

CENTRAL ADMINISTRATIVE TRIBUNAL

LUCKNOW BENCH

FORM OF INDEX

~~D.A./T.A./R.A./C.C.P.T~~ No. 1540 1987 in WP 154087

O.P. Singh  
vs-

V.O. & Ors

PART - I

1.	Index Papers	:- 01	to	03
2.	Order Sheet	:- 04	to	10
3.	Any other orders	:-	NIL	
4.	Judgement	:-	11	
5.	S.L.P.	:-	NIL	

*23/12/88*  
Dr. Registrar

*23/12/88*  
Supervising Officer

*23/12/88*  
Dealing Clerk

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

*28/12/88*  
Dealing Clerk

V.K. Mishra

- 1 -

Annexure - A  
CAT - 82  
CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD//  
CIRCUIT BENCH, LUCKNOW

INDEX - SHEET

CAUSE-TITLE T.A. 1540/84 OF 198

Name of the Parties Om Prakash Singh

Versus

Union of India & ors

Part A, B and C

S.I. No.	DESCRIPTION OF DOCUMENTS	PAGE
A1	General Index	1
A1	Order Sheet	3
A3	Judgement dt: 28.4.89. (dismissed)	1
A4	High Court original Record, W.P.NO. 540/84	1
A5	Counter Affidavit	3
B1	Vakalatnama (Power)	1
B2	Application	2
B3	Notice	4

लोकट्रॉफिक

15/5/89.

CIVIL

SIDE

CRIMINAL

GENERAL INDEX

(Chapter XLI, Rules 2, 9 and 15)

Nature and number of case .....

W.P. No. 540-84

Name of parties .....

Dilip Bala and S.P. Adal. Chetna Machavel  
Gym - N.R.

Date of institution .....

1-2-84

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
		1- Com. 134 (W.P.)	2 -	—	Rs. 5/-	P.		
		2- W.P. with affidavit and Annex.	23 -	—	202/-	av.		
		3- Power	2 -	—	10/-	av.		
		4- Acknowled.	1 -					
		5- Back Copy	1 -					

I have this

day of

198

examined

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

Date.....

Munsarim

Clerk

Case No. B42(C)/84

In The Hon'ble High Court Of Judicature At Allahabad

Bench At Lucknow.

Writ Petition No

of 1984.

Omprakash Singh and others son of ..shri. Badri Singh R/o  
village Kusmi, P.O. and P.O. Kakori, Distt Lucknow.

2. Kripa Shankar Patel son of Raj Pat R/o House no  
281/ 196 Mawaiya, Lucknow city Lucknow.

..... Petitioners.

Vs

1. Addl Chief Mechanical Engineer Northern Railway  
Loco Motive Work Shop Charbagh, Lucknow.
2. Chief Mechanical Engineer Northern Railway Loco Motive  
Work Shop Charbagh, Lucknow.
3. General Manager Northern Railway, Barauda House  
New Delhi.
4. Production Engineer, Loco Motive Work Shop Northern  
Railway Charbagh, Lucknow.

..... Opposite parties.

#### APPLICATION FOR INTERIM RELIEF

The humble petitioners respectfully submit as under:

For the facts, reasons and circumstances

set forth in the writ petition supported by the affidavit  
it is most humbly prayed that this Hon'ble court ... X/-

In The Hon'ble High Court Of Judicature At Allahabad  
Bench At Lucknow.

560

Writ Petition No... of 1984.

1. Cmprakash Singh son of Badri Singh R/o Village Kusmi, P.O. and P.S. Kakori, District Lucknow.
2. Kripa Shankar Patel son of Raj Pat R/o House No. 281/196 Mawaiya, Lucknow city Lucknow.

..... Petitioners.

Versus.

1. Addl. Chief Mechanical Engineer Northern Railway Loco Motive Work Shop Charbagh, Lucknow.
2. Chief Machancial Engineer Northern Railway Loco Motive Work Shop Charbagh, Lucknow.
3. General Manager Northern Railway, Barauda House New Delhi.
4. Production Engineer, Loco Motive Work Shop Northern Railway Charbagh, Lucknow.

..... Opposite parties.

Writ Petition Under Article 226 of the Constitution of India.

To,

The Hon'ble Chief Justice and his

..... 2/-



Sr. No.	Date	Orders

AI

ORDER SHEET

REMARKS

OFFICE REPORT

An Application has been filed in this  
Tribunal for transferring the case No. 1540/87(T)  
of to the Circuit Bench Lucknow.

If approved, 27<sup>th</sup> April 1988 may  
kindly be fixed for hearing at Circuit Bench  
Lucknow. In this regard the notices may be sent  
to the parties counsel.

*DRS* Put up on 27<sup>th</sup> April at  
Lucknow Circuit Bench H.Q.

27.4.88 D.R.(J)

*DR*  
D. R. (J)

None is present for the parties.  
Inform the parties fixing 27-5-88.

Notices issued to the  
applicants and Sri B. P. Agrawal DR 25,  
fixing 27-5-88.

*DRS*  
27/4/88

27.5.88

DR (J)

As the cases of Sri S. P. Agrawal  
are adjourned, list this case  
on 22-7-88. Inform the applicant.

*DR*  
DR (J)

*Notices issued*

*DR*  
27/5/88

—10—

(A)  
4

30.3.89

Hon is present. Fix on 28/4/89 for filing R.A.

Mahadevji  
30/3/89

for DR

BR

On perusing the record of the case, it appears that the reply has been filed by the respondents without serving a copy to the other party in the office. and D.R.J. has directed to issue a copy of the same to the counsel for applicant fixing 26.4.89 for filing rejoinder on 26.4.89.

