ Casual work Mistri After expiry of the work and also due to curtailment of budget allotment for Gonda Unit all the Casual work Mistri were discharged. Thereafter applicant offered himself ~~xx~~ for the engagement in the category of Casual skilled labour which was considered and he

u

(8)

was engaged in this manner. The applicant was given temporary status in view of the Supreme Court decision in Indra Pal Yadav's case, he has been working from before the year 1981 as Casual labour. They have refuted the claim of the applicant for compression of S.N.Sharma's case on the grounds that S.N.Sharma was appointed against the direct recruitment quota purely an adhoc basis subject to the approval of the Railway Recruitment Board and not against 25% vacancies reserved for departmental employees. But it has not been stated anywhere why the other person who have also been working from before, and his services were terminated and later taken back are not considered against it's direct appointment.

It has been pointed out by the applicants that the continuation of S.N.Sharma was against the continuity of the Railway Board instructions particularly vide letter dated 21.7.1984 which provides that by way of preparation and display seniority list of the particular categories of Casual Labour employed therein including those who on completion of four months continuous service, become eligible for some of the benefits admissible to temporary railway servants. The special benefit was given to S.N.Sharma even no order. On behalf of the Railway Board, a letter dated 27.2.1978 was made in which it was instructed that Project Engineer will be eligible for retrenchment. The applicant's case is that his case was recommended for regularisation number of times, but the same was not done even though sixty were regularised in 1985 and 16 in 1989 and persons even junior to the applicant were selected as per seniority list which was published in the year 1985. The applicant have strongly refuted the averments which has been made in

4

Af

(a)

the counter-affidavit that since 1990 no selection for the said 25% quota has been made. According to them examination has taken place twice, but it's fate is not known to him. The facts stated above indicates that for but for a gap of few months, the applicant is continuously working with the Railway Administration from the year 1974 and he ful-filled all the requisite qualifications and i.e. why he on his request he was taken back and was allowed to do his job. 17 long years are enough for regularisation a person in the Railway service. The regularisation rather has become a rule of law and non regularisation is to be a ~~claim~~ <sup>an exception</sup>. It is difficult now one person who was in service of the Railway Administration more than three years, it may be in different project was taken him back in service, others should not have been discriminated which has been done in this case.

If selection has not taken place from 1980 it is ~~for~~ the Railway Administration which is at fault and a duty <sup>is</sup> cast upon them to make selection which is expected that the same will be done regularly. It appears that as and when they regularise any one may be senior or junior and <sup>a</sup> ~~the~~ fix principle is followed. If ~~fix principle is followed then it is followed in~~ breach and <sup>is</sup> accordingly we direct that the respondent shall consider the case of the applicant for regularisation within a period of three months making a selection and further in case any person who became casual labour in the trade like the applicant has been regularised, they shall necessarily regularised the applicant with due date. Let the entire process be completed within three months as mentioned above. No order as to the costs.

  
Member (A)

  
Vice Chairman

Group A Jutes

A10

3697

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

Writ Petition No. 2490 of 1983

Chandra Deo Singh

--Petitioner

versus

Union of India and others

--Opp-parties

INDEX

Sl. Description of paper  
no.

Annex. page  
no.

1. Writ Petition

1-

2. Affidavit in support of the petitioner

10

3. Order dated 22.7.1974

1 12

4. Certificate dated 26.5.1982

2 13

5. Office order dated 24.5.1977

3 14

6. Letter dated 29.9.1979

4 15

7. Letter dated 18.4.1980

5 16-17

8. Order dated 19.12.1981

6 18-20

9. Letter dated 11.2.1982

7 21

10. Letter dated 17.5.1982

8 22-23

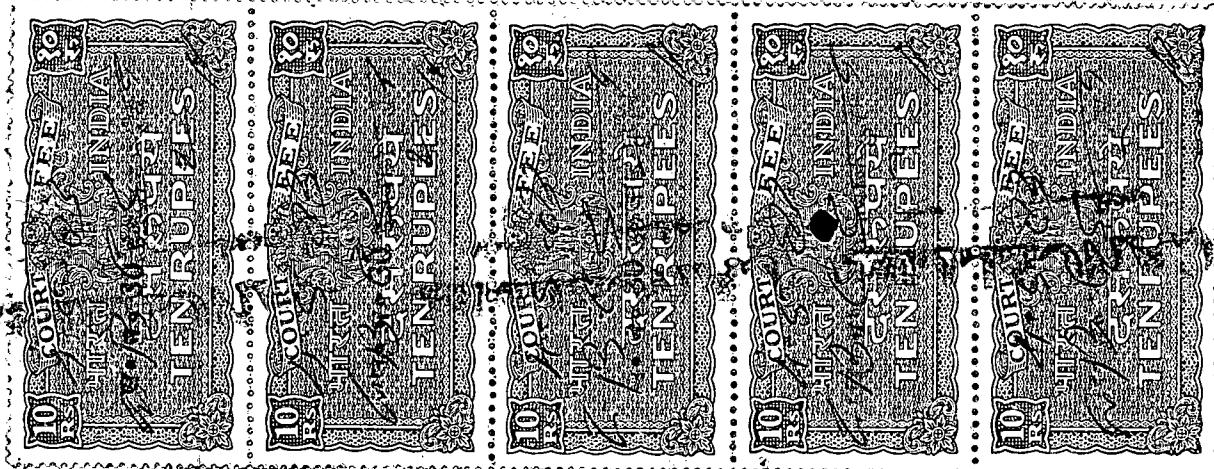
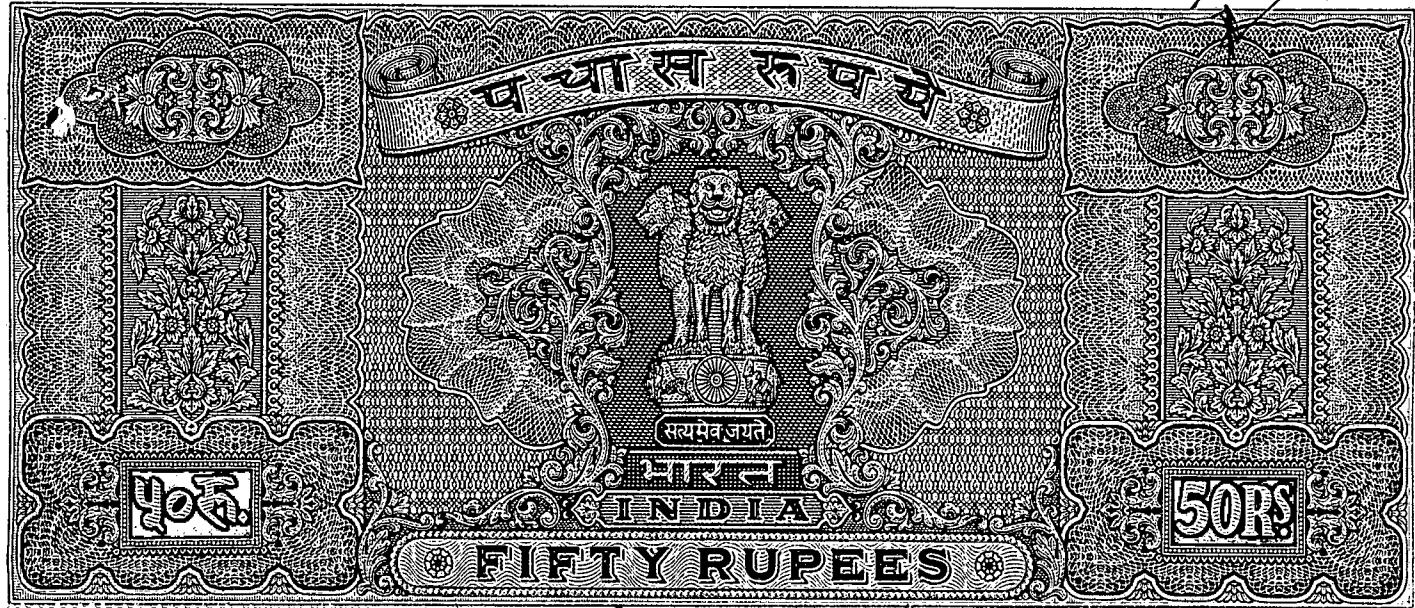
11. Representation dated 17.2.1983

9 24-25

Vakalatnama

← 26

*Q. Salasw  
P.W.*



22. The Hindu High Court of Judicature at Allahabad  
Mickman Bench Jackson  
No. 4783.

Chandra Dīo Singh. — Peticiones.

25

Union of India fathers - Opp. Partie

(R. B. C. Saksena)  
Schwartz

skilled Khalasi under the direct subordination of the Inspector of Works( Construction), Yard, Gonda.

2. That the petitioner was initially appointed as a work mistry on daily wages at the rate of Rs. 13/- per day as sanctioned by the office of the Chief Engineer Construction, N.E.Railway, Gorakhpur on 25.7.1974 and continued till 31.8.1974 under the Inspector of Works/Construction, Jarwal Road,. Thereafter the petitioner was posted with effect from 1.9.1974 till 15.6.1975 under the Inspector of Works, Construction, Gonda . Thereafter the petitioner with effect from 16.6.1975 was posted to work under the Inspector of Works, Construction, Jarwal Road where he worked till 15.8.1975. With effect from 30.11.1975 the petitioner was posted under Inspector of Works, Construction, Gonda where he continued till 31.5.1981 and with effect from 1.6.1981 till date the petitioner is working under Inspector of Works, Construction, Gonda Yard. A true copy of the order dated 22.7.1974 issued by the Deputy Chief Engineer, Construction West, N.E.Railway Gorakhpur addressed to the Executive Engineer, Construction(I), N.E.Railway, Gonda requiring the latter to issue office order for the petitioner's appointment on the post of Work Mistry is being annexed as Annexure no.1 to this petition . It is stated that a formal order of appointment of the petitioner was issued by the Executive Engineer but since a copy has not been furnished to the petitioner, he is unable to file the same. A true copy of a certificate of the petitioner's service

Chandra Deo Singh

2/1975

in the N.E.Railway as issued by the Inspector of Works, Construction, B.G., N.E.Railway, Gonda dated 26.5.1982 is being annexed as Annexure no.2 to this petition.

3. That one Sri Satya Narain Sharma, son of Sri Mahabir Prasad, was appointed as casual Work Mistry at Rs. 13/- per day and posted to work under the Assistant Engineer /BG/, Gonda (West) by means of office order no. W/247/MG/E-3/Pt .V/504 dated 24.5.1975. A true copy of the said office order is being annexed as Annexure no.3 to this petition.

It is stated that the said Sri Satya Narain Sharma was appointed very much subsequent to the petitioner's appointment as Work Mistry in the same Unit and is junior to the petitioner.

4. That the services of the said Sri Satya Narain Sharma were terminated and he was discharged with effect from 15.9.1977 and he remained out of service up till November, 1980 while the petitioner, as shown above, has throughout continued and is still continuing.

*Chandra Deo Singh*

5. That the Railway Board by means of its letter no. E(Rep)/II/79/ AEII-180 dated 29.9.1979 addressed to the General Manager, N.E.Railway Gorakhpur on the subject of absorption of one Sri Inder Deo Pandey who was working as Permanent Mistry under the PWI, Basti had indicated that casual labour from both open line as well as on the projects who are working in skilled categories are eligible for regularisation against

25 per cent vacancies reserved for departmental promotion. The Board it appears had directed that suitable action for regularisation of service of the said Sri Inder Deo Pandey be taken. A true copy of the said letter of the Board dated 29.9.1979 is being annexed as Annexure no. 4 to this petition.

On a consideration of the direction contained in the said letter of the Railway Board dated 29.9.1979, the General Manager, N.E. Railway appears to have <sup>made</sup> a recommendation on the executive file at no. 20F in the file bearing no. CE/Con/GKP's case no. E/247/5/BG(W.M.), Loose which reads as under:-

"I also find that the name of Shri I.D.Pandey has been sent to DRM/ IJN for considering absorption in terms of para 2512-RII. It is not correct to send only one name for such consideration. As a matter of fact, the names of all the work mistics of construction organisation who ~~would~~ be eligible for this purpose should be sent to the DRMs for considering absorption."

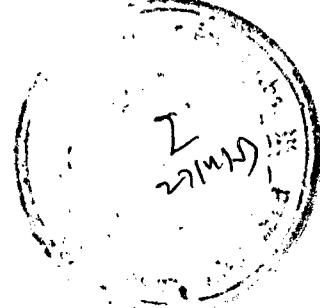
*Chack Deo Singh*

6. That the Chief Engineer, Construction, accordingly by means of circular letter no. E/237/0/BG/Aborption dated 18.4.1980 addressed to all Executive Engineers, Construction of the N.E. Railway, inter alia, directed that the casual labour from both open line as well as on the projects who are working in skilled categories are eligible for regularisation against 25 per cent vacancies reserved for departmental promotions provided only candidates working in the same recruitment unit,

i.e. a Division are considered together. The said letter after making reference to the General Managers note dated 16.4.1980 referred to in the preceding paragraph requested the addressees to send the names, service particulars and educational qualifications of all casual staff working under them, viz., skilled categories and highly skilled categories to Divisional Railway Managers concerned for considering their absorption on the regular basis by the open line in terms of para 2512 of the Indian Railway Establishment Manual. A true copy of the said letter dated 18.4.1980 is being annexed as Annexure no.5 to this petition.

7. That as shown above the petitioner has been working only in the skilled category and was eligible for his service being regularised against 25 per cent vacancies reserved for departmental candidates. The petitioners case for regularisation has not been considered and no orders for regularisation of his service in terms of rule 2512 of the Indian Railway Establishment Manual have been passed till date..

*Chander De Singh*



8. That it appears that in respect of the case of the said Sri Satya Narain Sharma reference to whom has been made in the earlier part of the writ petition. was taken up for regularisation of his service on the basis of the guidelines laid down by the Railway Board in its letter dated 29.9.1979 annexure 4 and the Ministry of Railways appears to have issued a D.O. letter no. E( NG)/II/80/CL/N.E.R./17 dated 1.10.1980 requiring the N.E.Railway authorities to send the said

Sri Satya Narain Sharma for six months training course of work mistry.

9. That it further appears that in terms of the said D.O. dated 1.10.1980, the General Manager (P), N.E. Railway, Gorakhpur by his letter no. E/227/5/8/1 Pt.(V) dated 10.12.1981 indicated that the said Sri Satya Narain Sharma has passed the training course and directed that Sri Satya Narain Sharma be appointed on the post of Work Mistry scale Rs. 380-560 against a vacant post under the Inspector of Works, N.E. Railway, Gonda. In terms of the General Manager (P)'s aforesaid letter the Divisional Railway Manager (P), N.E. Railway, Lucknow issued an office order dated 19.12.1981. A true copy of the said order is being annexed as Annexure no. 6 to this petition.

10. That the provisions of para 2512 of the Indian Railway Establishment Manual Second Edition published on 1.4.1968 are based on Railway Board's letters dated 30.1.1961, 16.1.1963 and 26.4.1963. In the same context the Railway Board has issued another letter dated 24.2.1977 and has therein directed that the direct recruitment quota of 50 per cent in the skilled category should be filled up to the extent of 25 per cent from serving semi-skilled and unskilled with educational qualifications as laid down in the Apprentice Act and should be given appropriate training before they are absorbed in the skilled cadre.

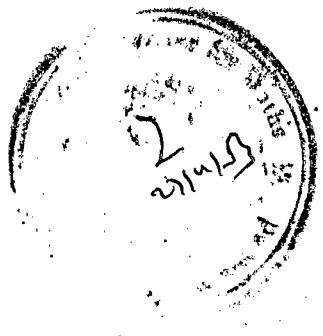
*Chandru Deo Singh*



11. That aggrieved by the non-consideration of his case for regularisation against 25 per cent vacancies reserved for departmental candidates even after such regularisation of service of Satya Narain Sharma, the petitioner preferred several representations to the opposite-parties but to no avail. Opposite-party no.3 under whom the petitioner was working, however, has also repeatedly been incommunication with opposite-party no.2 and has been pressing for a decision being taken on the petitioners representation for regularisation. Two of such letters sent by opposite-party no.3 to opposite-party no.2 dated 11.2.1982 and 17.5.1982 are being annexed as Annexure no.7 and 8 to this petition.

12. That the said representations have evoked no response till date. The Railway Board by letter no. E/Re/p/II/82AE 11-511 dated 8.12.1982 directed that a list of candidates who are working as casual work mistics/skilled be sent for purposes of taking a decision for their regularisation against 25 per cent vacancies reserved for departmental candidates. The petitioners name was not included in the said list and the petitioner on gaining knowledge about the same made a representation to the S.P.O., B.G., Construction, N.E.Railway Gorakhpur on 17.2.1983 indicating the said fact and requesting that his name be shown in the said list. A true copy of the said representation

*Chandru Deo Singh*



is being annexed as Annexure no. 9 to this petition.

*Chandra Deo Singh*  
13. That the said representation has also evoked no response with the result that the petitioners case for regularisation is not being considered despite his fulfilling the requisite conditions of eligibility for such regularisation.

*Chandra Deo Singh*  
14. That in the circumstances detailed above and having no other equally effective and speedy alternative remedy the petitioner seeks to prefer this petition and sets forth the following, amongst others,

GROUND:

*Chandra Deo Singh*  
(a) Because the petitioner by reason of his fulfilling the academic qualifications is clearly entitled to have his case considered for regularisation against 25 per cent vacancies reserved for departmental candidates and non-consideration of the petitioners case is clearly arbitrary and capricious.

*Chandra Deo Singh*  
(b) Because the petitioner had a preferential right for being considered for regularisation against the said quota in comparison to Satya Narain Sharma. Regularisation of the said Satya Narain Sharma having been made without considering the petitioners case for such regularisation is clearly violative of the provisions of Articles 14 and 16 of the Constitution.

(c) Because in view of the fact that the petitioner fulfills the requisite qualifications, non-inclusion of his name in the list of candidates sent to the Railway Board in response to its communication dated 8.12.1982 is wholly arbitrary and capricious and results in denial to the petitioner of his legal right to have his case considered for regularisation against the said quota.

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

(i) to issue a writ of mandamus or a writ, order or direction in the nature of mandamus commanding the opposite-parties to decide the petitioners representations seeking consideration of his case for regularisation against the 25 per cent reserved quota for departmental candidates within such time as this Hon'ble Court may consider just and proper and to pass necessary orders for regularisation of the petitioner against the said quota.

(ii) to issue such other writ, direction or order, including an order as to costs which in the circumstances of the case this Hon'ble Court may deem just and proper.

