

CENTRAL ADMINISTRATIVE TRIBUNAL
LUCKNOW BENCH

FORM OF INDEX

D.A./T.A./R.A./C.C.P./ No. 1735/1907
R.K. Tripathi - Vs - U.C.I. (W.P. 1690/05)

PART - I

1. Index Papers :- 1 to 3
2. Order Sheet :- 4 to 10
3. Any other orders :- Nil
4. Judgement :- 10 to order dt 22-2-90
5. S.L.P. :- C.A. 7 C.B. LK.
Nil

DY. Registrar

Supervising Officer

Dealing Clerk

(Kuldevi LK)

(N.B. Mishra)

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

Nil

- 1 - Index sheets A1 to A3
- 2 - order sheets order dt 22-2-90 A4 to A9
- 3 - copy of Petition/Annexure/Power A10 to A36
- 4 - Listing applications/Suppli. A37 to A44
affidavit.
- 5 - Notices/other papers / Application A45 to A53
for inspection

Dealing Clerk

(N.B. Mishra)

V.K. Mishra

26/3/

Handwritten signature
S. K. S.
Handwritten note: *Handwritten note/dictation*

ANNEXURE -A

CAT

CENTRAL ADMINISTRATIVE TRIBUNAL
Circuit Bench, Lucknow
Opp. Residency, Gandhi Bhawan, Lucknow

INDEX SHEET

CAUSE TITLE 1735 of 19 87 J.

NAME OF THE PARTIES _____

Raj Kumar Tripathi Applicant

Versus

U. O. J. Respondent

Part A, B & C

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1.	General Index	A-1
2.	Order Sheet. 1st	A-2
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6.	'C' Nalhi	C 82 to C 118

CIVIL

SIDE

GENERAL INDEX

CRIMINAL

(Chapter XLI, Rules 2, 9 and 15)

Nature and number of case.....wp. 16.4.05-85

Name of parties.....Rajkumar Tejpathi vs Union of India

Date of institution.....11-4-85

Date of decision.....

File no.	Serial no. of paper	Description of paper	Number of sheets	Court-fee		Date of admission of paper to record	Condition of document	Remarks including date of destruction of paper, if any
				Number of stamps	Value			
1	2	3	4	5	6	7	8	9
					Rs. P.			
	1-	wp. with Affidavit	29		102-00			
	2	Power	1-		5-00			
	3	Order 4481 (wp) of 85 for 8/5	1-		5-00			
	4	Appn. for fixing date	1-		5-00			
	5	Comd. 5127/60 of 85	2-		5-00			
	6	Supplying Affidavit	6		2-00			
	7	Appellate 17-5-85 and 25-5-85	2-		10-00			
	8	Application for early date	2-		5-00			
	9	Inspection Affidavit	1-		2-00			
	10	Order Sheet	1-		-			
	11	Back Copy	1-		-			

I have this

day of

198

examined

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

Date.....

Munsarim

Clerk

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5 1/2

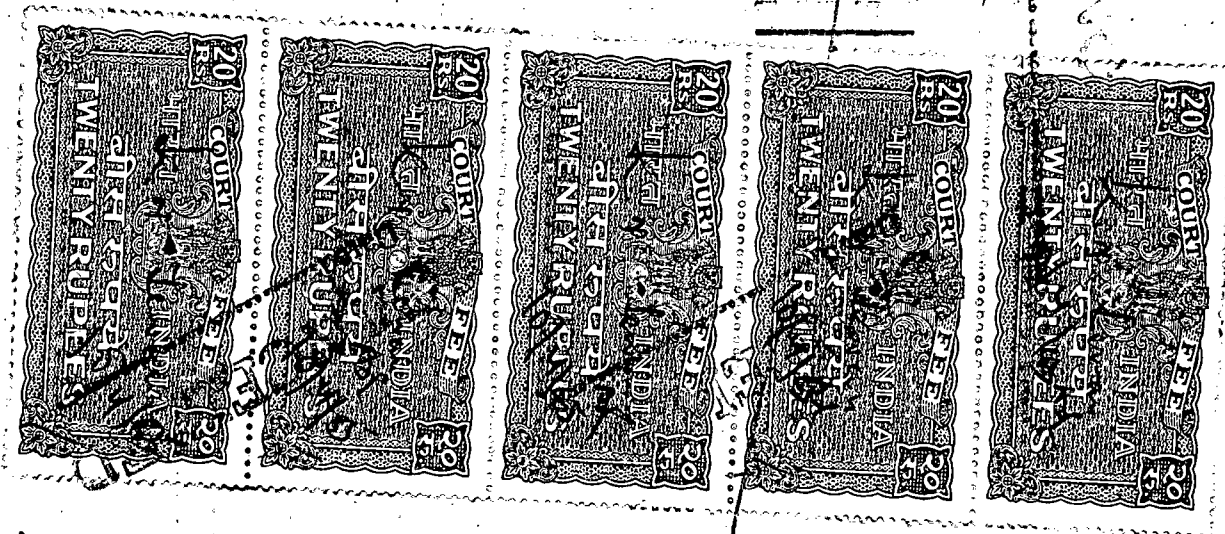
In the Hon'ble High Court of Judicature at Allahabad,
Lucknow Bench, Lucknow.

1640

Writ Petition No. of 1985

Under Article 226 of the Constitution of India

District : Lucknow



5 cf = 10
no
10.4.85

RAJ KUMAR TRIPATHI, aged about 36 years,
son of Shri Sheo Balak Tripathi, resident
of P.O.H. Colony, Near Kanji House,
Alambagh, Lucknow.

..... PETITIONER

VERSUS

1. Union of India, through the General Manager,
Northern Railway, Baroda House, New Delhi.
2. Divisional Personal Officer, Divisional Railway
Manager Officer, Northern Railway, Hazratganj,
Lucknow.
3. Divisional Railway Manager, Northern Railway,
Hazratganj, Lucknow.
4. Chief Controller, Northern Railway, Hazratganj,
Lucknow.

..... OPP. PARTIES.



Rafat

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ORDER SHEET

IN THE HIGH COURT OF JUDICATURE AT ALLAHABAD

W.P. No. 1640 of 198 85

vs. _____

Date	Note of progress of proceedings and routine orders	Date of which case is adjourned
1	2	3
11-4-85	<p>Sd. K.S. Varma, Sd. B. Keernar, — The Petitioner has challenged — — Set up for orders on 15th April 1985. Sd. K.S. Varma. Sd. B. Keernar 11-4-85. C.M. No. 4481 of 85.</p>	
11-4-85	<p>Sd. K.S. Varma, Sd. B. Keernar, — Put up along with the W.P. Sd. K.S. Varma. Sd. B. Keernar 11-4-85.</p>	
30-4-85	<p>C.M.A. 5127(W) of 85. Hon. D.N. Jha, J. Hon. K.N. Roy, J. List with record Sd. D.N. Jha Sd. K.N. Roy 30-4-85</p>	

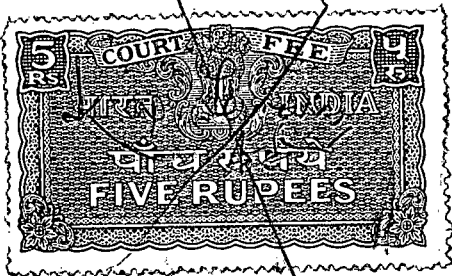
A
36

C. M. RSC. Appn No 5127(w)-85
A/6

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

5/1

WRIT PETITION NO.1640/85.



Raj Kumar Tripathi

... Petitioner.

versus

Union Of India and others ... Opp.Parties.

601C

The humble petitioner most respectfully begs to state as under :-

1. That the above noted writ petition was ordered to be fixed for hearing regarding Admission and Stay on 15-4-85, but on that the same could not be taken up and remains pending without any date fixed.
2. That the petitioner was also required to file the copy of document by 15-4-85, and the same also could not be filed for the reasons contained in the accompanying affidavit. The copy of the same is being annexed herewith as ANNEXURE A-1 to the accompanying affidavit.

