

FORM NO. 21

(See rule 114)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, ~~Lucknow~~ BENCH

DA/TA/RA/CP/MA/PT ..1929/82 of 20.....

R. P. Verma.....Applicant(S)

Versus

C.O.I. Encl.....Respondent(S)

INDEX SHEET

Serial No.	DESCRIPTION OF DOCUMENTS	PAGE
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~~File B/C already weed out/changed~~

Certified that the file is complete in all respects.

Signature of S.O.



Signature of Deal. Hand


11/9/92

1929/87(7)

②

④
29
30/5/90

for Mr. P. C. Jain, A.M.
Hon. Mr. J. P. Sharma, J.M.

None present for the either
partys notice on respondent No. 4c is ~~sent~~
to have been receive back with the postal
remark of "incomplete address and return
to sender". Notices sent to respondents

No. 1, 2, 3 on 19/2/90 ~~and not been received~~
back ~~either~~ ^{after} service or without service.

Issues fresh & notices to all the respondents
remarkable on 5/7/90 and the learned
Court's counsel for the petitioner the also
notified the above date.

or
notice sent
to

⑤

J.M.

Cert. 6/6/90
A.M.

5-2-90

No sitting Deli to 18/8

⑥

13-8-90 Hon. Mr. P. Srinivasan, A.M.
Hon. Mr. J. P. Sharma, J.M.

GR

On the request of
Counsel for respondents
Dr. Dinesh Chandras
adjourn to 18-9-90

In compliance of
Court's order. 11-3-90
Notices were issued to
the parties by 2nd Post
6-6-90.

No unopened regd. cover has
been return back.
Submitted for order/permission
30/8/90

Deb

ff

J.M.

1st

25/9 22/8/90

⑦

5-9-90

No sitting Deli to 26-9-90

⑧

(1)

26-9-90

(2)

(3)

1929/827
A
4/1

Due to ~~set~~ demise of Hon'ble
Chief Justice of India Mr.
S. S. Mitalvi. The case is
adjourned to 4-10-90

(4)

4-X-90

No sitting adj. to 14-91

(5)

(6)

14-1-91

(7)

No sitting adj. to 28-1-91

AN for dimissal filed

4/1/91

(8)

20-1-91

(9)

No sitting adj. to 5-2-91

(10)

5-2-91Hon Mr. Justice K. Nathwani
Hon Mr. K. Obayya, A.M.

(11)

Care called. None present
for applicant. Dr. Dinesh Chandra
is present for the respondent and
files in P8/91 with an affidavit.

(12)

OR

(5)

T.A.1323/87(T) ^{1/3}

AM

30-4-92

For Mr. Justice U.C. Brierley, v.c.

For Mr. A.B. Gostlin, A.M.

(A7)

The learned counsel for the respondents states that the application has become infructuous, and in this case application for dismissal of the E.T.A was moved by him, copy of which has been served on the learned counsel for the applicant on 11-7-91. He has not filed any reply to the same, nor he has appeared. It has been stated that the applicant has been sent back to Army Postal Service. The applicant's application has become infructuous and so as much dismissed.

L

AM-

AM

W

VC

CIVIL

SIDE

CRIMINAL

GENERAL INDEX

(Chapter XLI, Rules 2, 9 and 15)

Nature and number of case

W.L. 4539 - 85

Name of parties

Ram Prag Ram v. Govt. of India

Date of institution

6-9-85

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.		W.L. with Document and affidavit	20		102 00			
2.		Power	1-		5 00			
3.		W.L. Sheet	1-		-			
4.		Record Copy	1-		-			

I have this

day of

198

examined

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

Date

Munsarim

Clerk

Group A-15(A)

A-83

6759.

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

Writ Petition No. 4539 of 1985

Ram Prag Verma..... Petitioner

versus

Govt. of India through the Director
General Post and Telegraph New Delhi
and another..... Opp. parties

I n d e x

SI. No.	Description of papers	pages
1.	Writ Petition	1 - 10
2.	Annexure no. 1 true copy of the circular	11- 14
3.	Annexure no. 2 true copy of the order for medical examination.	15- 16
4.	Annexure no. 3 photostate copy of the order dated 12.4.85	17- 17
5.	Affidavit	18- 09
6.	Vakalatnama	20

Lucknow Dated

3.5.85

*D.P. Dwivedi,
Advocate*
Counsel for the petitioner

4

(A-7)

26

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

VS/

Writ Petition No. of 1985

Ram Prag Verma aged about 27 years son of Sri
Moti Ram Verma resident of village Saimasa Post
Bhadauli Police Station Mahrajganj Pargana Amsin
Tahsil and District Faizabad.

.....Petitioner

versus

1. Government of India through the Director of General Post & Telegraph New Delhi.
2. Senior Superintendent of Post Offices, Faizabad Division Faizabad.
3. Commandant, Army Postal Service Centre Kamptee A.P.O.
4. Sri M. L. Kureel Senior Superintendent of Post Offices, Faizabad Division Faizabad.

..Opp. parties

*5/12/85
1/1/86
2/1/86*
Writ Petition Under Article 226
of the Constitution of India.

The petitioner most respectfully begs to state as under:

1. The petitioner is a young man of 27 years of age. He is a Graduate and is enjoying a sound health.
2. That the petitioner after being selected, was appointed as Extra Departmental Delevery Agent at Pura District Faizabad. He took over the charge of the above post on 6.5.1983.
3. That the Army postal service record office

*R
26/8/85*

11/4/85

A-16
Y3

Kamptte A.P.O. had issued a circular intimating the requirements of the personals to be recruited for Army postal services in different cadres the terms and condition for their recruitment have been given in the said circular. A true copy of the afore said circular is being filed herewith as annexure no.1 to this writ petition. In pursuance of the afore said circular annexure no.1 the petitioner along with others had volunteered himself for recruitment in Army postal Service and accordingly was directed by opposite party no.2 to report himself to attend B.R.O. Lucknow on 11.1.1984 at 8.00 hrs. for his medical examination. A true copy of the said order is being filed herewith as annexure no.2 to this writ petition. The petitioner had complied with the orders and reported himself for medical examination where he was declared successful and medically fit.

