

CENTRAL ADMINISTRATIVE TRIBUNAL
LUCKNOW BENCH LUCKNOW

ANNEXURE

INDEX SHEET

CAUSE TITLE *T.A. No. 1188/87, W.P. No. 4842/87* OF

NAME OF THE PARTIES *Ram Chandra*

Applicant

Versus

D.C.F. 2nd

Respondent

Part A, B & C

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11	<i>RA / D/C / T.R.</i>	<i>A54 to A70</i>
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13	<i>Any others Papper / Power / HC the Notices</i>	

CERTIFICATE

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

Dated *30-4-12*

B/C destroyed on 09-5-12

Counter Signed

[Signature]

Section Officer / In charge

[Signature]
Signature of the
Dealing Assistant

1100/0310

(11)

27.6.91

D.R.

Both the counsel
for the parties are
absent today. Case is
listed on 24/7/91 for
filing counter.

(12)

24.7.91

D.R.

Applicant is present
in person. Counter has
not been filed. App
desires short time
Hence, this case is listed on
1/8/91

(13)

6.8.91

D.R.

Applicant is present
in person. D.R. is
Respondent to file
counter by 6/9/91

(14)

6.9.91

D.R.

Both the parties
absent. Counter
not been filed.
dent to file co
11/11/91

(7)

28.9.90

No setti, Adj to 10.12.90

W

(8)

10.12.90Case not reached Adj to 7.2.91. OR Neither CA ^{nor} RA have

been filed.

D.C.

S.P.H.

L

4/2

L

7/12

(9)

7.2.91

D.R.

Both the parties are
absent today. C.A. has
not been filed till
today. Respondent to
file counter by 7.4.91.

(10)

8.4.91

D.R.

This case has been taken
up today because 7.4.91
was Sunday. Both the
parties are absent. Case
is listed on 27.6.91
for filing counter.

are

has

Respon

counter

2
Mentionwith
date of
compliance

No 5, #4. Adj. to 17.1.90. Counsel for
Applicant is present. As reported by Office notice
were issued to the parties. Let a fresh notice be issued
to the respondents directed by Mr. D.K. Agrawal, J.M.

15/11/89

Hon. J.P. Sharma, J.M.

None appears for the applicant.
Notice be issued again to the applicant
as well as counsel. Notice be
given to Sri Anil Srivastava, Adv.
said to be on the panel of N.R. for
the CAT. Put for order on 12.3.90.
Neantime reply may be filed by
the respondents if they so desires, otherwise
the case be put up as it is today
for further order on 12.3.90

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

No one for the applicant is
present. Shri A. Srivastava, appears on
behalf of the respondents. Let Counter
Affidavit be filed within 3 weeks.
is a writ petition of the year.

Therefore, no more adjournment
granted to the respondents,
re-affidavit, if any, may be
filed within 2 weeks, after filing

Case has been
reced. for est.
18/11/20.01.04.

or
notice issued
12/12/89

or
Case has been
reced on 20.12.04.

Case is not
admitted.
Stay is granted
CA/RA not filed
Notices were
issued from 12/11/89
No answer
replied. Case has been
return back.
submitted for
order

16/11/90

or
notice issued
30/11/90

or
Notices were
issued on 30/11/90
Neither reply
nor any answer
replied. Case has been
return back.

S. F. order
7/5

copy of the order may be given
to the counsel for the respondents,
as and when desired by him.

Q

A.M.

A.M.

De

J.M.

OR

N CA
S P H

29-5-90

Hon. Mr. P.C. Jain A.M.

Hon. Mr. J.P. Sharma J.M.

Applicant present in person
Shri A. Srivastava advocate for
respondent. At the request of the
applicant the hearing of the case
to 31-5-90.

J.M.

A.M.

Hon' Mr P.C. Jain, A.M.

Hon' Mr J.P. Sharma, J.M.

31/5/90

Shri Ram Chander, the applicant is
and he requests that on the ground
of his counsel, the case may be adj
is adjourned to 24-7-90 for hearing

J.M.

(sns)

OR

not
filed

24-7-90

On the request of both
parties case is adj' to 24-7-90

A.M.

No 5, #1. Adj. to 17.1.70. Counsel for Applicant is present. As reported by the notice was moved to the parties. Let a fresh notice be issued to the applicant directed by the Registrar, 1970.

15/1/70

Hon. J.P. Skarns J.M.

Now appears for the applicant.

Notice be issued again to the applicant. As well as counsel. Notice be given to Sir Shri Srinivas, Adv. Asad to be on the panel of N.B. to M.C.A.T. Further order on 12.3.70.

Neantime reply may be filed by 12.3.70. It can be put up as it is today for further order on 12.3.70.

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

No one for the applicant is present. Shri A. Srinavata, appears on behalf of the respondent. Let counter affidavit be filed within 3 weeks. is a writ petition of the year. Therefore, no more adjournment granted to the respondent, if any, may be filed within 2 weeks, after filing

on
Notice filed

12/1/70

Car has been used on 20.0.70
Car is not submitted.
Stay is granted
C.A./R. not filed
After was
will from on 12/1/70
No adjournment
order can be made
return
submitted to

order
16/1/70

on
Notice filed
12/1/70

Notice was issued on 30/1/70
No adjournment
order can be made
return
submitted to
S. F. order
9/1

Applicant is present
 in person. counter has
 not been filed so far.
 Respondent to file it, by
 14/4/92.

24.3.92
 D.R.

(18)

counter by 24/3/92.

Applicant is present.
 Respondent did not
 file counter so far.
 He is ordered to file
 counter by 24/3/92.

11.2.92
 D.R.

(17)

Applicant is present.
 counter has not been
 filed till today. O.P.
 to file it, by 11/2/92.

3.12.91
 D.R.

(16)

Sr. B. Kant counsel
 for applicant is present
 Sr. A. Sivaraman is of
 respondent's Respondent's
 did not file counter till
 they are ordered to file
 counter till 3.12.91

17.11.91
 D.R.

(15)

17/11

(X²)

16. 4. 92

D.R.

This case has been taken
up today, because on
the date fixed office
was closed. Respondents
did not file counter
solar. Both the parties
are present. Respondent
to file counter by 7/7/92

(✓)

A/4

(20)

7.7.92

D.R.

Applicant is present
in person. Counter has
not been filed. O.P. to
file counter by 8/9/92.

(21)

8.9.92

D.R.

Applicant is present.
Sr. A. Sivastava filed
Counter. Applicant is directed
to file Reply by 9.11.92

9.11.92

Applicant is present.
He is also directed
to file Rejoinder
on or before 31.12.92

(22)

1.1.93

D.R.

Due to the winter vacation
file has not been placed on
31.12.92. Place this file on
4.2.93 for filing Rejoinder

ORDER SHEET

T.A. 1100/07 (7)

NO OF 19

VS

Sl No	Date	Office report	Orders
-------	------	---------------	--------

23 04/2/93

P.R.

Both the parties are absent.

Applicant to file R.A. on the date fixed, list his case on 28/4/93 for F.H.

OK

R.A. 28/4/93

SKH

L

23/4/93

AK

11/5/93

No sitting of S.B. adj'd 11/5/93.

No sitting of D.M. adj'd 20/7/93

CR

CHARTER

SKH

L

05/5/93

OK

CHARTER & FILE

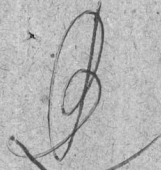
1 P.M.

30/4/93


26/ 2/7/93

Hon. Mr. B. K. Singh, A.M.

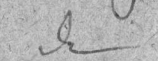
Parties were called-out
None responds. C.A. has been filed.
R.A., if any, may be filed within
4 weeks. Put-up this case
on 25/10/93 for final hearing
& disposal.


A.M.



OR
CA filed
R.A. not filed
SP 4
15/10

(37) 
25.8.93

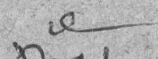
No setting of D.B. adjourn
to 4.10.93


Boe.

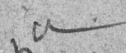
OR
Counts filed but
CA not filed
SP 4
11/10

(38) 
4.10.93
(39) 
25.11.93

Dir. to Sec. General to
N.P. Tripoli Adv. Coe
15/11/93


Dial

Crim. record copy
9.1.94


Dial

OR
CA filed
R.A. not filed
SP 4
7/1/94

T.A. No. 1188/87
IN
W.P. No. 4842/83

A/6

(30)

10.1.94

Hon'ble Mr. S.N. Prasad, J.M.
Hon'ble Ms. Usha Sen, A.M.

Since 9.1.94 was Holiday, it has been listed

today. The case called-out several times at intervals. None responds on behalf of applicant. Shri Anil Srivastava counsel for the respondents is present. This is noteworthy that on last two dates also i.e.


2.7.93 and 4.2.93 also none responded on behalf of

applicant; Hence, the W.P. No. 4842/83 (P.A. No. 1188/87) is dismissed for default of the applicant.

(g.s.)

Und
A.M.


J.M.


in the presence of
27/1/94

(31)

18.2.94

Due to Shri Anil Srivastava
to 15.4.94

Done

OR

18.2.94
restoration of applicant
S.A.

(32)

15.4.94

No showing of D.M. cell
to 24.6.94

Done

18/2

(33)

24/6/94

Hon. Mr. U.K. Seth, A.M.
Hon. Mr. D.C. Verma, J.M.

The applicant is present in person and seeks adjournment due to illness of his counsel. List on 22/8/94 for orders.


J.M.

L.S.
A.M.

③ 22/8/94

Hon. Mr. Justice B. C. Saxena V. C.
Hon. Mr. K. Mukherjee, A. M.

This is an old case. Application for restoration has been moved. Accordingly the O. A. shall be listed on 24-8-94 for final hearing. The applicant is present in person. His counsel is not present. The applicant is informed of the date fixed for final hearing. In case the applicant's counsel is not present on the said date, the orders on restoration shall be passed. List on 24-8-94 for hearing.

OR
Submitted for
hwy

L

Bch

24/8

38

A. M.

V. C.

24-8-94

Hon. Mr. Justice B. C. Saxena, V. C.
Hon. Mr. K. Mukherjee, A. M.

An application for adjournment of the case has been ~~moved~~ moved by the applicant ^{counsel} for the ground of illness. Without passing any order on the application for restoration, we are adjourning the case. Orders on application for restoration will be considered simultaneously with the hearing on the T. A. list on 15-9-94.

L

A. M.

Bch

V. C.

OR

Submitted for
hwy

14/9

2/6

15-9-94 Lawyers advised for 20.10.94
colly & 20.10.94
made

OR

Submitted for order
M.F. 182/94

19/10

(5) 26/10/94

Hon'ble Mr. V.K. Seth, A.M.
Hon'ble Mr. D.C. Verma, J.M.

Applicant present
in person & seeks adjournment
on the ground of
illness of his counsel.

list on 01/12/94
for hearing.

J.M.

A.M.

(28) 1.2.94

No change in D.M. colly to
14.12.94

Boc

OR
R.A. Filed
Submitted for order
on M.F. 182/94

13/12

OR

(28) 14.12.94

No change in D.M. colly
to 27.1.95

made

Submitted for hearing

25/1

TA 1188/87

40) 27-1-95

Hon Mr V. K. Seth - A.M.
Hon Mr D.C. Verma J.M.

Gen Anil Girdhar files
CA and serves it on the
applicant who is present
in person. The learned
counsel for applicant
sells adjournment.
Not for hearing on
24-2-95

CA
Seth
Ad

JM

AM

41) 24-2-95

Hon Mr V. K. Seth, A.M.
Hon Mr D. C. Verma, J.M.

List this case on 24-3-95.

JM

AM

42) 24-3-95

No calling of D. D. adj to
7-4-95

with for hearing (3)

7-4-95 Hon Mr Justice B.C. Saxena VC.
Hon Mr V. K. Seth A.M.

On the request of learned
counsel for the respondent
adj to 24-4-95.

AM

BC

OK
with for hearing

141 24.4.95

No sitting of D.B. at 2.30 P.M.

Can in adj. to 8.6.95?

B.O.C.

(15) 8.6.95

Hon. Mr V.H. & Co, A.M.
Hon. Mr. D.C. Wong, J.M.

Applicant in person is present.
Sri Anil Srivastava on behalf
of respondents. T.A is wrongly
listed for hearing but it should
be listed for order on MB 182/95
which is an application for
restoration of the T.A which was
earlier discontinued in default.
List on 25.7.95 for
order.

J.M.

A.M.

(16) 25-7-95

No sitting of D.B.
adj to 29-8-95.

B.O.C.

Sub
by
21/4

T.A. 1188/87 ^{A/9}
W.P.No. 482/83

(47) 29-8-95

Hon'ble Mr. V.K. Seth - A.M.

Hon'ble Mr. D.C. Varma - J.M.

Sri Badir Ahmed, B.H. for
Sri S. Kant, learned counsel for
the applicant prays for two
week's time for filing a
Supplementary Affidavit. Time
allowed.

List for orders on

M.P.No. 182/94 on 13-10-95.

J.M.

W.K.
A.M.

OK
Supplementary Affidavit
Filed.
Submitted for order

K.N.

(48) 13-10-95

Hon'ble Mr. V.K. Seth - A.M.

Hon'ble Mr. D.C. Varma - J.M.

For the applicant - Sri C.P.M. Tripathi, learned
counsel.

For the respondents - Sri Anil Srivas tafa, learned
counsel.

Heard the counsel and perused the contents of
the Affidavit accompanying M.P.No. 182/94. O.A. is
restored to its original number subject to payment
of Rs.200/- as cost be deposited in the Registry
before the next date.

As the pleadings are complete the same may
be listed for hearing on 17-11-95.

J.M.-

W.K.
A.M.

OK
Submitted for hearing
15/11

Received Copy
K.N. (49)
17.11.95
Submitted for hearing

Case not reached before to 15.12.95

Mal
Bai

(54) 25-3-96

Hon Mr Justice B C Saksena, VC.
Hon Mr V K Seth, AM

Learned Counsel for respondents
prays for and is granted
^{2 weeks}
~~2 weeks~~ time to file reply
to the Supplementary Affidavit
MA on 15-4-96.

OK
No reply filed.
Submitted for hearing
11/4

VK
AM

Bcl
VC

(55) 15-4-96

Case not ready for adj on 10-16-5-96

OK
Reply of Supp Affidavit
not filed.

(56) 16-5-96
Submitted for hearing
14/6

Hon. Mr V K Seth, A.M.
Hon. Mr D C Verma, J.M.

Learned Counsel for
applicant seeks adjournment.

Wiz on 02/7/96 for hearing.

As this is an old case
on the next date it may be
heard & disposed of in the absence
of the counsel for either ~~part~~ or
both the parties.

OK
Submitted for hearing
26/6

VK
AM

VK
AM

(57) 2-5-96

OK
Submitted for hearing
26/6

No adjournment D.M. adj on 10
01.8.96

Bcl

(58) 1-8-96

Hon Mr Justice BC Sengupta, VC

Hon Mr VK Seth AM

OK
Submitted for hearing
21/8

Applicant is present in person.
List on 26-8-96

VK
AM

BC
VC

(59) 26-8-96

OK
Submitted for hearing
28/8

Hon'ble Mr. V.K. Seth A.M.

Hon'ble Mr. D.C. Verma J.M.

None for applicant.

For respondents: Sri A. Moine...
Sri A. Srivastava is on leave.
List on 03-9-96.

VK
J.M.

VK
A.M.

(60) 3.9.96

Hon'ble Mr. V.K. Seth, A.M.
Hon'ble Mr. D.C. Verma, J.M.

For applicant ... Sri C.P.M. Tripathi
For respondents ... Sri Anil Srivastava

Learned counsel for the respondents stated that the counter affidavit and the rejoinder affidavit, which are on record, are with reference to writ petition bearing the same number but jointly filed by three applicants viz. S/s Ram Chandra, Mohan Singh and Tribhuwan Prasad where as the petition being heard today though bearing the same number has been filed by Sri Ram Chandra alone, who is represented by the present learned counsel Sri C.P.M. Tripathi. As requested by the learned counsel for the respondents, therefore, Sri Tripathi learned counsel for applicant undertook to supply a copy of the writ petition to the learned counsel for the respondents during the course of the week whereafter respondents shall file counter affidavit within two weeks and the applicant his rejoinder affidavit within one week thereafter. List this T.A. for hearing on 30.10.96.

VK
J.M.

VK
A.M.

OK
Submitted for hearing
10/10

30-10-96

Hon. Mr V.K. Sedh. A.M.
Hon. Mr D.C. Verma, J.M.

TA 1188/87
(W 8482-83)

Shri C.P.M. Tripathi for applicant.
Shri Parveen Kumar brief holder
for Shri Anil Srivastava for respondent
prays for adj is allowed 2 weeks
to file CA. The applicant will
have 2 weeks thereafter to file
R.A.

but for hearing on 13-12-96.

JM

u/s
AM

OR

Ho. Reps. & Del (62)
Vide Court 13-12-96 - Ho. Settling of DB adj to
13-1-97

Sub. dt. 30.10.96 (63)
Sub. dt. 19-2-97

211
Hon. Mr V.K. Sedh. A.M.
Hon. Mr D.C. Verma J.M.

for

OK

Sub. dt. 19-2-97
1242

Shri C.P.M. Tripathi for applicant
Shri Anil Srivastava for
respondent & on leave
but on 19-2-97.

