

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.

DATED: 19/1/94

Case Title T.A 1605/87 19  
Name of Parties W.P. 5059/84

R.N. Mishra Applicant  
versus  
Union of India & Ors Respondents.

PART -A

Sl.No.	Description of Documents	Page
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PART -B

~~For information of the Court, the following documents are submitted for perusal and record.~~

Part -C C71 - C82

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

Section Officer  
Court Officer  
Incharge

20/1/94

Signature of Dealing Assistant.

19/1/94



1605/0712

A1

Precaution one more attempt may

be made to send the notices by  
Registered post and re-list the case  
for further orders on 17-12-90.

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

*[Signature]*

*[Signature]*  
AM

*[Signature]*  
VC

17-12-90

No setting Adjourned to 25-1-91.

Notas served  
19-11-90

25-1-91

No Setting Adj to 25-2-91

*[Signature]*

Notice of OP No 6  
1-7-91

25-4-91

Hon. Mr DK Dargwad JM &  
Hon. Mr K Barga AM.

None for applicant.

Shri S. Verma for O.P.

OP 158/91 is a misconceived  
application. Application has copy  
is given to the office. but it has  
done so. Counter may be filed  
within 8 weeks hereof, failing  
which right to file counter  
shall be forfeited.

Rejoinder may be filed  
within 2 weeks thereafter.

Let for hearing / se-  
parte hearing on 9-8-91

*[Signature]*

*[Signature]*  
AM

*[Signature]*  
JM.

OP

Notas were issued

a 19-11-90.

Notice of OP No 6  
has been return back

No reply filed.

S.P.O.

L  
4/2/91

S.2.91

D.R.

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.A.  
by 27/2/91.

A.2

16.05/07/17)

25/5/90

F/O Mr. K. Nalw, V.C.

Mon. Mr. K. Obayya, A.M.

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

A.M.

V.C.

CR

Can has been  
received from CAT, DM.

Notices were issued  
to the both parties  
as well as his  
counsel.

No unreserved repd.  
Cover has been returned  
now.

Can is admitted  
CA/RA not filed.  
S. F O

L  
25/7

L  
11/11/90

L  
19/6

25-7-90.

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

A.M.

V.C.

25-9-90

No sitting held to 12-11-90

12-11-90

Hon Mr Justice K Nall, V.C.

Hon Mr. M. Y. Pralhar, DM

Shri Suraj Kart for applicant.

None on behalf of respondents.

Notices were issued to all the  
respondents by this 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

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

Respondent to  
file 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.

of  
noted  
back  
SH

A-4

9.8.91

No sitting Ali 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

17.3.92

No sitting adj D.B. adj to 8.4.92

cc  
Proc

or  
case is admitted  
No CA, RA filed  
SFH  
13.4.92

8.4.92

No sitting adj to 18.5.92

18.5.92

Case not reached adj to 2.7.92

24-2-93

D.R

This file has been traced undated during physical verification.

Old  
File received  
today at 5.45 P.M.

Issue notice for 12-3-93

for  
26/2

by U.P.C.

OR  
NOTICE ISSUED  
on 2/3/93  
2



A 2

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<sup>red</sup> 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 Branch in the scale of Rs. 70-75 and on own request, the applicant was sent to signal 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 application<sup>s</sup> were invited as a Gangman for the selection after<sup>ad</sup>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 sl. No. 26<sup>and</sup> 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 <sup>promoting him</sup> ~~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



applicant's by realizing the mistakes the ~~applicant~~<sup>was</sup> promoted.  
~~the applicant~~ 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<sup>and</sup> he states that they have<sup>not filed</sup> 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 ~~order~~  
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 observa-  
tion. No order as to costs.

*[Signature]*  
Member (A)

*[Signature]*  
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. I. M. S. vs. Union of India

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 Annexure	21	-	102-00			
	2	Power	1	-	5-00			
	3	CMA-10871(84)	4	-	5-00			
	4	CMA-11526(84)	3	-	8-00			
	5	Power	1	-	5-00			
	6	Order sheet	2	-	-			
	7	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



Group A 14 (K)

8350.

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

WRIT-PETITION NO. *5059* OF 1984.

R.N.Misra-8---

---Petitioner

V/s.

Union of India & others

---Opp-Parties

-: I N D E X :-

*15156*

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9.	Stay-Application	23.