26885

The Senior superintendent post offices Faizabad opposite party no.2 had held a prescribed test for Group 'D' cadre of the volunteers for recruitment exclusively for service in Army postal Services on 20.2.1984. The petitioner who had every requisit qualifications and illegibility for the said post had appeared in the afore said test on 20.2.1984 and in the said test his roll number was F- 12^R.

- RINH210111
4. That the petitioner had qualified the afore said test and declared successful for the recruitment in Army postal Service. Accordingly the petitioner was recruited by the Army on the post of Sep/packer.

5. That the petitioner had undergone to prescribed military training as required under rules and terms of Army postal services and after completing his training successfully he was posted in forward area to discharge his duties as sep/packer.

6. That during his service in Army postal services his work and conduct remained satisfactory and up to the mark. There has been no complaint whatsoever against his work and conduct from any corner.

7. That the senior superintendent post Offices Faizabad opposite party no.2 Sri Kureel had sent a letter to the commandant Army postal service centre kamptee A.O.O. opposite party no.3 for re-calling and discharging the petitioner from Army postal Services and accordingly the opposite party no.3 had discharged the petitioner vide discharge and movement order dated 12.4.85 before completion of initial terms of engagement and had directed ^{him} to report to opposite party no.2 on expiry of leave for duty. A photostate copy of the discharge order is being filed herewith as annexure no.3 to this writ petition.

26/8/85

8. That the post on which the petitioner was recruited in Army postal services is still ~~in existence~~ ~~vacant~~ and the same was neither abolished nor ceased to exist in any other manner. Further there has been no other extengencies on administrative grounds which may in any way warranted for discharge of the petitioner from Army postal

27/11/1991

services and as such there had been absolutely no occasion for the opposite party no.2 to send a letter to opposite party no.3 requesting for discharge of the petitioner from Army postal services.

9. That so many other candidates who were recruited like the petitioner for Army postal services they have not been re-called and discharged and they are still continuing as such.

10. That the petitioner's discharge from Army postal services has been occurred only on the basis of the letter of the opposite party no.2 requesting for re-calling and discharge of the petitioner, who had absolutely no occasion for sending such letter to opposite party no.3.

11. That Sri Kureel who is at present posted and working as senior superintendent post offices Faizabad has prejudice with the petitioner the reasons best known to him and due to this only prejudice and malafide intention of Sri Kureel the petitioner has been put out of the employment with no fault of his own.

26/8/85

12. That the petitioner as per direction in the discharge order had presented a joining report on 30.5.85.

13. That the petitioner was told by the Head clerk of the Office of opposite party no.2 that he will not be given any work as per direction of the opposite party no.2 ultimately the petitioner also approached the opposite party

21/11/85

A-13
A-10

no.2 as well as Post Master General U.P. circle Lucknow in the afore said reference but he remained absolutely un-attended by those 2 authorities.

14. That the petitioner had been selected and was working on group 'D' post in Army postal services and he has been recalled by opposite party no.2 even before completion of his initial terms of engagement and as such he is entitled to get his post here in civil unit on the said post of group 'D' i.e. class IVth but due to personal prejudice of the present incumbent working on the post of senior superintendent post ~~of~~ offices Faizabad the petitioner is being deprived of his entitlement and he has been put out of his employment.

15. That the petitioner had asked the office of the opposite party no.2 to supply a copy of the letter which was sent to opposite party no.3 requesting for the petitioner re-calling and discharging from Army postal services but the said office had totally refused to supply the said copy to the petitioner.

26/8/85

In the present case the petitioner is mainly aggrieved by the re-calling order of the opposite party no.2 and on the consequence thereof the discharge order annexure no.3 has been passed.

16. That since the office of the opposite party no.2 had refused to supply the copy of the re-calling order it could not be possible

21/4/21/1985

to file the same before this hon'ble Court along with this writ petition.

17. That our present government of India had a definite policy to provide the employment to the eligible candidates from amongst the citizen of India but the opposite party no.2 having being influenced with his personal prejudice had put the petitioner out of employment illegally by re-calling him from the Army postal service even before completion of initial term of engagement and further inspite of several request he is not permitting the petitioner to work on the post of class IVth services group 'D' on which post he was working and was discharged from Army postal service on the request of opposite party no.2. Thus the opposite party no.2 has acted illegally and even against the specific government policy.

18. That since the petitioner is now going to become over age for government service and he has no other means to earn his livelihood through which he can meet his both the ends and also to maintain his family, the petitioner has been put to a great hardship by putting him out of employment.

19. That having being aggrieved with the orders passed by opposite party no.2 and 3 and being left with no other alternative efficacious and adequate remedy the petitioner is filing this writ petition on the following amongst other:

G R O U N D S

- I) Because the order passed by opposite party no.2 and 3 is wholly illegal and against the policy of the Government as well.
- II) Because after being successfull in the prescribed test sponsored by opposite party no.2 the petitioner was recruited for Army postal Services and he had under gone to prescribed basic Militaryt raining as required under rules in terms of Army postal service which was a very hard training and also a huge government finance was involved in the said training.
- III) Because the petitioner had completed the basic Military training successfully and after passing out parade he was deputed to work on the post of Sep/packer infarward area on 18.9.84 and as such the petitioner's re-calling and discharge order from Army postal services even before completion of initial terms of engagement was neither warranted in any manner nor it was required in the interest of Public.
- IV) Because the post on which the petitioner was recruited in Army postal services is still ~~vacant~~ ^{in existence} and the same was neither abolished nor ceased to exist in any other manner further there has been no other extengencies on administrative grounds which may in any way warranted for discharge of the petitioner from Army postal service and as such there had been absolutely no occasion for the opposite party no.2 to send a letter to opposite party no.3 requesting

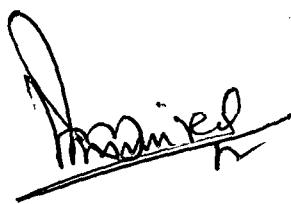
for discharge of the petitioner from Army postal services.