JM

u/s
AM

(64)

19-2-97

Hon Mr V.K Seth, AM

Hon Mr D.C. Verma, JM

TH

Shri C.P.N. Tripathi for applicant
Shri Anil Srivastava for respondents
prays for adjournment

List on 4-3-97

OR

Submitted for hearing

JM

V.K.
AM

25/2

(65)

04-3-97

Hon. Mr. V.K. Seth, AM.

Hon. Mr. D.C. Verma, J.M.

Shri C.P.N. Tripathi, learned
counsel for applicant. Shri Anil
Srivastava, learned counsel for
respondents. CA has been served
& filed in the Registry today. As
prayed for applicant is allowed
2 weeks time to file RA.

list on 03-4-97 for hearing.

J.M.

V.K.
AM.

Ar

(66) 3-4-97

No entry at D.M. office
02-5-97

Mao

61
For Court or Reply

Adl.
Submitted for hearing

25/4/97

(67) 2-5-97

AV TA 1188/87

Hon. Mr Justice B.C. Saxena, VC
Hon. Mr V.K. Seth, AM

Learned counsel for applicant
has not illud slip.

Since this is an old case
the OA is being adjourned
as a last opportunity with
specific provision that on
the next date the OA shall
be decided on the basis of
pleadings on record even in the
absence of applicant or his
counsel. We also find that
CA was served on the learned
counsel for applicant on
6-3-97. 2 weeks time
therefore, is granted to the
applicant as a last
opportunity

but on 30-5-97 for
hearing

AM

VC

22

OR (60) 30-5-97

Submitted for hearing
21/7/97

Not signed on. M. J. J. M.
29-7-97
me

69 22-97
69

Hon. Mr. S. Das Gupta, A.M.
Hon. Mr. D.C. Verma, J.M.

For applicant: S.C.P.M. Tripathi
For respondent: S. Praveen Kumar
Holding for S.D. and S. Vasant

Applicant has filed R.A. with an application for condonation of delay. The delay is condoned. Let R.A. form part of the record. Learned counsel for applicant is not prepared to advance argument today.
List for hearing on 5-8-97.

O.R.
Submitted for hearing
30/7/97 (70)

J.M.

W.C.
A.M.

5-8-97 Hon. Mr. S. Das Gupta, A.M.
Hon. Mr. D.C. Verma, J.M.

Shri C.P.M. Tripathi for applicant.
Shri Praveen Kumar learned counsel for respondent sets out and is allowed 2 weeks time to file supplementary counter Affidavit to indicate the nature of irregularities which led to cancellation of panel. If such a counter Affidavit is filed, the applicant will have 2 weeks thereafter to file R.A.
List for hearing on

O.R.
Submitted for hearing
20/8/97

5-9-97

J.M.

W.C.
A.M.

(71) 8.9.97

No filing of n.m. affidavit to
11.11.97

Boc

OR
Submitted for hearing

27/11/97

(72) 11.11.97

Hon. Mr. V.K. Seth A.M.
Hon. Mr. D.C. Verma J.M.

Sri C.P.M. Tripathi for applicant.
Sri Anil Srivastava is on leave today.
List on 25-12-97 for hearing.

OR
Submitted for
hearing.

10/12/97

Dec

J.M.

LV
Don.

(73) 25/12/97

Hon. Mr. V.K. Seth, A.M.
Hon. Mr. D.C. Verma, J.M.

The applicant is present in
Person. None for respondents.

List on 20/1/98 for hearing

J

LV

(74) 20.1.98

Lawyers abstain from
judicial work case is
closed to 18.2.98.

(75) 10-2-98

Hon. Mr. V.K. Seth, A.M.
Hon. Mr. D.C. Verma, J.M.

Sri C.P.M. Tripathi, Learned
Counsel for applicant. Sri Anil Srivas-
tava, for respondents. As prayed for
respondents are allowed 2 weeks
time for filing reply to IL 1792/95
after serving the same on the learned
Counsel for applicant.

List on 17-3-98 for hearing.

J.M.

LV
A.M.

T.A. 1188/87

(76)

17.3.98

D.B. is not available
after lunch, case adj. to 01-7-98.

B. V. S.

(77)

01-7-98

No sitting of D.B. case is
adj. to 03-9-98 for hearing.

B. V. S.

(78)

03-9-98

No sitting of D.B. adj. to
26-11-98.

B. V. S.

(79)

26-11-98

No sitting of D.B.
case adj. to 25-2-99
for hearing.

B. V. S.

(80)

25-2-99 No sitting of D.B. adj.
to 12-4-99

B. V. S.

OK
Submitted for
hearing.
20/8/98

12.04.99

A/H

(81) Special sitting of D.B. the case
is adjourned to 02-06-98.

g
Boc

2.899 - Hon. Mr. D.C. Verma - J.M.
Hon. Mr. A.K. Misra - A.M.

(82)

Due to part heard case.
adj to 18.8.99 for hearing

A.H.
A.M.

A
J.M.

2.

(83) 18.8.99

Hon. Mr. D.C. Verma J.M.
Hon. Mr. A.K. Misra, A.M.

Sr. C.P.M. Tripathi, Counsel for
applicant.

Sr. Anil Srivastava, Counsel for
respondents has sent adjourn-
ment application.

dist on 09-9-99 for

hearing

A.H.
A.M.

A
J.M.

2

(84)

9.9.99. No sitting of QB adj
to 12.10.99 for hearing

2/11
Boc

(85)

Due to post heard case adjn
to 01-11-99 for hearing

4
B.O.C

(86)

case is adjn to 16-11-99
for hearing

4
B.O.C

16-11-99

(87)

Hon'ble Mr D. C. Verma - JM
Hon'ble Mr A K M'soc - AM

Sr S.K. Sinha counsel for
applicant

Sr Anil Srivastava counsel
for respondent

Heard, order reserved

4

DM


JM


(88)

15/12/99

Hon'ble Mr D.C. Verma - JM
Hon'ble Mr A K M'soc - AM

order pronounced in open court

today.


DM


JM

4
m
new dt. 15/12/99
prepared on
21/12/99.
20/1/99

CENTRAL ADMINISTRATIVE TRIBUNAL, LUCKNOW BENCH

LUCKNOW

Lucknow this the 15th day of Dec., 99.

T.A. No. 1188/87

(Writ Petition No. 4842/83)

HON. MR. D.C. VERMA, MEMBER(J)

HON. MR. A.K. MISRA, MEMBER(A)

Ram Chandra aged about 31 years, son of late Shubh Narain, resident of C/o Telecom Inspector T.C.I. Office, N. Railway Varanasi.

Petitioner.

By Advocate Shri S.K. Sinha.

versus

1. Union of India through General Manager, N. Railway Baroda House, New Delhi.
2. The Divisional Railway Manager, N. Railway Lucknow.

Respondents.

By Advocate Shri Anil Srivastava.

O R D E R

BY D.C. VERMA, MEMBER(J)

The applicant Ram Chandra has challenged the order dated 27.7.83, by which a ^{panel} ~~panel~~ of Telecom Maintainer (in short T.C.M.) formed from Casual T.C.Ms issued vide office letter dated 28.1.83 was cancelled.

2. Initially, the applicant had filed writ petition No. 4842/83 before the Lucknow Bench of the Hon. High Court under Article 226 of the Constitution of India. By order dated 13.9.83, the Hon. High Court passed an Interim order of status quo, as regards the petitioner's service as it stood on that date. After the Administrative Tribunal, ^{Act} came into force, the aforesaid writ petition was transferred to this Bench of the Tribunal and the case was registered as T.A. 1188/87.

3. As per the applicant's case, he was initially appointed as Khalasi/Lineman sometime in the year 1972. A test for the post of T.C.M. was conducted. The applicant also appeared in the said test. After following the due procedure,

of conducting written test, as well as the oral interview, the applicant alongwith others, was declared successful in the selection vide General Manager(P) letter dated 28.1.83 (Copy Anneuxre 1 to the O.A.). The applicant claims, that accordingly he started functioning as T.C.M. against a permanent vacancy and started receiving salary also. However, by the impugned order Anneuxre-3 dated 27.7.83, the General Manager (P) cancelled the panel, hence this O.A.

4. The submission of the learned counsel for the applicant is that once the panel had been approved by the competent authority, the names of the candidates have been notified, it cannot be cancelled or amended by the same authority. The amendment or cancellation of the approved panel, if it is submitted, can be done only after obtaining approval of the authority next higher than the one that approved the panel. The learned counsel has placed reliance on the establishment rules and also on the decision of the apex court in the case of Shyam Sunder vs. Union of India and others reported in A.I.R. 1969, S.C.212.

5. As ^{per} the establishment rules quoted in the O.A., the list of selected candidates is required to be put up before the competent authority for approval before it is announced. In case the competent authority does not accept the recommendation of the selection Board the case is to be referred to the General Manager, who may constitute a fresh selection Board at a ^{higher} level or issue such orders as he considers appropriate. The rule further provides that after the competent authority has accepted the recommendation of the Selection Board, the names of the candidate is notified to the candidate. A panel, once approved, should normally not be cancelled or amended. It however, provides that after the formation and announcement of panel with the approval of the competent authority if it is found subsequently, that there were procedural irregularities or other defects and it is considered necessary to cancel or amend such a panel, it is to be done after obtaining the approval of the authority next

12

higher than the one that approved the panel. The rule refers to the Railway Board circular No. E (NG) 167 PM 1/47 dated 5.2.1969.

6. Thus, as per the rules, after the panel is approved and notified, it can be cancelled or amended only after the approval of an authority next higher than the one, who approved the panel. In the case in hand, the panel was approved by General Manager (P) ^{and} the next authority higher to the General Manager (P) was the Railway Board. The impugned order (Annexure -3) does not indicate that the approval of the Railway Board was obtained before the panel was cancelled. Consequently, the cancellation of the panel by the same authority, who had approved the panel is not in accordance with the prescribed rules. The impugned order, therefore, is invalid.

7. The learned counsel for the applicant has cited the decision of the apex court in the case of Shyam Sunder (supra). In that case also the matter under consideration was cancellation of a panel. In the cited case, the General Manager, Northern Railway had approved the panel of selected candidates. It was however, found that the General Manager had cancelled the said panel after the approval of the Railway Board. The apex court had therefore, upheld the order of cancellation. In the case in hand, it has been found that the cancellation of the panel was made by the General Manager (P) without any approval of the Railway Board, therefore, the impugned order is invalid.

8. In view of the discussions made above, the impugned order (Annexure A-3) dated 27.7.83 is quashed. The O.A. is allowed accordingly. Costs easy.


MEMBER(A)


MEMBER(J)

Lucknow; Dated: 15-12-99

Shakeel/

GENERAL INDEX

Chapter XLI, Rules 2, 9 and 15

SIDE

ANAL

and number of case

W.P. 4842-83

of parties

Ram Chandra

vs. Union of India

of institution

13-9-83

Date of decision

File no.	Serial no. of paper	Description of paper	Number of sheets	Court-fee		Date of admission of paper to record	Condition of document	Remarks including date of destruction of paper if any
				Number of stamps	Value			
1	2	3	4	5	6	7	8	9
					Rs. P.			
A	1	General Index	1	-	-			
A	2	Order sheet	1	-	-			
A	2	Writ petition affidavit & annexes	13	-	102-00			
	3	Power	1	-	5-00			
	4	Emd 10203(w) 983782	1	-	5-00			
	5	Power	1	-	5-00			
	6	Affidavit	2	-	2-00			
	7	Order sheet	1	-	-			
	8	Book copy	1	-	-			

I have this day of 197, examined the record and compared the entries on this sheet with the papers on the record. I have made all necessary corrections and certify that the paper correspond with the general index, that they bear Court Fee Stamps of the aggregate value of Rs. , that all orders have been carried out, and that the record is complete and in order up to the date of the certificate.

Date

Munsarim
Clerk

Group A 14 (f) & (k.)

7385. A/19

IN THE HON'BLE HIGH COURT OF JUDICATURE AT ALLAHABAD

LUCKNOW BENCH, LUCKNOW

Writ Petition No. 4042 of 1983.

Ram Chandra - - - - - Petitioner

Versus

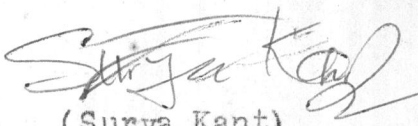
Union of India and another - - - - - Opposite Parties

INDEX

Sl.No.	Particulars	Pages No.
1.	Writ Petition	1 to 7
2.	Annexure No. 1	8
3.	Annexure No. 2	9
4.	Annexure No. 3	10 & 11
5.	Affidavit	12 & 13
6.	Power	14
7.	Stay Application	15

Lucknow Dated

September 12, 1983.

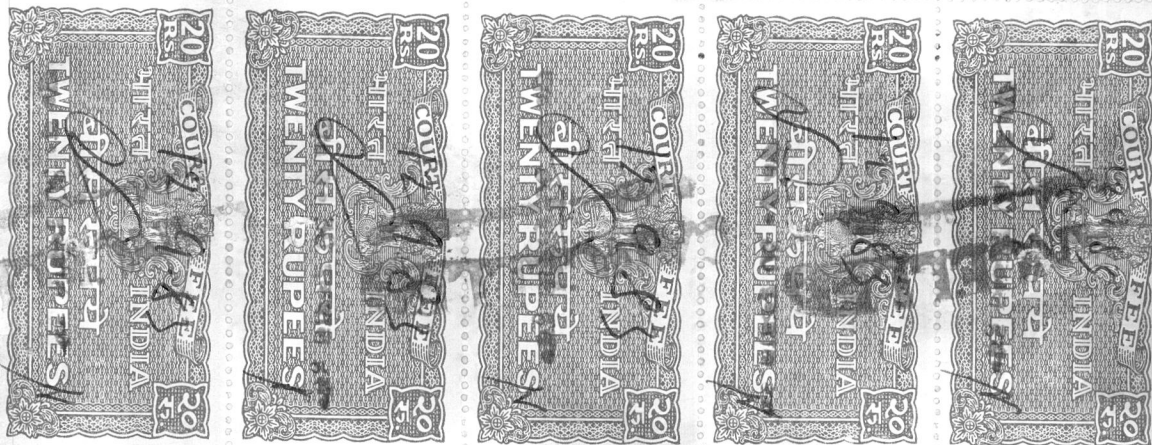

(Surya Kant)
Advocate,
Counsel for the Petitioner

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A
20

IN THE HON'BLE HIGH COURT OF JUDICATURE AT ALLAHABAD

LUCKNOW BENCH, LUCKNOW.

Writ Petition No. 4042 of 1983.



Ses 2 B 1001
9/2/83
Ram Chandra aged about 31 years, son of late Sri ~~Sunil~~ Shubh
Narain, resident of C/O Telecom Inspector, T.C.I. Office,
N. Railway, Varanasi. - - - - - Petitioner

Versus

1. Union of India through General Manager, N. Railway,
Baroda House, New Delhi.
2. The Divisional Railway Manager, N. Railway, Hazratganj,
Lucknow.

- - - - - Opposite Parties

Writ Petition under Article 226 of
the Constitution of India.

Before the Hon'ble Chief Justice
and His Companion Judges of the
Hon'ble Allahabad High Court, sitting
at Lucknow.

The humble petitioner submits as under:-

1. That the opposite party No. 2 appointed the
petitioner as Khalasi/Line Man some time in 1972,
and the petitioner worked very hard and to the
satisfaction of his superiors and after due time
he was given the status of temporary Railway servant
in accordance with law and ultimately the petitioner
was considered eligible for the test for the
selection of the post of Telecom Maintainer (Line)
in the grade of Rs. 260-400.



राम-च-६

(37)

~~MEMO.~~
Impressed
Adhesive 100/-

Total

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

In time up to

Papers filed. Copy of F. O.
should also be filed.

~~W. O. - Bench.~~

Last Drop Order No 3227-7-83

~~Recd.~~

Order passed at Delhi.

Subscribed
13.9.83
2
13/9

Hon. U.C.S. J.

Hon. K.M. G. J.

Issue notice to opposite
parties to show cause why
the writ petition be not
admitted returnable by 27-9-
1913. Petitioner's counsel
undertakes to serve opposite
party no. 2 out of Court for

which purpose Dasti
notices will be issued to
him. In the meantime
status quo as regards
petitioner's service, as it
exist today, shall be maintained.

13-9-13
f.

2. That the petitioner along with others appeared before the S-election Committee for the said post on 16-1-1981 at Kanpur and qualified the test which includes written as well as oral interview also and he was declared successful in the said Selection vide the letter of the General Manager (P) of the opposite party No. 1 a true and typed copy of the said letter dated 28-1-1983 is filed herewith as Annexure No. 1 to this writ petition.
3. That the opposite parties¹⁴⁰² thereafter circulated the posting orders of different persons including the petitioner vide letter dated 11-3-83 which was later on modified on 24-3-83 and a true and typed copy of the letter dated 24-3-83 is filed herewith as Annexure No. 2 to this writ petition.
4. That thereafter the petitioner started functioning as Telecom Maintainer (Line) against the permanent vacancy and he started receiving the salary and is still working upto the full satisfaction of his superiors under the control of opposite party No.2 and no complaint has ever been received or any charge or adverse remarks have been communicated and to the best knowledge of the petitioner his service record is blotless, neat and clean.
5. That it appears that the opposite party No. 1 in the permanent negotiation machinery meetings with the recognised trade unions was agreed first of all to pend the said selection against which a writ petition has been filed by the petitioner on 27-4-1983 which is still pending before this Hon'ble Court.
6. That the petitioner has advised to state that the following are rules for approval of the panel,



representation against the panel, and amendment of the panel."