Presented by:-

Place- LUCKNOW

Dated:- 16th Oct., 1984.

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

\*\*\*\*\*



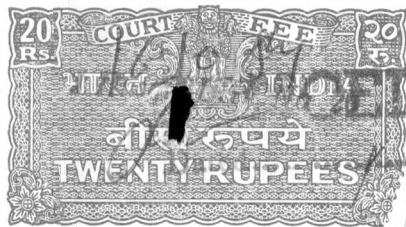
IN THE HON'BLE HIGH COURT OF JUDICATURE AT ALLAHABAD,  
( LUCKNOW BENCH ), LUCKNOW.

\*\*\*\*\*

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. Ojha, s/o K. Ojha, c/o P.W.I.(I) N.R., D.R.M office  
6. Ram Pratap s/o Ansa Hazratganj, Lucknow.

.....OPPOSITE-PARTIES  
.....

BEFORE the Hon'ble the Chief Justice and his  
Companion Hon'ble Jud-ges of the afore  
said Hon'ble Court.

( 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  
nos 5 and 6 through  
P.W. I (1) Northern  
Railway.

**Impressed**  
**Adhesive** @ 100-00  
**Total**  
**Correct but final Court fee report**  
**will be made on receipt of lower**  
**Court record.**  
**In time up to**  
**Papers filed. Copy of P. #**  
**should also be filed.**  
**Style - Bench**

Imp. Acc. 52 1-5-84  
C made known to the petitioner  
on 14-10-84 vide para 12 of the  
petition.

Best understood

the book  
16/8/84  
16/11/84

(13)

Hon. K. M. Nayal J.  
Hon. B. Kumar J.

Blau

17-10-84

OK

Sharma  
17/11/84

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

Hon. K. M. G. V.  
Hon. B. K. S.

Admit.  
Issue notice.

Blau  
5-11-84  
h

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 resumed 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 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)



*R. B. 10*

(contd....3 )

A9

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



*Prudhvi*

(contd...9)

A 10

-4-

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)



*Rule*



(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 promoted the petitioner <sup>on</sup> 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 anyhow, ~~confirmed~~ <sup>verified</sup> 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.

*R. N. Singh*

- (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.

*Refined*

- (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 amount 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 .

-: P r a y e r :-

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 CERITORARI quashing

Rule



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.

*R. K. Singh*  
(d) To award the cost of this writ-petition to the  
humble petitioner.

Lucknow dated,  
16.10.84.

*Sirja Kant*  
( SURYA KANT )

Counsel for the Petitioner.

\*\*\*\*\*

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

(9)

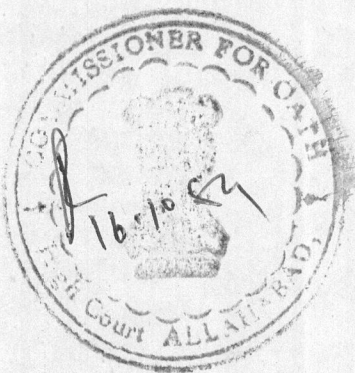
R. N. Misra

vs

Union of India & others

Annexure No 1

R. N. Misra





(10) A 16

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

SL. NO.	Name	Father's Name.	D.O.A.	Date of promotion as Mate
1.	S/ Sri. A yodhya Id.	Sh. Bhikari	18.8.54	30.8.60
2.	" Chhotey Mal.	" Changa.	2.10.58	13.8.67
3.	" Raghu Nath.	" Jhuri.	8.11.51	18.8.67
4.	" Shyam Mal.	" Ram Bali.	6.11.49	22.1.68
5.	" Parai.	" 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.	Lalta.	18.5.51	10.2.71
9.	" Jia Mal.	Jagannath.	8.9.48	27.9.71
10.	" Shiv Charan.	Mahabir.	8.11.51	28.7.72
12.	" Nankan.	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.	" Dalarey	" Meera.	18.4.54	13.3.77
17.	" Fakirey.	" Ambar.	1.2.54	16.3.77
18.	" Mahabir .	" Dig Pal.	15.7.56	1.4.77
19.	" Baquar.	" 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.	" Mhari.	" Bali.	7.10.48	1.7.79
25.	" Ram Sanehi.	" C hankhan.	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 khatap.	" A usan.	13.5.63	25.8.81
29.	" Ram Kishan.	" Ram Dalarey.	18.6.63	20.9.81
30.	" Hari Shankar.	" Surya Id.	30.1.63	19.10.81
31.	" T.A.Chakravarti.	" K.K.Chakra-	11.9.60	1.3.82
32.	" Ram Lal.	" varti.		
33.	" Hinda.	" Mulla.	2.7.51	2.8.82
		" Angonob	15.3.56	2.8.82