V) Because so many other candidates who were recruited like the petitioner for Army postal services they have not been re-called and discharged and they are still continuing as such.

VI) Because the petitioner's discharge from Army postal services has been occurred only on the basis of the letter of the opposite party no.2 requesting for re-calling and discharge of the petitioner, who had absolutely no occasion for sending such letter to opposite party no.3.

VII) Because Sri Kureel who is at present posted and working as Senior Superintendent post Offices Faizabad has prejudice with the petitioner the reasons best known to him and due to this only prejudice and malafide intention of Sri Kureel the petitioner has been put out of the employment with no fault of his own.

VIII) Because the petitioner had been selected and was working on group 'D' post in Army postal services and he has been re-called by opposite party no.2 even before completion of his initial terms of engagement and as such he is entitled to get his post here in civil unit on the said post of group 'D' i.e. class IVth but due to personal prejudice of the present incumbent working on the post of senior superintendent postal offices Faizabad the petitioner is being deprived of his entitlement and he has been put out of employment.



IX) Because the opposite party no.2 is acting illegally for not providing the duty of group 'D' class IVth Services to the on presenting the joining report before him after discharge order given to him by opposite party no.3.

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

- a) issue writ order or direction in the nature of mandamus commanding the opposite party no.2 to produce the original order re-calling the petitioner from A.P.S. and also the letter sent to the opposite party no.3 intimating the same i.e. requesting for the petitioner's recalling and discharge from the APS, before this Hon'ble Court for perusal.
- b) issue a writ order or direction in the nature of certiorari quashing the discharge order dated 12.4.85 passed by opposite party no.3 on the basis of the recalling order and letter sent to him by opposite party no.2 the senior superintendent post offices Faizabad, contained in annexure no.3
- c) issue writ order or direction in the nature of certiorari quashing the re-calling order passed by opposite party no.2 the senior superintendent post offices Faizabad in respect of re-calling the petitioner from Army postal Service.

Ambedkar

- d) issue writ order or direction in the nature of mandamus commanding the opposite party no.2 to restore the services of petitioner in Army postal service and in the alternative the opposite party no.2 senior superintendent post offices Faizabad may be commanded to allow the petitioner's to work as class IVth employee in group 'D' under his control from the date the petitioner's presented joining report before him.
- e) issue any other order writ or direction which this Hon'ble Court may deem fit under the circumstance of the present case and in the interest of justice as well.
- f) award the cost of the petition to the petitioner against the opposite parties.

Lucknow Dated
3.9.85

(D.P. Dwivedi)
Advocate
Counsel for the petitioner

Note : There is no effect in the present
writ petition.

Lucknow Dated
3.9.85

(D.P. Dwivedi)
Advocate
Counsel for the petitioner

A/13

11

12

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

Writ Petition No. of 1985

Sam Pras Verma.....Petitioner
versus

Govt. of India through the Director
General Post and Telegraph New Delhi
and another..... Opp. parties

Annexure no.1

Copy Army Postal Service Record Office
Kamptee APO.

Rec./FFL-1109/11g 22 Nov.82

Recruitment of Group 'C' and Group 'D' Officials
to APS.

Sir,

1. Please refer to DG's special circular No.44
dated 22 Oct.77 and our letters of even no. dated 06
June 83, 22 Aug. 83.

2. It is observed that postal authorities are
unable to sponsor all desirous candidates for
deputation to APS due to limited time available to
them to complete enrolment formalities. This has
resulted in over all shortage of manpower in APS
which is mainly manned by P&T deputationists.

3. To overcome the above difficulties, it has now
been decided that P&T authorities may depute
volunteers Group 'C' and Group 'D' officials
including ED officials as and when, they are
available without waiting for the detailment
letter from officer incharge records Army postal
Service Corps. The volunteers will be direct-
ed to Branch Recruiting offices as and when
required on fixing the date and time of their
medical examination candidates found fit will be
sent to APS centre, Kamptee APO for further
action.

26/8/85

RECORDED

12 13

-2-

4. The following points will be kept in view while directing the volunteers to BROs for enrolment:-
- (a) only volunteers below 40 preferably 35 years of age will be relieved for enrolment.
 - (b) Applications in form at appendix D to DG's special circular ibid in respect of candidates enrolled will be forwarded to this office duly completed in all respects.
 - (c) Individuals will carry with them an attested copy of first page entries of their service book and also two copies of the orders directing them to the recruiting officer. One copy of the relieving order, will however, be brought to APS centre for attaching with their TA claims.
 - (d) Candidates will be directed to BROs on convenient dates, in consultation with the recruiting officer.
 - (e) After final medical examination and enrolment by BROs no candidates will be permitted to join their civil duties.
 - (f) candidates against whom disciplinary action/case is pending or one is contemplated should not be despatched to APS centre kamp tee.
 - (g) The minimum educational qualification in case of Group 'C' Officials, is matriculate or equivalent.
 - (h) Clerical staff from non- postal/APS wings such as Telegraphs Telephones should have passed confirmation examination. They must preferably graduates. In case of matriculates they should have adequate typing speed.
 - (i) Class Officer/officials of test categories are only eligible for enrolment in APS. Officials of other categories such as postman, mailguards, Daftary, na madars cash/ail overseers etc. are, however not

13

-3-

14

eligible for enrolment as they are above packers grade.

(d) employees of all categories (on any capacity) will be deputed in accordance following procedure:-

(aa) They should be able to perform the duties of class IV officials (packers).

(bb) They should not be in state of indebtedness or should have more than one life living.

(cc) Disbursing officer of such ID officials will intimate to the Assistant Chief Accounts Officer Incharge, APS Accounts Section O/O Director of Accounts (Postal) Nagpur-440001 with a copy to P&T Administrative cell O/o APS centre Kamptee.