" 17:- Approval of Panel:- The list of selected candidate should be put up to the competent authority for approval, before it is announced.

If the competent authority does not accept the recommendation of the Selection Board, the case should be referred to the General Manager who may constitute a fresh Selection Board at a higher level or issue such orders as he considers appropriate.

Before a panel is published, the approving authority should satisfy itself that there has been no procedural irregularity in the formation of the panel."

"18:- Representation against panel:- Representations if any, against the panel should be submitted to the competent authority within a period of two months from the date of publication of the final panel. Any representation, received after that period should normally not be entertained. However, it will be opened to the competent authority to use its discretion and take such action as is considered necessary if it is satisfied that an irregularity has been occurred and on that account some staff has been put to hardship.

(Railway Board's letter No. E(NG)168PM 1-60 of 29-8-68)."

" 20:- Amendment of the panel:- After the competent authority has accepted the recommendations of the Selection Board, the names of the candidates will be notified to the candidates. A panel once approved should normally



श्रीमन्मन्त्रालय

(4)

not be cancelled or amended. After the formation and announcement of panel with the approval of the competent authority if it is found subsequently that there were procedural irregularities or other defects and it is considered necessary to cancel or amend such a panel, this should be done after obtaining the approval of authority next higher than the one that approved the panel. (R.B's No. E(NG) 167 PM 1/47 of 5-2-69).

7. That the petitioner has come to know that on 27-7-1983 the opposite party No. 1 has cancelled the panel and its consequence would be that the petitioner shall be reverted to the post of Khallasi/Casual Labour while the fact is that there is no vacancy existing for the post of Khallasi/Casual Labour from where the petitioner has been selected and approved on the post of Telecom Maintainer (Line) and a photostat copy of the said letter dated 27-7-1983 issued by opposite party No. 1 is filed herewith as Annexure No. 3 to this Writ Petition.
8. That a perusal of annexure No. 1 shall indicate that the General Manager approved the panel and the authority higher to that is the Railway Board and there is no indication in the Annexure No. 3 that the approval of the Railway Board have been taken before cancelling the panel contained in Annexure No. 1 and its cancellation contained in Annexure No. 3 to this writ petition.
9. That the petitioner has been advised to state that a perusal of Annexure No. 3 shall indicate that the opposite party No. 1 has not indicated any reason as to why he has cancelled the panel moreover



21-8-83

there have been no irregularity or illegality in the constitution of the Selection Board nor there had been any illegality or irregularity in the panel or in its approval, not only this the petitioner according to best of his knowledge, ¹ no representation against the panel was ever submitted to the competent authority and merely opposition by the trade union in a meeting has got no relevancy and it cannot be treated as a ¹ ~~pr~~ representation against the panel.

10. That the petitioner has been advised to state that working on the post of Casual Labour for quite a long period he acquired the temporary status and then he was promoted on the high post by s selection and interview after passing the elligibility test so the opposite party No. 1 was having no jurisdiction to cancel the same without ¹affording an opportunity of being heard and by this way Article 311 (2) of the Constitution have been violated. Not only this in "Shyam Sunder Versus U.O.I. AIR 1969 S.C. 212 it has been held by their Lordships of the Hon'ble ¹Supreme Court that in that very case the General Manager, Northern Railway was the approving authority so before cancellation of panel ¹ of the selected candidate the next higher authority i.e. Railway Board have not been consulted for approval so the order/¹the General Manager was quashed as the deponent has been advised to state.

11. That about the Annexure No. 3 the petitioner only came to know on 11-9-83 and he apprehends that the opposite parties in implementing the same may revert the petitioner and if they are allowed to do so then the petitioner shall suffer irreparable loss and injury. Since the order contained in



Annexure No. 3 is without jurisdiction, bad in the eye of law. Since the petitioner has no alternative remedy except to file this writ petition is liable to be set aside on the grounds inter-alia :-

G r o u n d s

- a) Because the panel have been approved by the General Manager of the opposite party No. 1 so before cancellation of the pannel the approval of the next higher authority ought to have been obtained and in not doing so the impugned order is hit by the rules quoted above which have been framed by the Railway Board having the Rule making authority and which have the force of law.
- b) Because no representation has ever been received against the panel so the opposite party No. 1 was having no jurisdiction to set aside the same especially when there was no procedural irregularity or illegality in the formation of the Selection Board and approval of the panel.
- c) Because once the petitioner has been promoted by way of a elligibility test then cancellation of the ~~p~~ said promotion ~~by~~ vide Annexure No. 3 is directly in conflict with the provisions of Article 311(2) of the Constitution.
- d) Because the opposite party No. 2 is bent upon to implement the said order hence the opposite party are liable to be commanded not to implement the order contained in Annexure No. 3 to this petition which has not yet been given
- e) Because the impugned order is perverse in law and in the eye of law

to be set aside with costs.

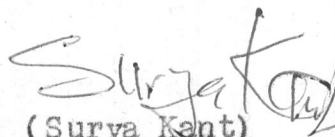
P r a y e r

Wherefore it is prayed that this Hon'ble High Court may kindly be pleased to :-

- i) issue suitable order, direction or writ in the nature of certiorari quashing the impugned order contained annexure No. 3 to this writ petition;
- ii) issue a suitable order, direction or writ in the nature of mandamus commanding the opposite party No. 2 not to give effect of the impugned order contained in Annexure No. 3 to this writ petition since it is he who is supposed to give effect and implement the annexure No. 3 to this writ petition;
- iii) issue any other suitable order, direction or writ which this Hon'ble High Court may deem fit, just and proper in the facts and circumstances of the case may also be awarded to the petitioner;
- iv) cost of this petition may be awarded to the petitioner against the opposite parties.

Lucknow Dated

September 19, 1983.


(Surya Kant)
Advocate,
Counsel for the Petitioner.

IN THE HON'BLE HIGH COURT OF JUDICATURE AT ALLAHABAD (8)

LUCKNOW BENCH, LUCKNOW.

Writ Petition No. of 1983.

Ram Chandra - - - - - Petitioner

Versus

Union of India and another - - - - - Opposite Parties

Annexure No. 1

B.L.19/G.L.19
General 99 Bada/Genl.99 Large

NORTHERN RAILWAY

HEADQUARTERS OFFICE
BARODA HOUSE NEW DELHI.

No. 220E/1653XII(B11B) Dated 28-1-1983.

DRMS/DLI ALD LKO MB

Sub:- Absorption of daily rated skilled staff for the
post of T.C.M. grade No. 260-400 (RS).

.....

As a result of the selection held on 15-1-81, 16-1-81
and 10-2-82, the following daily skilled staff have been
found suitable for absorption as T.C.M. grade Rs. 260-400
(RS) against 25% quota in terms of para 2512(ii) of Indian
Railway Establishment Manual.

The candidates may be offered appointment against
quota of 25% vacancies after observing the requisite for-
malities regarding medical test etc.

<u>Sl.No.</u>	<u>Name & Father's Name</u> <u>S/Shri</u>	<u>Division of</u> <u>working.</u>	<u>Division</u> <u>allotted</u>
1.	A.K.Bose S/O B.N.Bose	NDLS	DLI
2.	Sone Lal S/O Parsadi Lal	NDLS	DLI
3.	Pankaj Kumar S/O T.P.Jaiswal	ALD	ALD
4.	Brindaban S/O Mathura Prasad	NDLS	DLI
5.	Sudarshan Kumar S/O Ved Prakash	NDLS	DLI
6.	Govindan S/O Narain Mamboday	NDLS	ALD
7.	Mohan Singh S/O Ujagar Singh	LKO	LKO
8.	Tribhuvan Nath S/O Dwarka Pd. Dubey	LKO	LKO
9.	Ram Chander (SC) S/O Subh Narain	LKO	LKO ✓
10.	Jaintri Prasad S/O Ganga Pd.	LKO	ALD
11.	Ram Karan S/O Ram Pher	LKO	MB
12.	Mangu Lal (SC) S/O Mithoo Lal	NDLS	MB
13.	Gyan Singh S/O Roop Singh	DLI	MB
14.	Om Prakash S/O Kashi Ram	MB	MB

Sd. xxxx
28/1

2 Copies given to
Sh.S.P.Handi
for Union Cell.

For General Manager (P)
Sd. xxxx
28/1/83

Sd. xxxx
29/1



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

Writ Petition No. of 1983.

Ram Dhandra - - - - - Petitioner

Versus

Union of India and another - - - - - Opposite Parties

Annexure No. 2

NORTH ERN RAILWAY

DIVISIONAL OFFICE
LUCKNOW. Dt. 24.3.1983

No. 220 E/II I/TCM/III/Line

NOTICE

In partial modification of this office notice of even No. 940/III/TCM/III dt. 11-3-83 the under noted changes are hereby ordered to have immediate effect:-

- i) Shri Tribhuwan Nath Dubey, TCM (Line⁴/III SWPR is transferred to Varanasi as TR/TCM/III Line against an existing vacancy on his own request.
 - ii) Shri Ram Chandra, Khallasi under TCM/BSB is transferred to SWPR on promotion as TCM/Line/III against item No. 1 above instead of UBN.
- This has been approved of competent authority.

Sd. xxxx
Divl. Personnel Officer,
Lucknow.

Copy to :-

- 1) Dste/LKO, SR/DO/LKO, CTI/I/Lko and TCM/BSB &

(RBL) for information and necessary action.



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IN THE HON'BLE HIGH COURT OF JUDICATURE AT ALLAHABAD

LUCKNOW BENCH, LUCKNOW

Writ Petition No. of 1983.

A/29

Ram Chandra - - - - - Petitioner

Versus

Union of India and another - - - - - Opposite Parties

Annexure No. 3

J.P.-75/81-1,10,000 Pds.

जो. एल. 19-ए/ग.ल. 19-ए
जनरल 99 छोटा Genl. 99 Small

उत्तर रेलवे NORTHERN RAILWAY

HEADQUARTERS OFFICE
BARODA HOUSE NEW DELHI

Muz2202/1653CXI(SLIB)

Dated: -7-1983

DRMs/ILI ALD LKO & MB

SUB: Absorption of daily rated skilled staff for
the post of T.C.M. grade Rs. 260-400(RS)REF: This office letter of even number dated
24.3.83The panel of TCMS formed from Casual TCMS
issued vide this office letter of even number dated
28.1.83 is hereby cancelled.

for GENERAL MANAGER (P).

Copy to S.P.O.(U) with reference to item No. 36/82 of
UNCLD

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

Writ Petition No. of 1983.



1983
AFFIDAVIT
15/1023
HIGH COURT
ALLAHABAD



Ram Chandra

----- Petitioner

Versus



Union of India and another ----- Opposite Parties

AFFIDAVIT



I, Ram Chandra, aged about 31 years, son of late Shubh Narain resident of C/O Telicom Inspector T.C.I. Office, N. Railway, Varanasi do hereby solemnly affirm and state on oath as under:-

1. That the deponent is the petitioner in the above noted writ petition and as such he is fully conversant with the facts of the case.
2. That the contents of paras 1 to 9 of the Writ Petition are true to my own knowledge and those of paras 10 to 11 are believed by me



राम-च-५

A/31

(13)

to be true.

3. That the annexures are true copies and have been compared from the originals.

Lucknow Dated

September 12, 1983.

21-4-8

Deponent

Verification

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

Lucknow Dated

September 12, 1983.

21-4-8

Deponent

I identify the deponent who has signed before me.

Lucknow Dated
September , 1983.

Singh K. Adv. Advocate.

Solemnly affirmed before me on 12.9.83 at 2.30. A.M./P.M. by Ram Chandra the deponent who is identified by Sri S. K. Advocate, High Court Lucknow.

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

OATH COMMISSIONER
High Court (Lucknow Bench.)
LUCKNOW.

No 157/023

Date 12/9/83



ब अदालत श्रीमान

Honble High Court of Judicature
at Allahabad, Dist Bench, 2

महोदय



Ran Chandra

वादी (मुद्ई)

9832
4/13/9

बनाम प्रतिवाद मुद्दाअलेह

इमा

सन् १९

पेशी की ता०

१९

ई०

खे मुकद्मा में अपनी ओर से श्री

Advocate 10-Shipun
Jucker

एडवोकेट

महोदय

वकील

ता वकील नियुक्त करके प्रतिज्ञा (इकरार) करता हूं और लिखे इस मुकद्मा में वकील महोदय स्वयं अथवा अन्य वकील द्वारा पैरवी व जवाबदेही व प्रश्नोत्तर करें या अन्य कोई कागज दाखिल लौटावें या हमारी ओर से डिगरी जारी करावें और रुपया करें या सुलहनामा या इकबाल दावा तथा अपील व निगरानी ओर से हमारे या अपने हस्ताक्षर से दाखिल करें और दसदीक मुकद्मा उठावें या कोई रुपया जमा करें या हमारी या विपक्ष (आनी) का दाखिल किया हुआ रुपया अपने या हमारे हस्ताक्षर स्तखति] रसीद से लेवें या पंच नियुक्त करें वकील महोदय द्वारा का गइ 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 भेजता रहूंगा अगर मुकद्मा अदम पैरवी में एक तरफा मेरे खिलाफ फैसला हो जाता है उसकी जिम्मेदारी मेरे वकील पर नहीं होगी। इसलिए यह घकालतनामा लिख दिया कि प्रमाण रहे और समय पर काम आवे।

21-4-9

हस्ताक्षर

साक्षी [गवाह]

साक्षी [गवाह]

दिनांक

12

महीना

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१९८३

IN THE HON'BLE HIGH COURT OF JUDICATURE AT ALLAHABAD

LUCKNOW BENCH LUCKNOW.

C.M. Application No.

1020365
of 1983.

In

Writ Petition No.

4042
of 1983.

Ram Chandra aged about 31 years, son of late Sri Sukh Narain, resident of C/O Telecom Inspector, T.C.I. Office, N. Railway, Varanasi.

- - - - - Petitioner

Versus

1. Union of India through General Manager, N.Railway, Baroda House, New Delhi.
2. The Divisional Railway Manager, N.Railway, Hazratganj, Lucknow.

- - - - - Opposite Parties.

Application for stay

The humble petitioner submits that for the facts and reasons stated in the accompanying writ petition duly supported by an affidavit it is therefore prayed that the operation of the impugned order contained in Annexure No. 3 to this writ petition may kindly be stayed till the disposal of this writ petition, and an ad-interim order to this effect may kindly be granted meanwhile.

Lucknow Dated

September , 1983.

Surya Kant
(Surya Kant)
Advocate,
Counsel for the Petitioner.

N.R.

10/6



G.V. 3

Before
In the Court of

The Hon'ble The High Court - of Judicature Allahabad, Lucknow

Ram Chandra

Plaintiff
Defendant

Claimant
Appellant
Petitioner

Versus

Defendant
Plaintiff

Respondent

Union of India

The President of India do hereby appoint and authorise Shri

C. A. BASIR Adil

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

The President hereby agrees to ratify all acts done by the aforesaid Shri

in pursuance of this authority.

C. A. Basir

IN WITNESS WHEREOF these presents are duly executed for and on behalf of the President of India this the 10th day of Nov. 1983

Dated 1983

Designation of the Executive Officer

Dy. General Manager (G)
N. Rly Hd Q's Office,
Baroda House,
New Delhi.

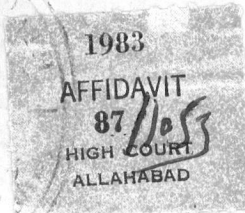
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1

B
25

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



W.P.No. 5423 of 1983.



Mohan Singh & another

....Petitioners

V/s.

Union of India and another

---Opp-Parties

A f f i d a v i t

I, Mohan Singh, aged about 31 years son of Sri Ujagar Singh, resident of R.P.F., Colony, H.N.W.W. S.B., Mavaiya, Lucknow, the deponent do hereby solemnly affirm and state on oath as under :-

1. That the deponent is himself Petitioner No:1 in the above noted writ-petition and as such is fully conversant with the facts deposed to hereunder.
2. That the notice along with copy of the writ-petition No: 5423 of 1983, and the copy of the writ-petition along with the notice of the writ-petition No: 4842 of 1983 have personally been served by the deponent in the Office of the Divisional Railway Manager, Hazratganj, Lucknow and its receipt is being filed herewith.

Lucknow dated,
24.10.83.

24/10/83
Deponent.

Verification

I, the above named deponent do hereby verify
that the contents of paragraphs 1 and 2 of this affidavit

....p/2



6
✓
A/20

are true to my own knowledge, that no part of it is false and that nothing material fact has been concealed so help me God.

[Signature]
Deponent.

Lucknow dated,
24.10.83.

I identify the deponent who has signed before me.

[Signature]
(Surya Kant
Advocate.

Solemnly affirmed before me on 24.10.83 at 11.40 AM/PM by Sri Mohan Singh, the deponent, who is identified by Sri Surya Kant Advocate, High Court, Allahabad/Lucknow.