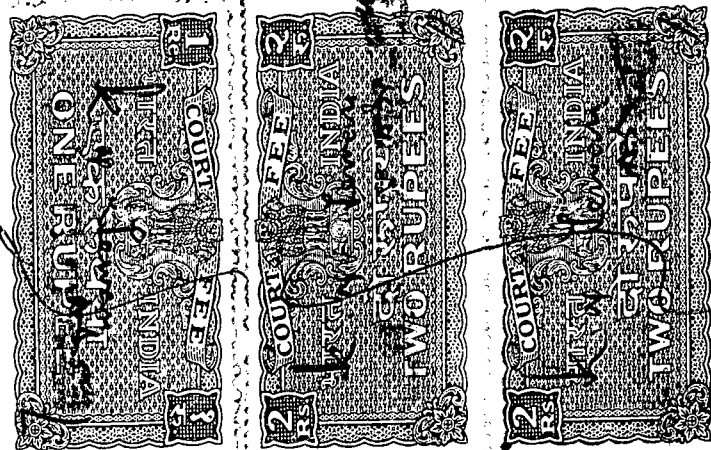
54
3
1

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

4481(w)

C.M.Application No. of 1985

in re :
Writ Petition No. 1640 of 1985



RAJ KUMAR TRIPATHI, son of Shri Sheo Balak Tripathi,
resident of P.O.H. Colony, Near Kanji House,
Alambagh, Lucknow.

.... Applicant/
Petitioner.

Versus.

Union of India and others

... Opp. Parties

APPLICATION FOR STAY

On the grounds and facts mentioned in the
accompanying writ petition, it is most respectfully
prayed that this Hon'ble Court may be pleased to
stay the operation of the reversion order of the
petitioner as contained in the Annexure No. 1 to
the above noted writ petition and allow the petitioner
to continue as Officiating Train's Clerk in the
Northern Railway, Lucknow, till the final disposal
of the above noted writ petition.

Lucknow,

Dated :

K. N. Tewari
(K.N.Tewari)
Advocate,
Counsel for the Applicant.

1735/07(7)

2

10

Serial number of order and date	Brief Order, Mentioning Reference if necessary	How complied with and date of compliance
22/2/90	<p>No Seluy Adj to 22-2-90</p> <p>This case has been received on transfer. Notice were issued to the counsels by the Office at Allahabad... None is present.....</p> <p>Let notice be issue again to the parties as directed by Hon'ble Mr. D.K. Agarwal, J.M.</p> <p>Hon. Justice K. Math, VC Hon. K. Ojha, J.M.</p> <p>Case called. No one is present on behalf of the applicant. Notices of the petition were sent to applicant and also to his counsel. The notice issued to the applicant has been returned with the report that the applicant was not known i.e. he could not be found.</p> <p>Shri Arjun Bhargava appeared on behalf of the opposite parties. The petition is dismissed for non prosecution of the case.</p> <p><i>[Signature]</i> VC</p>	<p>or</p> <p>Case has been received from CAT, And. on 20.8.90</p> <p>Case is not admt</p> <p>CA/RA has not</p> <p>No bears were issued on 17.1.90</p> <p>Notice of applicant has been returned back with postal return not known</p> <p>Submittal</p>

Dinesh

22/2/90

(11)

Hon. Justice K. Math, re:
Hon. K. Obanyo, Am.

The petition is
dismissed for non-
prosecution of the case
by the applicants.

For detailed orders
see our orders of date
passed on the
ordersheet.

Am

VC

R

A (14) 7

A 2633
4 10

IN THE HON'BLE HIGH COURT OF JUDICATURE AT ALLAHABAD

LUCKNOW BENCH, LUCKNOW.

Writ Petition No. 1640 of 1985

Under Article 226 of the Constitution of India,

District : Lucknow.

Raj Kumar Tripathi ... Petitioner

Versus.

Union of India and 3 others ... Opp. Parties

I N D E X

Sl. No.	Description	Page No.
1.	Writ Petition ...	1 to 10
2.	Annexure No. 1 (Reversion order)	11
3.	Annexure No. 2 (Yards Section letter 12 dated 16.1.1982 advising petitioner's promotion)	
4.	Annexure No. 4 (Divl. Optg. Suptd. letter recommending the petitioner to be retained as TNC)	13
5.	Annexure No. 3 (Petitioner's representation to the D.O.S., N.R., Lucknow)	14 - 15
6.	Annexure No. 5 (Petitioner's representation to the D.R.M., N.R., Lucknow)	16 - 17
7.	Annexure No. 6 (Circular of Railway Board of 1964)	18 - 20
8.	Annexure No. 7 (-do- of 1966)	21 - 25
9.	Affidavit	26 - 28
10.	Power	29

Lucknow, Dated :

April 10, 1985.

29
Surja Kant
Advocate,
Counsel for the Petitioner

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to the Chief Controller (CHC) Northern Railway, Lucknow. A true copy of the said letter dated 12.1.1982 is annexed as Annexure No. 2 to this writ petition.

4. That on 4.7.1982, the petitioner was called for written test for the post of Train's Clerk (TNC) wherein ^{was} he appeared and declared successful. The successful candidates were directed to face interview on 20.11.1982 but the petitioner was not given an opportunity to appear in the interview without any just cause. The petitioner made a representation to the Divisional Office Superintendent, Northern Railway, Lucknow on 7.11.1982 stating the fact and step-motherly treatment with him but unfortunately, no reply has been received so far. The petitioner was told that as he had not completed 3 years service in Operating Division, his case was not considered for the interview. The petitioner in his representation had clearly mentioned that his previous service as Gangman was 7 years and his half length of service, i.e. 3½ years should be counted for the purpose, but of no avail and the petitioner has not been provided an opportunity to face the interview. A true copy of the said representation of the petitioner, is being annexed as Annexure No.3 to this writ petition.



5: That the petitioner is advised to state that if ~~there was~~ the sole cause in not calling the petitioner for interview was the short service of the petitioner in Operating Division, he would not have

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been called even for written test. Actually, the authorities concerned have acted in an arbitrary manner using unfettered powers in making selection for the post of Train's Clerk.

Prakesh Nigam

63. That one Shri Raj ~~Pat Singh~~, who also got himself transferred from Gangman to Porter and posted to Jaitipur, has been tested and interviewed and promoted as booking clerk. There is a similar case of one Shri Sabbir Raja. He was also promoted as Liverman and now ~~KXXXX~~ he is A.S.M. at Block Lucknow, under T.I. Sultanpur. These both persons are not senior to the petitioner and their service period as Gangman was counted accordingly for considering them to be promoted to clerical cadre.

7. That the petitioner since his promotion to officiating Train's Clerk, i.e. 17.1.1982 has shown an excellent performance in his working and there has never been a chance for complaint against his work or conduct. The Divisional Optg. Superintendent, Northern Railway, Divisional Office, Lucknow, vide his letter No. CHC/Misc./Staff/85 dated 11.1.1985 recommended to retain at his existing post of work. A true copy of the said letter is annexed as Annexure No. 4 to this writ petition.

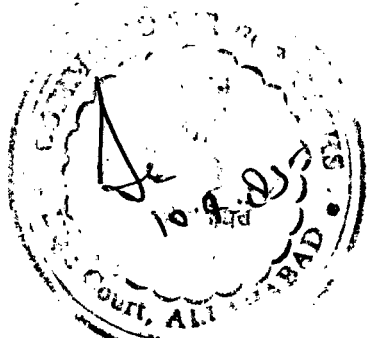


8. That the petitioner tried best that he be called for interview for the post of Train's Clerk, the written test of which he has already qualified, but of no avail, therefore, he made a representation to the Divisional Railway Manager, Northern Railway, Lko.o

20.3.1985 that the petitioner was ~~XXXX~~ discharging his duties as GADyCHC efficiently; that his work and conduct always remained satisfactory and no complaint was ever received nor any punishment like light warning was ever given to him; that he has qualified the written test but not interviewed on account of his short service at the material time, which has now completed; that he was likely to be reverted and requested to be appointed as Train's Clerk but this letter of the petitioner is still unreplied though the immediate bosses of the petitioner have strongly recommended for his being promoted. A ~~true~~ ^{photostat} copy of the said representation dated 20.3.1985 is being annexed as Annexure No.5 to this writ petition.

