

CENTRAL ADMINISTRATIVE TRIBUNAL
LUCKNOW BENCH, LUCKNOW

INDEX SHEET

CAUSE TITLE *TA No. 1749/82*
W.P. No. 2302/85 OF

NAME OF THE PARTIES *Zheer Ahmad* Applicant

Versus

U.C.I. East. Respondent

Part A.

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2	<i>order sheet</i>	<i>A2 to A5</i>
3	<i>judgment order dt 08-1-93</i>	<i>A6 to A5</i>
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CERTIFICATE

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

This file received from record room without (Borsta)

Dated *15.9.11.*

Counter Signed.....

[Signature]
15/9/11

Section Officer/In charge

Signature of the
Dealing Assistant

Central Administrative Tribunal
Lucknow Bench

INDEX SHEET

Cause Title TA 1749/87 of 1993
Name of the Parties Zaher Ahmad Applicant
Versus Respondents.

Part A.E.C.

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No B. File

C. File

M.P. office copy
of notices

CIVIL _____ SIDE
 CRIMINAL

GENERAL INDEX

(Chapter XLI, Rules 2, 9 and 15)

Nature and number of case W.P. 2302-55

Name of parties Zaker Ahmed vs. Union of India

Date of institution 22.5.55 Date of decision.....

A/2

File no.	Serial no. of paper	Description of paper	Number of sheets	Court-fee		Date of admission of paper to record	Condition of document	Remarks including date of destruction of paper, if any
				Number of stamps	Value			
1	2	3	4	5	6	7	8	9
					Rs.	P.		
	1-	W.P. with Affidavit and Annexures	22		102	00		
	2-	Power	3		15	00		
	3-	Notice	3					
	4-	Order Sheet	1					
	5-	Beard Copy	1					

I have this _____ day of _____ 198 _____ examined the record and compared the entries on this sheet with the papers on the record. I have made all necessary corrections and certify that the paper correspond with the general index, that they bear Court-fee stamps of the aggregate value of Rs. _____ that all orders have been carried out, and that the record is complete and in order up to the date of the certificate.

Date.....

Munsarim
 Clerk

(A)

X/5

22/12/09

Hon. Justice K. Math, VC

OR
Case has been read for CAT, AHD. in Acc. OP.
Case is not admitted.
CAT/RA not filed.
Date was fixed from CAT, AHD.

No one is present for the applicant. Issue notices to the applicant as well as to his counsel and list for admission on 26/2/90.

Submitted for order
21/12/09

OR
Notice issued
10/11/90

VC

OR
Notice were issued on 10/11/90

6-4-90

Hon K. Math, VC
Hon K J Raman, AM

This is an application No. 219/90 by sons and daughters of the deceased applicant for their substitution in place of Zaher Ahmed. It is stated that Zaher Ahmed died on 20-4-88 and that the legal representatives had no knowledge of the pendency of this case or its transfer to the Tribunal.

Notice of applicant had been return back with postal remark
El-yam & Bici

Stamp: 9147

S. P. Adamson

Issue notice to opposite parties and list for orders on 13-7-90.

Notice issued on 9-4-90
S.P.A.

VC

VC

13-7-90 No sitting Adj. to 23/7/90.

OR
Notices were issued on 9-4-90
Neither reply nor any unusual reply. Case has been return back
S.P.O.L

T.A. 11/4/87

(A3)

X/11

8.2.91

D. R.

Applicant's side
is absent today.

Mr. A. N. Verma,
Id. counsel, files
power on behalf

of the respondent
today. Case is

listed before

me on 7.3.91
for filing counter.

1/2 [Signature] 1992

7/31/91

Parties are not
present. Case is
fixed for filing
counter which has
not been filed
so far. Put up
again for filing
counter by 9/5/91

9.5.91

D. R.

Both the parties are
absent today. Appli-
cant to file R.A.
by 12/7/91.

(A)

T.A. 1749/87

30.4.92

A/S

D.R.

Both the parties are absent. Applicant to file Rejoinder by 10/7/92.

10.7.92

D.R.

Both the parties are absent. Applicant to file Rejoinder by 8/9/92.

8.9.92

D.R.

None present for the parties. No RA filed. Applicant is directed to file RA by 12.11.92.

12.11.92

D.R.

Both the parties are absent. Rejoinder has not been filed. It is a writ petition of the year 1985, List for orders before Hon. Bench on 8.1.93.

O.P.
No. R.A. filed. Submitted for ~~the~~ administration
B
9/1/93

AG

A
A

CENTRAL ADMINISTRATIVE TRIBUNAL LUCKNOW BENCH LUCKNOW

Transferred Application No. 1749 of 1987

Zaheer Ahmad Applicant

Versus


Union of India & Others Respondents

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

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

(By Hon'ble Mr. Justice U.C.Srivastava, V.C.)

The case was already disposed of as abated vide order dated 26.2.1990 and it is seen that it was not noticed when the application for substitution was entertained and notices were issued. None has cared to appear on any date thereafter. It is re-iterated that the case stands dismissed. However, Railway Administration can consider the application even now. It is desirable that it should consider the application moved by the legal representative for the amount of gratuity if any. Let it be done within a period of three months from the date of communication of this order. No order as to costs.


Member (A)


Vice-Chairman

Lucknow Dated: 8.1.1993.

(RKA)

Group A-13-(K)

3773

23

In the Hon'ble High Court of Judicature at Allahabad

Lucknow Bench, Lucknow

Writ Petition No. 2302 of 1985

Zaheer Ahmed

Petitioner

Versus

Union of India & others ..

Opp. parties.

I N D E X

6998

Sl. No.	Particulars	pages
1.	Writ Petition	1-8
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4.	<u>Annexure No.2</u> Letter dt. 24/5/84	15-16
5.	<u>Annexure No.3</u> Letter dt. 3.2.83	17-18
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7.	<u>Annexure No.5</u> Petitioner's letter dt. 23/3/83	21-22
8.	Power	

Amata
 (Abdul Lateen),
 Advocate
 Counsel for the petitioner

Lucknow:

Dated: May 22 1985

(A)

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

Writ Petition No. 2302 of 1985

V
1/8

Zaheer Ahmed aged about 61 years son of
Late Sri Bashir Ahmed resident of Mauza Sheikhpurwa,
P.O.Mankapur, district Gonda.

.. Petitioner

Versus

1. Union of India through General Manager, North Eastern Railway, Gorakhpur.
2. Financial Advisor/Chief Accounts Officer, North Eastern Railway, Gorakhpur.
3. Sri Satendra Kumar, Chief Safety Officer, North Eastern Railway, Gorakhpur.
4. Sri Naubat Lal, Divisional Railway Manager, North Eastern Railway, Ashok Marg, Lucknow.
5. Sri M.S.Akhtar, Senior Divisional Personnel Officer, DRM Office, North Eastern Railway, Ashok Marg, Lucknow.

.. Opposite parties.



500/-
2/25

Writ Petition under Article 226
of the Constitution of India.

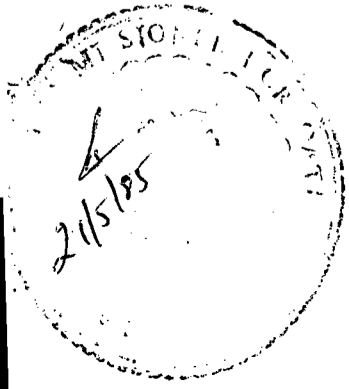
500/-
no
22585

The petitioner, above named, most respectfully
submits as under:-

That the petitioner was appointed on 1.1.1942
by the opposite parties as Engine Cleaner.

2. That the petitioner while working as Engine
Cleaner was given various promotions on the post of
Fireman-II, Fireman-I, Shunter, Driver-C, Driver-B and
subsequently on the post of Driver-A in grade of Rs.
550-700.

Zehra



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3. That the petitioner was later on confirmed on the post of Driver-A in the scale of Rs.550-700.

4. That on 31.12.1982 the petitioner after attaining the age of superannuation i.e. 58 years retired from the post of Driver-A.

5. That a P.P.O. authority letter was issued to the petitioner from the office of opposite party No.2.

6. That the petitioner after retiring on 31.12.1982 on attaining the age of superannuation was entitled to pension of Rs.888/- from 1.1.1983 and gratuity of Rs. 22,753.50.

7. That it was informed by the opp.party No.2 vide his letter dated 3.2.1983 that the gratuity amounting to Rs.22,753.50 was with-held by the opposite parties & only for the reason that the petitioner had not vacated the railway quarter.

