

CENTRAL ADMINISTRATIVE TRIBUNAL
LUCKNOW BENCH, LUCKNOW

INDEX SHEET

CAUSE TITLE T.A-1605 OF 1987

NAME OF THE PARTIES R.N. Mishra.....Applicant

Versus

Union of India.....Respondent

Part A.

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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)

Dated 7.4.11.....

Counter Signed.....



Section Officer/In charge



Signature of the
Dealing Assistant

CENTRAL ADMINISTRATIVE TRIBUNAL
LUCKNOW BENCH, MOTI MAHAL, LUCKNOW.

Case Title T.A 1605/82 DATED: 19/11/94
Name of Parties. W.P. 5059/84 19

R.N. Mishra Applicant

versus
Union of India & Ors Respondents.

PART-A

<u>Sl.No.</u>	<u>Description of Documents</u>	<u>Page</u>
1-	Check List	
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PART-B

By this reference, the following documents are ready to be sent to the concerned office.

Part -C C 71 - C 82

Certified that no further action is required. The case is fit for consignment to record room.

Section Officer

Court Officer

Incharge

R.N. Mishra
20/11/94

Signature of Dealing Assistant.

19/11/94

(RN)

1605/10212

A1

prosecution one more attempt may be made to send the notices by legal post and re-list the case for further orders on 17-12-90.

In the mean time the respondents are ~~advised~~ given last opportunity to file counter, if any within 3 weeks to which applicant may file rejoinder by the date fixed.

D

*W
Am*

*DR
VC*

17.12.90

No setting adjourned to 25-1-91.

Notices issued
R
19-11-90

25-1-91

No setting adj. to 3-2-91

R
Notice of OP No 6
has been return before
1-1-91

25-4-91

Hon. Mr. D.K. Agarwal I.M. &
Hon. Mr. A. Bagga A.M.

DR
Notices were issued
on 19-11-90.

None for applicant.
Shri S. Verma for O.P.
M.P. 158/91 is a miscreant application. Application ~~for copy~~ is given to the office. Let it be done as counter may be filed within 8 weeks hereof, failing which right to file counter shall be forfeited.

S. 2. 91
D. R.

Rejoinder may be filed within 2 weeks thereafter.
List for hearing/early
part hearing on 9-8-91

Applicant's side is absent. Mr. S. Verma has made appearance on behalf of the respondent. He did not file reply. He is ordered to file c.s. by 27/2/91.

D

*W
Am*

*DR
JM.*

L
4/2/91

1605/107/11)

• B.2

25/5/90

Hon. Mr. K. Nall, V.C.

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

On the adjournment application of applicant's counsel case is adjourned to 25-7-90.

R
A.M.

R
V.C.

OR

Case has been read from CAT, 10/10/90
Notices were issued to the both parties as well as his counsel.

No unsworn regd. Conver has been return back.

R
Case is admitted
CA/RA not filed.
S. F O

L
25/7
L
11/10/90

25-7-90.

On the ground of illness of counsel for applicant. Case adjourned to 25/8

R
A.M.

R
V.C.

25-9-90 No sitting till 12-11-90

12-11-90 Hon. Mr. Justice K Nall, V.C.

Hon. Mr. M. Y. Prakhar, A.M.

Shri Surjeet Kart for applicant.

None on behalf of respondent.

Notices were issued to all the respondents by the office. ~~to respondents~~

The office copy of the notice indicates that Shri S. Verma had received some notices but it is not clear whether he received notices on behalf of some of them. Further, by way of extra

T.A. 1605/87 (T)

27.2.91

D. R.

A.3

~~of
interim
body
call for filing~~

Both the parties
are absent today.
Counter reply
has not been
filed yet so far
by the O.P.

Respondent to
fill it, by 3/4/91

3.4.91

D. R.

✓

Applicant's side is absent.

Sri. S. Verma appears
for the respondent's
counsel and he moved
an application for
copy to serve him and
reasonable time be allowed
for filing counter.

Hence, this case is
listed before the Hon.
Bench, on 25.4.91
for orders.

✓

A-4

9.8.91.

No sitting adj to 3.10.91

3.10.91

No sitting adj to 18.11.91

18.11.91

No sitting adj to 20.1.92

20.1.92 No sitting adj D.B-adj to 17.3.92

d

17.3.92

No sitting adj D.B-adj to

8.4.92

Proc

or
Case is admitted
No CA, RA filed
SFH
13.4.92

8.4.92

No sitting adj to 18.5.92

d

18.5.92

Case not reached adj to

2.7.92

d

24.2.93

D.R

This file has been placed undated
during physical verification

OL

File received
today at 5.45 P.M.

Issue notice for 12.3.93

26/2

by U.P.C.

OL
NOTICE ISSUED
on 23/3/93
d

CENTRAL ADMINISTRATIVE TRIBUNAL, LUCKNOW BENCH

LUCKNOW

.....

Writ Petition No. 5059 of 1984

IN

Original Application No. 1605 of 1987

R. N. Mishra

Applicant

Versus

Union of India & others

Respondents

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

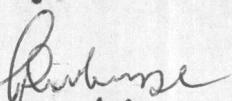
Hon'ble Mr. K. Obayya, A.M.

This is a transfer application under section 29 of the Administrative Tribunal act. The applicant filed a writ petition before the High Court praying for quashing the notices dated 1.5.1984 by which the promotion order of the applicant dated 30.3.1984 was cancelled. The applicant ~~was~~ started the service as a Gangman in the Engineering Brach in the scale of Rs. 70-75 and on own request, the applicant was sent to singal Tele-Com-Department on 25.11.1967, in the same Grade and joined ~~at~~ there on 14.12.67 and but he was never confirmed/returned back to his parent department and he resumed the duty as Gangman on 20.5.70. The applications were invited as a Gangman for the selection after ^{ad} judging the suitability and efficiency for the appointment on the Post of Key-man in the scale of Rs. 210-270. The test was accordingly held on 25.8.79, the applicant also qualified for the same, and was appointed as a Key man. In the year 1981 for the selection for the post in the grade of Rs. 225-308/- was also prepared, the applicant also qualified for the same and was placed at ~~and~~ sl. No. 26 ~~/~~ was appointed. The next higher post of Permanent Way Mistry is a non-selection post in the grade of Rs. 380-560. According to the applicant mates are promoted in the order of seniority but instead of ~~promoted~~ various persons which included some juniors were promoted. The applicant represented the matter through the Union. The applicant was given promotion on the post of PWN w.e.f. 30.3.84. Accordingly he joined on the said promoted post. By means of the surviving of this cancellation order was passed in person dated 24.3.84. By means ~~according~~ to the

was applicant^s by realizing the mistakes the applicant^s promoted the applicant^s By realizing the mistakes the respondents promote^d the applicant as is evident from the order.

2. Shri S. Verma has put in appearance on behalf of the respondents^{and} he states that they have not filed written statement/counter reply ~~cannot be filed~~ due to certain reasons and he prays for time to file counter reply. We see no justification for granting time to respondents to file counter reply. In view of the fact that the applicant was promoted in view of the decisions dated 26.3.84, in which it was stated that the seniority position was earlier not considered properly, it has been found that the applicant was not considered properly and that they are senior and that is why they were promoted after a particular decision. Accordingly this application is allowed and the cancellation ~~case~~ order dated 1.5.84 is quashed. However, it is open for the respondents to consider the case of the applicant after giving them hearing within a period of one month from the date of communication of this order to them. Necessary orders in this regard may be passed in accordance with the law. In case the applicant is holding a particular post, he will not be reverted from the said post.