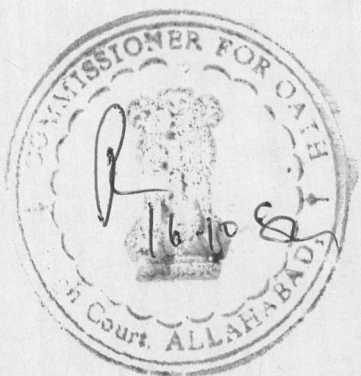
A17

11

34.	Sri. Gaya Pd.	Sri. Bhawani.	10.8.54	10.8.82
35.	" Lalta.	" Sakhai.	8.2.55	8.82
36.	" Chainoo.	" 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 Dalare	" 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.	" Bineshwar.	" Laxmi Dhar.	1.5.60	19.1.83
	Dayal.			
44.	" Ram Gulam.	" Talsi.	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. Gupta*  
Asstt. Engineer/II.,  
Lucknow

*R. D. Gupta*





A18

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

12

MR. N. Misra

vs.

Union of India & others.

Annexure No 2

Rantira



A 6

13

The Asst. Engineer ...  
M.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 is 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 resumption.

Thanking you,

Yours Faithfully,

25/10/83

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

C/to Secretary U.M.U. M.Rly., LKO for inf. and necessary action please.

*Rajiv*





In the Honble High Court of Judicature at  
Allahabad, Lucknow Bench, Lucknow. A20

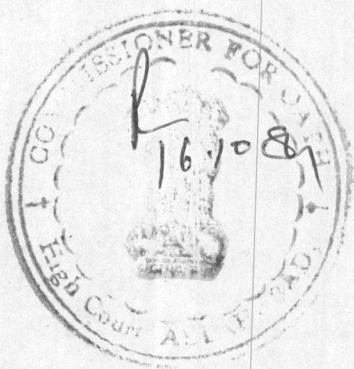
(14)

R. N. Misra  
vs

Union of India & Others

Annexure No 3

R. N. Misra



A 21

13

# 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

Charbagh Lucknow

No. URMU Engg/P.way/81

Dated 15th Feb. 1981

The Divl. Rly Manager  
Northern Railway  
Lucknow.

Dear Sir,

Re:- Selection of PWs in JEN/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 PWs I have to point out that Sri R. 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.

An early action in this regard will be much appreciated.

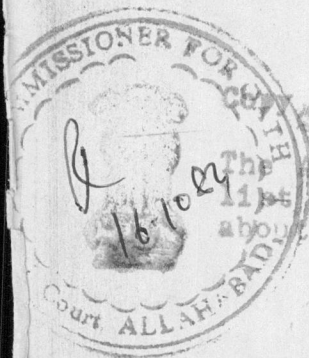
Yours Faithfully,

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

Copy to:-  
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 Honble High Court of Judicature at  
Allahabad, Lucknow Bench, Lucknow. A22

(16)

R. M. Chisna

vs

Union of India & others.

Anexure No. 4

---

Retired



A23

(17)

Northern Railway.

No. 7582/IND/A/PW/75-76.

Divisional Office,  
Lucknow D/3.34.

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

26

Sub: Representation from Shri R.N. Miara Nete  
against assignment of seniority of Shri  
K.N. Ojha & Ram Pratap Netes above him.

The case has been examined and it has been found  
that Shri R.N. Miara Nete is senior to S/Shri K.N. Ojha & Ram Pratap  
Netes on the basis of his position in the seniority list of Netes  
working under ARN(II)/LEO, as the name of Shri R.N. Miara appears  
appears at S.No. 22 whereas the names of S/Shri K.N. Ojha and  
Ram Pratap appear at S.No. 27 and 28 in the seniority list of  
Netes under ARN(II)/LEO. More 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. Miara Nete is proposed to be revised and he is proposed to be  
placed above S/Shri K.N. Ojha & Ram Pratap Netes in the Divisional  
seniority list of Netes of Lucknow Division.