9. That from time to time the Railway Board issued Circular letters in the nature of Regulation and binding on all the officers of the Administration as the Board is a statutory Body and has been invested with the powers to issue such circulars and are enforceable in the same manner as rights arising out of a statute.

10. That the Railway Board issued two Circulars Nos. E/232/7 dated 23.6.1964 and E/210/0/Com. dated 31.1.1966 on the subject of reversion, a true copies whereof are annexed as Annexure Nos.6 and 7 respectively, which are binding on the opposite-parties. In the circular contained in Annexure No. 6 hereto, it is ensured that what would be the assessment of the working of staff officiating in higher grades; whenever an

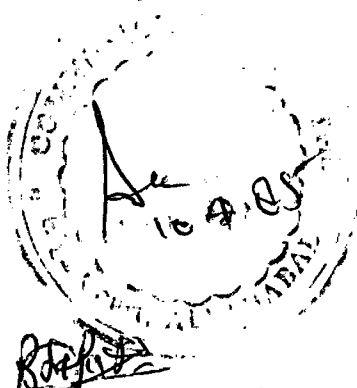


employee is put to officiate in a higher post, what his immediate superior should do, etc. Norms are also apprised regarding reverting an employee officiating in higher grades. In the circular contained in Annexure No. 7 hereto, much emphasis has been laid down in complying the norms provided in the earlier Circular and the position is further clarified.

11. That it is submitted that the opposite-parties have totally ignored the terms of the circulars in the same manner as has been indicated in these two circulars aforementioned. According to the letter and intent of these two circulars, it is clear that whenever an employee is put to officiate in a higher post, his performance and work should be under scrutiny and assessemtn and even in case of unsatisfactory work, repeated chances should be afforded to the employee concerned to make improvement and thus the reversion should not ordinarily be resorted to even in the case of unsatisfactory work. But in the case of the petitioner, the work and conduct of the petitioner was always excellent.

12. That The petitioner has never been issued with a show cause notice or any other communication indicating that he was to be reverted to the lower post from which he had earlier promoted being worked in the higher post since 12.1.1982.

13. That the petitioner has completed 3 years service as Train's Clerk Officiating and in view of the fact that he has qualified the written test for regularising the officiating persons on the same posts,7.



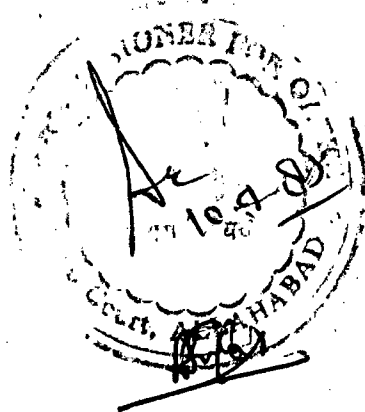
14. That the petitioner is advised to state that the effect of the two circulars of the Railway Board is that any employee who was officiating in higher post for more than a year he should be confirmed. The petitioner has put in 3 years continuous satisfactory service, therefore, he can not be ~~x~~ reverted to the post of Porter.

15. That similarly placed and similarly situated persons have not been reverted and has been regularised on the posts in which they were officiating in utter violation of the provisions of Articles 14 and 16 of the Constitution of India.

16. That the reversion order contained in Annexure No. 1 is violative of the Board's circulars contained in Annexure Nos. 6 and 7 to this writ petition and also violative of Article 311 of the Constitution of India as there was nothing adverse against the petitioner and no show cause notice or anything was ever given and no opportunity to defend his case before the passing of reversion order was given to the petitioner.

17. That similar writ petition No. 2123 of 198~~4~~² has been filed and has been admitted by this Hon'ble Court.

18. That the petitioner has not been served with the reversion order contained ~~xx~~ in Annexure No. 1, but he grossly apprehends that in case he receives the impugned order, his charge would be taken from him which at present he possesses.





19. That feeling aggrieved by the reversion order contained in Annexure No. 1, the petitioner files this writ petition having no alternative and efficacious remedy, on the following amongst other

GROUND S :

- I. Because, the reversion of the petitioner is arbitrary and infringes fundamental rights enshrined under Articles 14 and 16 of the Constitution of India.
- II. Because, the reversion order has been passed contrary to the established procedure and in utter disregard of the Rule of Law, and is also contrary to the principles of natural justice.
- III. Because, the authorities concerned have acted without jurisdiction in passing the reversion order as contained in the Annexure-I.
- IV. Because, similarly situated and similarly placed persons have been upgraded jeopardizing the material interest in utter abuse of Articles 14 and 16 of Constitution of India.
- V. Because, the opposite-parties have overlooked the statutory provisions of Railway Board's circulars contained in the Annexure Nos. 6 and 7 on the subject of reversion and officiating in higher posts and regularising thereon.

VI. Because, the impugned order is illegal, unreasonable, unjust and causes irreparable loss to the petitioner.

VII. Because, the impugned order amounts to punishment to the petitioner which can not be given without affording an opportunity of being heard.

VIII. Because, passing the impugned order particularly when the posts are still vacant and juniors or similarly placed and situated persons are allowed to continue, is quite illegal, unjust and in colourable exercise of powers of the authorities concerned.

WHEREFORE, it is most respectfully ~~xxx~~ prayed that this Hon'ble Court may kindly be pleased to :-

- i) issue a writ, direction or order in the nature of certiorari cancelling the impugned order contained in Annexure No. 1 after summoning the same in original from the possession of the opposite-parties;
- ii) issue a writ, direction or order in the nature of mandamus directing the opposite-parties not to revert the petitioner and allow him to continue as Train's Clerk and the petitioner be regularised as such;
- iii) issue a writ, direction or order as this Hon'ble Court may deem fit and proper in

the circumstances of the case; and

- iv) award the costs of the petition in
favour of the petitioner.

Lucknow,

Dated : 10-4-57

Surge Kant
E. N. Luvai
(*E. N. Luvai*)
Advocate,
Counsel for the Petitioner.

A/15 (11) 1/12

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

LUCKNOW BENCH LUCKNOW .

WRIT PETITION NO. OF 1985 .

Raj Kumar Tripathi Petitioner .

Vs.

The Union of India and others Opp. Parties .

ANNEXURE NO. 1 .

No. T C . 23/ Staff / 85 .

Dt. 12. 3.85 .

The

Stn. Sup-erintendent .
Northern Railway Lucknow .

In terms of Divisional Rail Manager

Lucknow letter No. 757/E/ 5-4/T.N.C. Dated 16.2.84

Sri R.K. Tripathi is spared and directed to you to work
as Porter Lucknow on transfer After Noon of date .

He is due 14 days Casual Leave in this
Year .

Sd/- Chief Controller .
Northern Railway
Lucknow .

TRUE COPY .



R. D. Singh

A/16 (12) 13

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

LUCKNOW BENCH LUCKNOW .

WRIT PETITION NO. OF 1985 .

Raj Kumar Tripathi Petitioner .

Vs.

The Union of India and othersOPP. Parties .

ANITXUR NO. 2 .

Ref. No. Yards / . order / Lucknow Yard /82

Dated 16.1.82 .

From Yards / Lucknow .

To

Chief Controller , (CMC)
Northern Railway Lucknow .

Sub :- Sri R.K. Tripathi Porter

Posted as TNC .

Ref :- CRM./ Lucknow and letter No. 757/E /5-6

Adhoc dated 12.1.82 .

Sri R.K. Tripathi is promoted as
TN.C. on adhoc basis is spared on 17.1.82 A.M. to
report at your's end for further duty . ~~His~~ His
service particulars are given below :--

Name Sri R.K. Tripathi .

Father's name Son of Sri Balak Tripathi .

Rate of pay Rs. 226 /- .

Date of Birth 2.7.1948 .

Date of appointment 01-2-1974 .

His pay charged here upto 27.2/ 82 and further to
be charged at your's end .

Ys/ Lucknow .

N. Rly .

TRUE COPY .



A/17 (13) YH

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

LUCKNOW BENCH LUCKNOW .

WRIT PETITION NO. of 1985 .

Raj Kumar Tripathi Petitioner .

Vs.

