

CENTRAL ADMINISTRATIVE TRIBUNAL  
LUCKNOW BENCH, LUCKNOW

INDEX SHEET

TA NO. 1930/83

W.P. NO. 4545/83

CAUSE TITLE OF ..... OF .....

NAME OF THE PARTIES ... Bayrangi Board ....., Applicant

Versus

..... U.O.F. Board ....., Respondent

Part A.

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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*

Dated ..21-9-91 .. by *Shakti Bora*

Counter Signed.....

*Deen khan*

Section Officer/In charge

*M*  
Signature of the  
Dealing Assistant

Central Administrative Tribunal  
Lucknow Bench

Cause Title T.A.1936/87 W.P. 4545/85  
of 1993

Name of the Parties Bajrangi Prasad Applicant  
Versus

Omangal India Respondents.

Part A. P.C.

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(1) IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
CIRCUIT BENCH, LUCKNOW

(2)

ORDER SHEET

REGISTRATION No. 1930 of 1987. (7)

B. Rd.

APPELLANT  
APPLICANT

VERSUS

DEFENDANT  
RESPONDENT

| Serial number of order and date | Brief Order, Mentioning Reference if necessary | How complied with and date of compliance |
|---------------------------------|--|--|
|---------------------------------|--|--|

(1)

30/10/89

Hon' Mr. D.K. Agrawal, J.M.

None appears for the parties. List this case on 1-1-90 for orders.

JK  
J.M.

(sns)

OR

Case has  
been on 11/11/89

Case was  
admitted.

CA/R.A. filed

Date was free  
from CAT, All documents  
were not  
attached  
Submittal

(2)

11/11/90.

Hon. Justice K. Nath, V.C.  
Hon. K. Obayya, J.M.

The record of this case has been received from the Allahabad Office of this Bench. None of the parties is present. Notices be issued by name to the applicant as well as to his counsel and also to the opposite parties and list for admission on 6/2/90.

JK  
V.C.

(3)

6.2.90

No Sallej. Ady to 20.3.90  
None is present

OR  
Notice issued

JK  
18/11/90

Notice was issued  
to the applicant  
and his counsel.  
Notice of application  
has been returned  
with postal remarks  
S.P.A.

19/11/90

20.3.1990

Hon. Mr. D. K. Agrawal, J.M.,  
Hon. Mr. K. Obayya, A.M.

T.A 1930/87

Shri. S.K. Mishra, brief holder of Shri. Durga Prasad Dwivedi, appears for the petitioner and requests for adjournment. On perusal of the record it transpired that the respondents had not been able to appear before the Tribunal. Shri. H. N. Tilhori, <sup>Senior Standing Counsel</sup> appeared for the respondents before the High Court. Therefore, his successor be given notice. Let therefore, Senior Standing Counsel Govt. of India, be given notice. Counter affidavit, if any, be filed within 6 weeks and rejoinder affidavit may be filed within 2 weeks, thereafter.

List it for hearing on 26.7.1990.

A.M.

J.M.

Notice  
Arrd

22/7/90  
S.P.

26.7.90

Hon'ble Mr. Justice K. Mathi, V.C.  
Hon'ble Mr. K. Obayya, A.M.

On the adjournment application of the applicant's Counsel, the case is fixed for hearing on 11.9.90.

(A.M.)

(V.C.)

GR.

Son B.D. Chella  
accepts notice on behalf  
of Sh. D.S. Randhawa. C.R.  
is attached.

No reply filed

S. F.H.

24/7/90

⑥

11-9-90

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

Due to sick demise of  
Hon'ble Justice Kaul case is  
adjourned to 13-11-90

A.M.

OR

ve

OR

J.M.P. 561/90(1) filed  
by the yr for the repdts.  
Submitted

B.O.C.

L  
M.W/M

1930/07/12

⑦

13-11-90

Hon. Mr. Justice K. Math - v/c  
Hon. Mr. M. K. Prakker Am.

Case not reached. Adjourn to  
21-1-91.