The above named employees may please be informed  
and the representation, if received any, may be forwarded to this  
office, within a period of one month from date of this order.

19/11/24  
Sr. Divisional Personnel Officer,  
Lucknow.

Copy to the Asst. Divl. Secretary URM Lucknow in reference to his  
Letter No. URM/7. May/24 dated 25.2.24.



15/4/27  
R. N. Miara



A26

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  
~~Sri~~ 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. Misra*

A 25

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

Writ-Petition No. of 1984.

1984  
AFFIDAVIT  
92 / 988  
HIGH COURT  
ALLAHABAD



(25)

R. N. Misra

....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 ~~xxxx~~ to be true by the deponent.

(contd.....3)

R. N. Misra

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.

*R. N. Misra*  
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.

*R. N. Misra*  
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 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.

*R. N. Misra*

COMMISSIONER  
High Court, Lucknow  
Date: 16.10.84

3/ 1 A28

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

C.M. Application No.

16, 671 (w)  
(w) of 1984.

In re:

Writ-Petition No. 5059 of 1984.



1/12/84  
17.12.84

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 Ansan } (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. M. Goyal 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.

B Kumar 

17-10-84

we

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

---

Issue notice returnable at  
an early date.

B Kumar 

5-11-84  
K.

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 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 ~~xxxxxx~~ meanwhile.

Lucknow dated,  
16th Oct., 1984.

*Surya Kant*  
(Surya Kant)

Counsel for the Applicant  
(Petitioner)

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3 30  
3

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

Writ Petition No. 5059 of 1984.



R.N. Misra ... Petitioner.

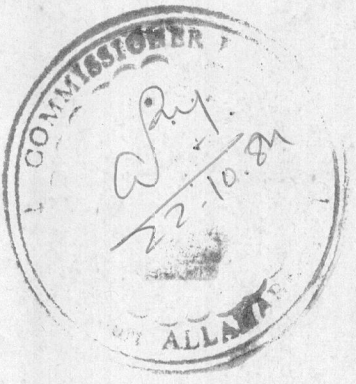
Versus

Union of India & others ... Opposite-Parties

A F F I D A V I T

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 12.10.1984, 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.



: 2 :

A31  
3  
u

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. Misra*  
Deponent.

I identify the deponent who has signed before me.

*Suryakant*  
( Suryakant )  
Advocate  
Counsel for the petitioner.

Solemnly affirmed before me on 22.10.1984<sup>at 10.15 a.m./p.m.</sup>

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.



*Sanjay Ray*  
OATH COMMISSIONER  
High Court, (Lucknow Bench)  
LUCKNOW  
No. 29/954  
Date 22.10.84



हाईकोर्ट इलाहाबाद लखनऊ बेंच, लखनऊ

( अध्याय १२, नियम १ और ७ )

दीवानी विभाग

प्रकीर्णक ( मुतफरिफ ) प्रार्थना - पत्र संख्या ..... सन १६ ई०

..... सं० ८६१९ ..... सन १६ ई० में

R. N. Misra

प्राथी

Union of India &  
Assistant Engineer II P.W.D.  
Allahabad, U.P.

प्रत्याधी

प्रत्याधी

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

..... के नाम ..... केलिये प्रार्थना-पत्र

दिया है, अतः आपको आदेश दिया जाता है कि आप दिनांक २२ माह ..... सन १६ ई० को या उससे पूर्व उपस्थित होकर कारण बतलायें कि प्रार्थना-पत्र क्यों न स्वीकार का किया जाय। उक्त प्रार्थना-पत्र की सुनवाई उसके बाद नियमानुसार विज्ञप्ति किशो और दिन होंगे।

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

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

Singh Kaur  
Advocate

के एडवोकेट

तिथि

डिप्टी रजिस्ट्रार  
इलाहाबाद/लखनऊ

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

तलवाना प्राप्त करने वाले क्लर्क के हस्ताक्षर



L.A.