Due to some inadvertency every copy of the reply has not been sent to the rejoinder applicant's counsel as yet.

No rejoinder has so far been filed by the applicant. Return the for orders

Ad  
27/4



CENTRAL ADMINISTRATIVE TRIBUNAL

Circuit Bench at Lucknow

Registration T.A No. 1540 of 1987

(W.P. 540 of 1984)

Om Prakash Singh ..... Applicant.

Versus

Union of India & others. Respondents.

Hon. D. S. Misra, A.M.

Hon. D. K. Agarwal, J.M.

*for the bodies.*

None is present. This Writ Petition was received on transfer from the High Court of Judicature at Allahabad/Lucknow Bench, Lucknow under the provisions of section-29 of Administrative Tribunals Act, 1985.

The petitioners <sup>had</sup> claimed that they be permitted to appear in the test ~~for post to be held~~ to fill the post of Hammer man through advertisement dated 17.12. '83. It appears that the petitioners ~~had~~ lost interest in pursuing the matter. The application <sup>is</sup> dismissed without any order as to costs.

*DK Agarwal*

Member (J)

*Bm*

Member (A)

Dated: 28th April, 1989.

brc/

Group 'A' 14 (c)

974

In The Hon'ble High Court Of Judicature At Allahabad  
Bench At Lucknow.

Writ Petition No 360 of 1984.

Omprakash Singh and others..... Petitioners.

Vs.

Addl. Chief Mechanical Engineer Northern Railway, Loco  
Motive Work Shop Charbagh, Lucknow and others.

..... Opposite parties.

INDEX

Serial No	particulars	Page
1.	Writ petition	1-10
2.	Affidavit	11-12
3.	<u>Annexure No 1</u>	13-15
4.	<u>Annexure No 2</u>	16-17
5.	<u>Annexure No 3</u>	18-19
6.	<u>ANNEXURE NO 4</u>	20-21
7.	Power.	22

Lucknow. 1.2.84

R. K. Gupta  
(K. K. Singh) Advocate

R. K. Gupta  
Advocate.

may very kindly be pleased to direct the opposite parties not to declare the result of the ~~xxx~~ selection and the opposite parties may also directed not to release the ~~fixx~~ select list preapered by them till further orders of this Hon'ble court and also the authorities (opposite parties) be directed to allow the petitioner to appear in the supplementary practical test for the ends of justice

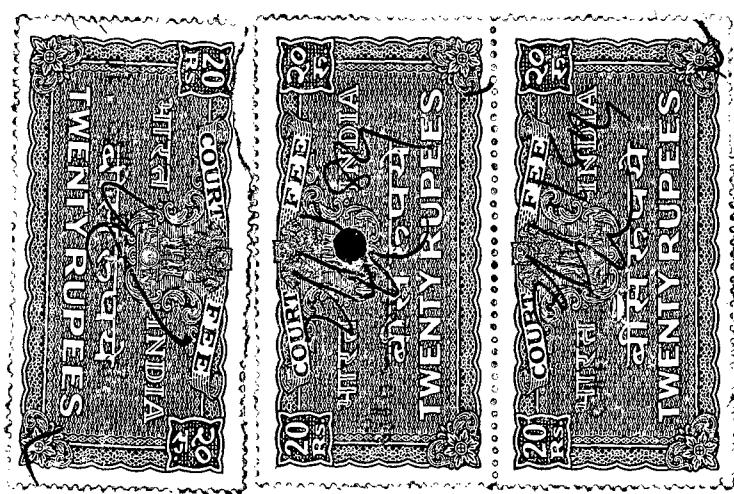
R. N. Singh

Lucknow. 1/2/84

Counsel for the petitioners

27

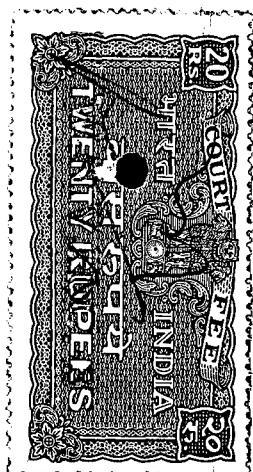
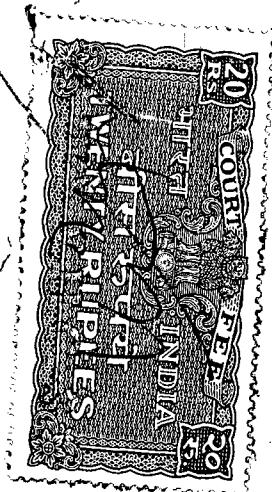
In the High Court of Judicature at Allahabad  
Lucknow Bench (Ucknow)



