

CENTRAL ADMINISTRATIVE TRIBUNAL
LUCKNOW BENCH, LUCKNOW

INDEX SHEET

CAUSE TITLE T.A. 1729 OF 1987

NAME OF THE PARTIES J. M. Singh Applicant

Versus

Union of India Respondent

Part A.

Sl.No.	Description of documents	Page
1 A-1	Order sheet	1 to 4
2	Judgment	5 to 10
3 A-2	General Index with Petition	11 to 27
4 A-3	Vakalat nama	28 to
5 A-4	Application for T. R.	29
6 A-5	Application for stay vacation	30
7 A-6	C. A. with Annexure	31 to 64
8 A-7	Order Order	65
9 A-8	Order sheet High Court	66
10 A-9	R.A.	67 to 78
11		
12		
13		
14		
15		
16		
17		
18		

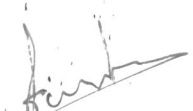
CERTIFICATE

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

Dated 11/4/11

Counter Signed.....


Section Officer/In charge


Signature of the
Dealing Assistant

CENTRAL ADMINISTRATIVE TRIBUNAL
LUCKNOW BENCH, MOTI MAHAL, LUCKNOW.

T.A. 1729/1877 DATED: 10/1/94

Case Title _____ 19
Name of Parties. W.P. 1367-85

G.M. Singh Applicant

versus
Union of India Respondents.

PART -A

<u>Sl.No.</u>	<u>Description of Documents</u>	<u>Page</u>
1-	Check List	
2-	Order Sheet	A A1
3-	Final Judgement (16-12-92)	A2 - A7
4-	Petition Copy	A9 - A29
5-	Annexure	A40 A64
6-	Power	
7-	Counter Affidavit	A30 A39
8-	Rejoinder Affidavit	A65 - A77

PART -B

~~ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE~~
~~DATE 08/11/2001 BY 60322 UCBAW/SP/STP~~

Part -C

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

Section Officer

Court Officer

Incharge

M. Singh
11.1.94

Signature of Dea
Assistant.

B. Singh
11.1.94

1728/07/1

:: 2 ::

A

Serial
number
of
order
and dateBrief Order, Mentioning Reference
if necessaryHow complied
with and
date of
compliance

14.12.04

No Sitting Adj to 21.2.90

This Case has been received on transfer.

Notices were issued to the Counsels by the

Office at Allahabad. Applicant is present.

None is present for the reports.

Let notice be issued again to the parties as
directed by Hon'ble Mr. D.K. Agarwal, J.M.noted for
21/2/90
Jagat Singh
C-8 P.M.
for appealat
received
8
17/11/90

14/12

OR

Case has been
recd on 20.9.04Case is not
admitted.Stay is granted
on filed on
behalf of 1 & 2.Notices were
issued on 17/11/04.No unremed
rept. Case has
been return
back.Submitted
for admission14
20/12

21.2.90

Hon. Justice K. Malik. Vc
Hon. Mr. K. Obayya AMSr. V.K. Choudhary appearing on behalf
of the opposite parties requests for some
time. L.O. for final hearing on
11.4.90

AM

Vc

11-4-90

Hon. P.S. Habib Mohammad AM
Hon. J.P. Sharma. J.M.

Rejoinder has been filed
by the brief holder of the
learned counsel for the Applicant
Shri P.L. Sharma, since the
counsel is busy. The learned
counsel for the respondents,
Shri ~~FF~~ V.K. Choudhary
has no objection. Put up
on 10-9-90 for hearing

Dinesh
J.M.

AM

Dinesh

OR

S.P. 11

2

(4)

10.9.90

Hon'ble Justice K. Nath V.C

Hon'ble M.V. M.M. Singh A.M.

On the request of
both the Parties, case is adjourned

~~On~~ to 11.12.90

M. M. L.

Sh

A.M.

V.C

11.12.90

case not reached Adjourn to
11.2.91

(6)

11.2.91

No sitting Adj. to 22.4.91.

R
B.C.

22.4.91

Hon. Mr. D. K. Agrawal J.M.
Hon. Mr. K. Chagga J.M.

C/A & RA have been
recharged
S.P.H.

1915

On the request of counsel for
respondents case is adjourned to
22.7.91 for hearing.

Am.

Dec
J.M.

22.7.91

No sitting Adj. to 1.10.91.

AB

18.11.91.

No setting adj to 20.1.92.

20.1.92

No Setting of D.B. adj to

18.3.92

α

18.3.92

Honbl. Mr. Justice L. C. Mervin

Let this case for final
hearing. Issue an 4.4.92 issue

order to both parties

ve

OR

Notices Issued

23/3/92

4.4.92

No Setting of D.B. adj to

29.4.92

α

29.4.92

No Setting of D.B. adj to

20.5.92

α

20.5.92

Case adj to 1.7.92

adj to 1.7.92

α
Proc

1.7.92

No Setting adj to 4.9.92

α

Notice issued on 23.3.92
in the compliance of HCR
cont dt 18.3.92 CA RA have
been exchanged
Case is ready for hearing
S.P.H.
26.3

or
5/4/92
2/5/92
19-5

JM

4.9.92
O.R.

No. Siding of D. B. off to 21.10.92

Case is
S.F.H.

21.10.92

20/10/92

Atkhl. Mr. K. Chayya AM
Atkhl. Mr. S. N. Prasad JM

Judgment reserved

JM

AM

16.12.92

Atkhl. Mr. K. Chayya AM
Atkhl. Mr. S. N. Prasad JM

Judgment pronounced today
with oral order

JM

AM

AS

CENTRAL ADMINISTRATIVE TRIBUNAL, LUCKNOW BENCH, LUCKNOW

Transferred Application No. 1729 of 1987 (T)
(Writ Petition No. 1367 of 85)

Indra Mohan Singh Petitioner

Versus

Union of India through its Secretary, Ministry
of Telecommunication, New Delhi and another . Respondents

Hon'ble Mr. K. Obayya, Member(A)

Hon'ble Mr. S.N. Prasad, Member(J)

(By Hon'ble Mr. S.N. Prasad, J.M.)

The above writ petition which was filed before
the High Court of Judicature at Allahabad and the same
has been received here by way of transfer under section
29 of the Administrative Tribunals Act, 1985.

2. The petitioner has Prayed in this writ petition
for quashing the termination order dated 20.3.1985 passed
by Post Master Sitapur, contained in Annexure-4.

3. Briefly, stated the facts of this petition are
interalia, that the petitioner appeared in the examination
held at Sitapur on 26.4.1981 amongst E.D. Staff for
promotion to the Class IV cadre and the petitioner along-
with other candidates was declared successful in the
aforesaid examination (Annexure-1); and on the basis of the
above result the petitioner was duly appointed on the
post of Group D (Class IV) by the Superintendent of Post
Offices, Sitapur vide Memo No. B/Exam/Cor/R/80 Sitapur
dated 18.6.1982 (Annexure-2) and as such the appointing
authority of the petitioner is Superintendent of Post
Offices, Sitapur. The petitioner assumed the charge of
the Post at Biswan Post Office, district Sitapur on
24.6.82 and the petitioner has been working on the
aforesaid post satisfactorily and was not communicated any

Contd..2/-

adverse remarks; and from Biswan Post Office, the petitioner was transferred to Sitapur Post Office. The Post Master Sitapur passed the impugned order dated 20.3.1985 illegally and arbitrarily purporting to be under Sub Rule(1) of Rule 5 of the Central Civil Services Temporary Service Rules 1965 which is not applicable in the case of the petitioner. Before passing the impugned order neither any enquirey has been held nor any opportunity was given to the petitioner to defend himself nor he was heard in person and as such there has been violation of the provisions contained under Article 14 and 16 of the constitution of India in as much as that the impugned termination order appears to be malafide and punitive as it affects the rights of the petitioner adversely, because of the fact that the persons junior to the petitioner namely Sri Prem Behari Lal, Baboo Lal and Sri Baboo Ram Asthana are still working and their services have not been terminated.

4. The respondents^{have} resisted the claim of the petitioner with the contentions inter alia, as set out in the counter-affidavit that the impugned order was passed by the competent authority legally and validly and there has been no violation of any statutory provisions and as well as there is no violation of the provisions contained under Article 14 and 16 of the constitution of India. It has further been contended that the post Master Sitapur under whose administrative control, the petitioner was working was the

AT

:: 3 ::

appointing authority of the petitioner and as such he was competent to pass the impugned order. It has further been contended that the petitioner was a person of doubtful integrity and he was unfit for further retention in the service of the respondents as the charge of misappropriation of Government money was proved against him. It has further been contended that the petitioner's promotion in Group-D(Class-IV) post was irregular and improper. The petitioner while working as Extra Departmental Branch Post Master at Bijwar in district Sitapur had misappropriated a sum of Rs. 2,100/- from Bijwar Savings Bank Account No. 906693(Annexure-7A and 7-B). It has further been contended that the petitioner has not exhausted the alternative departmental remedies by filing any representation/appeal to the higher authorities. In view of the above circumstances, the petition is liable to be dismissed.

5. The applicant has filed his ~~xxxxxxxx~~ rejoinder affidavit wherein he has reiterated almost these very points and grounds as set out in his main application.

6. We have carefully considered the rival contentions of the parties and have thoroughly gone through the records of the case.

7. The impugned order dated 20.3.85 reads as follows :-

✓

Contd.....4/-

8/15

"In pursuance of the provision to sub rule(1) of rule 5 of the CCS(TS) Rules, 1965, I hereby terminate forthwith the services of Sri Indra Mohan Singh Group - 'D' sitapur HO and direct that he shall be paid a sum equivalent to the amount of pay and allowances for a period of one month (in lieu of the period of notice) calculated at the same rate, at which he was drawing them immediately before the date on which this order is served on or, as the case may be, tendered to him

(Sd)

POSTMASTER
SITAPUR 261001

8. This is important to point out that a perusal ^{to the counter reply} of Annexure 8 shows that the applicant while working as E.D.B.P.M. Bijwar, in the year 1980 was proceed with under/rules of E.D.Af. conduct and service rules and by that order of Supdt. of Post Offices, Sitapur Division his services as E.D.B.P.M., Bijwar, Sitapur were terminated w.e.f. 23.5.81 and simultaneously it was specified that this will not constitute him to debar his employment on group 'D' official in the Department for which he already stands qualified.

9. This is also important to point out that a perusal of Annexure 2 to the application transpires that by the Supdt. of Post Office, Sitapur as per memo dated 18.6.92, the applicant was allotted to Biswan LSG UNIT against the vacancy caused due to retirement of Sri Ghunoo Ram, and as such this does not appear to the appointment order as contended by the applicant.


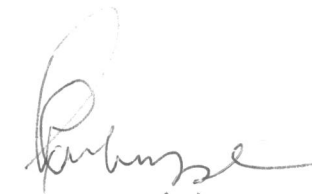
Contd.....5/-

10. This is also note worthy that a perusal of Annexure 4 and 5 to the C.A. reveals that the Post Master is the Appointing Authority of the applicant. In this connection it is also important to point out that from the perusal of the impugned order as reproduced above, it is apparent that the impugned order was passed in pursuance of the provisions contained under sub rule (1) of rule 5 of the C.C.S.(T.S) Rules, 1965 and it was clearly specified therein that the applicant shall be paid a sum equivalent to the amount of pay and allowances for a period of one month (in lieu of the period of notice) calculated at the same rate, at which he was drawing them immediately before the date on which that order was served on or as the case may be, tendered to him.

11. This fact should not be lost sight of that scrutiny of the entire material on record reveals that the persons junior to applicant namely ^{Sarva} Shri Prem Bihari Lal, Baboo Lal and Baboo Ram Asthana were not involved in any mis-appropriation case; but the applicant was involved in misappropriation case as specified in Annexure 8 to the Counter-Affidavit, and as mentioned above.

12. From the foregoing discussions and after considering all the material on record and all the documents filed by the parties, we have come to the conclusion and held that there is no illegality and impropriety in the impugned order dated 20.3.85.

13. Consequently we find that the above
~~Petition No.~~ T.A. No. 1729 of 1987(T) (Writ -
Petition No. 1367 of 1985) is devoid of merit
and the same is dismissed accordingly. No
Order as to costs.

 
Member (J) 16/12/92 Member (A)

Lucknow, Dated 16th December, 1992

2
Camp H. 15 (2231)

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IN THE HON'BLE HIGH COURT OF JUDICATURE AT ALLAHABAD

BENCH LUCKNOW.

WRIT PETITION NO. 1367 OF 1985

3991
Indra Mohan Singh

....Petitioner.

Versus

Union of India & Others

....Opp. Parties.

I N D E X

S.No.	Particulars	Page No.
1.	Writ Petition	1 to 5
2.	Annexure NO.1 (Copy of Memo)	6 - 7
3.	Annexure No.2 Copy of Memo dated 18.6.82	8
4.	Annexure No.3 Copy of rules	9 - 10
5.	Annexure No.4 Copy of termination	11 - 12
6.	Affidavit	13 - 14
7.	Power.	15
8.	Stay Application	16 separately

Writ Petition
March 21, 1985

(P.L. Misra)
Advocate

Counsel for Petitioner.

