

CENTRAL ADMINISTRATIVE TRIBUNAL  
LUCKNOW BENCH, LUCKNOW

INDEX SHEET

CAUSE TITLE T.A. 1536/82  
W.P. No 5173/89 OF .....

NAME OF THE PARTIES M. M. Srinivasa Applicant

Versus

U.O.I. 801 Respondent

Part A.

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CERTIFICATE

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

*The File received from record room without Post.*

Checked on Dated 25.01.11

Counter Signed.....

*[Signature]*  
25/1/11

Section Officer/In charge

*[Signature]*

Signature of the  
Dealing Assistant

3.9.91

A2

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D. R.

Respondent's side

is present. Applicant

to file Reply by

14/11/91

14.11.91

D. R.

Both the parties are

absent. Applicant

to file Reply by

29/1/92.

29.1.92

D. R.

Both the parties are

absent. Applicant

to file Reply by

20/4/92.

20.4.92

None Parties are Present  
Applicant to file Reply by  
by 9.7.92.

9.7.92

D. R.

Respondent's side is

present. Applicant is

absent. He is ordered

to file Reply by 1/9/92.

1-9-92  
D.R.

Applicant is present. R.A.  
has been filed till today.  
List for F.H. on 30-9-92  
before the Honble Bench.

30-9-92

No setting of D.D. adj  
to 3-11-92

3-11-92

No setting of D.D. adj  
to 23-12-92

23-12-92

No setting adj to 11-2-93

11-2-93

No setting adj to 23-2-93

OK  
RA has been filed for

SFH  
10/1/93

OK  
SFH

22/1/93

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
LUCKNOW BENCH  
LUCKNOW

W.P. No. 5173 1987 (L)

I.A. No. 1236 1987 (TL)

Date of Deceasion \_\_\_\_\_

N.N. Sinhasava Petitioner.

----- Advocate for the  
Petitioner(s)

V E R S U S

U. I. (D. I. I.) Respondent.

----- Advocate for the  
Respondents

C O R A M

Hon'ble Mr. Justice U.C. Sinhasava, J.C.

Hon'ble Mr. K. Lalit, J.C.

1. Whether Reporter of local papers may be allowed to see the Judgment .
2. To be referred to the reporter or not ? ☒
3. Whether their Lord Ships wish to see the fair copy of the Judgement ? ☒
4. Whether to be circulated to other benches ? ☒

Vice-Chairman / Member

(A-20)  
8/4

CENTRAL ADMINISTRATIVE TRIBUNAL  
LUCKNOW BENCH, LUCKNOW

T.A. No: 1536 of 1987

W.P. No: 5173 of 1989

N.N.Srivastava, ..... Applicants.

Versus

Union of India (Defence) ..... Respondents.

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

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

The applicant is Lower Divisional Clerk in the pay scale of Rs. 260-400 with admissible allowances in Dogra Regiment, Records Office, at Faizabad. He has filed this writ petition before the High Court for quashing the impugned order dated 26.9.84 passed by the officer incharge Dogra Regiment, Records office and also quash the order notified in patt II dated 5,7,84 notifying extra ordinary leave without pay and allowances. issued to the opposit parties to forbear from illegally deducting the amount of Rs. 520.70 P. from the salary of the applicant and also to refund the entire amount deducted from the salary of the applicant. According to the applicant whatever action <sup>was taken</sup> ~~made~~ against him <sup>it</sup> is because of union activity made by him against the officers and their behaviour towards him.

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The story starts with the deduction of Rs. 520.70 P. from the salary of the applicant in the month of July, 1984 and thereafter deductions of the amount and the other deductions such as the deduction on account of G.P. Fund, Central Govt. Insurance Scheme etc. The applicant was paid only a sum of Rs. 324.70 P. which he was asked to receive and on enquiry he was informed that the above amount of Rs. 520.70 P. had been deducted from the applicant's salary for adjustment in the applicant's leave account. According to the applicant, no prior intimation and notice was given to him and his deduction has wrongly been made from his salary and the representation <sup>yielded</sup> ~~made~~ <sub>u</sub> no result. In reference to Rule 15 in chapter III of the above Rules it is provided as under:-

" Rule 15. Except as provided in the note below a leave account shall be maintained in form 2 for each govt. servant by the audit officer, in the case of gazetted Govt. servant by the Head of office or an officer authorised by him in the case of non gazetted govt. servant.

Note:- In the case of Senior Officer in the Govt. of India Secretariat or any attached office who is Gazetted

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Govt. servant the leave account shall be maintained by the Head Office ".

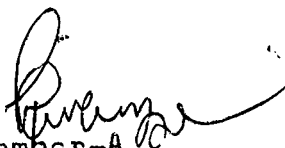
Reference to Rule 16 has also been made and according to the applicant no deduction can be made. It is pointed out that the applicant was deprived of his leave account as back as during the year 1982 that he was adjusted in leave quota admissible to him. This was done by the office letter dated 30.8.1982. Despite the said information, he continued against the excess leave. He was fully aware that he was availing leave over and above his entitlement and therefore, the amount of Rs. 520.70 P. was deducted all of a sudden is not correct. The Government money drawn by the employee was not given to him and is recovered from him. The leave account of the applicant ~~in the audited~~ was not received from previous unit and that's why, the applicant who was supposed to know it, continued to <sup>give</sup> ~~do~~ leave application which was sanctioned by the Administration as per orders of Hon'ble High Court of Judicature. He wanted regularisation of 122 days of excess leave <sup>appeal</sup> ~~appeal~~ ed by him which could not be done and that's why the recovery has been made. In view of the averments made in the CA it has been stated that

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the amount for 122 days extra ordinary leave without pay and allowances was to be recovered from the petitioner, which worked out to Rs. 3124.15 P, it was decided to recover the amount in six instalments @ Rs. 520.70 P. per month commencing from the salary for the month of July, 1984, and in case the mistake was made by the parties, the applicant cannot be given benefit of the mistake and allowed to retain sums not entitled to.

For the above reasons, the application has got no merit, and, accordingly, it is dismissed. No order as to cost.

  
Member-A

  
Vice-Chairman

Lucknow Dated: 23.2.93

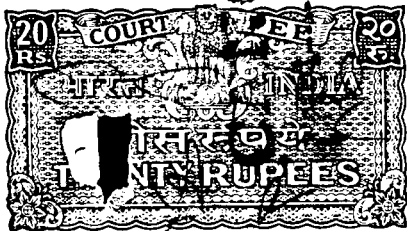
(jw)



K/a 1/10

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

Writ Petition No. 5172 of 1984



Scf=107h  
22.7.84

Sri N.N.Srivastava, son of Sri K.L.Srivastava  
House No. 294, Kashmiri Mohalla, Faizabad.

... .. Petitioner

Versus

1. Union of India, through Secretary, Ministry of Defence, New Delhi.
2. Officer Incharge, Records, Records Office, Dogra Regiment, Faizabad.
3. Major S.S. Barar, Senior Record Officer, Dogra Regiment, Records Office, Faizabad.

... .. Opp. Parties.

The humble petitioner above named respectfully  
begs to submit as under :-

1. That the Petitioner is Lower Division Clerk in the pay scale of Rs. 260-400 with admissible allowances in Dogra Regiment, Records Officer, at Faizabad. He has been serving the above department as such for the last about 22 years. The present



Pravesh

MEMO

File

Rs 1027

Report

Charg

of P.O.

be filed.

~~CC~~ Bench

Last Insp. Order No 4 226-9-84  
Hyderabad.

Handwritten  
22 x 84  
22 x 84

Order for 23-10-84

Receipt copy for PS 122.

Q. S. M. S.  
(D. S. RANJAN)  
Senior Standing Counsel  
Central Govt.  
22-10-84

Hon. K. M. G. J.  
Hon. B. K. J.

With this petition for  
admission in the second  
week of December, 1984. In  
the meantime the deduction  
from the salary of the  
petitioner shall not exceed  
Rs. 200/- (Rs. two hundred) per  
month. Counsel for the Union of  
India shall seek instructions  
in the matter. The petitioner  
shall be responsible for  
the costs on the ~~petitioner~~  
~~the petitioner~~ ~~the petitioner~~ ~~the petitioner~~  
A copy of  
this will be supplied to petitioner's counsel on  
payment of necessary charges today.

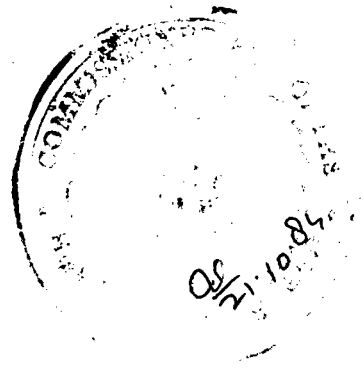
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23-10-84  
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emoluments being received by the petitioner including pay and all admissible allowances etc. aggregate to Rs.1035.40 P. The petitioner had joined the above office at Faizabad <sup>at</sup> in July 1979 after being transferred from Lucknow where he was serving the above department before joining at Faizbad.

2. That the petitioner is also the Joint Secretary of the Employee Union known as National Defence Employees Union, Faizabad, which is affiliated to Indian National Defence Workers Federation and Indian Trade Union Congress which the organisations of all India level.

3. That the opposite party no.2 Major S.S.Barar is the <sup>at</sup> present Senior Records Officer and is the immediate superior of the petitioner in the department. The petitioner had espoused the just cause of certain defence employees working in the defence department who were being victimised by the opposite party no.3 and in this matter he had made certain complaints to the higher authorities bringing the aforesaid to their <sup>at</sup> notice which greatly annoyed and displeased the opposite party no.3.