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



[Signature]
LUCKNOW
No. 87/10.83
Date 24.10.83

ORDER SHEET

IN THE HIGH COURT OF JUDICATURE AT ALLAHABAD

w.p. No. 4842 of 1983

25.

Date	Note of progress of proceedings and routine orders	Date of which case is adjourned
1	2	3
13-9-83	<p>Mem W.C.S. 7</p> <p>Mem K.N.G. 7</p> <p>Issue notice to off- parties</p> <p>shall be maintained.</p> <p>Sd/- W.C.S.</p> <p>Sd/- K.N.G.</p> <p>13-9-83</p> <p><u>Office report</u></p> <p>Learned Counsel for the petitioners has not taken steps for service on O.P. 1 and 2 according to court order dated 13-9-83 in W.C.S. and C.P. An No 10203(W) 83.</p> <p>Submitted Explains 21-9-83</p>	<p>20-9-83</p>
27/9/83	<p>27-9-83 Decd in W.C.S. with C.P. No 10203(W) 83 for orders with above office report.</p>	<p>Byel Bench P.O.</p>

HOLDING AT:
Hon Vary

Date	Note of progress of proceedings and routine orders	Date to which case is adjourned
1	2	3
18-10-83	<p>Hon. U.S.S. J.</p> <p>Hon. Kailash J.</p> <p>Put up tomorrow.</p> <p>K. L.</p> <p>18-10-83</p> <p>Hon. U.S.S. J.</p> <p>Hon. Kailash J.</p> <p>Petitioner's Counsel has now served O.P. No. 2 out of Court as undertaken by him on 13-9-83. Issue notice fixing 24th October, 1983. The petitioner will also serve opposite party No. 2 outside the Court.</p> <p>K. L.</p> <p>19-10-83</p> <p>24.10.83 tried for attachment damne and for filing C.A. in which N.J. to O.P. No. 1 and 2 by Regd post.</p> <p>N.J. to O.P. No. 1 and 2 by Regd post.</p> <p>24.10.83</p>	
28/10/83	Hon. U.S.S. J.	
7.11.83	Hon. K.N. G.S.	
	<p>opposite party no. 2 has been served outside the court. Sri L. R. Acharya</p> <p>Read duplicate for service of O.P. No. 2 by date 21-10-83</p>	

ORDER SHEET

IN THE HIGH COURT OF JUDICATURE AT ALLAHABAD

No. _____ of 198
vs. _____

14/12/83

Date	Note of progress of proceedings and routine orders	Dated of which case is adjourned
1	2	3
	was asked to take notice in the case and he has accepted. List in the week commencing on 28.11.83. The interim order passed earlier shall continue till then.	
	for 11-11-1983	
	28.11.83	for
28.11.83	Fixed I.O. Hon K.N.G.S Hon S.S.A.S stand out on the request of Sri Bashir. The stay order will continue till the next listing.	Bench with 5123-83 In the meeting 28.11.83
	28.11.83 for	
2.12.83	Fixed writ for	
9.12.83	Hon K.N.G.S Hon S.S.A.S	

15/12/83 Court for order

Hon A.C.

Hon S. Ramakrishna

P.O. on the illness of Sri Sanyal Kant. - P.O. 15/12/83

IN THE HONBLE CENTRAL ADMINISTRATIVE TRIBUNAL
LUCKNOW BENCH

Civil Misc. Application No. of 1992(L)

In Re.

T.A. No. 1188 of 1987

Shri Ram Chandra Applicant.

Versus

Union of India & Others Respondentss.

APPLICATION FOR CONDONATION OF DELAY IN FILING

THE COUNTER REPLY.

That delay in filing counter reply is not intentional or deliberate but due to the administrative and bonafide reasons, which dererves to be condoned.

P R A Y E R

WHEREFORE, it is most respectfully prayed that in the interest of justice, delay in filing the counter reply may kindly be condoned and counter reply may be taken on record.

Lucknow.

Dated: 8/9/ 1992

Anil Srivastava
(ANIL SRIVASTAVA)
Advocate

Counsel for the Respondents.

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL

LUCKNOW BENCH LUCKNOW

1/40

T.A. NO. 1198 of 1987.

Shri Ram Chandra Applicant.

versus

Union of India & others Respondents.

COUNTER REPLY

I, *Rajiv Kishore* working as
Asstt Paramed officer in the office of the
Divisional Railway Manager, Northern Railway,
Hazratganj, Lucknow do hereby solemnly affirm
and state as under :-

1. That the official abovenamed is working
as in the office
of respondents and as such fully conversant
with the facts and circumstances of the
case. He has been authorised to file
present counter reply on behalf of all
the respondents.
2. That the contents of para 1 of the writ
petition are not admitted as alleged. It
is stated that Sri Ram Chandra was appointed

Contd..... 2

Rajiv Kishore
1/40

as casual lineman, Sri Mohan Singh was appointed as casual wireman and similarly Sri Tribhuwan Prasad was also appointed on casual basis and not on regular basis.

3. That the contents of para 2 of the writ Petition do not call for any reply.
4. That the contents of paras 3 to 5 of the writ petition are admitted.
5. That the contents of paras 6 and 7 of the Writ Petition are not admitted as ~~xxxxxx~~ alleged. It is further stated that Annexure No. 3 to writ Petition does indicate the circulation of posting order of the different persons including the petitioners.
6. That the contents of para 8 of the writ petition are admitted.
7. That the contents of para 9 of the writ petition are not admitted as alleged. It

Contd.....3

R. Mohan
Sd/-
Mohan Singh
Mohan Singh
Mohan Singh

A/42

is stated that applicants were promoted
and posted against temporary vacancies.
Therefore question of permanent vacancy
does not arise at all.

8. That in reply to the contents of para 10 of the writ petition it is submitted that applicants were allowed to continue on the said post in compliance of the order of Hon'ble High Court.
9. That the contents of para 11 of the writ petition are admitted. It is further submitted that panel was panded till further orders because creertain irregularities were pointed out during the meeting of PMM with Head Quarter Office ,Baroda House, New Delhi.
10. That the contents of para 12 of the writ petition do not call for any comment.
11. That in reply to the contents of para 13 of the writ petition, it is stated that the panel of TCM - Grade III in

Contd....4

Rushore
Rushore
Rushore
Rushore

scale Rs.950-1500 dated 28.1.83 was
pendent due to certain procedural irreg-
ularities by the competent authority

It may further be clarified that opposite
parties have been vested with the right
to pend the panel as provided in Railway
Board's letter No. E(NG) 67PM 1 47 of
5.2.69. It provides as under :-

" A panel once approved should normally
not be cancelled or amended. After the
formation and Announcement of the panel
with the approval of the competent
Authority if it is found subsequently
that there were procedural irregularities
or other defects and it is considered
necessary to cancel or amend such a
panels this should be done after obtain-
ing the approval of authority next
higher than the one that approved the
panel."

12. That the contents of para 14 of the
writ petition are denied, it is further
submitted that decision of pending the
panel was taken in PM with ~~jurisdiction~~

R. K. Mohan
Joint Secretary
Ministry of Railways
New Delhi

A/24

judicious mind.

13. That in reply to the contents of para 15 of the writ petition it is stated that due to procedural irregularities, as already stated in the preceding paragraphs of the present reply. The only option is either to cancel or amend such a panels.
14. That the contents of para 16 of the writ petition are not admitted as alleged it is stated that applicants were allowed to continue on the said post in compliance to the hon'ble courts stay order dated 11.9.83 of High Court Bench of Allahabad at Lucknow.
15. That the contents of para 17 of the writ petition are not admitted as alleged it is further submitted that reasons for pending the panel has already been mentioned in para 11 of the present counter reply.

Contd....6

Handwritten signature
Additional District Officer
Northern Region
Lucknow

~~15~~

16. That the contents of para 18 of the writ petition are not admitted. It is further submitted that applicants were appointed on temporary vacancies in the permanent post as such posting does not confer any right to the applicants for the permanent post. Also such a panel would have caused in justice to other senior eligible staff, who were actually deprived of their due opportunity.
17. That the grounds taken are misconceived false, irrelevant inconsistent and not applicable in the case of the applicants..

Therefore present application is liable to be dismissed against the applicants and in favour of the answering respondents with cost.

Lucknow.:

Dated : 21/9/1992

Alkare
Sd/- Additional Officer
Northern Railway
Lucknow

Contd.....7

VERIFICATION

I, the official abovenamed, do hereby verify
that the contents of para 1 of this counter
reply is true on the basis of my personal
knowledge and those ~~px~~ of paras 2 to 17 of
this counter reply are believed by me to be
true on the basis of records and legal advice.

Luckn w :

Dated : 8/9, 1902

R. L. Moore
Assistant to the Chief Clerk
Northern Railway
Lucknow

R. L. Moore
Assistant to the Chief Clerk
Northern Railway
Lucknow

18/2/94

Before the Central Administrative Tribunal,

Lucknow Bench, Lucknow.

A
17

C.M. Application No. 182 of 1994.

In re:

T.A.No.1188/87 in W.P.No.4842 of 1983.



Ram Chandra.

.....

Applicant.

Versus.

Union of India and others.....Opposite parties.

Application for Setting Aside the order dated 10.1.1994

and restoration of the Case.

The humble applicant submits that for the facts and reasons stated in the accompanying affidavit, it is therefore prayed that the order dated 10.1.1994 may be set aside and the above noted case may be restored to its original numbers and may be decided on merits.

Lucknow dated

31.1.1994.

Surja Kant

(Surja Kant)

Advocate.

Counsel for the Applicant.

Place before the
18-2-94
with file
31-1-94
Place today
31/1/94

A/B

Before the Central Administrative Tribunal,
Lucknow Bench, Lucknow.

C.M. Application No. _____ of 1994.

Ram Chandra.

.....Applicant.

Versus.

Union of India and others.....Opposite parties.

Affidavit.

I, Ram Chandra, aged about 42 years, son of Sri Subh Narain, resident of C.T.I. Line, Charbagh, Lucknow, do hereby solemnly affirm and state on oath as under:-

1. That the deponent is the applicant in the above noted case and as such he is fully conversant with the facts of the case.
2. That the above noted case was listed on 9.1.94 which was Sunday and as such the case was taken up on 10.1.1994 and in absence of the deponent the same was dismissed in default of the deponent.
3. That on 10.1.1994 the derailment of the train took place at Mohanlalganj, i.e. Outside the City and the deponent was on the official duty and

रामचन्द्र

..2

X
69

.2.

was sent by ~~to~~ his officers out of station and a copy of the Certificate of his Officer is annexed herewith as Ann.No.1. Annexure No.1 to this affidavit.

4. That for convinance it was the deponent who was making the ~~making~~ [✓]parva of the case and the deponent use the call his counsel when the case was called out and on 10.1.1994 his counsel who is heart partient was suddenly fallen ill as has been told by him and as such none appeared before this Hon'ble Court when the case was called out.

5 That the non appearance of any ~~one~~ one on the said date is accidental one and accrued due to the reasons stated above.

6. That in the light of the facts stated above it is highly ~~desirable~~ ^{✓ desirable} in the ends of justice that the order dated 10.1.1994 may be set aside and the case may be restored to its original number and may be decided on its merits.

7. That in case the application is not allowed and the case referred above is not restored and is not decided on its merits in that case the deponent shall suffer irreparable loss and injury.

Lucknow dated
31.1.1994.

राम-ल-6
Deponent.

...3



Verification :

I the above named deponent do hereby verify that the contents of paras 1 to 6 of this affidavit are true to my knowledge and those of para 7 are believed to be true by me

No part of it is false nothing material has been concealed so help me God.

Lucknow dated
31.1.1994.

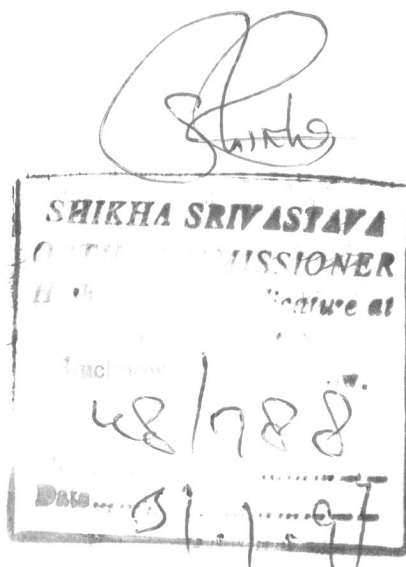
राम-च-६
Deponent.

I identify the deponent who has signed
before me.

Surya Kant
(Surya Kant)
Advocate.

Solemnly affirmed before me on 31.1.1994
at 10¹⁶ A.M./P.M. by the deponent... Ram Chandra
who has been identify by Shri Surya Kant, Advocate.
High Court, Lucknow Bench, Lucknow

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



8/51

BEFORE THE CENTRAL ADMINISTRATIVE
TRIBUNAL

Lucknow Bench.

C. M. Appellate 1994
T.N. No. 1180/03 in W.P. No. 4042/1983

Ram chandra ———— Officer
Union of India ———— off. Punjab
Am No. 1

Certificate

Certified that Sri Ram. Chandra Tejpal s/o Sri Narain
attended detailment of goods train wagon at Mohan
lal ganj on 10/01/94

Date. 10/01/94.

Pradyuman Daspalhi
Tal. Mohanlalganj
Mohanlalganj
उत्तर रेलवे जंक्शन (ता)
महल अत.
MLJ.

राम-न-५



A/52

X Central Administrative Tribunal,
Lucknow Bench, Moti Mahal, Lucknow.

T.A.No.1188/87

in

W.P.No.4842/83

Ram Chandra

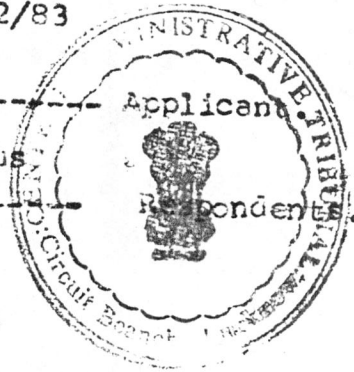
versus

Union of India & others.

DATED: 10-1-94

Hon'ble Mr.S.N.Prasad,J.M.

Hon'ble Mrs Usha Sen,A.M.



Since 9-1-94 was holiday. This has been listed today. The case called-out several times at intervals. None responds on behalf of applicant. Shri Anil Srivastava counsel for the respondents is present. This is noteworthy that on last two dates also i.e. 2-7-93 and 4-2-93 also none responded on behalf of applicant. Hence, the W.P.No. 4842/83 (T.A.No.1188/87) is dismissed for default of the applicant.

Sd/-

A.M.

Sd/-

J.M.

Certified Copy

Incharge

Judicial Section

C. A. T.

LUCKNOW.

Completed
21/1/94

TA 1188/87

W F 487183

8/53

Casual lab-n wq 25.4.72

~~22.9.72~~

substitut khaleesi wq 2.10.78

A1 - applicant appeared for the duty TCM
& succeeded SMO 9-

A2 on 24.3.83 - applicant Tr. to Sewapewasit CM

A3 - cancelled A1

Moham Sakh
Tribhuvan math
↓
TA no 1218/87
DFD on 29.5.90

Moham &
Tribhuvan / working as TCM
Jaimin Pd
Ran Karam } also working

by SA-1. Jaimin Pd & Ran Karam selected
for TCM Gr II whereas
applicant was not allowed to
compete in this Test

Subsequently applicant
represented & consequently
Jaimin Pd & Ran Karam
reverted as TCM Gr II

A/54

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
LUCKNOW BENCH, LUCKNOW

T.A. No. 1188 of 1987



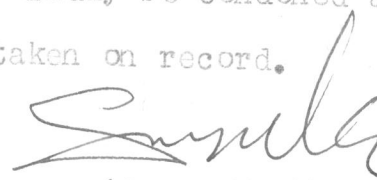
Ram Chandra Applicant
Versus
Union of India & others Respondents

Application for Condonation of delay in
in Filing the Rejoinder Affidavit

That delay in filing Rejoinder reply is not intentional or deliberate but due to the ~~administra-~~
~~tion~~ ^{and} bonafide reasons, which ~~deserve~~^{deserve} to be condoned.

Prayer

WHEREFORE, it is most respectfully prayed that in the interest of justice, delay in filing the Rejoinder reply may kindly be condoned and Rejoinder reply may be taken on record.


(Surya Kant) Advocate

Lucknow:
Dated ^{Oct} September
20, 1994

Counsel for the Respondents
, 1994.

A/55

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
LUCKNOW BENCH LUCKNOW.

T.A. No. 1188 of 1987



Ram Chandra Applicant
Versus
Union of India & others Respondents

Rejoinder Aff-idavit on behalf of the Applicant.

I, Ram Chandra aged about 42 years son of late Sri Subh Narain Resident of and C/o Telecom Inspector C.T.I. Office, Charbagh, Lucknow do hereby solemnly affirm and state an oath as under:-

1. That the deponent is the applicant in the above noted case and as such he is fully conversant the facts of the case.
2. That the contents of paragraph no.1 of the Counter Affidavit are specifically denied, and the deponents reiterates the contents of para 1 of his writ petition is correct with further submissions that the deponent worked on daily wages for the following months and years detailed as under:-

Period of Empllyment		Total days
From	To	
25.4.72		
25.4.72	12.9.72	138 days
15.9.72	14.11.72	60 days
18.11.72	31.12.72	43 days

contd.....2.