3. The application stands disposed of with above observation. No order as to costs.


Member (A)


Vice-Chairman

CIVIL

SIDE
CRIMINAL

GENERAL INDEX

(Chapter XLI, Rules 2, 9 and 15)

Nature and number of case

W.P. 5059 - 84

Name of parties

R.R. I.L. Mire. vs. Ch. of Dhr.

Date of institution

17-10-84

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
					Rs. P.			
1	W.P. with Annex with affidavit	21	1	-	102 00			
2	Power	1	1	-	5 a.			
3	Cmt. 10871(9) 984	4	1	-	5 00			
4	Cmt. 11526(9) 984	3	1	-	8 00			
5	Power	1	1	-	5 00			
6	Order-Sheet -	2	1	-	- -			
7	Back Copy	1	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

Group A 14 (R)

8350.

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

WRIT-PETITION NO. 5059 OF 1984.

R. N. Misra - ---

--- Petitioner

v/s.

Union of India & others

--- Opp-Parties

-: I N D E X :-

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Presented by:-

Place - LUCKNOW

Dated:- 16th Oct., 1984.

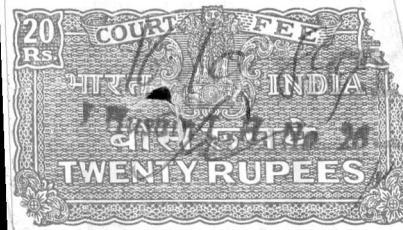
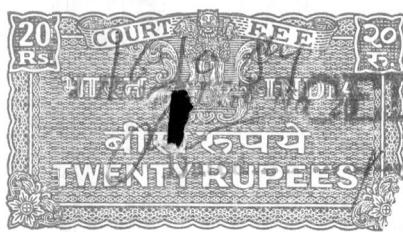
Surya Kant
(SURYA KANT)
ADVOCATE,
COUNSEL FOR THE PETITIONER.

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

Writ-Petition No. 5059 of 1984.

District -Lucknow.

(Writ-Petition under Article-226 of the Constitution
of India)



Misra, aged about 47 years, son of
Shri R.B.Misra, resident of Baraha, Alambagh,
Lucknow.

....PETITIONER

v/s.

1. ✓ Union of India, through General Manager,

N.R. Baroda House, New Delhi.

2. The Divisional Railway Manager, N.R., Hazratganj,
Lucknow.

3. The Assistant Engineer-II, N.R.Hazratganj,
Lucknow.

4. The Senior Divisional Personal Officer, N.R.,

Hazratganj, Lucknow.

5. K.N. Chana, slo. S.K. Chana (c/o P.W.I. (I) N.R. D.R.M office

6. Ram Pratap slo. Ansari Hazratganj, Lucknow.

....OPPOSITE-PARTIES

BEFORE the Hon'ble the Chief Justice and his
Companion Hon'ble Judges of the afore
said Hon'ble Court.

Rajendra

(contd.....2)

To the petitioner
for the purpose
It shall be indicated
in the notices that
the case shall be
taken for admission
on 22-10-84. The
petitioner will serve
the opposite parties
as 5 and 6 through
P.W.T (1) another
Railway.

Imp. No. 52 1-5-84
C. made known to the petitioner
on 16-10-84 (date pending 12 of the
petition).

Best wishes

16/10/84
8
16/10/84

(13) Hon. K. N. Royal J.
Hon. B. I. Irmad J.

17-10-84

(14)

8/10/84

Hon. K. N. G. J.
Hon. B. K. J.

Admit.
Issue notice.

5-11-84
h

Put up this
petition for admission on
22-10-84. Counsel for
petitioner undertakes
to serve the opposite
parties no 2 to 6 of the
Court. The office shall
make the notices available

The humble petition of the above named petitioner
most respectfully sheweth as under :-

- (1) That on 16.8.1960, the opp-parties appointed the petitioner as a Gang Man in the Engineering Branch, in the scale of 70-75 and on own request, the petitioner was sent to the Singhal Tele-cum - Department on 25.11.1967, in the same Grade and joined at there on 14.12.1967, but he was never confirmed in the said Department.
- (2) That on 4.5.1970 and on the own request, the petitioner returned back to his parent department and ~~he refused~~ the duty as Gangman on 20.5.1970 under the P.W.I (I), Lucknow and he always worked upto the full satisfaction of his superiors inasmuch as his ~~x~~ service record is neat and clean.
- (3) That the Railway Administration invited the application from the Ganmen for the selection after judging the suitability and efficiency for the appointment on the post of key-man in the scale of Rs. 210-270. The said test was held on 25.8.1979 and the humble petitioner along with several other persons appeared in the said test and he qualified the same and the penal was published on 2.10.1979 and then the humble petitioner was appointed as Key-man.
- (4) That in the year 1981 for the selection of mate in the grade of Rs. 225-308 (now revised to Rs. 260-400)



Ranbir

(contd....s)

atest for judging the suitability and efficiency was held amongst the Key-men and the humble petitioner along with several other persons appeared in the said test and he qualified the same and on 23.8.1981, the panel was published and in the order of marks obtained and in order of the suitability the petitioner was placed at Sl. No. 26 in the same, a phostat copy of the same is filed herewith as Annexure-1 to this writ-petition.

Annexure-1

.....

(5) That once the humble petitioner was appointed as Key-man after judging his ability then he lost his lien on the post of Gangman and similarly when he was appointed as a mate, then he lost his lien on the post of Key-man.

(6) That against the said penal in which the humble petitioner have been placed above the name of various persons no one filed any writ-petition either against the penal of key-man or against the penal of mate nor the Railway Administration ever raised any objection against the said seniority /penal published by them.

(7) That the next higher post to the mate, is P.W.M (permanent Way-Mistri) in the Grade of Rs. 380-560 and is a non-selection post, only the mates are promoted in the order of the seniority but the opp-parties nos: 1 to 4 instead of promoting to the humble petitioner, promoted various persons and a few of them are junior to the humble petitioner such as Sri K.N.Ojha and Sri Raj Prasad, who are at Sl. Nos: 27 and 28 in Annexure-1, so against this



Ranbir

(contd...9)

discrimination, the humble petitioner represented the matter to the Higher Authorities on 16.11.83, a photostat copy of the same is filed herewith as Annexure-2 to this writ-petition.

Annexure-2

(8) That the humble petitioner also represented the matter through Uttari Railway Mazdoor Union and the Secretary of the Uttari Railway Mazdoor Union also sent a separate representation to the opp-party no.2 at their own ends. A photostat copy of the same is filed herewith as Annexure-3 to this writ-petition.

Annexure-3

(9) That the Railway Administration considered the representations contained in Annexures Nos: 2 and 3 to this writ-petition and corrected their mistake and by the order dated 24.3.1984, the opp-party no.4 decided the matter and held that the humble petitioner is a senior man. A photostat copy of the order dated 24.3.84 is filed herewith as Annexure-4 to this writ-petition.

Annexure-4

(10) That accordingly the humble petitioner was given promotion on the post of P.W.N. with effect from 30.3.1984, and accordingly he joined on the said posoted post.



(11) That the petitioner suddenly fallen ill on 4.5.1984 and he was advised by the Railway Doctor to proceed on the Medical leave and the petitioner is still on the medical leave.

