

CENTRAL ADMINISTRATIVE TRIBUNAL
LUCKNOW BENCH, LUCKNOW

INDEX SHEET

CAUSE TITLE TA-NO-1563/87 OF W.P. NO-2066/84

NAME OF THE PARTIES Bansilal Applicant

Versus

A.O.I. Bar Respondent

Part A.

Sl.No.	Description of documents	Page
1	Index sheet	A1 to A3
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9		
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15		
16		
17		
18		

CERTIFICATE

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

Rachet

Dated 24-8-11

Counter Signed.....

Rachet
24/8/11

Section Officer/In charge

Signature

Signature of the
Dealing Assistant

A
1

CENTRAL ADMINISTRATIVE TRIBUNAL
LUCKNOW BENCH

FORM OF INDEX

D.A./T.A./R.A./C.C.P./ No. 1563---1993

Banshi k. Singh vs. U.P. M. 2066/84)
P A R T - I

- | | | |
|----|------------------|------------|
| 1. | Index Papers | : - 1 A 2 |
| 2. | Order Sheet | : - 3 A 11 |
| 3. | Any other orders | : - NIL |
| 4. | Judgement | : - NIL 11 |
| 5. | S.L.P. | : - NIL |

[Signature]
DY. Registrar

[Signature]
Supervising Officer

[Signature]
Dealing Clerk

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

NIL

[Signature]
Dealing Clerk

V.K. Mishra

Central Administrative Tribunal
Ludhiana Bench

1/2

Cause Title 1/1/1993 of 1993

Name of the Parties ... Applicant

V e r s u s

Respondents.

Part A. P.C.

Sl. No.	Description of documents	Date
1.	Check List	
2.	Order Sheet.	
3.	Judgement.	
4.	Petition Copy .	1/8/7
5.	Annexure .	12
6.	Power .	
7.	Counter Affidavit.	
8.	Rejoinder Affidavit.	

B - File

B - File

C - File

GENERAL INDEX

Chapter XLI, Rules 2, 9 and 15

SIDE
CRIMINAL

Nature and number of case

Name of parties

Date of institution

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		4	5	6	7	8	9
					Rs. P.			
		1- W.P. with affidavit and A. map.	18-	-	102 00			
		2- Power	1-	-	5 00			
		3- order sheet	1-	-	-			
		4- Book Copy	1-	-	-			

I have this

day of

197 ,

examined the

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

Munsarim
Clerk

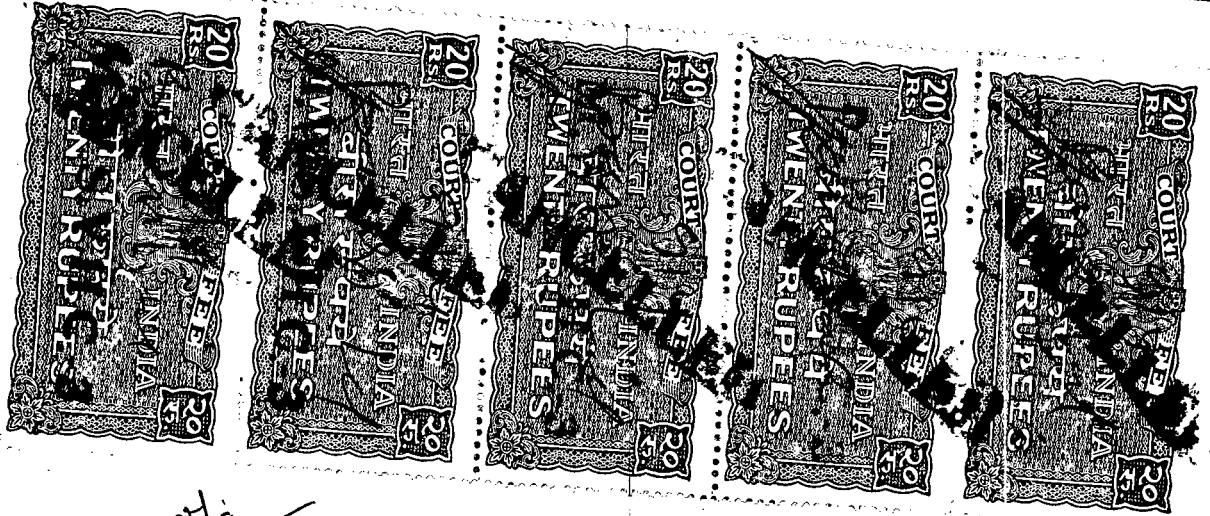
Date

(12)

2066

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

WRIT PETITION NO. OF 1984



Sept 26/1984

1. Bansi Lal aged about 55 years son of Bhoreylal, resident of Malviya Nagar, Labour Colony, Block No. 24/10 Aishbagh Lucknow.
 2. Govind Dutt Trivedi aged about 50 years son of Lala Ram Trivedi, resident of Qr.No.6-A Sleeper Ground Alambagh Lucknow.
 3. Sardar Karam Singh aged about 55 years son of Sardar Hari Singh, resident of Aishbagh Old Labour Colony, Block No.53/6 Aishbagh Lucknow.
 4. Ram Lal aged about 57 years son of Chettan, resident of village Uttravan, P.S.Nagram, district Lucknow.
- ks. Mohan Lal aged about 51 yrs son of Mata Sui Sivaravara
r/0567/26 Anand Nagar Jail Road Lucknow
- Petitioners

Versus

1. Union of India through General Manager Northern Railway Baroda House, New Delhi.
2. Deputy Chief Mechanical Engineer (W), Northern Railway Locomotive Works, Charbagh, Lucknow.