APo full particulars of recoveries, if any, to be made from the officials.

5. In view of the above please issue instructions to the Divisional Head under your control to enrol maximum number of Group C and D officials to wipe out the huge deficiency in the Corps. This letter will be hand over on relief.

Yours faithfully,
Sd/-

(Tilaklalaj
Lt. Col
Officer incharge.

Copy to:-

1. D.G P&T New Delhi-110001

2. Army postal Directorate O/o 56 APO.

3. All DDs APS Commands

4. PS Centre, Kamptee APO

5. P and T Admin. Cell O/o APS Centre Kamptee APO
Physical fitness. Lorkhas/Assamese. All other
classes.

Height	152 cms.	157 cms.
Weight	50 kg.	50 kgs.
Chest	77 cms.	77 cms.

21/14211 and

..O.B-1/10/80 dated at Faizabad -22401, the 23.12.83

Copy forwarded for information and wide publicity among all the officials including D.D. Employees:-

- 1) All the P.Ms./S.PMs./S.DIs./Us Branch Postmasters and secretaries of recognised Unions in the Division. They will please collect the applications of the reluctant officials and send this office at once.
- 2) All D.P.s. in the Dn.

Sd/ ^{Illegible}
Sr. Supdt. of post offices
Faizabad Division.

True copy

26.8.85

21 NOV 1985

A/23

15

In the Hon'ble High Court of Judicature at Allahabad

Lucknow Bench, Lucknow.

Petition No. of 1985

Ram Pravg verma....Petitioner

versus

Govt. of India through the Director
General Post and Telegraph New Delhi
and another..... Opp. parties

Annexure No. 2

Office of the Sr. Supdt. of post offices, Faizabad
Division.

Memo No. B-1/18/CC Dated at Faizabad-224001, the 7.1.1984

The following candidates who have volunteered
himself for APS are hereby directed to report
themselves to attend BRO Lucknow on 11.1.84 at 8.00
Hrs for their medical examination.

1. Shri Ram Kishun Maurya P.A. Faizabad H.O.
2. " Jai Kumar Singh P.A. Faizabad H.O.
3. " Ravi Narain Rai O.A. Divl. Office Faizabad.
4. " Fateh Bahadur Srivastava P.A. (RTP) Faizabad H.O.
5. " Rajendra Vikram Singh -do-
6. " Mahabir -do- Jahangirganj,
Faizabad.
7. " R.B. Priyadarshi P.A. RTP. Akbarpur H.O.
8. " Paramatmadin Pandey EDP. Mandi Samiti Faizabad.
9. " Janardan Pd. Misra EDA Naka Muzaffra. Faizabad.
10. " Bhoop Narain Singh EDR. Haiderganj.
11. " Ravindra Nath Pandey EDP. Pura.
12. " Sheo Bahal Singh EDP. Chirra. Ohdpur.
13. " Bajrangi Pd. EDDA. Motibagh, Faizabad.
14. " Ganga Pd. Singh EDDA. Gopalpur.
15. " Mahendra Pratap Singh EDDA. Dahema.
16. Ram Prag Verma EDDA. Pura.
17. Ghanshyam Dubey EDDA. Bhitia.
18. Amarjit Mishra EDP. Lalbagh.
19. " Vijai Kumar Pandey EDDA. Shahganj.
20. " Karam Chand BPN. Sokhawan.

The E.D. Candidates are required to get

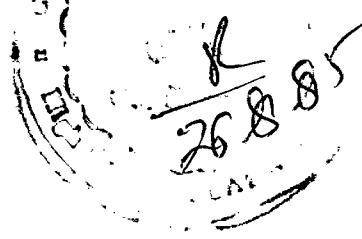
themselves relieved by providing suitable and eligible substitute at their place.

Sd/- Illegible
Sr. Supdt. of post Offices,
Faizabad Division.
7.1.84

copy to:-

- 1) All the candidates concerned.
- 2) All the PAs/SPAs/SDI's /BPMs concerned for arranging relief of the candidates and directing to them to proceed for medical examination to B.R.O Lucknow within time.
- 3) The D.D.A.P.S.H.Q. Central Command C/o 56 APO.
- 4) The B.R.O. Lucknow.
- 5) Shri V.J. Mishra FPM 735 FPO/Co 56 APO.
- 6-7) O/C & Spare.

True copy



21 NOV 1985

A/25
17
TK

In the Hon'ble High Court of Judicature at Allahabad
Sic now Panch, Lucknow.

Writ Petition No. of 135

Ramkrishna Verma, Petitioner

versus

Govt. of India through the Director

General Post and Telegraph New Delhi

and others, Opp. parties

Annexure No. 3

R
26/8/85

21/11/1985

1/26

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✓ 18

RESTRICTED

Tala : Nagpur 8591/224

Sina Dak Seva Kendra
Army postal Service Centre
Kampot 400

4159/4/A.3

11 Apr 85

DISCHARGE OF MIGRATION ORDER NO 14/04

16. The unmentioned personnel of this Centre (H) will proceed on discharge from HQS and will report to their civil unit as noted against their names on expiry of leave : - *(for further details see para 15)*

Var (a) 8370807 W Ser. parameterized in pandey 0/0 SSP03 Faizabad DM
Faizabad, (Up)

(b) 8370859 N Sep Ram prag Verma O/O SSyOs Faizabad Dn
Faizabad (Up)

2. Reason for discharge from IPS : Before completion of initial terms of engagement on 15th August.

3. Their date and time of departure: 12 A.M. 85. (A/N).

4. They are 90% wet : 13 Apr 83.

5. They have been granted LPD as under :-

Year (A) 13 Apr 85 to 12 May 85 for 30 days.

(b). 13. A. r. 85 to 27 May, 85 for 45 days.

6. They have not paid any TI/pay advance.

They have been issued discharge certificate as under :-

Var (a) 12607 (b) 12577

8. Their date of discharge from APB is under the

Sur (a) 12 May 85 (A/N) (b) 21 May 85 (A/N).