Dated Lucknow  
27.4.1983

*(B.C.Saksena)*  
( B.C. Saksena)  
Advocate  
Counsel for the petitioner

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

Writ Petition No. of 1983

Chandra Deo Singh

-Petitioner

versus

The Union of India and others

-Opp-parites

AFFIDAVIT

I, Chandra Deo Singh, aged about 33 years, son of Sri Ram Naresh Singh, resident of Mujauli, P.O. Chandraon, district Gorakhpur, do hereby solemnly take oath and affirm as under:-

1. That I am the petitioner in the above-noted writ petition and am fully acquainted with the facts of the case.
2. That contents of paras 1 to 13 of the accompanying petition are true to my own knowledge.
3. That annexures nos. 1 to 9 have been compared and are certified to be true copies.

Dated Lucknow

Chandra Deo Singh

Deponent

27.4.1983

I, the deponent named above do hereby verify that contents of paras 1 to 3



A22

A/23

11

-2-

are true to my own knowledge. No part of it is false and nothing material has been concealed; so help me God.

*Chandru Dushyant*

Deponent

Dated Lucknow  
27.4.1983

I identify the deponent who has signed in my presence.

*R. K. Bhintera*  
(Clerk to Sri B.C. Saksena, Advocate )

Solemnly affirmed before me on 27.4.83  
at 1.45 a.m./p.m. by *Chandru Dushyant*  
the deponent who is identified by Sri *R. K. Bhintera*  
clerk to Sri *B.C. Saksena*

Advocate, High Court, Allahabad. I have satisfied  
myself by examining the deponent that he understands  
the contents of the affidavit which has been read out  
and explained by me.

*27/4/83*

*SATISH CHANDRU*  
S. C. S. A.  
OATH  
High Court  
Lokmanya Tilak Marg  
No. 402/21/83  
332  
27.4.83



A23

12

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

Writ Petition No. of 1980  
Chandra Deo Singh --Petitioner  
vs.  
Union of India and others --Opp-parties

Annexure no.1

North Eastern Railway

(Survey and Construction Branch)

M.P. Budhiraja Office of the Chief Engineer,  
Dy. CE/Con/West Construction, Gorakhpur

D.O. no. W/Con Dated 22.7.1974

My dear Chkravarty,

Sub:- Work Mistris

Shri Chandra Deo Singh, a Diploma Holder in Electrical Engineering, has requested for appointment as Work Mistry. He is being directed to you for appointment as Work Mistry on daily wages at the rate of Rs.13/- per day as sanctioned by this office. He may be appointed when he reports in your office and utilised against existing vacancies of Work Mistris / AIOWs.

Yours sincerely,

Sd/-

( M.P. Budhiraja)

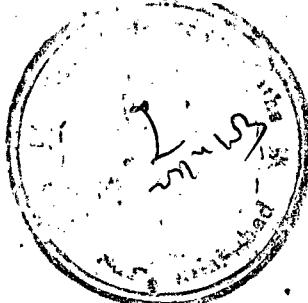
Shri A.K. Chakravarty,  
XEN/Con/I,  
N.E.Railway, Gonda

Shri C.P.

Issue O.O. for his appointment as done in a similar case earlier.

Sd. A.K. Chakravarty

25/7



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

Writ Petition No.

of 1982

C.D. Singh

--Petitioner

vs.

Union of India and others

--Opp-parties

Annexure no.2

N.E.Railway

This is to certify that Sri C.D. Singh son of Sri R.N. Singh has been working in construction organisation since 25.7.1974 as casual work mistry and still doing the job of work Mistry with honesty and sincerity. He is Diploma Holder in Electrical Engineering.

I wish him every success in his life. His service particulars are as under:-

|  |  |
|--|--|
| 25.7.1974 to 31.8.1974 under IWO/Con/LJN   | as C.D.<br>work Mistry<br>at Rs.13/-<br>per day as<br>skilled labour |
| 1.9.1974 to 15.6.1975 under IOW/Con/GD     |  |
| 16.6.1975 to 15.8.1975 under IOW/Con/JLD   |  |
| 30.11.1975 to 31.5.1982 under IOW/Con/GD/W |  |

1.6.1981 to till continuing under  
IOW/Con/GD M as skilled labour at  
Rs. 18.85 per day .

Sd. Illegible  
Inspector of Works,  
Construction BG. N.E.Rly.,  
Gonda



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

Writ Petition No. of 1982  
Chandra Deo Singh --Petitioner  
versus  
Union of India and others --Opp-parties

Annexure no.3

Office Order

Shri Satya Narain Sharma son of Shri Mahabir  
Prasad is hereby appointed casual work mistry  
at Rs.13/- per day and posted to work under AEN/BG/  
GD (West) with immediate effect.

Sd.

AEN/Con/Gonda

No. W/247/MG/E-3/Pt.V/804 dated 24.5.1975

Copy to Chief Engineer/Con./Gorakhpur in reference  
to P.A. to CE/Con/GK's D.O. letter no. nil.

2. Dy. FA and CAO/Con/GKP

3. Shri Satya Narain Sharma son of Shri Mahabir  
Prasad

4. Bill section of this office

5. AEN/BG/GD/West

Chandra Deo Singh



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

Writ Petition No. of 1982

C.D. Singh

--Petitioner

vs.

Union of India and others

--Opp-parties

Annexure no. 8

Copy of Railway Boards letter no. E(Rep)/II/AEII-180  
dated 29.9.1979 addressed to the General Manager, N.E.  
Railway, Gorakhpur

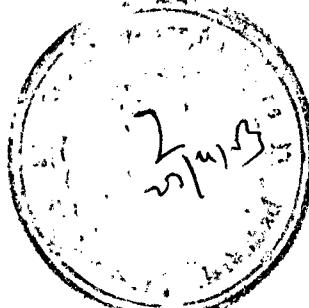
Subject:- Absorption of Shri Inder. Dev Pandey, Permanent  
Way Mistry under PWI/ Basti.

Reference your letter no. E/227/5/May/IX dated  
31.5.1979 on the subject noted above, the Board has  
observed that casual labour from both on the open line  
as well as on the project who are working in skilled  
categories are eligible for regularisation against  
25 per cent vacancies reserved for departmental  
promotion incase the latter are not available, provided  
only candidates working the same recruitment unit, viz.,  
a division are considered together.

Chandra Deo Singh

The Board desire that necessary action may be  
taken accordingly in this case. A suitable reply may  
also be sent to the representationist explaining position  
and further action taken in the matter.

Please acknowledge receipt of the letter.



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

Writ Petition No. of 1982

Chandra Deo Singh --Petitioner

vs.

Union of India and others --Opp-parties

-- An. nos

N.E.Railway

Office of the  
Chief Engineer/Construction

No.E/237/0/BG/Absorption Gorakhpur, dated 18.4.1980

All Executive Engineers/Construction

The Board, while considering a representation, have observed vide their letter no.E(Rep)/II/79/AE-11-180 dated 29.9.1979 (copy enclosed) that casual labour from both on the open line as well as on the projects who are working in skilled categories are eligible for regularisation against 25 per cent vacancies reserved for departmental promotion incase the letters are not available, provided only candidates working in the same recruitment unit, i.e. A division are considered together. The particular case was forwarded by the GM(P) to DRM/LJN for necessary action. However, GM while reviewing some other cases has observed that it was not correct to send only one name for such consideration and the names of all the works mistry on the construction organisation who may be eligible for this purpose should be sent to DRMs for considering absorption on the regular basis in terms of the provisions of para 2511 (II) of I.R.E.M.

2. You are, therefore, requested to send names,

Chandra Deo Singh



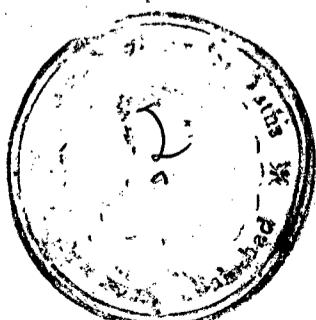
-2-

particulars and educational qualifications of all casual staff working under you. Skilled categories and highly skilled categories to the DRMs concerned for considering their absorption on the regular basis by the open line in terms of para 2512-II of IREM.

Sd.

(Mohan Lal  
For Chief Engineer/Con.

Chander Prakash



A29

130

16

हन ट्रिं आनरेकुल लॉर्कोर्ट लाफ जूडीविचर एट इसा-ला-पा-6  
लाहानउ डेन्च लाहानउ

स्टेट प्रिटोशान नं आफ 1985

जाप, 1983

चन्द्र देव सिंह ----- ----- ----- पिटाराम

ଅନାମ୍ବ

सूनिधन आप, इंपिड्या तथा अन्ये- - - - - जपीं पट्ट पाट्ट थि

संक्षिप्त नं 6

## काठ्यालिय आदेश

महां प्रबन्धक(का) गोखलापुर के (८००)/ बांडेश नं०

३२२/२७/५/८/१ पौरो टौरो (पंच) दिनांक १०-१२-८१ के अनुसार

श्री सत्यनरायण शास्त्री जी के भवीते के कार्य विस्तृत विवरण

की परीका देखे बोर्ड के पंक्तक (संख्या ०/११/८०/४०००५) रु. ७

दिनांक 1-10-80 के अनुसार ज्ञातीय कर लो। ऐसे हैं कार्य  
मिस्त्री वेतन मान 380-560 में स्था 380 वेतन मान लो।

दैय भास्त्वा सार्वत्र गोप्ता भै का ०/१००/गोप्ता के अधीन एक त्रिक्ति स्थान पद पर नियुक्त किया जाता है ।

जो सत्यनारायण शार्म रेलवे के अस्थाई रुक्तिय ब्रेजर है वे कर्मचारी के नियम के अन्तर्गत शासित होते हैं और इन्हें ₹३० (तीन रुपये तीस सौ) का वेतन उस दिन से दिया जायेगा जिस दिन से वास्तविक उद्योग कार्य मिस्ट्री का पद ग्रहण करेंगे।

श्री ज्येष्ठनारायण शामर्थ का कार्य भिस्त्रो पद पर नियुक्त  
वित्त्युल ददर्श सा से इस शर्त पर है सिव हभको नियुक्ति जाक मे रेत

—Chandrea Deo Sth

-2-

सेवा आयोग से जनुमोदित हो जाय । इन्हे रेल सेवा आयोग में प्रार्थना पत्र महाप्रबन्धक (का०) गोरखपुर के माध्यम से जब कभी रिक्विएशन का रेल सेवा आयोग में से विज्ञापन दूरा वयन दूरा केना होगा । यदि श्री सत्यनारायन शर्मा जसप्रसाद रहे तो उन्हे रेल सेवा में बने रहने का कोई अधिकार प्राप्त नहीं होगा ।

श्री सत्यनारायन शर्मा की जन्म तिथि 15-2-55 और ये सहायक मंडल चिकित्सा आधिकारी गोरखपुर के प्रमाण सं० 622/12/11/80 दूरा का पन का छेणा में दाक्टरी परोक्षा उत्तीर्ण है । इनका गोप्ता नियुक्त प्रबर्मण हन्जीनियन के जनुमोदन पर को पाता है । श्री सत्यनारायन शर्मा इस कार्यालय में दिनांक 14-12-81 को रिटायर्ड किया दूं मंडल रेल प्रबन्धक (का०) लखनऊ सं० ११/११/२२७/डब्लू०८५० /३३०/ दिनांक 19-12-81

प्रतिलिपि लाक्षण्यक कार्यवाला हेतु प्रोत्तर ।

1- महाप्रबन्धक (का०) गोरखपुर को का० आदेश सं० १२२७/५/८/१ /भाग ।। (पंच) दिनांक 10-12-81 दसंक्षण ३।

2- ५०८०८०/लखनऊ ।।

3- सर्वाधिक हन्जीनियर/(१)/(१) गोप्ता ।।

4- का०नी०/गोप्ता ।।

5- प्रधान लिपिक /बिल प्रिक्टर प० १०८० इन्डियन

chandu Desh sh

6- श्री सत्यनारायन शमा कार्यालय के कृपया जाप

सत्यापक्षणों ० गोप्ता की छूटी हेतु दुर्ला रिपोर्ट करें ।

यह जापकी व्याकरण और नैकारी होना कि जाप रेल सेवा

आयोग द्वारा जब कार्यमिस्ट्री के पदों पर विज्ञापन हो रहे

जाप रेल सेवा आयोग पार्थ पर इस पद के लिए ।

कृपा मंडल रेल प्रबन्धक

(का०) लडानड ।

सत्य प्रतिलिपि



Chandra Deo Sh

A32  
A  
33  
21

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

Writ Petition No. of 1983

Chandra Deo Singh

-Petitioner

versus

Union of India and others

-Opp-parties

Annexure no. 7

N.E.Railway

No. E/247/BG/6-3/ Pt. Dated 11.2.1982

From

The XEN/Con.,  
Gonda.

To

The DRM(P),  
Lucknow Jn.

Sub: Representation of services as Work Mistry  
(Diploma Holder) against 25% vacancies reserved  
for departmental promotion in terms of Railway  
Boards letter no. E(Rep)III/79/AE-11-180 dated  
22.9.1979 addressed to GM/ N.E.Railway, GKP.

  
The original representation of Shri C.D.Singh,  
skilled casual labour is sent herewith for due  
consideration please. The copies of Railway Boards  
letter no. E(NG) III/78/RCI/9 dated 29.7.1980 and  
CE/Con/GKP's no. E/237/C/BG/Absorption dated  
18.4.1980 are also enclosed for ready reference.

DA/ One application in 2 pages  
copy of Railway Boards letter dated 29.9.1979 and  
dated 29.7.1980  
Copy to & of CE/Con/GKP's letter dated 18.4.1980

Executive Engineer /Con.  
N.E.Railway, Gonda

A33  
A  
34

22

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

Writ Petition No. of 1983

C.D.Singh

-Petitioner

versus

Union of India and others

-Opp-parties

Annexure no. 8

No. W/247/BG/E-3/Pt.XI

Office of the  
XEN (Con), Gonda

Dated 17.5.1982

The Civil. Railway Manager (P)  
N.E.Railway,  
Lucknow Junction.

Sub:- Regularisation of services as Work Mistry

(Diploma Holder) against 25% vacancies reserved  
for departmental promotion in terms of Railway  
Boards letter no. E(Rep) II/79/AE-11-180 dated  
22.9.1979 addressed to GM/ N.E.Railway,  
Gorakhpur.

Raf: This office letter of even no. 3017 dated  
11/17-2-1982

Please refer this office letter quoted  
above vide which an original representation of  
Shri C.D.Singh, skilled casual labour was sent  
to you for due consideration in connection with  
above subject. About three months have passed  
but nothing has been heard from you so far.

As the employee is chasing constantly,

A34

A35

23

-2-

please do needful as early as possible. A true copy of representation submitted by Shri C.D. Singh is also attached for ready reference.

DA/As above

XEN(Con.)/Gonda

Chandru Deo Singh



A35  
24

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

Writ Petition No. of 1983

C.D. Singh

Petitioner

versus

Union of India and others

Opp-parties

Annexure no. 9

The S.P.O.,/BG/Construction,  
N.E.Railway, Gorakhpur

Subject: Inclusion of my name in the list of W/M for  
regularisation of services as work Mistry

Ref: Railway Boards letter no. E/Rep/II/82/AB 11-  
511 dated 8.12.1982

Respected Sir,

I have the honour and beg to draw your kind attention  
towards the following few lines which needs your  
intervention into the matter and judicious orders  
please:-

1. That I was appointed as Casual Work Mistry at Rs.13/-  
per day vide dy. C.E. & Con/GKP (West)'s D.O. letter no.  
W/ Confld. dated 22.7.1974 . Since the date of my  
appointment i.e. 22.7.1974 I am working up till now  
under IOW/Con/Gonda (Yard) under the kind control  
of EXN (Con)/Gonda. The certificate/attested  
copy is attached herewith for your ready reference.

2. It is come into my knowledge through some reliable  
sources that the names of Sarvshri I.D.Pandey and K.M.  
Pandey casual work mistries have been sent to the

Chandru Deo Singh



RailwayBoard for approval of the above regularisation of their posts ignoring my name inspite of repeated representations to C.P.O., S.P.O. and all other HODs.

Both s/Sri I.D.Pandey and K.M. Pandey casual work mistries are most junior to me.

3. It is most out of place to mention that Railway Board has desired a list of such candidates who are working as casual work mistries/skilled for regularisation of their services vide their letter quoted under reference but my name has not yet been included in the said list, for which reasons best known to the administration/dealing clerk.

Therefore, I earnestly urge upon your kind good self to consider my case sympathetically and arrange to include my name in the said list, so that the regularisation of my services as work mistry may be accorded saction accordingly, being a Diploma Holder of three years Elect. Engg.

Candidate.

I shall be very thankful to you for this act of kindness.

Yours faithfully,

17.2.1983

(Chandra Deo Singh)

Copy forwarded in advance to the SPO/Recruitment, N.E.

Railway, Gorakhpur for information and favourable action please. This is in connection with my representation dated

Yours faithfully,

Chandra Deo Singh

A38

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

CIRCUIT BENCH AT

LUCKNOW

PLAINTIFF'S BRIEF

IN

Registration No. 1155 of 1987 (T)

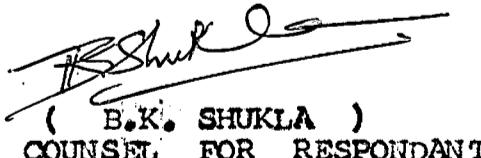
Chandra Deo Singh . . . . . Applicant

Versus

Union of India and others . . . . . Respondants

| Sl. No. | Description of papers   | Page No. |
|---------|---|----------|
| 1       | Written statement   | 1 to 6   |
| 2       | <u>Annexure-1:</u> Photo copy of Muster sheet dated 25.7.74 of C.D.Singh  | 7        |
| 3       | <u>Annexure-2:</u> Photo copy of representation of Shri C.D.Singh.  | 8        |
| 4       | <u>Annexure-3:</u> Phot state true copy of Office Order of Shri S.N. Sharma, ad-hoc Work Mistry dated 19.12.81. | 9        |

Filed today  
26/3/98

  
( B.K. SHUKLA )  
COUNSEL FOR RESPONDANT

A39

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

CIRCUIT BENCH AT

LUCKNOW

R E P L Y

On behalf of the Respondents

IN

Registration No. 1155 of 1987(T)

Chandra Deo Singh .....Applicant

versus

Union of India and others .....Respondents.

I Sirtaj Prasad aged about 51 years Son of Shri Sukhai Ram presently posted as Executive Engineer (Construction), North Eastern Railway, Gorakhpur most respectfully showeth as under:-

1. That I am respondent No.3 in fore mentioned case and have been duly authorised on behalf of respondents to file the instant reply. I have carefully perused the records relating to the instant case and am thus fully acquainted with the facts of the case deposed below:

2. That I have read the contents of the petition under reply alongwith the Annexures filed by the applicant and have understood the contents thereof.