--- Oop-Parties.

28/252
914
अरुणलाल

14

(3)

MEMO.
 impressed
 7/11 Adhesive Rs 100-00
 Total
 Correct but final Court-fee paper
 will be made on receipt of lower
 Court records
 In time up to
 Papers filed Copy of P. O.
 should also be filed
 Note - H. M. S.

Chief of Mandalam
 Distt. Lucknow

- (1) Father's name of Debbona not to be filled in.
- (2) This is a joint asset Debbona on behalf of 5 persons, one of Singh Set of Court fee.
- For the same ch. see if it is maintainable on a Singh Court fee
- (3) Panch's name etc may be filled in in the Vakalatnama.

objection 1 & 3
 corrected
 L. M. S.

Handwritten signature
 12/4/84
 12/4

Hon. D. M. Jha
 Hon. K. M. M. J

The Learned counsel
 is called upon to
 remove the defects
 pointed out by
 the office. ~~Let~~
 thereafter.

17-4-84
 G. M.

Handwritten signature
 Jha

ORDER SHEET

IN THE HIGH COURT OF JUDICATURE AT ALLAHABAD

w-p. No. 2066 of 198 87.

25.

Date	Note of progress of proceedings and routine orders	Date of which case is adjourned
1	2	3
17-4-87	Mem D.N. Jha, ?	
	Mem K.N. M, ?	
	The learned counsel	
	not thereafter	
	Sd. D.N. Jha.	
	Sd. K.N. M.	
	17-4-87	

In the Honble High Court of Judicature at Allahabad.
Lucknow Bench division.

Civil Misc Application No --- of 1984

One:

Writ Petition no 2066 of 1984

NCS

(5)

Ramchandra shokla - - - - - Petitioners.

Versus.

~~State of Uttar Pradesh~~

Asst Registrar Co-operative Societies & others - - - opp parties

Report
By Court order
dated 17-4-84
issued for the Asst Registrar
petitioner was Honble High Court
directed to remove Lucknow Bench
the defects 1 to 3
as pointed out by
Stamp Reporter.
He has removed 2 defects.
One defect is still there.
The Petitioner is not
understandable
is removed.

Application for Interim Relief

(1) that the petitioner has filed the above noted writ petition before this Honble Court.

he
2/8/84 (2) that on 2/8/84 the case was listed before this Honble Court but on that date due to heavy rush the case was not taken up for orders.

(3) that the matter is extremely urgent so some early date may kindly be fixed otherwise the petitioner shall suffer an irreparable loss & injury which cannot be compensated in terms money.

Prayer

wherefore it is most respectfully prayed that the matter is extremely urgent so some early date may kindly be fixed.

Such other orders which may be deemed fit & proper in the facts & circumstances of the case may kindly be passed in favour of the petitioner against the opp parties decision.

17.8.84

S.C. Mishra
Advocate
Court

(8)

1563/0712)

23.11.90

11.90 case not reached adjourn to 14.12.90 for order.

None appear

for the part

es. Counter

has not fil

by O.P. so far

Put up, def

to transfer

Court a

27.11.90

of order

23/11/90

14.12.90

Hon. Mr. Justice K. Nathan vs
Hon. Mr. K. Obayya. AM.

Q

Boc.

On the request of counsel
for applicant case is adjourned
to 18.1.91 for order.

AM

VC

18.1.91

No sitting Adj to 1.2.91.

1.2.91 -

No sitting Adj to 7.2.91.

7.2.91 -

Hon. Mr. Justice K. Nathan vs
Hon. Mr. K. Obayya. AM

No CA filed
S. to
L
61.

On the request of counsel
for applicant case is adj to
22.3.91.

AM

VC

22.3.91

No sitting Adj to 11.4.91

11.4.91

No sitting Adj to 22.5.91

22.5.91

No sitting Adj to 24.7.91

24.7.91

No sitting Adj to 4.9.91

OR No CA filed
S. to
L
8/5

1563-047

4-9-91

Hon Mr D.K Agrawal Jm

Hon Mr K. Chagga, A.P.

Mr G.P Mishra for petitioners

1 & 3. vide order dated 16.4.90
it appears that the petitioners 4 & 5 have
died. Then G.P Mishra was required
to make statement as to time of death
of petitioners 4 & 5. Sri G.P Mishra
says that he does not know when
the petitioners 4 & 5 died and Sri
G.P Mishra further states that
petitioners 1 & 3 had no knowledge
about the death of petitioners 4 & 5.

Therefore, the petition is stale
in respect of petitioners 4 & 5.
No one has so far represented
the Railway Administration. Therefore
be hereby direct Sri Anil Srivastava
to take notice and assist us in the
disposal of the case. Counter may be
filed within 8 weeks, rejoinder within
2 weeks thereafter. List for final
hearing on 5-12-91. Copy of the
Writ Petition is not available on
record. Therefore we order that
counsel for petitioners 1 & 3 shall
provide a copy of the petition to
Sri Anil Srivastava, nominated
by us within 2 weeks hereof.
Copy of this order shall also
be supplied to Sri Anil
Srivastava for official use.