4. That in consequence of the above functioning of the petitioner as representative and office bearer of the aforesaid Union the opposite party no.3 started causing harassment to the petitioner in various ways.



*Signature*


Hon. S. S. Ahmad, J.  
Hon. B. K. Mukherjee

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Admit.

Notice on behalf  
of opposite parties  
has been accepted  
by the Senior Standing  
Counsel for the  
Government of India.  
He may file counter  
affidavit within six  
weeks and the  
petitioner will file  
the rejoinder affidavit  
two weeks thereafter.

Until further  
orders, it is directed  
that the opposite  
parties will not  
make any deductions  
from the salary  
payable to the  
petitioner.

Order  


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5. That the senior officers of the local record office at Faizabad including the opposite party no.3 had insulted the petitioner calling him in his office on being displeased with him on account of the petitioner agitating the cause of payment of bonus due to the employees. The petitioner made a complaint of the same to the Adjutant General Org.(1) Pers.(A) Army Head Quarters, New Delhi. A true copy of the aforesaid representation/complaint made by the petitioner as stated above is annexed hereto as Annexure No.1. This representation was sent by the above authority for the comments of the concerned officer on which the petitioner was again insulted by the opposite party no.3 in a meeting and in the presence of other persons and the officials of the department. The petitioner also sent a complaint regarding the above incident to the authority mentioned above at New Delhi vide a true copy of the same annexed hereto as Annexure No.2 which is dated 1.3.1984.

6. That thereafter the opposite parties 2 and 3 who are closely associated with each other and are in hand & glove with each other started causing substantial pecuniary loss to the petitioner.

7. That all of sudden a sum of Rs.520.70 P. was deducted from the salary of the petitioner in the month of July, 1984 <sup>at and in</sup> after deductions of the above amount and the other deductions such as the deduction on account of G.P.Fund, Central Govt. Insurance Scheme etc. <sup>at</sup> the petitioner was paid

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only a paltry sum of Rs.324.70 P. which the petitioner was asked to receive and on enquiry he was informed that the above amount of Rs.520.70 had been deducted from the petitioner's salary for <sup>making</sup> adjustment in the petitioner's leave account.

8. That it may be stated further that before making the above deductions for making so called adjustment in the leave account the petitioner was not given any prior intimation or issued any notice. The petitioner contacted the opposite party no.3 Major S.S.Barar and enquired about the above deductions on which the said authority informed the petitioner that the aforesaid adjustments are being made in accordance with the position notified by Part II Order No.30 (Civ.) dated 5.7.1984 notifying the extra <sup>or leave</sup> ordinary without pay and allowances with respect to the leave of 122 days availed of by the petitioner but which <sup>or</sup> it was not due to him. The petitioner requested the opposite party no.3 and on his refusal, the opposite party no.2, <sup>to</sup> make above order available to the petitioner for his inspection and verification but both the authorities refused to allow the petitioner <sup>or have a copy of a</sup> to inspect the same nor has he been allowed to inspect the same. Both the opposite parties have informed the petitioner that the aforesaid period of 122 days relate to the extra ordinary leave which had actually been availed of by the petitioner during the period 1981 to 1983.

27.10.84

9. That the petitioner with the assistance of the scanty information supplied to him as stated above

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prepared a representation against the above high handed ~~maxx~~ action of the opposite parties 2 and 3 in making the aforesaid substantial deductions from his salary and submitted the same to the opposite party no.2 on 28.8.84. A true copy of the above representation dated 28.8.84 is annexed hereto as Annexure No.3.

10. That it is further <sup>as submitted</sup> that on each occasion when the petitioner went on leave he submitted his application for leave before leaving the office. It is also to be noted that right from year 1981 the petitioner has been receiving <sup>as</sup> ~~his~~ <sup>as</sup> fully salary without any deduction on account of the leave taken by him during the aforesaid period which shows that the leave <sup>as</sup> ~~which~~ had been taken by him earlier on each occasions were fully sanctioned and were against the leave which were due to <sup>as</sup> ~~him~~.

11. That in the above representation vide Annexure No.3 the petitioner gave the break up of the period of absence of 122 days for which the extra ordinary leave has been granted to the petitioner and in the said representation the position of balance of leave due has also been shown and suitable adjustments in the leave account were also suggested. The succinct details given in the above representation make it clear that the entire period of leave availed of by the petitioner during the above period had been and could be adjusted against the leave permissible to the petitioner under the

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rules and the deductions in the petitioner's salary mentioned above were not at all justified. The above deductions are clearly motivated to cause serious harassment to the petitioner with the spirit of <sup>as</sup> vengeance and bring the petitioner to financial ruin as the petitioner has a large family to maintain and with the small amount of remaining salary<sup>at</sup> stated above he is unable to make his both ends meet.

12. That the rules contained in the Central Rules Service ( Leave Rules) 1972 are applicable in the matter of grant of leave to the employees working in the above office.

13. That under Rule 7 of the above Rules, it is provided that although the leave can not be claimed as of right but <sup>or</sup> it is also provided that it shall not be open to the competent authority to alter the kind of leave due and applied for except at the written request of the Govt. servant. Rule 15 in Chapter III of the above Rules it is provided as under :-

or

" Rule 15. Except as provided in the note below a leave account shall be maintained in form 2 for each govt. servant by the audit officer, in the case of gazetted Govt. servant by the Head of office or an officer authorised by him in the case of non gazetted govt. servant.



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Note:- In the case of Senior Officer in the Govt. of India Secretariat or any attached office who is Gazetted Govt. servant the leave account shall be maintained by the Head Office ".

Rule 16 (1) of the above Rule reads as under :-

" Rule 16 (1) - No leave shall be granted to a Govt. servant until a report regarding its admissibility had been obtained from the authority maintaining the leave accounts.

Note:- The order sanctioning leave shall indicate the balance of ordinary leave/half pay leave at the credit of the Govt. servant. "

Rule 16 (2) (a) of the above rule reads as under :-

" Where there is a reason to believe that <sup>of the</sup> ~~the~~ <sup>or of</sup> obtaining the admissibility report will be unduly delayed, the authority competent to grant leave may calculate, on the basis of available information, <sup>of the</sup> ~~an~~ amount of leave admissible to the Govt. ~~Servant~~ <sup>at issue</sup> and ~~where~~ <sup>at</sup> provisional sanction of leave for a period not ~~exceeding~~ <sup>at</sup> exceeding 60 days

(b) .....

(c) .....

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B. S. L. S.

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14. That the rules relating to the grant of commuted leave are contained in rule 30 and that relating to 'leave not due' and 'extra ordinary leave' are contained in Rules 31 (1), and, Rule 32 respectively

15. That in view of the legal provision the very fact that the petitioner was being paid the entire salary without any deductions on account of adjustment for leave during the long period between 1981 and 1983 established that the petitioner had been granted leave against the leave due in his leave account which is also corroborated by the facts detailed in the petitioner's representation referred to above vide Annexure No.3. As the petitioner was not aware of the possible complications which have arisen at present, he did not take the precaution of preserving the said applications while applying for the aforesaid leave on each occasions. He took care and in seeking that he was availing leave against the leave due to him. It is also stated that on each occasion leave was sanctioned to the petitioner.

16. That the opposite party no.2 without <sup>as</sup> ~~the~~ considering the aforesaid representation of the petitioner vide Annexure 3 and without verifying the correctness of its contents rejected the said application by a perfunctory order dated September 26, 1984 cursorily informing the petitioner that the period of absence from duty has been regularised by grant of extra ordinary leave <sup>as</sup> without pay and allowances. The petitioner's request for grant of

27.10.84  
[Signature]

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"leave not due" was rejected by the said authority with ~~a~~ wild allegations that the same cannot be considered as the petitioner was not performing official duties of a Task Clerk for the last 5 months in spite of repeated instructions issued to him. Further ~~the~~<sup>as</sup> allegation ~~which~~<sup>as</sup> has been made is that the petitioner had torn piece of official letters which had been personally handed to him. Both these allegations beside being absolutely vague are entirely false and baseless. The petitioner has never been asked to perform the duties of a Task Clerk and he has never torn the official letter as ~~falsely~~<sup>as falsely as</sup> alleged. No disciplinary action against the petitioner has ever been taken on the above grounds and the bonafide request of the petitioner for grant of leave not due to him could not be rejected on the above ground as the same tantamount to inflict<sup>ing an</sup> penalty upon the petitioner without taking disciplinary proceedings which is contrary to law, and is arbitrary and is also violative of the principles of natural justice. A true copy of the ~~the~~<sup>as</sup> above letter issued by the opposite party no.2 dated September 26, 1984 to the petitioner is annexed hereto as Annexure No.4.

17. That the petitioner is advised to state that there is no legal provisions in the aforesaid leave rules entitling the competent authority to make deductions in salary in the manner in which it has been done when the leave of one kind or the other is available to an employee.

18. That in view of the above facts the aforesaid

21.10.84

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order vide Annexure No.4 and the notification in Part II Order No.30 ( Civ.) dated 5.7.84 notifying extra ordinary leave without pay and allowances, of which the copy could not be obtained by the petitioner and for which the opposite parties may be directed to furnish the same to this Hon'ble Court, are absolutely unsustainable in law and are liable to be quashed and set aside.