AM ✓

✓ v/c

⑧

21-1-91

No Siting adj. to 26.3.91

✓

No Siting adj. to 30.4.91

✓

No Siting adj. to 21.8.91

✓

No Siting adj. to 10.10.91

✓

⑩

21.10.91

Due to Holiday on 7.10.91  
Court adjourn to 26.11.91 ✓

OR  
MP 561-90 L filed by  
He for the reports for  
dismissal.

S. S. O.

✓  
14/10/91

⑪

26.11.91

No Siting adj. to 2.1.92

✓

⑫

2.1.92

No Siting adj. to 6.2.92

✓

⑬

4.2.92

No Siting adj. to 9.3.92

✓

(A)

T.A 1930/87

9.3.92

Hon Mr. 8 N Basad J.M

(A)  
X

None responds on behalf of  
either of the parties. Lawyers are  
on strike today. Wait for order  
on 21-4-92

J.M.

S

21-4-92

No filing of D.B. adj to  
18-8-92  
d

10.5.92

Hon. Mr. Justice S. C. Srivastava - V.C.  
Hon. Mr. K. Chayya - A.M.

(DPS)

As the applicant has been restored to  
his service in the Army Postal Service. No one  
on behalf of the applicant replied after giving  
instructions by the counsel for the applicant.  
Accordingly this application is dismissed having  
become infructuous.

A.M.

V.C.

CIVIL  
SIDE  
CRIMINAL

GENERAL INDEX

(Chapter XLI, Rules 2, 9 and 15)

Nature and number of case ..... W.P. 4545 - 85  
Name of parties ..... Bajrangi vs. Govt. of India  
Date of institution ..... 4-9-85 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  |
| 1        |                     | Writ with Answer and affidavit | 25               |                  | Rs. 102.00 |                                      |                       |  |
| 2        |                     | Power                          | 1-               |                  | 5.00       |                                      |                       |  |
| 3.       |                     | order sheet                    | 1-               |                  | -          |                                      |                       |  |
| 4.       |                     | Bench 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 corresponds 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.....

Munshiram

Clerk

14/11/1985 6827 Group A-15 (D)  
In the Hon'ble High Court of Judicature at Allahabad  
lucknow Bench, lucknow.

(All)

Writ Petition No. 4545 of 1985

(60) Bajrangi Prasad..... Petitioner

versus

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

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Lucknow Dated

3.9.85

D. P. Dwivedi  
Advocate  
Counsel for the petitioner

4



On the Hon High Court of Judicature at Allahabad  
Lko Beno Lko

W.P.

of 1985

BATIRANGI PRASAD

Debt recover

Govt of India 2008

08

Indore

(AB)

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

4545

Writ Petition No. of 1985

Bajrangi Prasad aged about 29 years son of  
Sri Paras Nath resident of village and Post  
Awaradar Police Station Dhangata Pargana Naholi  
Tahsil Khalilabad District Basti.

.....Petitioner

versus

1. Government of India through the Director 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

Writ Petition Under Article 226  
of the Constitution of India.



The petitioner most respectfully begs to state  
as under:

1. That the petitioner is a literate young man of 29 years of age and enjoying a sound health.
2. That the petitioner after being selected was appointed as Extra Departmental Mail packer in District Faizabad on 14.8.1981.

*901011981*

Impressed.  
20 Adhesive Rs 10/-.

Total

Correct but final Court-fee report  
will be made on receipt of lower  
Court record.

In time up to

Papers filed. Copy of W.  
Should also be filed.

Slip - Nonch.

Last drop to the Am No. 3  
29-6-85

Patgaband

~~Patgaband~~  
29/8/85  
29/8/85

पत्ता दूर 2.9.85

1. बोरिकादा पाता

मत्ता गाय लोहर  
बाल दरा गाय लिम्बा  
कुर्कुर 29/8/85

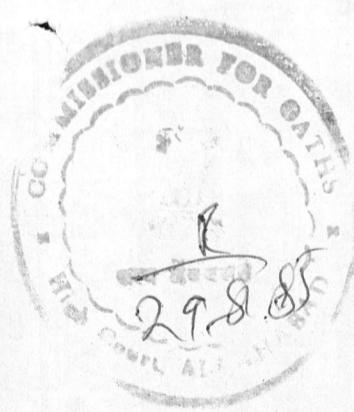
(AM)

X

V  
M

3. That the Army postal Service record office Kamptee A.P.O. had issued a circular intimating for 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.