Recd
23/9/91

Am
Order
K.K. Singh
Jm
25/9/91



De
Jm



Group A 14 (e)

3143
AS (2)

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

W.P. No.

/84

Bansi Lal and others

-- Petitioners

Versus

Union of India & ors.

-- Opp-Parties.

I N D E X

Sl.No.	Description	Page No.
1.	Writ Petition	1- 7
2.	Affidavit	8- 9
3.	Annexure No.1 (Copy of letter dt. 2/12-70 from the G. M.(P)NDLS to the D.C.M.E.(W)/ Amv)	10-10
4.	" No.2 (Copy of letter dt. July/1964)	11- 12
5.	" No.3 (Copy of represen- tation dt. nil)	13- 14
6.	" No.4 (-do-)	15- 16
7.	" No.5 (Copy of seniority)	17- 18
8.	Vakalatnama	19- 19

Lucknow, dated

April 9 , 1984.

(S.K. Misra)
Advocate

Counsel for the Petitioners

01/05/2014

(17)

10

WRIT PETITION UNDER ARTICLE 226 OF THE
CONSTITUTION OF INDIA.

The abovenamed petitioners respectfully state
as under :-

1. That initially the petitioners were appointed as Khalasis under the opposite-party no.2 in the year 1953 and the petitioner no.4 on 2.3.48. Thereafter they were promoted to the higher post of unskilled and then Basic Trades man in the year 1950 and petitioner no.4 on 21-11-55.
2. That the petitioners worked as Basic Trades man (BTM) since 1956 and 21.11.1955 in the Millwright shop of Northern Railway Locomotives Charbagh Lucknow under the opp-parties. Their ticket numbers are MT 260, MT 73 and MT 369 and MT 74 respectively for more than 3 years. ^{MT 60 12}
3. That on and from 1957 Northern Railway came into existence . Prior to it there was East Indian Railway. Next higher post to that of Basic Trades Man which is now known as Senior skilled is skilled one. Fifty percent of vacancies is given to departmental promotees and fifty percent is filled from the post of Trades Apprentices.
4. That the petitioners have ever been sincere , honest and hard working since their appointment and no adverse entry was ever communicated to the petitioners

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(Signature)
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(Signature)
01/10/12

The petitioners officers have ever been satisfied with them (petitioners) working and their integrity was ever verified by them (officers).

5. That in terms of orders contained in Railway Board's letter No.E(s)63 CPC/CI-5 dated 9.6.64 circulated vide G.M.'s letter no.56/E/85-256 (Eiiw) the revised procedure of treating the cadre of Basic Trades Man (BTM) as distinct from the cadre of Skilled Artisans came into force w.e.f. June 1958 and in accordance with aforesaid Board's letter dated 9.6.64 circulated vide aforesaid G.M.'s letter of even number dated 20-6-64 it was decided that the Basic Trades Man (BTM) who have passed the requisite trade test for skilled categories on completion of 3 years service as Basic Trades Man, should be promoted to skilled grades from the date of their passing Trade Test for skilled artisans. It was further decided that they will draw from the date of promotions the pay to which they would have been entitled had they been promoted in skilled grade on becoming eligible for promotion under the Ex-East Indian Railway procedure . The true copy of the aforesaid order which has been framed by the Railway Board and communicated by General Manager has a statutory force and is marked as Annexure No.1 to this writ petition.

6. That in view of this it is clear that seniority of such Basic Trades Man (BTM) is to be determined from the date they are given proforma fixation of pay in the skilled grade as they would be eligible for promotion in this grade from that date.

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[Signature]

[Signature]

A-9

✓

7. That the petitioners nos. 1 to 3 appeared in the TradeTest which was held in the year 1961 and they were declared successful in the said Trade - Test when the result was declared in the year 1962. The petitioner no. 4 sat in the Trade Test of 1960 and he was declared successful in the year 1962 when the result was declared.
8. That the petitioners then made several representations on which they were promoted from the rank of Basic Trades Man (BTM) Fitter to the rank of Skilled Fitter w.e.f. 24.6.64. Only proforma fixation of pay was allowed from 17.1.62 and 1961 and not seniority. The seniority in the Fitter group in the Millwright shop and arrears of pay was given from 24.6.1964, the true copy of the order is marked as Annexure 2 to this writ petition.
9. That in accordance to the provisions of rule embodied as Annexure 1 the seniority in the Fitter group of Millwright shop should have been given from 17-1-62 from when their proforma fixation was allowed.
10. That accordingly the petitioners should have also been given the arrears of salary etc. from 1961 and 17.2.62 but the opp-parties did not do so.
11. That the petitioners thereafter made several representations, the true copy of one of them is marked as Annexure No.3 and 4 to this writ petition.

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Discontinued

Almond

12. That in the month of February 1984 the opp-party no.2 circulated the list of seniority in which the petitioners have been assigned the seniority from the date they were declared qualified in Trade Test, the true copy of which is marked as Annexure No.5 to this writ petition but they have neither been given the benefits of seniority nor the arrears of salary etc. for which they are legally entitled as they have not been considered for the higher post of Mistry Grade II and Highly Skilled Gr.II posts which are given on the basis of seniority.
13. That the opp-parties gave the benefits of Annexure 1 to some staff but not to the petitioners.
14. That many juniors of the petitioners have been promoted on account of the error committed by the opp-parties in not complying with the rules embodied as Annexure No.1.
15. That the petitioners have legal and statutory right to be given the seniority and pay of skilled Artisans w.e.f. 19.2.62 and 1961 but they have not been given the fruits of seniority and pay etc.
16. That being aggrieved the petitioners prefer this writ petition⁴ on the following amongst other grounds.