L.P.M. 5059/84

By court

# हाईकोर्ट इलाहाबाद लखनऊ बेंच, लखनऊ

(अध्याय १२, नियम १ और ७)

दीवानी विभाग

प्रकीर्णक (मुतफरिफ) प्रार्थना - पत्र संख्या ..... सन १९ ८०

..... सं० ..... सन १९ ८० में

R.M. Misra ..... प्राथी

Union of India ..... प्रति ..... प्रत्याथी

K.N. Ojha s/o K. Ojha  
c/o P.W. (I) (N.R.) s/o D.R.M. Office

Hazardgar Junction ..... प्रत्याथी

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

..... के नाम ..... केलिये प्रार्थना-पत्र

दिया है, अतः आपको आदेश दिया जाता है कि आप दिनांक 22.10.84 सन १९८४ को या उससे पूर्व उपस्थित होकर कारण बतलायें कि प्रार्थना-पत्र क्यों न स्वीकार का किया जाय। उक्त प्रार्थना-पत्र की सुनवाई उसके बाद नियमानुसार विज्ञप्ति किशो और दिन होगी।

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

मेरे हस्ताक्षर और न्यायालय की मोहर से आज दिनांक 18.10.84 सन १९८४ को जारी किया गया।

Suza Kant ..... के एडवोकेट

Advocate

तिथि .....

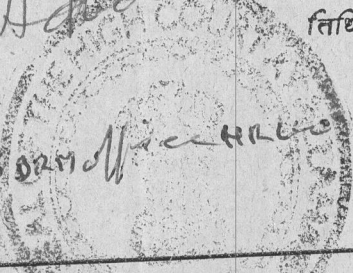
3/11/84

2/11/84

C.D. 2/11/84

2/11/84

19/11/84



[Signature]

डिप्टी रजिस्ट्रार

इलाहाबाद/लखनऊ

सूचना—इस न्यायालय की १९५९ की नियमावली के अध्याय ३७ नियम २ के अधीन प्राप्त तलवाना मिल गया।

तलवाना प्राप्त करने वाले क्लर्क के हस्ताक्षर



L.A.

32  
By Court

हाईकोर्ट इलाहाबाद लखनऊ बेंच, लखनऊ

( अध्याय १२, नियम १ और ७ )

दीवानी विभाग

प्रकीर्णक ( मुत्तफारिक ) प्रार्थना - पत्र संख्या ..... सन १६ ई०

W.P. No 5059

सं० ..... सन १९४५ ई० में

R. M. Lakshmi

प्राची

Union of India

प्रति

प्रत्याची

D.R.M.

Raza J. Lakshmi

प्रत्याची

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

के नाम ..... के लिये प्रार्थना-पत्र

दिया है, अतः आपको आदेश दिया जाता है कि आप दिनांक 27 माह 10 सन १६ 84 को या उससे पूर्व उपस्थित होकर कारण बतलायें कि प्रार्थना-पत्र क्यों न स्वीकार का लिया जाय। उक्त प्रार्थना-पत्र की सुनवाई उसके बाद नियमानुसार विज्ञप्ति किशो और दिन होगी।

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

मेरे हस्ताक्षर और न्यायालय की मोहर से आज दिनांक 18 माह 10 सन १६ 84 को जारी किया गया।

Singh Kant

401 न्यायालय के लिये

Advocate

के एडवोकेट

तिथि



डिप्टी रजिस्ट्रार

इलाहाबाद/लखनऊ

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

लखनऊ प्राप्त करने वाले क्लर्क के हस्ताक्षर

3/11/50

2/11/50

2/11/50

18/10



L.A. W. No 5059/84 1333

हाईकोर्ट इलाहाबाद लखनऊ बेंच, लखनऊ

( अध्याय १२, नियम १ और ७ )

Byat

दीवानी विभाग

प्रकीर्णक ( मुतफरिक ) प्रार्थना - पत्र संख्या ..... सन १६ ई०

..... सं० ..... सन १६ ई० में

R. N. Misra

प्राथी

Union of India

प्रति

प्रत्याथी

Ram Roshan Sharma C.O.P. (I) M.R.

through D.R.M. office, Bazar, Gaj

Jankar

प्रत्याथी

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

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

दिया है, अतः आपको आदेश दिया जाता है कि आप दिनांक 22 माह 10 सन १६ ई० को या उससे पूर्व उपस्थित होकर कारण बतलायें कि प्रार्थना-पत्र क्यों न स्वीकार का किया जाय। उक्त प्रार्थना-पत्र की सुनवाई उसके बाद नियमानुसार विज्ञप्ति किशो और दिन होंगे।

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

मेरे हस्ताक्षर और न्यायालय की मोहर से आज दिनांक 18 माह 10 सन १६ ई० को जारी किया गया।