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 aforesaid test on 20.2.1984 and in the said test his roll number was F-6.



4. That the petitioner had qualified the afore-said test and declared successful for the recruitment in Army postal Service.

(Signature)

Hon'ble K. S. Varma, J.  
Hon'ble S. I. Tafri, J.

Put up after two weeks.  
Hon'ble Mr H. N. Tilhan -  
Standing Counsel for  
the Central Government  
to obtain instructions.

(B 81)

SMY

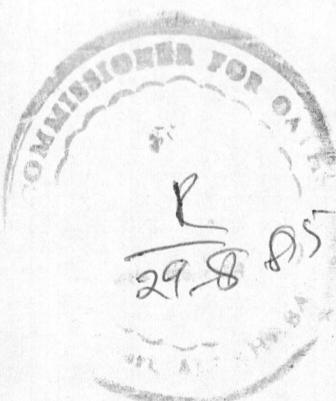
4.9.1885.

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 given Trade Training and thereafter was posted in farward 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.P.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 29.5.1985 before completion of initial terms of engagement and had directed 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.



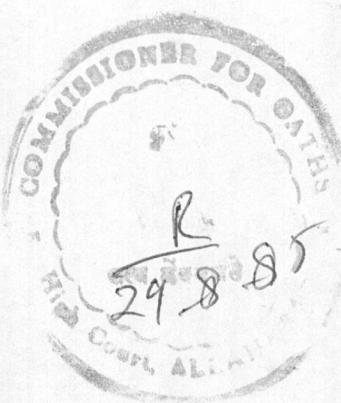
8. That the post on which the petitioner

*Chittibhy A/H*

was recruited in Army postal Services is still exist 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 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 occured only on the basis of the letter of the opposite party no.2 requesting for re-calling and dis charge 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.

12. That the petitioner as per direction

*Amrit Singh*

(A6)

A  
12

in the discharge order had presented a joining report on 13.7.1985 after noon after the expiry of his sanctioned leave from Army postal services before the opposite party no.2 but the same was not accepted by him and there after he sent it through registered post to the opposite party no.2.

13. That the petitioner had also approached to the Post Master General U.P. Circle Lucknow through his application sent by registered post on 30.7.1985 but the above authority too had not been pleased to give any relief to the petitioner. A true copy of the application addressed to Post Master General U.P. Circle Lucknow is being filed herewith as annexure no.4 to this writ petition.

14. That 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 post offices Faizabad, the petitioner is being deprived of his entitlement and he has been put out of his employment.



29.8.85

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

ABUJHYH

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 petition.

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 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

R  
29-8-85

T.M.J. YH

(A18)

Y9  
in

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 ~~meet~~ 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 successful in the prescribed test sponsored by opposite party no.2 the petitioner was recruited for Army postal Services and he had undergone to prescribed basic military training 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.



*TMTH*  
*TMTH*  
*TMTH*

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 18.9.1984 and as such the petitioner's recalling 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 ~~work and policy as well~~.

IV) Because the post on which the petitioner was recruited in Army postal services is still 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 servieess.

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 dis charge from Army postal services has been occured only on the basis of the letter of the opposite party

*Omirey*

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 postals 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 post 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 petitioner on presenting the joining report before him after discharge order given to him by opposite party no.3.

*Mohammed Ali*

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 29.5.85 passed by opposite party no.3 on the basis of the re-calling 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 Faixabad in respect of re-calling the petitioner from Army postals ervice.
- D) issue writ order or direction in the nature of mandamus commanding the



122

13  
13

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 to work as class IVth employee in group 'D' 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 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 defect in the present  
Writ petition.

Lucknow Dated

3.9.85

Counsel for the petitioner

-12-  
(A23) A/18 V/19

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

Writ Petition No. of 1985  
Bajrangi Prasad,..... 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/Rlg 22 Nov.82  
Recruitment of Group 'C' and Group 'D' Officials  
to APS.

Sir,

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 FD 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 directed  
Branch recruiting offices as and when required on  
fixing the date and time of their medical

examination. Candidates found fit will be sent to



*97/11/44*

APS Centre, kamptee APO for further action.