8. That after receiving the letter of opposite party No.2 the petitioner also received a letter from the Office of Loco Foreman, Gorakhpur dated 14.3.1983 which was received by the petitioner on 23.3.1983 and he immediately vacated the railway quarter.

9. That it may be pointed out here that the petitioner when retired from the service of the opp. parties his pension, gratuity and other allowances were to be paid from the office of the opp. party No.4 as prior to his retirement the petitioner was working in the Division of opposite party No.4.

10. That it may again outrightly be pointed out here that the petitioner is being paid the pension from the office of opp. party No.4 but his gratuity amounting to Rs.22,753.50 and subsequent arrears which were pointed

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out to the petitioner vide Railway Board' letter No.E (P&A)/II/82/RS-2 dated 7.6.82 a difference of Rs.1254/- which is due to the petitioner as such a total of Rs. 22,753.50+Rs.1,254/- = Rs.24,007.50 is due to the petitioner from the opposite parties.

11. That the petitioner after serving the opposite parties retired at the ripe age of 58 years with honesty and dignity, the gratuity of the petitioner amounting to Rs. 24,007.50 in these hey days has been stopped by the opp.parties for no fault of the petitioner.

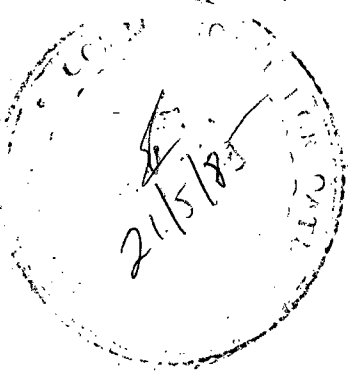
12. That it may again be pointed out here that the petitioner has been running from pillar to post for the sake of payment of his gratuity and after giving several representations to the opp.parties no heed is being paid and the opp.parties are sitting mum on the genuine demand of the petitioner.

13. That the hard earned saving of the petitioner on which he has got absolute right is not being fulfilled by the opp.parties and the petitioner is being denied his right to hold his grauity for no~~t~~ fault of his.

14. That it may also be pointed out here that the petitioner is having a family of 7 members including 1 daughter who is to be married and in these hard days the petitioner is unable even to marry his daughter who is of marriagable age only due to lack of funds.

15. That the petitioner preferred a writ petition No.690 of 1984 before this Hon'ble Court and this Hon'ble Court vide its judgment and order dated 10.5.1984 allowed the writ petition with a direction that the respondent should pay the gratuity amount actually payable to the petitioner within 2 months from the date of the

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order and also ordered that if the payment is not made within 2 months the opp. parties will be liable for the payment of interest @ 6% per annum till the payment is actually made, a photostat copy of the same is being filed herewith as Annexure-1 to this petition.

Annexure-1

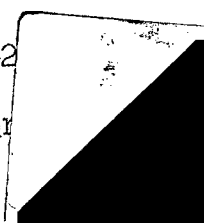
16. That since then the petitioner after serving the copy of the judgment and order of this Hon'ble Court is running from pillar to post i.e. to opp. parties No.3 to 5 but of no avail but even the petitioner was told by the opp. party No.3 to the effect that since the petitioner had filed the writ petition before this Hon'ble Court and since this Hon'ble Court had ordered for the payment of the gratuity hence the petitioner should take the gratuity from the Hon'ble Court itself.

17. That not only these words were uttered by the opp. party No.3 but the opposite parties No.3 to 5 have gone to the extent that they had issued a letter, after the service of the order of this Hon'ble Court on them, to the effect that an amount of Rs.8,143.35 will be deducted from the gratuity and other allowances due to the petitioner amounting to Rs.24,007.50 on false and frivolous charges which were never due against the petitioner and that for which the petitioner was never given any notice whatsoever and everything is being done just for the reason that the opp. parties have become prejudice with the petitioner as such they are not paying the gratuity and other allowances of the petitioner for which the petitioner is entitled, a true copy of the letter is being filed herewith as Annexure-2 to this petition.

18. That as it will be clear from Annexure-2 the opp. party No.4 had issued the letter that at

John A. D.

Annexure-2
21/5/85



(All)

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of Rs.8,143.35 is being deducted from the gratuity of the petitioner for which the opp.parties have got no right and under the provisions of law nothing can be deducted from the gratuity of an employee the opp.party No.4 just for the reason that the petitioner had preferred the writ petition before this Hon'ble Court and this Hon'ble Court had directed for the payment of the same have become prejudice and as such they are deducting the said amount on false and flimsy grounds.

19. That it will also be clear from Annexure-2 to this petition that it has been said by the opposite party No.4 that after deducting the amount of Rs.8143.35 the remaining amount is being sent through cheque on S.B.I.Gonda. This is absolutely false and frivolous as upto date no payment has yet reached to S.B.I. Gonda and this is being done by by-passing and circumventing the orders passed by this Hon'ble Court.

20. That as stated above the opp.party No.4 has issued the letter contained in Annexure-2 after issuance of the letter by the Divisional Accounts Officers dated 3.2.1983, a photostat copy of which is being filed herewith as Annexure-3 to this petition which clearly goes to show that an amount of Rs. 22,753.50 has been with held for non vacation of the railway quarter by the petitioner.

Annexure-3

21. That it may again be pointed out here that the petitioner immediately after the receipt of the notice dated 14.3.83 which was received by the petitioner on 23.3.1983 vacated the quarter the same day i.e. on 23.3.83, a true copy of the letter issued by the Loco-Foreman, Gorakhpur requiring the petitioner to vacate the

Zeb Ahmed
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Annexure-4
Annexure-5

the premises and the letter of the petitioner informing that he had vacated the quarter are being filed herewith as Annexures-4 & 5 to this petition.

22. That it may be averred here that the petitioner is having a big family and his daughters' marriage has been settled long ago which is only being prolonged due to lack of funds and since the gratuity is not being paid by the opp. parties No.3 to 5 with malafide intentions as such the petitioner is having the days and is not able to arrange the marriage of his daughter.

23. That the officers of the opposite ~~party~~ party No.1 are harrassing the petitioner intentionally and deliberately and motivated not to pay the gratuity due to the petitioner inspite of the direction by this Hon'ble Court contained in Annexure-1 to this petition.

24. That it will also be revealed from Annexure-2 to the writ petition that due to malafide and deliberate intentions of opposite party No.3 to 5 of not paying the gratuity to the petitioner and in Annexure-3 they have stated that an amount of Rs.8,143.35 will be deducted although no notices for the same was given during the service period of the petitioner and they have ~~further~~ further stated that the remaining amount is being paid through cheque at S.B.I. Gonda but uptil date the petitioner has not yet received any amount whatsoever which clearly goes to show the malafide intention of the opp. parties.

25. That the petitioner is advised to submit that necessity for prompt payment of the retirement dues to a Government Servant immediately after his retirement cannot be over emphasised and the opp. parties be directed



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that the liability to pay the penal interest on the dues at the current market rate should be burdened on the opposite parties.

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2/13/84

26. That having no other efficacious and alternative remedy the petitioner beg to file this writ petition on the following amongst other grounds:-

G_R_O_U_N_D_S

a) Because inspite of the directions issued by this Hon'ble Court for payment of retirement dues to the petitioner as back as on 10.5.1984, copy of which was served on Opp.parties on 18.5.84 and subsequently notice was also given to them apart from verbal requests they have paid no heeds which is unconstitutional, unwarranted by law and against the principles of natural justice.

b) Because the opp.parties have committed misconduct and grave error of law as well as disobedience and by passing the orders passed by this Hon'ble Court contained in Annexure-1 is unlawful against the provisions of law and natural justice.

c) Because the opp.parties No.3 to 5 have committed a deliberate contempt of this Hon'ble Court by not obeying the mandamus issued by this Hon'ble Court uptil date and the petitioner is being unnecessarily harassed and victimised on the vhimis of the opp.parties and fundamental rights of the petitioner are being infringed which is against the provisions of law and natural justice.

Amate

d) Because the petitioner has got right to recover the retirement dues from the Government and it is obligatory on the part of the opposite parties to immediately

(A14)

1/9/85

pay the amount due to the petitioner and not doing so is unconstitutional, against the provisions of law and natural justice.

e) Because deducting the amount of a much later period for which no notice of any sort or any opportunity was given to the petitioner to rebutt the same is unconstitutional, against the provisions of law and natural justice.