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ACM

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G R O U N D S :

- (A) Because the opp-parties committed an error of law in not complying with the statutory rule embodied in Annexure 1.
- (B) Because the opp-parties acted in clear contravention of the provisions of Art. 14 and 16 of the Constitution of India in adopting a policy of Pick and choose as far as the petitioners have not been given the benefit of rule embodied in Annexure 1 whereas some others have been given.
- (C) Because the opp-parties acted arbitrarily and illegally in not complying the provision of rule embodied in Annexure 1 in ~~reference to the~~ respect to the petitioners.
- (D) Because the opp-parties in colourable exercise of the power deprived the petitioners of their legitimate right.

WHEREFORE the petitioners pray for the following reliefs :-

- (i) that a writ, order, direction or command in the nature of mandamus be issued directing the opp-parties to give the fruits of their seniority in accordance to Annexure 1 i.e. to assign the seniority first in the category of skilled Artisans from 17.1.62 and 1961 and thereafter after in the grade of Skilled Gr.II and then

Attorney

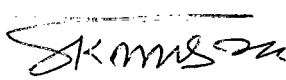
KMS2

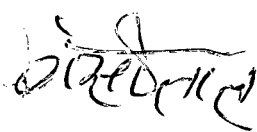
to Mistry Skilled Gr.II and they be directed to give the promotions to the petitioners accordingly and further they be directed to give all the arrears of salary increments etc. etc. which ever has become accrued in their favour.

(ii) Any other relief which the Hon'ble Court may just and proper in the circumstances of the case be also awarded to the petitioners.

(iii) Entire cost of the petition be awarded to the petitioners.

Lucknow, dated;
April 05, 1984.

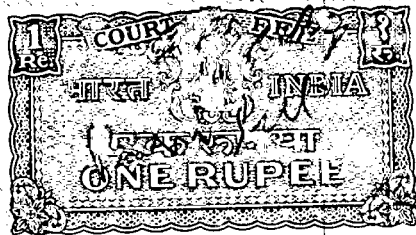

(S.K. Misra)
Advocate
Counsel for the Petitioners.



8
13
16

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

1984
AFFIDAVIT
28
HIGH COURT
ALLAHABAD



W.P. No.

/84

Bansi Lal and others

Petitioners

Versus

Union of India and another

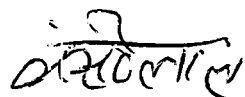
Opp-Parties.

AFFIDAVIT

I, Bansi Lal aged 55 years, son of Bhooreylal, resident of Maliviya Nagar, Labour Colony Block No.24/10 Aishbagh Lucknow, do hereby solemnly affirm and state as under :-

1. That the deponent is petition no.1 and pairokar of petitioners 2 to 4 and is fully conversant with the facts of the case.
2. That the contents of writ petition paragraphs 1 to 15 are true to my knowledge.

Lucknow, dated
April 9th, 1984.


Deponent.

I, the abovenamed deponent do hereby verify that the contents of this affidavit paragraphs 1 and 2 are true to my own knowledge. No part of it is false and nothing material

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has been concealed; so help me God.

[Signature]
Deponent.

I identify the deponent
who has signed before me.

[Signature]
Advocate.

Solemnly affirmed before me on 9/4/82
at 9.00 a.m./p.m. by *Banri Lal*
the deponent who is identified by
Shri *S. K. Narayana*
clerk to Shri
Advocate, High Court, Allahabad,

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

A. K. Singh
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28/252
9/4/82

28/252
12/4
9/4

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18

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

W.P. No. /84

Bansilal and others --- Petitioners

Versus

Union of India & others -- Opp-Parties.

ANNEXURE No.1

Northern Railway.

Copy of the letter No.561E/85.256 (Eliw) dated 2/12-70
from the G.M.(P) NDLS to the Dy. Dy.C.E.(W)/AMV.

-
Sub:Seniority of staff

-
Ref: Your letter No.WMC/756 G/dated 7-10-70

-
Rly. Bd's in their letter No.E(S)63 CPC cl.5
dated 9-6-64 copy circulated under this office endorsement
no.56/H/85.256(Eliw) dated 20.6.64, had decided that the
BTMs who have passed the requisite trade test for skilled
categories on completion of 3 years service as basic
tradesman, should be promoted to skilled grade. They
will draw from the date of promotions the pay to which
they would have been entitled had they been promoted
skilled grade on becoming eligible for promotion under
the Ex.E.I.Rly. procedure . In view of this it is clear
that seniority of such BTMs is to be determined from
the date they are given proforma fixation of pay in the
skilled grade as they would be eligible for promotion
in this grade from that date.

-
TRUE COPY

दिवाकर

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

W.P. No. of 84

Bansilal and others --- Petitioners

Versus

Union of India and others -- Opp-Parties.

ANNEXURE No.2

Northern Railway Locomotive Works Charbagh Lucknow

No.L/30E/MTS.I

Dated: -7-1964

In continuation of this office letter no.6E/64 dated 24.6.64 the pay of the following of MTS shop of these works is fixed in A/S Rs.110-180 as shown against each of them. Arrear is payable from 24.6.64.