They are 90s from Corps as under :-

See (a) 13 May 85, (b) 20 May 85.

10. They are buying any P&L policy.

Distt: Faizabad (Up)	Teh: Bikapur	PO: Khajurahat	Vill: Bharniathur	Distt: Faizabad (Up)	Teh: Fulzabul	PO: Bhalanelli	Vill: Gajmusa
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28/05/2015



10
19
A/27

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

Writ Petition No. of 1985

1985 Ram Parag Verma... Petitioner

AFFIDAVIT

18

HIGH COURT

ALLAHABAD

26/8/88

versus

Government of India through the Director
General Post and Telegraph New Delhi and
another.... Opp. parties

Affidavit

I, the deponent Ram Parag Verma aged about 27
years son of Sri Moti Ram Verma resident of village
Saimasa Post Bhadauli Police Station Sahrajganj
Pargana Amsin Tahsil and District Faizabad 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 he is
fully conversant with the facts deposed in the
accompanying writ petition and in this affidavit.

2. That the contents of paras 1, 2, 3, 4, 5, 6, 7,
8, 9, 10, 11, 12, 13, 14, 15, 16, 17 and 18 of the
accompanying writ petition are true to my own
knowledge.

contd....2

21/11/1988

-2-

19

1/20

3. That the annexure nos. 1, 2 are true copies and those of annexure no. 3 is photostate copy which are issued by the competent authorities.

Lucknow Dated 26/8/85 *21/11/14* Deponent

Verification

I, the above named deponent do hereby verify that the contents of paras 1, 2 and 3 of the affidavit are true to my own knowledge. No part of it is false and nothing material has been concealed. So help me God.

R. S.
26/8/85

Lucknow Dated 26/8/85 *21/11/14* Deponent

I identify the deponent who has signed before me.

(Signature)

(M.L.Kashyap) Clerk
to Sri D.P.Dwivedi Advocate

Solomnly affirmed before me on 26/8/85
at 9.40 a.m. by Shri Ran Paras Venka
deponent who is identified by Shri M.L.Kashyap of G.O.D.P.
Advocate High Court Lucknow Bench, Lucknow.

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

(Signature)
RAN PARAS VENKA
Date: 18/10/85
High Ct.
Lucknow

No. 18/10/85
26/8/85

अदालत श्रीमान्
[वादी] अपीलान्ट
प्रतिवादी [रेस्पाडेन्ट]

Hon. High Court of Judicature of Lucknow
Rao Rao Verma Lko Beach Lko बहुदाय
द्वारा लिखना समा

Dated



दो (अपीलान्ट)

1925
Feb 28/25

प्रतिवादी (रेस्पाडेन्ट)

नं० मुकद्दमा

बनाम
सन् 1925

ऊपर लिखे मुकद्दमा में अपनी ओर श्री

DURGA PRASAD JI VEDI

ADVOCATE HIGH COURT LUCKNOW बकील
महोदय
एडवोकेट

ताम अदालत
मुकद्दमा नं०
ताम फरीकेन

को अपना बकील नियुक्त करके प्रतिज्ञा (इकरार) करता हूँ और लिखे देता हूँ इस मुकद्दमा में बकील महोदय स्वयं अथवा अन्य बकील द्वारा जो कुछ पेरवी व जवाब देही व प्रश्नोत्तर 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 विषक्षी (फरीकसानी) का दाखिल किया हुआ रुपया अपने या हमारे हस्ताक्षर युक्त (दस्तखती) रसीद से लेवे या पंच नियुक्त करें—बकील महोदय द्वारा जी गई वह सब कायंवाही हमको सर्वथा स्वीकार है और होगा मैं यह भी स्वीकार करता हूँ कि मैं हर पेशी पर स्वयं या किसी अपने पंरोकार को भेजता रहूँगा अगर मुकद्दमा अदम पेरवी में एक तरफ मेरे खिलाफ फँसला हो जाता है उसकी जिम्मेदारी मेरे बकील पर नहीं होगी इसलिए यह बकालतनामा लिख दिया प्रमाण रहे और समय पर काम आवे ।

हस्ताक्षर 21 मार्च 1925

साक्षी (गवाह) ————— साक्षी (गवाह) —————

दिनांक महोना सन् १६ ई०

स्वीकृत

Accepted
S. D. Deo
D. P. Deo
Photocopy

(21)

3

A/50

ORDER SHEET

IN THE HIGH COURT OF JUDICATURE AT ALLAHABAD

W.P. No. 4539 of 1988.

۲۵

(28) A/SI

IN THE COURT CENTRAL ADMINISTRATIVE TRIBUNAL AT LUCKNOW
CIRCUIT BENCH: LUCKNOW
M.P. NO. 8 OF 1990

Union of India & others.

.. Applicant/
Opp. Parties 1&2.

APPLICATION FOR DISMISSAL

In :

T.A. No. 1929/87 (T)

(W.P. No. 4539/89)

Ram Barag Verma

.. Petitioner

Versus

Union of India & others.

.. Opp. parties.

To ,

Hon'ble Vice Chairman and his companion Members
of the aforesaid Tribunal .

The application of the humble applicant most
respectfully sheweth :-

1. That full facts have been given in the accompanying affidavit .
2. That from the facts and circumstances of the case as stated in the accompanying affidavit it is expedient in the interest of justice that the said affidavit may be taken on record .
3. That from the facts and circumstances indicated in the accompanying affidavit , the writ petition filed by the petitioner in the Hon'ble High Court which has been transferred by this Hon'ble Tribunal and registered under T.A. No. 1929 of 1987() has became infructuous and may be dismissed with costs .

WHEREFORE , it is respectfully prayed that this Hon'ble Tribunal may be pleased to admit the accompanying affidavit and dismiss the petition with cost as same has became infructuous .

(DR. DINESH CHOWDHURY)
ADL. STANDING COUNSEL
COUNSEL FOR RESP. DEPT.