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) Application in Form at appendix 'D' D.O.'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 BAGS on convenient dates, in consultations with the recruiting officer.

(e) After final Medical Examination and enrolment by BROs no candidated 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, kamptee.

(g) The minimum educational qualification in case of Group 'C' officials, is Matriculate or equivalent.

(h) Clerical staff from non-postal wings such as Telegraphs Telephones should have passed confirmation examination. They must preferably be graduates. In case of Matriculates they should have adequate typing speed.

(i) Class Officer/Officials of test categories



*W.M. J. Y. M. G.*

- 3 -

are only eligible for enrolment in APS. Officials of other categories such as Postman, Mailguards, Daftry, Namadars Cash/Mail Overseers etc. are, however not eligible for enrolment as they are above packers grade.

(K) DD 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).

(b) They should not be in a state of indebtedness or should have more than one wife living.

(cc) Disbursing officer of such D officials will intimate to the Assistant Chief Accounts Officer Incharge, APS Accounts Section O/O Director of Accounts(postal) Nagpur-44001 APS full particulars of recoveries, if any, to be made from the Officials.

5. In view of the above please issue instructions to the Divisional Heads 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/- ( Tilak Raj )  
Lt. Col.  
Officer Incharge.

Copy to  
1.DG P&T New Delhi -11001

2 Army postal Directorate C/o 56 APO.

### 3 All DDS APS Commands

4 APS centre, kamp tee APO

5. P and T. Adm. Cell c/o APS Centre, Kamptee APO

Physical Fitness      Gorkhas-Assamese.      All other classes

Height 1520 ms. 157 cms

Height 50 kg. 50 kg.

80 No. 8  
eight

Chest 77 cms

Chest

1/2

✓

-4-

No. B-1 /18/CC Dated at Faizabad -224001, the  
23.12.1983 .

Copy forwarded for information and wide  
publicity among all the officials including sic  
Employees-

1. All the PMs/GPMs/CDI's /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 B.P.No in the Dn.

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

True copy



AMIT BHATIA

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

Writ Petition No. of 1985

Bajrangi Pfasad .... .... .... Petitioner  
versus

Govt. of India through the Director  
General Post and Telegraph New Delhi  
and others. .... .... .... 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  
7.1.84.

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.G.
2. Jai Kumar Singh P.A. Faizabad W.O.
3. Ravi Narain Rai P.A. Divl. Office Faizabad.
4. " Fateh Bahadur Srivastava F.A. (RTP) Faizabad H.O.
5. " Rajendra Vikram Singh -do-
6. " Mahabir -do- Jahangirganj,  
Faizabad.
7. " A.E Priyadarshi P.A. APP. Akbarpur B.O.
8. " Parmatmadin Pandey EDMP Mandi Samiti Faizabad.
9. " Janardan Pd. Misra EDA Naka Muzaffra, Faizabad.
10. " Bhoop Narain Singh sic Haidarganj.
11. " Ravindra Nath Pandey EDMP. Pura,
12. " Sheo Bahal Singh EDMP. Chirra Rohdpur.
13. " Bajrangi Pd. ED.P. Potibagh Faizabad.
14. " Ganga Pd. Singh EDDA Gopalpur
15. " Mahendra Pratap Singh EDA. Dahema.
16. " Ram Prag Verma EDDA. Pura,
17. " Ghanshyam Dubey EDDA. Bhitia.
18. " Amarjit Kishra ADMP. Lalbagh,
19. "



24/10/1985

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19. Vijai Kumar Pandey EDDA Shahganj.

20. Karam Chand BPg. 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.

Copy to-

1. All the candidates concerned.
2. All the Pls/SPss & EGI's BPMs concerned for arranging relief of the candidates and directing to them to proceed for medical examination to BRO Lucknow within time.
- 3) The D.D. APS. H.Q. Central Command c/o 56 APO.
- 4) The B.R.O. Lucknow.
5. Shri V.V. Misra EPH. 735 sic/GO 56 APO.
- 6-70/o spare.