Sl. No.	Name	T.No.	Desig.	Date on which qualified as Sk. Artisan i.e. promoted as Sk. Artisan.	Pay Rate	Counted towards increments	Re-marks	
1	2	3	4	5	6	7	8	9
1A	Mohankal	60	Fitter	16.2.61	110/-	16.2.62		
1.	Ram Lal	74	Fitter	16.2.61	110/-	16.2.61	17-2-67	NIL
					113/-	17.2.62	1 day	
					116/-	17.2.63	NIL	
					119/-	22.2.64	5 days	
2.	Govind Dutt	73	"	17.1.62	110/-	17.1.62		
					113/-	17.1.63	Nil	
					116/-	17.1.64		

20

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- 2 -

1	2	3	4	5	6	7	8	9
3.	Mata Pd.	MTS/78	Fitter	17.1.62	110/-	17.1.62		
						17.1.63	Nil	
						17.1.64		
4.	Bansi Lal	260	"	17.1.62	110	17.1.62		
					113	29.1.63	12 days	
					116	10.1.64	11½ "	
5.	Karam Singh	269	"	20.1.62	110			
					113			
					116			

Forwarded to - CTK, Time Booth clerk (MTS) FO/MTS
 HC/PB & Tile Sheet
 WAAO/ R & PF

for information and necessary action.

TRUE COPY

[Handwritten signature]

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21

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

Lucknow Bench, Lucknow.

W.P. No.

/84

Bansilal and others

Petitioners

Versus

Union of India and another --

Opp-Parties.

ANNEXURE No.3

To

The General Manager
Staff Complaint Section
N.Rly. Baroda House,
New Delhi.

Sub: Seniority of staff

Reference : GM(P) letter No.561E/85.256 (EiiW)
dated 2.12.1970 to Dy.C.M.E.(W) AMU

Respected Sir,

In reference to GM(P) letter No. cited above to Dy. CME/C&W AMU under reference to Rly. Board letter No.E(S)63 GPC Cl.5, dated 9.6.64 we would like to inform you as under that :-

(a) In Rly. Board letter No. quoted above, where it is clearly mentioned that the staff who has passed the trade ~~that~~ test of B.T.M. will be given the proforma fixation from the date on which they have passed the trade test of skilled and their seniority will be treated from their passing the trade test of skilled.

(b) Instead of given the seniority from that date we have been given the seniority from the date by which we have promoted as skilled.

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(c) It is surprise to say that as per Rly. Board's letter, our pay is charged as per instruction given in the Board's letter and also the proforma fixation was given from the date on which we have passed the trade test of skilled i.e. 17.2.62.

(d) Due to which the junior most are promoted as grade II the in G.I.

(e) We the undersigned staff of B.T.M. are neglected by the Seniority, which should be given to us as per Rly. Board and G.M.(P) letter referred above.

It is, therefore, requested by your lordship that kindly look into the matter and a fresh order should be given to Dy. C.M.E./W-CB Loco in reference to Rly. Board & G.M.P. letter of dated 9.6.1964 & 20.6.74 for sympathetically decision of our seniority. So that we may be given the benefit of Gr.II & Gr.I which our juniors colleague are getting at present.

Thanking you,

Yours faithfully,

1. Govind Dutt Trivedi MT/73
2. Md. Ibrahim MT/32
3. Jeet Bahadur MT
4. Mohd. Amir Ali MT/68
5. Bansilal MT 260
6. Ramlal MT 74
7. Barati Lal MT 59
8. Mohanlal MT 60
9. Ram Autar MT 313
10. Karam Singh MT 369
11. Kurban Mohd. MT 385

Copy to : 1.C.W.E. N.Rly. M.D.L .S.

2. Additional C.M.E./W/Loco through CB

3. Dy. C.M.E./Loco Shop C.B. for information and necessary action at your earliest.

TRUE COPY

[Signature]

15
8/23

सम्माननीय उच्च न्यायालय इलाहाबाद,
लखनऊ बेंच, लखनऊ ।

170

रिट पिटीशन नम्बर :

आफ

बंशीलाल इत्यादि

पिटीशनर

बनाम

यूनियन बैंक आफ इन्डिया इत्यादि - - - - - अपोजिट पार्टी

अनेक्जर नम्बर: 4:

शन्स सी०एम०ई० (वर्स)
लोको वर्कशॉप, चारबाग, लखनऊ ।

द्वारा :- शाप अधीक्षक,
मिल राइट शाप, चारबाग।

विषय :- सीनियारिटी लिस्ट नं० 307ई. दिनांक : 28-7-83 .

महोदय,

निवेदन यह है कि उपरोक्त पत्रों के आधार पर हम निम्न

हस्ताक्षर कर्ताओं की बी०टी०एम० सीनियारिटी अनियमित है जब से हम लोगों

ने स्किड में क्वालीफाइड हुये हैं तब से सीनियारिटी नहीं दी गयी है । कि

कितने जूनियर आदमी सीनियर कर दिये गये हैं पहले की लिस्ट में हम लोगों

के कहां पर नम्बर थे और अब किस स्थान पर हैं यह साफ नहीं होता है ।

कुछ लोगों के नाम तक नहीं हैं ।

28/8/83
9/14

क्रमशः पृष्ठ 2/-पर

=2=

अतः आप श्रीमान जी से प्रार्थना है कि हम लोगों को निष्पक्ष
सीनियारिटी लिस्ट देने के आदेश कृपा प्रदान करें ।

आपकी बड़ी दया होगी ।

अंगूठ का चिन्ह नीचे,

x निशान अंगूठ

रत्न लाल स्म टी. 59

मो० नईम टी. आर 62

दिनांक : 11-8-83 .