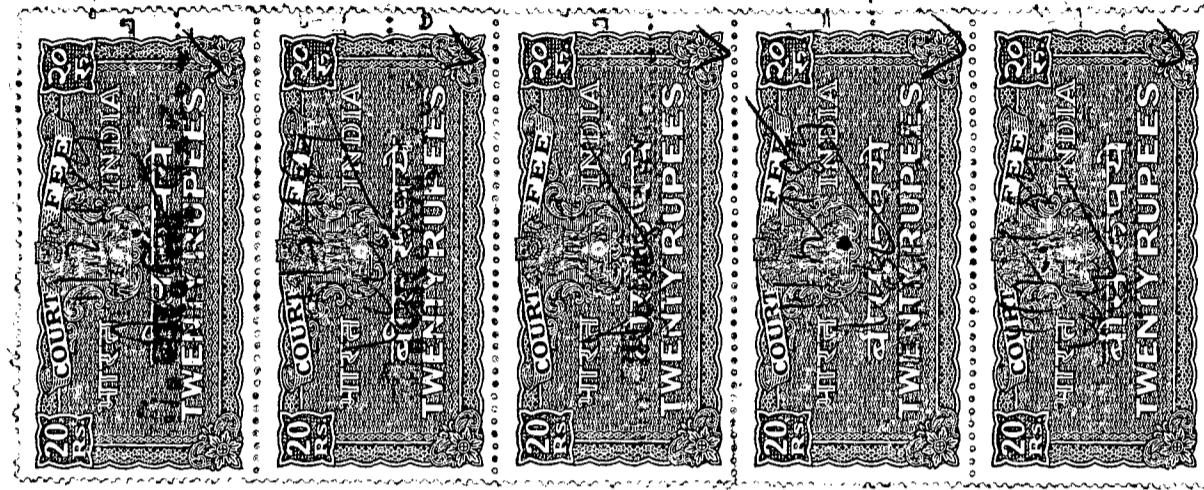
5-2-8.100  
1/1 AM

Om Prakash Singh & Others — Petition

VS  
Addl Chief Mechanical  
Engineer & Others — Opposite  
Pet. No. 15



2/2  
In the High Court of Judicature at  
AlCahabad Lucknow Bench  
Lucknow



5 x 20 = 100/-  
2/289

Om Prakash Singh and Others Petitioners  
VS

Addl Chief Mechanical  
Engineer Colles Opposite  
parties.

2

2/4

other Hon'ble companion Judges of aforesaid Court.

The petitioners most humbly submit  
as under:

1. That an advertisement was released under the signature of the opposite party no 1 inviting the application from sons/ wards/near relations of the Railway staff of the Loco Work Shop Charbagh Lucknow for filling up the posts of skilled/ Hammer Man so as to form a panel of 50 persons in scale of Rs 260-400/. The true copy of the aforesaid advertisement no. 35 E/ Panel/ H/Man dated 17.12.83 released under signature of the opposite party no 1 signed and dated 16.2.83 is being filed herewith as ANNEXURE No.1 to this writ petition.

2. That the prescribed age for the applicants mentioned the said advertisement is between 18 to 25 years on 1.2.83, which was realxable by up to 5 years for the candidates belonging to the seduled caste and seduled Tribe candidates.

3. That according to the advertisement contained in the ANNEXURE NO 1 of this writ petition the vacancies for filling up the post of skilled/ Hammer Man has to be made from sons/ wards/ and near relations of the Railway staff. The applications were required to reach the office of the opposite party no 1 latest by 5.3.83.

.....3/-

3/2/83  
C641 21 out 9/2

4. That in pursuance of the advertisement contained in the ANNEXURE NO 1 to this writ petition the petitioners accordingly submitted their application complete in all respect within the prescribed period along with their testimonials etc. in the office of the opposite party no.1.

5. That it may also be noted at this stage that the petitioners have submitted their application forms in the office of the opposite party no 1 catogerically stating therein that the petitioner no2 is the son of Rajpat working in Loco Work Shop and the petitioner no 1 is brother -in-law of RamAsray Yadav who is also working in the Loco Work Shop and thus both the petitioners were liable for the candidature.

6. That it is pertinent to note that the advertisement contained in the ANNEXURE NO1 was not published in any news paper and it was only pasted on the notice Board of the office of the opposite party no 1 and other office of Superintendents of various shops in the Loco work shop N.R. Charnagh, Lucknow.

7. That after scrutinizing the application submitted in the office of the opposite party no 1 the applications of the petitioners were found complete in all respect and as such the petitioners were called upon to take the partical test.

31st Jan 1982  
1982-01-31

The true photo state copy of the call letters dated 4.1.84 asking the petitioners to appear in the practical test addressed to the petitioner No 1 and 2 are filed herewith as ANNEXURE NO II AND III respectively.

8. That the petitioner no 1 was called upon to take his practical test on 21.1.84 at the office of the opposite party no 1 while the petitioner no 2 was asked to appear in the practical test on 18.1.84.

9. That it is pertinent to note that the call letters asking the petitioners to take the practical test were not issued direct to the petitioners but the aforesaid call letter were handed over to the railway employees through whom the petitioners have submitted theirs applications. The father of the petitioner no 2 received the call letter only on 17.1.84 at about 12 Noon while the petitioner no 1 received the information on 20.1.84 that he has to appear in the practical test on 21.1.84.

10. That the petitioner no 2 was in Delhi at the time when call letter was being received by his father. The father of the petitioner no 2 however rushed to Delhi and could bring the petitioner back Lucknow only in the night of 18.1.84. The petitioner no 2 appeared in the office of the opp.

party no 1 on January 19, 1984 at about 10.30 A.M.

The petitioner and his father approached the opposite party no.4 who was conducting the practical test on 19.1.84 for allowing the petitioner no 2 to appear in the practical test. The opposite party no 4 asked the petitioner no 2 to move an application for giving an opportunity to him to appear in supplementary practical test. The petitioner no 2 moved the application for supplementary test and the opposite party no 4 directed him to appear in the supplementary test to be held on 30.1.1984 at 10. A.M. sharp.