19. That the deductions in the aforesaid manner of Rs.520.70 P. per month have already been made from the petitioner's salary for the months of July, August and September, 1984 and the opposite parties are preparing to deduct the said amount in the current month of October and it is expedient in the interest of justice to direct the opposite parties 2 & 3 to forbear from making aforesaid deductions of the above amount from the petitioner's salary henceforth during the pendency of this petition in this Hon'ble Court and also to refund to the petitioner the amount already deducted from the petitioner's salary as stated above.

20. That aggrieved by the impugned order dated 26th September, 1984 and the Notification in Part II Order No. <sup>of</sup> 30 ( Civ.) dated 5.7.84 and having no equally efficacious and adequate alternative remedy the petitioner begs to prefer this petition on the following grounds :-

of 21.10.84

M. K. Maslam

G R O U N D S

A. Because the order dated 26-9-84 vide Annexure No.4 and the notification in Part II Order No.30 (Civ.) dated 5.7.84 notifying extra ordinary pay and allowances in respect of petitioner's salary <sup>without jurisdiction</sup> are absolutely illegal, arbitrary, and unjustified and are therefore unsustainable in law.

B. Because the deductions from the salary of the petitioner as stated above are in the nature of punishment without holding any disciplinary proceedings against the petitioner and are contrary to the regulation contained in Civil Service Regulations according to which no punishment can be inflicted without holding disciplinary proceedings.

C. Because the aforesaid orders are also violative of the principles of natural justice and are nullity in the eye of law.

D. Because the aforesaid orders are also vitiated by malafides.

R E L I E F

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

- (i) writ of certiorari quashing the impugned order vide Annexure No.4 dated 26.9.84 passed by the opposite party no.2 and also quash the order notified in Part II Order No.30 (Civ.) dated 5.7.84 notifying

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extra ordinary leave without pay and allowances.

- (ii) writ of mandamus directing the opposite parties to forbear from illegally deducting the above amount of Rs.520.70P. from the salary of the petitioner and also to refund the entire amount referred to above already deducted from the salary of the petitioner.
- (iii) any other writ, order or direction as may seem to be just and proper in the circumstances of the case.
- (iv) to award costs of this petition.
- (v) to waive statutory notice as the matter is urgent.

S.K. Mehrotra

( S.K.Mehrotra )  
Advocate  
Counsel for the Petitioner.

Lucknow: Dated:  
Oct. 22, 1984.

Bhuvan Lal

13 (A22)

मन दि आनर्गुल एगो नीट आपन कुही केनर ऐट मलाहाबाद,

लखनऊ रैज, लखनऊ।

रिट पि ठे सन नं० आपन १६८४

नरसिंह नरायन श्रीवास्तव --- पि ठे सनर

वनम

यूनिगन आपन धर्मिया व अन्य --- लखनऊ पाठे पु

अनैगुजर नं०-१

प्रेषक,

नरसिंह नरायन श्रीवास्तव,  
लिपिक अर्थ सगा, अमिलेस कागालिय  
डोंगरा रैजो भेन्ट, फौजाबाद।

सेवा में,

श्री मान् एडजुटेन्ट जनरल, कार्या (१) पार्स (२)  
सेमा मुख्यालय, नई दिल्ली।

कारा:-

प्रमारी अधिकारी,  
अमिलेस, डोंगरा रैजो भेन्ट, फौजाबाद।

निधारित प्रणाली कारा

विषय :- वरिष्ठ अमिलेस अधिकारी एवं उनके अधीनस्थ  
अमिलेस अधिकारियों कारा मूठे कारा में  
फौजाना।

महोदय,

सविनय निवेदन है कि प्रणाली अमिलेस कागालिय  
डोंगरा रैजो भेन्ट फौजाबाद में लिपिक बद पर कारा में

10/10/84

14 (X 23)

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हैं। प्राथीों के रक्षा विभाग में लगभग २६ वर्षों से कार्य करता चला आ रहा है। प्राथीों का स्थानान्तरण प्राथीों के स्वयं के विनती पर दुर्ग अधिनियम (पश्चिम) तत्काल में अभिलेख कार्यालय डीगरी रीजिमेंट में माह जुलाई सन् १९७६ की सेना मुख्यालय द्वारा किया गया था।

प्राथीों की उपरोक्त अधिकारियों द्वारा लगातार मानसिक यंत्रणाएं एवं कष्ट दिया जा रहा है जिसका कि मुख्य कारण प्राथीों का रक्षा कर्मचारी संगठन में संयुक्त मंत्री के पद पर होना एवं संयुक्त मंत्री की हैसियत से रिकार्ड अधिनियम के प्रशासनिक अधिकारियों के विरुद्ध शिकायतें सेना के उच्च अधिकारियों की भेजना एवं उसकी जांच करवाना है। इन पत्नी एवं शिकायतों के आधार पर स्थानीय अधिकारियों के प्राथीों के विरुद्ध अनुशासनात्मक कार्यवाही भी की और प्राथीों की तः महीने तक के लिए वाणिज्यिक वेतन वृद्धि नवम्बर १९७६ में रोक दी गई थी। इस कठ के विरुद्ध प्राथीों ने एक अपील की जिसकी बाद में प्राथीों के प्राणिना पत्र के आधार पर तत्कालीन एडजुटेंट जनरल श्री एस०के० सिंह साहब ने प्राथीों के प्राणिना-पत्र के तथ्यों की देखते हुए प्राथीों की उच्च वेतन वृद्धि रोकने के कठ को समाप्त कर दिया था।

प्राथीों की तब से लेकर आज तक उसी प्रकार से



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मानसिक कष्ट किया जा रहा है विगत दिसम्बर १९८३ के  
 महीने में भी प्राथी में एडजुटेंट जनरल सेना मुख्यालय की अधिलेख  
 कार्यालय डीगिरा रेजिमेंट में के प्रशासन द्वारा असेनिक  
 कर्मचारियों को समय से बोनस का वितरण न करने के बारे में  
 एवं अधिलेख अधिकारी लेफ्टनन्ट प्रेमनाथ साहब के द्वारा रिकार्ड  
 आफिस के कर्मचारियों को परेशान करने के बारे में एक तार  
 एवं शिकायत पत्र बहिरीयत संयुक्त मंत्रों के भेजा था। जिसके  
 स्थानीय रिकार्ड आफिस के वरिष्ठ अधिकारी प्राथी से प्रति-  
 शोधित हो गये और प्राथी को विभिन्न प्रकार के झूठे आरोपों  
 में फँसाने की साजिश करने पर उताव्र हो गये तथा अन्य  
 षडयन्त्रों में फँसाने का कुचक्र पर रहे हैं जिसमें मौजूदा  
 वरिष्ठ अधिलेख अधिकारी मेजर एस०एस० बरार साहब ने  
 प्राथी को अपने कमरे में बुलाकर अपमानित किया एवं यह  
 कहा कि उन्हें मार्च ८५ में रिटायर्ड हो जाना है उनका कुछ  
 नहीं बिगाड़ेगा-लेकिन मैं तुम्हें सबक सिखाकर रहूँगा। तथा एस  
 प्रकार से वे प्रतिमाह होने वाले दरबार के माध्यम से लगातार  
 प्रतियोगिता करते चले आ रहे हैं उनका यह सुलकर कहना है कि  
 "तुम्हें प्रशासन का दलाल चाटुकार बनकर कार्य करना होगा।  
 जैसा कि दो बार कर्मचारी करते हैं" प्राथी ने इस पर  
 आपत्ति की। इस आपत्ति एवं रक्षा कर्मचारी संगठन में होने



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के नीचे उपरोक्त अधिकारी द्वारा उनके अधीनस्थ अभिलेख अधिकारी कैप्टन रघुवीर सिंह जिनकी कि जूरी सदस्य में प्राप्ति का अनुमोदित अधिकारी कहा जाता है और उन्हें के अधीन प्राप्ति कार्य करता है, तरह-तरह से मानसिक यातनाएं दित्वा जाने की मोहिम तैयार की जा रही है यहाँ तक की भेज एस०एस० वरार वरिष्ठ अभिलेख अधिकारी प्राप्ति का हाथ-पैर फाँजी जवानों से तुड़वा डालने की भी धमकी दे रहे हैं।

अतः श्रीमान् जी से प्रार्थना है कि प्राप्ति को दयनीय दृष्टि की देखते हुए प्राप्ति की रक्षा की जाय एवं उपरोक्त तथ्यों की जाँच करवाई जाय अन्यथा प्राप्ति की अपनी जान की रक्षा एवं नौकरी की कमाने हेतु न्यायालय की शरण में जाना पड़ेगा।

धन्यवाद।

आपका आशाकारी

दिनांक:- १ अप्रैल १९८४

ह०। एन० एन० श्री वास्तव,  
१३-२-८४  
(एन० एन० श्री वास्तव),  
एस० डी० सी०

प्रतिलिपि अग्रिमकार्यवाही हेतु एवं सूचना के लिए:-

- १- एडजुटेंट जनरल, आर्म (१) पर (ए) सेना मुख्यालय, नई दिल्ली
- २- श्री एस० पी० सुराना भेम्बर आपन के० सी० एम०, (स्टाफ साफ़) आमी हिं ज्वार्टर काउन्सिल

सब प्रतिलिपि

*[Signature]*



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17 (17)