(contd....5)

(12) That on 14.10.1984, one of the office bearers of the Divisional Council - Shri Nand Kumar of the Uttari Railway Mazdoor Union informed the humble petitioner that the Divisional Personnel Officer - opp-party no.4 have cancelled the promotion of the petitioner without assigning any reason and without affording any opportunity of being heard, this order have been passed on 1.5.1984 but neither it has been communicated to the petitioner yet nor any copy endorsed to the petitioner.

(13) That once the opposite-party no. 4 himself has decided the seniority of the petitioner and ^{on} promoted the petitioner and/the higher post then without assigning any reason behind the back of the petitioner since it has been cancelled so it amounts to the review of its own order contained in Annexure-4 to this writ-petition. The petitioner ~~verified~~ ^{verified} anyhow, ~~confirmed~~ confirmed the said order passed by the opp-party no.4 on 15.10.1984 and a true and typed copy of the same is filed herewit as Annexure-5 to this writ-petition.

(14) That the petitioner submits that the order contained in annexure-5 to this writ-petition is non-speaking order no reasons have been assigned and the cancellation of the promotion is hit by the provisions of Article 311 of the Constitution and in issuing the annexure-5 without the knowledge of the petitioner even the every cannon of natural justice have been violated.

Revised

(15) That the apprehension of the petitioner, is that, since his promotion have been cancelled: vide Annexure No. 5 to this writ-petition, so there are every chances that the petitioner maybe reverted to the post of mate by the opp-parties.

(16) That the opposite-parties Nos: 5 and 6 are admittedly junior to the humble petitioner as evident from Annexure-1 to this writ-petition, so in case the opposite-parties Nos: 1 to 4 are allowed to revert the petitioner, then meaning thereby that the juniors are allowed to work on the higher post while the seniors have been reverted without any reasons.

(17) That in view of the above facts, it is highly desirable that the operation of the impugned order contained in Annexure-5 may be stayed and the opp-parties may be commanded not to revert the humble petitioner to the post of mate till his juniors are allowed to continue on the higher post.

(18) That the order contained in annexure-5 to this writ-petition is highly arbitrarily, without jurisdiction, bad in the eyes of law and is liable to be set aside on the grounds inter-alia:

G R O U N D S

.....

(i) Because, once the seniority of the humble petitioner have been decided: vide Annexure-4 by the opp-party no.4 himself then the opp-party no 4 has got no jurisdiction to cancel the same without assigning any reasons.

(ii) Because, the order contained in Annexure-5 is non-speaking order no reasons have been assigned, no opportunity of being heard have been given and also in violation of Article-311 of the Constitution and this cancellation amounts to the review of Annexure-4 to this writ-petition which is not permissible since the opp-party no. has got no power of review and by this way the Annexure-5 is also hit by a principle of law declared by the Hon. Supreme Court, as contained in A.I.R. 1975 Supreme Court (page-1273) (1275) Para-4.

(iii) Because, the opposite-parties nos: 5 and 6 are junior than the humble petitioner and including them the various juniors have been allowed to continue on the said promoted post and by this way a clear discrimination have been caused and the opposite-parties Nos: 1 to 4 have violated Article-14 of the Constitution.

(iv) Because, the impugned order contained in Annexure-5 to this writ-petition is perverse in law and facts both.

-:- Prayer :-

WHEREFORE, it is respectfull and hunbly prayed that this Hon'ble High Court may kindly be pleased:

(a) to issue a suitable order, ~~order~~ direction or writ in the nature of CERITORIARI quashing

Ranbir

the impugned order contained in Annexur -5 to this writ-petition passed by the opp-party no.4 .

(b) to issue a suitable order, direction or writ in the nature of MANDAMUS commanding the opp-parties Nos: 1 to 4 not to revert the humble petitioner on the post of mate from the post of P.W.N. till any junior including the opp-parties Nos: 5 and 6 are allowed to hold the said post.

(c) to issue any other suitable order , direction or writ which this Hon. High Court may deem fit, just and proper in the facts and circumstances of the case and for protecting the interest of justice.

Ranbir
(d) To award the cost of this writ-petition to the humble petitioner.

Lucknow dated,

16.10.84.

Surya Kant
(SURYA KANT)

Counsel for the Petitioner.

In the Haible High Court of Judicature at Allahabad
Lucknow Bench, Lucknow.

(9)

R. N. Misra

vs

Union of India & others

Anexure No 1

Ramdev



(10)

A 16

SENIORITY LIST OF MATES WORKING UNDER AEN/2/LKO.

SL. NO.	Name	Father's Name.	D.O.B.	Date of Promo- tion as Mates
1.	S/ Sri. Sh yodhya Rd.	Sh.Bhikari	18.8.54	30.8.60
2.	" Chhotey Lal.	" Changra.	2.10.58	13.8.67
3.	" Raghu Nath.	" Jhuri.	8.11.51	18.8.67
4.	" Shyam Lal.	" Ram Bali.	6.11.49	22.1.68
5.	" Purai.	" Chhanga.	6.10.59	29.4.68
6.	" Gurdin.	" Ganga Din.	18.9.53	5.9.59
7.	" Garibey.	Ram Antar.	10.9.49	3.6.70
8.	" Shiv Ram.	Lalita.	18.5.51	10.2.71
9.	" Jia Lal.	Jagannath.	8.9.48	27.9.71
10.	" Shiv Charan.	Makabir.	8.11.51	28.7.72
11.	" Nankau.	Laximan	24.1.45	28.8.72
12.	" Parsadi.	Shankar.	15.7.56	15.11.72
13.	" Ram Phal.	Bakloo.	15.5.57	3.1.74
14.	" Ram Dass.	Loka.	17.7.57	7.1.74
15.	" Mangali.	Mansa.	18.3.55	13.6.75
16.	" Dularey	" Meera.	18.4.54	13.3.77
17.	" Pakirey.	" Ambar.	1.2.54	16.3.77
18.	" Mahabir.	" Dig Pal.	15.7.56	1.4.77
19.	" Baqar.	" Israr Ahmad.	21.11.50	27.7.78
20.	" Ram Antar.	Jhingur.	7.8.54	27.3.79
21.	" Pyarey	" Deo Kali.	9.9.52	3.4.79
22.	" Daya Ram.	Laximan.	1.8.49	10.4.79
23.	" Rameswar.	" Ram Charan.	23.1.50	10.5.79
24.	" Bhani.	" Bali.	7.10.48	1.7.79
25.	" Ram Samahi.	" Chauhan.	5.2.51	1.9.79
26.	" R.N.Misra.	" R.P.Misra.	16.8.60	23.8.81
27.	" K.N.Ojha.	" J.K.Ojha.	5.11.60	20.8.81
28.	" Ram Kratap.	" Aman.	13.5.63	25.8.81
29.	" Ram Kishan.	" Ram Dularey.	18.6.63	20.9.81
30.	" Hari Shankar.	" Surya Rd.	30.1.63	19.10.81
31.	" T.K.Chakravarti.	K.K.Chakra-	11.9.60	1.3.82
32.	" Ram Lal.	Varti.		
33.	" Hindu.	Mulla.	2.7.51	2.8.82
		Arjun	15.3.56	2.8.82



Mates

A17

11

34.	Sri. Gaya Pd.	Sri. Bhawani.	10.8.54	10.8.82
35.	" Lalta.	" Sukhai.	8.2.55	8.82
36.	" Chaimoo.	" Teeka.	22.10.53	8.82
37.	" Baij Nath.	" Rati Pal.	22.4.50	23.8.82
38.	" Chheda Lal.	" Shankar.	6.10.57	5.11.82
39.	" Ram Dular.	" Manohar.	24.1.60	16.11.82
40.	" Sia Ram.	" Daya Ram.	22.5.57	26.11.82
41.	" Baij Nath.	" Jag Mohan.	26.1.55	16.12.82
42.	" Parag.	" Jwala.	1.5.60	22.12.82
43.	" Biseshwar. Dayal.	" Laxmi Dhar.	1.5.60	19.1.83
44.	" Ram Gukam.	" Tulsia.	9.10.52	19.1.83
45.	" Chheda.	" Pitamber.	15.3.56	22.1.83
46.	" Ram Abhilakh.	" Bal Govind.	2.7.60	3.3.83
47.	" Udai Narain.	" Chhabba.	15.11.60	25.3.83

R D simple
Asstt. Engineer/II.
Lucknow

2/2/92 2/2/92

Redacted



A18

In the Haiboo High Court of Judicature at Allahabad
Lucknow Bench, Lucknow.