The Union of India and others OPN. Parties..

ANNEXURE No. 4 .

NORTHERN RAILWAY .

HON C.H.C. / Misc. / Staff / 85 . Divisional Office
Lucknow Dated :
11.11.85 .

The Divl. Personnel Office (G) ,
Northern Railway ,
Lucknow .

Sub:- Retention of Shri R.K. Tripathi as TNC
in CNL. Office / Lucknow ,

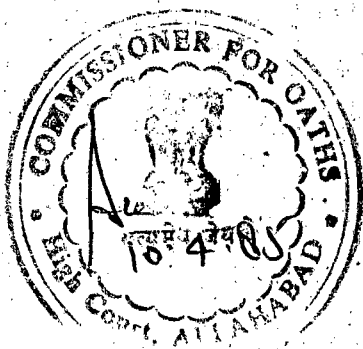
The above named Shri R.K. Tripathi
whose substantive post was transportation porter , has
been utilised as junior TNC for about 3 years . His
working has been satisfactory and appreciating . He
has incidently also gone through the TNC's written
test in July 82 and by all means deserves to be
retained at his existing post of work .

This is in supercession to this previous
orders passed by DOS .

Sd/-

Divl. Optg. Superintend-
ent Lucknow .

TRUE COPY .



4/18 (14) 15

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

WRIT PETITION NO. OF 1985 .

Raj Kumar TripathiPetitioner .

Vs.

Union of India and othersOP.Parties .

ANNEXURE N^o. 3 .

To

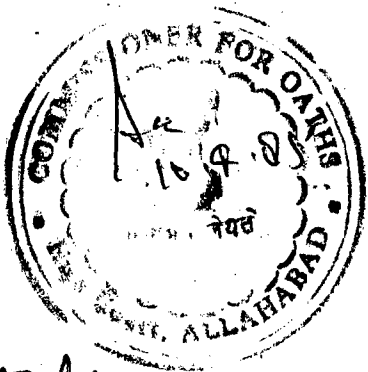
The D.O.S.

Northern Railway ,
Lucknow .

Sir ,

I beg to inform you that I got my cate-
-gory changed from Gangaman under P.W.I.- I / Lucknow to
Porter and posted under Yard Supdt . / Lucknow in May'
81 . I requested my transfer from the post of Gangman
to Porter in traffic department against 10% Kota in
terms of P. S. No. 520 . As per order contained
in this P.S. No. 520 The Staff transferec from the
gangman to other department gets the benefits of half of
the length of service for the purpose of seniority in
the obsorving department . I was appointed as
Gangman on 1.2.74 . I was trasferred as porter were I ~~is~~
joined on 21.5.81 and I have put in more than 7 years
as gangman . The half of the length of my service
as gangman . 3 and half of years (3 years and 6 months)
should be counted for fixing my seniority as Porter .

I was promoted as trains Clerk in adhoc an
and pos-ted in control Office under Chief Controller/
Lucknow on 19.1.82 . I am working upto the entire
satisfaction of my superiors since then .



Raj Kumar Tripathi

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(15)
✓
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Fortunately I was called for written test on 4.7.82 and passed the same . I have come to know that the staff passed in written test~~xx~~ are being called for interview on 20.11.82 , but I am not being called for the same , which does not seem to be justified .

I may mention that one Sri Raj Prakash Nigam was also got himself transferred from Gangman to Porter and posted at Jaitipur has been tested and interveiwed and promoted as booking clerk and is working at Unnao permanently which is a similar case with me , but it is not understood , why I am not being given chance to appear in the inteewiew . I may add the my date of appointment is 1.2.74 . Kindly issue instructions to call me in the interview on 20.11.82 , so that I can also have a chance .

Yours faithfully ,

Dated :- 7.11.1982 .

(R .K. Tripathi)

TNC/ Control / Lucknow .

TRUE COPY



Raj Prakash

In the Honble High Court of Judicature
at Allahabad
Deewan Bench, Secunder
Writ Petition no ——— 1985

(16)

17
A/M

Raj Kumar Tapatia ——— Petitioner
versus

Union of India & others ——— respondents

Amusement 5

देवा में,

माननीय मुख्य न्यायाधीश,
उत्तर न्यायाधीश, उत्तरांचल।

द्वारा- माननीय न्यायाधीश पण्डित श्रीमान जी के सहायता पूर्ण एवं
विषय :- बाबू के त्रिपाठी टी० एन० टी० के द्वारा की सम्पादन
... पदावधि के सम्बन्ध में।

मान्यवर,

प्राची क्षोडित निवेदन श्रीमान जी के सहायता पूर्ण एवं
मन्य संगत निवेदन प्रस्तुत करता है :-

(१) यह कि प्राची उत्तरांचल नियन्त्रण का में गति तीन वर्षों में टी० एन०
टिप्पटी टी० एन० टी० के पद पर पूरी निष्ठा एवं कार्यकुशलता पूर्ण
कर रहा है।

(२) इस अवधि में प्राची को न तो किसी प्रकार का कोई पण्ड मिला और
न ही काम में किसी प्रकार की कोई वृद्धि पाई गई।

(३) प्राची ने अपने काम से अपने परीक्षाओं की सदैव प्रसन्न एवं सन्तुष्ट रहने
रखा है। प्राची ४-७-८२ को टी० एन० टी० की लिखित परीक्षा
पास कर चुका है। लेकिन प्राची को १७-१२-८२ के सन्तराष्ट्र में नहीं
हलाया गया, क्योंकि प्राची के उस समय आपरेंटिंग में तीन- पाठ
नहीं हुये थे। तब से प्राची सदाकम में टी० एन० टी० के पद पर काम
कर रहा है।

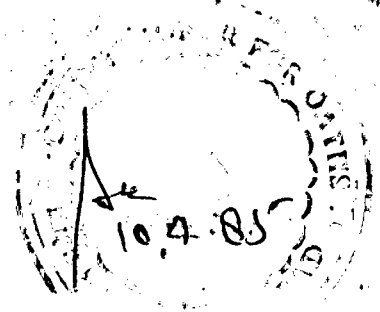
(४) यह कि विरक्त सुत्रों से ज्ञात हुआ है कि प्राची की पदावधि की
प्रशिक्षण प्रारम्भ कर दी गयी है, किसे प्राची को अत्यन्त वाणिज्य
राशि एवं धौनसिक कष्ट की सम्पादन है। बाप की वाणिज्य राशि
के कारण प्राची के बच्चों की शिक्षा दीक्षा एवं पालन पोषण
पर भी प्रभाव पड़ेगा।

(५) यह कि सन्तराष्ट्र में टी० एन० टी० के दृष्टि स्थान रिक्त पड़े हुये हैं
जो अभी तक पर नहीं गये हैं।

अतः एवं श्रीमान जी से निवेदन निवेदन है कि माननीय न्यायाधीश
पर प्राची के पदावधि के अवधि की निवेदन जहाँ बाप काम करने की
वाता प्रदान करें।

दिनांक ——— (१०-४-८५) टी० एन० टी० के त्रिपाठी टी० एन० टी० के द्वारा

Handwritten notes in left margin:
"The file may be kept up for further reference in (P) branch" (written vertically)
"10/4/85" (written horizontally)



Handwritten signature/initials at bottom left.

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

LUCKNOW BENCH LUCKNOW .

WRIT PETITION NO.

OF 1985 .

Raj Kumar Tripathi.Petitioner .

Vs.

The Union of India and othersOPI. Parties.

ANNEXURE No. 6 .

Railway's letter No. E/ 232 / 7 dated 22.6.64' abb- Reversion of employees officiating a higher grade .

Under this office letter No. E (38) 12-711 Eb. vi (c) dated 6.2.63 , a copy of Board's confidential letter No. F 90 &AO 61-6/6/36 dated No. 11-1961 was sent to all officers . As per Board's directions , efforts are to be made to confirm staff officiating in higher grade in older vacancies , if they are found suitable , after trial over ~~and~~ a reasonable period of not exceeding 18 months . It is , however , observed that in practise , no proper system is being followed in respect with the result that staff continues to officiate in higher grade for long periods and several cases staff who have officiated for a number of years have been reverted on account of inefficient working . Such reversions are contrary to the extent of orders .