P_R_A_Y_E_R

Wherefore, it is most respectfully prayed that this Hon'ble Court may graciously be pleased to issue:-

- i) a writ, order or direction in the nature of mandamus commanding the opp. parties to pay forth-with the amount of gratuity and other allowances due to the petitioner which comes to Rs.24,007.50 alongwith interest which this Hon'ble Court deems just and proper;
- ii) a writ, order or direction in the nature of mandamus commanding the opp. parties to compensate the petitioner's loss due to the lapses of the opp. parties by way of exemplary cost;
- iii) any other writ, order or direction which this Hon'ble Court deems just and proper in the circumstances of the case be passed in favour of the petitioner and against the opp. parties;
- iv) to award the cost of the petition.

Lucknow:

Dated: May 22 1985

(Abdul Mateen)
Counsel Advocate.
Counsel for the petitioner.

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1/10

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

Affidavit

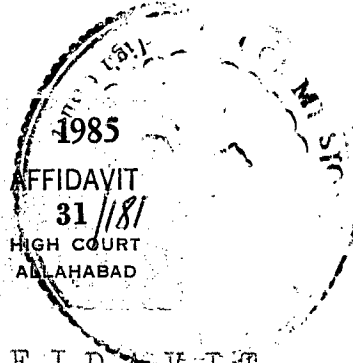
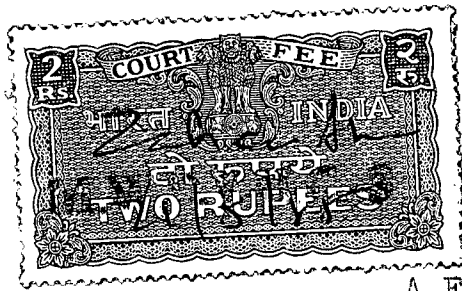
In

Writ Petition No. of 1985.

Zaheer Ahmed .. Petitioner

Versus

Union of India & others.. Opp. parties.

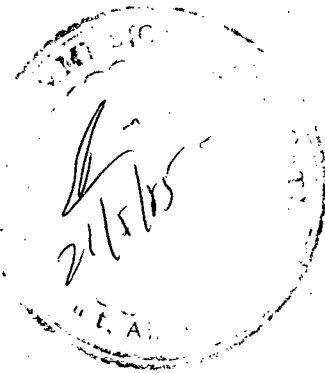


A F F I D A V I T

I, Zaheer Ahmed, aged about 61 years
son of Late Bashir Ahmed resident of Mauza Sheikhpurwa,
P.O. Mankapur, district Gonda do hereby solemnly
affirm and state on oath as under:

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

2. That the contents of paras 1 to 26 of the
accompanying writ petition are true to my own
knowledge except the legal averments which are based
on legal advice.



Zaheer Ahmed

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3. That the Annexures 1 to 5 have been compared with originals and are certified copies of the same.

Lucknow:

Dated: May 22 1985

Zakir Ahmad
Deponent

Verification

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

Lucknow:

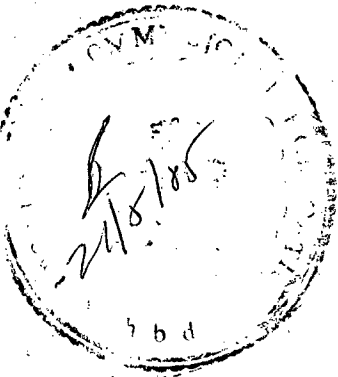
Dated: May 22 1985

Sri Abdul Mateen
Deponent

I identify the deponent who had signed before me.

Sri Abdul Mateen
Advocate.

Solemnly affirmed before me on 21/5/85
at 7 a.m./p.m. by the deponent *Zakir Ahmad*
who is identified by Sri Abdul Mateen,
Advocate, High Court, Lucknow Bench, Lucknow.



In the Honble High Court of Judicature
At Allahabad (Criminal Bench) Lucknow
A17
1/12

Zaher Ahmad — petitioner

vs

Union of Debra Brothers — Opposite

Annexure 1



J. W. D. O.

A18

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13

IN THE HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW BENCH LUCKNOW

Writ Petition No. 690 of 1984.

Ishtiaq Ahmed petitioner

Verus

Union of India through General Manager, North Eastern Railway,
Gorakhpur, and others Opp. Parties.

Writ petition under Article 226 of the Constitution
of India.

Lucknow dated 10.6.84

Hon'ble D.N. Jha, J.
Hon'ble K.N. Misra, J.

Ishtiaq Ahmed has filed this writ
petition under Article 226 of the Constitution
praying for issue of a writ, order or
direction in the nature of mandamus
compelling the opposite parties 1 to 4
to release the gratuity of the petitioner
amounting to Rs 24007.50.

The petitioner was appointed on
1.1.1942 as Engine Cleaner. He was
given various promotions on the posts
of Fireman II, Fireman I, Gunter, Driver
A, Driver -B and subsequently on the post
of Driver -A in the grade of Rs 550-700.
He was later on confirmed on the post of Driver
-A in the scale of Rs. 550-700. On 21.12.82
the petitioner attained the age of super-
annuation and retired from the post



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2.
of Division A. On retirement of the petitioner
S.P.O. authority letter was issued to
him which is contained in Annexure 1.
The petitioner was entitled to a pension
of Rs. 888/- from 1.1.1983 and gratuity of
Rs. 22,753.50.

It appears that the petitioner had
not vacated the premises, so he was not
given his gratuity but on receipt of
Annexure 2 the petitioner vacated the
railway quarter, a copy of this letter
dated 14.8.1983 is on record as Annexure 3.

In absence of any instructions of the
counsel representing the respondents, it is
not possible for this court to determine
the exact amount of gratuity payable to the
petitioner but however he has worked it out
to Rs. 24,007.50. It is well settled that
gratuity payable to a retiring person
cannot be withheld. The payment of the
same is not dependent on the whims of the
officer concerned. After receipt of the
letter dated 14.8.1983 the petitioner
vacated the premises. We, therefore, direct
the respondents to pay the gratuity amount actually payable
to the petitioner within two months from the date
of this order. It is further
clarified that if there is any delay in
making the payment beyond the period of
two months allowed, the opposite parties
shall be liable for payment with interest



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@ six percent per annum from that date
till the payment is actually made to the
petitioner.

16/5/84
Rubeys

Sd. D.N. Jha
Sd. K.M. Goyal
10.5.84



In the Honble High Court of Justice ¹⁵ at Allahabad (Lucknow Bench) Lucknow) $\frac{1}{2}$

16

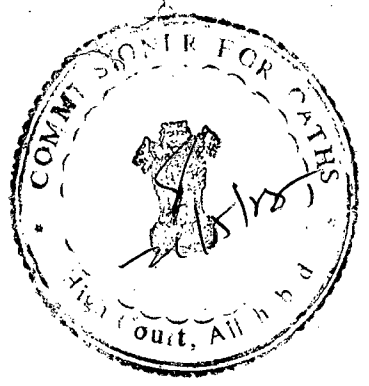
M.P. 185

Zaheer Ahmad ——— Petitioner

$\frac{1}{3}$

Union of India
Doth ——— Opp Petitioner

Annexure 2



Zaheer

A22

16

1/2/22

17

संख्या: 1563/02/12/8/11

संख्या: 1563/02/12/8/11

संख्या: 1563/02/12/8/11

संख्या: 1563/02/12/8/11

संख्या: 1563/02/12/8/11

विषय: श्री अक्षय अहजद पत्र श्री लक्ष्मी अहजद

संख्या: 1563/02/12/8/11

संख्या: 1563/02/12/8/11

संख्या: 1563/02/12/8/11

संख्या: 1563/02/12/8/11

संख्या: 1563/02/12/8/11

संख्या: 1563/02/12/8/11

संख्या: 1563/02/12/8/11

संख्या: 1563/02/12/8/11

संख्या: 1563/02/12/8/11

पता:

संख्या: 1563/02/12/8/11

In the Honble High Court of Judicature
at Allahabad (Chief Bench) Dated

17/1/18

vs.

185

Zaher Ahmad — Petitioner

vs.

Union of India & Ors — App. Petitioner

Annexure 3



Zaher Ahmad

NS/F & CAO/82

पूर्वोत्तर रेलवे
North Eastern Railway

पंजीयित/पावती देव
REGISTERED A/D

पेंशन का भुगतान आदेश P. P. O. Authority Letter

कार्यालय विसमूलेषि, गोरखपुर
OFFICE OF THE F. A. & C. A. O.
GORAKHPUR.