प्रार्थीगण

सुख लाल स्म टी. 414

1- अपठनीय स्म टी. 73

करम सिंह स्म टी. 369

बंसी लाल स्म टी. 260

अपठनीय स्म टी. 572

अपठनीय स्म टी. 68

जीत बहादुर स्म टी. 12

28/254

214

सत्य प्रतिलिपि /

रत्न लाल

17 ^{4/5}

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

1122

W.P. No. /84

Bansilal and others --- Petitioners

Versus

Union of India & others --- Opp-Parties.

ANNEXURE No.5

Northern Railway Locomotive Works
Charbagh Lucknow.

The Revised seniority list of Basic Tradesmen's of
Millwright Sec. Locoshop/CB/LKO letter No.307E dated
28.7.1983.

S.No.	Name & Desig.	T.No.	Previous seniority assigned in Sk. grade.	Seniority to be revised in skilled	Present position after revised seniority	Seniority position after promotion in next grade.	Remarks
-------	---------------	-------	---	------------------------------------	--	---	---------

1	2	3	4	5	6	7	8
---	---	---	---	---	---	---	---

1.	Sh.Jeet Bahadur in HSK.Gr.I.	Fitter MTS-12	24.6.64	17.1.62		Above Shri Topan MT-24 and below Shri Mata Pd. MT-71.	
2.	Mohd. Ibrahim	" -32	24.6.64	17.1.62		Above Topan MTS-24 and below Shri Jeet Bahadur MT-12	
3.	Baratilal	" -59	24.6.64	17.1.62		Above Topan MT-24 and Below Shri Ibrahim MT-32.	

28/252

9/4

ब अदालत श्रीमान

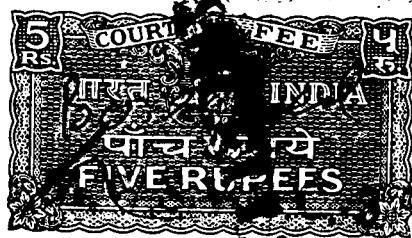
Honble High Court of Judicature
Lucknow & Banar
महोदय

[वादी] श्रीमान

प्रतिवादी [रेंसाडेण्ट] श्री - - - - - का

वकालतनामा

Barrister
VS



बादी (अपीलान्ट)

प्रतिवादी (रेंसाडेण्ट)

नं० मुकदमा

सन्

पेशी की ता०

ऊपर लिखे मुकदमा में अपनी ओर से श्री S. K. Mehta

Advocate, Ameer Nagar Lucknow

महोदय

एडवोकेट

को अपना वकील नियुक्त करके प्रतिज्ञा (इकरार) करता हूं और लिखे देता हूं इस मुकदमा में वकील महोदय स्वयं अथवा अन्य वकील द्वारा जो कुछ पैरवी व जबाब देही व प्रश्नोंत्तर करें या कोई कागज दाखिल करें या लौटावें या हमारी ओर से डिगरी जारी करावे और रुपया वसूल करें या सुलहनामा व इकबाल दावा तथा अपील निगरानी हमारी ओर से हमारी या अपने हस्ताक्षर से दाखिल करें और तसदीक करें या मुकदमा उठावें या कोई रुपया जमा करें या हमारी विपक्षी (फरीकसाना) का दाखिल किया हुआ रुपया अपने या हमारे हस्ताक्षर युक्त (दस्तखती) रसीद से लेवे या पंच नियुक्त करें-वकील महोदय द्वारा की गई वह सब कार्यवाही हमको सर्वथा स्वीकार है और होगी मैं यह भी स्वीकार करता हूं कि मैं हर पेशी पर स्वयं या किसी अपने पैरोकार को भेजता रहूंगा अगर मुकदमा अदम पैरवी में एक तरफ मेरे खिलाफ फैसला हो जाता है उसकी जिम्मेदारी मेरे वकील पर नहीं होगी इसलिए यह वकालतनामा लिख दिया प्रमाण रहे और समय पर काम आवे।

Accepted
S. K. Mehta
साक्षी (गवाह)

हस्ताक्षर

[Signature] 23

साक्षी (गवाह) करम सिंह

दिनांक

9/4/94

महीना

[Signature]

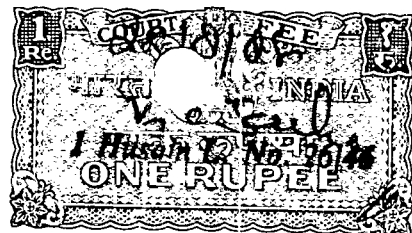
सन् १९

ई०

260

मा 60 रामलाल मा 98

01711
22/8/85



Application for Inspection

126

2/9

To,
The Deputy Registrar,
High Court of Judicature at Allahabad,
(Lucknow Bench) Lucknow.

Please allow inspection of the papers passed below. The application is urgent/ ordinary. The applicant is not a party to the case.