इन दि अनरबुल हाई कौर्ट आफ जुडिकेयर ऐट इलाहाबाद,

लखनऊ बेंच, लखनऊ।

रिट पि ठेंशन नं० आपन १६८४

नरसिंह नारायन श्री वास्तव ----

पि ठेंशनर

बनाम

यूनियन आफ इन्डियन अन्य----

अपी०पा०टी०

अनैग्नर नं०-२

प्रेषक,

नरसिंह नारायन श्री वास्तव,

एल०डी०सी०। द्यू०पी०

अमितेस कार्यालय, हांगरा रैजी भेंट,

फैजाबाद (यू०पी०)

सेवा में,

श्री मान् एडजुटेन्ट जनरल,

आर्म (१) (पर्स) (ए)

सेना मुख्यालय, नई दिल्ली-११००११।

द्वारा:-

प्रमारी अधिकारी, अमितेस कार्यालय हांगरा  
रैजी भेंट।

निर्धारित प्रणाली द्वारा

विषय:- सिविलीयन सभिलन में प्राथी का भेज एस०एस०

बराबर, वरिष्ठ अमितेस अधिकारी द्वारा अपमान  
करना एवं धमकी देना।

महोदय,

प्राथी के प्राणन-पत्र दिनांक १३-२-८४ का

००/२१/०८५



8/26 187 (421)

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वृषया अवलोकन करें:-

२- प्राणों के उपरिष्ठ प्रार्थना पत्र के सन्दर्भ में प्राणों को भेजकर एस०एस० नरार, वरिष्ठ अमिलेख अधिकारी प्ररररर डेगारा रंजिमेंट द्वारा प्राणों की सिविलियन सम्मेलन (दरबार) के समक्ष अपमानित किया गया। घटना का क्रम निम्नलिखित है :-

३- दिनांक २८-२-८४ प्रातः के करीब नौ बजेकर चालीस मिनट पर सिविलियन सम्मेलन (दरबार) में प्राणों के उपरिष्ठ प्रार्थना-पत्र को यू०डी०सी० श्री राम सिंह को यह आदेश पारित किया कि प्राणों को उस प्रार्थना पत्र को पढ़ा जाय। प्राणों के उपरिष्ठ प्रार्थना को वरिष्ठ अमिलेख अधिकारी ने यू०डी०सी० श्री रामसिंह को दिया एवं पढ़ने के लिए कहा। चूंकि प्राणों के उपरिष्ठ प्रार्थना पत्र में वरिष्ठ अमिलेख अधिकारी भेजकर एस०एस० नरार के सिनाफन शिकायत लिखी गई पाई गयी इस कारण भेजकर एस०एस० नरारसाहब ने प्राणों को मरी दरबार में अपमानित करना शुरू कर दिया।

४- प्राणों के उपरिष्ठ प्रार्थना पत्र को यू०डी०सी० श्री राम सिंह द्वारा सिविलियन सम्मेलन के समक्ष पढ़वाया गया एवं प्राणों को मरी प्रररर दरबार में अपमानित किया गया। वरिष्ठ अमिलेख अधिकारी भेजकर एस०एस० नरार जिनसे अध्यक्षता में यह सिविलियन सम्मेलन हुआ प्राणों को सम्पूर्ण

28/2.10.84



दरबार के समक्ष वरिष्ठ अभिलेख अधिकारी मेजर एस०एस० बरार ने प्राथी को अपमानजनक शब्दों एवं धमकी देते हुए अपने दोनों हाथों को मेजपर जोर जोर से पटकते हुए कहा कि हसने अपनी कब्र खोदवालो है और इसके साथ दो और तीन की और कब्र सुंदर होयह तुम लोगों के यूनियन का ज्वाइन्ट सैक्रेटरी है इसने तुम लोगों के लिए क्या कर दिया है मैं इसको इस अपलीकेशन को एडजुटेंट जनरल को नहीं भेजूंगा। एडजुटेंट जनरल, क्या मेरा कमीशन ले लेगा मैं इसको अपलीकेशन को फाड़कर बासकेट में फेंक दूंगा इसके अतिरिक्त कुछ शब्द ऐसे कहे जिसको कि प्राथीना पत्र में अंकित नहीं किया जा सकता क्योंकि वे शब्द बहुत ही अशोभनीय शब्द हैं।

५- प्राथी ने उपरोक्त वाक्यों को सुनने के बाद आपत्ति की तथा यह कहा कि चूंकि यह मामला प्राथी का व्यक्तिगत है इसका सिविलियन सम्मेलन के समक्ष रखना न्यायोचित नहीं है अतः प्राथी सिविलियन सम्मेलन को मर्यादा को देखते हुए प्राथी स्वयं सम्मेलन के बाहर जा रहा है और इस तरह प्राथी सम्मेलन के बाहर चला आया।

६- अतः प्राथी श्रीमान् जी से प्रार्थना करता है कि मामले की गम्भीरता को देखते हुए श्रीमान् जी का तुरन्त हस्तक्षेप करना न्याय की हित में अत्यन्त आवश्यक है क्योंकि जब वरिष्ठ अभिलेख अधिकारी, मेजर एस०एस० बरार मरे दरबार



*[Handwritten signature]*

24 22/9/99

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मैं प्राथों को अपमानित कर सकती हूँ तब वे किसी भी समय प्राथों के साथ दुर्ग मो कर सकते हैं तथा किसी भी मूर्ख अरिपक्ष में फाँसा सकते हैं।

६ पुनः श्रीमान् जी से प्रार्थना है कि विजय की गम्भीरता को देखते हुए प्राथों के प्रार्थना पत्र के तथ्यों की निष्पक्ष जाँच कराई जाय एवं प्राथों की नौकरों एवं जान की रक्षा की जाय।

प्राथों इस कार्य का सर्वेव आभारी रहेंगा तथा आपकी एवं आपके परिवार की सदा शुभकामना करता रहेंगा।

आपका आज्ञाकारी,

दिनांक १-मार्च, ८४।

ह०। एन० एन० श्री वास्त्व,  
१-३-८४  
(एन० एन० श्री वास्त्व)  
हल० डी० सी०  
डी० गुरु रेजिमेंट, अमिलख कायालय  
फाँजाबाद (यू० पी०)

प्रतिलिपि अग्रिम कार्यवाही हेतु प्रेषित :-

- १- एडजुटेंट जनरल, आर्म (१) (पर्स) (ए) सेना मुख्यालय,  
नई दिल्ली - ११००११।
- २- श्री एल० पी० खुराना, मेम्बर आपन जे० सी० एम० (स्टाफ  
साइड) आर्मेड फोर्स काउंसिल।

रिश्ते वृह आपन ३ मार्च ८४  
२ कॉपी ज  
ह०। अमृठित,  
३ मार्च ८४।

सत्य प्रतिलिपि

*[Signature]*



21/4/80

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

Annexure No. 3

N.H.Srivastava ..... Petitioner.

Vs

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

N.H. Srivastava, LDC/OP

Records The Dogra Regiment

Faizabad (U.P.)

To

The Senior Recrd Officer  
Records The Dogra Regiment  
Faizabad (U.P.)

Subject:- Regularisation of Leave by grant of "Leave  
not due".

Sir;

1. With due respect and humble submission I beg to state that I am surprised to note that a heavy deduction of Rs. 520/-70 per month is being made from my pay and allowance, from the month of July 84 on account of absences regularised by you as Extra Ordinary Leave without pay and allowances for the following periods inspite of the fact that Earned leave and Half pay leave existed in my credit during these period and also I being entitled for "Leave Not Due" as per rule 31 of Central Civil Service (leave )

Rule- 1972:-

Number of days

Period of absence for which  
Extra Ordinary Leave granted

20 days

09-2-81 to 28-2-81

12 days

02-6-81 to 13-6-81

1 day

28-8-81 -

31 days

06-9-81 to 06-10-81



*[Handwritten signature]*

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Leave taken during 1-7-82 to 31-12-82	-	20 days	4 days
Earned leave credited on 1-1-83	15 days	-	19 days
Leave taken during 1-1-83 to 30-6-83	-	4 days	15 days
Earned Leave credited on 1-7-83	15 days	-	30 days
Leave taken during 1-7-83 to 31-12-83	-	16 days	14 days

3. Thus it will be seen that Earned Leaves were in my credit at the end of each half year from 30-7-79 to 31-12-83. IT is threrefore , not understood as to how ny absence has been regularised as Extra Ordinary Leave without pay and allowances although I requested in my application for leave as due.

4. However, it is requested that my absence regularised by you as E.O.L without pay and allowances my please be regularised by grant of leave as stated below against each:-

- (a) 20 days wef 09-2-81 to 28-2-81 - by grant of 'leave Not Due' as the absence was due to self sickness on M.C.
- (b) 12 days wef 02-6-81 to 13-6-81- by grant of half pay Leave
- (c) 1 day for 28-8-81 - by grant of Half pay Leave.
- (d) 31 days wef 06-9-82 to 6-10-81- by grant of 'Leave Not Due' as absence is due to self sickness on Medical Certificate.



*[Handwritten signature]*



- (e) 21 days wef 13-10-81 to 2-11-81- by grant of  
300 'leave Not Due' as the absence was due to self  
Sickness on M.C.
- (f) 1 day for 30-1-82 - by grant of  
Half pay Leave.
- (G) 1 day 15-6-82 - by grant of  
Half pay Leave.
- (h) 1 day for 23-4-83 - by grant of  
Half pay Leave.
- (j) 53 days wef 28.4.83 to 30-5-83- bt grant of 'leave  
Not Due' as the absence was due to self sickness  
on M.C.
- (k) 1 day for 17.6.83 - by grant of  
Half pay Leave.