3. That before giving the parawise reply to the facts of the case the answering respondents crave leave to this Hon'ble Tribunal to State certain relevant facts which are necessary and essential in appreciating the controversy involved in the present petitions. They are as under:-

(A) That in the North Eastern Railway there is a

  
संचारालय इंजीनियर (विव.)  
गोरखपुर  
Executive Engineer/Con  
F. I. Gorakhpur

contd....2

seperate Organisation terms as Broad Gauge Conversion Organisation. The head of the said Organisation is the Chief Engineer/Survey and Construction and works under the control of the General Manager, North Eastern Railway. However, the Chief Engineer/Survey & Construction has no independant power to appoint any person on regular cadre except in case of Casual Labour and that too with the prior approval and sanction of General Manager.

(B) That Casual Labour engaged in work charged establishments of certain departments who got promoted to Semi Skilled, Skilled and Highly Skilled categories due to non availability of departmental candidates and continue to work as casual employees for a long period, may be absorbed in regular vacancies in Skilled grades provided they have passed the requisite test to the extent of 25% of the vacancies reserved for departmental promotion from the Unskilled and Semi Skilled categories.

(C) That the Railway Board has formulated a policy regarding regularisation of casual labours working on the Open Line as well as on Project. The casual labours who are working in skilled categories on Open Line as well as on the Projects are eligible for regularisation against 25% vacancies reserved for departmental promotion in case departmental candidates are not available.

4. That the contents of para 1 of the petition are not admitted. The petitioner was engaged as casual Work Mistry on daily rated basis in the Project under Broad Gauge

contd. ....3

AY

: 3 :

Construction Organisation. A photo copy of the petitioner's Muster Sheet is attached herewith and marked as Annexure ~~Exhibit~~ R-1.

5. That the contents of para 2 of the petition are not admitted as alleged. The correct service particulars of the petitioner are as under and any allegation to the contrary are not admitted and are denied.

The service particulars are as under :-

|     |                     |   |  |
|-----|---------------------|---|--|
| (1) | 25.7.74 to 15.6.75  | - | Casual Work Mistry                               |
| (2) | 16.6.75 to 15.8.75  | - | as casual skilled labour.                        |
| (3) | 16.8.75 to 29.11.75 | - | Not in employment                                |
| (4) | 30.11.75 to 25.7.84 | - | casual skilled labour                            |
| (5) | 26.7.84 to date     | - | casual Highly skilled/ Temp. status work mistry. |

It is further submitted that the Annexure No.2 filed by the petitioner is not authenticative and issued by the competent authority. The petitioner had not worked since 16.6.75 to 31.5.81 as casual work mistry, but worked as casual skilled labour on daily rated as per his request. Shri C.D. Singh alongwith 10 other casual work mistry were engaged in July 74 under the Unit of Executive Engineer/ Construction, N.E. Railway, Gonda. After the expiry of work and also due to curtailment of budget allotment for Gonda Unit all the casual work mistics were discharged. Thereafter Shri C.D. Singh the petitioner offered himself for the engagement in the category of casual skilled labour which was considered and he was engaged as skilled labour with effect from 16.6.75. The petitioner was out of employment since 16.8.75 to 29.11.75. The petitioner was re-engaged

contd....4

महाराष्ट्र राज्य सरकार (पर्याप्त)  
प्र० ३० गोराक्षुर  
Executive Engineer/Con  
N. E. I., Gorakhpur

AV2

: 4 :

as casual skilled labour under the unit of Executive Engineer, Construction, N.E.Railway, Gonda with effect from 30.11.75 to 25.7.84. The petitioner had given a representation for enhancement of his wages while he was working as casual skilled labour to his controlling Officer. A photostate copy of his representation is annexed here with and marked as Annexure-12.

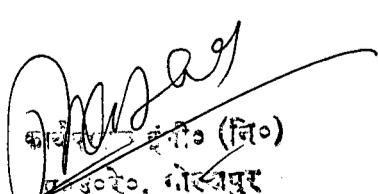
It is further submitted that petitioner is working as Highly skilled labour /casual work mistry in the unit of Executive Engineer/Construction, N.E.Railway, Gonda. He has been given Temporary Status as per direction given by the Hon'ble Supreme Court in the case of Indrapal Yadav and others v/s Union of India, and his seniority is maintained in Lucknow Construction Division in his category.

6. That the contents of para 3 of the petition are not admitted as stated. It is submitted that Shri Satya Narain Sharma was engaged in the Separate Unit of Inspector hence question of comparing seniority does not arise.

7. That the contents of para 4 of the petition are not admitted as alleged. It is submitted that Shri S.N. Sharma was discharged from the service with effect from 15.9.77. He never turned up for engagement nor engaged in B.G. Construction Organisation.

8. That contents of para 5 are not admitted as stated. The petitioner was not working as casual work mistry but was working as casual skilled labour so he was not entitled to get the benefit of the letter quoted in the instant para. The ratio of Railway Board's instructions as well as General Manager's observations are not applicable to the petitioner.

contd.....5

  
कृष्ण शर्मा (राजौ)  
राजौ, राजौ  
Executive Engineer/Con  
N.T. Goral - 17

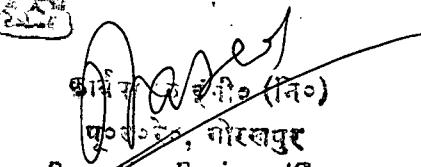
9. That the contents of para 6 of the petition are not disputed.

10. That the contents of para 7 of the petition are not admitted as alleged. It is submitted that no selection to fill up 25% vacancies of Work Mistry from departmental employees has been held since 1980 and such the question of considering the petitioner to appear in the selection of Work Mistry against 25% departmental quota does not arise.

11. That the contents of para 8 of the petition are not admitted. It is submitted that Shri Satya Narain Sharma was appointed on the post of Work Mistry against direct recruitment quota purely on ad-hoc basis subject to approval of Railway Recruitment Board not against 25% vacancies reserved for departmental employees. A photo state true copy of the Office Order regarding appointment of Shri S.N.Sharma is attached herewith and marked as Annexure-~~13~~<sup>13</sup>. As such petitioner case can not be compared with the case of Shri S.N.Sharma, and any allegations to the contrary are not admitted and are denied.

12. That the contents of para 9 of the petition are not admitted as stated. It is stated that Shri S.N.Sharma was appointed as Ad-hoc Trainee Work Mistry by General Manager(P) N.E.Railway, Gorakhpur against direct recruitment quota. After completion of his training he was appointed as Work Mistry purely on ad-hoc basis subject to approval of Railway Recruitment Board.

13. That the contents of para 10 of the petition are not disputed subject to availability of the regular vacancies.

  
 Shri Satya Narain Sharma (राम)  
 उपराजपत्रकार  
 Executive Engineer/Con  
 N.E.R. Gorakhpur

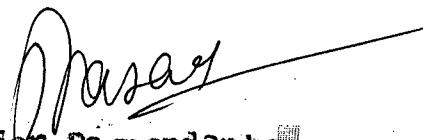
contd....6

14. That the contents of para 11 of the petition are not admitted. It is submitted that Shri S.N. Sharma was appointed purely on ad-hoc basis against direct recruitment quota. The petitioner was informed through his Controlling Officer that no selection was made to fill up 25% vacancies of Work Mistry in Lucknow division since 1980 from departmental employees.

15. That the contents of para 12 of the petition are not admitted. It is submitted that the petitioner was not working as casual Work Mistry hence his name was not considered for regularisation against 25% vacancies reserved for departmental employees.

16. That the contents of para 13 of the petition are not admitted. It is submitted that the petitioner was not eligible to get the benefit of regularisation against 25% vacancies reserved for departmental candidate.

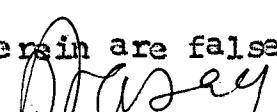
17. That the contents of para 14 of the petition are wrong hence vehemently denied. The petitioner has no cause of action to file the petition. The grounds taken in the petition are false, fabricated and fabulous hence not sustainable in eye of law. As such the petition deserves to be dismissed throughout.

  
for Respondants.

Verification

I Sirtaj Prasad, Executive Engineer/Construction, North Eastern Railway, Gorakhpur do hereby verify that the contents of para 1 & 2 are true to my personal knowledge and those of para 3 to 17 are based on knowledge derived from perusal of records relating to the instant case kept in the official custody of the answering Respondants. Nothing has been concealed and nothing stated therein are false.

  
Sirtaj Prasad (F.M.)  
Executive Engineer/Construction  
N. E. Rly. Gorakhpur  
Verified on 23rd  
day of March '90.

  
( Sirtaj Prasad )  
Executive Engineer/Construction  
North Eastern Railway/Gorakhpur

3. 6.76

253

To:

The Executive Engineer / Const. /  
N.E. Railway  
Gorakhpur.

Through: — Ass'tt. Engineer / Con / Tekunia.  
Sir,

With due respect and humble  
Submission. I beg to state the following few lines for  
your kind Consideration Please.

- 1: That I have been appointed since 30-11-75 as a  
Skilled Casual at the rate of Rs 7.50 Per Day Under  
IOW / CON / BG / BST.
- 2: That I have been transferred and posted Under  
a IOW / CON / Tekunia in the same capacity and  
rate of pay vide IOW / CON / BG / BST office order  
No. E/3/1 dt. 24-1-76.
- 3: That I have completed my Six month Continuous  
Service since 30-11-75 (The date of appointment  
till now).
- 4: It is therefore requested that  
kindly sanction the enhanced rate i.e. Rs. 13.30  
per day with effect from 30-5-76 as admissible  
for which I shall remain highly obliged in  
this act for your kindness.

No. 2/247/MG/4-5/1052/953 dt. 4.6.76

Yours faithfully.

Forwarded to YEM and Gorakhpur  
for necessary action. Please.

*Chandra Deo Singh*  
A.D.E.O / C.R.E.

Chandra Deo Singh  
(CHANDRA DEO SINGH).

Skilled CL.

Yours faithfully —

Chandra Deo Singh / Con / TQNT.  
Attest: C.R.E. dt: 26-5-76

माना देवी (रिंग)

पू. ३०२०, गोरखपुर

Executive Engineer / Con

E. I. Gorakhpur

## कार्यालय आदेश

महाराष्ट्र बैंधक(का) गोरखपुर के का० आदेश। स० ई/227/5/8/। भाग-१। (पाँच)

दिनांक 10-२-८। के निर्देश अनुसार श्री सत्य नरायण शर्मा डॉ. महीने के कार्य मिल्ली के प्रशिक्षण की परीक्षा रेलवे बोर्ड के बनावट ई(एसजी) 11/80/स्म ई आ-७

दिनांक 14-०-८० के अनुसार उत्तीर्ण करली है इन्हें कार्य मिल्ली वेतनमान 380-८६० मैं ४० ३८०/- वेतन प्रतिमाह तथा अन्य देय भल्ली सहित गोरखपुर में का०नि०/गोरख के अधीन स्क रिक्त स्थान पर नियुक्त किया जाता है।

श्री सत्य नरायण शर्मा रेलवे के अस्थाई वृत्तीक श्रेणी के कर्मचारी के नियम के अंतर्गत इसित होगी और इन्हें ३८०/- (तीन सौ अस्सी) का वेतन उस दिन से दिया जायेगा जिस दिन से वास्तव में हृष्टी कार्य मिल्ली का घट ग्रहण करेंगे।

श्री सत्य नरायण शर्मा का कार्य मिल्ली घट पर नियुक्ति वित्तुल तदर्थ स्थ से इस रूप पर है कि इनकी नियुक्ति बाद में रेल सेवा आयोग से अनुमोदन हो जाये। इन्हें रेल सेवा आयोग में प्रार्थना महाराष्ट्र बैंधक(का०) गोरखपुर के माध्यम से जिब कभी रिक्तियों का रेल सेवा आयोग से विशेष दबावा चढ़न होगा देना होगा।

यदि श्री सत्य नरायण असफल रहे तो इन्हें रेल सेवा में बने रहने का कोई अधिकार प्राप्त न होगा।

श्री सत्य नरायण शर्मा की जन्मतिथि १५-२-८३ है और यह सहाय मण्डल चिकित्साधिकारी गोरखपुर के प्रमाण बन संख्या 622 दिनांक 12/26-८० दबावा बी-न. की श्रेणी में डाक्टरी परीक्षा उत्तीर्ण है इनकी गोप्ता नियुक्ति प्रवर घटल इंजीनियर के अनुमोदन पर की जाती है। श्री सत्य नरायण शर्मा इस कार्यालय में दिनांक 14-२-८। को रिषोर्ट किया।

कृते मण्डल रेल प्रबंधक(का०),  
लखनऊ।

स० ई/11/227/डब्लू.एम./ईजी०/लखनऊ दिनांक 19-२-८।

प्रतिलिपि आवश्यक कार्यवाही हेतु प्रेषित :-

१- महाराष्ट्र बैंधक(का) गोरखपुर को का० आ० संख्या ई/227/5/8/।/भाग-१। (पाँच)  
दिनांक 10-२-८। के संदर्भ में।

*Free copy of  
Affidavit*

क्रम-१

कामना देवी (ग्री) १०  
पूर्णा, गोरखपुर  
Executive Engineer/CoS  
N. E. I. Gorakhpur

A48

In the Central Administrative Tribunal,

Additional Bench at Allahabad,

Lucknow Circuit Bench, Lucknow

Registration no. 1155 of 1987(T)

Chandra Deo Singh

--Applicant

versus

Union of India and others

--Opp-parties

INDEX

| Sl. no. | Description of paper                        | Annex. Page no. |
|---------|---|-----------------|
| 1.      | Rejoinder-affidavit                         | 1-16            |
| 2.      | Letter dated 22.7.1974                      | R-1 17-18       |
| 3.      | Letter dated 25.7.1974                      | R-2 19-20       |
| 4.      | Letter dated 31.7.1974                      | R-3 21-22       |
| 5.      | Memo. dated 5.9.1974                        | R-4 23-24       |
| 6.      | E.L.R. dated 16.6.1975                      | R-5 25-26       |
| 7.      | Letter dated 1.8.1974                       | R-6 27-28       |
| 8.      | Letter dated 10.2.1976                      | R-7 29-30       |
| 9.      | Memo. dated 28.6.1976/12.7.1976             | R-8 31-32       |
| 10.     | Certificate dated 17.7.1978                 | R-9 33-34       |
| 11.     | Letter dated 22.3.1980 along with statement | R-10 35-36      |
| 12.     | Certificate dated 23.10.1982                | R-11 37-38      |

filed today

9/5/91

Aus

-2-

| Sl. no. | Description of paper   | Annex. no. | Page no. |
|---------|------------------------|------------|----------|
| 13.     | Letter dated 9.10.1986 | R-12       | 39-42    |
| 14.     | Letter dated 11.9.1986 | R-13       | 43-56    |
| 15.     | Letter dated 22.1.1974 | R-14       | 51-52    |
| 16.     | Letter dated 27.2.1978 | R-15       | 53-54    |
| 17.     | Letter dated 14.3.1985 | R-16       | 55-56    |
| 18.     | Statement              | R-17       | 57-58    |
| 19.     | Letter dated 4.9.1985  | R-18       | 59-61    |
| 20.     | Letter dated 17.1.1989 | R-19       | 62-65    |
| 21.     | Chart                  | R-20       | 66-67    |

B.C. Saksena  
(B.C. Saksena) Ad  
Advocate

ASO

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

---  
Rejoinder-Affidavit in reply to the  
counter-affidavit.

Registration No. 1155 of 1987(T)

Chandra Deo Singh

--Applicant

versus

Union of India and others

--Respondents

---  
I, Chandra Deo Singh aged about 41  
years, son of Sri Ram Naresh Singh, resident of  
Mujauli, P.O. Chandraon, district Gorakhpur, do  
hereby solemnly take oath and affirm as under:-



*Chandra Deo Singh*

1. That the deponent is the applicant in the  
above-noted petition and is fully acquainted  
with the facts of the case. He has perused the  
counter-affidavit filed on behalf of opposite-  
parties and has understood the contents thereof.
2. That the contents of para 1 do not call

-2-

for any reply.

3. That the contents of para 2 do not call for any reply.

4. That the contents of paras ~~2A~~ to 3-C do not call for any reply.

5. That in reply to the contents of paras 4 and 5 it is stated that the petitioner was appointed as Casual Work Mistry on daily wages, i.e., Rs. 13/- per day under the proper approval of the Deputy Chief Engineer, (Construction), N.E.Railway

Gorakhpur vide Office Order No. W/Con. dated 22.7.1974 against a post of Work Mistry sanctioned by the Chief Engineer, Construction, Gorakhpur.

*said*  
A photostat copy of this letter is being annexed as Annexure no. R-1 to this affidavit. In this

letter there is a clear instruction of the Chief Engineer, Construction, N.E.Railway that the applicant may be utilized against vacancies of Work Mistry or A.I.O.W.

*Chandra Deo Singh*  
The petitioner was appointed as Casual Work Mistry by the Executive Engineer, Construction Gonda vide his office order no. W/047/MG/E-3/Pt. III dated 25.7.1974 against an existing



-3-

vacancy sanctioned vide C.E., Construction, Gorakhpur's Memorandum no. E/59/13/BG dated 18.3.1974. A photostat copy of the said letter dated 25.7.1974 is being annexed as Annexure no. R-2 to this affidavit. After a week, i.e. from 31.7.1974 the applicant was directed to work under the I.O.W., Construction, Jarwal Road vide Executive Engineer, Construction, Gonda letter no. W/247/BG/E-3 Part III dated 31.7.1974 for the supervision of Construction of Bridge no. 32 between Jarwal Road- Sarju Station. A ~~copy~~ photostat copy of the said letter dated 31.7.1974 is being annexed as Annexure no. R-3 to this affidavit. After the completion of this work, where he had been up to 5.9.1974 as per order of the Assistant Engineer, Construction, Gonda the applicant was directed to supervise a special work of Bridge no. 11 between Kathola and Maijapur stations under Inspector of works, Construction, Gonda, West as per spare Memo. no. E/Const./I/O/I.O.W./Const/Jarwar Road dated 5.9.1974 a true copy of which is being annexed as Annexure no. R-4 to this affidavit. The petitioner worked under the Inspector of Works, Construction, Gonda West till 15.6.1975 and his



Chandru  
Deo Singh

affidavit. Thus it is very ~~clear~~<sup>clear</sup> that the applicant had been on the job of Casual Work Mistry till 15.8.1975 on the reduced wages, i.e., Rs.7/- per day. The Muster Sheets of both the wage periods i.e., 16.6.1975 to 15.7.1975 and 16.7.1975 to 15.8.1975 may be called from the respondents for a perusal of this Hon'ble Tribunal for verification of the assertions made hereinabove. From 16.8.1975 the services of the applicant were again illegally terminated by the Inspector of Works, Construction, Jarwal Road and a certificate was issued by the Executive Engineer, Construction ~~that~~ Gonda to the applicant, his services have been terminated due to "expiry of sanction".