2. With a view to ensure that a prayer assessment of the working of staff officiating in higher grade s , is made and action to revert such employees , as are found to be unsatisfactory in work in the higher grade ,



Raj Kumar

is taken in time , the following procedure is being introduced for strict compliance by all concerned .

3. Whenever an employee is put to officiate in a higher post , his immediate superior should sent an assessment report in room as the employee has completed a months of officiating . , period . If this report is unsatisfactory a similar further report should be sent three months later i.e. at the end of 9 months officiating period and again 3 months later i.e. at the end of 12 months officiating period . If the first report is satisfactory further reports need not be send unless the employees detriorates in the subsequent months .

4. These assessment reports should be sent on to the authority who had ordered the promotion . Is the case of the first and or second report being unsatisfactory , the employee should be warned that the report on his working has been unsatisfactory and unless he makes a substantial improvement , he will be liable to be reverted .

5. If the thirs report , at the end of 12 months period is also unsatisfactory , he should be promptly reverted and if he is to be given a further chance even after the thirs unsatisfactory report , the personal function of the senior scale officer in the case of classify employee and of a Head of Department in the case of Class III employee should be ~~also~~ obtained after such sanction has been obtained and opportunity gives to the employee is of an avial , he must be



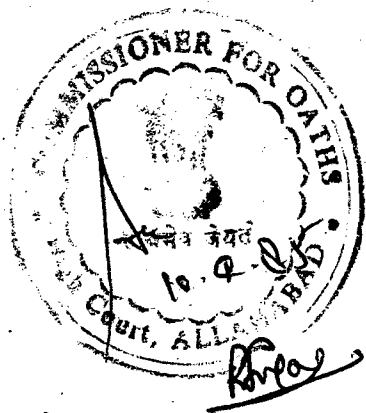
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properly recerted before completing 12 months of officiating period . Order for reversion in such cases should not be passed by an authority lower than the authority who had ordered the promotion . Then an employee is reverted for inefficient working from a selection post , his name will automatically be deleted from the panel . For promotion he will have to appear before a selection Board afresh . Then an employee is reverted for inefficiency from a non-selection post his case should be reviewed at interview of six months and if he is considered fit for promotion , he should be reported against the next vacancy .

6. If it is proposed to revert ~~to the~~ an employee who had had completed 18 months of officiating period other than by following the DOR procedure , the promotion sanction of a Head of Department be obtained in the case of class IV employee and G.M.'s personal sanction must be obtained in the case of class III staff .

7. Since no official individual whose working is unsatisfactory could have been allowed to continue beyond 18 months exact under very special circumstances confirmation must be made after 2 years of officiating period has been completed subject to permanent post being available for the purpose . In the case of staff with satisfactory reports , confirmation against available vacancies , can be ordered after one year , it is proposed to defer the confirmation of an individual after 2 years G.M.'s report sanction should be obtained .



8. If an employee is not confirmed in higher grade post for want of permanent vacancy he cannot be reverted after he has completed 18 months of officiating period on the charge of unsatisfactory working except after the following C A R procedure , the procedure being the same for confirmed employees or an officiating employee .

9. The assessment reports referred to above should be marked confidential and a proper record kept of these accumulations . The establishment section should watch the case of such employee and initiate action when the employee completes 6 months of officiating period by putting up a note to the Executive Officer for the purpose .

10. The above procedure should also be followed in the case of Class III employee promoted to officiate in case of Class II in their case , the assessment report should be sent to the Head of Department and where as officer has been reported an adversely , the papers should be put up before the O V for orders .

TRUE COPY .



R. S. S.

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

LUCKNOW BENCH LUCKNOW .

WRIT PETITION NO. OF 1985 .

Raj Kumar TripathiPetitioner .

VS.

The Union of India and other s..... OPP. Parties .

ANNEXURE NO. 7 .

Railways letter No. E/210/G/ Com dt. 31.1.1966 .

Subject :- Reversion of employees officiating in higher grade .

Attention is invited to this office confidential letter No. E/ 232 / 7 dt. 23.6.1964 vide which instruction were issued laying down the procedure to be followed in the matter of reversion of employees officiating in higher grade . The position has been further revised and instructions contained in the paragraphs which are issued in supersession of the instructions issued vide letter No. E/ 232/7 dated 23.6.66 .

2. As per Board's directions contained in their letter No. E/ D A ^R 1-61-C.6-30 dated 30.11.1961 efforts are to be made to confirm staff officiating in higher grade in clear vacancies , if they are found suitable , after trial , over a reasonable period not exceeding 18 months . It is however , observed that in practice no proper system is being followed in this respect with the result that staff continue to officiate in higher grade for long period and in several cases staff who have officiated for a number of years have



BB

been reverted on account of inefficient working . Such reversion are contrary to the ext nt orders .

3. With a view to ensure that a proper assessment of the working of staff officiating in higher grades , is made and action to revert such employees as are found to be satisfactory in work in the higher grade is taken in time . The following procedure is being intruduced for strict compliance by all concerned .

4. Whenever employee is not to officiate in a higher post which may be a selection post or non- selection post , his immediate superior should send an assessment report as soon as the employee has completed 3 months officiating , period to the authority who had ordered his promotion . In the case of an unsatisfactory report a warning letter should also be issued to the employee and in which instance of his failure should be pointed out to him . A similar ~~fuher~~ report should be prepared 3 months later i.e. at the end of 6 months officiating period and sent to the authority who had ordered the promotion . If this report is also unsatisfactory the employee concerned may be reverted with personal sanction of a Senior Officer in the case of Class II employee and of a Head of Department in the case of class III employee .

If an employee is reverted after 6 months to his due to his unsuitability it is to be presumed that either record of service was not consulted at the



time of ordering his promotion or if consulted , it did not give a correct assessment of his ability and in case of selection ~~posts~~ the selection committee made an error of judgment in assessing his abilities . The aspect also should be examined by the authority ordering the reversion in every such case .

6. When an employee is reverted for inefficient working from a selection post , his case will be automatically deleted from the panel , . For re-promotion he will have to appear before a selection Board afresh . There no employee is reverted for inefficiency from a non - selection post his case should be reviewed at intervals of six months and if he is considered fit for promotion he should be re-promoted against the next vacancy .

7. In the terms of Board's letter No. E 0(C & A) 65-RG 6/ 24 dated 9.6.65 circulated under this office letter No. E/VII / 232 /7 (Con) dated 30.6.65 , any person who is permitted to officiate beyond 18 months must not be reverted for unsatisfactory work without following the procedure prescribed in the Disciplinary and Appeal Rules .

8. A question may be raised whether the safeguard applies to persons who are officiating on promotion as an stop gap measure and not after empanelment in the case of selection posts and after passing the suitability test

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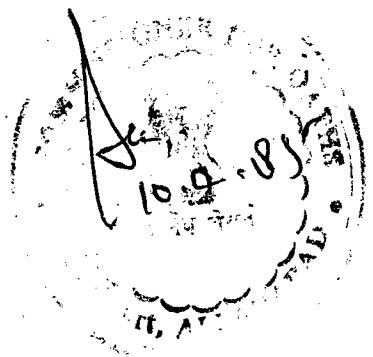
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(in the case of non-selection post) it is clarified that the aforesaid applies to only those employees who have acquired a prescriptive right to the officiating post by virtue of their empspement or having been declared suitable by the competent authorities . It does not apply to those officiating on promotion as a stop gap measure and also to those cases where an employee duly selected has to be reverted after a lapse of 18 months because of cancellation of selection and proceedings due to change in the penal position consequent to rectification of mistake in seniority etc.

9. Since no officiating individuals who are working in an unsatisfactory manner could have been allowed to continue beyond 18 months except under very special circumstances confirmation must be made after two years of officiating period has been completed subject to permanent post being available for the purpose . In the case of staff with satisfactory reports , confirmation against available vacancies can be ordered after one year , if it is proposed to defer the confirmation of an individual after 2 years G.M.'s prior sanction should be obtained .

10. The assessment reports referred to above should be marked confidential and a proper record kept of those communications . The Establishment section should watch the case of each employee and initiate action when the employee completed 3 months of officiating period by putting up a note to the Executive Officer for the purpose .