रामचन्द्र

4/5

Counter Affidavit are specifically denied and the deponent reiterates the contents of para 6 and 7 of his Writ Petition as correct so far the annexure no.3 is concern the perusal of the documents itself shall speak the truth.

5. That the contents of paragraph no.6 of the Counter Affidavit needs no reply since para 8 of the Writ Petition have not been disputed

6. That the contents of paragraph no. 7 of the Counter Affidavit are specifically denied and the deponent reiterates the contents of para 9 of his Writ Petition as correct with the further submissions that in view of the calculation mentioned in para 2 of this Rejoinder Affidavit the deponent and other Petitioners acquire the temporary status when they completed 240 days in a Calander month and the selection was made with regard to the permanent post and not on the temporary post so the allegations of the opposite parties in this regard are specifically denied.



7. That the contents of paragraph ^{No.8} of the Counter Affidavit needs no reply and is not disputed but it is submitted that the persons mentioned at sl. no.1 to 6 and serial no.10 to 14 have already been allowed to work without any stay order of the Hon'ble High Court and so far the knowledge of the deponent is concern those persons have been granted increments also ~~not only~~ ~~this~~ and there is no justification from the side of the opposite parties that what the action have been taken by them against those persons mentioned in Annexure No.2 to the Writ Petition and apart from this it is submitted that in Annexure No.1 Sri Vijay Narain mentioned at sl. no.5 is working on the Regular Post at ^{anusha Khan} ~~unhain~~

21/4-2-9

8/5

as T.C.M. Line while Ram Karan at Sl. No. 2 and Jayanti Prasad at sl. no.3 in the said Annaxure No.1 are working as T.C.M. Line on the regular basis without obtaining any Stay Order and they have been provided the increments also but it is not known to the deponent that why the opposite parties are annoyed with the petitioners only, it is further submitted that Shri Ram Raj Singh indicated at sl. no.10 in Annaxure no.1 have now been promoted as Clerk and is posted at Varanasi so once the persons other than the Petitioner mentioned in annaxure no.2 to the petition have been allowed to work and their appointments have not been disturbed though they ~~xxx~~ have also been selected through the same pannel contained in Annaxure no. 2 to this Writ petition then they~~xxx~~ cannot be any justification for the opposite party to cancel the Panel of the Petitioner alone if the panel is stayed or cancelled then it is for the all persons whose names are there in the panel but the opposite parties cannot be allowed to cancel the panel in piece meads and by this way the actions of the opposite party are highly discriminatory most arbitrarly against the principles of the equality before the law contained in Article 14 of the Constitution and as such the actions of the opposite parties are liable to be condemned and quashed.



21/4-8

8. That the contents of paragraph no. 9 of the Counter Affidavit are not disputed to the extent that since para no.11 of the Writ Petition have been admitted rest contents of this para as drafted or denied the opposite parties have not indicated as to what were the irregularities which were alleged to be pointed out by the Unions in the P.N.M. meeting

Contd.....5.

and the Railway Administration has failed to file any paper in this regard and they have also failed to file any paper to indicate that since 1983 what the actions have been taken by the opposite parties and there is no material to indicate that the decision taken in the P.N.M. meeting at the stage of General Manager whether the approval was obtained by the next higher authority i.e. the Railway Board and as such the actions of the opposite parties are highly discriminatory and the impugned order contained in Annexure no. 5 to the Writ petition are liable to be quashed.

9. That the contents of paragraph no.10 and 11 of the Counter Affidavit needs no reply except that the Railway Administration has not filed any paper to indicate the alleged irregularities nor there is any thing on record which suggest that the approval of the next higher authority to the General Manager of the Northern Railway has never been obtained .

10. That the contents of paragraph no.12 of the Counter Affidavit are specifically denied and the deponent reiterates the contents of para 14 of his Writ Petition as correct.

11. That the contents of para no. 13 and 14 of the Counter Affidavit are specifically denied and the deponents reiterates the contents of para no. 15. and 16 of his writ petition as correct with the further submissions that no alleged procedural irregularities have been pointed out but it is not disputed that the stay order was granted on 11.9.83

Contd.....6.



२१५-८-९

but the opposite parties has not indicated that what action they have taken against those persons who have neither challenged the order contained in the Annasure no.5 of the Writ Petition nor they have obtained any Stay order against that, not only this except the petitioners all others persons mentioned in the Annaxure no.2 to this writ petition have been granted regular scale and increments also while the petitioners only are the victims of the high handedness of the opposite parties.

12. That the contents of paragraph no. 15 of the counter affidavit are specifically denied and the deponent reiterates the contents of para 17 of his Writ Petition as correct.

13. That the contents of para no.16 of the Counter Affidavit are specifically denied and the deponent reiterates the contents of para 13 of Writ petition as correct with the further submissions that those persons who have qualified in the examination and found suitable their names were included in the panel contained in Annaxure no. 1 and 2 to the Writ Petition the names of the alleged seniors have not been disclosed nor it has been disclosed by the opposite parties that what the greivances have been expressed by them are challenged by them and a complete information in this regard has not been submitted by the opposite parties.

14. That the contents of para no.17 of the Counter Affidavit are specifically denied.

15. That the deponent submits that once the examination was held and persons found suitable.



रामच-४

A/61

their names have been indicated in the panel and the postin orders were also issued and they started working on their respective posts so the panel was exhausted and as such any action on the part of the opposite parties such as a naxure no.5 amounts to the imposition of the penalty without any fault of the petitioner.

16, That the impunged order contained in Annaxure no.5 to the Writ petition is directly affecting the services of the petitioners and it is a settled law that in case due to the consequence of any order if the civil right of the person are affected then they have got the statutory and constitutional right to know the alegations , material against them and their right of hearing hence the impunged order contained in Annaxure no.5 to the Writ petition are most arbitrary badd in the eye of law and is liable to be quashed with cost.

Lucknow:

Dated September 20 1994

राम-9
Deponent

Verification

I, the above named deponent do hereby verify that the contents of para no. 1 to 14 are true to my personal knowledge and those of paras no. 15 to 16 are believed by me to be true.

Signed and verified on this 20 day of ~~September~~ Oct, 1994 in the Court Compound, Lucknow.

Lucknow:

Dated: September 20. 10, 1994.

राम-6
Deponent

Contd.8.



I, know the deponent who has signed before

Lucknow:


Advocate

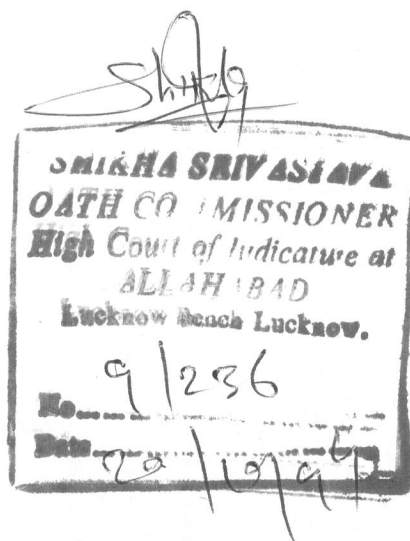
Dated 26/10, 1994.

Solemnly affirmed before me on 29/10/94 at 9.50
a.m./p.m. by Ram Chandra, the deponent who is
identified by Sri Surya Kant, Advocate, High Court,
Lucknow.

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



२१४-८-६



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
LUCKNOW BENCH, LUCKNOW.

M.P.No. 249 of 1995

In Re:

T.A. No. 1188 of 1997 (TL)

Ram Chandra & Others Applicants,
Versus
Union of India & Others Respondents,

APPLICATION FOR CONDONATION OF DELAY

It is most respectfully submitted on behalf
of the respondents:-

File today

h
27/1/95-

1. That some delay has been occurred in filing Counter/Objection due to want of necessary records and instructions.
2. That now the counter objection is ready and is being filed herewith .
3. That the delay in filing counter /objection reply is bonafide, unintentional and inadvertantly and is liable to be condoned.
4. That it is expedient in the interest of justice that this Hon'ble Tribunal may kindly be pleased to condone the delay in filing the counter reply.

h

P R A Y E R:

WHEREFORE, it is most respectfully prayed that this Hon'ble Tribunal Court may kindly be pleased to condone the delay in filing the counter/objection reply in the interest of justice .

Lucknow:

Dated: 27.1.95

RS
(ANIL SRIVASTAVA)
Advocate

Counsel for the Respondents,

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

LUCKNOW BENCH, LUCKNOW.

M.P.No. 250 of 1995

In Re:

T.A. NO. 1188 of 1987

Ram Chandra & Others Applicants,

Versus

Union of India & Others Respondents,

APPLICATION FOR TAKING ON RECORD

The respondents most respectfully submitted
as under:-

That for the facts and circumstances
disclosed in the accompanying counter /objection
reply ,it is most respectfully prayed that this
Hon'ble Tribunal Court may kindly be pleased to
take on records the present counter/objection reply,
filed on behalf of all the respondents.

Lucknow:

Dated: 27/1 /1995


(ANIL SRIVASTAVA)
Advocate

Counsel for the Respondents,

9/66

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

LUCKNOW BENCH, LUCKNOW.

Misc . Application No. 251 of 1995

In Re:

T.A. No. 1188 Of 1986

Ram Chandra Applicant,

Versus

Union of India & Others Respondents,

APPLICATION FOR REJECTING THE APPLICATION FOR
RESTORATION FILED BY APPLICANT.

That for the facts and reasons disclosed
in the accompanying Counter /Objection , it is
most respectfully prayed that this HonBble Tribunal
may very graciously be pleased to reject the
application for restoration moved by applicant
in the interest of justice.

Lucknow:

Dated: 27.1.95

AS
(ANIL SRIVASTAVA)
Advocate

Counsel for the Respondents,

27/1/95

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL

LUCKNOW BENCH, LUCKNOW.

T.A. No. 1188 of 1987

Ram Chandra Applicant,

Versus

Union of India & Others Respondents,

COUNTER/OBJECTION AGAINST THE AFFIDAVIT FILED IN
SUPPORT OF APPLICATION FOR SETTING ASIDE ORDER DATED
10/1/94 and FOR RESTORATION OF CASE.

I, *Ganga Deen*

working as

Assistant Personnel Officer, Northern Railway,
Hazratganj, Divisional Office, Lucknow do here by
solemnly affirm and state as under:-

1. That the official above named is working
as Assistant Personnel Officer, Northern Railway,
Hazratganj, Lucknow as such is competent to file
the present objection.
2. That the contents of para 1 of the affidavit
do not call for reply.
3. That in reply to the contents of para 2 of

[Handwritten signature]
12/1/94
12/1/94

4. That ~~xxx~~ in reply to the contents of para
of the affidavit, *the same are*
3 and 4/denied for want of knowledge. However,
in the certificate, time is not shown.

6. That ~~in reply to~~ the contents of paras 6 and 7 of the affidavit categorically denied . The present application for restoration has not been

present

A/69

:: 3 ::

moved within limitation period as such the same is highly time barred. Applicant has also not explained why he took so much time i.e. more than 10 months to file the present restoration application as such the same is not maintainable.

7. That it is well settled principle of law that one who sleeps over his right over long period forfeits his such right forever.

8. Thus in view of aforesaid reasons, facts and circumstances the present restoration application is liable to be rejected.

Lucknow:

Dated: 21-Nov/1994

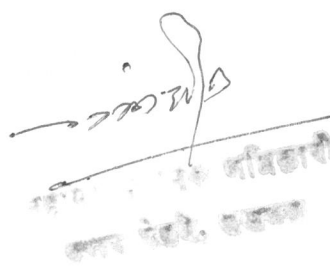


VERIFICATION

I, the above named official do hereby verify that the contents of para 1 of the counter /objection are true to my own knowledge and those of paras 2 to 8 of the counter /objection are based on legal advice and records.

Lucknow:

Dated 21-NOV - /1994



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

LUCKNOW BENCH, LUCKNOW

Lucknow Bench

Date of Filing

Date of Receipt by Post

M.P. NO. 1792 OF 1995

12/9/95

In re

T.A. No. 1188 of 1987

Dy. Registrar (J)

Ram Chandra Applicant

V e r s u s

Union of India & others Respondents.

APPLICATION TAKING ON RECORD.

The ~~xxxp~~ applicant most respectfully submitted
as under :-

That for the facts and circumstances disclosed
in the accompanying Supplementary affidavit, it is
most respectfully prayed that this Hon'ble Tribunal
Court may kindly be pleased to take on records the
present Supplementary Affidavit filed on behalf of
the applicant.

LUCKNOW:

DATED: Sep. 12, 1995

(C.P.M. TRIPATHI)
Advocate,
Counsel for the Applicant

Central Administrative Tribunal

Lucknow Bench

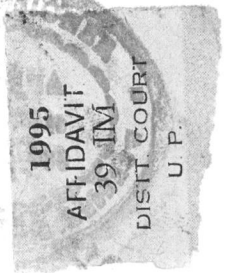
Date of Filing 12-9-95

Date of Receipt by Post *Ru*

8/17

Before the Central Administrative Tribunal,
Lucknow Bench, Lucknow.

T.A.No.1188 of 1987



Ram Chandra Applicant

versus

Union of India and others Respondents.

Supplementary Affidavit

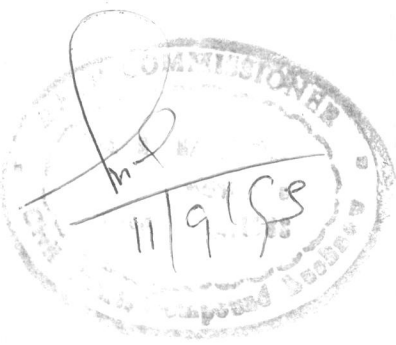
I Ram Chandra aged about 43 years son of late Shubh Narain, resident of & C/O Telecom Inspector, C.T.I. Office, Charbagh, Lucknow, do hereby solemnly affirm and state on oath as under-

1. That the deponent is the applicant in the above case and as such he is fully conversant with the facts of the case.

2. That in terms of Annexure Nos. 1 & 2 to the petition and as a result of the selection held, the result was declared and the panel was formed.

3. That the deponent is at serial no. 10 while one Jainti Prasad son of Ganga Ram was placed at serial no. 11 and one Ram Karan son of Ram Pher was placed at serial no. 11.

4. That in terms of the order in question annexed as Annexure No. 5 the opp. parties without any authority



११५५-९

1/12

Dr. [Name]

pleaded the panel and the case of the deponent is that once the same was implemented then left nothing to be pleaded and the stay order was also granted to him.

5. That the case set up by the opp. parties are that the panel formed after selection was pleaded and it is still in the same condition and the deponent is working on the selected post due to stay order.

6. That another Jainti Prasad and Ram Karan ever challenged the said order contained in Annexure No. 5 to the petition but the opp. parties allowed them to work on the promoted post and those two persons were never reverted.

7. That vide Annexure Nos. 1 & 2 the deponent and others mentioned in Annexure No. 2 were promoted on the post of T C M III and the next higher post is T C M II and the promotion on the said higher post of T C M II is to be made from the T C M III after holding test.

8. That the opp. parties behind the back of the deponent and without his knowledge held the test for promotion on the post of T C M II and also allowed the said Jainti Prasad and Ram Karan to appear in the said test.

9. That now the deponent has come to know that



9/11/95

-: 3 :-

on 4.7.1995 the result of the said test have been declared and the photo copy of the same is annexed herewith and marked as Annexure No.SA-1 to this supplementary affidavit.

10. That the deponent submits that against the illegal order of keeping the result of the deponent on the promotion for the post of T C M III have been challenged by the deponent in the court of law hence he is penalised and the opp.parties are not allowing the deponent to the other benefits which they are providing to the others mentioned in the panel of the department and on the other hand they have promoted the juniors to the deponent who ²never challenged the said order in question.

11. That in case the order of the opp.parties keeping the penal of the deponent pleading is justified in that case the question arises that these who failed to get the stay why they have been allowed to work and cost along this they have been promoted on the next higher post of T C M II is the clear example of the malafides of the opp.parties.

Lucknow, dated

21st Aug², 1995

Deponent

21/8-95

Verification

I the abovenamed deponent do hereby verify that the contents of paras 1 to 11 of this affidavit are true to my personal knowledge.No part of it is false and

By, Registrar (J)

nothing has been concealed so help me God.

²
Lucknow
²
Dated 11-9-85

Deponent

214-4-6

I identify the deponent who has
signed before me.

[Signature]
Advocate

Solemnly affirmed before me on
by the deponent who has been identified by
Advocate High Court Lucknow.

391 M
2. 02 P.P. Ramchandra
identified by Shri

C.P.M. Tripathi

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

[Signature]
11/9/85

Oath Commissioner.

Annexure No. - SA-1

75

2201/112/10-1

Divisional Office,
Lucknow.

Dated:- 7-25

CTI/LRO
CTI/LRO
CTI/Inch./LRO
CTI/LRO

Sub:- Trade Test result for the post
of T2-1 in scale Rs. 120-1800 (L2).

for

Please find herewith result for the above post
which is held on 29.3.98, 12.4.98 and 26.5.98 to inform
the concerned staff and the names arranged in order of
the seniority for the post of T2-1 in scale of
Rs. 120-1800 (L2).