दिनांकित Dated..... 18

क्र. No. **DAO/LJN/PK/79/9/9/B**

प्रबन्धक The Manager **P.A.&C.A.O./N.E.Rly/Gorakhpur.**

निर्देशक लेखा (डाक) The Director of Accounts (Postal)

कोषाधिकारी The Treasury Officer

विषय: श्री/श्रीमती को पेंशन का भुगतान
Sub: Disbursement of Pension to Sri/Smt.

Zahid Ahmad.

OKP.

भूतपूर्व Ex. (विभाग/स्टेशन) (Dept./Station)

पत्र भुगतान आदेश संख्या P. P. O. No. दिनांकित Dated

श्री से प्राप्त पेंशन सम्बन्धी प्रालेख जो निम्नांकित है आप के पास एतद्वारा प्रसारित कर रहा है
I am to forwarded herewith pension documents mentioned below received from **DAO/NERLY/LAO.**

उसके प्राधिकार पत्र सं.
with his Authority letter No.

दिनांकित के साथ रु की दर से पेंशन भुगतान के लिए शब्दों में **Six hundred**
dated for payment of pension @ Rs. **663/-** in words Rs.

तथा साहाय्य रु. की दर से कुल रुपये **225/-** शब्दों में **Sixty three only.**
and relief @ Rs. Total Rs.

..... रु.
in words Rs. per month with effect from

उनके/उनकी मृत्यु पर्यन्त तथा उसके उपरान्त रु. की दर से शब्दों में
till he/she dies and thereafter @ Rs. in words Rs.

अति माह साहाय्य मिलाकर उस समय अनुमेय राशि तब तक दी जायगी जब तक उनका/उनकी मृत्यु अथवा पुनर्विवाह जो पहला हो
p. m. to **601/Bankpur/601** possible thereon till he/she/dies or remarries whichever is earlier

द्वारा अधिकार लेखा संख्या **C-920**
Through Bank Account No.

टिप्पणी:-(1) पेंशन भोगी की मृत्यु होने पर श्री/श्रीमती
Note:-(1) In the event of death of the pensioner Sri/Smt.

भूतपूर्व परिवार, परिवार पेंशन दर रुपये की हकदार होने/होनी
Ex. Family will be entitled to Family pension @ Rs.

शब्दों में रुपये साहाय्य मिलाकर तक अनुमेय राशि
in words Rs. togetherwith relief as admissible up to.

..... तथा इसके बाद रुपये की दर से शब्दों में रुपये
and thereafter @ Rs. in words Rs.

साहाय्य मिलाकर अनुमेय राशि का भुगतान मृत्यु पर्यन्त अथवा पुनर्विवाह पर्यन्त/व्यस्कता प्राप्ति तक जो
भी पूर्व घटित हो देय,
togetherwith relief as admissible is payable till death or remarriage/attainment of

majority on whichever is earlier.

* (II) (क) उनके पेंशन का कोई अंश सरांशिकृत नहीं हुआ है
*(II) (a) No portion of his pension has been commuted.

18
A
19

In the Honble High Court of (2015) 19-
Judicial At Allahabad (District No 12)
Lucknow
20

w. r. 188

Zabeer Ahmad — petitioner
vs

Union of India & others — App. Petitioner

Annexure 4



Zubeer

A26 20

1/21

आदेश

कार्यालय
लोको पीरमैन / गोरखपुर
दि-14/3/83

लिखे आदेश नम्बर 152/बी 11 जटेपुर कालीनी श्री राज रोशन बालक द्वारा अवकाश प्राप्त होने के कारण बाली होने पर श्री पी० एन० पाण्डेय बालक श्री गोरखपुर की जांचित किया जाता है जो लिखे आदेश नं० 453/बी द्वारा 11 वसंतिया कालीनी श्री जहीर अहमद इरफान द्वारा अवकाश प्राप्त होने के कारण बाली होने पर श्री पी० एन० तिवारी सेंटर 'बी' को जांचित किया जाता है । यह कार्य श्री पी० एन० पाण्डेय ^{यात्रक} 'सी' तथा पी० एन० तिवारी सेंटर 'बी' की रनिंग ^{स्टाफ} के आवास आश्टन बरीयता सूची के आधार पर किया गया ।

समबंधित कर्मचारी आवास का चार्ज एक दूसरे से प्राप्त करने पर इस कार्यालय की शिफ्ट सुनिश्चित करें ।

लोको पीरमैन/गोरखपुर

पत्र सं० एम/ आदेश/83 दि० 12/3/83

- प्रतिलिपि: - सूचार्थ स्व कार्यवाही एवं प्रेषित किया जाता है ।
- 1. श्री पी० एन० पाण्डेय बालक 'सी' गोरखपुर रीड ।
 - 2. श्री पी० एन० तिवारी सेंटर 'बी' गोरखपुर
 - 3. श्री राज रोशन अवकाश प्राप्त बालक 'ए' गोरखपुर ।
 - 4. श्री जहीर अहमद अवकाश प्राप्त बालक 'ए' गोरखपुर रीड ।
 - 5. श्री कार्य निरीक्षक (उत्तरा) गोरखपुर रीड ।
 - 6. श्री विद्युत पीरमैन आउटर जोर गोरखपुर रीड ।
 - 7. श्री ~~कार्य निरीक्षक (एक) गोरखपुर रीड~~
 - 8. श्री अधिकारी 11 (बिल) गोरखपुर रीड ।
 - 9. श्री पी० एन० प्रबलक (या) लखनऊ ।

given to Sh. Zubin Ahmad
on 23/3/83

लोको पीरमैन/गोरखपुर
दि-16/3/83

In the Allahabad High Court of (A27) 21
Judicature at Allahabad (book no. 7)
Dudhwa

1/28 1/22

2018 185

Zaher Ahmed — Pet

v/s

Union of Indira Bolkh — Opp

Annexure 5



Zaher

In the Honble High Court of Lucknow
At Alahad Lucknow Best Lucknow

A 29

वादी
प्रतिवादी

का

2/1/20

वकालतनामा



WP
14/2/20
22/5

Zahed Ahmed

बनाम

Union of India

ऊपर लिखे मुकदमा में अपनी ओर से श्री **ABDUL MATEEN, Advocate**
RAVI SRIVASTAVA
152, Ghasyari Mandi, LUCKNOW-226001.

महोदय,

को अपना वकील नियुक्त करके प्रतिज्ञा (इकरार) करता हूँ और लिखे देता हूँ
इस मुकदमा में वकील महोदय स्वयं अथवा अन्व वकील द्वारा जो कुछ पैरवी
व जवाब देही व प्रश्नोत्तर करें या कोई कागज दखिल करें या लौटावें या
हमारी ओर डिगरी जारी करावें और रुपया वसूल करें या सुलहनामा या
इकबाल दावा तथा अपील व निगरानी हमारी ओर से हमारे या अपने
हस्ताक्षर से दाखिल करें और तस्दीक करें या मुकदमा उठावें या कोई रुपया
जमा करें या हमारी या विपक्षी (फरीकसानी) का दाखिल किया हुआ रुपया
अपने या अपने हस्ताक्षर युक्त (दस्तखती) रसोद से लेवें या पंच वियुक्त करें
वकील महोदय द्वारा की गई वह सब कार्यवाही हमको सर्वथा स्वीकार है
और होगी इसलिये यह वकालत नामा लिख दिया कि प्रमाण रहे और
समय पर काम आवे ।

हस्ताक्षर

Zahed Ahmed

साक्षी (गवाह)

साक्षी (गवाह)

दिनांक

महीना

१६ ई०

Accepted

Counsel For.....

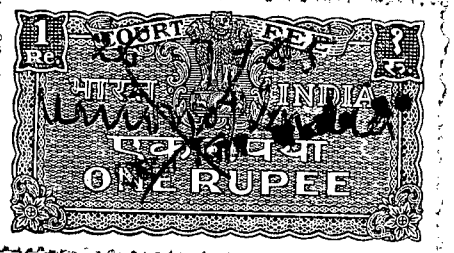
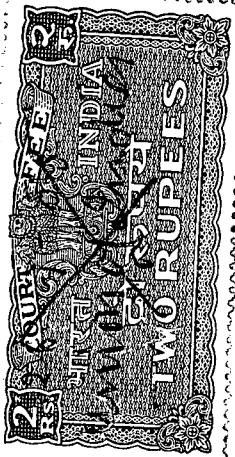
Accepted
Ravi Srivastava
Counsel For.....