It is incorrect and wrong that ~~three~~ ten Casual Work Mistryes were engaged along with the applicant in July 1974. Actually five were appointed under Executive Engineer, Construction, Gonda as intimated by the Executive Engineer, Construction, Gonda to Chief Engineer, Construction, Gorakhpur under his letter no. W/247/MG./E-3/Part III dated 1.8.1974 a ~~copy~~ photostat <sup>copy</sup> of which is being annexed as Annexure no. A-6 to this affidavit. Out of five Work Mistryes four had left the job themselves or were engaged somewhere else. The applicant

*Chamola*  
*Reo Singh*

only continued under the Executive Engineer, Construction, Gonda on the rate of Casual Work Mistry. The petitioner <sup>was</sup> re-engaged on 30.11.1975 under the Executive Engineer, Construction, Gonda by the said Executive Engineer against skilled category but he was required to supervise the works. It is stated that the petitioner ~~was~~ thus actually discharged the work of casual Work Mistry in the month of February, i.e., 10.2.1976. The applicant ~~directed~~ was <sup>photostat</sup> directed to supervise the special work of P.R.C. Girder Bridge No. Ghaghra Baraj between Bichhiya- and Tikuniya railway stations newly constructed vide Assistant Engineer, Construction, Tikuniya letter no. W/247/MG/E-3/Part II/530 dated 10.2.1976 a ~~true~~ <sup>photostat</sup> copy of which is being annexed as Annexure no. R-7 to this affidavit.

After completion of 180 days continuous service in the skilled category from 30.11.1975 to 25.5.1976 the applicant <sup>for</sup> ~~applied~~ enhancing the rate i.e. 1/30th of the scale rate of the skilled category (Rs. 260-400). The Executive Engineer Construction by his Memorandum no. W/247/E-6/1416 dated 28.6.1976/12.7.1976 granted his prayer. <sup>2 photostat</sup> A ~~true~~ copy of the said Memo. dated 28.6.1976/12.7.1976 is being annexed as Annexure no. R-8 to



*Chandru Deo Singh*

this affidavit. In fact the skilled category involves the job of supervision of Civil Engineering works. The applicant remained on the supervisory job after his re-engagement on 30.11.1975. In support of the said assertion the following documents are being annexed:

(a) A photostat copy of the certificate granted by the Inspector of Works, Construction N.E.Railway, Bichhiya dated 17.7.1978 is being annexed as Annexure no. R-9 to this affidavit.

statement  
(b) A photostat copy of the/submitted by the Inspector of Work ,Construction Gonda ,West vide his letter no. E/P/6 dated 22.3.1980 is being annexed as Annexure no. R-10 to this affidavit .

(c) A photostat copy of the certificate granted by the Executive Engineer ,Construction, N-E.Railway Gonda dated 23.10.1982 is being annexed as Annexure no. R-11 to this rejoinder-

(d) A photostat copy of letter no. W/247/ BG/CL/10 dated 9.10.1986 is being annexed as Annexure no. R-12 to this rejoinder. This letter was issued by the Executive Engineer, Construction Gorakhpur. By this letter the applicant

*Chandru See Sir*

-4-

pay was also drawn under I.O.W, Construction, Gonda, West up to 15.6.1975.

On the competition of Bridge no. 11 in the month of May 1975 the applicant was directed to supervise the works of Bridge no. 33 newly constructed between Jarwal Road and Sarju railway stations on verbal orders of Assistant Engineer, Construction, Gonda to work under I.O.W. Construction, Jarwal Road without any office order. In the month of May, 1975 the applicant was working under IOW, Construction, Jarwal Road as would be evident from the Muster sheet of the month, i.e., (16th May, 1975 to 15.6.1974 wage period.)

On 15.6.1975 the services of the applicants were terminated by I.O.W., Construction, Jarwal Road and it was written on Muster sheet also wage period (16.5.1975 - 15.6.1975) "The sanction expired". From 16.6.1975 the I.O.W., Construction, Jarwal Road posted the applicant on reduced rate (i.e. Rs. 7/- per day) sanctioned for casual work Mistry which was sanctioned by the Executive Engineer, Construction Gonda E.L.R. No. W/247/29/ 3/DW/W/SDAm dated 16.6.1975 a <sup>2</sup> ~~true~~ copy of which is being annexed as Annexure no. R-5 to this

*Chandra Deo Singh*

was granted temporary status having put in continuous service. The temporary status has been granted with retrospective effect from 1.1.1981.

6. That in reply to the contents of para 6 and 7 it is stated that the assertions made to the contrary to the relevant paragraphs of the petition are denied and the said assertions are herein again reiterated. It is stated that the Railway Board's letter dated 11.9.1986 had mentioned in para 5.1 that "The men with longest service shall have priority over those who have come and joined later on". In other words, the principle of last come first go as provided in section 25-G of the Industrial Disputes Act was required to be followed. ~~It is stated that~~ A photostat copy of the said letter dated 11.9.1986 is being annexed as Annexure no. R-13 this rejoinder-affidavit. It is stated that Sri S.N. Sharma was appointed as casual Work Mistry on daily wages under units of Executive Engineer, Construction, Gonda on 24.5.1975 under the control of IOW, Construction, Gonda West. The said Sri Sharma was appointed after the petitioner and is junior to him. By an order



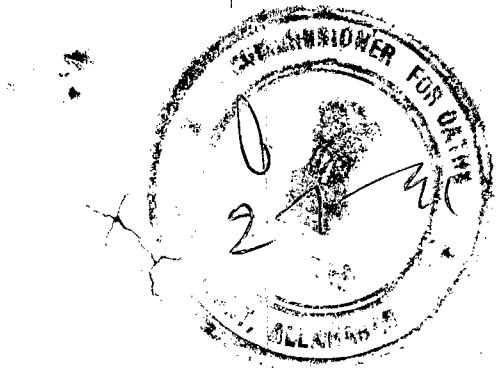
*Chandra Singh*

dated 15.6.1975 the wages of the petitioner were reduced and the services of the petitioner were also terminated illegally. Sri Sharma was allowed to continue as casual work Mistry till 15.9.1977. The action is quite contrary to the Railway Boards instructions contained in various Railway Boards letters, e.g. <sup>(1)</sup> letter no. E(LL)71/AT/ID dated 22.1.1974 a photostat copy of which is being annexed as Annexure no. 14 R-14 to this affidavit.

(2) Railway Boards letter no. E/NG/II/77/ CL/46 dated 27.2.1978 addressed to all General Managers, All Indian Railways in which it was very clearly instructed that "on projects, however, the Executive Engineer will be the unit for retrenchment" a true copy of which is being annexed as Annexure no. R-15 to this affidavit.

A comparison of the seniority of the applicant and Sri S.N. Sharma separately Inspectorwise does not hold good as the post of Work Mistry (supervisory staff) is a technical post and the appointment to this category cannot be made by the officer below the rank of Executive Engineer.

Since the appointment of the said Sharma and the petitioner had been made by the competent authority, the units of Executive Engincer,



*Chandru S. S. Singh*

ASJ

-10-

Construction Gonda would be the only relevant unit for retrenchment.

7. That the contents of para 8 as stated are denied and in reply the assertions made in para 5 of the petition are reiterated. It is further stated that a perusal of Annexure 4 to the petition would show that the said letter is applicable to the applicants case in the facts and circumstances stated in the petition and this rejoinder-affidavit.

8. That the contents of para 9 do not call for any reply.

9.\*\* That the contents of para 10 as stated are misleading and therefore denied and in reply the assertions made in para 7 of the petition are reiterated. It is further stated that the applicants name for regularisation was not included despite the fact that he was eligible and working in the skilled category.

10. That the contents of para 11 as stated are denied and in reply the contents of para 8 of the petition are reiterated. Further, it is

*Chandra Jee Singh*



stated that Shri S.N.Sharma was regularised as it appears in compliance of the Railway Boards instructions as there is no other provision under which he could be regularised. The plea of direct recruitment without any essential facts implies the favour of higher order.. It is stated that Sri S.N.Sharma who was initially appointed as casual Work Mistry and further his services were terminated , his appointment afresh on regular basis came to the surprise of the applicant and this amounts to total discrimination.

11. That para 12 speak of nothing but the mala fide intention of the opposite-parties; hence denied and in reply assertions made in para 9 of the petition are reiterated. It is further stated that Sri S.N.Sharma is no way stood in a better position than the applicant; hence his regularisation in no way could be made over and above the applicant.

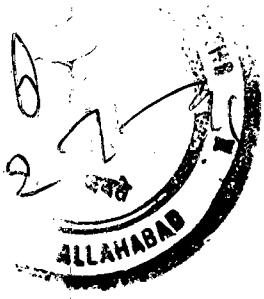
12. That the contents of para 13 speak of the deliberate delay on the part of opposite-parties and the plea opens a door for all the complications resulting in the gross

violation of rules and justice and, are, therefore, denied and in reply the contents of para 10 of the petition are reiterated.

13. That the contents of para 14 as stated are denied and in reply the assertions made in para 11 of the petition are reiterated. It is further stated that Sri S-N. Sharma was a candidate for selection against 25% quota for Work Mistry in the scale of Rs. 380-560 In Lucknow Division dated 19.10.1989 which is against ~~not~~ not permissible and open to a person working ~~as~~ Work Mistry .

14. That the contents of para 15 as stated are denied and in reply the assertions made in para 12 of the petition are reiterated. It is further stated that the applicant since 30.11.1975 to 25.7.1984 has been working in the skilled grade, the certificate of which is annexed to the writ petition. The applicants case was many times recommended for regularisation but inspite of such recommendation he was deprived of the same from time to time. It is pertinent to state that 50 clerks were regularised in 1985

Chandru Deo Singh



Organisation. A photostat copy of the said letter dated 4.9.1985 is being annexed as Annexure no. R-18 to this affidavit. It is further stated that the Chief Engineer, Construction, Gorakhpur by his letter bearing no. E 227/7/BG (CL III Part II/2 dated 17.1.1989) regularised the services of several other casual class III of the various categories in the B.G. Construction Organisation. The petitioners name again does not find place in the same for reasons best known to the opposite-parties. A photostat copy of the said letter dated 17.1.1989 is being annexed as Annexure no. R-19 to this affidavit.

19. That a comparative chart of 11 persons including the applicant who were appointed in the Construction Organisation in the various units under the control of the Chief Engineer, Construction, Gorakhpur is being annexed as Annexure no. R-20 to this affidavit.

A perusal of the said chart would show that persons ~~xxxx~~ engaged even subsequent to the petitioners appointment in the lower category of semi-skilled have been regularised on the post of

and 16 were regularised in 1989 and the persons even junior to the applicant were selected as per the seniority list published in 1985 vide letter no. W/247/BG/E-II dated 12.7.1985.

15. That the contents of para 16 as stated are denied and in reply the assertions made in para 13 of the petition are reiterated. It is submitted that in the facts and circumstances stated above the applicant is entitled to the regularisation at least from the date on which persons junior to him were promoted and he is also entitled to the consequential benefits.

16. That the allegation made in para 17 is denied, and the assertions made in para 14 of the petition are reiterated.

17. That it is further relevant to state that during the pendency of the writ petition the railway authorities were required to submit details of all persons working as casual Class III employees, skilled, highly skilled or Work Mistry or other Class III posts for regularisation of their services. A letter to that effect was issued by the Executive Engineer, Construction,

*Chandra Deo Singh*

Gorakhpur on 14.3.1985 which bears no. BSN/247/BG/E- and a photostat copy of which is being annexed as Annexure no. R-16 to this affidavit.

The CIOW, Construction, DSL, Gonda under whom the applicant at the relevant time was working submitted the petitioners particulars for purposes of his regularisation/but no action on the same appears to have been taken. A photostat copy of the said statement is being annexed as Annexure no. R-17 to this affidavit. It is further stated that a list of 128 $\frac{1}{2}$  Class III employees was sent but the petitioners name was not included in the said list resulting in the applicants case not being considered for regularisation.

18. That the Chief Engineer, Construction, Gorakhpur by his letter dated 4.9.1985 issued a list of ~~casual~~ casual Class III employees working in the B.G. Construction Organisation whose services had been regularised but the applicants name does not find place in the said list. The petitioners candidature should have been considered since he was admittedly working as casual Class III worked in the B.G. Construction

*Chandra Shekhar*

Organisation. A photostat copy of the said letter dated 4.9.1985 is being annexed as Annexure no. R-18 to this affidavit. It is further stated that the Chief Engineer, Construction, Gorakhpur by his letter bearing no. E 227/7/BG (CL III Part II/2 dated 17.1.1989) regularised the services of several other casual class III of the various categories in the B.G. Construction Organisation. The petitioners name again does not find place in the same for reasons best known to the opposite-parties. A photostat copy of the said letter dated 17.1.1989 is being annexed as Annexure no. R-19 to this affidavit.

19. That a comparative chart of 11 persons including the applicant who were appointed in the Construction Organisation in the various units under the control of the Chief Engineer, Construction, Gorakhpur is being annexed as Annexure no. R-20 to this affidavit.

A perusal of the said chart would show that persons ~~xxx~~ engaged even subsequent to the petitioners appointment in the lower category of semi-skilled have been regularised on the post of

*Chandra Shekhar*

-16-

Work Mistry and the petitioner for want of necessary information being sent to the relevant authorities has not been regularised.

The applicant, therefore, craves indulgence of this Hon'ble Tribunal to kindly update the reliefs prayed for in the petition and direct the opposite-parties to regularise the services of the applicant from his due date when the services of his immediate junior had been regularised and to give the applicant consequential benefits in the matter of seniority, promotion and payment of arrears of salary etc. which accrue due accordingly.

Lucknow Dated

27/11/2000 27/11

*Chandru Deo Singh*  
Deponent

I, the deponent named above, do hereby

verify that the contents of paras

1 to 19 are true to my own knowledge.

No part of it is false and nothing material

has been concealed; so help me God.

Lucknow Dated 27/11  
10.10.00 27/11

*Chandru Deo Singh*  
Deponent

I identify the deponent who has signed in my presence.

*J. M. Wintur*  
(R.K. Srivastava)  
Clerk to Sri B.C. Saksena, Advocate

Alok

17

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

Registration no. 1155 of 1987(T)

Chandra Deo Singh

--Applicant

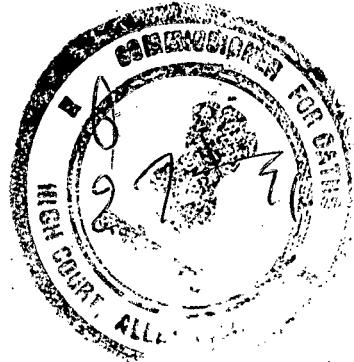
versus

Union of India and others

--Respondents

Annexure no. R-1

Chandra Deo Singh



A67

18

NOETH EASTERN RAILWAY

(Survey & Construction Branch)

M.P. Budhiraja  
Dy. CE/Con./test

Officer in Charge Surveyor/Con.

D.O.No. W/Con. /

Gorakhpur : Date 22 - 7 - 74.

My dear Chakraborty,

Re: Work Mistris.

Shri Chandra Deo Singh, a Diploma Holder in Electrical Engineering, has requested for appointment as Work Mistry. He is being directed to you for appointment as Work Mistry on daily wages at the rate of Rs.13/- per day as sanctioned by this office. He may be appointed when he reports in your office and utilised against existing vacancies of Work Mistris/AIOWs.

Yours sincerely,

(M.P. Budhiraja)

Chandra Deo Singh

A68

19

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

Registration No. 1155 of 1987(T)

Chandra Deo Singh

--Applicant

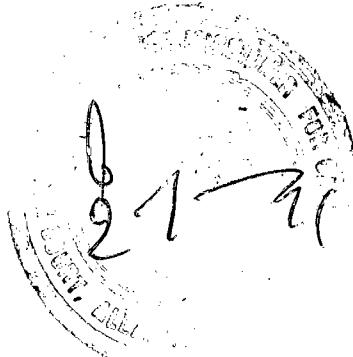
versus

Union of India and others

--Respondents

Annexure no. R-2

Chandra Deo Singh.



AB9

20

②

②

OFFICE OF THE

1. Mr. Bob Morris  
2. Mr. John C. W. Morris  
3. Mr. John C. W. Morris  
4. Mr. John C. W. Morris  
5. Mr. John C. W. Morris  
6. Mr. John C. W. Morris

9/25/1968  
10/1/1968  
10/1/1968

10/1/1968

10/1/1968

1. Mr. John C. W. Morris  
2. Mr. John C. W. Morris  
3. Mr. John C. W. Morris  
4. Mr. John C. W. Morris

Chandra Deo Singh 9/25/1968

ATC

21

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

Registration No. 1155 of 1987(T)

Chandra Deo Singh

--Applicant

versus

Union of India and others

--Respondents

Annexure no. R-3

Chandra Deo Singh



ATI

22

**NORTH EASTERN RAILWAY.**

**OFFICE OF CHIEF.**

Shri Chandra Deo Singh S/o Shri Ram  
Bareh Singh casual works master is posted  
to work under IOR/Can/EG/JLD with immediate  
effect with his B.M. Gr. at Jarwal Road.

XXX (222) 1/2023A

XXX /247/NE/2-3/P 10223, dated 23/7/1973.

Copy forwarded for information to :-

1. M. PA & CAO/COV/General.
2. Shri Raj Kishore, IOR/COV/EG/JLD.
3. Staff concerned.

XXX (222) 1/2023A

XXX /247/

31/7/1973  
Chandra Deo Singh

Chandra Deo Singh

AT2 23

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

--

Registration No. 1155 of 1987 (T)

Chandra Deo Singh

--Applicant

versus

Union of India and others

--Respondents

--

Annexure no. R-2 x& R-4

Chandra Deo Singh

21/9/

ATB

24

No. 470091. *Effigies jacei effigie ab aliis.*

To : 100/CCW/126/481(w)

— Set — class list

As per verbal order, I N T E N D (cont'd)  
G O (e) at 5/19/2011. Strain C ham to be  
done in casual work. Ministry informed  
that the fare been by date to be  
done by 4/20/2011.

140743610

Call AE&E (769-20) for information.

✓ (a) Staff Concerned

May 1946

97 → 91

Chandra Deo Gh.