In the North Western District of Madras and
Belachan in the
108 No

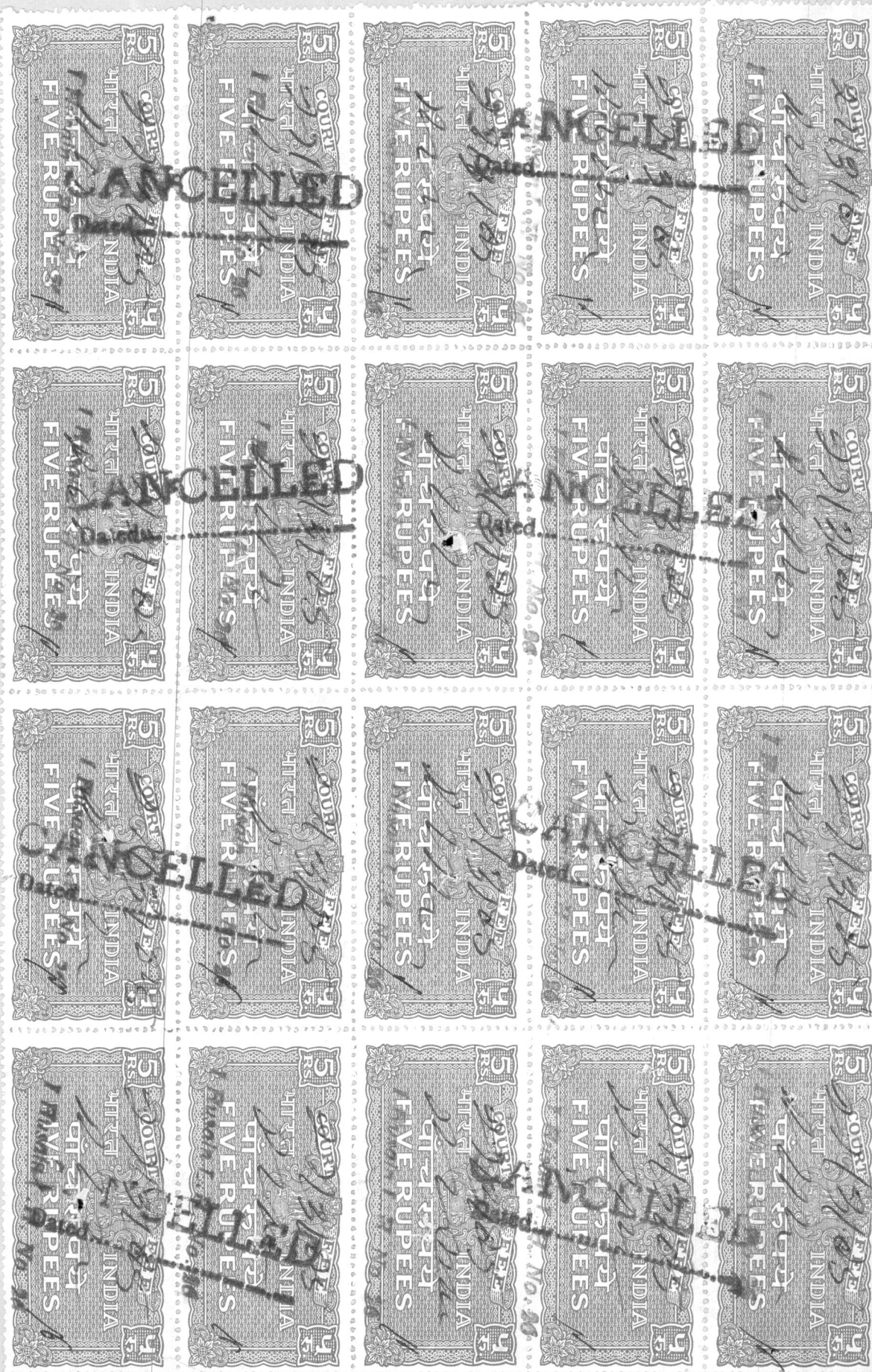
29/9/85
✓
A 13

G. M. Singh

delivered

owner of Indore

app. 100



200/- 100/-
2-3-85

24/12/85

14
A 12
IN THE HON'BLE HIGH COURT OF JUDICATURE AT ALLAHABAD

SITTING AT LUCKNOW

WRIT PETITION NO. 136 OF 1985

Mohan

Indra ~~Pr~~/Singh, aged about 45 years,
son of Sri Chhatrapal Singh, resident
of village and Post Office Bijwar,
district Sitapur.

... Petitioner

Versus

1. Union of India through its Secretary,
Ministry of Telecommunication, New Delhi
2. Post Master, Sitapur.

... Opposite Parties.

WRIT PETITION UNDER ARTICLE 226

OF CONSTITUTION OF INDIA

The Petitioner, above named, most respectfully,
begs to submit asunder:-

1. That the Present writ Petition is directed
against termination of service order dated 20.3.1985
passed by Post Master, Sitapur, terminating the
services of the Petitioner as an employee of Group D.

2. That the Petitioner appeared in the
examination held at Sitapur on 26.4.1981 from amongst



24/3/85

13

Received Duple as Ambassador
 n. 10/11/22 Today
 Hari Kishan Dhillon
 Sr. Central Govt. Standing
 Counsel

27/3/85

MEMO

Impressed
 Five Adhesive Rs 100/-

Correct but filed Court fee report
 of lower

Examine copy

Page filed. Copy of F.O.

Should also be filed.

Single-Bench

Last impugned Annexure 4
 = 20.3.85.

Dut: Sitapur

... 27.3.85

Hon. S. S. Ahmad, J

Hon. B. K. Kumar, J

Notice of this
 petition has been
 accepted on behalf
 of opposite parties
 by the Standing
 Counsel for the
 Union of India. He
 prays for and is
 allowed two weeks'

2

2.
 time to seek instructions.
 The Counsel for the
 petitioner urged
 that the appointing
 authority of the
 petitioner is Superintendent
 of Post Offices, Sitapur
 but his services have
 been terminated by
 the Post Master Sitapur.
 Prima facie this ground
 is borne out from
 the averments made
 in the writ petition and
 annexures filed with
 the petition. We, therefore,
 direct that the operation
 of impugned order dated
 20.3.85 contained in
 Annexure-4 to the writ
 petition shall remain
 stayed till the next listing
 of the case. The case may be
 listed for admission in the
 week commencing on 15th April, 1985

M. K. ...
 28.3.85

15
H/3

E. D. Staff for promotion to the Class IV cadre.

3. That the Petitioner along with other candidates was declared successful in the said examination ~~wit~~ vide Memo dated 27.4.1981 issued by the Superintendent of Post offices, Sitapur. A true copy of this memo is annexed herewith as ANNEXURE No.1

4. That on the basis of the result declared the Petitioner was duly appointed on the post of Group D (Class IV post) by the Superintendent of Post offices, Sitapur vide Memo No. B/ Exam/Cor/ P/80 Sitapur dated 18.6.1982. A true copy of which is annexed herewith as ANNEXURE No.2 to this Writ Petition. The appointing authority of the Petitioner is Superintendent of Post offices, Sitapur.

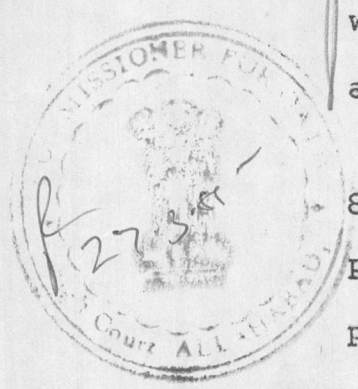
5. That the Petitioner assumed the charge of the post at Biswan Post office, district Sitapur on 24. 6. 1982.

6. That the Petitioner has been working on the said post with due diligence and to the entire satisfaction of his superiors.

7. That the Petitioner has not been communicated with any adverse remarks to indicate any short coming and fault in his working.

8. That after working for some time at Biswan Post office the Petitioner was transferred to Sitapur Post office where he has been working to the entire satisfaction of his superiors.

9. That Central Civil Services Temporary Service



203 H/3

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Rules 1965 were issued by the Central Government and an extract of ~~the said~~ Rules 5 of the said Rules which shall hereinafter be referred to as " Rules" is annexed as ANNEXURE No.3 to this Writ Petition.

10. That the Post Master, Sitapur in purported exercise of powers under sub rule (1) of Rule 5 has passed an order on 20. 3. 1985 terminating the Petitioner's services on payment of one month's pay.

11. That the Petitioner has not been served with the order of termination so far and he has also not handed over the charge of the post held by him. A true copy of this order, as could be made available , is being annexed herewith as ANNEXURE No.4 to this Writ Petition.

12. That the provisions of Sub Rule (1) of Rule 5 do not authorise the issuance of termination order where the work of the incumbent has been satisfactory and post also exists.

13. That the reliance of Rule 5 can only be taken where there has been any reduction in sanctioned post and where work is unsatisfactory.

14. That niether there has been any reduction in the sanctioned post nor the work of the Petitioner has been unsatisfactory, the order of termination is illegal and against the provisions of law.

15. That the order of termination appears to be malafide is punitive as it effects the rights of the Petitioner adversely. The persons junior to the Petitioner namely Sri Prem Behari Lal, Baboo Lal and Sri Baboo Ram Asthana are still working and their services have not been terminated.



Sd/- [Signature]

17/11/56

16. That the services of the Petitioner can not be terminated by invoking the provisions of sub-rule(1) of Rule 5 of the Rules by the Post Master, Sitapur, who is not the appointing authority of the Petitioner.

17. That before passing the order of termination niether any enquiry has been held nor any opportunity to be heard in person has been granted to the Petitioner.

18. That the Petitioner who has attained the age of 45 years can not take assignment else where having become overage. The order of termination has been passed without any authority of law.

19. That there has been violation of provisions contained in Article 14 and 16 of the Constitution of India.

20. That having no alternative efficacious remedy available the petitioner prefers this Writ Petition amongst others on the following grounds:-

G R O U N D S

A. Because the order of termination is malafide, illegal and has been passed without any authority of law.

B. Because the provisions of sub rule (1) of Rule 5 do not authorise the issueance of termination order where the work of the incumbent has been satisfactory and the post exists.

C. Because recourse to Rule 5 can only be taken where there has been any reduction in sanctioned post and where the work of the incumbent is unsatisfactory.

D. Because niether there has been any reduction in the sanctioned post nor the work of the Petitioner has been unsatisfactory. The order of termination is illegal and against the provisions of law.

E. Because the persons junior to Petitioner have been retained in service.



503 21/11/56

118
A 16

F. Because there has been violation of provisions contained in Article 14 and 16 of the Constitution of India.

G. Because the order of termination appears to be malafide and punitive as it effects the rights of the Petitioner adversely.

H. Because the services of the Petitioner can not be terminated by invoking the provisions of sub-rule (1) of Rule 5 of the Rules by an authority ~~of lower rank~~ Lower in rank than the appointing authority.

I. Because the petitioner has attained the age of 45 years and can not take assignment elsewhere having become overage. The order of termination has been passed without any authority of law.

J. Because before passing the order of termination neither any enquiry has been held nor any opportunity to be heard in person has been granted to the Petitioner.

P R A Y E R

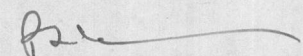
The Petitioner, above named, most respectfully prays that by means of a writ, direction or order in the nature of certiorari, order of termination dated 20.3.1985 passed by Post Master Sitapur, contained in ANNEXURE No.4 may very kindly be quashed.

Cost of the writ Petition be allowed to the Petitioner against the opposite parties.

It is, further, prayed that by means of an appropriate writ, direction or order such further relief as may be deemed just and proper in the circumstances of the case be granted to the Petitioner.

Lucknow: Dated

March 2), 1985


(P.L. Misra)
Advocate,

Counsel for the Petitioner.

503 2/10/85

In the Honble 1082 Court of appeal entered at Allahabad
Bench with names

A 19

1/8

W.P. No — of 1985

Indra Mohan Singh — Petitioner

vs

Union of Indira
Class — Opp. Parties

M. No. 1/



24/3/85

7

20A16
19

INDIAN POSTS AND TELEGRAPHS DEPARTMENT
OFFICE OF THE SUPERINTENDENT OF POST OFFICES SITAPUR DIVISION

MEMO No.B/Exam/Cl.IV/81
Dated at Sitapur the, 27.4.81

The result of examination held at Sitapur on 26.4.81 from among the staff for promotion to Class IV cadre (Test category) the following candidates have been declared successful, and are hereby promoted in order of their length of service. The service book of each official will be prepared in accordance with the date of birth noted against each. The memo of allotment will be issued separately.

'A'
List of OC candidates securing 50% marks in each subject arranged according to length of service.

S.No.	Roll No.	Name and designation of the official.
1.	STP-1	Sri Yash Ali EDDA Sitapur HD
2.	STP-5	" Kanhaya Lal EDMT Terwa
3.	STP-6	" Indra Mohan BPM Bijwar
4.	STP-7	" Pramod Behari EDM Hargaoon SM
5.	STP-14	" Lal Behari EDBPM Parsehra
6.	STP-15	" Baboo Ram Asthana EDMT Pichaura

'BI'
List of SC candidates securing 33% of marks in each subject.

S.No.	Roll No.	Name and designation of the official
1.	STP-13	Sri Prabhoo Dayal EDR Behat gaur.

Minar
(Tasfi Ahmad)
Supdt. of Post Offices
Sitapur Dn.261001.

- Copy to:-
1-7. Officials concerned
8-14. P/F of the officials
15-19. The IFOs concerned.
19. P.O. Sitapur.
20. Notice Board.
21-25. O/O and S. are.