नाम अदालत

नं० मुकदमा

नाम फरीकैन

Accepted
Ravi Srivastava
Adv



2/2
A 70
A/SP

1136

VAKALATNAMA

In the High Court of Judicature at Allahabad
(Lucknow Bench) Lucknow
Writ Petition no 2302 of 1985

Plaintiff
Defendant

Zaher Ahmad

Petitioner
Claimant
Appellant

Versus

Defendant
Plaintiff

Union of India & others.

Petitioner
Respondent
Opp. Parties.

The President of India do hereby appoint and authorise Shri... Riksheshwari Prasad
Ry Advocate Lucknow, Sr. R. Prasad Advocate.

..... to appear, act, apply, plead in and prosecute the above described suit/appeal/proceeding on behalf of the Union of India to file and take back documents, to accept processes of the Court, to appoint and instruct Counsel, Advocate or Pleader, to withdraw and deposit moneys and generally to represent the Union of India in the above described suit/appeal/proceedings and to do all things incidental to such appearing, acting, applying, Pleading and prosecuting for the Union of India SUBJECT NEVERTHELESS to the condition that unless express authority in that behalf has previously been obtained from the appropriate Officer of the Government of India, the said Counsel/Advocate/pleader or any Counsel, Advocate or Pleader appointed by him shall not withdraw or withdraw from or abandon wholly or partly the suit/appeal/claim/defence/proceeding against all or any defendants/respondents/appellant/plaintiff/opposite parties or enter into any agreement, settlement, or compromise whereby the suit/appeal/proceeding is/are wholly or partly adjusted or refer all or any matter or matters arising or in dispute therein to arbitration PROVIDED THAT in exceptional circumstances when there is not sufficient time to consult such appropriate Officer of the Government of India and an omission to settle or compromise would be definitely prejudicial to the interest of the Government of India and said Pleader/Advocate or Counsel may enter into any agreement, settlement or compromise whereby the suit/appeal/proceeding is/are wholly or partly adjusted and in every such case the said Counsel/Advocate/Pleader shall record and communicate forthwith to the said officer the special reasons for entering into the agreement, settlement or compromise.

The President hereby agree to ratify all acts done by the aforesaid Shri... Riksheshwari Prasad
Ry Advocate Lucknow,

in pursuance of this authority.

IN WITNESS WHEREOF these presents are duly executed for and on behalf of the President of India this the 5th day of July 1985

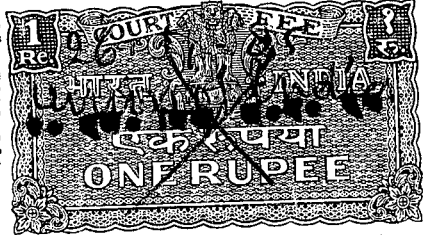
Dated 198

[Signature]
26-7-85

[Signature]
Designation of the Executive Officer,

By Chief Personnel Officer
North Eastern Ry
Coimbatore.

[Signature]



KALATNAMA

IN THE HIGH COURT OF JUDICATURE AT ALLAHABAD

(LUCKNOW BENCH) LUCKNOW

Court of

Writ Petition No. 2302 of 1985.

Zaheer Ahmad.....Petitioner:

1135

Versus

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

Ve. C.S. Prasad, FA & CAO, N.E. Railway/Gorakhpur and Satyendra Kumar C.T.S.S./ North Eastern Railway/Gorakhpur.

do hereby appoint and authorise Shri....Riksheshwari Prasad, Sri R. Prasad Adv.

Railway Advocate.....Lucknow.....to appear, act apply and prosecute the above described Writ/Civil Revision/Case/Suit/Application/Appeal on my/our behalf, to file and take back documents, to accept processes of the Court, to deposit moneys and generally to represent myself/ourselves in the above proceeding and to do all things incidental to such appearing, acting, applying, pleading and prosecuting for myself/ourselves.

I/We hereby agree to ratify all acts done by the aforesaid Shri...Riksheshwari Prasad.....

Railway Advocate, Lucknow

.....in pursuance of this authority.

IN WITNESS WHERE OF these presents are duly executed by me/us this.....

.....day of.....June.....1985.

Satyendra Kumar
(SATYENDRA KUMAR)
Chief Traffic Safety Supdt.
North Eastern Railway,
Gorakhpur.

C.S. Prasad
(C.S. PRASAD)
Financial Advisor & Chief Accts. Office
North Eastern Railway,
Gorakhpur.

R Prasad

26.7.85

हाईकोर्ट इलाहाबाद लखनऊ बेंच, लखनऊ

(अध्याय १२, नियम १ और ७)

3/1 (832)
By J
3389 1/21

दीवानी विभाग

प्रकीर्णक (मृतफरिफ) प्रार्थना पत्र संख्या सन १९ ई०

W.P. 2302 सन १९ ई० में 85

Zehar Ahmad

प्रार्थक

Union of India & others

प्रति

प्रत्यार्थक

Sri Satendra Kumar Chief Safety Officer,
North Eastern Railway, Gorakhpur

प्रत्यार्थक

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

आपको आदेश दिया जाता है कि आप दिनांक 16 माह 7 सन 85
पूर्व उपस्थित होकर वा.प. बतलायें कि प्रार्थना - पत्र क्यों न स्वीकार कर
प्रार्थना - पत्र की सुनवाई उसके बाद नियमानुसार विज्ञप्ति किसी और

आप ऊपर लिखे दिनांक पर या उससे पहले स्वयं अथवा किसी
रा, जो आप की ओर से कार्य करने के लिए कानूनन अधिकृत
उस प्रार्थना - पत्र की सुनवाई और निर्णय आपकी अनुपस्थित

की मोहर से आज दिनांक 28 माह 3 सन 85

के एडवोकेट

तिथि

डिप्टी रजिस्ट्रार
इलाहाबाद/लखनऊ

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

तलवाना प्राप्त करने वाले बलक के हस्ताक्षर

3/2/85
A 37
Jey

हाईकोर्ट इलाहाबाद लखनऊ बेंच, लखनऊ

(अध्याय १२, नियम १ और ७)

2360
A/37

दीवानी विभाग

प्रकीर्णक (मृतफरिंक) प्रार्थना पत्र संख्या सन १९ ई०

W.P. सं० 3302 सन १९ ई० में 88

Zaheer Ahmed प्रार्थी

Union of India & others प्रति प्रत्यार्थी

Sri M. S. Akhtar, Senior Divisional Personnel Officer,
DRM office, North Eastern Railway, Ashok Marg
Lucknow, प्रत्यार्थी

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

अतः आपको आदेश दिया जाता है कि आप दिनांक 16 माह 7 सन 85
से पूर्व उपस्थित होकर वाण वतलायें कि प्रार्थना - पत्र क्यों न स्वीकार कर
उक्त प्रार्थना - पत्र की सुनवाई उसके बाद नियमानुसार विज्ञप्ति किसी और

आप ऊपर लिखे दिनांक पर या उससे पहले स्वयं अथवा किसी
रा, जो आप की ओर से कार्य करने के लिए कानूनन अधिकृत
उक्त प्रार्थना - पत्र की सुनवाई और निर्णय आपकी अनुपस्थित

मोहर से आज दिनांक 27 माह 5 सन 85

डिप्टी जस्टिस
इलाहाबाद लखनऊ

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

तलवाना प्राप्त करने वाले बलक के हस्ताक्षर

3/3 July J

हाईकोर्ट इलाहाबाद लखनऊ बेंच, लखनऊ

(अध्याय १२, नियम १ और ७)

दौवानी विभाग

3350

प्रकीर्णक (मृतफरिंक) प्रार्थना पत्र संख्या सन १९ ई०

W.P. सं० 2309 सन १९ ई० में 85
Zaheer Ahmad

प्रार्थी

Union of India प्रति

Sri Nourul Kaul, Divisional Railway Manager,
North Eastern Railway, Ashok Marg,
Lucknow.

प्रत्यार्थी

प्रत्यार्थी

बीमा नहीं NOT INSURED

पत्राये गये डाक टिकटों का मूल्य
Amount of Stamps affixed

₹ 0.05

क्रमांक/No.