11. That the petitioner no 1 reached the office at about 11.30 A.M. on 21.1.84 to appear in the practical test before the opposite party no 4, but the petitioner was astonished to know that by that time his number was over and that he will not be allowed to appear in the practical test do day. The petitioner no 1 along with his relation Ram Asray, an employee of the Loco Shop approached the opposite party no 1 who advised the petitioner no.1 to approach the opposite party no 4 to have a date and time for supplementary practical test from the opposite party no 4. The petitioner no 1 and his relation Ram Asray approached the opposite party no 4 who advised the petitioner no 1 to move an application

31/1/1984  
02/01/1984

for permission to appear in the practical test. The petitioner no 1 moved an application for permission to give him an opportunity to appear in the supplementary test. The opposite party no 4 asked the petitioner no 1 to appear in the supplementary test on 30.1.84 at 10. A.M. sharp.

12. That it may be noted at this stage that in the call letters for appearing in the practical test there was no mention about the time and place where the practical test was to be held. In absence of the specification about the time and particular place where the practical test has to be held, the petitioner could not present themselves at the time when the opposite party is said to have given the practical test to the candidates.

13. That in case of the petitioner no 1 he could not appear at 10. A.M. to appear in the practical test because of the fact that his grand father Budhi Lal received grievous injuries in an accident on 21.1.84 and the petitioner no 2 could not appear on 18.1.84 because of the fact that he was at Delhi and the call letter issued to him was received by his father only on 17.1.84 at about 12. Noon.

14. That the petitioner under the oral orders of the opposite party no 4 presented themselves before him on 30.1.84 at 10. A.M. sharp for supplementary

test. The opposite party no 4 when he was requested to give supplementary test to the petitioners, turned down the request of the petitioners and refused to allow them to appear in the supplementary practical test.

15. That on the refusal of the opposite party no 4 in allowing the petitioners an opportunity to appear in the supplementary practical test, the petitioners approached the opposite party no 1 for according a permission to the petitioners to appear in the supplementary practical test, he too, refused to accord permission to the petitioner to appear in the supplementary practical test.

16. That it may be stated at this stage that some of the candidates who failed to take their practical test on the specific dates have been allowed an opportunity to appear in the supplementary practical test. One Denesh has also been allowed an opportunity to appear in the supplementary practical test. The said Denesh had failed to appear in the practical test on the scheduled date of his test.

17. That in view of the fact that several other person including Dinesh have been allowed to appear in the practical test the petitioners are also entitled for an opportunity to appear in the

31/7/1988  
on 12/1/1988

supplementary practical test. It is discriminatory and arbitrary against the petitioners to refuse them an opportunity to appear in the supplementary practical test while authorities have allowed several others candidates including Dinesh to appear in the supplementary practical test.

18. That the opposite party no 1 and 4 want to have their own men in filling the vacancies for as such they have turned down the requests of the petitioners for permission to appear in the supplementary practical test without assigning any reasons what so ever for it.

19. That the authorities are now intenously to issue interview letters to the candidates and to appear a select list for filling up the vacancies. The select list is expected to be released soon.

20. That it is submitted that in case the petitioners are allowed the opportunity of supplementary practical test no harm shall be caused in the process of the selection of the candidates for filling up the vacancies.

21. That the refusal of the authorities in allowing the petitioner an opportunity to appear in the supplementary practical test is discriminatory, arbitrary, unjust, improper, illegal and against the principle of natural justice. The petitioners being

*31/1/2018  
Original*

aggrived by the inaction of the opposite party no 1 and 4 have got no other efficacious remedy except to file the writ petition before this Hon'ble court amongst others on the following grounds.

G R O U N D S

- I. Because the petitioners are being discriminated by the opposite parties in not allowing them to appear in the supplementary practical test.
- II. Because the several other candidates including one Dinesh who had failed to take their practical test on their due dates have been allowed supplementary practical test by the opposite parties.
- III. Because the call letters asking the petitioner to appear in the practical test defective and illegal. The said call letters ( ANNEXURE NO 2 abd 3) do not disclose about the time and place of the practical test to be held.
- IV. Because in absence of the specification about the time and place of the practical test no candidate possible reach at the time when the so called practical test has been held by the authorities.
- V. Because the refusal of the authorities to the petitioner for an opportunity to appear in the practical test is against the principle of natural justice and it is also illegal.

R. N. Gupta  
B.M.S. 1978  
My 4121000

10.

VI. Because in any case if the petitioners are allowed an opportunity to appear in the supplementary practical test, it shall no effect in any manner the preparation of the select list by the authorities.

P R A Y E R

Wherefore it is respectfully prayed that this Hon'ble court may very kindly be pleased :

1. to issue a writ in the nature of mandamus directing the opposite party no 1 and 4 to allow the petitioners an opportunity to appear in the supplementary practical test.
2. any other writ or direction be issued or order be passed in favour of the petitioners with this Hon'ble court things proper and just in the circumstances of the case.
3. that cost of the petition be warded to the petitioner

*R. N. Singh*

Lucknow.

( K. K. Singh )

Advocate

Dated:

Counsel for the petitioners.

*30/10/2012  
02/11/2012*

(11)

In The Hon'ble High Court Of Judicature At Allahabad

Bench At Lucknow.



Writ Petition No

of 1984

Omprakash Singh and others..... Petitioners

Vs

Addl Chief Mechanical Engineer Northern Railway Loco.

Motive Work Shop, Charbagh, Lucknow and others.

..... Opposite parties.

#### A F F I D A V I T E

I, Omprakash Singh aged about 22 years son of Badri Singh  
R/o Village Kusmi, P.O. and P.S. Kakori District

Lucknow do hereby solemnly affirm and state on oath  
as under:

1. That the deponent named above 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 17  
of the writ petition are true to my knowledge and  
paras 18 to 21 are believed to be true to my  
knowledge. Signed on this day of January 1984  
in the High Court Compound Lucknow. So help me God.

Lucknow.

Deponent.