(12)

R. N. Misra

vs.

Union of India & others.

Annexure No 2

Particulars



A 9

(13)

The Asst. Engineer
H.Rly., Lucknow
Through:- Proper Channel.

Sub:-Appeal against posting of Mate.

Respected Sir,

With due respect I have to state that I have been spared from PWI-I/LKO as Mate vide your office L.No. 4/E Dt: 20.8.81 on 21.8.81 (AN) to PWI/ON being a senior on the list; but Shri K.N.Ojha was junior to me and also he was ordered to work as Mate under PWI/ON as per same list has resumed duty under PWI/I/LKO. on 20.8.81 one day before that is incorrect. How it is possible when the list out from your office on 20.8.81(AN) as per our seniority roster his resumption is incorrect.

I therefore request to you kindly enquire about their matter and correct the date of assumption.

Thanking you,

26/11/83

Yours Faithfully,

Rajendra

(R.J.N. MISRA)
Mate under PWI/ON(13)

C/o Secretary U.MU H.Rly., LKO for inf. and necessary action please.

Rajendra



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

A 20

(14)

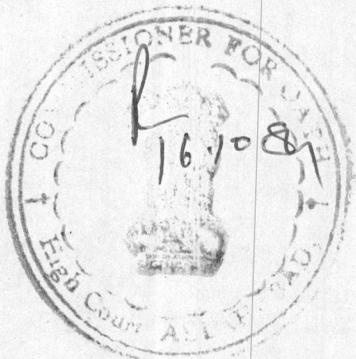
R. N. Misra

vs

Union of India & Others

Annexure No 3 —

R. N. Misra



A 21

(B)

UTTARIYA RAILWAY MAZDOOR UNION

Registered and Recognised

Affiliated to N.F.I.R. and I.N.T.U.C.

C. E. G. Tele. No. : 9-278

Divisional Branch

Telephone No. 814

T-10

No. URMU Langg/Railway/81

Charbagh Lucknow

Dated 10th Feb. 1981

The Divl. Rly Manager
Northern Railway
Lucknow.

Dear Sir,

Regrs:- Selection of PWMS in AEW/II's Sub-Division.

While inviting your attention towards the representation dated 25-11-1983 of Sri R.N.Mishra Mate under PWI/I/LKO against the selection of PWMS I have to point out that Sri R.N.Mishra is at S.No. 24 of the seniority list of mates and he is senior to S/Sri KN Ojha and Ram Pratap. It is not understood that as to why senior man was ignored inspite of timely representation.

This Union therefore desires that Sri R.N.Mishra may please be given chance and a supplementary examination be held. Till such time this result may please be withheld.

Chandu
An early action in this regard will be much appreciated.

Yours faithfully,

R.K. Singh

(R.K. Singh)
Asstt. Divl. Secretary



16/10/83 The Assistant Engineer II N Rly Lucknow who will supply the seniority list of mates to the undersigned and submit his remarks to DRM LKO about the claim of Sri R.N.Mishra Mate under PWI/I LKO.

(R.K. Singh)
Asstt. Divl. Secretary

R.K. Singh

In the Hailey High Court of Judicature at
Allahabad, Lucknow Bench, Lucknow.

A22

(16)

R. Al. Chigna

vs
Union of India & others.

Annexure No 4

Ramdas



A23

(17)

Northern Railway.

Rs.750/-/ID/4/MR/75-76.

Divisional Office,
Lucknow D./J. 5.3.6.

The Assistant Engineer, (II)
Northern Railway,
Lucknow.

26

Sub: Representation from Shri. R.N. Misra Note
against assignment of seniority of S/Shri
K.N. Ojha & Ram Pratap Notes above him.

The case has been examined and it has been found
that Shri R.N. Misra Note is senior to S/Shri K.N. Ojha & Ram Pratap
Notes on the basis of his position in the seniority list of Notes
working under AEM(II)/LKO, as the name of Shri R.N. Misra appears
earlier at 2,10,22 whereas the names of S/Shri K.N. Ojha and
Ram Pratap appear at 2,10, 27 and 28 in the seniority list of
Notes under AEM(II)/LKO. Note joining earlier or from a later
date does not affect the basic seniority position of the employee.

Accordingly the seniority position of Shri
R.N. Misra Note is proposed to be revised and he is proposed to be
placed above S/Shri K.N. Ojha & Ram Pratap Notes in the Divisional
seniority list of Notes of Lucknow Division.

The abovementioned employees may please be informed
and the representation, if received any, may be forwarded to this
office within a period of one month from issue of this letter.

21/5/1973
Mr. Divisional Personnel Officer,
Lucknow.

24/5/1973

Copy to the Addl. Divl. Secretary URD/ Lucknow in reference to his
letter No. URDU/P/2/May/74 dated 25.5.74.

1/5/1973

Revaling



Ady

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

W.P. No. of 1984.

(18)

R.N.Misra,

...Petitioner

v/s.

Union of India & others

...Opp-Parties

Annexure- 5

.....
Northern Railway,

No. 752E/IID/A/PWN/75-76

Divisional Office
Lucknow
Dated: 1.5.84

.....
Notice

The order of promotion of Sri R.N.Misra s/o
Shri R.P.Misra mate under P.W.I (I) / Iko, as
P.W.M in Grade 380-560 issued vide notice of even
number dated 30.3.84 are hereby cancelled.

This has the approval of ADRM(OP)

Sd. Senior Divisional Personal
Officer, Lucknow.

Copy to :-

1. A.E.N.(II), Lucknow.
2. D.S.E.(C) Lucknow.

TRUE COPY

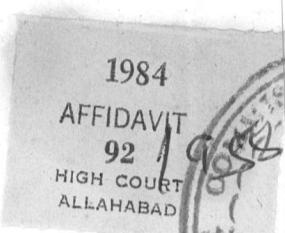
R.N.Misra



A 25

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

Writ-Petition No. of 1984.



26

R. N. Misra
Court
ALLAHABAD

....Petitioner

v/s.

Union of India & others

....Opp-Parties

A f f i d a v i t

.....

in support of :

.....

Writ-Petition under Article 226 of the

Constitution.

.....

I, R.N.Misra, aged about 47 years, son of
Sri R.B.Misra, resident of Baraha, Alambagh, Lucknow,
the deponent do hereby solemnly affirm and state
on oath as under :-



1. That the deponent is 'petitioner' himself in the above-noted writ-petition and as such is fully familiar with the facts of the case.
2. That the contents of paragraphs 1 to 13 and 16 of the writ-petition are true to my personal knowledge and those of paragraphs 14, 15, 17 and 18 are believed ~~to be~~ to be true by the deponent.