3660

तारीख मोहर
Date Stamp

दमे के सम्बन्ध में
लिये प्रार्थना - पत्र

7 सन १९ 85
क्यों न स्वीकार कर
विज्ञप्ति किसी और

दफ्त रजिस्ट्री
Received & Registered

S. Nourul Kaul

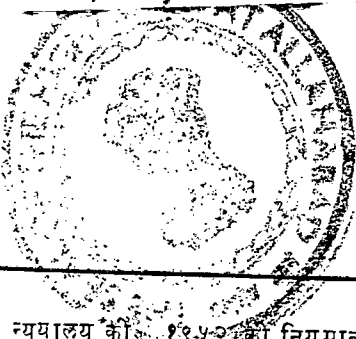
पानेवाले का नाम
Addressed to

D. R. M. NER

पानेवाले का प्रिंक
Signature of Receiver

स्वयं अथवा किसी
ए कानूनन अधिकृत
आपकी अनुपस्थित

85 सन १९ 85



तिथि

डिप्टी रजिस्ट्रार
इलाहाबाद/लखनऊ

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

तलवाना प्राप्त करने वाले वलक के हस्ताक्षर

(A35)

A/36

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
CIRCUIT BENCH, LUCKNOW

Misc. Application No. 219 of 1990 (L)

1. Mohd. Mobin Hashmi, aged 35 years, son of late Zaheer Ahmed.
 2. Mohd. Moin Hashmi, aged about 32 years, son of late Zaheer Ahmed.
 3. Mohd. Shamim Hashmi, aged about 27 years, son of late Zaheer Ahmed.
 4. Mohd. Naeem Hashmi, aged about 24 years, son of late Zaheer Ahmed.
 5. Mohd. Alim Hashmi, aged about 22 years, son of late Zaheer Ahmed.
 6. Shabnam Parveen, aged about 20 years, daughter of late Zaheer Ahmed.
 7. Shagira, aged about 18 years, daughter of late Zaheer Ahmed.
- All residents of Mauza Sheikhpurwa, Post office Mankepur, Distt. Gonda. Applicants

In Re:

T.A. No. 1749 of 1987
(Writ petition No. 2302 of 1985)

Zaheer Ahmed Petitioner

Versus

Union of India & others Opposite Parties

Application for substitution

The applicants most respectfully bag to submit as under :-

1. That applicant No.1 is the son of late Zahaer Ahmed petitioner in the above T.A. No.1749/87 (Writ petition No.2302/85). He has been duly authorised by applicant Nos. 2 to 7 to file this application on their behalf.
2. That Zaheer Ahmed died on 20.4.1988 leaving

Filed today
6/4/90

Mobeen Hashmi

A36
A/32

the following heirs and legal representatives :-

1. Mohd. Mobin Hashmi (Son)
2. Mohd. Moin Hashmi (Son)
3. Mohd. Shamim Hashmi (Son)
4. Mohd. Naseem Hashmi (Son)
5. Mohd. Alim Hashmi (Son)
6. Shabnam Parveen (Daughter)
7. Shagira (Daughter)

3. That none of the aforesaid heirs and legal representatives had knowledge about the pending writ petition No.2302/1985 and its transfer to this Hon'ble Tribunal as T.A. No.1749/1987.

4. That the applicant was informed by the postman of Mankepur on 15-3-90 that a registered letter had come in the name of his late father from this Hon'ble Tribunal which was returned back with the endorsement that Zaheer Ahmed has died.

5. That the applicant came to Lucknow and made enquiries and after obtaining vakalatnams from other applicants got the file of the case inspected on 20.3.90. From the inspection it was revealed that the case was taken up on 22.2.1989 and on that date as no one was present on behalf of the applicants notice was issued to the petitioner as well as his counsel and the case was ordered to be listed for admission on 26.2.1990. On 18.1.1990 notices were issued. On 23.2.1990 notices had been returned with the remark that the petitioner has died. The case was listed on 26.2.1990. On that date as no one was present on behalf of the petitioner,

Mobeen Hashmi

A 32
A/28

-3-

this Hon'ble Tribunal presumed the petitioner was served on the basis of the post office report that the petitioner had died. This Hon'ble Tribunal further referred to para 12 of the counter affidavit regarding payment made to the deceased petitioner after making certain deduction. In the circumstances the case was disposed of as abated. From the record it is evident that no rejoinder to the counter affidavit has been filed.

6. That in the aforesaid circumstances inability of the applicants to seek substitution in place of their deceased father Zaheer Ahmed in the above application is bonafide and liable to be condoned. None of the applicants as heirs and legal representatives of the deceased had knowledge of the aforesaid pending case. Hence they could not seek substitution within the prescribed time after the death of their father Zaheer Ahmed on 20.4.1988.

7. That the right to press the claim and seek relief on behalf of their late father Zaheer Ahmed survives to the applicants as his heirs and legal representatives.

8. That in the aforesaid circumstances it is necessary in the interest of justice that the delay in seeking substitution of the applicants in place of their late father Zaheer Ahmed be condoned and the applicants be allowed to be substituted in place of the deceased Zaheer Ahmed to press the claim on his behalf.

WHEREFORE it is most respectfully prayed that

Mubeen Hashmi

A/39

A30

the applicants be substituted as heirs and legal representatives in place of Zaheer Ahmed petitioner/applicant in the above case.

Verification

I, Mohd. Mobin Haami, aged 35 years, son of late Zaheer Ahmed, resident of Mauza Sheikhpurwa, post office Mankapur, district Gonda, do hereby verify that the contents of paras 1 to 8 are true to my personal knowledge and belief and that I have not suppressed any material fact.

Date : 22.3.1990.
Place : Lucknow.

Mobeen Hashmi
Applicant.

मोबिन हामी
M Hashmi
मो. नाम हामी
पुत्र
शुभनाम
साकिर

Kabir Singh
Counsel for applicants

Amu
A/40

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
CIRCUIT BENCH LUCKNOW

.....

9/3/91

T.A.No. 1749 of 1987

...

Jaheer Ahmad

..... Petitioner.

Versus

Union of India and others

..... Opp-party.

Objections to the application for
substitution.

.....

Filed today
9/3/91

I, Keshava Das aged about
years, presently working as Sr. Divl. Mechanical Engineer
in the office of the Divl. Rly. Manager, NERly, Lucknow
do hereby solemnly affirm and state on oath as under:

1. That I have been duly authorised on behalf of
the respondent to file objections and am fully conversant
with the facts.

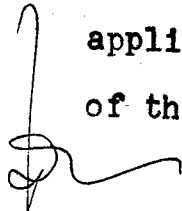
2. That the contents of paragraphs no. 1 and 2 of
the application do not call for reply.

Dr. D.M.B. N. B. Rly
Lucknow Ja.

AUS A/41

---2---

3. That the contents of paragraph no. 3 of the application are denied.
4. That the contents of paragraph no. 4 of the application are denied.
5. That Railway Administration is not conversant with the facts as alleged in the paragraph no. 5, only this much is admitted that the case was dismissed on 26.2.90. Further, the Tribunal had rightly decided the matter as the entire amount which was due to Jaheer Ahmad had already been paid.
6. That the contents of paragraph no. 6 of the application are not admitted as drafted. In the instant case there is absolutely no necessity and requirement for the heirs of the deceased to be substituted.
7. That the contents of paragraph no. 7 of the application are denied.
8. That the contents of paragraph no. 8 of the application are denied. Since, the entire amount which was due to the deceased i.e. the death cum retirement gratuity(D.C.R.G.) amounting to Rs. 15,864.15 along with interest had been paid in pursuance to the order passed by the High Court. Thus nothing remains and as such the applications are not entitled to be substituted in place of the deceased.


Off. D.M.E. / N. E. Ry
Lucknow Jn

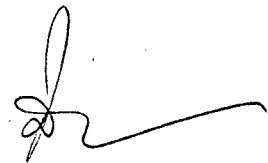
....3/-

AUG

A
42

Verification

I, Keshava Deo aged about 42 years,
Working as Sr.D.M.E./N.E.Railway, Lucknow verify that
the contents of para 1 are true to my personal knowledge
and belief and those are paras 2 to 8 are believed to be
true on the basis of records and legal advice. Nothing
material of it is false and nothing has been concealed.
So help me God.