Dated: 1.2.84 VERIFICATION

I, Omprakash Singh, the deponent named above

(12)

do hereby verify that the contents of para 1 to 2  
of this affidavit are true to my own knowledge.  
No part of it is false and thatt nothing material  
has been concealed. So help me God.

Lucknow.

~~मेरी जानकारी~~

Deponent.

Dated. 1/2/84

I identify the deponent who has signed  
this affidavit before me.

Lucknow.

Dated. 1/2/84

*Kanla Kant Singh*  
Advocate. *1/2/84*

~~XXXXXXXXXXXXXX~~

Solemnly affirmed before me at 10.00 A.M./P.M.  
by O.P. Singh, the deponent who is identified by  
Sri Kanla Kant Singh, Advocate, High Court Lucknow.  
I have satisfied my self be examining the deponent  
that he understands the contents of this affidavit  
which have been read and explained by me.



*Arif-Bug*  
O.P. Singh  
Advocate, High Court Lucknow  
1/2/84  
1/2/84

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

Om Prakash Singh and others....., Petitioners.

Vs.

Addl. Chief Mechanical Engineer & others... Opp. Parties

ANNEXURE NO I

Northern Railway Locomotive Workshop Charbagh,  
Lucknow.

No. 35 E/Panel/H~~Y~~ Man

Dated 17.2.83

All Concerned

Sub: Filing up the post of Skilled Hammerman in  
Scale, Rs. 260-400/-

Application are invited from sons/wards/  
near relations of the staff of these shop for  
filling up the post of skilled/ Hammerman to from  
a panel of 50 in scale Rs. 260-400/, who are coarse  
completed act apprentices/~~ITI~~ passed candidates.

Age: The candidates should be between  
the age of the 18 to 25 on 1.2.83 the upper a/c  
limit is relaxable by up to five years for Sc & ST  
candidates.

.....2/-

Om Prakash Singh

Serving employees who are course completed  
Act Apprenteeses or ITI qualified and are not more  
than 25 years will also be considered for absorption  
as skilled H/Man.

Period of Training and stend:

For Act Apprentice Training - No training required  
in Railway Workshop. They be directly posted  
as skilled H/Man is  
scale Rs 260-400.

For ITI & AEA Trained in - The will be required  
Northern Railway establishment to under so six moths  
orientation Training  
to make them suitable  
for specific requirement  
of Railway, they will be  
given stend at Rs 200/  
during course of Training

**Reservation:** 20% posts are reserved  
for SC/ & 5% for ST.

Candidates shall be required to appear in trade tests  
interview. These selected for appointment will be requi  
red to pass prescribed medical examination and will  
have to execute an agreement for apprentices ship.

After successful completing of training they will  
be absorbed as skilled H/Man on avail atributee of  
vacances.

All shop superintendent are requisited  
Entertained  
tents train application for the staff working and  
then in connection with the above and onward (under  
course letter) the application for this office along  
with testimonials/ certificates regarding dated of  
birth educational certificates. Technical qualifi  
Sc/St  
cational/certificates in case candidates. Being  
to Sc& St community. Applications should reached  
this office latest 5.3.83. The applications shall  
not be entertained after this date.

The application must be properly filled  
in on prescribed proforma and accompanied with the  
attested copy of certificates, otherwise these  
could be rejected.

Signed

For Addl. Chief Mach-  
nical Engineer, Northern  
Railway Loco Shop,  
Charbagh, Lucknow

Dated 16.2.83.

TRUE COPY.

आगे रखा गया

(16)

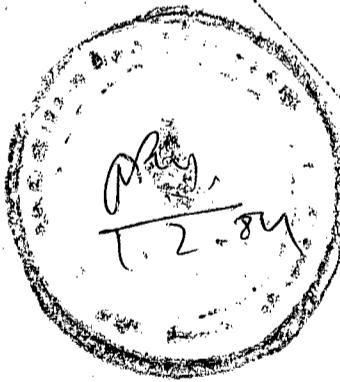
In the Court of Judicature at Allahabad  
Lucknow Bench Lucknow

Om Prakash Singh — Petitioner

VS.

Addl. Chief Mechanical Engineer  
and others — Respondents  
Panjab

ANNEXURE NO 2.



Om Prakash Singh

2

141

Q. 10. 144

५८०८ दिन,

-१५-  
★  
Digitized by srujanika@gmail.com

શારદા ડ. વિજિત.

क्रम-संख्या--४४/१११/पैदल/हमरनेव

दिनांक - १०.१९८३

इति श्री कृष्णस्त्रियु दारा श्री आदृत राधा १५-१६

## प्राचीन - विद्युतीय पद्धति विद्युत

५५५ लायॉल्य के समर्पित विषय विवरण १७-३-२०१८

उपरोक्त पद हेतु दिए गए अधिकार पर के क्षेत्र में आप को दूसिंह निवासिता है कि आप इस फायदालिक में दिल्ली—२०.१२५ तो अवधारित वरीदा श्रद्धीय देस्ता हेतु उपरिकृत हों।

‘व्यषट्टारिण परीक्षा’ वै इस लौटे पर ही आप दे राजात्माएँ नेतृ इताना  
बादेवा । व्यषट्टारिण परीक्षा में सम्मिलित होते हैं तथा आप उसके बाब्बा अपनी दोनों  
जाति विकास तथा आप सम्बन्धी प्रगति-प्रश्न इस रूप में प्रवाद करते हैं ।  
इन जाति तथा जनजाति अध्यार्थी अपना आप लिंगवाणि-प्रश्न भी करते हैं । जाति वै अपनी  
इकाईतम राजदानी वापार में सदर्शन होना चाहिए जोटो भी जिसे राजपरिषत उन्नितार्थी  
होता प्रमाणित करता है लाएँ इनके अनुद एवं आप लों जिसी वी द्वारा वै व्यषट्टारिण  
परीक्षा में सम्मिलित बहीं लिया जायेगा ।