S. S. 26/4/81

In the Hon'ble High Court of Sadr-e-Azam at

Allahabad Bench

Weekend

W.P.No. —

of 1985

219

10

Indra Mohan Singh — Relit

vs

Commission of India

appeals

Car —

Mr. Singh

INDIAN POSTS AND TELEGRAPHS DEPARTMENT.
Office of the Supdt. of Post Offices, Sitapur Division, STP.

MEMO No. /B-Exem/Corr D/80,
Dated at Sitapur the 18.6.1982

Shri Indra Mohan Singh Ex. EDBPM Bijwar (Sitapur)
and approved candidate for Group 'D' cadre is hereby
allotted to Bawan LSG UNIT against the vacancy caused
by to retirement of Shri Ghunnoo Ram.

This is in partial modification of this office
memo no. even dated 23.5.81.

Supdt. of Post Offices,
Sitapur Dn.
Pin-261001



Copy to:

1. Shri Indra Mohan Singh, Ex EDBPM, Bijwar, Sitapur, village and post Bijwar, Sitapur.
2. The SPM, Bawan LSG, Sitapur.
3. The IPGs, Bawan (Sitapur)
4. The P.M. Sitapur.
5. O/C.
6. Space.

For Mr. Singh

9

220

IN THE HON'BLE HIGH COURT OF JUDICATURE AT ALLAHABAD

SITTING AT LUCKNOW

WRIT PETITION NO. OF 1985

Annexure No. 3

Indra Mohan Singh

....Petitioner.

Versus

Union of India & others

....Opp. Parties.

Abstract copy of Rule 5(1)(a) Termination of Temporary Services
of Central Civil Services Temporary Service Rules
Annexure No. 3

5.(1)(a) The services of a temporary Government servant who is not in quasi-permanent service shall be liable to termination at any time by a notice in writing giving either by the Government servant to the appointing authority or by the appointing authority to the Government servant.

(b) The period of such notice shall be one

month;

Provided that the service of any such Government

servant may be terminated forthwith and on such termination of the Government servant shall be entitled to claim a

10

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1/12

a sum equivalent to the amount of his pay plus allowances for the period of the notice at the same rates at which he was drawing them immediately before the termination of his services or, as the case may be, for the period by which such notice falls short of one month.

True Copy

S. S. M. A. N. K.



11

24
A20

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

W.P.No.

of 1985.

13

Indra Mohan Singh - - - - - Petitioner

V/s.

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

Annexure No. 4✓

.....

INDIAN POSTS AND TELEGRAPH DEPARTMENT
OFFICE OF THE POSTMASTER SITAPUR-261001.

Memo No.B/I.M. Singh,

Dated at Sitapur the, 20.3.85.

O r d e r

.....

Order of termination of service issued under
the provision to sub-rule (1) of rule 5 of the
C.C.S.(T.S.) Rules, 1965.

.....

In pursuance of the provision to sub rule(1)
of rule 5 of the CCS(TS) Rules, 1965, I hereby
terminate forthwith the services of Sri Indra Mohan
Singh Group 'D' sitapur HO and direct that he
shall be paid a sum equivalent to the amount of
pay and allowances for a period of one month
(in lieu of the period of notice) calculated
at the same rate, at which he was drawing them
immediately before the date on which this order is

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served on or, as the case may be, tendered to him.

(Sd) x x x x x x x

(POSTMASTER

SITAPUR-x 261001.

Copy to :

1. The official.
2. The P/F.
3. The APM A/Cs. Sitapur HO.
4. The SPOs. Sitapur.
5. O/C.
- 6-7 . Spares.

True Copy
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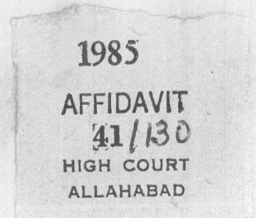
S/S M. K. K.



13 26/5
IN THE HON'BLE HIGH COURT OF JUDICATURE AT ALLAHABAD

SITTING AT LUCKNOW. AR24

WRIT PETITION NO. OF 1985



Mohan

Indra Pal Singh

1
...Pettitioner

Versus

Union of India and another

...Opposite parties.

AFFIDAVIT

Mohan

I, Indra Pal Singh, aged about 45 years son of Sri Chhatra Pal Singh, resident of village and post office Bijwar, district Sitapur, the deponent, do hereby state on oath as under:-

1. That the deponent is Petitioner in the above noted writ petition and as such is well conversant with the facts deposed to hereinafter.
2. That the contents of the accompanying writ petition have been read out and explained to the deponent and he has understood the same.
3. That the contents of paras 1 to 18 of the accompanying writ petition are true to knowledge of the deponent and those contained in paras 19-20 thereof are believed to be true by him on the basis of legal advice.
4. That the contents of ANNEXURES Nos. 1 to 4



27/3/85

of the writ Petition have been got compared with its originals and are true copies thereof.

Lucknow: Dated
March 27, 1985

S. J. Singh
Deponent.

Verification

I, the deponent named above, do hereby verify that the contents of paras 1 to 4 of this affidavit are true to my knowledge. No part of it is false and nothing material is concealed. so help me God.

Verified this 27th day of March 1985
at Lucknow.

S. J. Singh
Deponent.

I, *R. K. Srivastava*, clerk of Sri P.L. Misra, Advocate, High Court, Lucknow, do hereby declare that from perusal of papers placed before me I am satisfied that the person making this affidavit and alleging himself to be the deponent is that person.

[Signature]
Clerk

Solemnly affirmed before me on 27.3.85
March 27, 1985 at 9.20 A.M./P.M.

by Sri Indra Mohan Singh, the deponent, who has been identified by Sri *R. K. Srivastava* clerk of Sri P.L. Misra, Advocate High Court, Lucknow.

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



[Signature]
JUDGE COMMISSIONER
Court, Lucknow Bench
LUCKNOW

27.3.85

ब अदालत श्रीमान्

[वादी] अपीलान्ट

प्रतिवादी [रिस्पॉन्डेंट]

28/11/18

महोदय

वकालतनामा



28/11/18
युनिवर्सल इन्सुरेंस कंपनी लिमिटेड

15/11/18
27/3/18

बनाम

प्रतिवादी (रिस्पॉन्डेंट)

नं० मुकद्दमा

सन्

पेशी की ता०

१६ ई०

ऊपर लिखे मुकद्दमा में अपनी ओर से श्री

युनिवर्सल इन्सुरेंस कंपनी लिमिटेड

वकील

महोदय

एडवोकेट

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

हस्ताक्षर

इन्ड इन्सुरेंस

साक्षी (गवाह)

साक्षी (गवाह)

दिनांक

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महीना

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स्वीकृत

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C. MISC. Appn No 3809(a)-8

IN THE HON'BLE HIGH COURT OF JUDICATURE AT ALLAHABAD

SITTING AT LUCKNOW.

WRIT PETITION NO. 136 OF 1985

A27



Indra Mohan Singh

...Petitioner

Versus

Union of India and another

...Opposite parties

APPLICATION FOR INTERIM RELIEF

For the facts and circumstances stated in the accompanying writ petition and affidavit filed in support thereof it is most respectfully prayed that this Hon'ble Court may very kindly be pleased to stay implementation and operation of order of termination dated 20. 3. 1985 passed by the Post Master, Sitapur, contained in ANNEXURE No.4 during pendency of this writ Petition.

It is further prayed that opposite parties be directed not to interfere with the rights of the Petitioner in any manner what so ever during pendency of this Writ Petition.

Lucknow: Dated

March 27, 1985

(P.L. Misra)

Advocate

Counsel for the Petitioner.

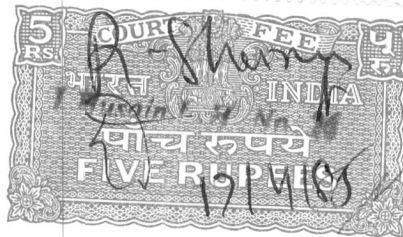
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C. Misc. Appln No 4768 (w) 87

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

Lucknow Bench, Lucknow.



Union of India

....Applicant

Inre :-

Writ Petition No.1367 of 1985

Indra Mohan Singh

...Petitioner

Versus

Union of India

...Opp.party.

4977

Application for vacation of stay order.


The applicant above named respectfully submits as under :-

That for the facts and reasons mentioned in the accompanying counter affidavit, it is most respectfully prayed that the stay order dated 28.3.85, granted by this Hon'ble Court may kindly be vacated.

Lucknow dated

April 17, 1985

18


(RAKESH SHARMA)
Counsel for the applicant Adv

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



Civil Misc. Appln. No. of 1985

Union of India

.....Applicant

Inre :-

Writ Petition No. 1367 of 1985

Indra Mohan Singh

...Petitioner

Versus

Union of India

...Opp.party

Application for condonation of delay. in filing
(Counter Affidavit)

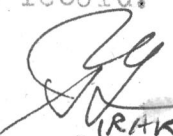
The applicant above named beg to state as under :-

1. That the counter affidavit to the writ petition could not filed within time as relevant information was not available. In the cases relating to Union of India instructions are sought from Law Ministry, Govt. of India New Delhi. It has taken some time.
2. That filing of the counter affidavit is necessary in the interest of justice.
3. That the counter affidavit is now ready and is being filed herewith.

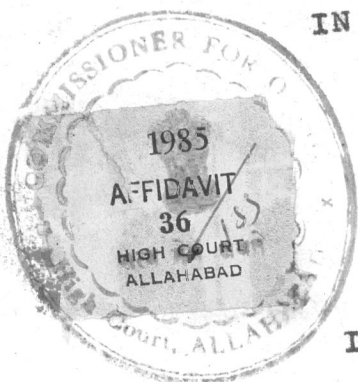
Wherefore, it is, most respectfully prayed that delay in filing of the counter affidavit be condoned and the same be accepted and brought on the record.

Lucknow dated

April 17, 1985


(RAKESH SHARMA)
Counsel for the applicant
(Union of India).

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



WRIT PETITION NO.1367 of 1985

Indra Mohan Singh

..... Petitioner

Versus

Union of India & another

..... Opp. Parties

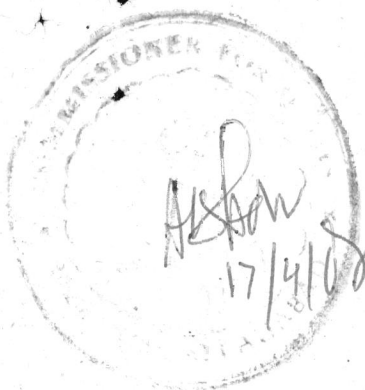
COUNTER AFFIDAVIT

ON BEHALF OF O.Ps No.1 & 2

I, Ishwari Prasad Sagar, S/O Late Sri Net Ram Sagar, aged about 57 years, R/O Office of the Superintendent of Post Offices, Sitapur do hereby solemnly affirm and state on oath as following :-

1. That I have gone through the writ petition filed in the aforesaid case and have understood the same. I am fully acquainted with the facts of the case. I am competent to swear to this affidavit and further state that all the allegations in the writ petition are denied except those which are specifically admitted.
2. That the contents of para 1 of the writ petition are not disputed.
3. That the contents of paras 2 and 3 of the writ petition are admitted. Further it is relevant to mention that the memo. dated 27.4.81 was the appointment order issued to the petitioner. It is only an intimation regarding the result of the said examination held at Sitapur on 2

contd.



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4. That the contents of para 4 are wholly misconceived and the same are denied. The petitioner was not appointed by the Superintendent of Post Offices, Sitapur. Under the relevant service rules the Post Master is the appointing authority of the post held by the petitioner.

The Superintendent of Post Offices being a principal and supervisory officer of Sitapur Division was the recruiting authority for class-IV ^{An Examination for Recruitment to Class IV (Gral Post)} (Group-D posts), (Test Category) from amongst the persons working in the E.D. staff was held on 26.4.81. This examination was conducted at the level of the Superintendent of Post Offices, Sitapur according to provisions contained in part-II of Annexure-12 of P&T Manual Vol.IV.

ANNEXURE-1

(Kindly peruse Annexure-1 of this counter affidavit.) Under the said rules the Superintendent of Post Offices, the Divisional Officer is empowered to hold examination etc. for making appointments to Class-IV posts. As a result of the said examination held by the Superintendent on 26.4.81 the petitioner was declared successful for Class-IV post as contained in Annexure-1 of the writ petition. The petitioner was allotted to the unit of Inspector of Post Offices, Biswan vide Superintendent, Post Offices Memo.No.B/Exam.Group'D'/80 contained in Annexure-2 to this counter affidavit. The petitioner was reallocated to Biswan Unit vide Superintendent Post Offices Memo.No.B-Exam/Corr B/80 dated 18.6.1982. Kindly peruse Annexure-3 to the counter affidavit. The Superintendent, Post Offices, Sitapur is the authority competent to



ANNEXURE-2

ANNEXURE-3

8/24/82 [Signature]

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ANNEXURE-4

order such allotment of candidates in Class-IV (Group D category personnel). Under the scheme contained in schedule-3 of the relevant service rules the Superintendent of Post Offices, Sitapur is empowered to make such allotment. The appointing authority of the petitioner was the Post Master concerned under whose administrative control the petitioner was allotted or posted. All these documents including enclosure-1 of the writ petition would ~~exhibit~~ make it amply clear that the petitioner's appointing authority was the Post Master and not the Superintendent of Post Offices as alleged by him.