ATY  
25

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

Registration No. 1155 of 1987(T)

Chandra Deo Singh

--Applicant

versus

Union of India and others

--Respondents

Annexure no. R-5

Chandra Deo Singh



(5)

N. E. Kalluay

Statement of amount of each check of per  
month/16/6/71 to 16/6/21 6/11/71

| Statement of month                | Amount | Amount | Amount |
|-----------------------------------|--------|--------|--------|
| 1. LK no. 10/243/29/3/Due 16/6/69 |        |        |        |
| 2. 16/6/71                        | 5      | 5      |        |
| 3. Savings                        | 5      | 5      |        |
| 4. Etc                            | 1      | 1      |        |
| 5. Cheque by                      | 1      | 1      |        |
| 6. Muli                           | 1      | 1      |        |
| 7. Total                          | 20.6   | 16.6   |        |
| 2. LK no. 10/243/29/3/Due 16/6/69 |        |        |        |
| 2. 16/6/71                        | 5      | 5      |        |
| 3. Cheque                         | 5      | 5      |        |
| 4. Etc                            | 1      | 1      |        |
| 5. Muli                           | 1      | 1      |        |
| 6. Total                          | 10     | 10     |        |
| 7. Cheque number no. 10/243/10    |        |        |        |
| 8. 21/6/71                        | 4      | 4      |        |
| 9. Total                          | 14     | 14     |        |

21/6/71

T. Lenebo Deo Sbi

Top left signature

A16

27

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
ADDITIONAL BENCH AT ALLAHABAD  
CIRCUIT BENCH LUCKNOW

Registration No. 1155 of 1987(T)

Chnadra Deo Singh

--Applicant

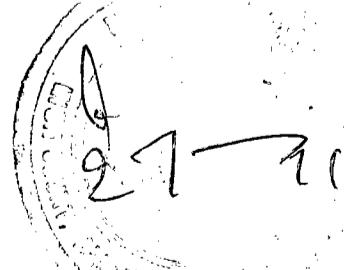
versus

Union of India and others

--Opp-parties

Annexure no. R-6

Chnandra Deo Singh



AT7

28

(6)

(7)

NORTH EASTERN RAILWAY.

**A.K.CHAKRAVORTY**  
**GEN(CON)I/GONDA**

Office of the  
Executive Engineer/Con/ I  
Gonda

D.O.No.W/247/MO/B-3/Pt.III dated 1.8.1974.

My dear Jain,

Subs: Appointment of work-misters,  
tracers and typist on casual  
labour Rate.

Ref: Dy. CE/Con/W the name of work-misters  
D.O.letter No. BG/88/E-1 dt. 25.7.74.

As desired by Dy.CE/Con/W the names of work-misters  
appointed at Casual labour rate in this unit are given  
below:-

1. Shri Kiran Parkash Tewari S/o Shri Shad Kishore Tewari.
2. Shri Kamlesh Kumar S/o Shri Shesh Prasad.
3. Shri S.K. Chatterjee S/o N.C. Chatterjee.
4. Shri Mukti Nath Pande S/o S.D. Pande.
5. Shri Chandra Das Singh S/o Shri Ram Naresh Singh.

Yours sincerely,

(A.K. CHAKRAVORTY)

1/8

de

1/87

Chandra Das Singh

CHAKRAVORTY

AT8

29

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

Registration No. 1155 of 1987(T)

Chandra Deo Singh

--Applicant

versus

Union of India and others

--Opp-parties

Annexure no. R-7

*Chandra Deo Singh*



AT9

30

NEARLY

(9)

Officer of Asslt. Engineer (Cons.)

Shivamur.

(13)

Dated 10.2.76.

OFFICE ORDER.

(8)

The following persons are deputed to supervision of work of P.L.C. plant on bridge No. 7 Ghagras Barrage. Their headquarter will be at Tonk from 10.2.76.

- ① Shri R. K. Path.
- ② Shri C. B. Singh.
- ③ Shri V. K. Kumar.
- ④ Shri A. S. Aggarwal.
- ⑤ Shri S. M.ullah.

Lawyer ITT to submit E.L.R. & get it functioning.



10/2/76 (M.C.I.I.-E.I.I.I) 220

Dated 10.2.76.

Copy forwarded to:-

- 1. XENIC (Gurgaon)
- 2. D.Y.T.A.C. (Central) for information.
- 3. Lawer ITT

See  
MD

E

At9  
10/2/76  
SENIOR ENGINEER (CONS.)

Chandra Dev. Gh.

A 80  
31

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

Registration no. 1155 of 1987(T)

Chandra Deo Singh

--Applicant

versus

Union of India and others

--Opp-parties

Annexure no. R-8



Chandra

deo Singh

A81

32

284

ESTATE PLANNING

Expedition is hereby authorized for the payment of 1/20th of the scale of pay i.e. Rs. 13.20 per day to Gauri C.D. Singh, Skilled Casual Labour working under AEN/Cen/Tikonia who has completed 6 routing continuous service from 30.11.75 to 31.5.76. The rate of Rs. 13.20 per day is payable to him w.e.f. from 1.6.76. In the terms of M.Y. Board's letter No. PG/72/817/69-3 dated 12.6.76.

## THE LITERATURE OF THE AMERICAN INDIAN

NO. 4/247/5-3/16

20 28 13.77

Copy forwarded for information to [redacted]

- 1- The IV, FA & CAO/Con/GCP.
- 2- The AEN/Con/TQH in reference to M12 No. N/247/MG/E-4/PLANT/103 dtd 4-6-73
- 3- IOW/Con/TQH in duplicate.
- 4- Bill Clark in office.



EXCITATIVE ENTHUSIASM (CON) 10/3

Ark 1205

Ask 205  
Pay drawn in  
by Horning & Dennis  
May 16, 1978 at First  
Bank of W. Va. from  
16/7/78 to 15/3/78

Chenodeo Del 84

A83

34

This is to certify that Shri C.D. ...  
Shri R.N. Singh has been working in the  
Organisation since 25.7.74 as casual w/  
Mistry and still doing the job of work in  
with honesty and sincerity. He is Diploma  
Holder in Electrical Engineering.

I wish him every success in his life.

His service particulars are as under:-

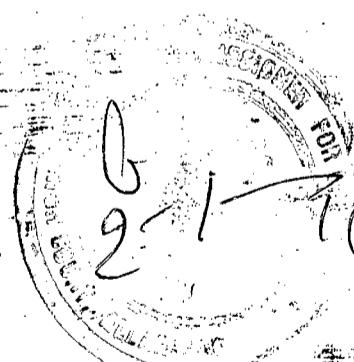
25.7.74 to 31.3.74 Under ICW/Con/JLD. as casual  
1.9.74 to 15.6.75 Under ICW/Con/SD. W/1.75  
16.6.75 to 15.8.75 Under IOW/Con/JLD. W/1.75

30.11.75 to still continuing under ICW/Con/SD  
as skilled Cl.Khalasi @ 13.60 per  
day.

17/11/77  
Inspector of Works/Con. etc.,

N.E. Railway/SDG/1

प्रांतीक नियोजन विभाग



Chandru S/o Shri

882

33

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

Registration No. 1155 of 1987(T)

Chandra Deo Singh

--Applicant

versus

Union of India and others

--Opp-parties

Annexure no. R-9

Chandra Deo Singh



ASY

35-

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

Registration No. 1155 of 1987(T)

Chandra Deo Singh

--Applicant

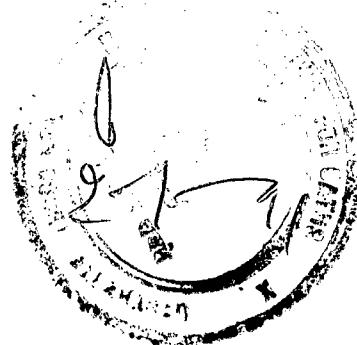
versus

Union of India and others

--Opp-parties

Annexure no. R-10

Chandra Deo Singh



Re Pershing's morning service. from Mr. Chandra I.T.I. Panjab

| Sl. No. | Name of I.T.I. Appendix  | Father's Name            | Qualification                             | Date of Birth          | Date of entry into service | Remarks  |
|---------|--------------------------|--------------------------|---|------------------------|----------------------------|--|
| 1.      | No. Chander<br>deo Singh | Sh. Ram Narayan<br>Singh | 10th year<br>Diploma<br>in Eng.<br>Civics | 13-1-49<br>25-7-24 day | 1939<br>15-6-75 day        | 25-7-74 to 15-6-75 day<br>in Peshawar station. Skilled<br>After working in<br>skilled and working<br>water in Peshawar.<br>He is very nice and<br>hard working man |

No. E/116

Dt. 22/3/80

Submitted to Mr. Eng. and Mr. Rep.  
of Pershing's letter No. E/116/ E-6/3094 on.  
20-3-80. for information and  
necessary action please.

1674  
24/3

Mr. Eng.  
Peshawar  
24/3/80  
24/3/80

Chander Deo Singh

In the Central Administrative Tribunal

Additional Bench at Allahabad,

Circuit Bench, Lucknow

Registration No. 1155 of 1987(T)

Chandra Deo Singh

--Applicant

versus

Union of India and others

--Opp-parties

Annexure no. R-11

chandradeo hgh.



North Eastern Railway

This is to certify that Shri Chandra Deo Singh son of Shri R.N. Singh has been working in Construction Organization since 25.7.74 as Casual Work Mistry and still doing the job of Work Mistry with honesty and sincerity. He is a Diploma Holder in Electrical Engineering.

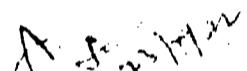
I wish him every success in his life. His service particulars are as under:-

|   |  |
|---|--|
| 25.7.74 to 31.8.74 under IOW/Con/JLD    | As Casual Work Mistry<br>@ Rs. 13/- per day. |
| 1.9.74 to 15.6.75 under IOW/Con/Gonda   |  |
| 16.6.75 to 15.8.75 under IOW/Con/JLD    |  |
| 30.11.75 to 31.5.81 under IOW/Con/Gonda | as skilled labour<br>-- As skilled Labour    |

He is still continuing in service since 1.6.81 under IOW/Con./Gonda (Yard) as skilled labour @ Rs. 18.85 Per Day.

Place : Gonda.

Dated : 1/10/1982.

  
 ( J. P. SAXENA )  
Executive Engineer/Con.,  
N.E. Railway, Gonda.



Chandra Deo Singh

ASB

39

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

Registration No. 1155 of 1987(T)

Chandra Deo Singh

--Applicant

versus

Union of India and others

--Opp-parties

Annexure no. R-12

Chandra Deo Singh



A8

40

Incl'd

(12)

Construction

## OFFICE ORDER

The under noted Project Casual labour of LJM Division, who have completed five years continuous service on 1.1.1961, are being granted temporary status w.e.f. 1.1.1961 in terms of Railway Board's letter No.E(HG)/II/34/CL/81 dated 11.9.66.

| Sl. No. | Name & Father's name                           | Design.  | Remarks |
|---------|--|----------|---------|
| 1.      | S/ Shri Chandra Deo Singh S/O Ram Narosh Singh | W/Mistry |         |
| 2.      | Bhagirathi S/O Ram Jatan                       | B/Smith  |         |
| 3.      | Syed Azhar Imam S/O Syed Ahmad Husain          | Chaser   |         |
| 4.      | Surendra Kumar S/O Gunjeshwari Pd.             | Chaser   |         |
| 5.      | Gulab Chand Tewari S/O Ram Rekha Tewari        | II/Man   |         |
| 6.      | Janki Pd. Misra S/O Moti Lal Misra             | Keyman   |         |
| 7.      | Sheo Pujan S/O Kashi                           | -do-     |         |
| 8.      | Raja Ram S/O Paras                             | -do-     |         |
| 9.      | Ram Das S/O Goli                               | -do-     |         |
| 10.     | Manuman Shukla S/O Ram Bhajan Shukla           | -do-     |         |
| 11.     | Sabir Ali S/O Mohd. Jalil                      | -do-     |         |
| 12.     | Ram Tej S/O Ram Sudhi                          | -do-     |         |
| 13.     | Ram Niwas Chaudhary S/O Sursar Chaudhary       | -do-     |         |
| 14.     | Suraj Pal S/O Rampat                           | -do-     |         |
| 15.     | Komal S/O Chauthi                              | -do-     |         |
| 16.     | Rubbani S/O Mohabbat Husain                    | -do-     |         |
| 17.     | Narsingh S/O Paras Singh                       | -do-     |         |
| 18.     | Phool Deo S/O Munna Yadav                      | Khalasi  |         |
| 19.     | Surya Nath S/O Sita Ram Yadav                  | -do-     |         |
| 20.     | Taufiq S/O Jumrati                             | -do-     |         |
| 21.     | Ram Deo S/O Pherai                             | -do-     |         |
| 22.     | Shree Ram S/O Ghamandi                         | -do-     |         |
| 23.     | Ganesh S/O Bansraj                             | -do-     |         |
| 24.     | Marsingh S/O Bhola Singh                       | -do-     |         |
| 25.     | Chauthi S/O Barsati                            | -do-     |         |
| 26.     | Brij Lal S/O Bahadur                           | -do-     |         |
| 27.     | Chauthi S/O Karia                              | -do-     |         |
| 28.     | Durbal S/O Temeshar                            | -do-     |         |
| 29.     | Ram Chander S/O Babu Ram                       | -do-     |         |
| 30.     | Ram Awadh S/O Sahibdin                         | -do-     |         |
| 31.     | Panwari S/O Mansraj                            | -do-     |         |
| 32.     | Santoo S/O Chandra Bali                        | -do-     |         |
| 33.     | Garjon S/O Baran                               | -do-     |         |
| 34.     | Ram Sumor S/O Uday Raj                         | -do-     |         |
| 35.     | Jaglal S/O Bili                                | -do-     |         |
| 36.     | Balikaran S/O Basdeo                           | -do-     |         |
| 37.     | Dharan Deo S/O Sarjoo                          | -do-     |         |
| 38.     | Sukhram S/O Paltoo                             | -do-     |         |
| 39.     | Komal S/O Suldoo                               | -do-     |         |
| 40.     | Radhey Shyam S/O B.S. Verma                    | -do-     |         |
| 41.     | Narendra Bahadur S/O Sheo Dutt Yadav           | -do-     |         |
| 42.     | Ram Bhari S/O Ram Bali                         | -do-     |         |
| 43.     | Uttam S/O Lakhman Mahto                        | -do-     |         |
| 44.     | Kepar S/O Dhanraj                              | -do-     |         |
| 45.     | Kapildoo S/O Brij Bihari                       | -do-     |         |
| 46.     | Ram Awadh S/O Bhagwati                         | -do-     |         |
| 47.     | Mustakim S/O Mohd. Qurban                      | -do-     |         |
| 48.     | Bhola Pd. Shah S/O Maksudan Shah               | -do-     |         |
| 49.     | Prag Dutt S/O Shyam Narain                     | -do-     |         |
| 50.     | Tilak Ram S/O Nagai                            | -do-     |         |

contd. 2.

Chandra Deo S/O

|      |                                      |        | 2    |
|------|--------------------------------------|--------|------|
| 51.  | Sabir Ali S/O Jakir Ali.             | Malasi | -do- |
| 52.  | Jhinkoo Pd. S/O Bahadur              | -do-   | -do- |
| 53.  | Shanker S/O Dayal                    | -do-   | -do- |
| 54.  | Subba Yadav S/O Supher Yadav         | -do-   | -do- |
| 55.  | Haribans Chauhan S/O Ramkhan Chauhan | -do-   | -do- |
| 56.  | Mata Pd. S/O Ram Gulam               | -do-   | -do- |
| 57.  | Daisingar S/O Bhikhari               | -do-   | -do- |
| 58.  | Dashrath S/O Sukhdeo                 | -do-   | -do- |
| 59.  | Kripa Shanker S/O Jhingur Lal        | -do-   | -do- |
| 60.  | Ram Chander S/O Jeut                 | -do-   | -do- |
| 61.  | Bhagwan Din S/O Radloo Pd.           | -do-   | -do- |
| 62.  | Ram Lautan S/O Ram Samujh            | -do-   | -do- |
| 63.  | Ram Pd. S/O Misri                    | -do-   | -do- |
| 64.  | Ram Charittar S/O Balikaran          | -do-   | -do- |
| 65.  | Sheo Kumar S/O Ram Sumiran           | -do-   | -do- |
| 66.  | Ram Samujh S/O Parbho Yadav          | -do-   | -do- |
| 67.  | Suraj Bahadur S/O Chandra Bahadur    | -do-   | -do- |
| 68.  | Haribans S/O Muneri Lal              | -do-   | -do- |
| 69.  | Jai Nara in S/O Mahadeo              | -do-   | -do- |
| 70.  | Ram Bachan S/O Surya Bali            | -do-   | -do- |
| 71.  | Rudhiram Yadav S/O Daya Ram          | -do-   | -do- |
| 72.  | Ram Milan S/O Shreyam Lal            | -do-   | -do- |
| 73.  | Rajender S/O Natey                   | -do-   | -do- |
| 74.  | Mansa Ram S/O Sheo Pd.               | -do-   | -do- |
| 75.  | Abdul Gaffar Alam S/O Sohrat         | -do-   | -do- |
| 76.  | Yaz Mohd. S/O Fateh Mohd.            | -do-   | -do- |
| 77.  | Ram Ujagir S/O Ram Nath              | -do-   | -do- |
| 78.  | Ram Khelawan S/O Ram Lautan          | -do-   | -do- |
| 79.  | Prem Nara in S/O Rajender Pd.        | -do-   | -do- |
| 80.  | Sonai S/O Chotkoo                    | -do-   | -do- |
| 81.  | Mangrey S/O Ram Gulam                | -do-   | -do- |
| 82.  | Ram Din S/O Timmal                   | -do-   | -do- |
| 83.  | Bhodar Singh S/O Lal Bahadur Singh   | -do-   | -do- |
| 84.  | M.N.Yadav S/O R.A.Yadav              | -do-   | -do- |
| 85.  | Kalpnath S/O Sohan Lal               | -do-   | -do- |
| 86.  | Ram Raj S/O Brij Bhusan              | -do-   | -do- |
| 87.  | Meja Lal S/O Suraj Lal               | -do-   | -do- |
| 88.  | Bachcha Pd. S/O Ram Khabar           | -do-   | -do- |
| 89.  | Sawal Pd. S/O Lakhpat Lal            | -do-   | -do- |
| 90.  | Gita Ram Joshi S/O Jiwa Nand Joshi   | -do-   | -do- |
| 91.  | Biswanath S/O Sheo Ratan             | -do-   | -do- |
| 92.  | Babadin S/O Ram Khelawan             | -do-   | -do- |
| 93.  | Kailash S/O Rajbansi                 | -do-   | -do- |
| 94.  | Vishwa Nath S/O Samai Din            | -do-   | -do- |
| 95.  | Md. Islam Ansari S/O Hussaini Ansari | -do-   | -do- |
| 96.  | Bhagwati S/O Sulai                   | -do-   | -do- |
| 97.  | Kira S/O Bhagoloo                    | -do-   | -do- |
| 98.  | Laxman Misra S/O Ram Charan Misra    | -do-   | -do- |
| 99.  | Sher Bahadur S/O Shri Ram            | -do-   | -do- |
| 100. | Mohd. Usuf S/O Noor Mohd.            | -do-   | -do- |
| 101. | Bimal Kumar Singh S/O Sambhoo Dutt   | -do-   | -do- |
| 102. | Sita Ram S/O Jag Pd.                 | -do-   | -do- |
| 103. | Chandra Prakash S/O Hanuman Pd.      | -do-   | -do- |
| 104. | Ram Milan S/O Baur                   | -do-   | -do- |
| 105. | Nagendra Pd. S/O Babu Ram            | -do-   | -do- |

control. + 3°

Chandra Deo. G.