Note:- Half pay Leave were in my credit on these  
days for which requested as para 4 above .

5. It is therefore, that part II order No. 30 (Civ)  
dated 5.7.84 notifying E.O.L. without pay and allowance  
in my respect may be cancelled and fresh part II or er  
may kindly be published regularising my leave as indi-  
cated above. The pay and allowances recovered may  
please be refunded to me through Sy pay Bill to save  
me from financial Harassments which may have had  
affect on my health and to my family.

Thanking you.

Yours faithfully

( N.N. Srivastava, LDC/OP)

Dated : 28 August 1984.

T. C.  
\_\_\_\_\_

8/32/ 25  
AM

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

Annexure No. 4

N.N. Srivastava ..... Petitioner.

vs

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

Telephone Military 20 Dogra Regiment Abhilekh  
Karyalaya

Recrds the Dogra Regiment  
Faizabad (U.P.)- 224001

0487/NNS/PO/LA

26 Sep 84

7762151 LDC  
Sri N.N. Srivastava  
Records The Dogra Regiment  
Faizabad (U.P.)

REGULARISATION OF LEAVE

1. Refer to your application dated ~~222~~ 28 Aug. 84.
2. You have been granted earned leave and comuted leave as per your entitlements. The excess period of absence from duties has been regularised by grant of EOL without pay and allowances.
3. Your request for grant of "leave not due" cannot be considered as you are not performing any official duties of a task clerk for the last five months inspite of issuing repeated instructions. Instances are that you have been torn into pieces official letters which were personally handed over to you.

(Ragbir Singh)  
Capt  
Karyavahak Varisht Abhilekh  
Adhikari  
Officiating Senior Recrdd  
Officer.

Kritey Prabhari Abhilekh  
Adhikari  
for Officer-in-Charge  
Records.

P. E.  
\_\_\_\_\_

26  
A35

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

A/33

Affidavit

In

Writ Petition No.                      of 1984.



N.N.Srivastava ...

Petitioner

Versus


Union of India and others. ...

Opp. Parties.

I, N.N.Srivastava, aged about 41 years, son of  
Sri K.L.Srivastava, H.No.294 Kashmiri Mohalla, Faizabad,  
the deponent do hereby solemnly affirm and state as  
under :-

1. That the deponent is the petitioner in the  
above noted writ petition and as such he is fully  
acquainted with the averments made therein.

2. That the contents of paras <sup>as</sup> 1 to 20 <sup>as</sup>  
of the accompanying writ petition are true to my  
personal knowledge and those of paras <sup>as</sup> x <sup>as</sup> are  
believed to be true by me and those of paras <sup>as</sup> x <sup>as</sup>  
are based on record and those of paras <sup>as</sup> x <sup>as</sup> are  
derived from legal knowledge.

  
N.N.Srivastava

27  
A-25

3. That the contents of annexures 1 to 4 have been compared with the originals and are certified to be true copies thereof.

*[Signature]*  
Deponent.

Lucknow: Dated:  
Oct. 22, 1984

Verification

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

*[Signature]*  
Deponent.

Lucknow: dated:  
Oct. 22, 1984

I identify the deponent who has signed before me.

*[Signature]*

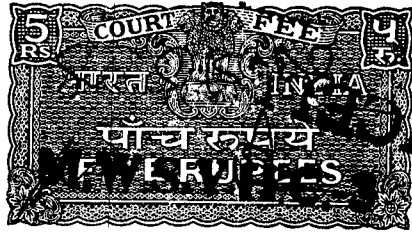
Solemnly affirmed before me on 21-10-84<sup>as</sup>  
at 6.30 a.m/p.m<sup>as</sup> by Sri M.N. Srivastava, the  
deponent who has been identified by Sri  
2. D. Shukla<sup>as</sup> Clerk to Sri S.K. Mehta, Advocate  
High Court, Lucknow Bench, Lucknow.

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

*[Signature]*  
OATH COMMISSIONER  
HIGH COURT, LUCKNOW  
No. 94/270 D. 21.10.84



10/2/51  
22/1/54



201 (A51)  
2

न्यायालय श्रीमान --- *The Honble High Court of Judicature at Allahabad Lucknow Bench*  
*N. N. Sinhasnawa*

बनाम *Union of India & Ors* प्रतिवादी-रिस्पान्डन्ट/बिपक्षी/अभिभूत

वकालतनामा

व्यवहार विवरण कर निर्धारण वर्ष  
W.P. No. --- of 1984

उपर्युक्त व्यवहार में मेहम --- *N. N. Sinhasnawa*

प्रति  
*S. K. Trehotra* Advocate Lucknow  
एडवोकेट

को व्यवहार की कार्यवाही, उत्तर, प्रति उत्तर के निर्मात प्रारम्भिक न्यायालय से अन्तिम न्यायालय अपील तक बबदाय मेहलताना नियुक्त कीके अधिकार देता हूँ/देते हैं कि एडवोकेट/वकील महोदय मुझे/हम प्रतिज्ञ के पक्ष से जो कुछ कार्यवाही, प्रश्न या उत्तर लिखित अथवा मौखिक करें या कोई प्रमाण पत्र नीति पत्र तथा दस्तावेज यत्पदि प्रस्तुत व प्रिट करें या वापस लें या प्रतिलिपि पत्र में या युपया या चेक प्राप्त करें या मेरे/हमारे

हमारे हस्ताक्षर की हुई संधि पत्र प्रस्तुत करें बिक्रीकर कार्यालय में "सी" फार्म प्राप्त

करें। अन्य एडवोकेट या वकील को कार्यवाही तथा विवादार्थ स्वम नियुक्त करें या

कोई प्रार्थना पत्र देवो या अपील या निगरानी या इस आब्जेक्शन या तजवीज

सानी या बाजदायर या इजराय डिगी अपने हस्ताक्षर से दया करें वह सब

मुझे/हम प्रतिज्ञ के लिए हुए के समान होगा वह सब मुझो/हमको स्वीकार

होगा उसका दायित्व प्रतिज्ञ के ऊपर होगा। अतः यह वकालतनामा लिख दिया

कि प्रमाण रहें और अवसर पर कामा आवे।

तिथि 22 माह 10 सन 1984 ई०

स्वीकृत

*S. K. Trehotra*

चिन्ह या हस्ताक्षर

*Sinhasnawa*

एडवोकेट, ज्जीडर-  
Counsel for the  
petitioner

Before The Central Administrative Tribunal

Circuit Bench Lucknow

T.A. NO 1536 of 1987 (T)

M.P. No. 217/91/14

A-28

A-28

M. N. srivastava

petitioner

-VS-

Union of India and others.....opp. parties

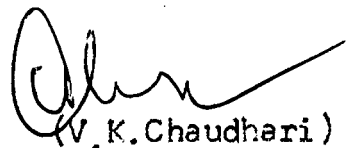
Application for Condonation of Delay in filing  
counter affidavit and taking on record

That the opposite parties beg to submit as under:-

1. That in the above noted case the counter affidavit could not be filed in time because it took sometime to get it vetted by the law ministry.

2. Therefore it is most respectfully prayed that the delay in filing the counter affidavit may kindly be condoned and counter affidavit be taken on record and such other order as are deemed just and proper be also passed.

S.T.  
over  
19/14

  
(V. K. Chaudhari)

Advocate, counsel for the  
opp. parties.

Lucknow,

Dated: 18-6 Feb. 1991

A-39  
H57

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL  
CIRCUIT BENCH, LUCKNOW

R.T.N. No.1536 of 1987(T)

NM Srivastava ... Petitioner

-vs-

Union of India and others .. Oposite parties

COUNTER AFFIDAVIT ON BEHALF OF OPOSITE PARTIES.

I, 2nd - D K Dasgupta aged about 35 years,  
son of Shri D P Dasgupta  
at present posted as Officer-in-Charge, Record  
Office, Dogra Regiment, Faizabad do hereby solemnly  
affirm and state as under:-

*2nd  
D K Dasgupta  
7/12/90*

- 2nd  
D K Dasgupta  
7/12/90*
1. That the deponent ~~is~~ the Oposite party no.2 in the above noted writ petition and he is read and understood the contents of writ petition & annexures as well as the reply given as under:-
  2. That the deponent has been authorised to sign the counter affidavit on behalf of ~~all~~ the Oposite parties no.1 & 2 and as such he is well conversant with the case.
  3. That the contents of para 1 of the
- 16*

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no not Available

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writ petition are incorrect as stated  
hence denied and in reply it is submitted  
that the petitioner is not serving in the  
Dogra Regiment from the last 22 years. He  
was transferred to Dogra Records during  
July 1979 on compassionate grounds from  
Garrison D Engineer (West), MES, Lucknow.

4. That the contents of para 2 of the

writ petition are not correct as stated andx  
hence denied and in reply it is submitt-

ed that the National Defence Employees Council is not a  
recognised Body. In this connection a copy of Army Head-

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11/2/96

A-40  
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quarters letter NO. B/05104/Org I ( Pers) (a) dated 27 Mar 84 is attached herewith an Annexure NO- C-I to this affidavit.

3. That the contents of para 3 of the writ petition are not correct as stated hence denied and in reply deponent was informed that the petitioner was not interested in the interest of civilian employees the petitioner used to make imaginary and complaints which would be clear a copy of statement given by 5 employees of 31.5.84.. A true copy of stated statement is being filed as Annexure C-2 to this Counter Affidavit.