The annexure no.2 to the writ petition is an allotment order and not the appointment order issued by the Superintendent of Post Offices, Sitapur to allot the petitioner to Biswan L.S.G. Unit under the charge of the Sub Post Master, Biswan (Appointing Authority) as specified in schedule I A to P&T Manual, Vol.III(Annexure-5). The Superintendent of Post Offices have full powers to transfer any official below the lower selection grade from one office to another in the division and also has power to transfer the officials by mutual exchange. Accordingly, the petitioner was transferred to Sitapur Head Post Office (New Unit) under the charge of Post Master, Sitapur. The petitioner has himself sought his transfer to new unit i.e. Sitapur Head Post Office under rule 38 of P&T Manual, Vol.IV by way of mutual exchange and it was approved by the Superintendent, Post Offices vide Memo.No.B-8 Gen. dated 26.9.83(Kindly peruse Annexure No.6) The petitioner assumed charge in Group-D post on 1.10.83 in his new unit, Sitapur Head Office where the Post Master, Sitapur was his

ANNEXURE-5

ANNEXURE-6



Handwritten signature

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- 4 -

Appointing Authority w.e.f. 1.10.83 as specified in Schedule-I-A of P&T Manual, Vol.III. The petitioner was transferred to Sitapur Head Post Office (New Unit) under rule 38 of P&T Manual, Vol.IV by way of mutual exchange with Sri Mullu Ram with the clear conditions that he will not be permitted for repatriation. In view of these facts the Post Master, Sitapur Head Post Office was appointing authority of the petitioner in the New Unit, who has issued the orders for termination of services of the petitioner.

5. That the contents of para-5 are admitted.
6. That the contents of para-6 as stated are not admitted. The work, conduct and performance of the petitioner was not satisfactory.
7. That the contents of para-7 as stated are not admitted.
8. That the contents of para-8 as stated are not admitted.
9. That the contents of para-9 need no comments.
10. That the contents of para-10 are admitted.
11. That the contents of para-11 are not admitted. The order of termination became effective when it was issued and went out of the control of the signing authority when the same was put in communication to the petitioner. However, in compliance of the order of the Hon'ble Court the petitioner has been



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reinstated in the service.

12. That the contents of para 12 are wholly misconceived and the same are not admitted. The petitioner was a temporary employee only and his services could be terminated at any time without notice by the appointing authority.
13. That the contents of para 13 are misconceived and the same are not admitted. The petitioner's temporary services were terminated under terms and conditions of service and in accordance with the relevant service rules.
14. That the contents of para 14 as state are not admitted. The petitioner has accepted that he misappropriated the money received by the Government.
15. That the contents of para 15 are wholly misconceived and the same are denied. It is submitted that persons junior to the petitioner were not involved in any misappropriation case.
16. That the contents of para 16 are misconceived and the same are denied. The Post Master, Sitapur, under whose administrative control, the petitioner was working was the appointing authority of the petitioner and as such was the competent authority to pass the termination order.
17. That the contents of para 17 are misconceived and the same are not admitted. No such procedure is required to be followed under the relevant service rules applicable to the case of the petitioner.



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18. That the contents of para 18 are not admitted. These facts are irrelevant to the subject matter under issue. The order of termination has been passed by the appointing authority, competent to pass the order of termination.
19. That the contents of para 19 are misconceived and the same are denied. There is no violation of Articles 14 & 16 of the Constitution of India.
20. That the contents of para 20 including grounds A to J are denied. None of the grounds mentioned in this para is tenable in the eye of law. The prayer clause is denied. The petitioner is not entitled to any of the reliefs claimed in this writ petition.
21. That the writ petition is based on wholly misconceived grounds. As mentioned in the foregoing paras, the Post Master, Sitapur was the appointing authority of the petitioner. The petitioner has, in fact, tried to confuse the issue. The Superintendent, Post Offices was not appointing authority of the petitioner. He was supervisory administrative officer of Sitapur Division, since the recruitment was already on divisional level. Therefore the order contained in Annexure-1 of the writ petition was issued under the signature of the Superintendent. Under the relevant service rules, the powers of appointment/termination have been conferred on the Post Master in Selection Grade only for their respective offices.



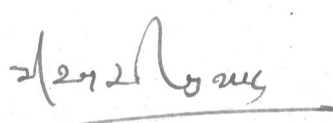
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22. That the work, conduct and performance of the

That in fact the petitioner's promotion in Group-D (Class-IV) post was irregular and improper. The petitioner while working as extra departmental branch Post Master at Bijwar in district Sitapur had misappropriated a sum of Rs.2,100/- from Bijwar Savings Bank Account No.906693. Kindly peruse Annexure No.7(A) & 7(B).

23.

That in view of the above facts, the petitioner had therefore lost the ground for employment in the promoted post that is group 'D' as soon as he was ceased to be in service w.e.f. 23.5.81 on the post of E.D., B.P.M. Bijwar by punishment order dated 27.5.82. However, the petitioner was reallocated to Biswan L.S.G. unit by the recruiting authority i.e. Superintendent, Post Offices, Sitapur vide Memo.No.B-Exam/Corr.D/80 dated 18.6.82. ~~Further~~ (Kindly peruse Annexure No.3) where the petitioner assumed charge of Group 'D' post on 24.6.82. Further the petitioner sought his transfer to new unit, Sitapur, H.P.O. under rule 38 of P&T Manual, Vol.IV by way of mutual exchange and it was approved by the Superintendent of Post Offices vide Memo. No.B-8/General dated 26.9.83 and the petitioner assumed charge in Group 'D' post on 1.10.83 in his new unit, Sitapur Head Post Office. The petitioner was initially unfit and unsuitable for being



promoted on the post in April, 1981.

24.

That later on it was brought to the knowledge of the Post Master General, U.P. Circle, Lucknow through a complaint that too much leniency and undue favour was shown to the petitioner by the disciplinary authority (Superintendent of Post Officer, Sitapur) in deciding the case vide Memo. No. F-1/81-82 dated 27.5.82 against the petitioner who while working as E.D.B.P. M. Bijwar had misappropriated a sum of Rs. 2,100/- from Bijwar S.B. Account No. 906693. The whole matter was carefully considered by the Post Master General and he had directed the Superintendent of Post Offices, Sitapur to take suitable action in the matter in accordance with law. However, it is relevant to mention that this enquiry was a fact finding informal confidential departmental enquiry. All the correspondence between the two officers had remained on the confidential official records. Since the petitioner's initial appointment was irregular and unjustified as also unwarranted, it ought not to have been done, in view of the doubtful integrity of the petitioner. The matter was considered by the appointing authority. Since the petitioner was a temporary employee only and was unfit and unsuitable for retention in the services, his services were terminated in accordance with the terms and conditions of service and relevant service rules.

25.

That it is pertinent to mention that the petitioner at the time of his appointment had submitted declaration form in which he had accepted the terms and conditions of employment. He knew it well that the petitioner's appointment was purely temporary and

contd. .9

ANNEXURE-8



29/2/82

VERIFICATION

I, the above named deponent do hereby verify that the contents of para 1 of this counter affidavit are true to my knowledge, those of paras 2, 3, 4, 5 to 19, 22, 23, 24, 25 are based on the information derived from the official records, which I believed to ~~have~~ be true and those of paras 20, 21, 26, 27, 28 are based on legal advice. No part of it is false and nothing material has been concealed. Annexures 1 to 11 are ~~the~~ true copies of the original documents.

So help me God.

LUCKNOW : DATED
April 17, 1985

24/2/85
Deponent

I identify the deponent who has signed before me.

gy
(Rakesh Sharma)
Advocate

Solemnly affirmed before me on 17.4.85
at 11.30 a.m./p.m. by Jshwari Basad Sagar
the deponent is identified by Rakesh Sharma
the clerk of Shri Rakesh Sharma, Advocate
I have satisfied myself by examining the deponent that he has understood the contents of this counter affidavit which have been read out and explained by me.

A. K. Verma
Advocate/Oath Commissioner
High Court (Judged 1st Bench)
Coupon No. 36/155 Date 17/4/85



412

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

CIVIL MISC WRIT PETITION NO. 1367 / OF / 1985

INDRA MOHAN SINGH PETITIONER.
VERSUS.

UNION OF INDIA & OTHERS OPP. PARTIES.

ANNEXURE.....1

253

APPENDIX NO. 12

Vol IV

PART II.

*Rules for the recruitment to posts of class IV servants in all Branches of the
Indian Posts and Telegraphs Department (excepting Munshies)*

1. Appointment to posts of class iv servants in all Branches of the Indian Posts and Telegraphs Department will be made preferentially from qualified boy peons whose age at the time of appointment is not less than 18 complete years. A qualified boy peon will be eligible for appointment to a class IV servant's post in any one recruiting unit of any Branch of the Department within the same divisional area, which he may elect. Qualified boy peons of the same unit shall have preference over those of the other units qualifying in the same year. As soon as a boy peon qualifies for such appointment, he will himself apply through the officer under whom he is serving to the appointing officer of the recruiting unit elected by him for a post of class IV servant. The officer under whom he is serving will note in the register of selected boy peon candidates, the number, date and address of the letter forwarding the application, the date of passing the test and the number of marks obtained. The appointing officers concerned will register the applications of the qualified boy peons and inform the latter through the officers under whom they are serving, that their applications have been registered. If a qualified boy peon subsequently changes his mind and applies for promotion in some other recruiting unit within the same divisional area, the request may be granted with the concurrence of the appointing officers concerned and approval of the Divisional officer or officers concerned. In that case his name will be removed from the waiting list of the recruiting unit previously elected by him, and he will be treated as if he had not previously applied for a class IV servant's post.

NOTE.—Candidates for appointment as task work messengers in offices referred to in Rule 511-A of this Manual are required to possess bicycles of their own and to maintain them in serviceable condition for the due performance of the duties required of task work messengers.

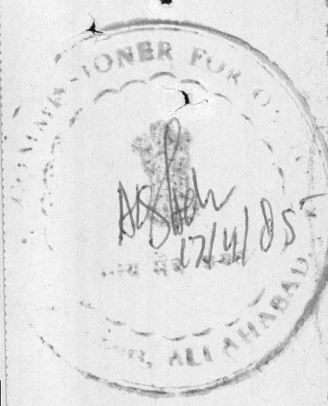
2. When the number of qualified boy peons on the waiting list of a recruiting unit is found by the appointing officer concerned to be not sufficient to fill all vacancies, permanent and temporary, expected to occur during the official year, he will recruit adult outside candidates whose age at the time of the recruitment is not less than 18 completed years and not more than 24 years, and who are able to pass the test laid down for qualified boy peonships. No such candidate will be selected unless he has actually passed this test. The selection will also be subject to the strict observance of the orders in force at the time regarding communal representation in the services.

"NOTE 1.—Candidate runners should possess the same qualifications (including the age limits of 18-24 years) and will be recruited under the same terms and conditions as are applicable to the recruitment of Class IV employees. Further all Class IV employees will be liable to be transferred to posts of runners as and when the exigencies of services require. Thus in effect, recruits to these two cadres will be interchangeable."

This amendment takes effect from the 10th January, 1957.

NOTE 2.—See Note below Rule 1.

3. The number of adult outside candidates to be selected is left to the discretion of the appointing officer subject to the restriction that the number selected in any one official year does not exceed the difference between the number of expected vacancies during the official year and the number of qualified boy peons on the waiting list.



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4. An unqualified candidate, whether boy peon or outsider, who has been allowed to work temporarily as a Class IV servant, will have no claim whatsoever to continue or work again in such a post without fulfilling all the conditions applicable to such appointments.

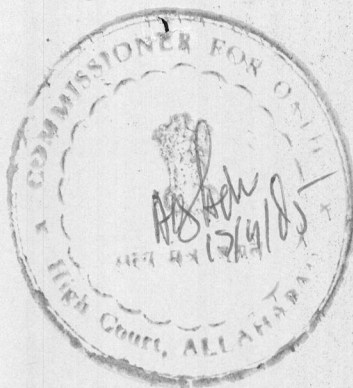
5. A register of qualified candidates for posts of Class IV servants (qualified boy peons and adult outside candidates) will be maintained by each appointing officer.

The register will contain the following particulars:—

- (i) The names with community of the qualified candidates (boy peons and outside candidates) awaiting appointment to the Class IV service in the recruiting unit to which the register relates. The names will be arranged in the order in which they should be offered appointments to the Class IV service. This order will be determined by the following principles:—
 - (a) Qualified boy peons and adult outside candidates registered in the recruiting unit concerned in a particular official year will rank senior to all qualified boy peons and adult outside candidates registered in that unit in a subsequent year;
 - (b) Qualified boy peons registered in the recruiting unit concerned in any one official year will rank senior to all qualified outside candidates registered in that unit in the same year;
 - (c) Qualified boy peons registered in the recruiting unit concerned in the same official year will have their names arranged in the order in which their applications for promotion in that unit were registered and
 - (d) Qualified outside candidates registered in the recruiting unit concerned in the same official year will have their names arranged according to the dates of receipt of their applications, subject to strict observance of the communal orders and to preference to sons of deceased, retired and serving officials of the Department.
- (ii) Whether the candidate is a qualified boy peon or outsider.
- (iii) Date of registration of application in the case of qualified boy or date of receipt of application in the case of outside candidates.
- (iv) Date of birth.
- (v) Educational and other qualifications.
- (vi) The initials of the appointing officer.
- (vii) Aggregate period of temporary employment as Class IV servant during each official year (to be noted at the beginning of April).
- (viii) Remarks on work, conduct, attendance, etc.
- (ix) Date of permanent appointment as Class IV servants and particulars of the office or section to which appointed.