(contd.....3)

Rating

2

26

6/26

3. That the deponent verifies the Annexures Nos: 1 to 4 are the photostat copies of their respective originals while Annexure-5 is the true and typed copy of its original.

Lucknow dated,

16.10.84.

Ranil
Deponent

Verification

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

Lucknow dated,

16.10.84.

Ranil
Deponent

I identify the deponent who has signed
before me.

Surya Kant

(Surya Kant)

Counsel for the Petitioner.

Solemnly affirmed before me on 16.10.84
at 12.45 A.M./P.M. by Sri R.N.Misra, the

deponent who is identified by Sri Surya Kant,
Advocate, High Court, Allahabad/Lucknow Bench, Lucknow.

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

Ranil

High Commission
9/10/1988
No. 16
Date 16.10.84

3/ A28-
In the Hon'ble High Court of Judicature at ~~Allahabad~~
(Lucknow Bench), Lucknow.

C.M. Application No.

16/ 671 (W) of 1984.

In re:

Writ-Petition No. 5059 of 1984.



17-5-84
S/

R.N.Misra, aged about 47 years, son of
Shri R.B.Misra, resident of Baraha, Alambagh,
Lucknow.

....Applicant (Petitioner)

v/s.

1. Union of India, through General Manager,
N.E. Baroda House, New Delhi.
2. The Divisional Railway Manager, N.R., Hazratganj,
Lucknow.
3. The Asstt. Engineer-II, N.R. Hazratganj,
Lucknow.
4. The Senior Divisional Personal Officer, N.R.,
Hazratganj, Lucknow.
5. K.M. Ojha s/o J.K.Ojha, } Both care of P.W.I.
6. Ram Pratap son of Ansar } (I.N. Railway, DRM
office, Hazratganj,
Lucknow.

....Opp-Parties
STAY APPLICATION

The humble petition of the above named applicant
most respectfully sheweth as under :-

(13)

Hon. K. N. Grayal J.

Hon. B. Kumar J.

for orders,

see our order of
date passed on the
memo of Writ Petition.

Put up along with
the Writ Petition
on 22-10-84.

Bhawan J.

17-10-84

W.

Hon. K. N. Grayal J.

Hon. B. Kumar J.

Issue notice returnable at
an early date.

Bhawan J.

5-11-84

R.

That for the facts and reasons stated in the accompanying writ-petition which is duly supported by an affidavit, it is therefore, respectfully prayed that the operation of the impugned order contained in Annexure -5 to this writ-petition may very kindly be stayed and the opp-parties nos; 1 to 4 may further be restrained from ~~re~~ reverting the humble petitioner to the post of mate till the disposal of the writ-petition and an ad-interim order to this effect may kindly be granted ~~xxxxxxxx~~ meanwhile.

Lucknow dated,
16th Oct., 1984.

Surya Kant
(Surya Kant)

Counsel for the Applicant
(Petitioner)

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

Writ Petition No. 5059 of 1984.



R.N. Misra

... Petitioner.

Versus

Union of India & others

... Opposite-Parties

AFFIDAVIT

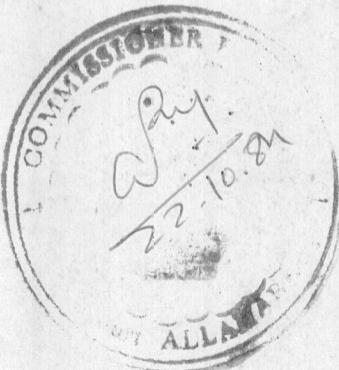
I, R.N. Misra, aged about 47 years, S/O Sri R.B. Misra, R/O Barha, Alambagh, Lucknow do hereby solemnly affirm and state on oath as under :-

1. That vide orders dated 17.10.1984, this Hon'ble High Court directed the petitioner to serve the opposite-parties 2 to 6 outside the Court.
2. That the opposite-party No. 3 have been served by the deponent on 18.10.1984 while the notices for opposite-parties 2, 4 to 6 have been handed over to Smt. Shavitri the Receipt and Despatch Clerk of the office of the opposite-party No. 2 and have obtained the signatures on the duplicate of the notices issued by this Hon'ble Court.
3. That the service through above mode have been affected by the deponent himself.

Lucknow:

Dated : 22.10.1984


Deponent.



VERIFICATION

I, the above named deponent do hereby that the contents of paras 1 to 3 of this Affidavit are true to my personal knowledge no part of it is false. & Nothing material has been concealed, so help me God.

Lucknow:

Dated : 22.10.1984

R.N. Misra
Deponent.

I identify the deponent who has signed before me.

Suryakant
(Suryakant)
Advocate
Counsel for the petitioner.

al-10.15-
Solemnly affirmed before me on 22.10.1984 a.m./p.m.
the deponent Sri R.N. Misra, who identified by Sri Suryakant
Advocate, High Court, Lucknow. I have satisfied myself
by examining the deponent that he understands the contents
of this Affidavit which has been read over and explained
by me.

Sunita Ray
OATH COMMISSIONER
High Court, Lucknow Bench
LUCKNOW
No. 39/959
Date 22.10.1984



हाईकोर्ट इलाहाबाद लखनऊ बेंच, लखनऊ *Hyderabad*

(अध्याय १२, नियम १ और ७)

दोषात्मक विभाग

प्रक्रोणक (मुतकिरिक) प्रार्थना - पत्र संख्या सन १६ ई०

सं० ५६५९ सन १६ ई० मे

R. N. Misra

प्राधीन

Union of India & ^{प्रति}
Assisted by meen II R.R. प्रत्याधीन

Razandajid

प्रत्याधीन

चूंकि ऊपर लिखे प्राधीनों ने इस न्यायालय में उपर्युक्त मुकदमे के सम्बन्ध में

के नाम के लिये प्रार्थना-पत्र

दिया है, अतः आपको आदेश दिया जाता है कि आप दिनांक ^{२२} माह सन १६ ई० *84*
को या उससे पूर्व उपस्थित होकर कारण बतायें कि प्रार्थना-पत्र क्यों न स्वीकार का
लिया जाय। उक्त प्रार्थना-पत्र को सुनवाई उसके बाद नियमानुसार विज्ञप्ति कियी और
दिन होगी।

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

मेरे हस्ताक्षर और न्यायालय की मोहर से आज दिनांक ^{१८} माह सन १६ ई० *84*
को जारी किया गया। *कैरियर एवं लेटर*

Surya Kart
Advocate

के एडवोकेट

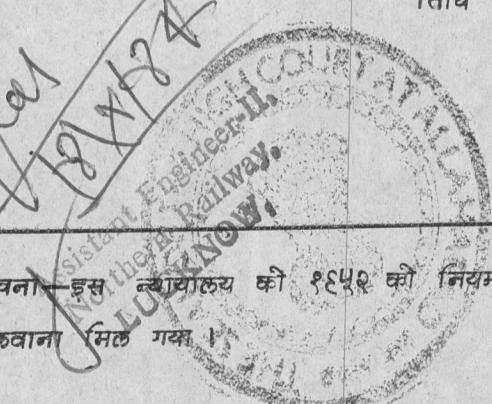
तिथि

Qazi

डिप्टी रजिस्ट्रार
इलाहाबाद/लखनऊ

सुचना - इस न्यायालय की १६५२ की नियमावली के अध्याय ३७ नियम २ के अधीन प्राप्त
तलवाना मिल गया।

तलवाना प्राप्त करने वाले कलक के हस्ताक्षर



L.A.