4. That the contents of para 4 of the writ petition are not correct as stated hence denied and in reply it is submitted that the petition ~~as~~ has never been harrassed. On the contrary he takes shelter of an un-recognised council for his illegal actions and creates additional work for the unit which has to look after thousands of soldiers of the Regiment.

5. That the contents of para 5 of the writ petition are not correct as stated denied and in reply it is submitted that Bonus to the civilian employees was paid on due date and as such the question of calling LDC NN Srivastav in the office and insulting him does arise. He made a false allegation to higher authorities for the non payment of Bonus to civilian employees. When the higher authorities wanted to know the correct position, they were informed of the correct position vide this office letter NO. 0483/A/I/27I/LA dated 09 Mar 84, copy enclosed as ~~the allegations being false,~~

21/2/90

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A-42  
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Annexure C-3 to the counter affidavit the allegations being false, the case was closed by Army Headquarters.

6. That the contents of para 6 of the writ petition are not wrong hence denied and in reply it is submitted that no pecuniary loss to ~~EMPLOYEES~~ petition have ever been caused by the organisation.

7. That the contents of para 7 of the writ petition are not corrected as stated hence denied and in reply it is submitted that the petitioner was apprised of his leave account as back as during 1982 that he has exhausted his leave quota admissible to him.

This officer's letters NO 0487/35/LA dated 21 Aug 82 and NO 0487/NNS/42/LA dated 30 Aug 82 refer. Despite this, he continued to avail leave excess to his entitlement. Therefore his allegation that amount of Rs. 520.70 was deducted all of a sudden, is not correct. Government money drawn by an employee which is not due to him has to be recovered and accordingly this office took action to recover the salary of the individual. The true copy of the read dated 21.8.82 and 30.8.82 are being enclosed herewith as Annexure NO. 8 C-4 and C-5 to this counter affidavit.

8. That the contents of para 8 of the writ petition are not correct as stated hence denied and in reply it is submitted that as long back as during 1982 the petitioner was informed that he is availing leave excess of his entitlement vide this office letters NO. 0487/NNS/35/LA dated 21 Aug 82 and NO. 0487/NNS/42/LA dated 30 Aug 82. He was also shown his leave account when the entries pertaining to

11/7/90

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adjustment of leave published in Record Office Do Part II NO ( Civ )/84 dated 05 Jul 84 were made, but he refused to sign.

9. That in reply to contents of para 9 of the writ petition it is submitted that necessary reply to the representation dated 28 Aug 84 received from the petitioner was given to him. In this connected a copy of this office letter NO. 0487/NNS/80/LA dated 26 Sep 84 has been attached by the petitioner as Annexure NO. 4, to the writ petition.

10. That in reply to contents of para 10 of the writ petition it is submitted that the petitioner was posted to Dogra Records from BE (West) Lucknow but his leave account duly audited was not received from his previous unit,xx Under the impression that the petitioner who is a clerk and expected to know his leave entitlement full well continued to submit his leave applications which were sanctioned by the administration as a good gesture. He rather betrayed the administration by availing excess leave. The question of deductions arose only when his leave account duly audited was received in the Dogra Records on 11 May 1984.

9/11/90

II. That in reply to contents of para II of the writ petition are not correct as stated and in reply it is submitted that the petitioner suggested in his petition to regularised 122 days excess leave availed by him by granting him:-

(i) Leave not due.

(ii) By granting half pay leave.

The suggestion of the individual cannot be

A-111  
A/42

The suggestion of the individual cannot be accepted as 'half pay leave' applied by the individual could not be sanctioned in the absence of requisite medical/fitness certificates which he did not produce in support of the leave application. Secondly 'leave not due' can not be sanctioned at this belated stage as the regularisation pertains to the period 1981 to 1984. Further grant of 'leave not due' is at the discretion of the office and no one can claim it as a right.

I2. That in reply to contents of para I2 & I3 writ petition it is submitted that the nature of leave applied by the petitioner has never been altered by ~~this~~ the opp. party.

I3. That the contents of I4 of the writ petition are not disputed.

I4. That in reply to contents of para I5 of the writ petition it is submitted that since the leave account of the petitioner was not received from his previous unit, the leave applied by the individual was sanctioned under the impression that the individual being a clerk and fully aware of his entitlement of the individual that he was not aware of the complications is not tenable, he being a clerk.

I5. That the contents of para I6 of the writ petition are not correct as stated and in reply it is submitted that the orders containing regularisation of absence of 122 days period of the petitioner are strictly within the ambit of leave rules. Further- more the contention

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A-45  
43

of the individual that he was not informed about his performance of the official duties are incorrect. In fact he was instructed several times to take over the charge of official assignment. In this connection copies of letters No 2039/I27/EI dated 30 May 84, NO 2039/I28/EI dated 14 Jun 84 and No 2039A/I30/EA dated 16 Jun 84 are enclosed as Annexure NOC-6 to 6-8 to this counter affidavit. Disciplinary action against the individual was not initiated with the hope that better sense will prevail upon him. He realized his conduct on 29 Oct 84 and took charge of a table in the Non-effective Records Group on 29 Oct 84.

16. That in reply to contents of para 17 & 18 of the writ petition it is submitted that the petitioner wilfully availed excess leave. He was fully aware that he was availing leave over and above his entitlement as explained in paras 7&8 above. Hence the period of 122 days was regularised by granting of Extra Ordinary Leave without pay and allowances. ~~(Leave)~~ vide Rule 32 (I) (a) of Central Civil Services (Leave) Rules, 1972. Moreover, the leave account of the petitioner has been audited by the local audit authorities and deduction has been started after audit of his leave account by the audit authorities.

17. That in reply to the contents of para 19 of the writ petition it is submitted that since the petitioner availed excess leave for 122 days, the recovery made out of his salary is within the rule. No refund can be made. However as per orders of Hon'ble High Court of Judicature at Allahabad, Lucknow Bench, Lucknow

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A-48  
A/44

only Rs.200/- are being recovered from the salary for the month of October 1984 till whole amount paid in excess is liquidated.

18. That in reply to the contents of para 20(A), (B) and (C) of the writ petition it is submitted that since the amount for 122 days extra ordinary leave without pay and allowances was to be recovered from the petitioner, which worked out to Rs.3124.15, it was decided to recover the amount in six instalments of Rs.520.7 per month commencing from the salary for the month of July 1984. The present monthly salary of the petitioner comes to Rs.906.50 after affecting normal recoveries of Rs.190.00 per month. The petitioner has put in about 22 years of service. Therefore he should be aware about the order/rules pertaining to leave entitlement in vogue. It is therefore recommended that the excess pay and allowances drawn by the petitioner when not due to him during the year 1981-83 should be recovered from the petitioner as early as possible.

19. That in view of the facts and circumstances stated above the writ petition filed by the petitioner is liable to be dismissed with costs against the petitioner.

Lucknow,

Dated: 27 Feb 1990.

Deponent  
(P K Dasgupta)  
से. ले.  
2 Lt

सहायक अभिलेख अधिकारी  
Assistant Record Officer

A-457  
X/WS

Verification

I, the above named deponent do hereby verify that the contents of Para I of this affidavit is true is my personal knowledge and those Para to are believed to be true on the basis of official records and information gathered and those of Para are believed to be true on the basis of legal advice. No part of it is false and nothing material fact has been concealed, so help me god.

Lucknow

Dated 7 Feb 90

(P.K. Dasgupta)

से. ले.

2 Lt

सहायक अभिलेख अधिकारी

Assistant Record Officer

Deponent

I identify the deponent

which has signed before me.

Solemnly affirmed Before me on.... 7/2/90

at A.M./P.M. by Shri Dr. D.R. Joshi, the deponent who has been identified by Sri V.K. Chaudhari

Advocate High Court, Lucknow Bench, Lucknow .

I have satisfied myself by examining the deponent that the understand the contents of this affidavit which were read over and explained to him by me.

7/2/90

SNA

7.30 AM

P.K. Dasgupta  
V.K. Chaudhari

V.K. Chaudhari  
Advocate.)

Signature



A-48  
4/46

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

Writ petition NO. 5173 of 1984

N. N. Srivastava

..... Petitioner

Versus

Union of India & others

.... Opp. Parties.

Annexure C-I

Confidential

Tele 378553

Sangathan Nideshalaya (org I (Pers)  
(a) Adjutant General Shaaha

Thal Sena Mukhyalaya

Organisation Directorate (org I  
Pers (a) Adjutant General Branch

Army Headquarters

DHQ PO New Delhi-IIIOOII

B/05104/org I (Pers) (a) 27 Mar 84

Records  
The Dorga Regiment  
Faiza bad

Delay in payment of Bonus and Medical Allowance

1. Reference your letter NO 0483/A/I/27I/LA dated  
09 Mar 84.

2. The case has been examined. It is observed that  
the petitioner has complained against your Record  
Office in the capacity of Joint Secretary of the Nation  
anal Defence Employees Council, Faizabad. As such,  
no action can be taken against him in the capacity

A-49  
A/47

--- 2 ---

despite the fact that the allegations levelled by him have been found to be baseless and that the said association is not a recognised body.

3. Centre Commandant, being the competent authority, may consider the desirability of taking action under the CCS (CC&A) Rules 1965 as deemed appropriate based on his activities as an employee of your Record Office. This Headquarters, being the Appellate Authority, is not in a position to give any direction/ Advice.