Rev

42

1 2 3 4

106. Phool Chand S/O Sheo Bhangwan  
 107. Ram Chander Yadav S/O Bhalra Yadav  
 108. Nankoo S/O Ori  
 109. Ram Tej S/O Raj Ram  
 110. Jamil S/O Hasnood  
 111. Ram Deo S/O Ram Hit  
 112. Suraj Pd. Misra S/O Shyam Sunder Misra  
 113. Ram Tulas S/O Budhai  
 114. Balram S/O Nathay  
 115. Ali Ahmad S/O Bahadur  
 116. Sheo Prasad S/O Ganga Ram  
 117. Kashaw Ram S/O Sheva Ram  
 118. Shree Ram S/O Ram Bharosey  
 119. Ram Laut S/O Awadhoo  
 120. Ram Chander S/O Sukh Deo  
 121. Bichi Lal S/O Cheda  
 122. Smt. Purnima Devi W/O P.N. Yadav  
 123. Amrika S/O Nibar

106. Sheo Bhangwan  
 107. Bhalra Yadav  
 108. Ori  
 109. Raj Ram  
 110. Hasnood  
 111. Ram Hit  
 112. Shyam Sunder Misra  
 113. Budhai  
 114. Nathay  
 115. Bahadur  
 116. Ganga Ram  
 117. Sheva Ram  
 118. Ram Bharosey  
 119. Awadhoo  
 120. Sukh Deo  
 121. Cheda  
 122. Purnima Devi  
 123. Nibar

one hundred  
 twenty three only.

10/10/96 10/10/96  
 Executive Engineer/Constn.  
 N. E. Railway  
 Gorakhpur

No. W 247/RC/CL/10/

Gorakhpur, Dated 10.10.1906

copy to the -

- (1) C.E./Constn./Gorakhpur
- (2) FA & CAO/Constn./Gorakhpur
- (3) Dy.C.E./Constn./Lucknow Jn.
- (4) AEN/Con/T/Gorakhpur
- (5) AEN/Con/Gonda.

for information.

10/10/96  
 xvi/constn./Gorakhpur

Chandra Deo Gh.

A92  
43

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

Registration No. 1155 of 1987(T)

Chandra Deo Singh

--Applicant

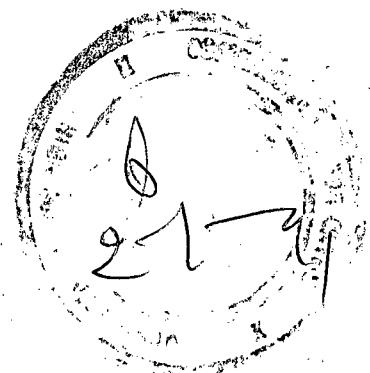
versus

Union of India and others

--Opp-parties

Annexure no. R-13

Chandra Deo Singh



(13)

(4)

ion of the revised scales.

1041 सं. ई (एन जो) II/84/सीएल/41

दिनांक 11.9.86

विषय : परियोजना नीमित्तिक श्रमिक-रोजगार की शर्तें।

प्रह पत्र उपर्युक्त विषय पर रेल मंत्रालय, अब रेल विभाग के 1.6.84 तथा 25.6.84 के पत्रों के संदर्भ में है।

2. परियोजना नीमित्तिक श्रमिकों की अस्थायी मानसे के लिए रेल मंत्रालय के 25.6.84 के पत्र के पाथ पहिला 1.6.84 के समयांतर पत्र के पाँच 5.1 उल्लिखित गोल्ड, को इन्द्राजाल यादव एवं अन्य यात्रा भारत गंगा एवं अन्य की दिट याचिका नं. 147, 320.-69, 454, 4335-4434/83 के रूप में सर्वोच्च न्यायालय के समक्ष प्रस्तुत किया गया था। याचिका न्यायालय ने 18.4.85 के निर्णय में दिये गए आशोधनों के अन्यायीत इस योजना का अनुमोदन किया है जिसकी प्रति संक्षेप है।

3. सर्वोच्च न्यायालय के उक्त निर्णय में दिये गये निर्देशों तथा उक्तकों 11.8.86 के आदेशों (प्रतिविधि संक्षेप) को पढ़े तरह रखने हुए 1.6.84 के पूर्णोत्तम पत्र के पाँच 5.1 को निम्न प्रकार प्रतिस्थापित किया जाये, इसके अन्य प्रावधान अपरिवर्तित रखे जायें।

5.1 ऐसे विचार विधीय के परिणामस्वरूप रेल मंत्रालय ने निर्दिष्ट रूप में अब यह विनिश्चय किया है कि परियोजनाओं पर नियोजित नीमित्तिक श्रमिकों को (परियोजना नीमित्तिक श्रमिक के रूप में भी जाने जाने वाले) 360 दिन के निरन्तर रोजगार पूरा होने पर अस्थायी (अस्थायी स्तर) समझा जाये।

मंत्रालय ने आगे यह विनिश्चय किया है:-

(क) ये आदेश इन पर लागू होंगे:-

(I) परियोजनाओं के द्वे नीमित्तिक श्रमिक जो 1.1.1981 को सेवा में थे, तथा

(II) परियोजनाओं के द्वे नीमित्तिक श्रमिक जो यत्ति 1.1.81 को तो सेवा में नहीं थे परन्तु इसमें पहले रेलवे में सेवारत थे तथा निरन्तर रोजगार की ऊपर नियांत्रित अवधि (360 दिन) पहने ही पूरी करली थी अथवा अब कर चुके हैं या 1.1.1981 के बाद पुनः काम पर लगाए जाने से निरन्तर रोजगार की उक्त निर्धारित अवधि पूरी कर लेंगे।

You are the embodiment of God, fill yourselves with the thought of almighty your majesty and your glory.  
—Sai Baba

Chandra Deo Singh

द्वारा इस सूची की प्रत्येक वर्ष 30 सितम्बर से पहले वर्ष में कम से कम एक बार अवश्य समीक्षा की जाये। इस प्रकार नामित अधिकारी ऐसा हो, जो इस प्रकार के काम को तुचाह रूप से सम्भाल सके।

8. इसे रेल विभाग के वित्त निवेशालय की सहमति से जारी किया जा रहा है।

9. कृपया पावती दें।

संलग्न: यथोपरि

IN THE SUPREME COURT OF INDIA  
CIVIL ORIGINAL JURISDICTION  
WRIT PETITIONS NOS. 147, 320-694,54,  
4335-4434/83-etc. etc.

Inder Pal Yadav &amp; Ors. etc.

Versus

Union of India &amp; Ors. etc.

Petitioners

Respondents.

Desai, J.

## JUDGMENT

Articles 41 and 42 of constitution notwithstanding, there are certain grey areas where the rule of hire and fire, a legacy of *Laissez-faire*, even in Government employment still rules the roost. Casual labour employed on projects also known as 'Project casual labour' is one such segment of employment where one may serve for years and remain a daily rated worker without a weekly off, without any security of service, without the protection of equal pay for equal work. In short at the sweet will and mercy of the local starpps. Even the formidable railwaymen's unions least cared for these helpless and helpless workmen. Suddenly a torrent of writ petition and petitions for special leave awakened this Court to the plight of these workmen. In quick succession, 48 writ petitions and 32 petitions for special leave flooded this Court. In each writ petition/S.L.P., the grievance was that even though the workmen styled as 'project casual labour' had put in continuous service for years on end to writ ranging from 1974 till 1983, yet their services were terminated with impunity under the specious plea that the project on which they were employed has been wound up on its completion and their services were no more needed. No one is unaware of the fact that Railway Ministry has a perspective plan spreading over years decades and projects are waiting in queue for execution and yet these workmen were shunted out (to use a cliché from the Railway vocabulary) without any chance of being re-employed. Some of them rushed to the court and obtained interim relief. Some were not so fortunate. At one stage some of these petitions were set down for final hearing and the judgement was reserved. When some other similar matters came up, Mr. K.G. Bhagat, the then learned Additional Solicitor General, requested the court not to render the judgment because he would take up the matter with the Railway Ministry to find a just and humane solution affecting the livelihood of these unfortunate workmen. As the future of lakhs of workmen going under the label of casual project labour was likely to be affected, we repeatedly adjourned these matters to enable the Railway Ministry to work out a scientific scheme.

तर्क केवल बुद्धि का विषय है। हृदय की सिद्धि तक बुद्धि नहीं पहुंच सकती। जिसे बुद्धि माने मगर हृदय न गाने वह त्याज्य है। — गांधी जी

Chandra Bhushan  
27/3

AGS

40

Railway Ministry framed a Scheme and circulated the same amongst others to all the General Managers of Indian Railways including production units as per its circular No. E (NG) II/84/CL/41 dt. June 1, 1984. In the Scheme it was stated that all the General Managers were directed to implement the decision of the Railway Ministry by the target dates. It was further stated that a detailed letter regarding group 5, I (ii) would follow. Such a letter was issued on June 25, 1984. Thereafter, these matters were set out for examining the fairness and justness of the Scheme and whether the court would be in a position to dispose of these petitions in view of the Scheme. That is how these matters came up before us.

The relevant portions of the Scheme read as under : -

"5.1 As a result of such deliberations, the Ministry of Railways have now decided in principle that casual labour employed on projects (also known as project casual labour) may be treated as temporary on completion of 360 days of continuous employment. The Ministry have decided further as under : -

(a) These orders will cover :

- (i) Casual labour on projects who are in service as on 1.1.84; and
- (ii) Casual labour on projects who though not in service on 1.1.84, had been in service on Railways earlier and had already completed the above prescribed (360) days of continuous employment or will complete the said prescribed period of continuous employment on re-engagement in future. (A detailed letter regarding this group follows).

(b) The decision should be implemented in phases according to the schedule given below : -

| Length of Service<br>(i.e. continuous<br>employment)   | Date from which<br>may be treated as<br>temporary.                                   | Date by which<br>decision should<br>be implemented |
|--|--|--|
| (i) Those who have completed<br>five years of service as on<br>1.1.84.                                 | 1.1.1984   | 31.12.1984   |
| (ii) Those who have completed<br>three years but less than<br>five years of service as on<br>1.1.1984. | 1.1.1985   | 31.12.1985   |
| (iii) Those who have completed<br>360 days but less than three<br>years of service on 1.1.1984.        | 1.1.1986   | 31.12.1986   |
| (iv) Those who completed 360<br>days after 1.1.1984.   | 1.1.1987<br>or the date on<br>which 360 days<br>are completed<br>whichever is later. | 31.3.1987  |

21/3/86  
Faith in ourselves and faith in God. This is the secret of greatness. For God  
is love. -Sai Baba

Chandra Deo Gh.

AG4

50

नवम्बर १९५६]

रेल पथ

[२०

over those who have joined later on. In other words, the principle of last come first go or reverse it first come last go as enunciated in Sec. 25 G of the Industrial Disputes Act, 1947 has been accepted. We direct accordingly.

All these writ petitions and special leave petitions shall stand disposed of consistent with the scheme as modified by this judgment and the directions herein given.

The scheme as would stand modified by the directions herein given forms part of this judgment.

Learned counsel Shri Anis Suhrawardy has put in the maximum labour in making a very useful compilation. He must have spent days and months. The compilation helped us the most in dealing with the writ petitions and the special leave petitions and in ascertaining the proper principle. Such a compilation ought to have been prepared by the Railway Administration. Therefore, we direct the Union of India to pay Rs 5,000/- as and by way of costs to Shri Anis Suhrawardy, Advocate, Supreme Court.

New Delhi.

April 18, 1956.

Sd/- (D. A. Desai)

Sd/- (Ranganath Misra)

Chandra Deo Gh.



897

51

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

Registration No. 1155 of 1987(T)

Chandra Deo Singh

--Applicant

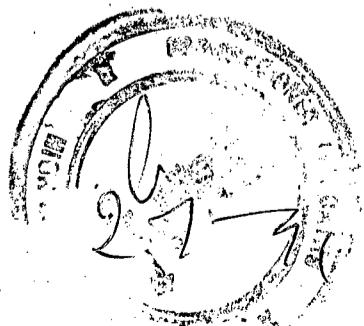
versus

Union of India and others

--Opp-parties

Annexure no. R-14

Chandra Deo Singh



Ag8

52

(14)

(18)

ANNEXURE - I

Copy of Railway Board's letter No.E(LL)71/AT/ID/1-7 dated 22.1.74 addressed to the General Managers, All Indian Railways, CLW, DLW and ~~ICF~~ ICF. The General Manager, Metropolitan Transport Project(R) Calcutta. The Chief Administrative Officer(R), Matropolitan Transport Project (Railways), Bombay/Madras/Delhi and copy to others.

Sub:- Application of the provisions of the Industrial Dispute Act, 1947, Maintenance of seniority list of workmen before retrenchment.

Reference is invited to Board's letter No.E(LL)71AT/ID/1-7 dated 10.1.1972. In response to Board's letter of even number dated 19.6.1975 views had been expressed by the Railway Administrations on the issue as to whether seniority list of casual labour should be maintained for the division as a whole or according to each unit of recruitment.

2. The matter has been further considered. The Board are advised that the establishment of the Senior Subordinate staff is to be treated as the industrial establishment in relation to casual labour as the unit of the recruitment of casual labour on the Indian Railways is the establishment of the Senior Subordinate staff namely, Inspector of Works, Permanent Way Inspector, Station Master, Traffic Inspector, Loco Foreman etc. and casual labour are not also ordinarily transferable from one place to another.

3. Accordingly, the Board desire that necessary steps should be taken to ensure that every such local establishment of the senior subordinate staff should be required to prepare and display seniority lists of the particular categories of casual labour employed therein, including those who on completion of four months continuous service, become eligible for some of the benefits admissible to temporary railway servants. Whenever the necessity of effecting retrenchment of any casual labour arises in any such local establishment, the seniority list so maintained in such of Section 25G of the Industrial Disputes Act and the Rules 76 and 77 of the Industrial Disputes (Central) Rules 1957.

4. Please acknowledge receipt of this letter.

Sd/-A.K.Saha  
Asstt.Director Estt.(LL)

Chandra Deo Gh.

Ask/8.3

2-1-71

AGG

53

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

Registration No. 1155 of 1987(T)

Chandra Deo Singh

Applicant

versus

Union of India and others

--Opp-parties

Annexure no. R-15

Chandra Deo Singh

2-1-3

10

54

GOVERNMENT OF INDIA  
Ministry of Railway  
(Railway Board)

No.E(NG)II/77/CL/46

New Delhi, dated 27.2.1978

The General Managers,  
All Indian Railways,  
CLW, DLW and ~~XEN~~ ICF.

The Director General,  
R.D.S.O., Lucknow.

Sub:- Decasualisation of Casual labour.

In continuation of the instructions contained in Railway Board's letter No.E(NG)II/74/CL/27 dated 20.6.1974, the Ministry of Railways have decided that the following further steps be taken to effect decasualisation:-

1. In addition to the locations mentioned in the above quoted letter, cadre review should be made in the establishments of the inspectors in the Civil Engineering, Signal and Bridge Maintenance so that regular posts are created where casual labour sanctions have existed for three years or more. A committee of Additional Heads of Departments including Addl. Chief Personnel Officer, Addl. F. A. & the Addl. Head of the concerned Department should be in charge of this cadre review.
2. There should be ban on intake of fresh casual labour on open line by the Inspectors except in emergencies like, accidents, floods, breaches, etc. As far as possible, casual labour whose work is coming to an end in one unit should be diverted against requirements of new ELR sanctions in adjacent units. Where a situation arises where none of the serving casual labour are willing to go for a new job for which ELR is sanctioned, fresh requirement should then be only on the personal orders of the Divisional Superintendent. The present arrangement of Inspector-wise seniority will, however, continue. Thus casual labour diverted from one unit to another will rank as junior most in the new unit for purposes of seniority and retrenchment.
3. On Projects, however, the XEN will be the unit for retrenchment which would reduce ~~X~~ to a great extent the hardship now being experienced in Inspector-Wise retrenchment.

Ask/8.3

Sd/-  
( K.N.Kapoor )  
Deputy Director, Establishment  
Railway Board.

Chandra Deo Gh.

A101

55

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

Registration no. 1155 of 1987 (T)

Chandra Deo Singh

--Applicant

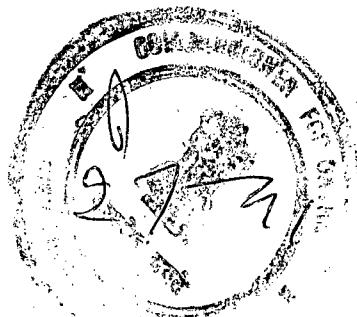
versus

Union of India and others

--Opp-parties

Annexure no. R-16

Chandra Deo Singh



卷之三

(16)

卷之三

$$f_0 = \frac{1}{2} \times \left( \frac{1}{2} \times \frac{1}{2} \times \frac{1}{2} \right) = \frac{1}{16}$$

1. *Leucanthemum vulgare* L. (L.)

मिशन - बुद्ध द्वारा देवता विद्या दी  
होती विद्यारिती ते देवता देवता ।

20 अप्रैल १९४८ राजगढ़, बंगलुरु द्वारा विवरण  
दोस्रा अंक अनुदर्शक द्वारा दिया गया है।

|                         |                                    |
|-------------------------|------------------------------------|
| 1. दो लोग               | सि लोग ( 200-400 ) X               |
| 2. दो लोग लेट           | सि लोग लेट ( 300-600 )             |
| 3. दो लोग               | सि लोग ( 200-400 ) X               |
| 4. दो लोग लेट, लेट, लेट | सि लोग लेट, लेट, लेट ( 400-800 ) X |
| 5. दो लोग लेट           | सि लोग लेट ( 400-800 ) X           |

1.185 2

A circular library stamp with a decorative border containing the text "LIBRARY OF THE UNIVERSITY OF TORONTO" and "1912" at the bottom. The stamp is partially obscured by a handwritten signature "21-31" written vertically across it.

Chandoo Slope. 1000 ft.