NOTE.—Items (vii) and (viii) will be filled in from time to time by the appointing officer.

6. All appointments to the class IV service, of both qualified boy peons and outside candidates, in substantive vacancies, will be on probation for one year. Any candidate whether departmental or outside, who proves himself unsuitable during the period of probation will be reverted to his former post, or discharged from service, as the case may be.



24/2/85

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SECTION VI
PROMOTION PROSPECTS

(1) PROMOTION TO GROUP 'D' TEST CATEGORY :- Under the existing rules, recruitment to Group 'D' test category posts is made on the basis of literacy test from the following categories:-

- (i) Non-test category Group 'D' staff
- (ii) Casual Labourers
- (iii) ED Agents
- (iv) Nominees of employment Exchanges.

2. Recruitment from the next category is to be made only when there is no qualified person available in any of the higher category or categories. The qualifying marks in the literacy test are 50% in each paper. The reduced standard of 33% is applicable to SC/ST candidates. If the number of qualified candidates is more than the number of vacancies, the candidates are selected on the basis of marks obtained in literacy test up to the number of vacancies. No waiting list is maintained. The inter se seniority of the selected candidates is determined as per the length of service in that category. The inter se seniority of the outside candidates is determined as per the marks of the candidates in the literacy test.

3. The ED Agents who have put in three years of service as ED Agents and are below 42 years of age (47 years for SC/ST) are also allowed to appear in the literacy test. If the number of qualified candidates is more than the number of vacancies, the candidates are selected on the basis of merit in the literacy test up to the number of vacancies and no weightage is given in such cases to total length of service as ED Agents. The candidates who have put in lesser service as ED Agents but who have secured more marks in the literacy test than other ED Agents, with longer years of ED service, secure appointment to Group 'D' cadre in preference to the ED Agents with longer years of service. This resulted in discontentment amongst the ED Agents, with longer years of ED Service. It has, therefore, been decided that the literacy test for absorption of non-test category Group 'D' officials, ED Agents and casual labourers to test category Group 'D' posts, should continue to be a qualifying test as at present and the present orders about the priority to different categories should continue. But when the number of qualified candidates in any category exceeds the number of vacancies the candidates should be selected not on the basis of the number of marks secured in the literacy test, but on the basis of total length of service in each category namely, non-test category ED Agents and casual

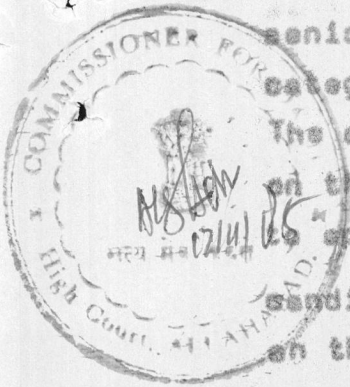
contd...2.

A 45
15

-2-

Annexure 4 1/4 (1) (4) 2/5

labourers, for the purpose, total length of service of each candidate should be circulated for information of applicants before actually holding the literacy test and qualified candidates should be brought on the approved list for appointment to Group 'D' test category posts on the basis of their seniority according to total length of service in each category. No waiting list should, however, be maintained. The qualified candidates who have failed to secure a place on the waiting list in any particular year, should be asked to appear for the literacy test next year. As regards outside candidates also, they should be brought on the approved list on the basis of marks secured in the literacy test.



2/27/80

(D.G.P.&T Letter No.47-5/79-SPB, I, dated the 20th March, 1979 and Letter, No. 47-5/80-SPB-I/Pt., dated the 7th April, 1980.)

A46
16

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

CIVIL MISC WRIT PETITION NO. 1367/ OF 1985

INDRA MOHAN SHINGH PETITIONER.

VS.

UNION OF INDIA & OTHERS OPP. PARTIES.

ANNEXURE. 2. 2

INDIAN POSTS AND TELEGRAPHS DEPARTMENT.
OFFICE OF THE SUPDT. OF POST OFFICES, SITAPUR DIVISION, STP.

Memo No. B/Exam-Group D/80
Dated at Sitapur the, 23.5.81

The candidates selected for Class IV cadres (test category) vide this office memo no. even dated 27.4.81 are hereby allotted to the units noted against each. Due regard to the appointment of S/C candidate according to special roster should be kept in view.

S.No.	Roll No.	Date of birth.	Name & designation of the official.	Whether O/C, S/C, S/T	Unit to which allotted.
1.	STP-1	1.4.39	Sri Yar Ali EDDA HO/O/C		IPOs Sitapur (North) sub.dn.
2.	STP-7	27.7.39	Sri Pramood Behari EDM O/C Hargaon.		-do-
3.	STP-18	18.7.43	Sri Prabhoo Dayal EDR S/C Behat Gaur.		-do-
4.	STP-5	4.9.41	Sri Kanhaya Lal EDMP Terwa O/C		IPOs (Central) Sitapur.
5.	STP-6	15.8.38	Sri Indra Mohan EDBPM Bijwar		O/C IPOs Biswan
6.	STP-14	1.1.43	Sri Lal Behari EDBPM Parsahra		IPOs (South) Sitapur.
7.	STP-15	3.7.42	Sri Baboo Ram Asthana EDMP Pichhaura		Office of the SPO's Sitapur.

Sd/- Ill.

(Tufail Ahmad)
Supdt. of Post Offices
Sitapur Dn. 261001.

Copy to:-

- 1-7. Officials concerned
- 8-14. PM Sitapur and IPOs in the division.
- 15-20. O/C and 5 pare.

47
17

IN THE HON'BLE HIGH COURT OF JUDICATURE AT ALLAHABAD

LUCKNOW BENCH LUCKNOW.

CIVIL MISC WRIT PETITION NO. 1367 / OF / 1985

INDRA MOHAN SINGH PETITIONER.

VS.

UNION OF INDIA & OTHERS OPP. PARTIES.

ANNEXURE 3 3

INDIAN POSTS AND TELEGRAPHS DEPARTMENT.

OFFICE OF THE SUPDT. OF POST OFFICES, SITAPUR DIVISION, STP.

MEMO No. / B-Exam/ Corr D/80

Dated at Sitapur the 18.6.1982

Shri Indra Mohan Singh Ex. EDBPM Bijwar(Sitapur) and approved candidate for Group 'D' cadres is hereby allotted to Biawan LSG UNIT against the vacancy caused due to retirement of Shri Ghunnoo Ram.

This is in partial modification of this office memo no. even dated 23.5.81.

Sd/- Ille.

Supdt. of Post Office
Sitapur Dn.
Pin - 261001

Copy to:-

1. Shri Indra Mohan Singh, Ex EDBPM, Bijwar, Sitapur, Village and Post Bijwar, Sitapur.
2. The SPM, Biswan LSG, Sitapur.
3. The IPOs, Biswan(Sitapur)
4. The P.M. Sitapur.
5. O/C.
6. Spare.



A 485/18

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

.....

CIVIL MISC WRIT PETITION NO. 1367 /OF / 1985

INDRA MOHAN SINGH PETITIONER.

VERSUS.

UNION OF INDIA & OTHERS OPP. PARTIES.

ANNEXURE .. 4

SCHEDULE No. 3

Schedule of Administrative Powers of a Senior Superintendent and Superintendent of Post Offices

Appointments, Penalties and Appeals

(See Schedule No. 1)

Leave

Nature of power

Extent of power

1. Power to grant leave to Selection Grade officials and officials of the Inspectors of Post Offices Grade.

May grant leave other than special disability leave not exceeding four months.
[G.I., M.F., Endorsement No. 7 (I) E. IV/58, dated 11-1-58.]

Power to grant leave to Wireless Licence Inspectors.

May grant leave other than special disability leave, not exceeding four months.
[G.I., M.F., U.O. No. 4206-E. III (B)/65, dated 26-7-65.]

1-A. Power to fill officiating vacancies in the selection grades and the grade of Inspectors of Post Offices.

Full powers provided the vacancies are not of more than four months' duration.
[G.I., P. & A. Deptt. Memorandum No. E. 202-1/43, dated the 11th August, 1944.]

1-B. Power to fill officiating vacancies in the grade of Wireless Licence Inspectors.

Full powers provided the vacancies are not of more than four months' duration.
[G.I., M.F., U.O. No. 4206-E. III (B)/65, dated 26-7-1965.]

Transfers

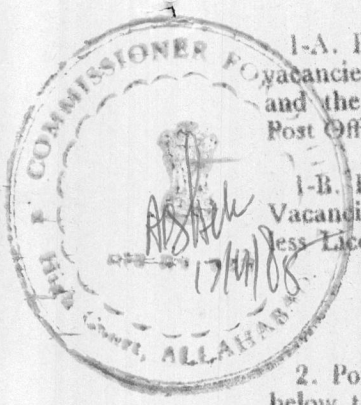
2. Power to transfer any official below the lower selection grade from one office to another in the division in the same time-scale of pay.

Full powers.
[Rule 37 of the P. & T. Manual, Volume IV.]

3. Power to transfer by way of exchange of officials on the same time-scale of pay below the Lower Selection Grade from one division to another within the Circle provided that (1) the

Full powers subject to the conditions:—

- (1) that no extra expense to the State is involved;
- (2) that the initial pay on transfer is fixed under F.R. 22;



1292/85

419 5/19

SCHEDULES OF ADMINISTRATIVE POWERS

207

Nature of power

Extent of power

Postmaster-General has not specially ordered one or the other of the officials to work in the division or place from which the transfer is sought and (2) the consent of the other Superintendent concerned is obtained.

- (3) that the seniority on transfer is fixed according to the Rule 38 of the Posts and Telegraphs Manual, Volume IV;
- (4) that a declaration is obtained from the officials agreeing to the conditions (1) to (3).

NOTE.—The Superintendents have been authorised to transfer Lower Selection Grade officials also within their divisions.

[D.G., P. & T. Letter No. 99/1/57-SPB, dated 28-2-58.]

Resignations

4. Power to accept resignation of an official.

May accept resignation of any one whom he is authorised to appoint.

[Rule 158 (1) of the P. & T. Manual, Volume II.]

5. Not printed.

Miscellaneous

6. Power to fix scale of fees to be charged by professional letter-writers and to lease out right to use post office premises for the purpose of carrying on the business of professional letter-writing.

Full powers.

7. Power to inspect books and accounts of the sub-account department of first class head offices.

Full powers.

[Rule 102 of the P. & T. Manual, Volume VIII.]

8. Power to verify balances of first class head offices.

Full powers.

[Rule 102 of the P. & T. Manual, Volume VIII.]

9. Power to take possession of records of post offices.

Powers as defined in Note below Rule 102 of the Posts and Telegraphs Manual, Volume VIII.

10. Power to grant casual leave.

Powers as defined in Rules 99 to 102 of the Posts and Telegraphs Manual, Volume IV.

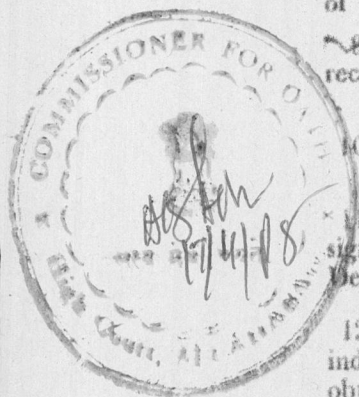
11. Power to execute and sign contracts on behalf of the Department.

Powers as defined in Chapter IX of the Posts and Telegraphs Manual, Volume II.

12. Power to countersign indents for medicines to be obtained from the Government Medical Stores, Madras, or supply, free of charge, to postal officials employed in the exceptionally unhealthy places, in the Madras Circle, as mentioned in paragraph 165(4) of the Posts and Telegraphs Manual, Volume II.

Full powers, subject to the condition that the supply of the medicines indented for has been approved by the higher authority.

[Rule 165 (4) of the P. & T. Manual, Volume II.]



242/58

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

A 150
5/20

CIVIL MISC WRIT PETITION NO. 1367 / OF / 1985.

INDRA MOHAN SINGH PETITIONER.

VERSUS.

UNION OF INDIA & OTHERS OPP. PARTIES.

ANNEXURE ...5

SCHEDULES TO G.O.S. (G.C.A.) RULES

187

Presidency Postmaster; Postmaster in the grade of Presidency Postmasters.	All	Deputy Postmaster, Deputy Postmaster in the Service Group 'B' (in respect of staff under his administrative control).	Deputy Postmaster, Deputy Postmaster in the Service Group 'B' (in respect of staff under his administrative control).
Deputy Postmaster.	(i) to (iv)	Assistant Postmaster (in his own Department).	Assistant Postmaster (in his own Department).
Director of Postal Services; Deputy Director.	All	Gazetted Postmaster, including Gazetted Sub-Postmaster in charge of a Town Sub-Office (in post-offices under his administrative control).	Gazetted Postmaster, including Gazetted Sub-Postmaster in charge of a Town Sub-Office (in post-offices under his administrative control).
Director of Postal Services; Director of Posts and Telegraphs; Deputy Director in respect of penalties imposed by Superintendents of Post Offices.	All	Senior Superintendent or Superintendent of Post Offices.	Senior Superintendent or Superintendent of Post Offices.

Post Offices:

All Posts



March 20 1985

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

CIVIL MISC WRIT PETITION NO. 1367 / OF / 1985.

INDRA MOHAN SINGH PETITIONER.
VS.

UNION OF INDIA & OTHERS OPP. PARTIES.