K I

Sd/- x x x x x

(Shri Ram Singh)

Col

Col 'A'

Org I (Pers)

Adjutant General

7/2/90

AS  
4/8

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

Writ petition NO. 5173 of 1984

N.N. Srivastava

.... Petitioner

Versus

Union of India & others

.... Opp Parties.

Annexure C-2

STATEMENT OF CLASS VI EMPLOYEES IN CONNECTION WITH THEIR  
CONTEMPLATED GRIEVANCES PROJECTED BY LDC NN SRIVASTVA  
AS JOINT SECRETARY NATIONAL DEFENCE EMPLOYEES COUNCIL

1. it has come to us as surprise when we, the undersigned came to know about the complaint made by the petitioner on our behalf, falsely projecting our grievance. In fact we have been deprived of our genuine claims and other facilities. On the contrary we have found that the administration goes all out to solve our problems.

2. As far as we know, it was administration who at its own took the expeditious action in the initiation of our claim of arrears of pay and allowances of Selection Grade. In fact the staff was detailed separately particularly for this job.

3. We do not subscribe to the fictitious complaint put up by the petitioner on our behalf as we do not consider him as our spokesman. It is our earnest request that authorities should not take any cognizance if ever such complaints are lodged by the petitioner in future also in the capacity of the Joint Secretary, National Defence Employees Council.

Signed by-

In the presence of  
I Sd/- xxxx

Capt 31/5/84

2. (SL-I99X Capt Prem Nath)

2. Sd/- x x x x x

(SL-02790y Lt Venugopal)

1. Sd/- x x x x x x x x

(Shri Ganga Saran, Peon/SG)

2. Sd/- x x x x x x x x x x

3. (Shri Sripat Yadav, Peon/SG)

3. Sd/- x x x x x x x x x x

(Shri Jalta Prasad, Peon/SG)

7/2/90

K-2

(ASL)

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

Writ petition NO. 5173 of 1984

N. N. Srivasta ..... Petitioner  
Versus  
Union of India & others ..... Opp. parties

Annexure C-3  
Discipline : civilian employees

I. Refer to:-

- (a) Army Headquarters letter NO B/05104/Org I (Pers)(a) dated 22 Dec 83:
- (b) This office letter NO 0483/I/227/IA dtd 20 Jan 84:
- (c) Army Headquarters letter NO B/05184/Org I (Pers)'a dated 02 Feb 84 and
- (d) This office letter NO 0483/A/I/248/IA dated 27Feb84

2. As already intimated vide this office letter referred to at Para I (d) above, the petitioner was asked to elucidate the grievance contained in this telegram dated 14Dec 83, the copy of which was received under Army Headquarters letter referred at para I (C) above. Earlier, the petitioner vide his application dated 23 Feb 84, copy forwarded vide this office letter cited at Para I (d) above, had replied that he was not in position to do so because of sickness of his wife. It was contended in the application by the individual that his wife was totally bed ridden. In another application dated 02 Mar 84 (copy attached) the individual has come out with a totally different version. Now he has been replying to the query by stating that the telegram in question was not issued by him that is the petitioner and that no action is warranted on his part. In fact, as may be seen from his application he wanted to drag the administration to indulge in direct correspondence with the so called National Defence Employess Council Faizabad, which is not permissible; this being an unrecognised organisation.

3. However, another application dated 13 Feb 84, copy enclosed, may be considered relevant to the issue wherein the individual has tried to malign the administration as

AS  
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usual without specifying the particular grievances. As a matter of fact as already brought out in this office letter NO 0483/I/227/LA dated 20 Jan 84, the individual is in the habit of making imaginary complaints against the administration. The minutes of monthly ~~of~~ civilian samelan held as well as quarterly welfare committee are the corroboratory testimony of this statement. At no stage any point grievance was brought out by any of the employees.

4. Incidentally, an anonymous letter (photostat copy enclosed) purported to be issued on 17 Jan 84 was received in this office in which it has been alleged that the petitioner is not maintaining his actual wedded wife Urmila Srivastava but he is keeping another lady, Smt Shobha Singh, by whom the petitioner has a son named 'Pintoo'. Since the contents of the letter reflected the version of an earlier petition from Smt Urmila Srivastava (photo stat copy attached) mentioned above, a confidential The senior Supdt of Police, Faizabad was conducted. The Senior Supdt of Police, Faizabad vide his letter NO IT/C-49/84 dated 23 Feb 84 (photo stat copy enclosed) has confirmed the facts mentioned in the above anonymous letter. Incidentally, the petitioner has given the name of Mr Kapil Kumar, the boy from Smt Shobha Singh, as his son in his official documents. A copy of Family Details\* furnished by the individual in terms of Army Headquarters letter NO 90659/Org 4 (Civ) (b-ii) dated 31 Aug 66 is enclosed,

5. From para 3 to 4 above it may be seen that prima facie the petitioner has committed grave offences in contravening to CCS (Conduct) Rules and Violation of provisions of the E IPC.

6. Apart from above, the statement mentioned in the anonymous letter which is subsequently verified to be true by the police authorities being forth another interesting factor relevant to the issue. According to the anonymous letter Smt Shobha Singh remains sick. The petitioner has been claiming re-imbursment of medical expenses on account of the illness of his wife. He has also recently claimed the medical advance of the treatment of his wife. In the police verification report actually wed ded wife

7/2/90

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of the individual viz Smt Urmila Srivastava is not being supported by the individual. This, therefore, implies that he has been deceitfully submitting fraudulent claims for the expenditure incurred on the treatment of Smt Shobha Singh in the name of his legally wedded wife viz Smt Urmila Srivastava, yet another offence under Indian Penal Code.

7. Not only this, as per confidential police verification report, mentioned in the preceding Paras, Smt Urmila Srivastava, the actually wedded wife of the petitioner is dependent merely on the pension of her father-in-law. The petitioner has acted in a manner unbecoming of a Government servant by neglecting his wife and family. The case, therefore, attracts the provisions of Government of India, Ministry of Home Affairs letter NO F/25/16/59-Estt( A ) dated 01 Sep 59 for taking departmental action against the individual without invoking any of the conduct rules.

8. The facts brought out in Para 3 to 7 above, have further proved that the individual is an undesirable element whose further retention in service may be detrimental in the interest of the state. Under the circumstances the only course open to deal with him is to take administrative action. It may be brought out that longer the individual is allowed to remain in service the worse will be the effect on the discipline of other employees in this office. You are therefore requested to take expeditious action in the matter.

7/12/90

(H S Lamba)  
Brigadier

Prabhari Abhilekh Adhikari  
Officer Incharge Records

(A.S.U.)  
15/5

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

Writ petition NO. 5173 of 1984

N.N. Srivastava

.... Petitioner

Versus

Union of India & others

.... Opp. Parties.

Annexure NO. C-4

1. Refer to your application dated 29 Jul 82 (requesting for conversion of Earned Leave wef 10 Jul 82 to 21 Jul 82 into commuted leave and application for Earned Leave on 2 Aug 82.
2. It is to inform you that since your joining this office only 60 days Half Pay Leave has accrued to you. You had already applied for 131 days commuted Leave against 262 days Half Pay Leave which far in excess of your entitlement of Half Pay Leave (Commuted Leave).
3. In spite of regular reminders your previous leave account has not so far been received from AGE(P) Inden, Lucknow. Your absence from duty for 131 days has not so far been regularised.
4. As such, Your request for conversion of Earned Leave from 10 Jul 82 to 21 Jul 82 into Commuted Leave vide your application dated 29 Jul 82 cannot be acceded ~~as~~ to.
5. As regards your leave application for Earned Leave on 02 Aug 82, no Earned Leave is standing to your Earned Leave Account. Therefore, this absence will either be regularised on receipt of your leave account grant of Half Pay Leave/~~or~~ Commuted Leave if due, or will be treated as EOL without pay.
6. Please note the contents for future guidance.

Sd/- x x x x x x x

(SR Kolhatkar)

Major

Varishat Abhilekh Adhikari

Senior Record Officer

Kritey Prabhari Abhilekh

Adhikari for Officer Incharge  
Records

7/2/90

(A 58)  
H/S

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

Writ petition NO 5173 of 1984

N.N. Srivastava

..... Petitioner

Versus

Union of India & others

..... Opp. parties.

Annexure NO. C-5

Leave : Civilians

1. Reference to your application dated 16 Aug 82.

2. You have applied for one day earned leave for 16 Aug 82 vide your application under reference to regularise your absence for the said day. In this connection you are hereby informed that no Earned Leave is standing to your Earned Leave account. Therefore, this absence will either be regularised on receipt of your leave account by grant of Earned Leave/Half Pay Leave/ Commuted Leave, if due, or will be treated as EoL without pay.

Sd- x x x x x x x

(DP Yadava

It

Sahayak Abhilekh Adhikari

Assistant Record Officer

Kritey Prabhari Abhilekh Adhikari  
for Officer Incharge Records



AS  
A/S

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

Writ petition NO. 5173 of 1984

N.N. Srivastava

..... Petitioner

Versus

Union of India & others

..... Opp. Parties.

Annexure NO. C-6

INTER GROUP POSTING

I. Further to this office letter NO. 2039/I22/EI  
dated 28 Apr 84.

2. It has been reported to me that you have still  
not taken over the charge of Sheet Rolls Clk -4 Dogra.

7/2/90 - 3. You are, therefore, advised to accomplish the  
assigned task by 04 June 84.