DEPONENT
Sr. D.M.E. / N.E. Ry
Lucknow Ja

Lucknow

Dated : 12.7.50

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
CIRCUIT BENCH

Gandhi Bhawan, Opp. Residency, Lucknow

TA 1749/07

No. CAT/Alld/Transfer/ 8144 Dated the 10/1/90

Zaheer Ahamed

APPLICANT'S

X/43

VERSUS

Union of Jindia

RESPONDENT'S

①

To

Zaheer Ahamed, S/o Basheer Ahamed
c/o Manager Sheekh Burwan, P.O.
Mamkaur, Distt. Gonda

②

Shri ~~Sh~~ Abdul Mateen, Adv
High Court, Luck

In Shri
K. 2/1/90

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

Writ Petition No. 2302/15 The Tribunal has fixed date of
of 1990. of the Court of 26.2.90 1990. The hearing
H.C.L.K. of the matter.

arising out of order dated _____
passed by _____
in _____
If no appearance is made on your
behalf by you or some one duly authorized
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 10
day of 1 1990.

dinesh

[Signature]
DEPUTY REGISTRAR

0/c

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
CIRCUIT BENCH

Gandhi Bhawan, Opp. Residency, Lucknow

* TA 1749/07

No. CAT/Alid/Transfer/3146 to 3147

Dated the 18/1/90

Zaheer Ahamed

APPLICANT

A/44

VERSUS

Union of India

RESPONDENT

①

To

Zaheer Ahamed. S/o Basir Ahmed
r/o. Mauza Sheikhpurwa. P.O.
Mankapur. Distt. Gonda.

②

Shri Afdul Mateen. Adv.
High Court. LKO

Whereas the marginally noted cases has been transferred
by H e Lko under the provision of the Administrative
Tribunal Act XIII of 1985 and registered in this Tribunal's above.

Writ Petition No. 2302/85 The Tribunal has fixed dated
of 1990. of the Court of 26.2.90 1990. The hearing
H e Lko of the matter.

arising out of order dated _____ If no appearance is made on your
_____ passed by _____ behalf by your some one duly authorized
in _____ 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 10
day of 1 1990.

dinesh/

BL
DEPUTY REGISTRAR

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
Circuit Bench, Lucknow.

No. CAT/AKO/Jud/ 4215 date the 10-4-90

T.A.No... 1749/87 (T) of 1990 (T)

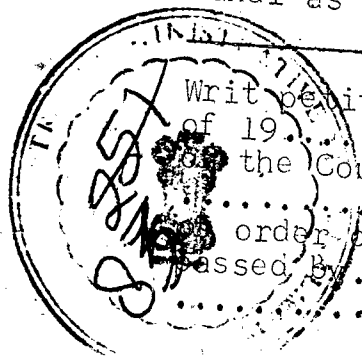
Zaheer Ahmad.....Applicants.

Varsus.

Union of India.....Respondents.

① To Union of India through General Manager,
N. E. Railway Gorakhpur
Financial Advisor/Chief Account Officer,
N. E. Railway Gorakhpur.

Whereas the marginally noted cases has been transferred
by H.C. LKO.....under the provision of the Admini-
strative Tribunal Act 13 of 1985 and registered in this Tri-
bunal as above.



Writ petition No 2302/85
of 19.....
the Court of H.C. LKO.....
.....arising out of
order dated.....
passed by.....in

The Tribunal has fixed date
of 13-7-90.....1990. The
hearing of the matter...
if no appearance is made
on your behalf by our 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 and decided this
day of 4.....1990.

DEPUTY REGISTRAR

Bhartiya

(iii) Sri, Satendra Kumar Chief Safety Officer,
N. E. Railway Gorakhpur

④ Sri Naubat Lal, Divisional Railway
Manager, N. E. Railway, Ashok Marg,
Lucknow

⑤ Sri, M. S. Akhtar, Senior Divisional Personal
Officer, D.R.M. office, N. E. Rly, Ashok Marg

Encl- Copy of Petition with court's order dated 6-4-90 for LKO for the

Judl
Shirish
L (ii)
A/45

4102
16/6/90

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
Circuit Bench, Lucknow.

No. CAT/AKO/Jud/ 4214-4210 date the 10-4-96

T.A.No. 1749/37(T) of 1990 (T)

8/46

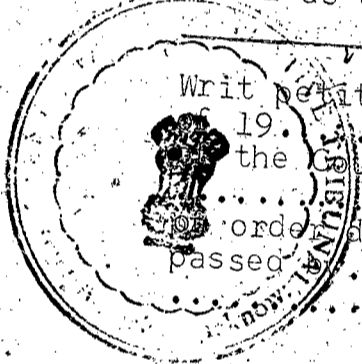
Zaher Ahmad.....Applicants.

Varsus,

Union of India.....Respondents.

- (i) To Union of India through General Manager
N.E. Railway Gorakhpur
Financial Advisor/Chief Account Officer
N.E. Railway Gorakhpur

Whereas the marginally noted cases has been transferred by M.C. LKO under the provision of the Administrative Tribunal Act 13 of 1985 and registered in this Tribunal as above.



Writ petition No. 2302/85
19.....
the Court of M.C. LKO
arising out of
order dated.....
passed.....
in.....

The Tribunal has fixed date of 13-7-90 1990. The hearing of the matter if no appearance is made on your behalf by our 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 9 day of 11 1990.

[Signature]
DEPUTY REGISTRAR

Bhartiyas

- (ii) Sri Satendra Kumar Chief Safety Officer
N.E. Railway Gorakhpur.

- (iii) Sri Naubat Lal Divisional Railway Manager
N.E. Railway Ashok Marg
Lucknow

- (iv) Sri M.S. Akhtar Senior Divisional Personal Officer
D.R.M. Office, N.E. Rly. Ashok Marg

LKO

Encl: 1/2/3/4/5/6/7/8/9/10/11/12/13/14/15/16/17/18/19/20/21/22/23/24/25/26/27/28/29/30/31/32/33/34/35/36/37/38/39/40/41/42/43/44/45/46/47/48/49/50/51/52/53/54/55/56/57/58/59/60/61/62/63/64/65/66/67/68/69/70/71/72/73/74/75/76/77/78/79/80/81/82/83/84/85/86/87/88/89/90/91/92/93/94/95/96/97/98/99/100

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21/3/90

CENTRAL ADMINISTRATIVE TRIBUNAL

CIRCUIT BENCH LUCKNOW

T.A. NO.1749 of 1987 (T)
(W.P. NO.2302 of 1985)

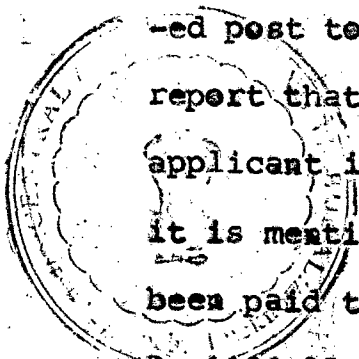
Zaheer Ahmad Applicant.
Versus
Union of India & Others Respondents.

26.2.1990

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

Hon'ble Mr. K.J. Raman, A.M.

The case has been called. No one is present on behalf of the applicant. Shri A.K.Gaur appearing on behalf of opposite parties filed counter. Notices sent by registered post to the applicant has been returned with the postal report that the addressee had died. Notice issued to the applicant is presumed served. In para 12 of the counter, it is mentioned that a sum of Rs.15864-15 has already been paid to the applicant alongwith interest of Rs.1126-35 as per orders of the High Court after making certain deductions from the applicant's dues as on 30.9.1985. In the circumstances, the case is disposed of as abated.



Sd/-
A.M.

Sd/-
V.C.

// True Copy //

[Signature]
27/2/90

Deputy Registrar
Central Administrative Tribunal
Lucknow Bench,
Lucknow

rem/
[Signature]
27/2

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH

18/12/90

Regd. A/D
23-A, Thornhill Road
Allahabad, 211 001

Registration O.A. No. ~~7.1.10~~ of 199 ~~S.A.NO. 1749/87(7)~~

No. CAT/Alld/Jud 55/147-55/18

A/V
C/C
8

~~SHRI RAMESH CHAND~~

Applicant(s)

Versus

~~UNION OF INDIA & OTHERS~~ ...

Respondent(s)

1. UNION OF INDIA THROUGH GENERAL MANAGER N.E.RLY, GODAHPUR.
 2. FINANCIAL ADVISOR/CHIEF ACCOUNTS OFFICER N.E.RLY, GODAHPUR.
 3. SRI SATENDRA KUMAR CHIEF SAFETY OFFICER N.E.RLY, GODAHPUR.
 4. SHRI HUBAT LAL DIVISIONAL RAILWAY MANAGER N.E.RLY, ANAND MANG LUCKNOW.
- SHRI N.S. ARITHA SENIOR DIVISIONAL PERSONNEL OFFICER HRN OFFICE N.E.RLY, ANAND MANG LUCKNOW.



Please take notice that the applicant above named has presented an Application a copy of whereof is enclosed herewith which has been registered in this Tribunal and the Tribunal has fixed ~~24.1.91~~ Day of 24.1.91 For.