ANNEXURE ... 6

INDIAN POSTS AND TELEGRAPHS DEPARTMENT.
OFFICE OF THE SUPDT. OF POST OFFICES, SITAPUR DIVISION
261001

Memo No. B- 8 / Genl,
Dated at Sitapur the, 26.9.83

Under urle 38 of P&T Man. Vel. IV tranfer of
Shri Indra Mohan Group 'D' Biawan by way of mutual exchange
with Shri Mullu Ram Group 'D' Sitapur HO is hereby approved
on the following conditions.

1. That they will not be entitled for any TA and joining time
2. That the auniority of the officials in the new unit of transfer will be fixed strictly in accordance with rule 38 of P&T Man. Vel. IV.
3. That they will not be permitted for repatriation.

Sd/-

Supdt. of Post Officer
Sitapur Dn.261001

Copy to:-

1. 2. The officials. on earned.
3. 4. The P/Fs.
5. The PM Sitapur for n/a.
6. O/C
7. Spare.
8. SPM Bisoodn for



Handwritten signature

52 67
5/2

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

CIVIL MISC WRIT PETITION NO. 1367 / OF / 1985
INDRA MOHAN SINGH PETITIONER.

VS.

UNION OF INDIA & OTHERS OPP. PARTIES.

ANNEXURE..... 7 A

श्री इन्द्र मोहन सिंह अतिविभागी शाखा डाकपाल विजवार के
विह्वल लगाये गये अवचारों एवं कदाचारों के लक्षणों का विवरण :-

=====

श्री इन्द्र मोहन सिंह अतिविभागी शाखा डाकपाल विजवार दि०
23-10-80 एवं 1-10-80 को उक्त पद पर कार्य कर रहे थे। श्री जवाहर
जमाकर्ता विजवार ब०ले० गा०ता सं० 906693 ने अपनी पासबुक में उक्त
तिथियों में रु० 2000/- ₹दो हजार₹ एवं रु० 100/- ₹एकसौ₹ रु० रु०
जमा किये। इस जमा धन को प्रविष्टि श्री इन्द्र मोहन सिंह शाखा डाकपाल
विजवार ने बचत बैंक पासबुक संख्या 906693 में अपने लक्ष्यों से दो तथा
हस्ताक्षर किए। किन्तु उन्होंने इन दोनों जमा के धन को न ~~क्रेडिट~~ तो
शाखा डाकघर के हिसाब में लिया और न ही उसको अपनी डाकघर
के बचत बैंक जनरल तथा दैनिक खातों में प्रदर्शित किया। इस प्रकार उन्होंने
उक्त धन की हिसाब में नहीं लिया।

अतः श्री इन्द्र मोहन सिंह अतिविभागी शाखा डाकपाल विजवार ने
इस प्रकार गलती करके शाखा डाकघर नियमावली के नियम 13 133₹
की पूर्ण अवहेलना की तथा अतिविभागी विभागीय कार्यकारी आचार एवं
सेवा नियमावली 1964 के नियम 17 के अनुसार कार्य के प्रति निष्ठा
नहीं रखी।



हस्ता०/६-अपनी

अधीक्षक डाक विभाग
सीतापुर प्रमोड-261001

7B
53
5/23
IN THE HON'BLE HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW BENCH LUCKNOW.

CIVIL MISC WRIT PETITION NO. 1367/ OF / 1985
INDRA MOHAN SINGH PETITIONER.

VS.

UNION OF INDIA & OTHERS OPP. PARTIES.

ANNEXURE..... 7 B

श्रीमान अधीक्षक डाक विभाग,
सीतापुर 47/सी

महोदय,

आपके ज्ञापन संख्या एक / 81-82 दिनांक 14-5-82 के
संदर्भ में निम्न निवेदन है :-

कि प्रा. धी. 23-10-80 एवं 1-10-80 को शाखा डाकपाल
बिजवार के पद पर कार्य करता था। खाता संख्या 906693 में रु.
2000/- एवं 100/- की जमा की वंदाज मेरे जी. व. धों की है। पारिवारिक
उत्पन्नों के कारण मैं यह धनराशि डाक घर के हिसाब में लेने से भूल
गया था। उन्ही दिनों हमारे घर का भी कुछ रुपया सुरक्षा की
दृष्टि कोण से कैश बाक्स में रखा था जिस के कारण उस वंछे
हुए पैसे का अनुमान नहीं लगा सका। यह गलती जब पकड़ में आई तो मैंने
कैश का हिसाब सही किया और बढ़ा हुआ धन 2100/- दो हजार एक
सौ रुपये मैंने तुरंत अल्पी कृत में जमा कर दिया।

प्रा. धी. 20 साल से इस पद पर कार्य करता चला आ रहा
है और इस प्रकार की कोई भी गलती प्रा. धी. से नहीं हुई है जिस
का कि डाक निरीक्षक महोदय सत्यापन कर लाए है। फिर भी यदि
कोई गलती अज्ञान में मेरे कार्यकाल में हुई हो तो उसका मैं जिम्मेदार
है।

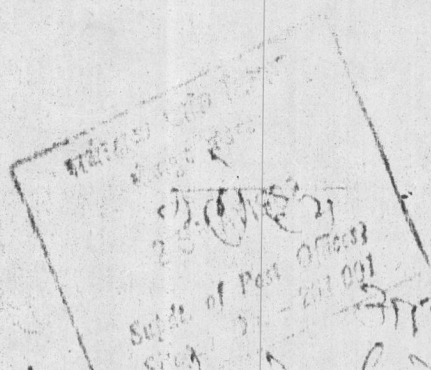
2/24/82



Annexure

10

24



मानव संसाधन विकास विभाग

सीतापुर 5/10

गोप के शासन संस्था 11/81-82
कृ.सं. 11/82 के संदर्भ में निम्न निवेदन है :-

कि.प्र.सी. 23.10.80 एवं 1.11.80 को शासन की
पत्र व्यवहार के पद पर कार्य करता था सीता
संस्था 11/81-82 में रु. 1000/- एवं 1000/- की
जमा की रकम गैर हो हाथों की है। पारिवारिक
उत्पत्तियों के कारण में यह धन राशि एक बार
के हिसाब में लेने से गलत था। उन्हीं दिनों
हमारे घर की भी कुछ रकम सुरक्षा की दृष्टि
कोण से कैश बन्स में रखवा था जिस के कारण
उस बड़े धन पैसों की अनुमान नहीं लगा सका।
यह गलती जब पकड़ में आई तो मैंने कैश
का हिसाब सही किया और बढ़ा हुआ धन
गुप्त-~~रकम~~ हथार रुक सौ रु. में न बुरे व
वैयक्तिक रूप में जमा कर दिया।

प्रार्थी 20 साल से इस संदर्भ पर कार्य
करता रहा आ रहा है और इस प्रकार की
कोई भी गलती प्रार्थी से नहीं हुई है जिस
का कि एक निरीक्षक गलती से सुझावन कर
चार है। फिर भी यदि कोई गलती अनुमान में
कार्य को में हुई हो तो उस की मैं निवेदन है।

अथवा अन्य



अतः कोष से निकाला है कि राशि
 या जो लाकराकरा जो धुई हुई है उसको छिने मुझे
 दाना उदण को जाने। अभी कोष का सहेन
 आगारी रहेगा।

२/२५/७५

श्री ५०५ मलामत



(श्री श्री श्री श्री)
 अ. वि. रा. उ. पाठ
 विजयार (धुई कोष)

5543
5/25

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

CIVIL MISC WRIT PETITION NO. 1367 / OF / 1985

INDRA MOHAN SINGH PETITIONER.
VS.

UNION OF INDIA & OTHERS OPP. PARTIES.

ANNEXURE.. 8

INDIAN POSTS AND TELEGRAPHS DEPARTMENT
OFFICE OF THE SUPDT. OF POST OFFICES SITAPUR DIVISION

MEMO No. F-1/ 81-82

dated : Sitapur : the. 27.5.82.

Sri Indra Mohan Singh, EDBPM Bijwar was proceeded against under/rules of EDAs conduct and service rules under this office Memo of Even No. dated 14.5.82.

Sri Indra Mohan Singh was working as EDBPM Bijwar on 1.10.80 and 23.10.80 Sri Jawahar the depositor of Bijwar, S.B. Account No. 906693 tendered Fs. 100/- (One hundred only) and Rs. 2000/- (Rupees two thousand only) respectively on the aforesaid dates for depositing the sums in his Pass Book. The entries of these deposits were made by Sri I.M. Singh, in the pass book of a/c No. 906693 on the dates mentioned above but he failed to account for this amount in the Post Office Account thus Shri I.M. Singh contravene the provision of Rule 13 (3) of B.O. Rules.

The above statements of allegation was delivered to Shri I.M. Singh on 15.5.82 and he submitted his defence dated-nil- which was received at this office on 25.5.82 in his defence Sri Indra Mohan Singh accepted the charges levelled against him and narrated that due to domestic disturbances the amount of deposit Rs. 100/- (One hundred) and Rs. 2000/- (Two Thousand) only could not be taken into Post Office Account.

ORDER

I have gone through the whole case record and documents and the written statement of defence dt. nil-received on 25.5.82. The official has accepted the charges levelled against him, He has explained his dearranged state of mind owing to which the only mistake relating to non-accounting of Rs. 2100/ in S.B. Account No. 906693 took place. The official has put in about 20 years of service in the department as ED BPM and thus Keeping in view his long service in the department. He deserves sympathetic consideration for the lapses on his part.

5/29/82 *Agarwal*

3634
5/26

I, Tufail Ahamad , Supdt. of Post Offices, Sitapur Division, thus hereby order that his services as ED BPM Bijwar Sitapur may be terminated W.O .F. 23.5.81 but this will not constitute him to debar his employment on Group 'D' official in the department for which he already stands qualified.

Sd/- (Tufail Ahmad)

Supdt. of Post Offices,
Sitapur Division,
Pin-261001.

of 22/5/81

Copy to:

1. Sri I.M.Singh, ED BPM (Put of duty) Bijwar.
2. P.M. Sitapur.
3. I.P.O. Sitapur South.
4. Establishment-V, D.O.Sitapur.
5. P.F. in 'A' Branch D.O.Sitapur.
6. Office Copy.
7. Spare ----- IPO Biswan-Sitapur.



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

37
5/27

CIVIL MISC WRIT PETITION NO. 1367 / OF / 1985

INDRA MOHAN SINGH PETITIONER.

VS.

UNION OF INDIA & OTHERS OPP. PARTIES.

ANNEXURE... 9

DECLARATIONS TO BE OBTAINED FROM CANDIDATES ON FIRST APPOINTMENT.

I hereby certify that I am an Indian National & native of India.

I also declare that I have never been announced unfit for Govt. employment by Medical or any other authority.

Attested by: Sd/- Ille. Sd/- Ille.
Post Master Sitapur Signature
Pin 261001 Place: Date:

I hereby declare that I am not allowed to join any educational institutions without obtaining prior permission of the Competent authority in the department.

Attested by: Sd/- Ille. Sd/- Ille. Sd/- Ille.
Post Master Sitapur Signature Date
Pin 261001 Place:

I, Indra Mohan Singh do swear that I will be faithful and bear true allegiance to India and to the constitution of India as by laws established and that I will loyally carry out the duties of my office, so help me God.

Attested by: Sd/- Ille. Sd/- Ille. Sd/-
Post Master Sitapur Signature Date
Pin 261001 Place:

I do hereby declare that I have read/had explained to me the Central Civil Services (Conduct) Rules 1964 as amended from time to time and thoroughly understood them.

Attested by: Sd/- Ille. Sd/- Ille. Sd/-
Post Master Sitapur Signature Date
Pin 261001 Place;

I do hereby declare that I have read the Govt. of India Orders contained in communication No.ESB/124-7/40 dt. 9.5.41 from the Secy. to the Govt. of India Deptt. of Communication (P&T), Simla to the D.G.P&T, New Delhi regarding indebtedness and insolvency of Govt. servnts. The communication that any officials who engages himself in money transaction of



Shyam Singh

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officials who engages himself in money transaction of discreditable nature to allow himself to fall into a hopeless stage of indebtedness or voluntarily contracts debts or obligations which he is unable to meet or is arrested for debt or who resorts to the insolvency court for the purposes of declaring himself insolvent will also render himself liable to dismissal. I thoroughly understand these orders of the Govt.

Attest by: Sd/- Ill. Sd/- Ill. Sd/-
Post Master Sitapur Signature Date:
Pin 261001 Place

- I Indra Mohan Singh declare as under
- i) That I am unmarried/ widower/wedow.
 - ii) That I am married and have only one spouse living.
 - iii) That I have entered into or contracted a marriage with a person having no spouse living.
 - iv) That I have entered into and contracted a marriage with an-other person during the life time of my spouse
- Application for grant of exemption is enclosed.

2. I solemnly affirm that the above declaration is true and I understand that in the event of the declaration being found to be incorrect after my appointment I shall be liable to be dismissed from service.

Attested by: Sd/- Ill. Sd/- Ill. Date
Post Master Sitapur Signature
Pin 261001 Place:

I do hereby declare that I have read the Indian Telegraph Act, the Indian Official Secrets Act and the Govt. Servants conduct rules and clearly understand that I become liable to the provisions and penalties therein on being appointed as signaller in the posts and Telegraphs Department.