True copy



~~AMT, H.Y.M.~~

इन दि आनेरुल हाईकोर्ट आप, जूडीकैचर स्ट इलाहाबाद

लानड बेन्च लानड

स्ट प्रेसिडन्स नं आप 1985

ब्यरंगी प्रसाद----- ----- ----- प्रेसिडन्स

बनाम

सर्वमेन्ट आप, हाईकोर्ट जूडीकैचर जैनरेल पोस्ट

स्ट टेलीग्राफ न्यू देली तथा अन्य-----अपोजिट पार्टीज

सनेकर नं - ३



व्यापारी यात्रा

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RESTRICTED

Tele : Nagpur 8591/224

Sena Dak Seva Kendra  
Army Postal Service Centre  
Kampots APO

4159/4/A.3

29 May 85

DISCHARGE CUM MOVEMENT ORDER NO 14/08

1. The undermentioned personnel of this Centre (H) will proceed on discharge from APS before completion of initial terms of engagement and will report to their civil units as noted against their names for further duty on expiry of leave :-

(a) 8370808 Y Sep Jaiardhan Prasad Misra 10/0  
(SSPOs)  
(b) 8370812 F Sep Bajrangi Prasad Faizabad Dn  
(Faizabad UP)

2. Reason for their discharge : Before completion of initial terms of engagement on admissible ground.

3. Date and time of departure : 29 May 85 (A/N).

4. They are SOS wof : 30 May 85.

5. They have been granted LP as under :-

Ser (a) 60 days wof 30 May 85 to 28 Jul 85.

(b) 45 days wof 30 May 85 to 13 Jul 85.

6. They are SOS from Corps wof as under :-

Ser (a) 29 Jul 85 (b) 14 Jul 85

7. Their date of discharge : So- (a) 28 Jul 85 (A/N)  
(b) 13 Jul 85 (A/N)

8. They have not been paid any TA advance/Pay advance.

9. They have been issued railway warrant from this station to their home station for their journey.

Capt  
Adjt

Contd 2/-

RESTRICTED



RESTRICTED

- 2 -

10. They have been issued discharge certificate as under :-  
Ser (a) 12657 (b) 12661

11. Final payment made to them as under :-  
Ser (a) Rs 4370/-10/- incl one day Spl B/RM of  
(b) Rs 3741/-45/- (28 May 85)

12. They are not having any PLI policy.

13. Their home addresses are as under :-  
Ser (a) Vill : Bangown PO : Bhit  
Tch : Akbarpur Distt: Faizabad (UP)  
(b) Vill : Awurajdar PO : Awurajdar  
Tch : Khalilabad Distt: Basti (UP)

14. Further correspondence relating to their discharge from APS may be made direct with APS Record Office Karimpet APO.

(RN Kaushal)  
Capt  
Adjutant  
for Commandant

**Distribution :-**

13. 4 Individual as move order.  
 15. 6 Addl Dte Gon of APS (PLT Coll) C/O #5 APO.  
 17. 17 P and T Adm Cell C/O APS Centre Kamptee APO.  
 18. 24 APS A/C Sec 0/0 I.A (P), Nagpur 1  
 25. 30 APS Record Office Kamptee APO.  
 31. 50 Internal

RESTRICTED

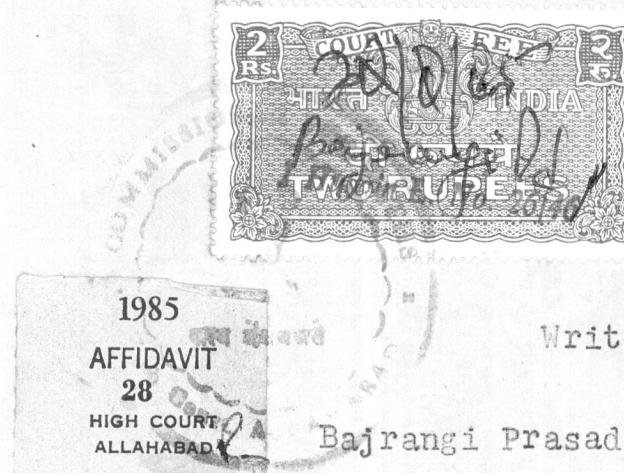


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In the Hon'ble High Court of Judicature at Allahabad  
Lucknow Bench, Lucknow.