8103

57

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

Registration No. 1155 of 1987(T)

Chandra Deo Singh

--Applicant

versus

Union of India and others

--Opp-parties

ANNEXURE NO. R-17

*Chandra Deo Singh*



Play

प्रिय लोहिता साहारन जै वृक्षरु  
लोहिता लिपद्वारा देखा

मैं जानता हूँ कि तुम्हारी इसी दृष्टि से बहुत बहुत लिख रहा।



Chandra Deo Singh

आदित्य देवी पालक इ-श्री दिल्ली. गोरखपुर को उनके  
पास दे दिया / 24/7/04 श्री / ५. ८० । ४.३८- के राजी  
थे. प्रस्तुत. बिहार जन्म है।

8105

59

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

Registration no. 1155 of 1987(T)

Chandra Deo Singh

--Applicant

versus

Union of India and others

--Opp-parties

Annexure no. R-18

Chandra Deo Singh



R/106

60

10

40

## NORTH EASTERN RAILWAY

OFFICE OF THE  
CHIEF ENGINEERING CONSTN.  
G.R.AKHUPUR.

No.E/227/7/BG/Class III/Pt. II/1

Dated: 04.9.1985

Dy.C.E./Con/LJN.

XEN/Con/BSB, BJU, KGG, GKP.

XEN/Con/Plg./Design/Track/GKP/XEN/Survey/GKP.

XEN/Con/CBP, XEN/Con/Bridge/GKP

Dy.C.E.E./Con, Dy.CME/Con, Dy.CPS/Con/Dy.CCS(S)/Dy.CS/Con/GKP

C.S.T.E./Con/GKP, D.S.T.E./Con/GKP, BJU, LJN  
F.A.&C.A.O./Con/GKPSub:- Regularisation of services of Casual Class III  
workers in B.G./Construction organisation.

1. In response to this office letter of even No. dated 15.7.85 as a result of paper screening held in the forenoons of 22nd th 25th July '85 for finding out eligibility of the candidates who were found eligible in all respects, were subjected to viva-voce test by the nominated Committee (including Member-Secretary, Railway Recruitment Board, Gorakhpur) in the afternoon of 22nd to 25th July '85 and they have been found suitable by the Committee. The result has been approved by the Competent Authority on 03.9.1985. Their services are, therefore, regularised against the posts indicated below w.e.f. 03.9.85 i.e. the date of approval of the result by the competent authority, subject to their fitness in the appropriate medical category and character verification:-

| Sl. No.                   | Name            | Father's Name | Unit of posting     |
|---------------------------|-----------------|---------------|---------------------|
| 1                         |                 |               |                     |
| 2                         |                 |               |                     |
| 3                         |                 |               |                     |
| 4                         |                 |               |                     |
| W.R.K.M.S.T.R.Y(280-560). |                 |               |                     |
| 1.                        | Kamlesh Kashyap | Ram Lagan     | XEN/Con/CBP at GKP. |

## GLENKS (260-400)

|                             |                       |                    |
|-----------------------------|-----------------------|--------------------|
| 1. Pateshwary Pd. Pandey    | Anirudh Pd. Pandey    | Dy.C.E./Con/LJN.   |
| 2. Krishna Kant Pandey.     | Bankey Bihari Pandey  | -do-               |
| 3. Arvind Kumar Verma       | Anant Kumar Verma     | XEN/Con/BSB.       |
| 4. Rajendra Kumar Sriv.     | Adya Pd. Srivastava   | XEN/Con/GKP.       |
| 5. Sheo Narain Yadav        | Bhawa Nath Yadav      | XEN/Con/BJU.       |
| 6. Ram Chandra Dwivedi      | Raja Ram              | Dy.C.E./Con/LJN.   |
| 7. Tara Chand Jaiswal       | Misri Lal Jaiswal     | DS.TE./Con/BG/GKP. |
| 8. Awadesh Kumar Pd.        | Hari Shanker Pd.      | XEN/Con/CBP at GKP |
| 9. Kuldip Chander Sriv.     | Ashwani K. Sriv.      | XEN/Con/BSB.       |
| 10. Dharmendra Nath Pandey  | Ram Jiyan Pandey      | Dy.C.S./Con/GKP.   |
| 11. JAMESH Chaturvedi       | Ram Lakhsh Chaturvedi | XEN/Con/BSB.       |
| 12. Ganga Prasad            | Devi Charan           | XEN/Con/KGG.       |
| 13. Ashok Kumar Sinha       | Jagdish Narain Sinha  | DS.TE./Con/BG/BJU. |
| 14. Rishikesh Verma         | Daneshwar Pd. Verma   | XEN/Con/GKP.       |
| 15. Amar Nath Singh Tribedi | Rakesh Singh          | XEN/Con/BSB.       |
| 16. Yogendra Singh          | Ramrup Singh          | Dy.C.E./Con/LJN.   |

A19

61

- 2 -

40

17. Kailash Pati Pathak  
 18. Narain Misra  
 19. Narendra Bahadur  
 20. Sheo Nath Pd. Gupta  
 21. Raj Kumar Mehra  
 22. Lal Mani Tewari  
 23. Umesh Chaudhary (SC)  
 24. Santosh Kr Chaudhary  
 25. Ramesh Kr Sharma  
 26. Brij Kishore Sahai  
 27. Gurpal Dutta  
 28. Sureshwar Pd. Singh  
 29. Surendra Mani Tripathi  
 30. Jai Ram Singh  
 31. Ramesh Pd. Jaiswal  
 32. Pradeep Chand Verma  
 33. Ram Narain Chaudhari  
 34. Bhawtosh Dutta  
 35. Satish Chandra Sriv.  
 36. Ram Yatan Pd. (SC)  
 37. Dina Nath Pd  
 38. Pramod Narain Sriv.  
 39. Jamil Ahmad  
 40. Surendra Singh  
 41. Pramod Kumar Sriv.  
 42. Dinesh Chand Sriv.  
 43. Brij Bhushan Pd. Verma  
 44. Ram Kumar Singh  
 45. Raj Lal Pd. Yadav  
 46. Biju Lal  
 47. Shushil Kumar Sriv.  
 48. Kulbir Singh Chadha  
 49. Parmeshwar Lal Sriv.  
 50. Krishna Gopal Singh

1. Vidya Nath Pathak  
 2. Badri Narain Misra  
 3. Gopi Khan  
 4. Salik Ram  
 5. P.N. Mehra  
 6. Shri Nath Tewari  
 7. Bihari Lal  
 8. Prafull Chaudhry  
 9. Satya Narain Sharma  
 10. Jadunath Sahai  
 11. J.K. Dutta  
 12. Jadubansi Singh  
 13. Jawala Prasad  
 14. Radhika Singh  
 15. Harihar Nath Pd.  
 16. Chandra Narain Lal  
 17. Ganga Pd. Chaudhary  
 18. Digendra Kr. Dutta  
 19. Shyam Bahadur Lal  
 20. Ram Subhag  
 21. Swarath Pd.  
 22. Daya Shanker Lal  
 23. Mohd. Raffiq  
 24. Ram Adhar Singh  
 25. Awani Kumar Sriv.  
 26. Bhawani Kumar Sriv.  
 27. Ram Narain Pd.  
 28. Makhnu Singh  
 29. Nathuni Rai  
 30. Ram Das  
 31. Harish Chandra Lal  
 32. Jet Singh Chadha  
 33. Kanhaiya Lal Sriv.  
 34. Bishwanath Singh

XEN/Con/BG/KGG.  
 -do-  
 XEN/Con/GKP.  
 -do-  
 XEN/Con/BSB.  
 XEN/Con/GKP.  
 XEN/Con/KGG.  
 DS TE/Con/LJN.  
 XEN/Con/GKP.  
 XEN/Con/BJU.  
 -do-  
 -do-  
 -do-  
 -do-  
 XEN/Con/BSB.  
 -do-  
 DS TE/Con/BJU.  
 -do-  
 XEN/Con/GKP.  
 -do-  
 XEN/Con/BSB.  
 XEN/Con/GKP.  
 -do-  
 -do-  
 XEN/Con/KGG.  
 XEN/Con/BSB.  
 XEN/Con/KGG.  
 -do-  
 XEN/Con/BSB.  
 DS TE/Con/LJN.  
 XEN/Con/GKP.  
 -do-  
 XEN/Con/BSB.  
 XEN/Con/GKP.  
 -do-  
 -do-  
 XEN/Con/KGG.  
 XEN/Con/BSB.  
 XEN/Con/KGG.  
 -do-  
 XEN/Con/BSB.  
 DS TE/Con/GKP.  
 XEN/Con/KGG.

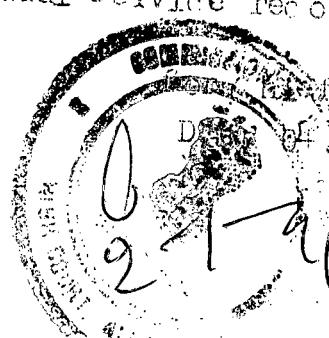
1. The names in each category are arranged in order of their merit  
 2. The above mentioned candidates may be medically examined in  
 appropriate prescribed medical category for the particular post in  
 which their services have been regularised. Their character verifica-  
 tion may also please be done as for directly recruited candidates.

3. Individual loose cases in respect of each candidate are also  
 sent herewith for opening individual service records.

No. E/227/7/BG (Class III) Pt. II/1

Copy to:-

1. G.M. (P) / N.E. Rly./GKP.  
 2. F&C A/ N.E. Rly/GKP.  
 3. Director of Audit / N.E. RLY/GKP.  
 4. F&C A/ Con / N.E. RLY/GKP.  
 5. Audit Officer / Con / GKP.  
 6. SPO/HQ / N.E. Rly/GKP with request to fix the lien of the above men-  
 tioned staff in Open line.  
 7. SPO/F / N.E. RLY/GKP in reference to his letter No. E/227/20/2 Class III  
 BG(V) dated 23.3.85.  
 8. Staff concerned.  
 9. Branch Secretaries, NE MU & PRKS / BG/Con/Branch.



Sd/-  
 for Chief Engineer/Con.

Sd/-  
 for Chief Engineer/Con.

8108

62

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

Registration No. 1155 of 1987(T)

Chandra Deo Singh

--Applicant

versus

Union of India and others

--Opp-parties

Annexure no. R-19

Chandra Deo Singh



A 109

63

NORTH EASTERN RAILWAY

(19)

OFFICE OF THE,  
CHIEF ENGINEER(Con),  
GOURAKHPUR.

Dated 21.1.1989

No. B/227/7/EC(CL-III)Pt. II/2  
CSE(Con) GKP  
Dy. CE/Con/BSB, MFP, SPJ & IZN  
Dy. CE/Con/4IC-I & II  
Dy. CME/Con/GKP, Dy. CEE/Con/GKP  
XEN/Con/GKP, XEN/Con/Br/GKP  
XEN/Survey/GKP, XEN/Con/BJU,  
XEN/Con/KGP, XEN/Con/Mau,  
XEN/Con/RMU & PA to CE/Con  
AEN/Con/KPV  
DSTE/Con/BJU-I & II.

Subj: Regularization of services of casual  
class-III workers in BG Construction  
Organization.

- As a result of paper screening held on 19.12.88 in response to this office letter of even no. dated 24.11.1988 for finding out eligibility of the candidates for regularization of their services in the particular posts, following 30 candidates who were found eligible in all respects were subjected to viva-voce test by the nominated Committee (comprising of Member-Secretary, Railway Recruitment Board, Gorakhpur, Senior Personnel Officer(Construction) Gorakhpur, P.A. to C.E. (Construction) Gorakhpur & Senior Account Officer (T) Gorakhpur) on 19.12.1988, and were found suitable by C.F.O./M.E. Railway on 20.1.1989. Their services are, therefore, regularised against the posts indicated as below v.v.s. 20.1.1989/ i.e. the date of approval of the result by the competent authority, subject to their fitness in the appropriate medical category and character verification. The names, in such category are arranged in order of their merit position obtained in the viva-voce test.
- The above mentioned candidates may be medically examined in appropriate prescribed medical category for the particular post in which their services have been regularised. Their character verification may also please be done as for directly recruited candidates. Individual loose cases in respect of each candidate are also sent herewith for opening individual service record.

for Chief Engineer(Con)

Copy to:-  
1. G.M.(P) N.E. Railway, Gorakhpur.  
2. AACAO, N.E. Railway, Gorakhpur.  
3. Director of Audit, N.E. Railway, Gorakhpur.  
4. AACAO(Con) N.E.Railway, Gorakhpur.  
5. Audit Officer(Con) N.E. Railway, Gorakhpur

Chandrababu



A110

65

( 3 )

(NB: Item No.13 Shri Ravi L. Khan:-

Subject to production of an affidavit in regard to correctness of the name of his father i.e. whether Raghunath Prasad in High School Certificate or Raghunath as per Railway record).

CLENKF (260-400/950-1500)

| Sl. No. | Name                   | Father's name           | Unit of posting    |
|---------|------------------------|-------------------------|--------------------|
| 1       | 2                      | 3                       | 4                  |
|         | S/Shri                 | S/Shri                  |                    |
| 1.      | S. Micheal             | Michael Augustina       | DSTR/Con/DG/BJU-I  |
| 2.      | Narendranath Jha       | Devendra Nath Jha       | DSTR/Con/BG/BJU-II |
| 3.      | Shri Kunt Pandey       | P. N. Pandey            | Dy. CE/Con/MFP     |
| 4.      | Narendra Lal Das       | Sukhdeo Lal Das         | Dy. CE/Con/MFP     |
| 5.      | Adwitiya Pd.Karma      | Sukhdeo Lal             | Dy. CR/Con/MFP     |
| 6.      | Sushil Kumar Singh     | R. B. Singh             | Dy. CE/Con/MFP     |
| 7.      | Mind Nirain Jha        | Jagdish Jha             | Dy. CE/Con/MFP     |
| 8.      | Dipesh Chandra         | Banshu Bapuji Lal       | XEN/Con/GKP        |
| 9.      | Nagendra Nath          | Surish Nani Pandey      | Dy. CR/Con/MFP     |
| 10.     | Abhui Kumar Srivastava | M. Krish Pd. Srivastava | Dy. CR/Con/BSB     |
| 11.     | Sidh Nath Srivastava   | Jagdish Pd. Srivastava  | Dy. CE/Con/BSB     |
| 12.     | Ravindri Prasad        | Raghupati Misra         | XEN/Con/GKP        |

Twelve names only.

(NB: Item No.9 Shri Nagendra Nath:-

Subject to production of an affidavit in regard to name of the candidate i.e. Nagendra Nath S/O Surendra Nath Pandey as in High School Certificate or Nagendra Nath Pandey S/O Surendra Nath Pandey as per Railway records) & subject to verification of date of birth also.

(NB: Item No. 12 Shri R.vindri Prasad:-

Subject to production of an affidavit in regard to correct name of his father as well as candidate's name i.e. Ravidri Prasad S/O Raghupati Misra as in High School Certificate or Ravidra Nath Misra S/O Raghupati as per railway records).

TOP

For Chief Engineer(Con)

W/

Chandra Dev Sh



ALL

66

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

Registration No. 1155 of 1987(T)

Chandra Deo Singh

--Applicants

versus

Union of India and others

--Opp-parties

Annexure no. R-20

Chandra Deo Singh



Statement showing details of comparatively chart of work Mistry have been regularised in construction organisation from various units under the control of chief engineer/con. N. S. Rathore, Jorakhpur.