2. यथारिक परीक्षा हेतु आप तो लखनऊ में एक है इसिलिए किंतु एक विद्यार्थी नहीं लगता

3. भाषणो इस परीक्षा हेतु इस लायालय तक आवेद्या वारसी और लायक हार्डके सम्बन्धी सभी प्रकार के व्यवस्थाएँ दरबार द्वारा होगी । ऐसे हार्डके द्वारा लिए गी वारा में लोहे की व्यवस्था वेष्य बहीं होगा ।

इसी आप फिर्सी सरकारी अधिकारी अर्थ सरठारी लार्याल्य/सुंदरपाल में ठार्वरत लार्यारी रेव्वेलेत्ता लें अधिकारित प्रशासन-एवं NO. 073 ELECTION COMMISSION द्वारा नियमित अस्त्री अस्त्र अवश्य लायें।

इस विश्वा की विशिष्टता तिथिदृश्यात् परिवर्तन की प्रारंभ वा विनाश की दृश्यता वा विनाश की दृश्यता होती है ।

ਪੁਰਖੇ ਸਾਥ ਪੁਰਖਾ ਅਤਮ ਪੈਂਤਿਤ ਕੀ ਲਾਏ ॥

ਇਸ ਫਾਯਾਰਡ ਦੀ ਅਮੁੱਲੀਂ ਪ੍ਰਕਾਰ ਵਿਲੰਬ-17.2.83 ਵੱਡਿਤ ਲਿਤ ਹੈ ਜੇ ਪ੍ਰਾਪਤ ਹੋ ਰਿਹਾ ਹੈ।

gcat/13.10.83

କୁଟେ ଅପର ମୁଦ୍ରା ଧାରାରେ ପାଇଁ ପାଇଁ ପାଇଁ ପାଇଁ ପାଇଁ ପାଇଁ

ओं अकाश रिं

(18)

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

Om Prakash Singh — Petitioner  
 and others vs

Addl. Chief Mechanical  
 Engineer & others — Opposing parties

ANNEXURE NO 3



31st Jan 1934

(19)

37

R. No. 37

वाराणसी

रेट ऑफिसियल

वाराणसी

संदर्भ-संख्या-३६५/प्र०/कैरोल

दिनांक- १०.१०.१९८३

०४.१.८४

कृष्ण द्वारा दाकेट

उपरोक्त वद देते दिए गए अधिकारी पत्र के संदर्भ में आप ने दृष्टित किया जाता है कि आप इस फायरलिय में दिनांक- १४.१.८४ ने द्यवहारिक परीक्षा की दिनांक देटा है तु परिष्कृत है।

द्यवहारिक परीक्षा में सफल होके पर ही आप के वाकात्कार हेतु गुराता जायेगा। द्यवहारिक परीक्षा में सम्मिलित होके के समय आप उपरोक्त साथ अपनी दोषता। दोषित एवं तकनीकी। तथा आयु सम्बन्धी प्रमाण-पत्र गुल सप में ज्वरशय लायें। अब, जो तिं तथा जब जाति अस्थायी उपनां जो तिं प्रमाण-पत्र भी लायें। साथ में अपनी बच्चीबतम पांस्पोर्ट ग्राहकार में स्वयं हस्ताक्षरित फोटो भी किसी राजपत्रित अधिकारी द्वारा प्रमाणित कर लायें हल्के उपाय में आप ने किसी भी दस्ता में द्यवहारिक परीक्षा में सम्मिलित गहीं किया जायेगा।

2. द्यवहारिक परीक्षा हेतु आयु के लिए लैबल में एक से अधिक दिन लगवा पड़ सकता है।

3. आपको इस परीक्षा हेतु इस फायरलिय तक आने तथा वापसी ग्राहक लैबल में ठहरने सम्बन्धी सभी ग्राहक के द्यव स्वयं वहक करवा होगा। रेतवे द्वारा किसी भी दस्ता में कोई भी द्यव देय गहीं होगा।

यदि आप किसी सरकारी अधिकारी अर्द्ध सरकारी फायरलिय/संवाद में अंदरत हाती छिपोता है उनका प्रमाण-पत्र। NO. 03JECTION CERTIFICATE। उपरोक्त साथ उपराय लायें।

इस क्षेत्र की नियमित तिथि स्थाब परिवर्तन की प्राप्ति वा किसी भी दस्ता में भाव्य गही होगी।

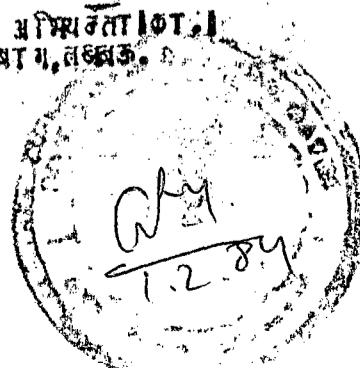
उपरोक्त साथ उत्तम प्रियता भी लायें।

इस फायरलिय की उमरियक गुवाहा दिनांक- १७.२.८३ में उल्लिखित सभी दस्तों परिवर्तनी अर्थ हैं।