Singh Kant

के एडवोकेट

30/07/1984

Adhokar

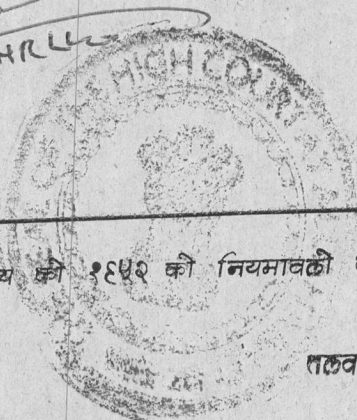
तिथि

30/07/1984

20/07/1984

19/10/84

DRM OFFICE



डिप्टी रजिस्ट्रार

इलाहाबाद/लखनऊ

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

तलवाना प्राप्त करने वाले क्लर्क के हस्ताक्षर



L.A.

32  
Bijank

हाईकोर्ट इलाहाबाद लखनऊ बेंच, लखनऊ

(अध्याय १२, नियम १ और ७)

कीवानी विभाग

प्रकीर्णक (मुतफरिक) प्रार्थना-पत्र संख्या..... सन १६ ई०

5059

सन १९४५ ई० में

R.M. Chandra

प्राथी

Union of India

प्रति

प्रत्याथी

D.R.M.

Muzaffar Hussain

प्रत्याथी

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

के नाम के लिये प्रार्थना-पत्र

दिया है, अतः आपको आदेश दिया जाता है कि आप दिनांक 27 माह 10 सन १६ 84 को या उससे पूर्व उपस्थित होकर कारण बतलायें कि प्रार्थना-पत्र क्यों न स्वीकार का किया जाय। उक्त प्रार्थना-पत्र की सुनवाई उसके बाद नियमानुसार विज्ञप्ति किशो और दिन होगी।

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

मेरे हस्ताक्षर और न्यायालय की मोहर से आज दिनांक 18 माह 10 सन १६ 84 को जारी किया गया।

Surya Kant

कीवानी विभाग के प्रभारी

Advocate

तिथि



डिप्टी रजिस्ट्रार

इलाहाबाद/लखनऊ

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

लखनऊ प्राप्त करने वाले क्लर्क के हस्ताक्षर

3/11/50

18/10



L.A. 6-Mo 5059/84 1833

हाईकोर्ट इलाहाबाद लखनऊ बेंच, लखनऊ

(अध्याय १२, नियम १ और ७)

दीवानी विभाग

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

..... स० ..... सन १६ ई० में

R. N. Misra

प्राथी

Union of India प्रति

प्रत्याथी

Ram Prasad Shastri C/O P. O. (I) M. R.

Through D.R.M. Office, Azamgarh

Jucker

प्रत्याथी

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

..... के नाम ..... केलिये प्रार्थना-पत्र

दिया है, अतः आपको आदेश दिया जाता है कि आप दिनांक 22 माह 10 सन १६ को या उससे पूर्व उपस्थित होकर कारण बतलायें कि प्रार्थना-पत्र क्यों न स्वीकार का लिया जाय। उक्त प्रार्थना-पत्र की सुनवाई उसके बाद नियमानुसार विज्ञप्ति किशो और दिन होगी।

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

मेरे हस्ताक्षर और न्यायालय की मोहर से आज दिनांक 18 माह 10 सन १६ को जारी किया गया।

Singh Kaur

के एडवोकेट

तिथि

डिप्टी रजिस्ट्रार

इलाहाबाद/लखनऊ

सूचना—इस न्यायालय की १६४२ की नियमावली के अध्याय ३७ नियम २ के अधीन प्राप्त लखनऊ मिल गया।

लखनऊ प्राप्त करने वाले क्लर्क के हस्ताक्षर

L.A

B3  
Brent

# हाईकोर्ट इलाहाबाद लखनऊ बेंच, लखनऊ

( अध्याय १२, नियम १ और ७ )

दीवानी विभाग

प्रक्रियांक ( मुतफरिफ ) प्रार्थना - पत्र संख्या ..... सन १६ ई०

5059/84

सन १६ ई० में

R.M. Chisra

प्राथी

Union of India

प्रत्याथी

S.D.P.O. (X.R.)