| Sl. No.                    | Name     | Date of Initial appointment.                                     | Post on which assignment was made. | Rate of pay.  | Authority.         | Service termination.   | Re-arrangement if any.   | Promotion if any.   | Service regularised.   | Remarks.  |
|----------------------------|----------|--|------------------------------------|---|--------------------|--|--|---|--|---|
| 1. " Shri C. D. Shinde     | 25.7.74  | CL/Work-<br>Mistry.  | 13.00 per-<br>Day.                 | As per recom-<br>mendation of<br>Dy. C.R./Con/Gov-<br>vide his Con-<br>fidential Letter<br>No. 247/CE/247<br>dated by<br>GEN/Con/Genra/<br>last as per<br>Letter No. W/247/247<br>dated 28.7.74 | 13.00 per-<br>Day. | 15.6.75<br>by T.O./<br>CL/Work Mistry<br>Rs. 7.00 per-<br>Day & termi-<br>nated on<br>15.9.75 by<br>T.O./Con/ED. | Re-arranged on<br>16.6.75 as a<br>CL/Work Mistry<br>as a M.I-<br>chly skil-<br>led Work-<br>Mistry.                      | 26.7.74<br>In Grade   | Granted temporary<br>status as a Work-<br>Mistry from 1.1.91 | Date of post.   |
| 2. " S. N. Sharma          | 24.5.75  | -30-   | -30-                               | As per GEN/Con/<br>GEN/last Letter<br>No. 27/247/247  | 15.9.77            | 15.6.75<br>by T.O./<br>CL/Work Mistry<br>Rs. 7.00 per-<br>Day & termi-<br>nated on<br>15.9.75 by<br>T.O./Con/ED. | 15.6.75<br>by T.O./<br>CL/Work Mistry<br>Rs. 300-560<br>as per GEN/Con/ED's<br>letter No. W/247/247/247<br>dated 28.7.74 | 26.7.74<br>In Grade   | Granted temporary<br>status as a Work-<br>Mistry from 1.1.91 | Date of post.   |
| 3. " K. M. Parashar        | 19.5.75  | CL/Work-<br>Mistry.  | -30-                               | GEN/Con/last<br>by GEN/Con/<br>GEN/last Letter<br>No. 27/247/247  | 20.7.77            | 20.9.77<br>by GEN/Con/<br>GEN/last Letter<br>No. 27/247/247  | 20.9.77<br>by GEN/Con/<br>GEN/last Letter<br>No. 27/247/247  | 20.9.77<br>by GEN/Con/<br>GEN/last Letter<br>No. 27/247/247 | 20.9.77<br>by GEN/Con/<br>GEN/last Letter<br>No. 27/247/247  | 20.9.77<br>by GEN/Con/<br>GEN/last Letter<br>No. 27/247/247 |
| 4. " T. D. Parashar        | 27.11.77 | Sent-<br>skilled. per Day.                                       | 35.50                              | GEN/Con/last<br>by GEN/Con/<br>GEN/last Letter<br>No. 27/247/247  | 20.9.77            | 20.9.77<br>by GEN/Con/<br>GEN/last Letter<br>No. 27/247/247  | 20.9.77<br>by GEN/Con/<br>GEN/last Letter<br>No. 27/247/247  | 20.9.77<br>by GEN/Con/<br>GEN/last Letter<br>No. 27/247/247 | 20.9.77<br>by GEN/Con/<br>GEN/last Letter<br>No. 27/247/247  | 20.9.77<br>by GEN/Con/<br>GEN/last Letter<br>No. 27/247/247 |
| 5. " A. P. Dutt            | 19.7.74  | CL/Work-<br>Mistry.  | -30-                               | GEN/Con/last<br>by GEN/Con/<br>GEN/last Letter<br>No. 27/247/247  | 20.9.77            | 20.9.77<br>by GEN/Con/<br>GEN/last Letter<br>No. 27/247/247  | 20.9.77<br>by GEN/Con/<br>GEN/last Letter<br>No. 27/247/247  | 20.9.77<br>by GEN/Con/<br>GEN/last Letter<br>No. 27/247/247 | 20.9.77<br>by GEN/Con/<br>GEN/last Letter<br>No. 27/247/247  | 20.9.77<br>by GEN/Con/<br>GEN/last Letter<br>No. 27/247/247 |
| 6. " P. M. Singh           | 19.7.74  | CL/Work-<br>Mistry.  | -30-                               | GEN/Con/last<br>by GEN/Con/<br>GEN/last Letter<br>No. 27/247/247  | 20.9.77            | 20.9.77<br>by GEN/Con/<br>GEN/last Letter<br>No. 27/247/247  | 20.9.77<br>by GEN/Con/<br>GEN/last Letter<br>No. 27/247/247  | 20.9.77<br>by GEN/Con/<br>GEN/last Letter<br>No. 27/247/247 | 20.9.77<br>by GEN/Con/<br>GEN/last Letter<br>No. 27/247/247  | 20.9.77<br>by GEN/Con/<br>GEN/last Letter<br>No. 27/247/247 |
| 7. " N. Shivamani Shinde   | 11.10.75 | GEN/Con/last<br>by GEN/Con/<br>GEN/last Letter<br>No. 27/247/247 | 35.50                              | GEN/Con/last<br>by GEN/Con/<br>GEN/last Letter<br>No. 27/247/247  | 20.9.77            | 20.9.77<br>by GEN/Con/<br>GEN/last Letter<br>No. 27/247/247  | 20.9.77<br>by GEN/Con/<br>GEN/last Letter<br>No. 27/247/247  | 20.9.77<br>by GEN/Con/<br>GEN/last Letter<br>No. 27/247/247 | 20.9.77<br>by GEN/Con/<br>GEN/last Letter<br>No. 27/247/247  | 20.9.77<br>by GEN/Con/<br>GEN/last Letter<br>No. 27/247/247 |
| 8. " S. S. Jitendra Singh  | 01.4.71  | -30-   | -30-                               | GEN/Con/last<br>by GEN/Con/<br>GEN/last Letter<br>No. 27/247/247  | 16.9.74            | 16.9.74<br>by GEN/Con/<br>GEN/last Letter<br>No. 27/247/247  | 16.9.74<br>by GEN/Con/<br>GEN/last Letter<br>No. 27/247/247  | 16.9.74<br>by GEN/Con/<br>GEN/last Letter<br>No. 27/247/247 | 16.9.74<br>by GEN/Con/<br>GEN/last Letter<br>No. 27/247/247  | 16.9.74<br>by GEN/Con/<br>GEN/last Letter<br>No. 27/247/247 |
| 9. " G. K. Jitendra Singh  | 16.9.74  | -30-   | -30-                               | GEN/Con/last<br>by GEN/Con/<br>GEN/last Letter<br>No. 27/247/247  | 16.9.74            | 16.9.74<br>by GEN/Con/<br>GEN/last Letter<br>No. 27/247/247  | 16.9.74<br>by GEN/Con/<br>GEN/last Letter<br>No. 27/247/247  | 16.9.74<br>by GEN/Con/<br>GEN/last Letter<br>No. 27/247/247 | 16.9.74<br>by GEN/Con/<br>GEN/last Letter<br>No. 27/247/247  | 16.9.74<br>by GEN/Con/<br>GEN/last Letter<br>No. 27/247/247 |
| 10. " N. K. Jitendra Singh | 17.9.74  | -30-   | -30-                               | GEN/Con/last<br>by GEN/Con/<br>GEN/last Letter<br>No. 27/247/247  | 17.9.74            | 17.9.74<br>by GEN/Con/<br>GEN/last Letter<br>No. 27/247/247  | 17.9.74<br>by GEN/Con/<br>GEN/last Letter<br>No. 27/247/247  | 17.9.74<br>by GEN/Con/<br>GEN/last Letter<br>No. 27/247/247 | 17.9.74<br>by GEN/Con/<br>GEN/last Letter<br>No. 27/247/247  | 17.9.74<br>by GEN/Con/<br>GEN/last Letter<br>No. 27/247/247 |

Chandru Deo Gh

१२६

B.M. Kumbli High Court of Judicature at  
ब अदालत श्रीमान *Alkhanlal (Lokman)* महोदय

वादी (मुद्रा) का वकालतामंडप  
प्रतिवादी (मुद्रालेह) । १५५१  
८/५१

*Chandra Deo Singh.*

वादी (मुद्रा)



बनाम  
*Union of India & others* प्रतिवादी (मुद्रालेह)

१०१ नं० मुकदमा सन् १९४३ पेशी की ता० १६ ई०  
ऊपर लिखे मुकदमा में अपनी ओर से श्री

*Mr. B. C. Sircara Advocate* एडवॉकेट महोदय  
वकील

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

*Chandra Deo Singh*  
हस्ताक्षर

साक्षी (गदाह) ..... साक्षी (गदाह) .....

दिनांक ..... महीना

28/11/92  
F.H

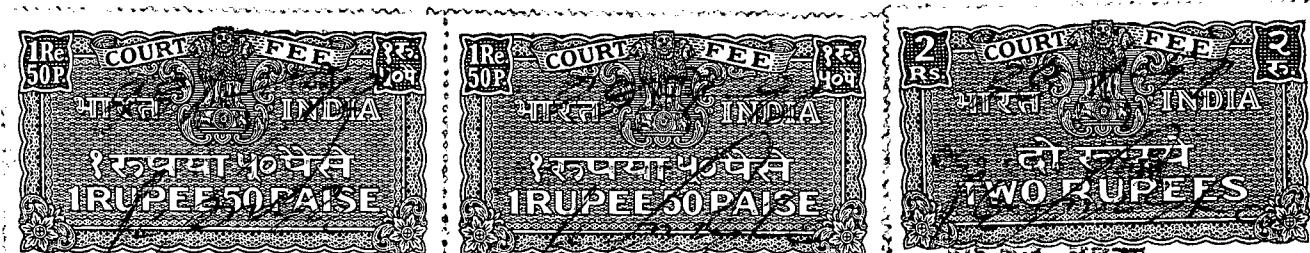
Central Administrative Tribunal Additional  
ब अदालत श्रीमान् ..... महोदय  
Bench At Allahabad Lucknow Bench  
Lucknow. C.218

वादी अपीलान्ट

का

## वकालतनामा

प्रतिवादी रेस्पान्डेन्ट



Chandra Deo Singh.

(वादी मुद्र्दा)

75

बनाम

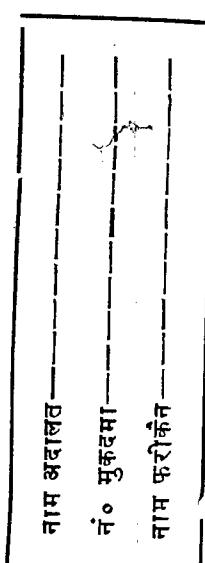
Union of India Sohna

प्रतिवाद मुद्राओं लेह

नं० मुकद्दमा 1155 सन् १९८७(T) पेशी की ता०

१० इ०

ऊपर लिखे मुकद्दमा में अपनी ओर से श्री पी० के० श्रीवास्तव, एडवोकेट  
एम० एस०-१५१, सेक्टर-डी, अलीगंज विस्तार, लखनऊ महोदय



को अपना वकील नियुक्त करके प्रतिज्ञा (इकरार) करता हूं और लिखे देता हूं  
इस मुकद्दमा में वकील महोदय स्वयं अथवा अन्य वकील द्वारा जो कुछ पैरवी  
व जवाबदेही व प्रश्नोत्तर करें या अन्य कोई कागज दाखिल करें या लौटावें  
या हमारी ओर से डिगरी जारी करावें और सूप्ता वसूल करें या सुलहनामा  
या इकबाल दावा तथा अपील व निगरानी हमारी ओर से हमारे या अपने  
हस्ताक्षर से दाखिल करें और तसदीक करें या मुकद्दमा उठावें या कोई सूप्ता  
जमा करें या हमारी या विपक्ष (फरीकसानी) का दाखिल किया हुआ सूप्ता अपने  
वा हमारे हस्ताक्षर युक्त (दस्तखति) रसीद से लेवें या पंच नियुक्त करें वकील  
महोदय द्वारा की गई वह सब कार्यवाही हमको सर्वथा स्वीकार है और होगी मैं  
यह भी स्वीकार करता हूं कि मैं हर पेशी पर स्वयं या किसी अपने पैरोकार को  
मेजता रहूंगा अगर मुकद्दमा अदम पैरवी में एक तरफा मेरे खिलाफ फैसला हो  
जाता है जिसको जिम्मेदारी मेरे वकील पर नहीं होगी। इसलिए यह वकालतनामा  
सुलिख दिया कि प्रमाण रहे और समय पर काम आवे।

हस्ताक्षर ११०  
२८/११/८८

साक्षी (गवाह) \_\_\_\_\_ साक्षी (गवाह) \_\_\_\_\_

दिनांक \_\_\_\_\_ महीना \_\_\_\_\_ सन् १९ \_\_\_\_\_

## वकालतनामा

C  
219

A/15

In the Central Administrative Tribunal..... के समक्ष  
 Circuit bench at Lucknow..... के न्यायालय में  
 Re. No. 1155 of 1981 (T)

|           |                            |             |
|-----------|----------------------------|-------------|
| वादी      | Chandra Deo Singh          | दावेदार     |
| प्रतिवादी |                            | अपीलार्डी   |
| प्रतिवादी | Union of India and others. | अर्जीदार    |
| वादी      |                            | प्रत्यार्थी |

भारत के राष्ट्रपति इसके द्वारा श्री Smt. B. K. Shukla, Railway Advocate.....  
 Lucknow.....

*filed* 3/1  
 को उपर्युक्त वाद/अपील/कार्यवाही में भारत संघ की ओर से उत्तराधिकारी के लिए दस्तावेज दाखिल करने और वापस लेने, न्यायालय की आदेशिका स्वीकार करने, काउन्सेल, अधिवक्ता या प्लीडर नियुक्त करने और उन्हें अनुदेश देने, रूपया वापस लेने और उसका निश्चेष करने तथा उपर्युक्त वाद/अपील/कार्यवाही में भारत सरकार का साधारण तिनिधित्व करने और भारत संघ के लिए इस प्रकार उपर्युक्त होने, कार्य करने, आवेदन करने, अधिवक्ता करने और आगे कार्यवाही करने की अनुबांधिक सभी बातें करने के लिए नियुक्त और प्राधिकरण करते हैं। किन्तु यह इस शर्त के अधीन रहते हुए होगा कि जब तक भारत सरकार के समुचित प्राधिकारी से उस नियुक्ति पहले ही स्पष्ट प्राधिकार प्राप्त नहीं कर लिया गया है, तब तक उक्त काउन्सेल/प्रधिवक्ता/प्लीडर या उसके द्वारा नियुक्त काउन्सेल/प्रधिवक्ता/प्लीडर सभी या किसी प्रतिवादी/प्रत्यार्थी/अपीलार्डी/वादी/विरोधी वक्ताकार के विरुद्ध उस वाद/अपील/दाव/प्रतिरक्षा/कार्यवाही को पूर्णतः या भागतः न तो वापस लेगा, न उसका अधित्यजन करेगा, न एसा कोई करार करेगा या समझौता करेगा जिसके द्वारा वाद/अपील/कार्यवाही पूर्णतः या भागतः समायोजित की जाए और न उससे उद्भूत या उसमें विवादग्रस्त सभी या किसी विषय को मध्यस्थ को निर्देशित करेगा, परन्तु आपवादिक परिस्थितियों में जब भारत सरकार के समुचित प्राधिकारी से परामर्श करने के लिए पर्याप्त समय नहीं है और वाद में समझौता करने में लोप करना निश्चित रूप से भारत सरकार के हित के प्रतिकूल होगा तो उक्त प्लीडर/प्रधिवक्ता/काउन्सेल ऐसा कोई करार या समझौता कर सकेगा जिसके द्वारा उक्त वाद/अपील/कार्यवाही पूर्णतः या भागतः समायोजित हो जाय और ऐसे प्रत्येक मामले में काउन्सेल/प्रधिवक्ता/प्लीडर करार या समझौता करने के विशेष कारण बताते हुए उक्त अधिकारी को तत्काल संसूचित करेगा।

राष्ट्रपति इस प्राधिकार के अनुक्रम में श्री Smt. B. K. Shukla, Railway Advocate.....  
 Lucknow.....

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

इसके साथ्यस्वरूप भारत के राष्ट्रपति के लिए और उनकी ओर से इस विलेख को अम्बज तारीख..... को  
 सम्पूर्ण रूप से निष्पादित किया जाता है।

तारीख..... 19

NER-84850400-8000- 4784

Accepted  
B. K. Shukla  
26/3/90

निष्पादन करने वाले अधिकारी का पदनाम  
 Dy. Chief Engineer/ Construction  
 N. E. Railway,  
 Gorakhpur.

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

\*\*\*\*\* 40523  
No.CAT/Alld/Jud/ No. 1155 of 1987 Dated the : 20/1/87

40551

Chandra Dutt Singh

APPLICANT'S

VERSUS

Union of India v/o M/s

RESPONDENT'S

To 1. Shri S.C. Sharma, Advocate, Lucknow High Court, Lucknow.  
2. " Dinesh Chandra, 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. 2426  
of 1983  
of the Court of Lucknow High Court arising out of order  
dated \_\_\_\_\_  
passed by \_\_\_\_\_ in \_\_\_\_\_

The Tribunal has fixed date  
of 14.11.89 1989, the  
hearing of the matter at Parikhali, Lucknow (Opp. Bhachar Bazaar)  
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

\*\*\*\* 2652 Gandhi Bhawan, Opp. Rosedome  
No.CAT/LKO/Jud/CB/2447+2 Lucknow

Dated the : 13/12/89

T.A.No. of 1111 197 (T)

AFFILIATE'S

Versus

RESPONDENT'S

To

The Hon'ble Mr. Justice

The Hon'ble Mr. Justice

Whereas the marginally noted cases has been transferred by

Under the provision of the Administrative  
Tribunal Act 13 of 1995 and registered in this Tribunal as above.

Writ Petition No. 314/12

of 198

of the Court of

arising out

of Order dated

passed by

The Tribunal has fixed date of  
11/12/89 198. The hearing  
of the matter.

If no appearance is made  
on your behalf by your son  
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 11 1989.

dinesh/

8/42  
DEPUTY REGISTRAR

C 214

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

CIRCUIT BENCH AT

LUCKNOW

C.M. Application No 193 of 1990 (L) ↗

PA. Registration No. 1155 of 1987 (T)

Chandra Deo Singh . . . . . Applicant

Versus

Union of India and others . . . . . Respondents.

The humble petition on behalf of the  
respondants most respectfully sheweth as under:-

1. That Shri Umesh Chandra earlier Counsel of the  
respondant could not reach to the Hon'ble Tribunal due  
to certain personal problem and unable to attend the  
instant case. The earlier Counsel wrote a letter to the  
respondant to withdraw the instant case from him and  
engage some other Counsel. During the course of corres-  
pondance the case was listed before this Hon'ble Tribunal  
and in such circumstances no body could appear. So  
resulting thereof this Hon'ble Tribunal passed order  
for ex-parte proceeding on 1.2.90.

*filed today  
26/3/90*

2. That now the respondants have engaged Shri  
B.K. Shukla Advocate to appear on behalf of the  
respondant in above mentioned case. It is further stated  
that in future no such happening shall be repeated.

contd.....2

Shri B.K. Shukla (Adv.)  
Advocate, Lucknow  
Executive Engineer/Con  
N. E. K. Gorakhpur

C 215

: 2 :

It is therefore, kindly prayed that this Hon'ble Tribunal may be pleased to recall order dated 1.2.90 and be further pleased to allow the respondent to file his Counter reply in the above noted case.

*Masud* 23/3  
for Respondents

Verification

I Sirtaj Prasad, Executive Engineer/Construction, North Eastern Railway, Gorakhpur do hereby verify that the contents of para 1 & 2 of the application are true to my personal knowledge and information derived from perusal of records relating to the instant case kept in the official custody of the answering Respondant. Nothing material has been concealed and nothing stated therein are false.

*Masud 23/3*  
( Sirtaj Prasad )  
Executive Engineer/Construction,  
North Eastern Railway/Gorakhpur

Verified on \_\_\_\_\_  
day of March, 1990.

२६ मार्च १९९० (नि.)  
गोरखपुर  
Executive Engineer/Con  
N. E. Rly. Gorakhpur

Filed by, I.C.  
B. S. Kulkarni  
26/3/90  
Advocate

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

## CIRCUIT BENCH AT

C.M. Application No 193 of 1990 (L)  
Registration No. 1155 of 1987 (T)

## VERSLIG

Union of India and others . . . . . Respondants.

The humble petition on behalf of the  
Respondants most respectfully sheweth as under:-

1. That Shri Umesh Chandra earlier Counsel of the respondent could not reach to the Hon'ble Tribunal due to certain personal problem and unable to attend the instant case. The earlier Counsel wrote a letter to the respondent to withdraw the instant case from him and engage some other Counsel. During the course of correspondence the case was listed before this Hon'ble Tribunal and in such circumstances no body could appear. So resulting thereof this Hon'ble Tribunal passed order for ex-parte proceeding on 1.2.90.

2 . That now the respondents have engaged Shri B.K.Shukla , Advocate to appear on behalf of the respondent in above mentioned case. It is further stated that in future no such happening shall be repeated.

contd....2

Executive Education

### THE CLASSICAL

C-27

2

It is therefore, kindly prayed that this Hon'ble Tribunal may be pleased to recall order dated 1.2.90 and be further pleased to allow the respondent to file his Counter reply in the above noted case.

*Siraj* 23  
for Respondents

### Verification

I Sirtaj Prasad, Executive Engineer/Construction, North Eastern Railway, Gorakhpur do hereby verify that the contents of para 1 & 2 of the application are true to my personal knowledge and information derived from perusal of records relating to the instant case kept in the official custody of the answering Respondant. Nothing material has been concealed and nothing stated therein are false.

*Siraj* 23  
( Sirtaj Prasad )  
Executive Engineer/Construction,  
North Eastern Railway/Gorakhpur

Verified on \_\_\_\_\_  
day of March, 1990.

श्रीमान् इंद्री (निः)  
पू. उ. दृ. गोरखपुर  
Executive Engineer/Con  
N. E. R., Gorakhpur

filed by  
B. Shukla  
26/3/90  
Advocate