Writ Petition No. of 1985

Bajrangi Prasad..... .... Petitioner

versus

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

Affidavit

I, the deponent Bajrangi Prasad aged about 29  
years son of Sri Paras Nath resident of village  
and Post Awaradar Police Station Dhangata Pargana  
Maholi Tahsil Khalilabad District Basti 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

AMIT KUMAR

3. That the annexure nos. 1, 2 and 4 are true copies and those of annexure no. 3 is photostate copy which are issued by the competent authorities.

*Abijit Bhuyan*

Lucknow Dated 29-8-85

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.

*Abijit Bhuyan*

Lucknow Dated 29-8-85

Deponent

I identify the deponent who has signed before me.

*Col. D.P. Dwivedi*  
(M.L.Kashyap)

or Sri D.P. Dwivedi Advocate

Solemnly affirmed before me on 29-8-85

at 9.40 a.m./p.m. by Shri Bafangji Prasad

deponent who is identified by Shri M.L.Kashyap /y.

I have satisfied myself by examining the D.P.D.

deponent that he has understood the contents

of this affidavit which has been read out

and explained by me.

*R.B.*

SINGH  
O.P. COMMISSIONER  
High Court, Allahabad

Lucknow Bench.

No. 28/10/3  
Date 29-8-85

AM A/30

IN THE COURT OF CENTRAL ADMINISTRATIVE TRIBUNAL AT ALLAHABAD  
CIRCUIT BENCH, LUCKNOW.

M.P.No. 561 of 1990. (2)

Union of India & Others.

Applicant/  
Opp. Parties 1&2

APPLICATION FOR DISMISSAL

CC. 11/9/90

In

T.A.No. 1930/87(T)

(W.P.No. 4545 of 1985)

Bajrangi Prasad.....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 showeth :-

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. 1930/87 of 1985 has become 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 become infructuous.

) (L.D.)

(DR. DINESH CHANDRA)  
ADDL. STANDING COUNSEL  
COUNSEL FOR RESPONDENT.

Filed today  
R.S.  
10/9/90

(AS)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL AT ALLAHABAD  
CIRCUIT BENCH, LUCKNOW.

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AFFIDAVIT ON BEHALF OF RESPONDENT NO.2.

In re

T.A. No. 1930/87(T)  
(W.P. No. 4545 of 1985)



Bajrangi Prasad ..... Petitioner.

Versus

Union of India & Others ..... Respondent.

\*\*\*\*\*

I..... C. P. MISRA ..... aged about 46...

years son of Shri. Late. Sri. J. P. MISRA.....

..... S. P. Faiyaz ad Dn ..... do hereby

solemnly affirm and state as under :-

1. That the deponent has read the writ petition No. 4545 of 1985 which has been transferred to this Hon'ble Tribunal for disposal and registered as T.A. No. 1930/87(T). The deponent has understood the contents thereof. The deponent is well convergent with the facts of the case deposed hereinafter.

2. That in the aforesaid writ petition, the petitioner prayed for the following reliefs :-

(a) issue a 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

*Yours*

Contd. 2/-

A/32 (P)

// 2 //

to opposite party No.3 intimating the same i.e. requesting for the petitioners recalling and discharge from the A.P.S., before this Hon'ble Court for perusal.

(b) issue a writ order or direction in the nature of certiorari quashing the discharge order dt. 29-5-1985 passed by the Opposite Party No.3 on the basis of the re-calling order and letter sent to him by Opposite Party No.2, the Senior Superintendent of Post Offices, Faizabad contained in Annexure-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 of Post Offices, Faizabad in respect of re-calling the petitioner from Army Postal Service.

(d) issue writ or order or direction in the nature of mandamus commanding the Opposite Party No.2 to restore the services of the petitioner in Army Postal Service in the alternative the Opposite Party No.2 Senior Superintendent of Post Offices, Faizabad may be commanded to allow the petitioner to work as Class IV employee in Group 'D' under his control from the date the petitioner presented joining report to him.

Contd... 3/-

*Yours*

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(e) issue any other order, writ or direction which this Hon'ble Court may deem fit under the circumstances of the present case & in the interest of justice as well.