Sd- x x x x x x

(Tarlochan Datt)  
Captain

Abhilekh adhikari  
Record Officer

Kritey Prabhari Abhilekh adhikari  
for officer Incharge Records

(A) \$ 1/5

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

Writ petition NO. 5173 of 1984

N. N. Srivastava

... petitioner

Versus

Union of India & others

.... Opp. Parties.

Annexure NO c-7

TAKING OVER OF CHARGE

I. Further to this office letter NO 2039/I27/EI dated 30 may 84.

2. It has again been reported to me that despite several advices given to you, you have still not taken over the charge already assigned to you. This is an irresponsible attitude of an employee. In your own interest you are again advised to take over the assigned task by 22 Jun 84.

Sd/- X X X X X

(Tariochan Datt )

Capt

Abhilekh ~~Officer~~ Adhikari

Record Officer

Kritey Parisht Abhilekh Adhikari  
for Senior Record Officer

AS  
8/56

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

Writ petition NO. 5 173 of 1984

N. N. Srivastava

.... Petitioner

versus

Union of India & others

.... Opp. Parties.

Annexure C-8

TAKING OVER OF CHARGE

1. Further to this office Letter NO 2 093/.128/EI dated 14 Jun 84 and your interview with SRO dated 15 Jun 84.
2. Since you have also been advised by SRO during your interview with him on 15 Jun 84 to take over the charge/ task assigned to you, you are therefore, again advised to take over the charge immediately and not as per date given under the above quoted letter.

*[Handwritten signature]*

Sd/- x x x x x x x x  
(Tarlochan Datt)  
Captain  
Abhilekh Adhikari  
Record Officer  
kritey Varisht Abhilekh Adhikari  
for officer in-charge Record

*[Handwritten signature]*  
9/12/90

# ORDER SHEET

IN THE HIGH COURT OF JUDICATURE AT ALLAHABAD

W.P. No. 5173 of 1984.

25.

Date	Note of progress of proceedings and routine orders	Date of which case is adjourned
1	2	3
23/10/84	<p>Decn KN-G, ?</p> <p>Decn BK, ?</p> <p>list this petition for admission in the second week of December, 84 - - -</p> <p>on payment of necessary charges today.</p> <p>Sd. KN-G.</p> <p>Sd. BK.</p> <p>23/10/84</p> <p>CM. An No. <u>11,088</u> of 84.</p>	
23/10/84	<p>Decn KN-G, ?</p> <p>Decn BK, ?</p> <p>For orders, see on main petition.</p> <p>Sd. KN-G.</p> <p>Sd. BK.</p> <p>23/10/84.</p>	
10/12/84	<p>Fixed Court with CMA No. 11,088 (W)-84 for orders</p> <p>Hon. KN-G</p> <p>Hon. BK</p> <p>List after correctly showing the name of Sri S. K. Mehrotra and</p>	

chief Standing Counsel Central Government as parties' counsel respectively.

MHS/

10/12/84

Date	Note of progress of proceedings and routine orders	Date to which case is adjourned	
1	2	3	
15.1.85	<p>Fixed for adj.</p> <p>NOUSAT</p> <p>NO BKumar</p> <p>80</p> <p>1971</p>		
4.2.85	<p>Fixed for adj.</p> <p>NOUSAT</p> <p>NO BKumar</p> <p>Put up tomorrow.</p>		
5/2/85	<p>4.2.85</p> <p>TR</p> <p>main</p>		
5/2/85	<p>Hon. Syed Saifur Rahman J</p> <p>Hon. Brijesh Kumar, J</p> <p>Put up tomorrow.</p> <p>Learned counsel for petitioner undertakes to inform Sri H. N. T. Lahari Senior Standing Counsel for Central Govt.</p>		
6/2/85	<p>5.2.85</p> <p>TR</p> <p>Hon. I. Ahmad, J.</p> <p>Hon. B. Kumar, J.</p> <p>Admt. Stayed</p> <p>Born</p>		

AD 2 A 58

in P No. 5173 of 198  
vs. 86

[illegible]



Telephone Military 20

REGISTERED  
Dogra Regiment Abhilekh Karyalaya  
Records The Dogra Regiment  
Faizabad(UP) -224001

0433/B/ 64/LA

27 Apr 85

The Deputy Registrar  
(Civil Court)  
Lucknow Bench  
Allahabad High Court  
Lucknow


WRIT PETITION NO 5173 OF 1984 FILED BY  
SHRI N N SRIVASTAVA, LDC, RECORDS THE  
DOGRA REGIMENT VS UNION OF INDIA

Dear Sir,

- 1.. Refer to your letter No Nil dated 23 Mar 85.
2. It is intimated that Major S S Brar <sup>here</sup> Senior Record Officer, has retired from service wef 01 Feb 85. Hence any further correspondence meant for this office may please be addressed as under :-

"Senior Record Officer  
Records The Dogra Regiment  
Faizabad(UP)

Yours faithfully,

  
(venugopal MN)  
Lt  
Administrative Officer  
for Officer-in-Charge Records

5-13  
D. Court

Reg  
DR  
G/8/85

NW  
16.2.85

5/2501



हाईकोर्ट इलाहाबाद लखनऊ बेंच, लखनऊ

( अध्याय १२, नियम १ और ७ )

दीवानी विभाग

प्रकोणांक ( मुत्तफरिफ ) प्रार्थना - पत्र संख्या ..... सन १६ ई०

..... १ ..... सं० ५१७७ ..... सन १६४५ ई० में

..... N. N. Sinha ..... प्राथी

Union of India ..... प्रत्याथी

To the - Major S. S. Borar Senior Records Officer  
Deogra Regiment Records Office

..... Rajgopal ..... प्रत्याथी

चूंकि ऊपर लिखे प्राथी ने इस न्यायालय में उपर्युक्त मुद्दमें के सम्बन्ध में

बीसा

एम्पायमेंट ऑफ़ सि

एक रजिस्ट्री  
Received & R

यानेवाले का  
Addressed

..... देखिये प्रार्थना-पत्र  
आप दिनांक २ माह ५ सन १६४५

में कि प्रार्थना-पत्र क्यों न स्वीकार का  
के बाद नियमानुसार विवक्षित क्रिशी और

पर या उससे पहले स्वयं अथवा किसी  
से कार्य करने के लिए कानूनन अधिकृत  
सुनवाई और निर्णय आपकी अनुपस्थित

में हो जायेंगे।

हैं हस्ताक्षर और न्यायालय की मोहर से आज दिनांक २ माह ३ सन १६४५  
को जारी किया गया।

..... के एडवोकेट

तिथि .....

डिप्टी-जिस्टार  
इलाहाबाद/लखनऊ

सूचना—इस न्यायालय की १९५९ की नियमावली के अध्याय ३० नियम ६ के अधीन प्राप्त  
तकवाना मिल गया।

तकवाना प्राप्त करने वाले क्लर्क के हस्ताक्षर

हाईकोर्ट इलाहाबाद लखनऊ बेंच, लखनऊ

(अध्याय १२, नियम १ और ७)

दीवानी विभाग

प्रकीर्णक (मुनफरिफ) प्रार्थना - पत्र संख्या ..... सन १९७५ ई०

..... W.P. No. ५१७३ सन १९७५ ई० में

..... Dr. N.N. Srivastava प्राधी

..... Union of India and others प्रत्याधी

..... Office - Major S.S. Barar, Senior Record Officer -  
Dogra Regiment, Records Office.

..... Fairza Barar प्रत्याधी

चूंकि ऊपर लिखे प्राधी ने इस न्यायालय में उपर्युक्त मुकदमें के सम्बन्ध में

..... के नाम ..... दे लिये प्रार्थना-पत्र

दिया है, अतः आपको आदेश दिया जाता है कि आप दिनांक ..... माह ..... सन १९७५  
को या उससे पूर्व उपस्थित होकर कारण बतलायें कि प्रार्थना-पत्र क्यों न स्वीकार का  
लिया जाय। उक्त प्रार्थना-पत्र को सुनवाई उसके बाद नियमानुसार विज्ञापित किशो और  
दिन होंगे।

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

मेरे हस्ताक्षर और न्यायालय की मोहर से आज दिनांक २१ माह ३ सन १९७५  
को जारी किया गया।

..... के एडवोकेट

तिथि .....

.....  
जिस्टी रजिस्ट्रार  
इलाहाबाद/लखनऊ

सूचना—इस न्यायालय की १९५२ की नियमावली के अध्याय ३० नियम ३ के अधीन प्राप्त  
तलवाना मिल गया।

तलवाना प्राप्त करने वाले क्लर्क के हस्ताक्षर

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD  
CIRCUIT BENCH, LUCKNOW  
\*\*\*\*\*

Gandhi Bhawan, Opp. Residency  
Lucknow

No. SAT/LKO/Jud/CB/2335 Dated the 12/12/89

T.A.No. of 1536 127(T)

M. M. Srivastava

AFFLICTION'S

Versus

Union of India

RESPONDENT'S

Shri. S. K. Mehrotra Adv  
High Court, Lucknow

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. 5-172/84

of 198

of the Court of

arising out

of Order dated

passed by

The Tribunal has fixed date of  
25.1.90 199. The hearing  
of the matter.

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

the matter will be heard and decided in your absence.

Given under my hand seal of the Tribunal this

day of 1989.

dinesh/

2) Union of India through Secretary, Ministry of Defence  
New Delhi

3) Officer Incharge, Records Records Office,  
Dogra Regiment, Faizabad.

4) Major S. S. Bazar Senior Record  
Officer, Dogra Regiment Records  
Officer Faizabad.