R.T.S
SSM
7/1/91

23

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL AT ALLAHABAD
CIRCUIT BENCH, LUCKNOW

Affidavit

In re:

T.A. 1929/87()

Contempt petition No. 4539 of 1985.

Ram Parag Verma

.. Petitioner

Versus

Union of India & Others

.. Respondents

1990
AFFIDAVIT
44 TM
DISTT. COURT

I, C. P. MISRA aged about 46 years,
son of late Sh. J. D. MISRA Senior Suptd. of Post
Offices, Faizabad do hereby solemnly affirm and state
as under :

1. That the deponent has read the writ petition filed by the petitioner and has understood the contents thereof. He is well conversant with the facts of the case deposed hereinafter.
2. That the petitioner filed writ petition no. 4539 of 1985 in the Lucknow Bench of Hon'ble High Court of Judicature at Allahabad.
3. That the said writ petition has been transferred to the Central Administrative Tribunal, Circuit Bench, Lucknow for disposal.
4. That in the aforesaid writ petition the petitioner prayed that the Hon'ble Court may kindly be pleased to :
 - a) issue writ, order or direction in the nature of mandamus commanding the opposite party

2.

W^t No.2 to produce the original order recalling the petitioner from Army Postal Service (A.P.S) and also the letter sent to opposite party no.3 intimating the same, i.e. refusing from the petitioner's recalling and discharge from APS, before this Hon'ble Court's perusal.

- b) issue writ, or order or direction in the nature of certiorari quashing the discharge order dt. 12.4.85 passed by opposite party no.3 on the basis of recalling order and letter sent to him by opposite party no.2, the Senior Suptd. of Post Office, Faizabad contained in Annexure No.3.
- c) issue writ, order or direction in the nature of certiorari quashing the recalling order passed by opposite party no.2, the Senior Suptd. of Post Offices, Faizabad in respect of recalling the petitioner from Army Postal Service.

W^t No.2
Issue writ direction, order in the nature of mandamus commanding the opposite party no.2 to restore the services of the petitioner in Army postal Service and in the alternative the opposite party no.2, Senior Suptd. of Post Offices, Faizabad may be commanded to allow the petitioner to work as class IV employee in Group 'B' under his control from the date the petitioner presented joining report before him.

- e) issue any other order, writ or direction which this Hon'ble Court may deem fit under the

Yours
Cont....3.

24

Ans

3.

under the circumstances of the present case
and in the interest of justice as well.

f) award the cost of the petitioner to the petitioner
against opposite parties.

5. That the petitioner was appointed Extra
Departmental Delivery Agent at Para, distt. Faizabad
and took over charge on 6.5.1983.

6. That the petitioner was selected for appointment on
group 'D' post for serving in the Army Postal
service by the deponent and was recruited by
the Army on the post of Sepoy/Packer.

7. That later on it was found that the applicant
had not completed three years of service as
Extra Departmental Delivery Agent and could not
be selected for appointment in Army Postal Service
and was, therefore, called back from Army
Postal Service vide Post Master General, Lucknow
letter No. VIG/8-86/84-1/Gh-1(A) dt. 19.12.84.

8. That the petitioner was discharged from Army
postal service and was directed to report to
the Superintendent of Post Offices, Faizabad
vide letter dt. 12.4.85 (Annexure 3 of the writ
petition).

9. That after having been discharged from Army
Postal Service, the petitioner filed the present
writ petition in the Lucknow Bench, of Hon'ble
Allahabad High Court which has been sent to this
Hon'ble Tribunal for disposal.

10. That the petitioner has been called back in the

(25)

1/55

4.

service of Army Postal Service vide Memo No. B-1/18/CC/Con/L dt. 23.6.87 issued by the deponent. The said recall Memo was issued in the light of Sena Dak Dewa Detter of even number dt. 15.6.87 and in compliance of the Adl. Director General letter no. 904/-13/ER/1Part APS dt. 9.6.87.

11. That the petitioner has been called back in Army Postal service and the cause of grievance has been redressed.

12. That as the petitioner has been called back in Army Postal Services and his services have been restored in the Army Postal Service, this writ petition has became infructuous and is liable to be dismissed with costs.

Dated: 18.8.1990

~~30.8.90~~

Deponent. 18/8/90

Verification

I, the abovenamed deponent do hereby verify that the contents of paras 1 to 12 to this affidavit are true to my personal knowledge and belief. No part of it is false and nothing material has been concealed. So help me God.

Signed and verified 3rd day of August 1990 at High Court, Lucknow Bench, Lucknow.

Dated: 18.8.1990

~~30.8.90~~

Deponent 18/8/90

I identify the deponent who has signed before me.

J. G. S
Advocate

MOOSHIR ALAM FAROOQ

T.A. 1929/87

26

Amritsar - R.I.

A/56

R.D. Verma v/s G.O. & Others

DEPARTMENT OF POSTS, INDIA

Office of the Sr. Supdt. of Post Offices, Faizabad Dist.

Faizabad-224001

Memo. No. B-1/18/CC/Con/16001 Dated at Faizabad, the 23-6-87

In accordance with Sena Dak Sewa Abhilekh Karyalaya Army Postal Services record office Kumptee A.P.O. dt. 15-6-87 and in compliance with Addl. Dte. Gen.A.P.M. letter No. 90413/ OR/1 Part-APS- IC dated 9/6/87, the following volunteers for A.P.S. Service are hereby ordered to attend B.R.O. Lucknow immediately for their re-enrolment and onward despatch to A.P.S. Centre Kumptee.

These volunteers will clearly understand that they will not claim for re-transfer to the parent deptt. till such time they are absorbed in Group 'D' posts in the Deptt. on regular basis. To C.O. No. Vig/8-PG/84/1 A dated 14-4-87.

They will not have any claim for Group 'D' posts in Civil but also those posts of E.P.A. to which regular appointment would have otherwise been made in the normal course.