L.P. No 5059/84

हाईकोर्ट इलाहाबाद लखनऊ बेंच, लखनऊ

(अध्याय १२, नियम १ और ७)

दीवानी विभाग

प्रक्रीणांक (मुतफरिक) प्रार्थना - पत्र संख्या सन १६ ई०

रु० सन १६ ई० में

R.M. Misra प्रार्थी

Union of India प्रति प्रत्याधी

K.N. Ojha S/o J.K. Ojha D.R.M. Office
cl. P.W.I. (I) (N.R.) Hazaribagh

Hazaribagh प्रत्याधी

चूंकि उपर लिखे प्रार्थी ने इस न्यायालय में उपर्युक्त मुकदमे के सम्बन्ध में
के नाम के लिये प्रार्थना-पत्रदिया है, अतः आपको आदेश दिया जाता है कि आप दिनांक 22 माह 10 सन 1684
को या उससे पूर्व उपस्थित होकर कारण बताये कि प्रार्थना-पत्र क्यों न स्वीकार का
लिया जाय। उक्त प्रार्थना-पत्र को सुनवाई उसके बाद नियमानुसार विज्ञप्ति कियी और
दिन होगी।विदित हो कि आप उपर लिखे दिनांक पर या उससे पहले स्वयं अथवा किसी
एडवोकेट या ऐसे व्यक्ति द्वारा, जो आपको और से कार्य करने के लिए कानूनन अधिकृत
हों उपस्थित न होंगे तो उस प्रार्थना-पत्र की सुनवाई और निर्णय आपको अनुष्टुप्ति
में हो जायेगे।मेरे हस्ताक्षर और न्यायालय की मोहर से आज दिनांक 18 माह 10 सन 1684
को जारी किया गया।

Surya Kant

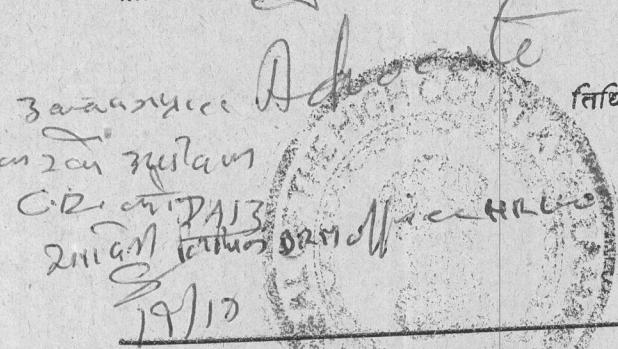
के एडवोकेट

का मामला प्राप्त है

तिथि

डिप्टी रजिस्ट्रार

इलाहाबाद/लखनऊ

सूचना—इस न्यायालय की १६८४ की नियमावली के अध्याय ३७ नियम २ के अधीन प्राप्त
तलवाना मिल गया।

तलवाना प्राप्त करने वाले कलक्क के हस्ताक्षर

L.A. No 5059/84 AB33

हाईकोर्ट इलाहाबाद लखनऊ बेंच, लखनऊ

(अध्याय १२, नियम १ और ७)

दीवानी विभाग

By rule

प्रकोणांक (मुतकीरिक) प्रार्थना - पत्र संख्या सन १६ ई०

संख्या सन १६ ई० मे

R.N. Misra

प्राधीन

Union of India & Ram R. Sep. Sh. Asst. C/o P.R. (I) M.R.

प्रत्याधीन

Trunk D.R.M. Office, Bazaar Tola/

Lucknow

प्रत्याधीन

चूंकि ऊपर लिखे प्राधीन ने इस न्यायालय में उपर्युक्त मुकदमे के सम्बन्ध में
के नाम के लिये प्रार्थना-पत्र

दिया है, अतः आपको आदेश दिया जाता है कि आप दिनांक २२ माह १० सन १६ ई०
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 विज्ञप्ति कियो और
दिन होगी।

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

मेरे हस्ताक्षर और न्यायालय की मोहर से आज दिनांक १८ माह १० सन १६ ई०
को जारी किया गया।

Surya Kant

के एडवोकेट

471.211114 40146

30/08/1984
मुकदमा. नं. DA/13
मिति १८/८/८४
लखनऊ बेंच

HIGH COURT

चिप्टी रजिस्ट्रार
इलाहाबाद/लखनऊ

सूचना—इस न्यायालय की १९४२ की नियमावली के अध्याय ३७ नियम २ के अधीन प्राप्त
तलवाना मिल गया।

तलवाना प्राप्त करने वाले कल्कि के हस्ताक्षर

LIA

32

By Court

हाईकोर्ट इलाहाबाद लखनऊ बन्द, लखनऊ

(अध्याय १२, नियम १ और ७)

विवाहों विभाग

प्रक्रीणांक (मुत्तकरिक) प्रार्थना - पत्र संख्या सन १६ ई०

W. P. N. 5059

रु ३० सन १६८४ ई० में

R. N. Singh

प्रार्थी

Union of India प्रति प्रत्यार्थी

D. R. C.

Ram Singh Jat

प्रत्यार्थी

चूंकि ऊपर लिखे प्रार्थी ने इस न्यायालय में उपर्युक्त मुकदमे के सम्बन्ध में
के नाम के हिते प्रार्थना-पत्र

दिया है, अतः आपको भादेश दिया जाता है कि आप दिनांक २२ माह १० सन १६८४
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 विज्ञप्ति कियो और
दिन होगी।

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

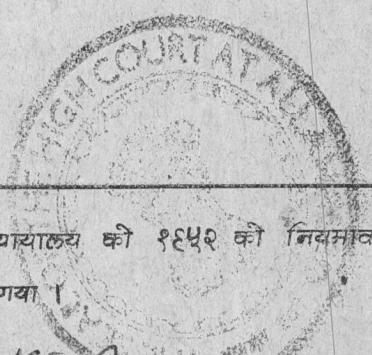
मेरे हस्ताक्षर और न्यायालय की मोहर से आज दिनांक १० माह १० सन १६८४
को जारी किया गया।

Surya Kant
Advocate

के एडवोकेट

तिथि

को १० मार्च १६८४



डिप्टी रजिस्ट्रार

इलाहाबाद/लखनऊ

सुचना—इस न्यायालय की १६८२ की नियमावली के अध्याय ३७ नियम २ के अधीन प्राप्त
लक्षण मिल गया।

लक्षण प्राप्त करने वाले छलक के हस्ताक्षर

30 मार्च १६८४
S. S. M. D. 13
18/10

L.A. W.L. No 5059/84 AB33

हाईकोर्ट इलाहाबाद लखनऊ बैन्च, लखनऊ

(अध्याय १२, नियम १ और ७)

दीवानी विभाग

By rule

प्रक्रिया क (मुतकीर्क) प्रार्थना - पत्र संख्या सन १६ ई०

स्टॉ सन १६ ई० में

R.N. Mishra

प्रार्थी

Union of India & Ram Pratap Singh v/o P.R. (I) M.R. प्रत्याधी

Through D.R.M. Office, Hazaribagh

Bankor

प्रत्याधी

चूंकि ऊपर लिखे प्रार्थी ने इस न्यायालय में उपर्युक्त मुकदमे के सम्बन्ध में

के नाम के लिये प्रार्थना-पत्र

दिया है, अतः आपको आदेश दिया जाता है कि आप दिनांक १२ माह १० सन १६ ई० को या उससे पूर्व उपस्थित होकर कारण बतलायें कि प्रार्थना-पत्र क्यों न स्वीकार कर लिया जाय। उक्त प्रार्थना-पत्र को सुनवाई उसके बाद नियमानुसार विज्ञप्ति कियी और दिन होगी।