W.P. No- 2066 / 1984.
Bansi Lal vs Union of India

Full Description of the case	Whether case pending or decided	Full particulars papers of which inspection is required	Name of person who will inspect record	If applicant is not a party reason for inspection	Office report and order
	Pending.	Full file.	Rajendra Invaslata C/o. Sr. V.C. Jauhan	Party.	Please report Office Report Allowed for Order for Inspection BLS Deputy Registrar 22/8/85 Date

22/8/85
Date

V. C. Jauhan
Signature of applicant or his Advocate

Inspection commenced at on 198

Inspection concluded at

Inspection fee paid by the applicant

Additional fee if any

Name
Inspection
made.
has not been
22/8/85
at 3.30 PM

A22
A29

In the Central Administrative Tribunal Allahbad

Circuit Bench Lucknow.

TA/1563/87 (W.P.No. 2066 of 1984)

Bansi Lal and others

Applicants

Versus

Union of India and others

Opp. Parties

Reply on behalf of the opposite parties.

Para 1: That the contents of paragraph 1 of the petition are not disputed.


127
28/5 -
Para 2: That the contents of paragraph 2 of the petition are not disputed, except that Shri Ram Lal was posted as BTM w.ef. 21.11.'55 and the date of promotion of Shri Bansi Lal as BTM was 1.3.58 and not as 1956 as alleged by him.

in reply to
Para 3: That/the contents of paragraph 3 of the petition, it is not disputed that the next higher post to BTM is skilled fitter.

Para 4: Not disputed.

Para 5: That in reply to the contents of paragraph 5 of the petition, issue of Letter No. 561E/85.256 (Eliw) dated 2/12-70 from the GM(P) NDLS as contained in Annexure No. 1 to the petition is not denied. For the contents asserted the annexure itself may kindly be referred to.

Para 6: That the contents of paragraph 6 of the petition are not disputed. It is stated that the petitioners were assigned seniority as per guidelines issued by GM(P) NDLS.


रजि. नं. 10/1984/अ.प्र.
उद्देश: रेल सेवा का विवरण
आवेदन, लखनऊ

Para 7: Not admitted for want of record. It is submitted that such old records are not available being weeded out in time limit.

Para 8: That the contents of ~~para~~ paragraph 8 of the writ petition are not admitted. However it is submitted that seniority alongwith proforma fixation were allowed to the petitioners and on the basis of this ^{Pellonius no 1, 2, 3 & 5} they were promoted as HSK Gr. II vide S.O.No. 545 dt. 4.7.'84. A true photo stat copy of the said Staff Order is annexed to this reply as Annexure No. C-1.

Para 9: That in reply to the contents of paragraph 9 of the petition, it is submitted that seniority has been assigned from the date they have passed as Skilled fitter. and as provided in the case of proforma fixation vide S.O. No. 307/MTS. as contained in Annexure no. 5 to the petition.

Para 10: That the contents of paragraph 10 of the petition are not admitted. It is stated that in case of proforma fixation arrears are not permissible as per extent rules as such they are not entitled to the alleged claim. Moreover the same cannot be claimed in the year 1984.

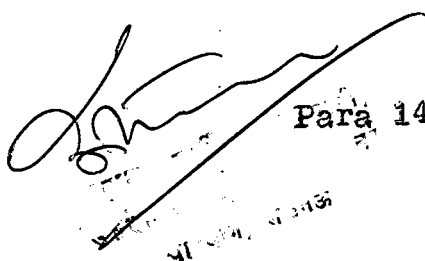
Para 11: That the contents of paragraph 11 of the petition are not admitted. It is stated that no such representations are available in the office record.

Para 12: That in reply to the contents of paragraph 12 of the petition, the issue of seniority list as contained in Annexure No. 5 by the administration

... 3

are not denied. Rest of the contents are denied. It is stated that after the revision of seniority, whichever applicants were entitled to the benefits have been given the same vide S.O.No. 545 dated 4.7.'84, a true copy of which has been annexed to this reply as Annexure No. C-1. Petitioners no. 1,2 and 3 having opted for promotion as HS Grade II and not as M⁺stri Grade II, they were promoted to HS Grade II w.ef. 20.9.'79 while petitioner was promoted as HS Grade II from 1.1.'78 as is evident from the Annexure aforesaid. True copy of the options given by petitioner no.1 to 3 are annexed to this reply as Annexure No. C-2.

Para 13: That in reply to the contents of paragraph 13 of the petitioner, it is stated that benefits were given to all the persons who were entitled to, including the petitioners ^{✓ 163+5-2} as would be evident from Annexure No. C-1 annexed to this reply. It is further stated that as per annexure No. C-1, the petitioner No. 2,3 and 5 were further promoted to HS Grade 1 w.ef. 11.12.'82 and 30.9.'83 res. Petitioner No. 2 was promoted as HS Grade 1 w.ef. 3.8.'84 and Bansi Lal was promoted HS Grade 1 w.e.f. 20.9.'84. A true copy of S.O.839 dated 22-10-'84 is annexed to this reply as Annexure No. C-3 to this reply


Para 14: That the contents of paragraph 14 are not denied. As Already stated above, the petitioners, which ever of them were entitled to were fixed on correct seniority, given promotion as HS Grade II


and thereafter as HS Grade 1. It is further stated that the rules have been fully complied with.