S.N.	Name	Rank	Working under	Div.	Remarks
1.	E/SHEL				
1.	Lal Rao	T2-III	CTI/LRO	BSB	Passed
2.	Keshoo Ram	"	CTI/LRO	PL	Passed
3.	Chander Bhushan	"	CTI/LRO	PM	Passed
4.	Shad Rishore	"	CTI/LRO	LRO	Passed
5.	B.N. Goutam	"	CTI/LRO	PM	Passed
6.	S.I. Srivastava	"	CTI/LRO	PM	Passed
7.	S.I. Vindani	"	CTI/LRO	PM	Passed
8.	S.I. Chatterjee	"	CTI/LRO	LRO	Passed
9.	S.I. Chatterjee	"	CTI/LRO	LRO	Passed
10.	Jantri S.D.	"	CTI/LRO	PM	Passed
11.	Sam Keren	"	CTI/LRO	PM	Passed
12.	Indar Kumar	"	CTI/LRO	PM	Passed
13.	Sam Keren	"	CTI/LRO	PM	Passed
14.	Sam Keren	"	CTI/LRO	PM	Passed
15.	Sam Keren	"	CTI/LRO	PM	Passed
16.	Sam Keren	"	CTI/LRO	PM	Passed
17.	Sam Keren	"	CTI/LRO	PM	Passed
18.	Sam Keren	"	CTI/LRO	PM	Passed
19.	Sam Keren	"	CTI/LRO	PM	Passed

for Divl. personnel

Copy to:-

1. Sr. DSTM/LRO
2. ASTM/Tele/LRO, BSB.
3. Divl. Secy./H.O./OAU.

214-4-9



FF-4/3/97
S.A. 22

Central Administrative Tribunal

Lucknow Bench 4.3.97

Date of Filing

Date of Receipt by Post

By, Registrar (J)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,

LUCKNOW BENCH, LUCKNOW

C.M.P.NO. 519 OF 97.

Inre;

T.A. NO. 1188 OF 1987 (T)

(W.P.No.4842/1983).

Ram Chandra ---

APPLICANT.

Vs.

Union of India and others---

RESPONDENTS.

APPLICATION FOR CONDONATION OF DELAY

The respondents, most respectfully beg to submit
as under:-

1. That some delay has been occurred in filing
counter reply on behalf of respondents due to
want of necessary documents and directions.
2. That now the counter reply is ready and
is being filed herewith.
3. That the delay in filing counter reply
is bonafide, inadvertently and without
intention, and the same is liable to be
condoned.

Dr. Registrar (P)

(2)

4. That it would be expedient in the interest of justice that this Hon'ble Tribunal may kindly be pleased to condone the delay in filing counter reply on behalf of the respondents.

Wherefore, it is most respectfully prayed that this Hon'ble Court may kindly be pleased to condone the delay in filing counter reply on behalf of respondents.

LUCKNOW: DATED:

4/3 /1997.


(ANIL SRIVA-STAVA)
ADVOCATE.

COUNSEL FOR THE RESPONDENTS.

Page No. 21

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

LUCKNOW BENCH LUCKNOW

C.M.P.NO. 520 OF 1997(T)

Inre;

T.A. NO. 1188 OF 1987

(W.P.No. 4842 OF 1983).

Ram Chandra ----

APPLICANT.

Vs.

Union of India and others---

RESPONDENTS.

APPLICATION FOR TAKING ON RECORDS:

It is most respectfully submitted on behalf of respondents:-

That for the facts and circumstances disclosed in the accompanying counter reply it is most respectfully prayed that this Hon'ble Tribunal may kindly be pleased to take on record the counter reply filed on behalf of respondents.

LUCKNOW: DATED:

4/3 /1997.


(ANIL SRIVASTAVA)
ADVOCATE.

COUNSEL FOR THE RESPONDENTS.

Central Administrative Tribunal
Lucknow Bench
Date of Filing
Date of Receipt by Post

Dr. Registrar ()

A/79

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

LUCKNOW BENCH LUCKNOW

C.M.P.NO. 521 OF 1997.

Inre;

T.A. NO. 1188 OF 1987 (T).

(W.P.NO. 4842 OF 1983).

Ram Chandra ---

APPLICANT.

Vs.

Union of India and others---

RESPONDENTS.

APPLICATION FOR DISMISSAL

It is most respectfully ~~pr~~ submitted on
behalf of respondents:-

That for the facts and circumstances disclosed
in the accompanying counter reply, it is most
respectfully prayed that this Hon'ble Tribunal
may kindly be pleased to dismiss the aforesaid
original application in the interest of justice.

LUCKNOW: DATED:

4/3/1997.

AR

(ANIL SRIVASTAVA)

ADVOCATE.

COUNSEL FOR THE RESPONDENTS.

Central Administrative Tribunal
Lucknow Bench
Date of Filing
Date of Receipt by Post

A/80

By, Registrar (A)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,

LUCKNOW BENCH LUCKNOW

T.A.NO. 1188 OF 1987 (T)

(W.P.No. 4842 OF 83).

Ram Chandra ---

PETITIONER/
APPLICANT.

Vs.

Union of India and others----

OPP.PARTIES/
RESPONDENTS.

COUNTER REPLY ON BEHALF OF RESPONDENTS

I, *Yanga Deen*, at present working
as Assistant Personal Officer, Northern Railway,
Divisional Office, Hazratganj, Lucknow, do
hereby solemnly affirm and state on oath
as under:-

1. That the official above named is
working under the respondents and as such he
is fully conversant with the facts of the
case stated hereunder.

2. That the official above named has
read the contents of the writ petition

हायक कार्यालय अधिकारी
अवर सेक्रेटरी, लखनऊ

(2)

and having understood the contents thereof he is in a position to submit the following parawise reply.

3. That the contents of para 1 of the writ petition are not admitted as alleged except that the petitioner was appointed as casual line-man. His appointment was casual in nature and not on regular basis.

4. That the contents of paras 2 and 3 of the writ petition so far it is matter of record, are admitted but rest of the contents of paras are denied.

5. That in reply to the contents of paras 4 and 5 of the writ petition it is submitted that during the meeting under Permanent Negotiation Machinery (P.N.M.) at headquarter Office, Baroda House, New Delhi, recognised Union pointed out certain major procedural irregularities in the formation of said panel

हायड्रॉलिक मशीनरी
एन.ए. रोड, बरवाडा

8/82

(3)

as such the said panel was cancelled by the order of competent authority vide letter no. 220 E/1653-XII/(Eiib) dated 27.7.1983. Accordingly the staff who were promoted on the basis of aforesaid panel as contained in annexure no.1 to the writ petition were duly reverted from the post of Telecom Maintainer (Line)/T.C.M.Grade-III. Here it may be submitted that aggrieved by the cancellation of the aforesaid panel, the petitioner as well as other persons namely- Mohan Singh and T.N.Dubey filed writ petition no. 4842/1983 and 5423/1983. In both the petitions the Hon'ble High Court was pleased to stay the reversion order of the petitioner as well as of Mohan Singh and T.N.Dubey. By operation of law both these writ petitions were transferred to this Hon'ble Tribunal and numbered as T.A. No. 1188/1987(T) and T.A. no. 1218/1987(T). The T.A.No. 1218/1987 (T) (writ petition no. 5423/1983) filed by Mohan Singh and T.N.Dubey was dismissed by the Division Bench of this Hon'ble Tribunal on 29.5.90. Similarly, the present Transfer Application was also dismissed for non prosecution

(4)

on 10.1.94 by the Division Bench, Though T.A. No. 1218/1987 has yet not been restored but this Hon'ble Tribunal was pleased to restore the present T.A. No. 1188 of 1987 on 13.10.95, However, no stay order was passed by this Hon'ble Tribunal on 13.10.95.

6. That in reply to the contents of para 6 of the writ petition so far the same are narration of rules, they do not call for any reply but rest of the contents of para are denied.

7. That the contents of para 7 of writ petition are not admitted as alleged except that due to cancellation of the aforesaid panel, as a consequence of the same the petitioner was reverted to the post of Khalasi/casual labour. It is clarified here that the petitioner was appointed as casual Khalasi/Line-man on daily rated basis and not on regular basis through the selection. They were selected for the post of Telecom Maintainer in scale

(5)

Rs. 260-460 against 25% casual labour quota.

Since ~~they were~~ there were procedural irregularities in the aforesaid selection hence the said panel was duly cancelled by the competent authority as provided in Railway Board's letter no. E(NG) 67 P.M.-I/47 dt. 5.2.1969. Immediately after the said P.N.M. meeting the said panel was pending in March, 1983 and thereafter it was cancelled.

8. That the contents of para 8 of the writ petition are denied. The panel was cancelled by the competent authority.

9. That the contents of para 9 of the writ petition are denied. The certain major irregularities were pointed out during the meeting under Permanent Negotiation Machinery by the recognised Union of the Railway Employees. On the basis of aforesaid decision the said panel was cancelled. Since the cancellation of the panel was done on account of agreement between the representatives of the railway authorities hence the petitioner

(6)

employees including the petitioner as well as by the railway authorities hence the petitioner can not challenge the cancellation of the said selection or his reversion as a consequence thereof.

10. That the contents of para 10 of the writ petition are categorically denied. The applicant continued on the post of Telecom Maintainer only due to stay order granted by the Hon'ble High Court. For casual labours, to acquire temporary status there is certain departmental procedural process. Only after following the same one is granted temporary status and thereafter as per his eligibility he is regularised. The petitioner has not acquired the status of temporary railway servant.

11. That the contents of para 11 of the writ petition are not admitted as alleged. However, the applicant /petitioner continued on the post of Telecom Maintainer only due to stay order granted by Hon'ble High Court.

[Handwritten signature]
[Stamp]

(7)

Since the said panel has rightly been cancelled hence the petitioner has no right to continge on the said post of Telecom Maintainer.

12. That the grounds taken in the writ petition by the petitioner/applicant are not tenable in the eyes of law, therefore, the present case is liable to be dismissed with costs in favour of answering dep~~on~~ respondents and against the petitioner.

LUCKNOW: DATED:
4/3 /1997.

[Handwritten signature]
[Stamp]

VERIFICATION

I, the above named official do hereby verify that the contents of paras 1 and 2 of counter reply are true to my own knowledge and those of paras 3 to 12 are based on legal advice and records. No part of it is false and nothing material has been concealed. So help me God.

LUCKNOW: DATED:
4/3 /1997.

[Handwritten signature]
[Stamp]

By, Registrar ()

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
LUCKNOW BENCH, LUCKNOW.

C.M.P. No 1662 of 1997

In re

T.A. No 1188 of 1987

(C.W.P. No 4842/1993)

Ram Chandra.....Applicant.

Versus.

Union of India & others.Respondents.

Application for condonation of delay
in filing the Rejoinder Reply

That delay in filing Rejoinder Reply is not intentional or deliberate but due to unavoidable circumstances and bonafide reasons, which deserves to be condoned.

P R A Y E R.

WHEREFORE, it is most respectfully prayed that in the interest of justice, delay in filing the Rejoinder Reply may kindly be condoned and Rejoinder Reply may be taken on record.

LUCKNOW.

DATED. 29.7.97

Tripathi

(C.F.M. TRIPATHI)

ADVOCATE,
COUNSEL FOR APPLICANT.

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL

LUCKNOW BENCH

T.A. NO. 1188 of 1987(T)

(Writ Petition No. 4842/83)

Ram Chandra

Petitioner/
Applicant

versus

Union of India and others

Respondents.

Rejoinder Reply.

I, Ram Chandra, aged about 45 years, son of late Shri Shubh Narain, resident of and care of Telecom Inspector, C.T.I. office, Charbagh, Lucknow the deponent do hereby solemnly affirm and state on oath as under:

1. That the deponent is the applicant in the above described case and as such he is fully acquainted with

2/11-4-86

the facts and circumstances of the case.

2. That the deponent has been read over and explained the contents of counter reply filed on behalf of the respondents and its ^{rejoinder} reply is being filed hereunder.
3. That the contents of para 1 of the counter reply are not admitted as stated. The answering respondents have neither stated that he has been authorised by other respondents in writing to file the counter reply on their behalf ~~while~~ as well, nor any written authorisation has been annexed with the counter reply. The counter reply is thus not in conformity with the provisions of rule 12(2) of the Central Administrative Tribunals (Procedure) Rules, 1987 read with order 6, rule 15 of the Code of Civil Procedure 1908.

4. That the contents of para 2 of the counter reply needs no comments.

5. That the contents of para 3 of the

-3-

are not admitted as stated and in reply thereto the contents of para 1 of the writ petition are reiterated as true. It is incorrect to say that the the appointment of the applicant was casual in nature as alleged. Since the appointment is continuing for the last more than 25 years, it cannot be said to be casual in nature.

6. That the contents of para 4 of the counter reply are not admitted being vague and misleading and in reply thereto, the contents of para 2 of the writ petition are reiterated as true. From the perusal of para under reply it is not clear as to what has been admitted and what has been denied.

7. That the contents of para 5 of the counter reply are not correctly stated, hence the same are denied and in reply thereto the contents of paras 4 and 5 of the writ petition are reiterated as true. Even if the Unions had represented in the meeting of Permanent ~~Nation~~ Negotiation Machinery (P.N.M.) at Headquarters, Northern Railway, Baroda House,

New Delhi regarding certain procedural irregularities in the form of panel it was not open for the respondents to cancel the said panel without affording opportunity to the persons (including the applicant) who were to be ~~XXXXX~~ adversely affected. The order dated 27.7.83 allegedly passed by the competent authority cancelling the panel is thus void ab initio and non est, ~~thus~~ because the same is violative of principles of natural justice and fair play, and the reversion/^{order} of the petitioner having been based on such ~~consideration~~ cancellation letter is also void ab initio and non-est and the same is violative of not only of principles of natural ~~justice~~ justice and fair play, but also the constitutional mandate of Article 311(2) of the Constitution of India. It is not disputed that the applicant and others who were aggrieved by the cancellation of the said panel filed writ petition Nos. 4842/93 and 5423/83 before the Hon'ble High Court Lucknow Bench wherein the reversion order of the applicant and others were stayed. However, subsequently

the aforesaid writ petition, when transferred to this Hon'ble Tribunal in terms of section 29(1) of the Administrative Tribunal Act, 1985 were dismissed in default in the absence of both the parties. It may be mentioned here that no notice was served upon the applicant about the transfer of the case from the Hon'ble High Court to this Hon'ble Tribunal, hence the applicant could not put in appearance before this Hon'ble Tribunal to press his writ petition which was transferred to this Hon'ble Tribunal and registered as T.A. No. 1188 of 1987. Even the respondents were not aware about the dismissal of the writ petition in default and as such the applicant continued to work on the promoted post of Telecom Maintainer (Line). The applicant has already moved application for restoration of the case before this Hon'ble Tribunal. Since the notice of transfer of writ petition to this Hon'ble Tribunal was not sent to the petitioner and he had no knowledge of the case being transferred to this Tribunal nor any intimation was received by him regarding the dates fixed in the case, hence this Hon'ble Tribunal

has already restored the T.A. 1188/87 to its original file and number on 13.10.95. The applicant continues to work on promoted post of Telecom Maintainer(Line).

8. That the contents of para 6 of the counter reply are denied being incorrect and those of para 6 of the writ petition are reiterated as true. It is not clear from the para under reply as to what has been admitted and what has been denied, hence the averments made in para 6 of the counter reply are totally vague and ~~misleading~~ misleading.

9. That the contents of para 7 of the counter reply are denied being incorrect and baseless and those of para 7 of the writ petition are reiterated as true. It is denied that the petitioner was appointed as casual Khalasi/Lineman on daily rated basis and not on regular basis as alleged. The fact that the deponent was appointed in 1972 and continued to work as Khalasi /Lineman till 1983 ipso facto proves that the nature of job for which the deponent was appointed was

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By, Registrar ()

-7-

regular and perenial in nature. Admittedly, the deponent was selected for appointment on the post of Telecom Maintainer (Line), hence his appointment to the said post could not have been cancelled without affording opportunity to him. Even if the Union had raised certain grievances with regard to the procedural irregularities in the selection in the meeting of P.N.M., the selected candidates who had already joined on the post of Telecom Maintainer lines, including the petitioner were entitled for an opportunity of hearing and neither the panel could have been cancelled nor they could have been reverted to the lower post without affording them an opportunity of hearing.

10. That the contents of para 8 of the counter

-7-

regular and perenial in nature. Admittedly, the deponent was selected for appointment on the post of Telecom Maintainer (Line), hence his appointment to the said post could not have been cancelled without affording opportunity to him. Even if the Union had raised certain grievances with regard to the procedural irregularities in the selection in the meeting of P.N.M., the selected candidates who had already joined on the post of Telecom Maintainer lines, including the petitioner were entitled for an opportunity of hearing and neither the panel could have been cancelled nor they could have been reverted to the lower post without affording them an opportunity of hearing.