गुवाहा/ १३.१०.८३

मृते उपर गुवाहा पांस्पिक सम्प्रता। अ. ३.२., लोफो, वाराणसी, उत्तर प्रदेश।

गुप्त दाकेट पटेल



20

## माननीय उच्च न्यायालय इलाहाबाद प्रीठिका लखनऊ

## याचिका संख्या

अटके 1984

ॐ पूर्वकाश सिंह

## .....याचिका कार

ବନାମ

## अतिरिक्त मुख्य यात्रिक

## अभियन्ता

.....विपक्षीगण

## अनेकजर नं० ४

## सेवा में

## श्रीमान् अतिमोषोभिष्यता

ੴੱਠੋੱਠੇਲ ਇੰਜਨ ਕਾਰਖਾਨਾ ਵਾਰਕਾਗ ਲਖਨਊ ।

महोदय

विनम्र निवेदन यह है कि प्रार्थी औमधुकाश सिंह  
पुत्र बद्री सिंह निवासी कुमुमी था ना -काकोरी जिला  
लखनऊ आषके अधीनस्थि कार्यरत श्री राम आसरे यादव  
आईएस0 16 इन्सफेक्शन शाष का रिक्ति मे साला है ।  
जिसके कि महोदय जी के अधीनस्थि "हैमरमैन" रोल नं0 144  
को व्यावहारिक परीक्षा मे सम्मिलित हो ना था ।

यह कि प्रार्थी को प्राप्त सूचना पत्र के अनुसार 21.10.84  
को व्यावहारिक परीक्षा होनी थी दिनांक 21.10.84 को  
ही प्रार्थी के बाबा श्री बुद्धी लाल को अवानक दर्शन  
से काफी चौट आ गयी थी । प्रार्थी के पहुँचने तक परीक्षा  
लेने वाले अधिकारी सभी प्रशिक्षार्थियों की परीक्षा ले चुके थे।

ଶ୍ରୀମତୀ କନ୍ଦମା ଦିଲ୍ଲି

(21)

2  
23

• 2.

प्रार्थी ने अधिकारी महोदय से कहा कि मेरा नम्बर निकल चुका है और उपरोक्त दुर्घटना के विषय में बताया तो अधिकारी महोदय ने कहा कि आज समय हो गया है इसलिए प्रार्थी एवं दो दोस्तों द्वारा उपरोक्त परीक्षा अगले दिन कर ली जायेगी ।

अतः आपसे विनम्र निवेदन है कि उपरोक्त तथ्यों को ध्यान में रखते हुए प्रार्थी की परीक्षा का समय निश्चित कर परीक्षा में सम्मिलित होने को आज्ञा प्रदान करने की वृप्ता करें ।

महान वृप्ता होगी ।

प्रार्थी

हस्ताक्षर औमप्रकाश सिंह

21. 1. 1984

T. C

Suniti Ray

संस्कृत विद्यालय  
लोकपाल विद्यालय

५८२२०३७

21/201 - 16784

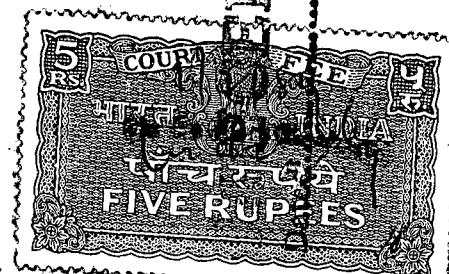
ओमप्रकाश सिंह

ब अदालत श्रीमान

Delhi High Court of  
Judicature at Allahabad  
महोदय  
Lucknow Bench

वादी (मुद्दे)  
प्रतिवादी (मुद्दालेह)

वकालतनामा Lucknow



14-57  
1.284

Om Prakash वादी (मुद्दे)  
and constent  
बनाम

Addl. Chif. Mech. of  
Court, Lucknow प्रतिवादी (मुद्दालेह)

नं० मुकदमा सन् १६ पेशी की ता० १६ ई०

ऊपर लिखे मुकदमा में अपनी ओर से श्री

Shri R. N. Gupta Advocate, K.K. Singh Advocates  
एडवोकेट महादय  
Lucknow वकील

नाम अधिकारी	मुकदमा	कर्तव्य
नं०		

को अपना वकील नियुक्त करके प्रतिज्ञा (इकरार) करता हूँ और  
लिखे देता हूँ इस मुकदमा में वकील महोदय स्वयं अथवा अन्य  
वकील द्वारा जो कुछ पैरवी व जवाबदेही व प्रश्नोच्चर करें या अन्य  
कोई कागज दाखिल करें या लौटावें या हमारी ओर से हिंगरी  
जारी करावें और रुपया बस्तूल करें या सुलहनामा या इकबाल  
दावा तथा अपील व निगरानी हमारी ओर से हमारे या अपने  
हस्ताक्षर से दाखिल करें और तसदीक करें या मुकदमा उठावें  
या कोई रुपया जमा करें या हमारी या विषय (फरीद सानी) का  
दाखिल किया रुपया अपने या हमारे हस्ताक्षर-युवत (दरत्खती)  
रसीद से लेवें या पंच नियुक्त करे - वकील महोदय द्वारा की  
गईवह कार्यवाही हमको सर्वथा स्वीकार है और होगी मैं  
यह भी स्वीकार करता हूँ कि मैं हर पंशी स्वयं या विसी  
अपने पैरोकार को भेजता रहूँगा अगर मुकदमा अदम पैरवी  
में एक तरफा मेरे खिलाफ पैसला हो जाता है उसकी जिन्मे-  
दारी मेरी वकील पर न होगी। इसलिए यह वकालतनामा  
लिख दिया कि प्रमाण रहे और समय पर काम आवे।

R. N. Gupta

मा

Accept सात्ती (गवाह) ..... सात्ती (गवाह) .....