Para 15: That in reply to the contents of paragraph , it is stated that seniority has been correctly assigned w.ef. the dates permissible vide S.O. as contained in Annexure No. 5 to the petition. They were allowed proforma fixation wherever permissible and promoted to Grade II on seniority being corrected and given the benefits according to the extent rules. Nothing is due now. After such corrections and giving the benefits as permissible under extent rules, nothing remains in the petition which has become infructuous and is liable to be dismissed as such.

Para 16: That the contents of paragraph 16 of the petition are denied. None of the grounds is tenable under law. The petitioners are not entitled to any relief. The petition itself has become infructuous and is liable to be dismissed.

Lucknow

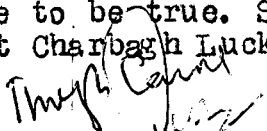
dated: .5.1992

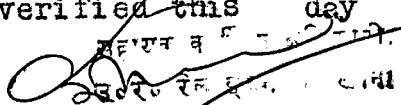

RESPONSIBLE OFFICER,
उ.रे. रेल इंजन कारखाना,
चारबाग, लखनऊ

Verification.

I, B. R. TEWARI working as ASST. Personnel Officer
Charbagh
in the office of Loco Workshop ~~Lucknow~~ Lucknow, duly
authorised and competent to sign and verify the reply,

do hereby verify that the contents of paragraph 1 to 16
are based on information derived from record which is
believed by me to be true. Signed and verified this day
of May 1992 at Charbagh Lucknow.




उ.रे. रेल इंजन कारखाना,
चारबाग, लखनऊ

* NORTHERN RAILWAY* LOCOMOTIVE WORKS*

733

K/34

S.C. A/c 545
In terms of G.M.(P)/NDLS letter No.561E/85-
Millwright have been revised vide letter No.

Accordingly their pay now fixed in terms of
their juniors have been promoted as H.Sk.Gr.
M.T-24 (2) D.L.Gupta MI-377 as Gr. I fitter

S.No. Name & I.No. Pay & Grade drawn.

1.	Shri Fekhoo MI-352	260-400	374/ 382/ 330-480 400/ 410, 4 20 430, 440,
2.	Jeet Bahadur MI-12	260-400	366, 374 330-480 390 4 01 410, 420, 380-560 440, 452,
3.	Mohd. Amir MI-68	260-400	374 382 330-480 400 410 420 430 380-560 452 464
4.	Mohd. Ibrahim MI-32	260-400	374, 382 330-480 400 410 420

Name SH
Designation
Date

134

A/35

To

ACME (W)
N. RLY. CROOK

S. 15-15

Sub - Option for the post of Assistant
Hsk Gr I Filter

Ref - your Ltr - L/BE/RTM/MTS dt 5/34

Sir

I the undersigned beg to state
that I am willing in Hsk Filter
Gr I only, and for the post
of Assistant I give refusal as final

Lko

Dt 7/4/84

Amte (W) / OB

Your obedient

Banshi Lal

Banshi Lal

MT. 260

Gos Bandi Millington

21/10/84

7/4

31404

Tuncday

SH

अधिकारी,
रतन कारखाना,
पारावत, पारावत

उत्तर २-२
NORTHAM K...

श्री श्री गणेशाय नमः
माता श्री गणेशाय नमः
मनोवत्

श्री गणेशाय नमः

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श्री गणेशाय नमः
श्री गणेशाय नमः

14.3.83

आप स्व आशावादी
गोविन्द स्व पिछे ही
पछे ही पछे 03

(GOBIND DUTT
MT-73)

Travels

14.3.83
14.3.83

136

10

W.L - 24

मैं निम्नी में पैर नहीं देते
उपहार में

कर्मसिंह
(KARAM SINGH)
MT-369.

Refused
[Signature]
[Stamp]

True copy

[Signature]
[Stamp]

त. अदालत श्री मा.

वादी अपीलान्ट श्री

प्रतिवादी रेस्पान्डेन्ट

महोदय

वामन, तामा

बनाम

वादी अपीलान्ट

प्रतिवादी रेस्पान्डेन्ट

सं० मुकदमा सं० 9

पेशी की तारीख 19 ६०

ऊपर मुकदमा में अपनी ओर से श्री

एडवोकेट/वकील महोदय को अपना वकील नियुक्त करके इकरार करता हूँ और
लिखे देता हूँ कि मुकदमा में वकील महोदय स्वयं अथवा अन्य वकील द्वारा जो कुछ
पैरवी व जवाब दे ही व प्रत्युत्तर करे या कोई कागज दाखिल करे या लौटाये
या हमारी ओर से डिग्री जारी करावे आर रुपया संग्रह करे या सुनहनामा
या इकबाल दावा तथा अपील व निगरानी हाजिरी आर हमारे या अपने हस्ताक्षर
से दाखिल करे आर तसदीक करे या मुकदमा उठावे या कोई रुपया जमा करे या हमारी
निचली प्यरीकसाली का दाखिल किया हुआ रुपया अपने या हमारे हस्ताक्षर मुक्त
इस्तफती रसीद से लेवे का पंच नियुक्त करे
वकील महोदय द्वारा की गई वह सब कार्यवाही हमको सर्वथा स्वीकार है आर होगी
इसलिए यह वकालत नाम लिख दिया कि प्रमाण रहे और समय पर काम आवे ।

हस्ताक्षर.....

साक्षी गवाह.....

दिनांक.....महीना.....सन् 9...६०

नाम अदालत

सं० मुकदमा

नाम फरी कैद.....बनाम.....

मुकदमा/21488