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

मेरे हस्ताक्षर और न्यायालय की मोहर से आज दिनांक १२ माह १० सन १६ ई० को जारी किया गया।

Surya Kant

के राष्ट्रकोकेट

संसदीय समिति द्वारा १२/१०/८४
तिथि

५१.२०८४.८४

Office of the Registrar
इलाहाबाद/लखनऊ



सूचना—इस न्यायालय की १९४२ की नियमावली के अध्याय ३७ नियम २ के अधीन प्राप्त तालिवाना मिल गया।

तालिवाना प्राप्त करने वाले कलक्क के हस्ताक्षर

L.A

AB3

हाईकोर्ट इलाहाबाद लखनऊ बेंच, लखनऊ

(अध्याय १२, नियम १ और ७)

दीवानी विभाग

प्रक्रीणांक (मुत्तफारिक) प्रार्थना - पुत्र संख्या सन् १६ ई०
 ५०५९/८४ सं० सन् १६ ई० में

R. N. Misra

प्राप्तीं

Union of India

Dr. D. P. C. (A. R.)

‘प्रत्याधी’

Japan says

McKee

प्रस्तुत्याधी

चूंकि उपर लिखे प्रायों ने इस न्यायालय में उपर्युक्त मुकद्दमे के सम्बन्ध में

.....के नाम के लिये प्रार्थना-पत्र

दिया है, अतः आपको आदेश दिया जाता है कि आप दिनांक २२ माह १० तन १६ ८ को या उससे पूर्व उपस्थित होकर कारण बतलायें कि प्रार्थना-पत्र क्यों न स्वीकार कर्त्तिया जाय। उक्त प्रार्थना-पत्र की सुनवाई उसके बाद नियमानुसार विज्ञप्ति किशो और दिन होगी।

विदित हो कि आप उपर लिखे दिनांक पर या उससे पहले स्वयं अथवा किसी एडवोकेट या ऐसे व्यक्ति द्वारा, जो आपको और से कार्य करने के लिए कानूनन अधिकृत हैं उपरिथित न होंगे तो उस प्रार्थना-पत्र की सुनवाई और निर्णय आपको अनुष्ठित हो जायेगे।

मेरे हस्ताक्षर और न्यायालय की मोहर से आज दिनांक १८ माह १० सन १९८५
को जारी किया गया।

जारा किया गया।
Surja Kant

Associate

112

तिथि



1900

छिप्टी रजिस्ट्रार
इकाहाबाद कम्बलक

ना—इस न्यायालय की १९८५ की नियमावली के अध्याय ३७ नियम २ के अधीन प्राप्त
मिठ गया।

तलवाना प्राप्त करने वाले कलक' के हस्ताक्षर

certified D.A.C. (147)
2 20/10/2017 return D.A.C. office
18/10/2017 M.R. 600

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



Writ Petition No. 5059 of 1984.
C.M. Application No: 11,526 (W)
xemt (W) of 1984.

R.N. Misra,

... Petitioner,

Vs.

Union of India & Others,

... Opposite Parties.

Application for Interim Relief.

The humble petitioner submits that for the facts and reasons stated in the accompanying affidavit, it is therefore prayed that during the pendency of the Writ Petition or during pendency of the first application of Stay, the Opposite Parties 1 to 4 may be restrained not to revert the Petitioner from the post of Key-man to the post of Mate and an Ad-interim order to this effect may kindly be granted meanwhile.

Lucknow.

Dated: 9.11.1984.

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

Hon. S. Mr. Jha, I.

Visit with the record
in the next week. ^{aff.}

9.11.84.

SA

Hon. K. Math, I.

Heard counsel. No counter affidavit has been filed. Operation of the impugned order dated 1.5.84 contained in Annexure-5 to the writ petition shall remain stayed till further orders and the petitioners will be deemed to continue to work on the post of

Permanent Way-Master
in the scale of 380-560.

A copy of this order be supplied to the counsel

for the applicant today, if possible, on payment of necessary charges.

SA

22.11.1984

SA

A 58
9
3 2

... (2)

5. That the Opposite Parties have got the full knowledge of the matter in dispute but none of the Opposite Parties 2 to 6 put their appearance before this Hon'ble Court.

6. That on 6.11.1984 the deponent has come to know that the Opp. Party No. 2 to 4 are going to revert the deponent within a couple of days so the application for stay moved by the deponent may become infructuous.

7. That admittedly the deponent is senior to Opp. Parties 5 and 6 who have been promoted on the post of Key-man and in case the Opp. Parties 1 to 4 are allowed to revert the deponent from the post of Key-man to Mate then it shall be very embarrassing and the deponent shall suffer irreparable loss and injury so it is highly desirable in the ends of justice that the Opp. Parties 1 to 4 may be restrained not to revert the deponent from the post of Key-man to the post of Mate otherwise the deponent will suffer irreparable loss and injury.

Lucknow.
Dated: 7.11.1984.

R. N. Misra
Deponent.

Verification.

I, the above named deponent do hereby verify that the contents of paras 1 to 7 are true to my personal knowledge. No part of it is false and nothing material has been concealed, so help me God.

S. Kant
Deponent.

I identify the deponent who has signed before me.

S. Kant
(Surya Kant)
Advocate.

Solemnly affirmed before me on 7.11.1984 at 9.45 A.M., the deponent Shri R.N. Misra who is identified by Sri Surya Kant, Advocate, High Court, Lucknow. I have satisfied myself by examining the deponent that he understands the contents of this affidavit which has been read over and explained by me.

Arunita Ray
OATH COMMISSIONER
High Court, Lucknow Bench
No. G.7/9.57
Date: 9.11.84



व अदालत श्रीमान् इन हाई कोर्ट ऑफ इंडिया अट अल्हाबाद
(नैकानोर बेंच) द्वारा

R. N. Misra

बनाम

Union of India एवं मेरे

वादी अपीलेंटों Petitioner

प्रतिवादी रेप्पालेंट

Opposite parties

व.प सं मुकदमा ५०५९ सं १९८४ पेशी फी ता० १९ ₹०
ऊपर मुकदमा में अपनी ओर से श्री Siddharth Verma, Advocate

एक वोकेट/वकील महोदय को अपना वकील बियुक्त करके ॥ इफरार ॥ करता हूँ और जिसे देता हूँ वे मुकदमा में वकील महोदय स्वयं अथवा इन्यु वकील द्वारा जो कुछ पैरवी व जटाब देही व प्रश्नोत्तर करे या फोई फारज दाखिल करें या लैटावें या हमारी अ. दिवारी जारी करावें और स्पष्ट वसूल करें या सुलहनामा या इक्वाल दावा तथा अपील व बिवराबी हमारी ओर से हमारे या अपेक्षे हस्ताक्षर से दाखिल करें और तसदीफ रफ या मुकदमा उठावें या फोई रुपया जमा करें या हमारी विषवी ॥ फरीफसानी ॥ फ दाखिल किया हुआ स्पष्ट अपेक्षे या हमारे हस्ताक्षर मुक्त ॥ हस्ताक्षती ॥ रसीद से लेवे का पैच बियुक्त करें ॥ ॥ ॥ वकील महोदय द्वारा फी बड़ बह सब फार्यवाही हमको सर्वथा स्वीकार है और होगी इस्तिये यह वकालतबामा तिखीद्या वे प्रमाण रहे और समय पर फाम आवे ॥

By
राजेन्द्र कुमार
हस्ताक्षर, एन्यू ऑफ नैकानोर
the Divisional Railway Manager

Northern Railway,
LUCKNOW

सावी गवाह ॥
दिवानी ॥
महीना ॥
सं १९ रु०

Accepted
Divisional Personnel Office
Northern Railway, Lucknow

ACCEPTED

S. Verma

19/12/84

(SIDDHARTH. VERMA)
ADVOCATE

NW
24.11.84

58
24.11.84

Before the Additional Registrar
of the Hailey Allahabad High Court
at Lucknow.