10. That the contents of para 8 of the counter reply are denied being incorrect and misconceived and those of para 8 of the writ petition are ~~re~~ reiterated as true. It is vehemently denied that the panel was cancelled by the competent authority. It may also be mentioned here that in the counter reply filed earlier

१/५-८-९

on behalf of the respondents by one Shri Rajiv Kisan working as Assistant Personnel Officer in the office of Divisional Railway Manager, Northern Railway Hazratganj, Lucknow the contents of para 8 of the writ petition were admitted in para 6 of the counter reply, hence it is not open for the respondents to retract from that admitted position and to plead that the panel was cancelled by the competent authority.

11. That the contents of para 9 of the counter reply are denied being incorrect and vague and those of para 9 of the writ petition are reiterated as true. As already stated in para 9 of the writ petition, mere opposition by the Trade Union in the meeting has got no relevancy and it cannot be treated as a representation against the panel. Moreover, the answering respondents have not stated as to what were the alleged major irregularities which are ~~xx~~ said to have been pointed out by the Union in the meeting of P.N.M. Moreover, the authority concerned, should have afforded an opportunity of hearing to ~~take~~ the persons

(including the applicant) who were likely to be affected by cancellation of the panel, but it was not done for the reasons best known to the respondents. The selection and the panel which stood implemented cannot be cancelled by an agreement between the alleged representative of the Railway employees as well as by the Railway authorities, nor such an agreement can curtail the legal right of the deponent to challenge the cancellation of the panel which is otherwise totally arbitrary and against the principles of natural justice and fair play.

12. That the contents of para 10 of the counter reply are not correctly stated, hence not admitted as stated and in reply thereto the contents ~~of~~ of para 10 of the writ petition are reiterated as true. It is not disputed that the applicant continued on the post of Telecom Maintainer (Line) due to stay order granted by the Hon'ble High Court. However, with regard to grant of temporary status to the casual

labourers the alleged departmental procedural process was to be completed by the department itself and not by the applicant. As per the extant rules in vogue in the railways a casual worker who has worked for 120 days during a period of six months is entitled to be conferred with the temporary status and accordingly regularized on the post of Khalasi/Lineman. The respondents cannot take the benefit of their own action, otherwise it will amount to a wrong doer benefit of its own wrong. Since the panel was cancelled without notice or opportunity to the deponent, and he has been reverted from the post of Telecom Maintainer line to the post of Khalasi/Lineman, the ~~xxx~~ same is void ab initio being violative of the provisions of Article 311(2) of the Constitution of India. The impugned cancellation of the panel when the reversion order of the deponent also suffers from another illegality in that the cancellation has not been done with the prior approval of the next higher authority i.e. the Railway Board.

2/14/21-5

13. That the contents of para 11 of the counter reply are not correctly stated hence not admitted as averred in para 11 of the counter reply and in reply thereto, the contents of para 11 of the writ petition are reiterated as true. In the counter reply filed earlier, the respondents had admitted the contents of para 11 of the writ petition and as such it is now not open for them to retract from that admitted position without any cogent reason. It is vehemently denied that the said panel has been rightly cancelled as alleged. As already stated, the panel was cancelled without any opportunity to the petitioner and others affected by such cancellation, hence the deponent's legal right was affected and he has got every right and authority to challenge the said cancellation.

14. That the contents of para 12 of the counter reply are denied being incorrect and vague. The grounds taken are sustainable in the eyes of law and the writ

21/7-4-6

petition is liable to be allowed with costs.

Lucknow; Dated 29-7-97 Deponent

Verification

I, Ram Chandra aged about 45 years, son of
late Shri Shubh Narain, resident^{of}/and care of
Telecom Inspector, C.T.I. Office Charbagh Lucknow
the deponent do hereby verify that the contents of
paras 1 to 9, (11 to 14) - Partly are true to
my knowledge and those of paras (11 to 14) Partly
are believed to be true on the basis of legal advice,
and that I have not suppressed any material fact.

Lucknow; Dated:

29.7.97

Deponent

FROM:

ANIL SRIVASTAVA,
ADVOCATE.
B-9, Sector-H,
Aliganj, Lucknow.

To

The Divisional Railway Manager,
Northern Railway, Lucknow.

Your Reference: 1320-E/Lit/Lko./83.

Sub: T.A.No.1188/1987(1):Ram Chandra vs Union
of India and others, (Fixed for 4.3.97).

Dear Sir,

Please find enclosed herewith three copies of
reply drafted by me. In this case please get two
copies signed by the competent authority and returned
the same for filing before the C.A.T. Lucknow.

While preparing this case I found there are
certain major irregularities/anomalies in our reply
in as much as we could not answer satisfactorily the
following point.

- (1) Though the present petition was dismissed
for no prosecution on 10.1.94 and the same was
restored only on 13.10.95 without extension
of stay order even ~~though~~ then the petitioner
continued on the promotional post but not
reverted.
- (2) As per Railway Board's letter no. E(NG) /67
P.M./I/47 dt. 5.2.69 as well as the relevant
para of the Railway Establishment Manual.
Once the panel is approved, it should be
cancelled only after obtaining the approval
of the ~~aforsaidxxxxxxx~~ higher authority
next higher than one that approved panel.
Annexure No. 1 indicates that panel has been

..2/-

(2)

declared by the office of General Manager. Thus, the cancellation of the same should have been done by a higher authority than the General Manager. There is no explanation about the same.

- (3) Two other persons namely Ram Karan and Jyanti Prassd who were also similarly promoted to the post of Telecom Maintainer Grade-III on the basis of same panel, were further promoted to the post of Telecom Maintainer Grade-II. By subsequent order dt. 7.5.96 they were reverted from the Telecom Maintainer Grade II to Telecom Maintainer Grade-III but they were not reverted to the original post of casual khalasi as petitioner has been reverted. Though these persons are junior to the petitioner but it seems, the petitioner has been discriminated against them.

Please clarify all the aforesaid points before next date fixed i.e. 4.3.97, otherwise on merit this case is quite weak and we are certainly going to lose this case against Railway Administration. Please treat this very urgent.

Yours Sincerely.

(ANIL SRIVASTAVA)
ADVOCATE.

appel 4067
21/3

A/102
off copy

CENTRAL ADMINISTRATIVE TRIBUNAL
CIRCUIT BENCH LUCKNOW

T.A. NO. 1188 of 1987 (T)
(W.P. NO. 4842 of 1983)

Ram Charndra
Versus
Union of India & Other.....

Applicant.
Respondents.

12.03.1990.

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

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

No one for the applicant is present. Shri A. Srivastava, appears on behalf of the respondents. Let counter affidavit be filed within 3 weeks. It is a writ petition of the year 1983. Therefore, no more adjournment can be granted to the respondents, rejoinder affidavit, if any, may be filed within 2 weeks, after filing of the counter affidavit list if for hearing on 29.05.90. The copy of the order may be given to the counsel for the respondents, as and when desired by him.

checked
Sd/-
19/3/90

Sd/-
A.M.

Sd/-
J.M.

// True Copy //

Deputy Registrar

Central Administrative Tribunal
Lucknow Bench,
Lucknow

Decided
K.K. [Signature]
20/3/90

24/3/90

Before the Central Administrative Tribunal
at additional Bench at

T.A No 1188/87 (T)
(W.P No 4842/83)

Ran Chandra

Pradhan

K. M. Duley

vs

Union of India & Ors

By facts

In the above case I am
for the petition & due to illness.
I am unable to attend the High
Court as I am engaged in bed &
it is requested that
your Lordship may kindly be
pleased to adjourn the case for
today & reschedule

No objection
Shri. Shivashankar
Adv
31/5/90

31.5.90

(Surya Kant)
Adv

C.V. for the day

In the Honble Court of Administrative Tribunal Allahabad

W. A. No. 2275/83

W. A. No. 2275/83

W. A. No. 1180 of 1987

W. A. No. 1180 of 1987

Ram Chandra — Applicant

vs

Union of India — Respondent

The applicant most respectfully begs to submit as follows

1. That the above W.A. can be fixed before the court at liberty.
2. That the court for applicant's interest of state so he can't not end the case entirely.
3. That in the ends of justice my best friend admit this case for sure the state will suffer the applicant will suffer a great loss and injury.

No objection
K. K. Mishra
Counsel for Petitioner
29/5/90

Whereas it is proved that the state
can't my best friend be bound to admit
this case for sure the state will suffer

21/5/90

Applicant

Uto

29/5/90

Central Administrative Tribunal
Lucknow Bench, Moti Mahal, Lucknow.

TA: 1100/07 (T) in W.P. No. 1102/83

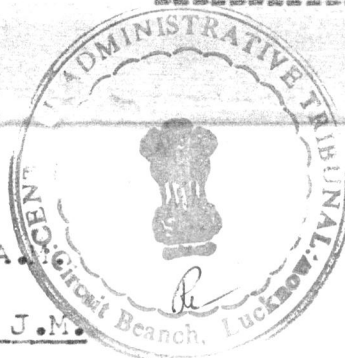
Ram chandra

-----Applicant.

VERSUS

Union of India & others.

----- Respondents.



18) 13-10-95

Hon'ble Mr. V.K. Seth- A.

Hon'ble Mr. D.C. Varma- J.M.

For the applicant- Sri C.P.M. Tripathi, learned counsel.

For the respondents - Sri Anil Srivastava, learned counsel.

Heard the counsel and perused the contents of the Affidavit accompanying M.P. No 182/94. O.A. is restored to its original number subject to payment of Rs.200/- as cost be deposited in the Registry before the next date.

As the pleadings are complete the same may be listed for hearing on 17-11-95.

J.M.

A.M.

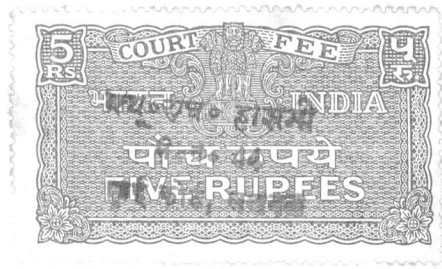
Certified Copy

Judicial Section
C.A.T.
LUCKNOW

15/11/95

A/106

Before the Central Administrative Tribunal at
Lucknow



116

Ram chandra son
of J. J. J. J. J.

My friends.

In the above case it is submitted
that I am the counsel for the
petitioners & is present of heart
frankly & is going for P.M.T. test
today

So it is prayed that your Honours
may kindly be pleased to adjourn
the case for today & fix up some
date after 20th Feb. & delay.

27.1.95.

Singhania

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107

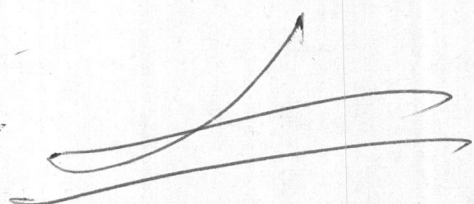
Ref the cert down here

Ran chadwa

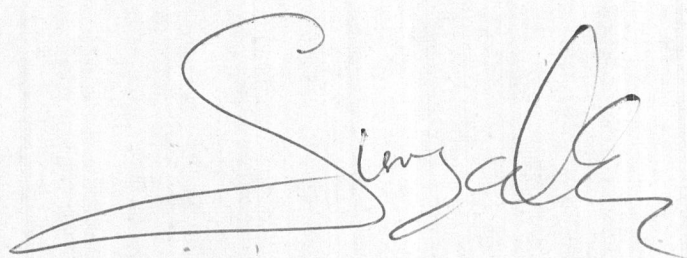
then ^{as} of L. wa. & c

Bydels

I to the Jan for the petition
and is busy in the H. H. H. H.
Cert so it is prayed that either
it may be taken up at abt 3.45 P.
today or it may be adjourned for
some other date & if possible
on 24th April. & oblige



7. 4. 95



14/108

Before the Hon. Central Administrative Tribunal, Lucknow

T.A, No, 1188/1987



Ram Chandra

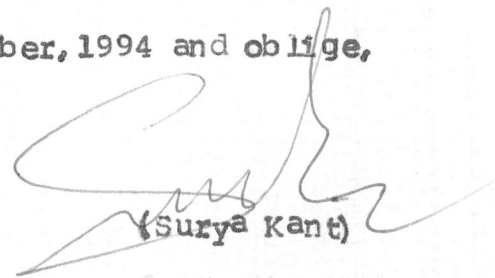
.....Petitioner

Union of India ^{Versus} and others

Opposite parties,

Application for Adjournment

The humble petitioner submits that his only counsel is Shri Surya Kant Advocate, and he is Heart patient and today he is going for Tradmil Test, so neither he shall be available today or tomorrow, so it is prayed that your Lordship may kindly be pleased to adjourn the case today and if possible and then fixed it on 26-8-1994 and in any case this date is not putting to the Cause list then it may be taken up some time after 10th of September, 1994 and oblige,


(Surya Kant)

Advocate
Counsel for the Petitioner

24-8-1994

A/109

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

W.P.No. 5423 of 1983.

Mohan Singh & another

....Petitioners

V/s.

Union of India and another

---Opp-Parties

A f f i d a v i t

I, Mohan Singh, aged about 34 years son of Sri Ujagar Singh, resident of R.P.F., Colony, H.N.W.W. S.B., Mavaiya, Lucknow, the deponent do hereby solemnly affirm and state on oath as under :-

1. That the deponent is himself Petitioner No:1 in the above noted writ-petition and as such is fully conversant with the facts deposed to hereunder.
2. That the notice along with copy of the writ-petition No: 5423 of 1983, and the copy of the writ-petition along with the notice of the writ-petition No: 4842 of 1983 have personally been served by the deponent in the Office of the Divisional Railway Manager, Hazratganj, Lucknow and its receipt is being filed herewith.

Lucknow dated,

Deponent.

24.10.83.

Verification

I, the above named deponent do hereby verify that the contents of paragraphs 1 and 2 of this affidavit

....p/2

हाईकोर्ट इलाहाबाद, लखनऊ बेंच, लखनऊ

(अध्याय १२, नियम १ और ७)

दीवानी विभाग

प्रकीर्णक (मृतफरिफ) प्रार्थना - पत्र संख्या सन १९ ई०

सं. 4842 सन १९ ई० में

Ramchandra प्रार्थी

Union of India प्रति
Divisional Magistrate, Noida
Railway Hazratganj
Lucknow प्रत्यार्थी

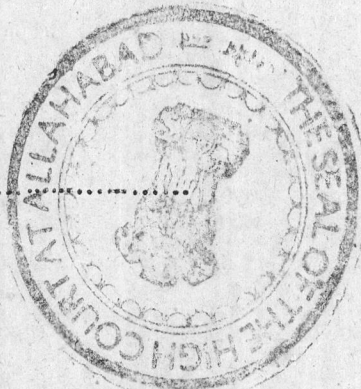
चूँकि ऊपर लिखे प्रार्थी ने इस न्यायालय में उपर्युक्त मुकदमें के सम्बन्ध में
..... के नाम के लिये प्रार्थना-पत्र
दिया है, अतः आपको आदेश दिया जाता है कि आप दिनांक 24 माह 10 सन १९83
को या उससे पूर्व उपस्थित होकर कारण बतलायें कि प्रार्थना-पत्र क्यों न स्वीकार कर
लिया जाय। उक्त प्रार्थना-पत्र की सुनवाई उसके बाद नियमानुसार विज्ञप्ति किसी और
दिन होगी।

विदित हो कि आप ऊपर लिखे दिनांक पर या उससे पहले स्वयं अथवा किसी
एडवोकेट या ऐसे व्यक्ति द्वारा, जो आपकी ओर से कार्य करने के लिए कानूनन अधिकृत
हो उपस्थित न होंगे तो उस प्रार्थना-पत्र की सुनवाई और निर्णय आपकी अनुपस्थित
में हो जायेंगे।

मेरे हस्ताक्षर और न्यायालय की मोहर से आज दिनांक 21 माह 10 सन १९83
को जारी किया गया।

..... के एडवोकेट

तिथि



डिप्टी रजिस्ट्रार
इलाहाबाद/लखनऊ

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

तलबाना प्राप्त करने वाले क्लर्क के हस्ताक्षर

हाईकोर्ट इलाहाबाद, लखनऊ बेंच, लखनऊ

(अध्याय १२, नियम १ और ७)

सी विभाग

कीर्णक

(मूतर्फिक)

प्रार्थना - पत्र संख्या

सन १९

ई०

By order
24

सं०

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सन

१९

ई०

में

Ram Chandra

प्रार्थी

Union of India

प्रति

प्रत्यार्थी

Divisional Manager,
Railway Hozatgar
(Lucknow)

प्रत्यार्थी

चूँकि ऊपर लिखे प्रार्थी ने इस न्यायालय में उपर्युक्त मुकदमें के सम्बन्ध में
..... के नाम के लिये प्रार्थना-पत्र
या है, अतः आपको आदेश दिया जाता है कि आप दिनांक माह सन
तो या उससे पूर्व उपस्थित होकर कारण बतलायें कि प्रार्थना-पत्र क्यों न स्वीकृत
लिया जाय। उक्त प्रार्थना-पत्र की सुनवाई उसके बाद नियमानुसार विज्ञप्ति किसी
दिन होगी।

विदित हो कि आप ऊपर लिखे दिनांक पर या उससे पहले स्वयं अथवा किसी
एडवोकेट या ऐसे व्यक्ति द्वारा, जो आपकी ओर से कार्य करने के लिए कानूनन अधिकृत
हो उपस्थित न होंगे तो उस प्रार्थना-पत्र की सुनवाई और निर्णय आपकी अनुपस्थिति
में हो जायेंगे।

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

Singh

के एडवोकेट

तिथि



Recevd

डिप्टी रजिस्ट्रार
इलाहाबाद/लखनऊ

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

तलबाना प्राप्त करने वाले क्लर्क के हस्ताक्षर

6772

हाईकोर्ट इलाहाबाद, लखनऊ बेंच, लखनऊ

(अध्याय १२, नियम १ और ७)

दीवानी विभाग

प्रकीर्णक

(मतफरिफ)

प्रार्थना - पत्र संख्या

सन १९८३ ई०

By Court
24-10-83

WP सं० 4842 सन १९८३ ई० में

Ram Chandra

प्रार्थी

Union of India प्रति

प्रत्यार्थी

Union of India through its
General Manager, N. Railway
Broad Horse, New Delhi

प्रत्यार्थी

757

R. P.-51 (a)

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red letters of not more than the initial Date-Stamp
weight prescribed in the Post and Telegraph
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Union of India
New Delhi

Signature of Receiving Officer

Insured for Rs. (in figures)

(in words)

weights rates

(in words) grams

को जारी किया गया।

Suryakant

के एडवोकेट

तिथि

डिप्टी रजिस्टार

इलाहाबाद/लखनऊ

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

तलवाना प्राप्त करने वाले क्लर्क के हस्ताक्षर

Before The Central Administrative
Tribunal, Lucknow

D. A. No. 1188/87

Serial No. (12)
Ram Chandra — Applicant

Union of India and others —
Opps

Sickness Slip

To The Bench Secretary

Sir, kindly make a request to
their lordships that, the Counsel for
the applicant is not feeling well and
suffering from High Blood pressure and
Hypertension and Head pain, as such is
unable to attend the Hon'ble Court to
day.