Jagmohan

Prison

प्रत्याथी

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

के नाम ..... बेलिये प्रार्थना-पत्र

दिया है, अतः आपको आदेश दिया जाता है कि आप दिनांक 22 माह 10 सन १६ ई० को या उससे पूर्व उपस्थित होकर कारण बतलायें कि प्रार्थना-पत्र क्यों न स्वीकार का लिया जाय। उक्त प्रार्थना-पत्र की सुनवाई उसके बाद नियमानुसार विज्ञप्ति किशो और दिन होगी।

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

मेरे हस्ताक्षर और न्यायालय की मोहर से आज दिनांक 18 माह 10 सन १६ ई० को जारी किया गया।

Surya Kant

को न्यायालय में प्रस्तुत

Advocate

के एडवोकेट

तिथि .....



Ruler

डिप्टी रजिस्ट्रार

इलाहाबाद/लखनऊ

ना-इस न्यायालय की १९५२ की नियमावली के अध्याय ३७ नियम २ के अधीन प्राप्त किया गया।

तलवाना प्राप्त करने वाले क्लर्क के हस्ताक्षर

20/10/84

20/10/84

16/10/84



4 A 38

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) of 1984.

995000  
16077  
R.N. Misra,

... Petitioner,

Vs.

Union of India & Others,

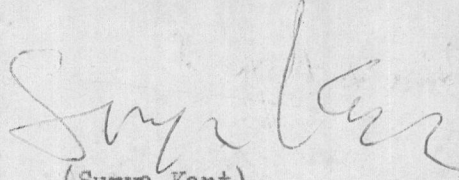
... Opposite Parties.

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)  
Advocate,  
Counsel for the Petitioner.



Hans S. M. Jha, J.

list with the record  
in the next week. ffh.  
9.11.84,  
S

Hon. K. Nath, J.

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 petitioner will be deemed to  
continue to work on the post of

Permanent Way-Mistru  
in the scale of 350-560.  
A copy of this order be  
supplied to the counsel  
for the applicant today,  
if possible, on payment  
of necessary charges.

ffh.  
22.11.1984

ffh.



... (2) ....

A 58  
4  
3 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.

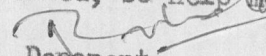
Lucknow.

Dated: 7.11.1984.

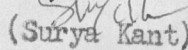
  
Deponent.

Verification.

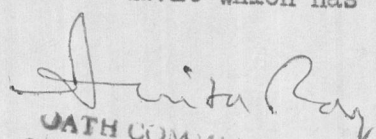
I, the above named deponent do hereby verify that the contents of paras 1 to 7 are true to my personal knowledge. No part of it is false and nothing material has been concealed, so help me God.

  
Deponent.

~~Solemnly affirmed before me~~ I identify the deponent who has signed before me.

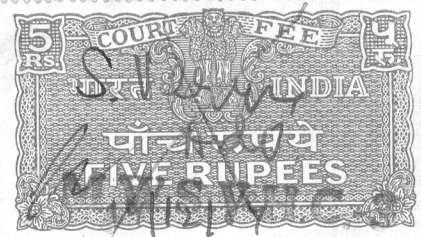
  
(Surya Kant)  
Advocate.

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.

  
OATH COMMISSIONER  
High Court, (Lucknow Bench)  
LUCKNOW  
No. 67/954  
Date 7.11.84







A 39

व अदालत श्रीमत् In the Hon'ble High Court of Judicature at Allahabad  
(Chukranoo Bench) Chukranoo

R. N. Chandra

बनम

Union of India & Others

वादी/अपीलेंट/ Petitioner

प्रतिवादी/रेस्पॉन्डेन्ट/

Opposite parties

नं. 8 सं. 0 मुकदमा 5059 सं. 1984 पेची की तारीख 19 80

ऊपर मुकदमा में अपनी ओर से श्री Siddharth Verma, Advocate . . .

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 देही व प्रश्नोत्तर करे या कोई कागज दाखिल करें या लौटावें या हमारी ओर से डिमंड जारी करावें और रुपया वसूल करें या सुलहनामा या इकवात दावा तथा अपील व बिगरानी हमारी ओर से हमारे या अपने हस्ताक्षर से दाखिल करें और तसदीक रक या मुकदमा उठावें या कोई रुपया जमा करें या हमारी विपक्षी परीकसानगी का दाखिल किया हुआ रुपया अपने या हमारे हस्ताक्षर मुक्त दस्तखती रसीद से लेवे का पंच नियुक्त करें . . . . . वकील महोदय द्वारा की गई वह सब कार्यवाही हमको सर्वथा स्वीकार है और होगी इसलिये यह वकालतनामा लिख दिया कि प्रमाण रहे और समय पर काम आवे ।।

हस्ताक्षर Union of India through the Divisional Railway Manager, Northern Railway, LUCKNOW

साक्षी/गवाह . . . . . साक्षी/गवाह

दिनांक . . . . . महीना . . . . .