A 40

2)

sir,

I filed the W.P. No 5059 of 1984 "R.N. Singh vs Union of India & others" which has been admitted and on the fresh stay application, Hailey Ct Justice D.N. Jha ordered that the stay application may come up in the week commencing from 12th Nov. 84. but inspite of the order the case has not been listed.

Whereby it is prayed that you honored may kindly be pleased to look into the matter & pass the suitable order in the matter so the stay application may be disposed off at an early date & oblige.

Lucknow
17.11.84

R. Singh
(R.N. Singh) Petitioner
through Sunayakant
Advocate

(S.D.)
Pl. reply within
five days
17/11/84

Replied
in the court
17/11/84

AB
The above noted application was for 16/11/84
but it has not been (printed) in the case list.

Submitted
17/11/84

17/11/84

In the Haile Fish Court of Justice at Elend
Inkoro Beach Sur. R 43
Dec 5059 of 1984

R. N. Calvar

Union Addra

In the cause cited in by
In the name of this Haile Court
for and on the 17.10.84 the process is filed
beneath for same as No of.
P 66 (6 band)

~~18.10.84.~~

Singakal

ORDER SHEET

IN THE HIGH COURT OF JUDICATURE AT ALLAHABAD

W.P.

No.

5059

of 1984

vs.

Date	Note of progress of proceedings and routine orders	Dated of which case is adjourned
1	2	3
17/10/84	<p>Shri K.N. Goyal, Shri B. Keemar, - Put up this petition for admission on 23/10/84 -</p> <p>P.W.I. (1) Northern Railway Sd. K.N.G. Sd. B. Keemar 17/10/84 C.M. No 10, 871 Qd 84</p>	
17/10/84	<p>Shri K.N. Goyal, Shri B. Keemar, - For orders see our order of date</p>	
	<p>W.P. on 22/10/84 Sd. K.N. Goyal Sd. B. Keemar 17/10/84 22/10/84 fine for attending and for filing CA in W.P. v/c. On NO 10, 871 (4) 84. R. 9/10/84 10/10/84 by Dadi.</p>	
		<p>Rebuked Sd. S. G. 9/10/84 C.P.S. 9/10/84 18/10/84</p>

45

Date

Note of progress of proceedings and routine orders

Dated
which
case is
adjourned

1

2

3

22/10/84 Fixed with court. 10871-84 P.O.
 Hon. K.N. Singh
 Hon. B.M. J.

1.11.84 Writ issued (re A-10871-84 P.O.)
 5/11/84 Hon. K.N. Singh
 Hon. B.M. J.

Adjourn & Issue Notice
 returnable at an early date.

B.C.S.
 Adm
 5/11/84

copy
 C.M.A. 11526/1984 for orders
 non. D.O.T.

close with the record
 in the next week.

so non. D.O.T.

9.11.84

22.11.84 fixed on date
 16.11.84 fixed on date
 11526 C.M.A. 1984 for orders

copy court by AIR
 Singh

22.11.84 C.M.A. 11526 (W) 1984 P.O.
 Hon. K. N. Singh
 stay granted.
 B.C.S.

6/2 A.M.G

ORDER SHEET

IN THE HIGH COURT OF JUDICATURE AT ALLAHABAD

No. 5059 of 1984

Date	Note of progress of proceedings and routine orders	Dated of which case is adjourned
1	2	3
27.2.85	<p>Service Report</p> <p>Op. 1, 2 & 4. Power filed by Sri Siddhartha Verma, Adv. for Central Govt.</p> <p>Op. 3, 5 and 6. Notice serve personally through the Counsel of petitioners but no power etc. has been filed so far.</p>	
		Submitted P 27/2
14.3.85	<p>Addl. Registrar</p> <p>Seen the Service Report</p> <p>Op. 27.2.85. Op. 1, 2 and 4 are represented through Counsel. Service held sufficient upon Op. 5 nos. 3, 5 and 6. The office is directed to proceed.</p>	
15/3/		✓ 14.3.85
		C.M. Singh

AUT

BEFORE THE CENTRAL ADMINISTRATIVE TRIBU
LUCKNOW BENCH, LUCKNOW.

Civil Misc. Application No. 158 of 199

In re:

T.A.No.1605/87(T)

Sri R.N.Misra

....P

Versus

Union of India and others

....Opposite

APPLICATION ON BEHALF OF OPPOSITE PARTIES

The undersigned most respectfully submits as u.

1. That in the above mentioned case, reply on behalf of the answering opposite parties (Northern Railway Administration) could not be filed so far because the copy of the petition is not available in the departmental file, and probably, the same were not served on the opposite parties when the case was pending before Hon'ble High Court, Lucknow Bench.
2. That in absence of the copy of the petition, reply on behalf of the opposite parties can neither be prepared nor, the same can be filed before the Hon'ble Tribunal.
3. That in the aforementioned circumstances, it would be expedient in the interest of justice that a copy of the petition may kindly be supplied, or in the alternative, the counsel for the petitioner be directed to serve a copy of the petition so that reply in the above mentioned case may be filed.

PRAYER

WHEREFORE, it is most respectfully prayed that a copy of the above mentioned petition be supplied to the undersigned, or in the alternative, the counsel for the petitioner be asked to give the same to the undersigned and a reasonable time be allowed to the opposite parties to file the counter.

Lucknow Dated :
April 03, 1991.

Siddharth Verma
(Siddharth Verma)
Advocate,
Counsel for the Opposite Parties.

AFM 8

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL

LUCKNOW BENCH, LUCKNOW.

Civil Misc. Application No. 158 of 1991 (C)

In re:

T.A.No.1605/87(T)

Sri R.N.Misra

....Petitioner

Versus

Union of India and others

....Opposite Parties

APPLICATION ON BEHALF OF OPPOSITE PARTIES

The undersigned most respectfully submits as under:-

1. That in the above mentioned case, reply on behalf of the answering opposite parties (Northern Railway Administration) could not be filed so far because the copy of the petition is not available in the departmental file, and probably, the same were not served on the opposite parties when the case was pending before the Hon'ble High Court, Lucknow Bench.
2. That in absence of the copy of the petition, reply on behalf of the opposite parties can neither be prepared nor, the same can be filed before the Hon'ble Tribunal.
3. That in the aforementioned circumstances, it would be expedient in the interest of justice that a copy of the petition may kindly be supplied, or in the alternative, the counsel for the petitioner be directed to serve a copy of the petition so that reply in the above mentioned case may be filed.

PRAYER

WHEREFORE, it is most respectfully prayed that a copy of the above mentioned petition be supplied to the undersigned, or in the alternative, the counsel for the petitioner be asked to give the same to the undersigned and a reasonable time be allowed to the opposite parties to file the counter.

Lucknow Dated :
April 03, 1991.

Siddharth Verma
(Siddharth Verma)
Advocate,
Counsel for the Opposite Parties.