11. That the above procedure should also be followed in the case of class III employee promoted to officiate in Class II. In their case, the assessment report should be sent to the H.O. and where the officer has been reported on adversely, the papers should be put up to the General Manager personally for his information and orders.

TRUE COPY.



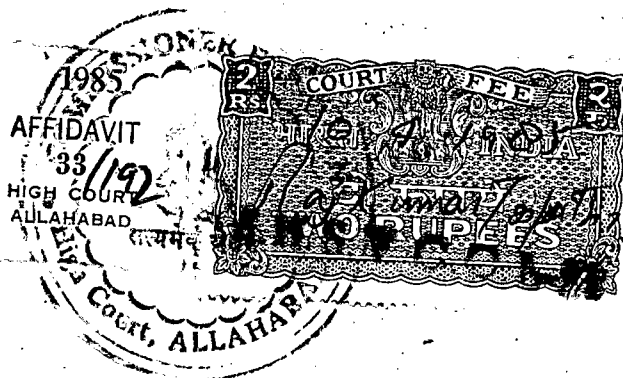
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In the Hon'ble High Court of Judicature at Allahabad,
Lucknow Bench, Lucknow.

Affidavit
in support of :

Writ Petition No. of 1985



Raj Kumar Tripathi ... Petitioner.

Vs.

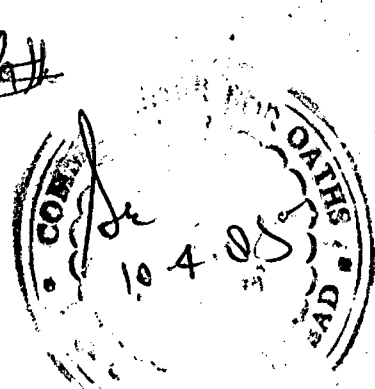
Union of India and others ... Opp. Parties

AFFIDAVIT

I, Raj Kumar Tripathi, aged about 36 years,
son of Shri Sheo Balak Tripathi, resident of
P.O.H. Colony Near Kanji House, Alambagh, Lucknow,
do hereby solemnly affirm and state on oath as
under :-

1. That the deponent is the petitioner in the
above noted writ petition and as such is well
conversant with the facts of the case.

.....2.



2. That the contents of the above noted writ petition from paras 1 to 18 are true to my own knowledge and those of para 19 is ~~true~~ believed to be true being based on legal advice.

3. That the above noted writ petition is accompanied by seven annexures, all of which are true copies of their respective originals, which have been checked by me.

4. That the contents of this affidavit from paras 1 to 4 are true to my own knowledge.

Lucknow, ✓

Dated 10/4 April, 1985.

R. S. Jais
Deponent

Verification

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

Lucknow, Dated :

April 10/4, 1985.

R. S. Jais
Deponent

Identification

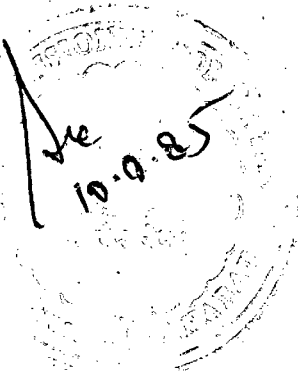
I identify the deponent who has signed before me.

K. H. Jais
Advocate



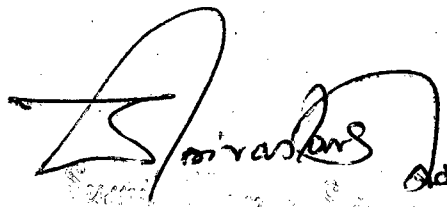
Solemnly affirmed before me on 10.4.85
at 10.30 A.M./P.M. by Shri Raj Kumar Tripathi,
the deponent, who is identified by Shri K.N.Tewari,
Advocate, High Court, Lucknow Bench, Lucknow.

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



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Mirabans Adv.
Dist. Comm. Secy.
10.4.1985

ब अदालत श्रीमान्

[वादी] अपीलान्त

प्रतिवादी [रैस्पाडेन्ट]

Raj Kumar
Tripathi

Union of Agriculture

बनाम

प्रतिवादी (रैस्पाडेन्ट)

नं० मुकद्दमा

सन्

पेशी की ता०

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ऊपर लिखे मुकद्दमा में अपनी ओर से श्री

Surja Kant

Kailash Chandra Dewan Advocate

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 सुलहनामा 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 हारी विपक्षी (फरीकसानी) का दाखिल किया हुआ रुपया अपने या हमारे हस्ताक्षर युक्त (दस्तखती) रसीद से लेवे या पंच नियुक्त करें—वकील महोदय द्वारा की गई वह सब कार्यवाही हमको सर्वथा स्वीकार है और होगा 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

(Raj Kumar Tripathi)

साक्षी (गवाह)

साक्षी (गवाह)

दिनांक

महीना

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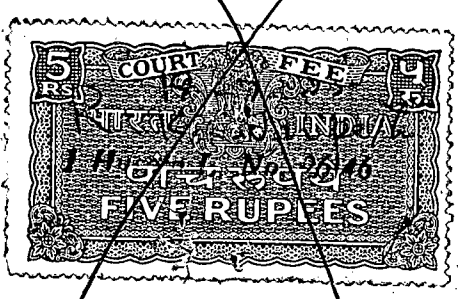
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स्वीकृत

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To,

The Adl. Registrar
Honble High Court of Allahabad
Bench at Lucknow



Writ Petition no 1640 of 1985

R. K. Tripathi Petitioner
versus

Union of India & others Opposite Parties

Application for fixing date

In the above noted case it is respectfully submitted as under:-

- 1- That above noted writ petition was filed on 11.4.85 before Honble Mr. Justice K. S. Verma and Mr. Justice Brijesh Kumar. Their Lordships pleased to fix 15.4.85 for further hearing and directed the petitioner to file supplementary affidavit along with letter of 16.2.84. The supplementary affidavit along with said letter was filed accordingly.
- 2- That on 15.4.85 the number of case could not come as such the above noted writ petition could not be taken and remain without further order.
- 3- That on 17.5.85 a application for fixing a date was given to your lordship and your lordship after perusal of file pleased to fix 23.5.85 for admission. Unfortunately this day the Court could not come in session.
- 4- That further on 25.5.85 an another application was moved that too remain undischarged which is on file.
- 5- That petition was reverted from the post of Travis clerk to porter (Railway Serv.) but any how he is still moving to the same post. There is every likelihood that he may be taken charge, as another person is detailed to work on his post.

Wherefore it is most respectfully prayed that early date for admission hearing may very kindly be fixed at least to get justice after hearing of the case.

The applicant shall swear

K. P. Sen
Adv
(Counsel for Petitioner)

Witness
dated 26/7/85

Sd/- (writ)
Adv. Madan
26/7

It is further prayed that the above
noted writ petition along with the Stay
application may kindly be ordered to be
listed in the next week.

Lucknow:

Dated : 24/4/85
20.4.85

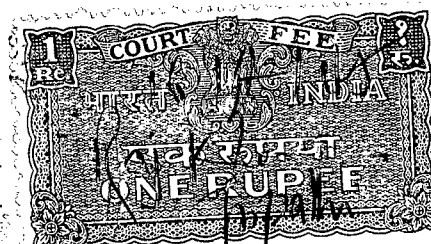
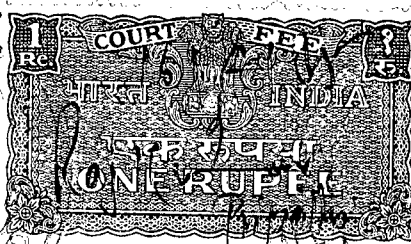
K. P. Sen
Counsel for the petitioner.

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

Writ Petition No. 1640 of 1985.

1985
AFFIDAVIT
40/192
HIGH COURT
ALLAHABAD



R. K. Tripathi

----- Petitioner.

Versus

Union of India & Others

---- Opp-Parties.