If, no appearance is made on your behalf, your pleader or any 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 Day 5.12.90 of 1990.

[Signature]
For Deputy Registrar
(Judicial)

encl: COPY OF ~~ORDER~~ COURT ORDER DATED 22.1.90

CENTRAL ADMINISTRATIVE TRIBUNAL
CIRCUIT BENCH, LUCKNOW

T.A.NO.1749 of 1987(T)
(W.P.NO.2302 of 1985)

Zaheer Ahmed Applicant
Versus
Union of India Respondents.

22.11.1990.

Hon'ble Mr. Justice K. Nath, V.C.
Hon'ble Mr. M.M. Singh, A.M.

Notice of substitution. Application sent by Regd. post is presumed served on respondents other than opposite party No. 2 No objection has been filed by any of the opposite parties. Let the name of Shri Mohd. Mobin Hashmi & Others contained in substitution application be substituted in place of Shri Zaheer Ahmad.

ADMIT.

Issue notice to file counter within 4 weeks, rejoinder within 2 weeks thereafter. List for final disposal on 24.01.1991.

Sd/-
A.M.

Sd/-
V.C.

// True Copy //

Ms/

(*Umar Khan*)
Court Officer,
Central Administrative Tribunal,
Circuit Bench,
LUCKNOW.



checked by
12-90

VAKALATNAMA

Before
In the Court of

CENTRAL ADMINISTRATIVE TRIBUNAL, CIRCUIT BENCH, LUCKNOW

T.A. No. 1749 of 1987

150

Zaheer Ahmad Petitioner

Versus

Union of India and others, Respondents.

I/We. Satendra Kumar, Chief Operating Superintendent, North Eastern Railway,
Gorakhpur

do hereby appoint and authorise Shri. A. N. Verma,

Railway Advocate, Lucknow to appear, act apply and prosecute the above described Writ/Civil Revision/Case/Suit/Applicaion/Appeal on my/our behalf, to file and take back documents, to accept processes of the Court, to deposit moneys and generally to represent myself/ourselves in the above proceeding and to do all things incidental to such appearing, acting, applying, pleading and prosecuting for myself/ourselves.

I/We hereby agree to ratify all acts done by the aforesaid Shri. A. N. Verma,
..... Railway Advocate, Lucknow

..... in pursuance of this authority.

IN WITNESS WHERE OF these presents are duly executed by me/us this

..... day of July, 1987.

(Satendra Kumar)
CHIEF OPERATING SUPERINTENDENT
NORTH EASTERN RAILWAY,
GORAKHPUR.

A.N. Verma
files power on behalf
of the respondent

f.T.
syn

Accepted
Advocate

वकालतनामा

1/51

Central Administrative Tribunal Bench Lucknow के समक्ष
TA No. 1749 of 87 (T) के न्यायालय में

वादी प्रतिवादी	Zaher Ahmed	दावेदार अपीलार्थी
तिवादी वादी	Union of Indira	अर्जोदार प्रत्यार्थी
भारत के राष्ट्रपति इसके द्वारा श्री	A. N. Verma Rly. Advocate Lucknow	

को उपर्युक्त वाद/अपील/कार्यवाही में भारत संघ की ओर से उपसंजात होने, कार्य करने, आवेदन करने, अभिवचन करने और आगे कार्यवाही करने के लिए दस्तावेज दाखिल करने और वापस लेने, न्यायालय की आदेशिका स्वीकार करने, काउन्सेल, अधिवक्ता या प्लीडर नियुक्त करने और उन्हें अनुदेश देने, रुपया वापस लेने और उसका निक्षेप करने तथा उपर्युक्त वाद/अपील/कार्यवाही में भारत सरकार का साधारण प्रतिनिधित्व करने और भारत संघ के लिए इस प्रकार उपसंजात होने, कार्य करने, आवेदन करने, अभिवचन करने और आगे कार्यवाही करने की अनुषांगिक सभी बात करने के लिए नियुक्त और प्राधिकृत करते हैं। किन्तु यह इस शर्त के अधीन रहते हुए होगा कि जब तक भारत सरकार के समुचित प्राधिकारी से उस निमित्त पहले ही स्पष्ट प्राधिकार प्राप्त नहीं कर लिया गया है, तब तक उक्त काउन्सेल/अधिवक्ता/प्लीडर या उसके द्वारा नियुक्त काउन्सेल/अधिवक्ता/प्लीडर सभी या किसी प्रतिवादी/अपीलार्थी/वादी/विरोधी पक्षकार के विरुद्ध उस वाद/अपील/दावा/प्रतिरक्षक/कार्यवाही को पूर्णतः या भागतः न तो वापस लेगा, न उसका अधित्यजन करेगा, न एसा कोई करार करेगा या समझौता करेगा जिसके द्वारा वाद/अपील/कार्यवाही पूर्णतः या भागतः समायोजित की जाए और न उससे उद्भूत या उसमें विवादग्रस्त सभी या किसी विषय को मध्यस्थ को निष्पन्न करेगा, परन्तु आपवादिक परिस्थितियों में जब भारत सरकार के समुचित प्राधिकारी से परामर्श करने के लिए पर्याप्त समय नहीं है और वाद में समझौता करने में लोप करना निश्चित रूप से भारत सरकार के हित के प्रतिकूल होगा तो उक्त प्लीडर/अधिवक्ता/ काउन्सेल एसा कोई करार या समझौता कर सकेगा जिसके द्वारा उक्त वाद/अपील/कार्यवाही पूर्णतः या भागतः समायोजित हो जाय और ऐसे प्रत्येक मामले में काउन्सेल/अधिवक्ता/प्लीडर करार या समझौता करने के विशेष कारण बताते हुए उक्त अधिकारी को तत्काल संसूचित करेगा।

राष्ट्रपति इस प्राधिकार के अनुक्रम में श्री A. N. Verma Rly. Advocate Lucknow

द्वारा किए गए सभी कार्यों का अनुसमर्थन करने को सहमत हैं।

इसके साक्ष्यस्वरूप भारत के राष्ट्रपति के लिए और उनकी ओर से इस विलेख को आज तारीख 28/6/90 को

तारीख 19

(S.M. No. Islam)
निष्पादन करने वाले अधिकारी का पदनाम

Largubuse

[Handwritten initials]

NS/CCS

VAKALATNAMA

Before
to the Court of

Central Administrative Tribunal / Allahabad
~~to file no. 3202/85~~ 1749/87(T)

mit no. 3202/85
reg. no. 1749/87(T)

Plaintiff
Defendant

Zaheer Ahmad

Claimant
Appellant

Versus

Defendant
Plaintiff

Union of India and others

Petitioner
Respondent

The President of India do hereby appoint and authorise Shri... A. K. Gaur Railway
Advocate / Allahabad

.....to appear, act, apply, plead in and prosecute the above described suit/appeal/proceeding on behalf of the Union of India to file and take back documents, to accept processes of the Court, to appoint and instruct Counsel, Advocate or Pleader, to withdraw and deposit moneys and generally to represent the Union of India in the above described suit/appeal/proceedings and to do all things incidental to such appearing, acting, applying, Pleading and prosecuting for the Union of India SUBJECT NEVERTHELESS to the condition that unless express authority in that behalf has previously been obtained from the appropriate Officer of the Government of India, the said Counsel/Advocate/pleader or any Counsel, Advocate or Pleader appointed by him shall not withdraw or withdraw from or abandon wholly or partly the suit/appeal/claim/defence/proceeding against all or any defendants/respondents/appellant/plaintiff/opposite parties or enter into any agreement, settlement, or compromise whereby the suit/appeal/proceeding is/are wholly or partly adjusted or refer all or any matter or matters arising or in dispute therein to arbitration PROVIDED THAT in exceptional circumstances when there is not sufficient time to consult such appropriate Officer of the Government of India and an omission to settle or compromise would be definitely prejudicial to the interest of the Government of India and said Pleader/Advocate or Counsel may enter into any agreement, settlement or compromise whereby the suit/appeal/proceeding is/are wholly or partly adjusted and in every such case the said Counsel/Advocate/Pleader shall record and communicate forthwith to the said officer the special reasons for entering into the agreement, settlement or compromise.

The President hereby agree to ratify all acts done by the aforesaid Shri... A. K. Gaur Railway
Advocate / Allahabad
in pursuance of this authority.

IN WITNESS WHEREOF these presents are duly executed for and on behalf of the President of India this theday of.....198 .

Dated198

[Signature]
.....
.....

Designation of the Executive Officer,
.....
.....