Attested by: Sd/- Ill. Sd/- Ill. Date.
Post Master Sitapur Signature
Pin 261001 Place

(FOR TEMPORARY STAFF ONLY)

I understand that my employment under Govt. is temporary and that my services may be terminated at any time after notice for a period of not less than thirty days but without any reasons being assigned. I agree that if I wish to resign my employment I shall give notice in writing for a period of not less than thirty days of my intention to resign or in default, forfeit to the President of India, such sum not exceeding my pay for one month as the appointing authority may fix.

Attested by: Sd/- Ill. Sd/- Date:
Post Master Sitapur Signature
Pin 261001 Place:

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DECLARATIONS TO BE OBTAINED FROM CANDIDATES ON FIRST APPOINTMENT

.....

I hereby certify that I am an Indian National & native of India.

I also declare that I have never been announced unfit for Govt. employment by Medical or any other authority.

Attested by: *[Signature]* *Indee Holon S/P*
POST MASTER STAPUR Signatures: 23/1/03
Place: Date:
PIN-261 001

I hereby declare that I am not allowed to join any educational institutions without obtaining prior permission of the Competent authority in the department.

Attested by: *[Signature]* *Indee Holon S/P*
POST MASTER STAPUR Signatures: 23/1/03
Place: Date:
PIN-261 001

I, Indra Mohan Singh.....do swear that I will be faithful and bear true allegiance to India and to the constitution of India as by laws established and that I will loyally carry out the duties of my office, so help me God.

Attested by: *[Signature]* *Indee Holon S/P*
POST MASTER STAPUR Signatures: 23/1/03
Place: Date:
PIN-261 001

I do hereby declare that I have read/had explained to me the Central Civil Services (Conduct) Rules 1964 as amended from time to time and thoroughly understood them.

Attested by: *[Signature]* *Indee Holon S/P*
POST MASTER STAPUR Signatures: 23/1/03
Place: Date:
PIN-261 001

I do hereby declare that I have read the Govt. of India Orders contained in communication No. ESB/124-7/40 dt. 9.5.41 from the Secy. to the Govt. of India Deptt. of Communication (P&T), Simla to the D.G. P&T, New Delhi regarding indebtedness and insolvency of Govt. servants. The communications that any officials who engages himself in money transactions of discreditable nature to allow himself to fall into a hopeless stage of indebtedness or voluntarily contracts debts or obligations which he is unable to meet or is arrested for debt or who resorts to the insolvency court for the purposes of declaring himself insolvent will also render himself liable to dismissal. I thoroughly understand these orders of the Govt.

Attested by: *[Signature]* *Indee Holon S/P*
POST MASTER STAPUR Signatures: 23/1/03
Place: Date:
PIN-261 001 (P.T.O.)



12/2/03

(9)

Annexure 9/2

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(2)

I ... Indra Mohan Singh ... declare as under 1.

- i) That I am ~~unmarried~~ widower/widow.
 - ii) That I am married and have only one spouse living.
 - iii) That I have entered into or contracted a marriage with a person having no spouse living.
 - iv) That I have entered into and contracted a marriage with an other person during the life time of my spouse.
- Application for grant of exemption is enclosed.

2. I solemnly affirm that the above declaration is true and I understand that in the event of the declaration being found to be incorrect after my appointment I shall be liable to be dismissed from service.

Attested by: [Signature] Signature: Indra Mohan Singh
POST MASTER, SITAPUR Place: Date: 23/10/84
PIN-261 001

I do hereby declare that I have read the Indian Telegraph Act, the Indian Official Secrets Act and the Govt. servants conduct rules and clearly understand that I become liable to the provisions and penalties therein on being appointed as a Signaller in the Posts and Telegraphs Department.

Attested by: [Signature] Signature: Indra Mohan Singh
POST MASTER, SITAPUR Place: Date:
PIN-261 001

(FOR TEMPORARY STAFF ONLY)

I understand that my employment under Govt. is temporary and that my services may be terminated at any time after notice for a period of not less than thirty days but without any reasons being assigned. I agree that if I wish to resign my employment I shall give notice in writing for a period of not less than thirty days of my intention to resign or in default, forfeit to the President of India, such sum not exceeding my pay for one month as the appointing authority may fix.

Attested by: [Signature] Signature: Indra Mohan Singh
POST MASTER, SITAPUR Place: Date: 23/10/84
PIN-261 001

[Signature]
23/10/84

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

.....

CIVIL MISC WRIT PETITION NO: 1367/ OF / 1985

INDRA MOHAN SINGH

.....

PETITIONER.

VERSUS.

UNION OF INDIA & OTHERS

.....

OPP. PARTIES.

ANNEXURE....10

(12)

permanent capacity to the said post/grade with effect from the said date.

Station.....

Signature.....

Date.....

Designation.....

Note:—The order must be signed by an officer who is authorised to authenticate orders in the name of President or by the appointing authority, as the case may be. Where the appointing authority is an authority other than the President, the appointing authority itself shall sign the order.

5. Termination of temporary service :

(1) (a) The service of a temporary Government servant who is not in quasi-permanent service shall be liable to termination at any time by a notice in writing given either by the Government servant to the appointing authority, or by the appointing authority to the Government servant :

(b) the period of such notice shall be one month.

Provided that the services of any such Government servant may be terminated forthwith by payment to him of a sum equivalent to the amount of his pay *plus* allowances for the period of the notice at the same rates at which he was drawing them immediately before the termination of his services, or as the case may be, for the period by which such notice falls short of one month.

(2) (a) Where a notice is given by the appointing authority terminating the services of a temporary Government servant, or where the services of any such Government servant is terminated either on the expiry of the period of such notice or



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forthwith by payment of pay *plus* allowances, the Central Government or any other authority specified by the Central Government in this behalf may, of its own motion or otherwise, re-open the case, and after calling for the records of the case and after making such inquiry as it deems fit,—

- (i) confirm the action taken by the appointing authority;
- (ii) withdraw the notice,
- (iii) reinstate the Government servant in service; or
- (iv) make such other order in the case as it may consider proper.

Provided that except in special circumstances, which should be recorded in writing no case shall be reopened under this sub rule after the expiry of three months :

- (i) from the date of notice, in a case where notice is given;
- (ii) from the date of termination of service, in a case where no notice is given.

(b) Where a Government servant is reinstated in service under sub-rule (2) the order of re-instatement shall specify—

- (i) the amount or proportion of pay and allowances, if any, to be paid to the Government servant for the period of his absence between the date of termination of his services, and the date of his re-instatement; and
- (ii) whether the said period shall be treated as a period spent on duty for any specified purpose or purposes.

Govt. of India's decisions :—1. The validity of form I contained in G. I. M. H. Affairs Memo. No. 39/14/56 Ests.(A)



2/24/2/05

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

.....

CIVIL MISC WRIT PETITION NO. 1367 / OF / 1985

INDRA MOHAN SINGH

.....

PETITIONER.

VERSUS.

UNION OF INDIA & OTHERS

.....

OFF. PARTIES.

ANNEXURE.. 11

CENTRAL CIVIL SERVICES
(CLASSIFICATION, CONTROL AND APPEAL) RULES'

PART 1 - GENERAL

Short title and commencement

1. (1) These Rules may be called the Central Civil Services
(Classification, Control and Appeal) Rules, 1965.

(2) They shall come into force on the 1st December, 1965

Interpretation

2. In the rules, unless the context otherwise requires,

(a) Appointing authority, in relation to a Government servant
Means.

(i) the authority empowered to make appointments to the
Service of which the Government servant is for the
time being a member or to the grade of the Service in
which the Government servant is for the time being
included, or

(ii) the authority empowered to make appointments to the
post which the Government servant for the time being
holds, or

(iii) the authority which appointed the Government Service
to such Service, grade or post, as the case may
may be, or

(iv) where the Government servant having been a permanent
member of any other Service or having substantively
held any other permanent post, has been in contin-
uous employment of the Government, the authority
which appointed him to that Service or to any
grade in that Service or to that post,

Whichever authority is the highest authority;

(b) 'Grade authority' in relation to a Service, has the
same meaning as in the rules regulating that
Service;

(c) 'Central Civil Service and Central Civil Post'
includes a civilian Service or civilian post, as
the case may be, of the corresponding class in
the Defence Services;.

(d) 'Commission' means the Union Public Service
Commission;

1. Published G.I., M.H.A. Notification No. F.7/2/63-Ests.
(A) dated the 20th November 1965



3/22/85

Annexure - (11)

(13)

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Central Civil Services (Classification, Control and Appeal) Rules'

PART I—GENERAL

Short title and commencement

- (1) These Rules may be called the Central Civil Services (Classification, Control and Appeal) Rules, 1965.
- (2) They shall come into force on the 1st December, 1965.

Interpretation

- In the rules, unless the context otherwise requires,

(a) 'Appointing authority', in relation to a Government servant means—

(i) the authority empowered to make appointments to the Service of which the Government servant is for the time being a member or to the grade of the Service in which the Government servant is for the time being included, or

(ii) the authority empowered to make appointments to the post which the Government servant for the time being holds, or

(iii) the authority which appointed the Government servant to such Service, grade or post, as the case may be, or

(iv) where the Government servant having been a permanent member of any other Service or having substantively held any other permanent post, has been in continuous employment of the Government, the authority which appointed him to that Service or to any grade in that Service or to that post,

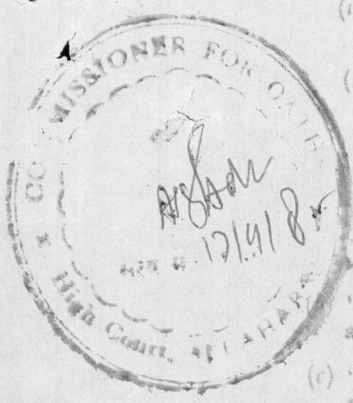
whichever authority is the highest authority ;

'Cadre authority', in relation to a Service, has the same meaning as in the rules regulating that Service ;

(c) 'Central Civil Service and Central Civil Post' includes a civilian Service or civilian post, as the case may be, of the corresponding class in the Defence Services ;

(d) 'Commission' means the Union Public Service Commission ;

1. Published, vide G.I., M.H.A., Notification No. F. 7/2/63-Est. (A), dated the 20th November, 1965.



Handwritten signature and date 12/4/8.

Handwritten signature and date 12/4/8.

High Court
Coupon No. 36/155 12/4/8

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IN THE HON'BLE HIGH COURT OF JUDICATURE AT ALLAHABAD

(Lucknow Bench)
LUCKNOW

Writ Petition No 1367 of 198

Indra Mohan

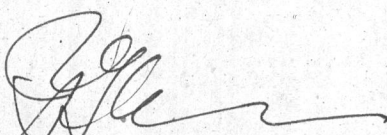
Petitioner

VERSUS

POST MASTER SITAPUR / UNION OF INDIA
Respondents

Registrar,

I am appearing as the Central Government Standing Counsel on behalf of Petitioner
Respondents/Opposite Parties.


(RAKESH SHARMA)
ADVOCATE

Additional Standing Counsel
Central Government
Allahabad High Court
(Lucknow Bench)
LUCKNOW

Dated

17.4.85

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ORDER SHEET

IN THE HIGH COURT OF JUDICATURE AT ALLAHABAD

W.P. No. 1367 of 1985
Vs.

	Date	Note of progress of proceedings and routine orders	Date of which case is adjourned
	1	2	3
	28-3-85	<p>con SS Ahmad, con B Kumar, notice of this petition has been accepted - listed for admission in the week commencing on 15th April 1985. Sd. SS Ahmad Sd. B Kumar 28-3-85. C.M. No 3859 of 85</p>	
	28-3-85	<p>con SS A, con B Kumar, for orders, see our order of date passed on the memo of W.P. Sd. SS A. Sd. B Kumar 28-3-85.</p>	
	18.4.85	<p>fixed for admission admission</p>	<p>As by it was done on 15/4/85</p>

Date	Note of progress of proceedings and routine orders	Date of which case is adjourned	
1	2	3	
18/4/85	CMA 4768(W)85 for stay, mediation. Hon D.N. Tha, J Hon K.N. Bimal, J. List with the record Sd D.N. Tha, Sd K.N. Bimal 18/4/85		
25-85	Fixed with CMA No. 3859(W)85 on 4768(W)85 for oral	F/Sed Sgls	

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

Writ Petition No. 1367 of 1985



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14/11/85

Indra Mohan Singh	---	Petitioner
Versus		
Union of India and others	---	Opp. Parties

REJOINDER AFFIDAVIT



I, Indra Mohan Singh, aged about 45 years, son of Sri Chhatrapal Singh, resident of village and post office Bijwar, district Sitapur, the deponent, do hereby solemnly affirm and state on oath as under :

1. That the deponent is the petitioner himself in the above-noted writ petition and sa such he is well conversant with the facts deposed to hereinafter.

2. The deponent has gone through the copy of the counter affidavit filed by Sri Ishwari Prasad

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Sagar, on behalf of Opposite Parties No.1 and 2 and has understood the contents thereof. Parawise reply to the said counter affidavit is as under :

3. That in reply to the contents of para 1 of the counter affidavit, only this much is admitted that Sri Ishwari Prasad Sagar is the R.O. in the office of the Superintendent of Post Offices, Sitapur. Rest of the contents of the para under reply are denied.

4. That the contents of para 2 of the counter affidavit need no comments.

5. That in reply to the contents of the para 3 of the counter affidavit, only the first sentence of the same are admitted and the rest are denied. It is denied that the Memo dated 27.4.1981 was not an appointment order. Even though, it was an intimation about the result of the petitioner, of the examination, it entitled the petitioner for appointment.