Wherefore it is prayed that the
above listed case may kindly be adjourned
to try in the interest of justice. I shall be
highly obliged.

Lucknow
Dated 16/5/96 Counsel for the Applicant

(Signature)
(C. P. Singh)

6772

हाईकोर्ट इलाहाबाद, लखनऊ बेंच, लखनऊ

(अध्याय १२, नियम १ और ७)

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113

दीवानी विभाग

प्रकीर्णक (मृतफरिफ) प्रार्थना-पत्र संख्या सन १९८३ ई०

W.P. सं० 4842 सन १९८३ ई० में

By Court
24.10.83

Ram Chandra प्रार्थी

Union of India प्रति प्रत्यार्थी

Union of India through its
General Manager N. Railway
Baroda House New Delhi प्रत्यार्थी

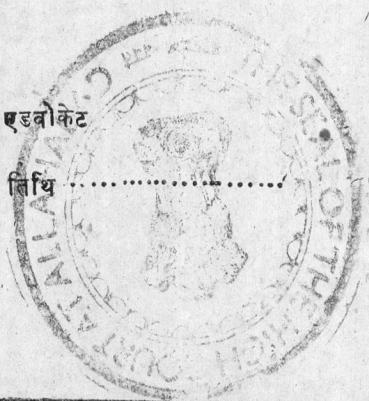
चूँकि ऊपर लिखे प्रार्थी ने इस न्यायालय में उपर्युक्त मुकदमें के सम्बन्ध में
..... के नाम के लिये प्रार्थना-पत्र
दिया है, अतः आपको आदेश दिया जाता है कि आप दिनांक 24 माह 10 सन १९८३
को या उससे पूर्व उपस्थित होकर कारण बतलायें कि प्रार्थना-पत्र क्यों न स्वीकार कर
लिया जाय। उक्त प्रार्थना-पत्र की सुनवाई उसके बाद नियमानुसार विज्ञप्ति किसी और
होगी।

विदित हो कि आप ऊपर लिखे दिनांक पर या उससे पहले स्वयं अथवा किसी
एडवोकेट या ऐसे व्यक्ति द्वारा, जो आपकी ओर से कार्य करने के लिए कानूनन अधिकृत
उपस्थित न होंगे तो उस प्रार्थना-पत्र की सुनवाई और निर्णय आपकी अनुपस्थिति
में हो जायेंगे।

मेरे हस्ताक्षर और न्यायालय की मोहर से आज दिनांक 20 माह 10 सन १९८३
को जारी किया गया।

Sargaut के एडवोकेट

लिखि



P. S. ...

डिप्टी रजिस्टार

इलाहाबाद/लखनऊ

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

दीवानी विभाग

प्रकीर्णांक (मुतफर्रिक) प्रार्थना - पत्र संख्या सन १९ ई०

..... UP सं० 4842 सन १९८३ ई० में

..... Ram Chandra प्राथी

..... Union of India & ors प्रति प्रत्याथी

The Dissonal Man Railway

Managar N. Railway

Hazratganj Lucknow प्रत्याथी

चूंकि ऊपर लिखे प्राथी ने इस न्यायालय में उपयुक्त मुकदमें के सम्बन्ध में

..... के नाम केलिये प्रार्थना-पत्र

दिया है, अतः आपको आदेश दिया जाता है कि आप दिनांक 24 माह 10 सन १९८३

को या उससे पूर्व उपस्थित होकर कारण बतलायें कि प्रार्थना-पत्र क्यों न स्वीकार कर लिया जाय। उक्त प्रार्थना-पत्र की सुनवाई उसके बाद नियमानुसार विज्ञप्ति किशी और दिन होगी।

विदित हो कि आप ऊपर लिखे दिनांक पर या उससे पहले स्वयं अथवा किसी एडवोकेट या ऐसे व्यक्ति द्वारा, जो आपकी ओर से कार्य करने के लिए कानूनन अधिकृत हों उपस्थित न होंगे तो उस प्रार्थना-पत्र की सुनवाई और निर्णय आपकी अनुपस्थिति में हो जायेंगे।

मेरे हस्ताक्षर और न्यायालय की मोहर से आज दिनांक 20 माह 10 सन १९८३ को जारी किया गया।

Suryakant के एडवोकेट

तिथि 14.9.83

डिप्टी रजिस्ट्रार
इलाहाबाद/लखनऊ

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

तलवाना प्राप्त करने वाले क्लर्क के हस्ताक्षर

6774

हाईकोर्ट इलाहाबाद, लखनऊ बेन्च, लखनऊ
(अध्याय १२, नियम १ और ७)

By Court
24.10.83

दीवानी विभाग

प्रकीर्णांक (मुतफर्रिक) प्रार्थना - पत्र संख्या सन १९ ई०
W.F. 4842 सन १९ ८३ ई० में

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Ram Chandra प्राथी

Union of India प्रति प्रत्याथी

The Divisional Railway Manager
N. Railway Hazratgarh
Lucknow

प्रत्याथी

चूंकि ऊपर लिखे प्राथी ने इस न्यायालय में उपयुक्त मुकदमें के सम्बन्ध में
..... के नाम केलिये प्रार्थना-पत्र

दिया है, अतः आपको आदेश दिया जाता है कि आप दिनांक 24.10. सन १९ ८३
को या उससे पूर्व उपस्थित होकर कारण बतलायें कि प्रार्थना-पत्र क्यों न स्वीकार कर
लिया जाय। उक्त प्रार्थना-पत्र की सुनवाई उसके बाद नियमानुसार विज्ञप्ति किशी और
दिन होगी।

विदित हो कि आप ऊपर लिखे दिनांक पर या उससे पहले स्वयं अथवा किसी
रडवोकेट या ऐसे व्यक्ति द्वारा, जो आपको ओर से कार्य करने के लिए कानूनन अधिकृत
हों उपस्थित न होंगे तो उस प्रार्थना-पत्र की सुनवाई और निर्णय आपको अनुपस्थित
में हो जायेंगे।

मेरे हस्ताक्षर और न्यायालय की मोहर से आज दिनांक 20.10. सन १९ ८३
को जारी किया गया।

Susyakant के रडवोकेट

तिथि 14.9.83

डिप्टी रजिस्ट्रार
इलाहाबाद/लखनऊ

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

तलवाना प्राप्त करने वाले क्लर्क के हस्ताक्षर

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
CIRCUIT BENCH
Gandhi Bhawan, Opp. Residency, Lucknow

T.A. No. 1188/87 (T) 30/11/90
No. CAT/AS/c/Trac/3077-3 Dated the 30/11/90

Ram chandra APPLICANT'S

Union of India and ors RESPONDENT'S

To

- ① Ram chandra, S/o Late Sri Shukh
Nayain, R/o. C/o Telecom Inspector, T.C.I.
office, N. Railway, Varanasi.

Whereas the marginally noted cases has been transferred
by H.C. Lucknow under the provision of the Administrative
Tribunal Act XIII of 1985 and registered in this Tribunal as above.

Writ Petition No. 4842/83 The Tribunal has fixed date of
of 1990. of the Court of 12/31 1990. The hearing
H.C. Lucknow of the matter.

arising out of order dated
passed by

in

If no appearance is made on your
behalf by your some one duly authorized
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 January
day of 29th 1990.

DEPUTY REGISTRAR

- ② Surya Kant, Advocate,
Lucknow High Court,
Lucknow.

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

No.CAT/A11d/Jud/

T.A.No. 1188 of 1987

Dated the : 20/5

40511
40560
Ram Chandra

APPLICANT'S

VERSUS

Union of India & others

RESPONDENT'S

- To
1. Shri Surya Kant, Advocate, Lucknow High Court, Lucknow.
 2. " C.A.Basheer, 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. 4842
of 198 3
of the Court of Lucknow High Court
arising out of order
dated
passed by in

The Tribunal has fixed date of 15.11.89 1989. The hearing of the matter at Gandhi Bhawan Lucknow (Opp. Sheesh Smarak) no appearance is made on your behalf by your some one duly authorised to Act and plead on your behalf

the matter will be heard and decided in your absence.

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

dinesh/

DEPUTY REGISTRAR

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118

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD
CIRCUIT BENCH, LUCKNOW

Gandhi Bhawan, Opp. Residency
Lucknow

No. CAT/LKO/Jud/CB/

Dated the

12/12/89

T.A.No. of 1180 1989 (T)

Ram Chandra

APPLICANT'S

Versus

Union of India

RESPONDENT'S

To Union of India through General Manager
N.Rly. Baroda House Ahmednagar

Whereas the marginally noted cases has been transferred by
H.C. LKO Under the provision of the Administrative
Tribunal Act 13 of 1985 and registered in this Tribunal as above.

Writ Petition No. 4847/83
of 198
of the Court of H.C. LKO
arising out
of Order dated
passed by

The Tribunal has fixed date of
17.1.90 1989. The hearing
of the matter.

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

the matter will be heard and decided in your absence.

Given under my hand seal of the Tribunal this
16 day of 11 1989.

insh/

DEPUTY REGISTRAR

The Divisional Railway Manager
N.Rly. Nagpur J. Indore

In The Central Administrative Tribunal,
ब अदालत श्री मान ... Circuit Bench, Lucknow ...

वादी मुद्दाई TA 1956 of 1987 (T)

प्रतिवादी मुद्दालय का वकालतनामा

Ram Chandra बनाम U.O. 9 & others

वादी मुद्दाई प्रतिवादी मुद्दालय

नं० मुकद्दमा सन 19 पेशी की तारिख 12-3-1990 ई०
उपर लिखे मुकद्दमा में अपनी ओर से श्री

... Anil ... SRIVASTAVA ...

एडवोकेट महोदय

वकील

को अपना वकील नियुक्त करके प्रतिज्ञा इकरार करता हूं। लिखें देता हूं। इस मुकद्दमा में वकील महोदय स्वयं अथवा अन्य वकील द्वारा जो कुछ पैरवी व जवाब देही व प्रश्न करेगा अन्य कोई कागज दाखिल करें या लौटा दें हमारी ओर से डिक्ली जारी करावें और स्थया वसूल करेगा सुलहनामा इकबाल दावा अपील व निगरानी हमारी ओर से हमारे या अपने हस्ताक्षर से दाखिल करें और तसदीक करे या मुकद्दमा उठाये या कोर्ट में जमा करें या हमारी या विपक्ष फरीकसानी का दाखिल किया स्थया अपने या हमारे हस्ताक्षर युक्त दस्तखती रसीद से लेवेगा पंच नियुक्ति करें वकील महोदय द्वारा की गई वह कार्यवाही हमको सर्वथा स्वीकार है और होगी मैं भी यह कहता हूं। कि मैं हर पेशी स्वयं या किसी अपने एरोकार को भेजता रहूंगा अगर मुकद्दमा अदम पैरवी में एक तरफा मेरे खिलाफ फैसला हो जाता है उसकी जिम्मेदारी मेरी वकील पर न होगी। इसलिये यह वकालतनामा लिख दिया कि प्रमाण रहें और समय पर काम आवें।

साक्षी गवाह हस्ताक्षर

दिनांक महीना

साक्षी गवाह National Railway Museum

नाम अदालत Northern Railway

नं० मुकद्दमा LUCKNOW

नाम फरीकन

Accepted
Anil Srivastava

12/3/90

DT
L
12/3/90

व अदालत श्रीमान्

महोदय

[वादी अपीलान्त]

श्री Ran Chandra

का

वकालतनामा

प्रतिवादी [रेस्पाडेंट]

Ran Chandra

Union India
and others.

T-A-Mo 1188/87

प्रतिवादी [रेस्पाडेंट]

नं० मुकद्दमा

सन्

पेशी की ता०

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ऊपर लिखे मुकद्दमा में अपनी ओर से श्री

V. N. Singh AdvocateS. K. Sinha Advocate

वकील

व

महोदय

एडवोकेट

को अपना वकील नियुक्त करके प्रतिज्ञा [इकरार] करता हूं और लिखे देता हूं कि इस मुकद्दमा में वकील महोदय स्वयं अथवा अन्य वकील द्वारा जो कुछ पैरवी व जवाबदेही व प्रश्नोत्तर करें या कोई कागज दाखिल करें या लौटावें या हमारी ओर से डिगरी जारी करावें और रुपया वसूल करें या सुलहमामा व इकबाल दावा तथा अपील निगरानी हमारी या अपने हस्ताक्षर से दाखिल करें और तसदीक करें मुकद्दमा उठावें या कोई रुपया जमा करें या हमारी विपक्षी [फरौकसानी] का दाखिल किया हुआ रुपया अपने या हमारे हस्ताक्षर से [दस्तखती] रसीद से लेवें या पंच नियुक्त करें-वकील महोदय द्वारा की गई वह सब कार्यवाही हमको सर्वथा स्वीकार है और होगा मैं यह भी स्वीकार करता हूं कि मैं हर पेशी पर स्वयं या अपने पैरोकार को भेजता रहूंगा अगर मुकद्दमा अदम पैरवी में एकतरफा मेरे खिलाफ फैसला हो जाता है उसकी जिम्मेदारी मेरे वकील पर नहीं होगी। इसलिये यह वकालतनामा लिख दिया प्रमाण रहे और समय पर काम आवे।

S. K. Sinha
01/11/1999

हस्ताक्षर रामचन्द्र

साक्षी [गवाह]

साक्षी [गवाह]

दिनांक

01/16.

महीना

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स्वीकृत।

A/21

Before the Central Administrative Tribunal

ब अदालत श्रीमान्

महोदय
Central Administrative Tribunal
Lucknow Bench
Date of Filing

(वादी अपीलान्त)

C.P.M. Tripathy

वकालतनामा

4.4.9

प्रतिवादी (रेस्पाडेन्ट)

17/12

jit

Ram Chandras

(वादी अपीलान्त)

Union of India & others

(प्रतिवादी रेस्पाडेन्ट)

1188/1 1987

१६ ई०

नं. मुकद्दमा

T.A. No

सन्

पेशी की ता०

C.P.M. Tripathy

ऊपर लिखे मुकद्दमा में अपनी ओर से श्री

Advocate, High Court Lucknow
& Allahabad Bench Allahabad

व

एडवोकेट

नाम अदालत
मुकद्दमा नं०
नाम फरीकन

को अपना वकील नियुक्त करके प्रतिज्ञा (इकरार) करता हूं और लिखे देता हूं इस मुकद्दमा में वकील महोदय स्वयं अथवा अन्य वकील द्वारा कुछ पैरवी व जवाबदेही व प्रश्नोत्तर करें या कोई कागज दाखिल न लौटावें या हमारी ओर से डिगरी जारी करावें और रुपया वसूल कर मुलहनामा व इकबाल दावा तथा अपील निगरानी हमारी या अपने हस्ताक्षर से दाखिल करें और तसदीक करें मुकद्दमा उठाव कोई रुपया जमा करें या हमारी विपक्षी (फरीकसानी) का दाखिल किया हुआ रुपया अपने या हमारे हस्ताक्षर युक्त (दस्तखती) रसीद से लेवें या पंच नियुक्त करें- वकील महोदय द्वारा की गई वह सब कार्यवाही हमको सर्वथा स्वीकार है और होगा मैं यह भी स्वीकार करता हूं कि हर पेशी पर स्वयं या किसी पैरोकार को भेजता रहूंगा अगर मुकद्दमा अदम पैरवी में एक तरफा मेरे खिलाफ फैसला हो जाता है उसकी जिम्मेदारी मेरे वकील पर नहीं होगी इसलिये यह वकालतनामा लिख दिया प्रमाण रहे और समय पूरा काम आवे।

Accepted by
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दिनांक

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