I & Supplementary Affidavit I

-o-o-o-o-o-o-o-o-o-o-o-o-o-o-o-

RS-10

I, Raj Kumar Tripathi aged about 36 years
son of Shri Sheo Balak Tripathi, R/o and F.C.H. Colony
near Kanzi House, T. S. Alambagh, Lucknow, do hereby
solemnly affirm and state on oath as under :-

1. That the deponent is the petitioner in
the above noted case as such he is fully conversant
with the facts and circumstances of the case deposed
hereunder.

16.4.85

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12.4.85

2. That the deponent was directed by this Hon'ble Court to file D.R.M. Ex letter no. 757E/5-4/TNC Dated 16-2-1984, ~~on 12-4-85~~.
3. That deponent could not get the copy of said letter as such he could not file the same within specified period.
4. That the deponent is filing the said letter today which is annexed alongwith this affidavit, as annexure no. A-1 to this supplementary affidavit.
5. That the delay in filing the said letter is not deliberate and liable to be condoned and and it may be taken on record.

Lucknow Dated

16-4-1985

[Signature]

Deponent.

Verification

I, the above named deponent, do hereby verify that the contents of paras 1 to 4 are true to my own knowledge and those of paras 3 and 5 are believed

Contd... 3/-



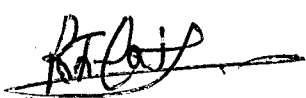
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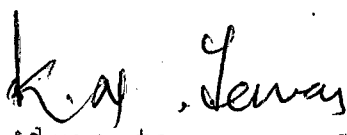
by me to be true and those of paras to are based on legal advice. Nothing material has been concealed and no part of it is false, So help me God.

Lucknow : Dated

16 -4-1985


Deponent.

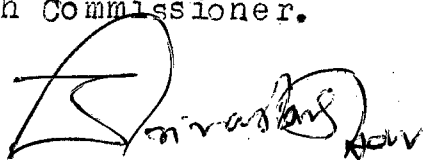
I identify the deponent who has signed before me.


Advocate.

Sol-ennly affirmed before me on 16.4.1985 at 1.45 a.m./p.m. by Raj Kumar Tripathi the deponent who has been identified by shri. K. N. Tiwari Advocate, High Court Bench, Lucknow.

I have satisfied myself by examining the deponent who ~~has been~~ it understands the contents of this supplementary affidavit which have been read out and explained by me to him.

Oath Commissioner.



40/192

16-4-85

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

Writ Petition No.....of 1985

R.K. Tripathi. --- Petitioner.

Ve.

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

Annexure No. A-1

Northern Railway,
Divisional Office,
Lucknow. Dt. 16.2.84

No.757-E/5-4/TNG

NOTICE

(A) The following staff who were temporarily promoted to officiate as TNC Gr. Rs 260-400 (Rs) purely local adhoc arrangement vide this office notice of even No. dt. 12.1.82 are reverted to their substantive posts with immediate effect.

S/ Shri.

S.No.	Name.	Substantive post and station.	Existing Stn.
1.	Ishaque Ali	Shuntman-LKO	TNC/LKO.
2.	Baboo Lal	" (GS)	" (GS)
3.	R.K. Tripathi	Porter/LKO.	" (CHC)



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4. A.K. Srivastava	Porter LKO	TNC/ (CHC)
5. Noor Mohd.	Shuntman-BSB	" BSB
6. Ram Lochan	" VYN	" MGB
7. Awadh Behari	Leverman-PBH	" PBH

8(B) The following panelled staff who have qualified P-4 promotional course at ZTS/ CH and also took 15 days local training to the duty of TNG are temporarily promoted to officiate as TNG Gr Rs 260-400(RB) and posted at the station indicated against each :-

S.No.	Name.	Existing Desig. Stan.	Posted on promo- tion at stn.
	S/Shri		
1.	Ram Chander	Shuntman FD	YS/LKO
2.	Rameshwar	" LKO	DE(R)
3.	Ram Deo Yadav	" FD	BSB
4.	Ram Abhilash	" BBK	BSB
5.	Zaheer Ahmad	" LKO	AMG
6.	Santosh Kumar Sarang	LKO	CHC/LKO
7.	Pooren Bahadur Tewari	LKO	SS/LKO(Chg)
8.	D.S. Awasthi	Callman LKO(CHC)	CHC/LKO
9.	Ram Sermani	Porter KBH	PLP
10.	Virendra Singh	Porter LBH	CHC/LKO.

contd 3/-



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(C) The following TNC's Gr. Rs 260-400(RS) are transferred at the station against each on their own request. They are not entitled any transfer pass/transfer allowance joining time etc.

S.No.	Name.	Present station	Transferred.
1.	Abdul Sahim	BSB	DS(Rules)
2.	Davendra Kumar	BSB	"
3.	Jhapti	DS(R) CHC/LKO	PSB.

(D) ADRM(OP) has approved the transfer of the following posts from Goods shed Lucknow to BBK and AMG.

1. One post of Sr. CHC Gr Rs 330-560 from GS/LKO to BBK.

2. Two posts of TNG Gr Rs 260-400 from GS/LKO to AMG

Consequent upon this the following are transferred :

Sri B.D. Tewari Sr. CNC GS/LKO to BBK.

" Kesho Ram TNC GS/LKO to AMG

" Zaheer Ahmed "

This pass the approval of Sr.DPO/LKO.

Sd/-

(K.V.Mehta)

for Sr.Divl Personnel Officer
Lucknow.

Copy forwarded for information & necessary action to:-

1. Station Supdt LKO BSB FD BBK PLP PSH
2. Station Master Kapeethi/LBH VYN AMG
3. CHC/LKO 4. YL/LKO 5. GS/LKO 6. Dy. CHC (Cobby) MG
7. A-(Relief) DRM Office/Lucknow
8. Sr.DAO/LKO
9. Supdt. (Pay Bill) LKO.

(True copy)

[Signature]
40/192
16-4-1905

[Handwritten mark]

16.4.05

(87)

45

11/10

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
CIRCUIT BENCH
Gandhi Bhawan, Opp. Residency, Lucknow

1735/07

No. CAT/Alld/Transfer/ 3048 Dated the 17/1/90

R. K. Trefathi APPLICANT'S

VIS. 15

Union of India RESPONDENT'S

To: Raj Kumar Trefathi 8/0 Sheo Balok
Trefathi n/o P O H. Colony near
Kanye Haze Alom bagh Lko

Whereas the marginally noted cases has been transferred by 17-2-90 under the provision of the Administrative Tribunal Act XIII of 1935 and registered in this Tribunal as above.

Writ Petition No. 1640/85 The Tribunal has fixed date of 22-2-90 1990. of the Court of 17-2-90 The hearing of the matter. arising out of order dated 17-2-90 If no appearance is made on your behalf by your some one duly authorized to Act and plead on your behalf. passed by 17-2-90 in 17-2-90

The matter will be heard and decided in your absence. given under my hand seal of the Tribunal this 15 day of 1 1990.

dinesh

12
DEPUTY REGISTRAR

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
23-A Thornhill Road, Allahabad-201 001

P.A. No. 1735 of 1937

No. CAT/Alld/Jud 41296-97 dated the

Haj Kumar Tripathi

APPLICANT(S)

VERSUS

Union of Ind.

RESPONDENT(S)

TO

- 1- Shri Surya Kant, Advocate, Lucknow High Court Lucknow.
- 2- Chief Standing Counsel (C.G.) Lucknow High Court Lucknow.

Whereas the marginally noted cases has been transferred by
~~H.C. IKU~~ Under the provision of the
Administrative Tribunal Act XIII of 1935 and registered in this Tribunal
as above.

Joint Petition No. 1640
of 1935
of the Lucknow High Court, Lucknow

The Tribunal has fixed date of
15-12-1939 1939. The
hearing of the matter at Gandhi
Chawan, Opp. Residency, Lucknow.

If no appearance is made on your
behalf by your name one duly authorised to
act and plead on your behalf

the matter will be heard and decided in your absence.

Given under my hand seal of the Tribunal this
day of August 1939.