The Officer Incharge Army Postal Services Record Office

- | | | | |
|-----|-----------|-----------------------------|---------------------|
| (1) | 8370805-L | Ex. Sdp. w/Amarjeet Mishra. | Vig-1109/Roott/U.P. |
| (2) | 8370806-N | Ghan Shyam Dubey. | ✓ |
| (3) | 8370807-W | Parmanand Pandey | ✓ |
| (4) | 8370808-Y | Chhagan Prasad Mitali | ✓ |
| (5) | 8370810-W | Mahendra Prasad Singh | ✓ |
| (6) | 8370812-P | Dajrang Prasad. | ✓ |
| (7) | 8370815-P | Radhey Raman Chaturvedi | ✓ |
| (8) | 8370859-M | Ram Prag Verma. | ✓ |

Charge report should be submitted to all concerned.

Sr. Supdt. of Post Offices,
Faizabad Division.

Copy to:-

- 1-8) Volunteers concerned. They will please attend before B.R.O. Lucknow for re-enrolment.
- 9) The B.R.O. Lucknow for n/a.
- 10) The P.M.G., U.P. Circle Lucknow for information w/r to C.O. No. Vig/8-PG/84/1 A dated 14-4-87.
- 11) The R.D. Lucknow Region for information.
- 12-13) The Sr. P.M. Faizabad & P.M. Aligarh & P.M. Allahabad for information w/r to his No. R/o/CA-1109/Roott/U.P. dt. 15/6/87.
- 14) The Officer Incharge Army Postal Services Record Office Kumptee A.P.O. w/r to his No. R/o/CA-1109/Roott/U.P.
- 15-17) The S.D.I. Faizabad East/Faizabad West/Faizabad South for immediate relief of the candidates working under them.

T.A. 1929/8

R.D. Faizabad V/S U.O. 22

Brinu R-1

(A57)

DEPARTMENT OF POSTS, INDIA

Office of the Sr. Supdt. of Post Offices, Faizabad Dist.
Faizabad-224001

Memo. No. B-1/18/CC/Conf/Looseo Dated at Faizabad, the 23-6-87

In accordance with Sena Dik. Sewa Abhilekh Karyalaya Ad. Army Postal Services record office Kamptee A.P.O. dt. 15-6-87 and in compliance with Addl. Dte. Gen. A.P.M. letter No. 90413/OK/1 Part-APS- IC dated 9/6/87, the following volunteers for A.P.S. Service are hereby ordered to attend B.R.O. Lucknow immediately for their re-enrolment and onward despatch to A.P.S. Office Kamptee.

These volunteers will clearly understand that they will not be given any retransferring to the parent deptt. till such time they are absorbed in Group 'B' posts in the deptt. on regular basis.

They will not have any claim for Group 'B' posts in Civil but also loose the post of E.D.A. to which regular appointment would have otherwise been made in the normal course.

(i) The Officer Incharge Army Postal Services Record Office Kamptee A.P.O. dt. 15-6-87
(1) 8370805-L Ex. Sep. Amarjeet Mishra. ✓
(2) 8370806-N " Ghan Shyam Dubey. ✓
(3) 8370807-W " Parmatma Deen Pandey
(4) 8370808-Y " Janardan Prasad Mishra
(5) 8370810-W " Mahendra Prasad Singh
(6) 8370812-F " Bajrangi Prasad. ✓
(7) 8370815-P " Radhey Raman Chaturvedi
(8) 8370859-M " Ram Prag Verma. ✓

Charge report should be submitted to all concerned.

Sr. Supdt. of Post Offices,
Faizabad Division.

Copy to:-

- 1-8) Volunteers concerned. They will please attend before B.R.O. Lucknow for re-enrolment.
- 9) The B.R.O. Lucknow for n/a.
- 10) The P.M.G., U.P. Circle Lucknow for information w/r to C.O. No. Vig/8-PG/84/1 A dated 14-4-87.
- 11) The R.D. Lucknow Region for information.
- 12-13) The S.D.I. Faizabad East/Faizabad West/Faizabad South for immediate relief of the candidates working under them.
- 14) The Officer Incharge Army Postal Services Record Office Kamptee A.P.O. w/r to his No. Rec/CA-1109/Recd/U.P. dt. 15/6/87.
- 15-17) The S.D.I. Faizabad East/Faizabad West/Faizabad South for immediate relief of the candidates working under them.

ब अंदालत थीमान्
प्रतिवादी अपीलान्ट

Central Adisikhiya Tribunal
श्री प्रतिवादी [रेस्पाडेन्ट] C. and B. B. L. L.

महोदय
विवरालतनामा

टिकट

वादी (अपीलान्ट)

R. l. Name v/s h. m. वादी का नाम v/s

प्रतिवादी (रेस्पाडेन्ट)

न० मुकद्दमा T.A. 1929/ सन् 1929 पेशी की ता० १६ ई०

ल.प.न. ५३९ शु १६७५

ऊपर लिखे मुकद्दमा में अपनी ओर से थी श्री. Dinesh Chander
Add. C. and B. L. L. Standing Counsel वकील
महोदय
एडवोकेट

नाम अदालत
मुकद्दमा नं०
नाम फरीदन

को अपना वकील नियुक्त करके प्रतिज्ञा (इकरार) करता हूँ और लिखे देता हूँ इस मुकद्दमा में वकील महोदय स्वयं अथवा अन्य वकील द्वारा जो कुछ पैरवी व जवाब देही व प्रश्नोत्तर करें या कोई कागज दाखिल करें या लौठावें या हमारी ओर से डिगरी जारी करावे और रूपया वसूल करें या सुलहनामा व इकबाल दावा तथा अपील निगरानी हमारी ओर से हमारी या अपने हस्ताक्षर से दाखिल करें और तसदीक करे मुकद्दमा उठावे या कोई रूपया जमा करे या हारी विपक्षी (फरीकसानी) का दाखिल किया हुआ रूपया अपबे या हमारे हस्ताक्षर युक्त (दस्तखती) रसीद से लेवे या पंच नियुक्त करे—वकील महोदय द्वारा की गई वह सब कार्यवाही हमको सर्वथा स्वीकार है और होगा मैं यह भी स्वीकार करता हूँ कि मैं हर पेशी पर स्वयं या किसी अपने पंरोकर को भेजता रहूँगा 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 ।

A. C. L. F.
Signature

हस्ताक्षर
Signature
S. P. D. F. A. F.