6. That the contents of para 4 of the counter are denied. It is specifically denied that the petitioner was not appointed by the Superintendent of Post Offices. Since the appointment of the petitioner was made by the Superintendent of Post Offices, Sitapur, vide Memo dated 18.6.1982 issued and signed by the Superintendent of Post Offices (Annexure No.2), it was the Superintendent of Post Offices who was the appointing authority of the petitioner and none else.



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It is further submitted that the petitioner was not appointed by the Post Master, nor was any such order issued by him, and as such the Post Master cannot be deemed to be the appointing authority of the petitioner. It is further submitted that it was on the basis of the letter dated 18.6.1982 issued by the Superintendent of Post Offices, Sitapur, that the petitioner had joined his duties in Class IV (Group D post) and was allowed to continue. This Memo dated 18.6.1982 even specified the vacancy against ^{which} the petitioner was required to work, i.e. the vacancy created by the retirement of Sri Chunnoo Ram. So far as allotment of the petitioner to any unit is concerned, it is not relevant for the purposes of the present case. The petitioner's appointment to the post in Class IV cannot be confused to be an allotment of the petitioner to this unit or the other. The fact that the petitioner has joined at Biswan on 24.6.1982 on the basis of that very order dated 18.6.1982, has been admitted by the opposite parties. Under these circumstances, how could the petitioner be allowed to join on the basis of the alleged order of allotment. It is asserted that the Memo of Order dated 18.6.1982 is an order passed by the Superintendent of Post Offices appointing the petitioner in Class IV and posting him at Biswan, and it is being confused by the Opposite Parties to be an order of allotment.

Further, it has been admitted in the para under reply that the Superintendent of Post Offices was the "recruiting authority" for Class IV. It has also been further admitted by the Opposite Parties



24.6.1982

that under rules, Superintendent of Post Offices was empowered to hold examinations, for making appointment to Class IV posts. The allotment of the petitioner to this unit or the other, or his transfer from one unit to other is not relevant for the purposes of the present writ petition. Once it has been admitted by the Opposite Parties that the petitioner joined on 24.6.1982 at Biswan on ^{the} basis and authority of the Memo dated 18.6.1982 and continued to work onwards, it was established that the petitioner's appointment ~~was~~ ^{ing} authority, for all practical purposes, was the Superintendent of Post Offices and not the Post Master, who neither appointed the petitioner nor was competent to terminate his services.

7. That the contents of para 5 of the counter affidavit need no comments.

8. That the contents of para 6 of the counter affidavit are denied and those stated in para 6 of the writ petition are reaffirmed. It is vehemently denied that the work, conduct or performance of the petitioner was ever not satisfactory.

9. That the contents of para 7 of the counter affidavit are denied and those stated in para 7 of the writ petition are reaffirmed.

10. That the contents of para 8 of the counter affidavit are denied and those of para 8 of the writ petition are ~~a~~ reaffirmed.



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11. That the contents of para 9 of the counter affidavit need no comments.

12. That the contents of para 10 of the counter affidavit need no comments.

13. That the contents of para 11 of the counter affidavit are denied. It is submitted that merely by signing the termination order, the petitioner's services cannot be deemed to have been terminated. That is why this Hon'ble Court has been pleased to grant stay order in favour of the petitioner.

14. That the contents of para 12 of the counter affidavit are denied as being misconceived by the opposite parties. The rule regarding termination of temporary employees has not been followed by the opposite parties, and his services are being terminated in an arbitrary and improper manner, in as much as neither the petitioner's work has been unsatisfactory, nor the post has been abolished, and as such there is no occasion for the opposite parties to order termination of the petitioner's services having retained his juniors in service.

15. That the contents of para 13 of the counter affidavit are misconceived and denied, and those stated in para 13 of the writ petition are reaffirmed.

16. That the contents of para 14 of the counter affidavit are denied and those stated in para 14 of the writ petition are reaffirmed. It is further submitted that the



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petitioner neither misappropriated any money received by Government, nor has he ever accepted the same. The petitioner respectfully submits that the allegation about misappropriation of Government money is being forced upon the petitioner malafide and just to justify their stand. A clarification thereof is being made in the foregoing paragraphs of this rejoinder affidavit.

17. That the contents of para 15 of the counter affidavit are wholly misconceived and denied. The petitioner's services cannot be terminated on the basis of presumed allegations. If there ^{were} any charges of the type mentioned in the para under reply, why were they not mentioned in the termination order itself? The basis of the petitioner's termination is not the alleged charge of misappropriation, but the evil intentions and malafide designs of the Opposite Parties.

18. That the contents of para 16 of the counter are misconceived and denied and those stated in para 16 of the writ petition are reaffirmed. It is further submitted that since the Superintendent of Post Offices appointed the petitioner, he was the petitioner's appointing authority and not the Post Master, who did not appoint the petitioner and as such he was not competent to pass termination orders impugned in the writ petition.

19. That the contents of para 17 of the counter affidavit are denied and those stated in para 17 of the writ petition are reaffirmed.

20. That the contents of paras 18, 19, and 20 of



Sd/- [Signature]

the counter affidavit are denied and those stated in paras 18 to 20 of the writ petition are reaffirmed. It is reaffirmed that the impugned order is arbitrary, malafide and illegal and in violation of Art.14 and 16 of the Constitution of India. The grounds taken in the writ petition are wholly tennable and the petitioner is entitled for the reliefs claimed.

21. That the contents of para 21 of the counter affidavit are denied. It is further stated that it is the opposite parties themselves who have tried to confuse the issue and to exploit the situation by alleging the appointment order of the petitioner to be only an allotment order. Similarly, they are overlooking the glaring fact that it was the Superintendent of Post Offices who appointed the petitioner and as such he was appointing authority of the petitioner, and since the Post Master had not issued any appointment order appointing the petitioner, he could not be deemed to be petitioner's appointing authority. As per various rules, the officer who passes appointing order is the appointing authority and none else. And none else than the appointing authority, was competent to pass termination order against an employee.

22. That the contents of para 22 of the counter affidavit are insulting and defamatory and are vehemently denied. The petitioner reserves his right to take such legal action against the opposite parties as deemed fit. Neither the petitioner's integrity was ever found or proved to be doubtful, nor he ever misappropriated any money, and it does not lie in the mouth of the



Sd/- [Signature]

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deponent of the counter affidavit to make such wild allegations without any material to justify the same.

23. That the contents of para 23 of the counter affidavit are denied. Annexures No.7-A and 7-B do not establish or prove that the petitioner was held guilty of misappropriation of any money. The charge levelled against the petitioner vide Annexure No.7-A was substantiated by the petitioner's explanation contained in Annexure No.7-B and the amount alleged to be misappropriated, was duly credited in the books and deposited by the petitioner under VCR on 26.5.1981. The circumstances under which the mistake took place have been explained to the satisfaction of the authorities. It is further submitted that the above mentioned human error committed by the petitioner, which was rectified forthwith by him, by depositing the amount in question, cannot be termed to be a misappropriation. Further, the whole matter was enquired into by the Superintendent of Post Offices, Sitapur, who considered the petitioner's explanation and after having been satisfied, concluded the said proceedings by his order dated 27.5.1982 (Annexure No.8 to the counter affidavit).

As would appear from a perusal of Annexure No.8 the petitioner was not found guilty of misappropriation of the amount involved. Looking to the 20 years of past service free from any blot, the mistake was not held to be deliberate and a sympathetic view was taken. Annexure No.8 further shows that although the petitioner's services were ordered to be terminated but his right employment as

Group 'D' official in the department, for which the petitioner already stood qualified, was ~~not~~ maintained.



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It was in view of the observations made in the last para of the above order dated 27.5.1982 (Annexure No.8) that the petitioner was again provided employment afresh in Group 'D'. It may not be out of place to mention here that the matter regarding the above mistake on the part of the petitioner having been closed on the termination of the services of the petitioner as EDBPM, and the petitioner having been sufficiently punished, the petitioner was appointed in Group D vide order dated 18.6.1982. There was no irregularity or illegality in the promotion of the petitioner in Group D afresh, since he has already been inflicted the punishment of a break in his long service and, as such, the petitioner could not be doubly punished for one and the same allegation.

24. That the contents of para 24 of the counter affidavit are denied. Once the petitioner has been taken in the service of the department, irrespective of the above proceedings and the petitioner having been sufficiently ^{given} punishment by terminating his services from 23.5.1981 up to 24.6.1982, the action of the opposite parties in terminating the petitioner's ^{Services} ~~now~~ again on the similar charge, is wholly unjust, unwarranted uncalled for and against the rule of law. The petitioner's transfer from unit to another, whether on his own request or at the instance of opposite parties themselves, is irrelevant for the purposes of the present writ petition.



25. That the contents of para 25 wrongly typed as para 24, are denied. The petitioner is not concerned with what transpired between the P.M.G., U.P. and the Superintendent of post offices, Sitapur.

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Once the proceedings against the petitioner were concluded by the order dated 27.5.1982 passed by the Superintendent of Post Offices Sitapur; the petitioner's services were terminated with effect from 23.5.1981, and after inflicting punishment, the petitioner was again taken in the service of the department, there was no occasion of any complaint having been moved against the petitioner before the Post Master General. No copy of the alleged complaint has been filed along with the counter affidavit.

The petitioner is advised to state that no undue favour was shown to the petitioner by the disciplinary authority as alleged. It is further submitted that while the matter was carefully considered by the Post Master General, the petitioner was not afforded any opportunity of hearing and the alleged fact finding enquiry held by the P.M.G., was against the provisions of law, in as much as the petitioner ought to have been allowed opportunity of his defence. The petitioner's initial appointment was made after careful consideration of the whole aspect of the matter and in accordance with the observations made in the last para of Annexure No.8 and there was no irregularity or illegality in the same. Eversince his appointment in Group 'D', there was no complaint against the petitioner and he has been discharging his duties to the entire satisfaction of his superiors. As such there was no occasion for the Opp. Parties to terminate his services, after allowing him to put in about three years service, ~~for~~ on the basis of the old charge for which he had already been punished.



Sd/- 21/5/81 26.

That in reply to the contents of para 26 wrongly

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typed as 25, it is submitted that obtaining a declaration from each and every employee at the time of his initial appointment, is a mere formality. This formality does not empower the opposite parties to terminate the services of an employee in a manner without following proper procedure of law. There is no rule or law giving arbitrary powers to any appointing authority to terminate the services of an employee without there being any cause of complaint and when the post exists and junior persons are working. Extract copies of the C.C.A. Rules as annexed to the counter affidavit are not relevant in the present case.

27: That the contents of para 27 wrongly typed as 26 are denied and the contents of the writ petition are reaffirmed.

28. That in reply to the contents of para 26 wrongly typed as para 27, it is stated that after termination of the services of an employee, there is no question of any alternative departmental remedy. After the termination order having been passed, more specifically in view of the averments made in the counter affidavit, it would have been a futile attempt on the part of the petitioner to have approached the authorities by way of any representation or appeal, especially when an efficacious and alternative remedy was available to the petitioner by way of a writ petition under Art.226. Approach to the departmental officers by means of representations was not an efficacious and alternative remedy. Hence the petitioner has approached this Hon'ble Court to avail this effective and efficacious remedy.



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29. That the contents of para 29 wrongly typed as para 28 are denied. The writ petition filed by the petitioner is full of substance and merits and ~~x~~ deserves to be allowed with costs, and the petitioner is entitled to get the reliefs claimed for in the said writ petition.

Sri Indra Mohan Singh

Dated, Lucknow :
May 9, 1985

DEPONENT

I the above named deponent do hereby verify that the contents of paras 1 to 29 ✓ of this affidavit are true to my knowledge.

Those of paras ✓ are believed by me to be true. No part of this affidavit is false and nothing material has been concealed. So help me God.

Sri Indra Mohan Singh

DEPONENT

Dated, Lucknow :
May 9, 1985

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

Sri P.L. Misra
Adv

Solemnly affirmed before me on 9.5.85 at 12:40 AM/PM by Sri Indra Mohan Singh, the deponent who is identified by Sri P.L. Misra, Clerk of Sri P.L. Misra, Advocate, High Court, I have satisfied myself by examining the deponent that he has understood the contents of this affidavit which have been read out explained by me.



Meena Pandey
OATH COMMISSIONER
High Court, (Lucknow Bench)
LUCKNOW

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9.5.85

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
LUCKNOW BENCH : LUCKNOW
Opp. Residency Ganchi Bhavan, Lucknow.

No. CAT/CE/1KO/JULL/ T-A 1729/87 (T)

24/3
Date :

REGISTRATION NO W.P. 1367/85 OF 1991/92 (L)

Indra Mohan Singh Applicant.

VERSUS

Union of India & others Respondents.

- ① Indra Mohan Singh, s/o Chhatrapal Singh,
Village & P.O. - Bijwar, Dist. - Sirapur.
- ② Sri V. K. Choudhary, Advocate, Barafkhana
Nai Basti, Near Alankar Cinema, Udaigang, Lucknow.

Please take notice that the applicant above named has
presented an application a copy _____ thereof is enclosed
herewith which has been registered in this Tribunal and the
Tribunal has fixed 4.11 day of April-1992 for Final Hearing.

If, no appearance is made on your behalf, your pleader of
by some one duly authorised to Act and plead on your behalf in
the said application, it will be heard and decided in your absence.
Given under my hand and the seal of the Tribunal this 23
day of 3 1992

23/4/92
For Deputy Registrar.

M. Panda./

OLC