Deputy

DEPUTY REGISTRAR

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
CIRCUIT BENCH
Gandhi Bhawan, C.P. Residency, Lucknow

1735/07

No. CAT/Alld/Transfer/3040 Dated the 17/1/90

R.K. Tripathi APPLICANT'S

VERSUS

Union of India RESPONDENT'S

① To Raj Kumar Tripathi S/o Shri Lalade
Tripathi 2/10 P.O. II Colony Near
Kanye Hase Alora Begh J.K.O

Whereas the marginally noted cases has been transferred
by H.C. 12/90 under the provision of the Administrative
Tribunal Act, XIII of 1985 and registered in this Tribunal as above.
Writ Petition No. 116/90 The Tribunal has fixed date of
of 1990. of the Court of 22.2.90 1990. The hearing
arising out of order dated 17.1.90 of the matter.

_____ passed by _____
_____ in _____
If no appearance is made on your
behalf by your some one duly authorised
to Act and plead on your behalf.

The matter will be heard and decided in your absence.
given under my hand seal of the Tribunal this 15
day of 1 1990.

dinesh/

H
DEPUTY REGISTRAR

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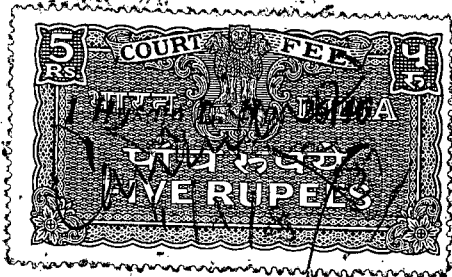
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IN THE HON'BLE HIGH COURT OF JUDICATURE AT ALLAHABAD.
SITTING AT LUCKNOW.

WRIT PETITION NO. 1640 of 1985.



R.K.Tripathi ... Petitioner.

versus

Union Of India and others.. Opp.Parties.

To,

The Registrar,
The Hon'ble High Court at Allahabad,
Lucknow Bench, Lucknow.

Sir,

In the above noted case it is respectfully
submitted as under :-

1. That the above noted writ petition was filed before Mr. Justice K.S.Verma and Mr. Justice Brijesh Kumar on 11-4-85, after hearing of the petition this Hon'ble High Court was pleased to fix 15-4-85 for filing Supplementary Affidavit regarding annexure No.1, but unfortunately this case could not come up for hearing, listing.
2. That on 17-5-85 the applicant moved an application before your Honour for admission. This application was allowed and it was told by your Honour's office that the above petition is fixed for 23-5-85 for admission, but ~~again~~ it could not be listed.
3. That on another application of the petitioner, your Honour was pleased to fix 5-8-85 for admission on the above noted writ petition and it was listed

...

before Hon'ble Mr. Justice K.S. Verma and Mr. Justice Saghir Ahmad. But this day the luck of the petitioner could not favour him and as such the turn of the case could not come up.

4. That ⁱⁿ the petitioner's writ petition he had challenged his ^{reversion order} ~~reversion order~~. He is not being paid his salary. He is very soon likely to be reverted. The stay in the above writ petition is urgently solicited.

Wherefore, it is most respectfully prayed that your honour may kindly be pleased to fix an early date for admission of the writ petition.

Lucknow, dated:
October XI, 1985.


(K.N TEWARI)

ADVOCATE

COUNSEL FOR THE PETITIONER.

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CENTRAL ADMINISTRATIVE TRIBUNAL

CIRCUIT BENCH LUCKNOW

T.A. NO.1735 of 1987 (T)
(W.P. NO.1640 of 1985)

Raj Kumar Tripathi	Applicant.
	Versus	
Union of India & Others	Respondents.
<u>222.1990</u>		

Hon'ble Justice K. Nath, V.C.

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

Case called. No one is present on behalf of the applicant. Notices of the petition were sent to applicant and also to his counsel. The notice issued to the applicant has been returned with the report that the applicant was not known i.e. he could not be found.

Shri Arjun Bhargawa appeared on behalf of the opposite parties. The petitions is dismissed for non-prosecution of the case.

Sd/-
A.M.

Sd/-
V.C.

// True Copy //

rim/

Checked
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Central

Lucknow Bench,
Lucknow

26/2/90
anal

②

Recd
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The Addl Registrar
House Income Tax
at Hyderabad will receive.

1 of Rs. 5/-

W.P. no 1640 of 1985

Raskumar Triplichi — Petitioner

vs
Union of India & others — Opposite parties

Application for fixing date

The petitioner most respectfully begs to submit
as under.

- 1- That applicant has filed the above mentioned writ Petition in the District Court on 11.4.1985 against the Revenue order and some time for filing the supplementary affidavit was granted by Honble Mr. Justice K. V. Ramaiah and Honble Mr. Justice K. V. Anand on the date for hearing of the above mentioned writ Petition was also fixed by their Lordships on 15.4.85 but on 15.4.85 the number for hearing did not reach.
- 2- That after the above mentioned date no other date for hearing of the above mentioned writ Petition has been fixed.
- 3- That in the interest of justice it is very necessary that if the date for hearing may not be fixed the purpose for filing the writ Petition will become impotency because the other person is going to take over the charge on the place of the applicant.

Wherefore it is most respectfully prayed that the above mentioned writ Petition may very soon be fixed for hearing in the next week otherwise the purpose for filing the writ Petition will become impotency, as the other person is going to take over the charge on the place of the applicant and the stay is very necessary.

K. V. Sreenivasulu

Counsel for the Petitioner

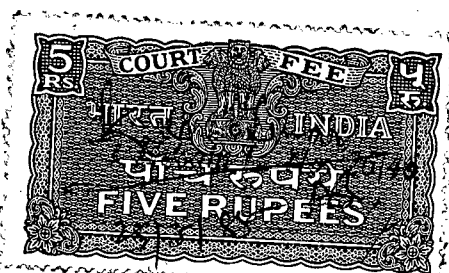
Subscribed and sworn to before me on 17.5.85

carries total
85 on which
stamp out.
be sent for
over on 23.4.85
Submits
17/5

(This)
referred to
today

17/5/85

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The Adll. Registrar,
High Court Allahabad
Bench Lucknow,



C/115 7/2
W.P. no 1640 of 1985

Raj Kumar Tripathi _____ Petitioner
VS
Union of India & others _____ Opposites

Sir,

It is respectfully submitted as under:-

- 1/ That petition was filed above noted W.P. on 12.4.85 or 12.4.85 this Honble Court was pleased order for fixing date 15.4.85.
- 2/ That on 15.4.85 it could not be taken up by the Court concerned as the number of the case could not come.
- 3/ That on 18.5.85 the applicant moved an application before your lordship, your lordship was pleased to fix the above noted case for hearing for 23.5.85. It is regretted that on 23.5.85 the above noted case could not be listed in spite of your lordship's order.
- 4- That petitioner is suffering from irreparable loss and damages.
5. That petitioner's case is against the Revision order which is not served so far and it is likely to be served very soon. If the letter is served the petitioner shall be debarred to his Substantive Post.

Wherefore it is most respectfully
prayed that the above noted case may be
kindly be ordered to be listed very soon in calendar.

The petitioner shall ever pray

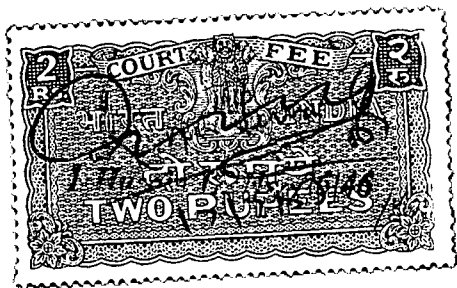
L. M. Senary
Adv.

(Counsel for the Petitioner)

Lucknow
28/5/85

22/1316
22/2185

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Application for Inspection

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

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

Full Description of the case	Whether case pending or decided	Full particulars papers of which inspection is required	Name of person who will inspect record	If applicant is not a party reason for inspection	Office report and order
W.P. no 1640/85 R.K. Tripathi vs Union of India & others	Pending	Petition	K.N. Sen Adv. (Counsel for Petitioner)		Office Report Order for Inspection Deputy Registrar 22/7/85

Date 24/7/85

Signature of applicant or his Advocate
22/7/85

Inspection commenced at on
Inspection concluded at
Inspection fee paid by the applicant
Additional fee if any