सं. 19 80

Steel

Divisional Personnel Officer, Northern Railway, Lucknow

ACCEPTED

Silvane

19/12/84

(SIDDHARTH VERMA)  
ADVOCATE

NW  
24.11.84

SR  
24.11.84



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

A 40

Sir,

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

Where it is prayed that  
You Hon'ble may kindly be pleased to look in to  
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. Chandra  
(R.N. Chandra) Petitioner  
Thyagaraj Singh  
Advocate

80 (w/84)

Pl report with  
for today

17/11/84

Report  
in the  
court

AB  
The above noted writ petition was sent for 16/11/84  
but it has not been printed in the case list.

Submitted  
17/11/84

17/11/84

In the Haile High Court of Justice at Addis Ababa  
Jukoo Badiu  
6. Dec 5059 of 1984  
A 43

R.N. Talwar  
vs  
Union of Ethiopia

for  
In the case cited with as  
per orders of this Haile Court  
dt 17.10.84 the process is filed  
here with for same on the o.f.s.  
2 to 6 (6 band)

18/10/84.

Singakaw



# ORDER SHEET

IN THE HIGH COURT OF JUDICATURE AT ALLAHABAD

W.P.

No.

5059

of 198

vs.

Date	Note of progress of proceedings and routine orders	Dated of which case is adjourned
1	2	3
17/10/84	<p>Sen K.N.-G, ?  Sen B Keemari, ?  Put up this petition for admission on 22/10/84 -  P.W.I. (15) Northern Railway.  Sd. K.N.-G  Sd. B Keemari  17/10/84.  C.M. An no 10, 871 An 84.</p>	
17/10/84	<p>Sen K.N.-Goyal, ?  Sen B Keemari, ?  For orders see our order of date -  W.P. on 22/10/84  Sd. K.N.-Goyal  Sd. B Keemari  17/10/84  22/10/84 file for attendance and for filing CA in W.D. van. An no 10, 871 (10/84), N.D. 10 10 10 2 to 6 by Dadi.  10/10/84</p>	

Put up  
in S. to  
G.S. 2 to 6  
18/10/84.



45.

Date	Note of progress of proceedings and routine orders	Dated which case is adjourned
1	2	3
22.10.84	Fixed with CMA. 10871-84 P.O. Hon. K.N. S. J. Hon. B.C. J.	
1.11.84 5/11/84	Wrote letter to A. 10871-84 P.O. Hon. K.N. S. Hon. B.C. S.  Adj. & Issue notice returnable at an early date.  B.C. A.S. 5/11/84	
9/11/84	CMA 11526 W.S. for review N.M.D. H.T.  List with the record in the next week. S.M. H.T. 9.11.84 22-11-84 16.11.84 fixed in CMA 11526 W.S. for review	Any comments by A.P. Singh
22.11.84	CMA 11526 W.S. P.O. Hon. K. N. S. J. stay granted. B.C.	

22/11/84

# ORDER SHEET

IN THE HIGH COURT OF JUDICATURE AT ALLAHABAD

No. 5059 of 1984

25.

Dated of which case is adjourned

Date

Note of progress of proceedings and routine orders

1

2

3

27.2.85

Service Report

OP 1, 2 & 4. Power filed by Sri Siddhartha Verma, Adv. for Central Govt.

OP 3, 5 and 6. Notice serve personally through the Counsel of petitioners but no power etc has been filed so far.

Submitted

27/2

Addl. Registrar

14.3.85

Seen the Service Report

dt. 27-2-85. OPs 1, 2 and 4 are represented through counsel. Service held sufficient upon OPs nos. 3, 5 and 6. The office is directed to proceed.

14/3

14.3.85

Chm/Sgt



A47

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL  
LUCKNOW BENCH, LUCKNOW.

Civil Misc. Application No. 158 of 1991

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 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 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.

77-418

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.

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Lucknow Dated :  
April 03, 1991.

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

*Filed today  
3/4/91*