दिनांक ..... महीना

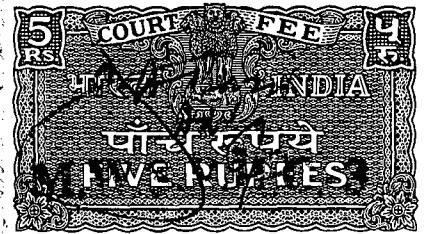
हस्ताक्षर १५.१२.१९८८  
उमा उकाश १५.१२.८८

N.R.

372

VAKALATNAMA

W. P. no 540/84



Before  
in the Court of

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

Om Prakash Singh

vs

Plaintiff  
Defendant

Claimant  
Appellant  
Petitioner

Addl Chief Mechanical Engineer (N) locomotive works N.Rly, Chakdih,  
versus N.Rly, Chakdih,  
Defendant Plaintiff Respondent  
Lucknow & others.

The President of India do hereby appoint and authorise Shri C. A. Bashir, Rly. Advocate

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 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 whereby 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 adjusted 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

C. A. Bashir, Rly.

Advocate

in pursuance of this authority.

IN WITNESS WHEREOF these presents are duly executed for and on behalf of the President of India this the 19

Dated 2/3 1984.

H. S. J. 2/3/84

R. S. J.

Designation of the Executive Officer  
Dy. General Manager (G)  
N. Rly. Hd. Qrs. Office  
Baroda House,  
New Delhi.

N.R.P.J.P., Bath, Delhi 35-2,064/17-05-1983-6,000 F.

Received on  
19th July 1984  
by C. A. Bashir

2/3/84

*HED  
26/8/88  
A.C.M.E.*

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL CIRCUIT BENCH  
LUCKNOW.

Reg. No. 1540 of 1987 T.

Om Prakash Singh and another vs. U.O.I. & others

Counter on behalf of the respondents is as  
under :-

- 1- That the contents of paragraphs 1,2,3,4,5,7,8 of the petition need no comment.
- 2- That para 6 of the petition is denied. The question of advertisement in Newspaper for recruitment of Hammer man does not arise. In this case it was decided to invite applications from sons/ward/near relatives of the employees of these workshop only.
- 3- That para 9 of the petition as it stands is not admitted. The true fact is that call letters were issued to the candidates through whom they have applied.
- 4- That paras 10 and 11 of the petition are denied. The petitioners did not appear on the scheduled date of practical trade test and they were never assured for any supplementary test as alleged by them, as per records of the respondents. It was also mentioned in the Call letter that the request for postponement of test would not be allowed in any case.
- 5- That para 12 of the petition is denied. It may be noted from the opening para of the call letter wherein they were asked to attend the office of the A.C.M.E.(W) on the appointed date for practical test.

कार्यालय  
राज्य, लखनऊ  
District Officer  
C. B., Lka

AS  
2

-2-

6- That para 13 of the petition is denied. There is nothing on the record which can prove that his grand father was seriously injured in case of petitioner no.1 and also for the petitioner no.2 this is not the liability of the administration to arrange the call letter of the candidate. The Rly. employee through whom they had applied, was informed for practical test. The date of practical test cannot be altered as it was a schedule programme and so many candidate had to be appeared.

7- That para 14 of the petition is denied. They have never called for any supplementsry practical test.

8- That para 15 is denied. The statement of petitioner no.2 is self contradictory as he had mentioned in para 10 that he was allowed by O.P.No.4 to appear in supplementary test on 30.1.84 at 10 a.m. having given an application while in the para he himself has mentioned that after rejecting the request by O.P.No.4 he approached to the O.P.No.1, who has also not considered his request. As such his allegation as made in para 14 is not relevant.

9- That para 16 is denied. The call letter could not be served to Sri Dinesh Kumar in time as such he was considered for supplementary test by the competent authority.

10- That para 17 of the petition is admitted to the extent that Sri Dinesh Kumar has been allowed to appear in supplementary as the ground as mentioned in para 16.

11- That para 18 is denied. Since they have not turned up on the schedule date for practical test after having received call letter, there was no ground to consider him for supplementary test.

सहायक कार्मिक अधिकारी  
उ० र० चारवाग, लखनऊ

Asstt. Personnel Officer  
N Rly C. B., Lko.

AS  
3

-3-

12- That para 19 is denied. As per stay order granted by the Hon'ble High Court two vacancies are kept reserved and rest have been filled in.

13- That para 20 need no comments.

14- That para 21 is denied.

15- That the grounds as given in paras 1 to 6 have got no legal force as well as on facts, hence the petitioner is not entitled to the reliefs claimed.

16- That in any case the relief if granted it means there will be no end to a test because every man will set up a false case and will try to get himself to be tested, hence the petition should be rejected.

17- That in order to form a panel of 50 Hammer man, applications were invited from son/wards and near relative of the employee of these shops and response to that 148 applications were considered for practical test which was schedule on 18.1.84 to 21.1.84 and 40 candidates were called each day. On the date fixed for practical test the two candidate Om Prakash Singh and Kripa Shanker Patel and some other were found absent whereas while issuing the call letter for medical test it was clearly mentioned in that no exemption or request for postponement of examination will be allowed to any body in any case.

18- That the petition be dismissed.

महायक कांगड़ा अधिकारी  
३० रो चारकाल लखनऊ  
Att. Personnel Officer  
Rly. C. B., Lko.

On I, Balu Ram Tewari, APO (W) do hereby verify that the contents of paras 1 to 18 of this counter are true to record. Verified on this 23<sup>rd</sup> day of Aug 1988. at Lucknow