साक्षी (गवाह) साक्षी (गवाह)

दिनांक महीना सन् १६ ई०
स्वीकृत

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
CIRCUIT BENCH
Gandhi Bhawan, 11, Residency, Lucknow

7A/1929/87

No. C.A.T/Alld/Tribal/... 3446 Dated the 19/2/90

R.P. Verma APPLICANT'S

Minister of Justice RESPONDENT'S

Senior Suptt. of Post Office, Faizabad
To Divisional Superintendent
Commandant, Army Postal Service Central
Kumbha A.P.O.

Shri M.L. Kureel Senior Suptt. of Post
Offices, Faizabad, Divisional Faizabad.

Whereas the marginally noted cases has been transferred
by H.C.L.K.O. under the provision of the Administrative
Tribunal Act XIII of 1985 and registered in this Tribunal as above

Writ Petition No. 4537/1985 the Tribunal has fixed date of
of 1990. of the Court of 8.3.90 1990. The hearing
H.C.L.K.O. of the matter.

arising out of order dated
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 29
day of 1 1990.

dinesh/

DEPUTY REGISTRAR

*For incomplete address, hence
returned to sender*

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

CIRCUIT BENCH

Gandhi Bhawan, Opp: Residency, Lucknow

CLG6

TA 1929/87

No. C.T./1929/87/3443/3444 Dated the 19/2/90

R. P. Varma

APPLICANT'S

VERSUS

Govt. of India

RESPONDENT'S

- ① Ram Pray Varma S/o. Moti Ram Varma 710.
To village Samasai Post Bhabad alias Bish Nag
Court of India, India through the Director of General
Post & Telegraph New Delhi
③ Senior Subdtl. of Post offices Faizabad Division
Faizabad

Whereas the marginally noted cases has been transferred
by H C LKJ under the provision of the Administrative
Tribunal Act XIII of 1985 and registered in this Tribunal as above

Writ Petition No. 1539/85 The Tribunal has fixed date of
of 1990. of the Court of 03.90 1990. The hearing
H C LKJ of the matter.

arising out of order dated . If no appearance is made on your
passed by behalf by your some one duly authorised
to Act and plead on your behalf.
in

The matter will be heard and decided in your absence.
given under my hand seal of the Tribunal this 29
day of 1 1990.

dinesh/

DEPUTY REGISTRAR

- ④ Commandant Army Postal Service Central
Kampala A.P.O.
⑤ Shri. M.L. Kuriel Senior Subdtl. of Post
Office Faizabad Division Faizabad
⑥ Shri. D.P. Deviради Adv. High Court L.K.O.
(Durgapur)
⑦ Shri. H.M. T. Chauhan Adv. High Court

L.K.O

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
Circuit Bench, Lucknow.

C/80

No. CAT/AKO/Jud/ 4687/204690 date the 4/5/90.
T.A.No. 1929/87 of 1990 (T)

Ram... Prag... Vasant..... Applicants.
Versus.

Govt. of India (P.E.T.) Respondents.

- ① To Govt. of India through the Director of General Post and Telegraph New Delhi
- ② Senior Superintendent of Post offices Faizabad Division Faizabad

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

Writ petition No. 4531/85
of 19.....
of the Court of H.C. Lucknow.....
.....arising out of
of order dated.....
passed by..... in

The Tribunal has fixed date of 5-7-90 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
..... day of ... 6 1990.


DEPUTY REGISTRAR

Bhartiya

- ③ Commandant, Army Postal Service Centre
Kampala, A.P.O.
- ④ Sui. M. L. Kureel Senior Subdt. of
Post offices Faizabad Division
Faizabad

4687/204690
1929/87

92

C183

CENTRAL ADMINISTRATIVE TRIBUNAL
CIRCUIT BENCH LUCKNOW.
T.A.NO. 1929 of 1987 (T)
(W.P.NO. 4539 / 85)

R.P.Verma Applicant
Versus
Union of India Respondents

Dated: 30.5.1990.

Hon'ble Mr.P.C.Jain, Administrative Member
Hon'ble Mr.J.P.Sharma, Judicial Member.

None present for other party. Notice on respondent No.4 is said to have been receive Bench with the postal remark of " incomplete address and return to senders ", Notices send to respondents No. 1,2,3 on 19.2.90 not received back either after service or without service.

Issue fresh notices to all the respondents remarkable on 5.7.90 and the learned counsel for the petitioner the also notified the above date.

// True Copy //

checked
SGM
6/5/90

rm/-

Sd/-
J.M.

Sd/-
A.M.

Mac CGB
Deputy Registrar
Central Administrative Tribunal
Lucknow Bench,
Lucknow

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
Circuit Bench, Lucknow.

No. CAT/AKO/Jud/ 6965 date the 22.8.90

T.A.No. 1929/87.① of 1990 (T)

Dam. Prag. Verma.....Applicants.

Govt. of India.....Respondents.

To

Sri D. P. Dwivedi (Adv)
High Court
Lucknow

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

Writ petition No. 4539/85
of 19.....
of the Court of H.C. L.K.C....
arising out of
order dated.....
passed by..... in

The Tribunal has fixed date
of 18.9.90. 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
22 day of 8.1990.

11/22/86
DEPUTY REGISTRAR

Bhartiya

CENTRAL ADMINISTRATIVE TRIBUNAL
LUCKNOW BENCH LUCKNOWINDEX SHEETCause Title T.A 1829/87
(W.P 450/85) of 1987Name of the parties Sam Pran Verma

Applicant.

Versus

Union of India & Others

Respondents

Part A.B.C.

Sl No.

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