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

3. That the petitioner was appointed as E.D. Mail Packer on 14-8-81.

4. That the petitioner volunteered himself for A.P.S. & was directed to report to B.R.O., Lucknow on 11-1-84 for medical extention vide S.S.P.O's Memo **MO.B-1/18/CC/** dated 7-1-84. He was selected & appointed to the post of Sepoy Packer in the Army Postal Service.

5. That the petitioner was called back from the Army Postal Service as only Group 'D' officials of the Postal Department were eligible for enrolment in Army Postal Service as Sepoy Packer. The petitioner was an Extra Department Agent.

6. That the petitioner was discharged from Army Postal Service & was directed to report to the Supdt. of Post Offices, Faizabad vide letter dt. 12-4-85 (Annexure 3 of writ petition).

7. That the above restriction was, however, waived in respect of nine candidates indending the applicant and the petitioner was directed to attend the B.R.O. , Lucknow for re-enrolment and onward despatch to Army

*Yours*

Contd... 4/-

114 //

Postal Service Centre, Kamptee vide Memo No.B-1/18/CC/Con/

Loose dt.23-6-87 from the Senior Superintendent of Post Offices, Faizabad Division, Faizabad, a photostat copy of which is being filed as Annexure.R-1.

8. That the services of the petitioner were thus restored in the Army Postal Service and the order of recalling became in effective.

9. That the grievance of the petitioner does not survive any longer and the petition has become infructuous and liable to be dismissed with costs.

  
(DEPONENT) 4990

-: VERIFICATION :-

I, the above named deponent do hereby verify that the contents of paras 1 of this affidavit are true to my personal knowledge and those of paras 2 to 9 are believed by me to be true based on records and as per legal advise of my counsel. That nothing material facts has been concealed and no part of it is false, so help me

God.

Deo

Signed and verified this the 10

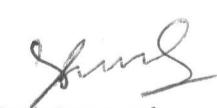
day of September

1990, within the court compound at Lucknow.

Lucknow.

Dated;

20/11/90 1990

  
(DEPONENT)

I identify the deponent who signed before me

  
Advocate.

T.A 1930/87

Domn R-1

Bgrng. Rd. & U.O. 10th

AS

DA

DEPARTMENT OF POSTS, INDIA

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

Memo. No. B-1/18/CC/Con/Loose Dated at Faizabad, the 22-6-87

In accordance with Sena Dak Sewa Abhilekh Karyalaya 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/ 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 Kamptee.

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.

They will not have any claim for Group 'D' 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.

|       |           |          |                         |
|-------|-----------|----------|-------------------------|
| { 1 ) | 8370805-L | Ex. Sep. | Amarjeet Mishra. ✓      |
| { 2 ) | 8370806-N | "        | Ghsn Shyam Dubey. ✓     |
| { 3 ) | 8370807-W | "        | Parmatmadeen 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 Sr.P.M. Faizabad / P.M. Akbarpur H.O.
- 14) The Officer Incharge Army Postal Services Record Office Kamptee A.P.O. w/r to his No. Rec/CA-1109/Rectt/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.



22  
Abd

**ORDER SHEET**

IN THE HIGH COURT OF JUDICATURE AT ALLAHABAD

W.P. No. 4545 of 198 85

| Date    | Note of progress of proceedings and routine orders  | Dated of which case is adjourned |
|---------|---|----------------------------------|
| 1       | 2   | 3                                |
| 4-9-85  | <p>Deen R.S. Verma,<br/>Deen S.G. Jafri,<br/>Put up after<br/>two weeks to enable Mr. M.R.<br/>Tilheri Standing Counsel<br/>for the Central Govt. to<br/>obtain instructions.</p> <p>sd. R.S. Verma<br/>sd. S.G. Jafri<br/>4-9-85</p> <p><u>Central Govt.</u> <u>4-9-85</u></p> |                                  |
| 23-9-85 | <p>From SCM.J.<br/>From CGB.S.J.</p> <p>SD<br/>BSC<br/>23/9/85</p>  | <p>To BSC<br/>By (Firm)</p>      |
| 30-9-85 | <p>From SCM.J<br/>From CGB.S.J<br/>SD<br/>BSC</p> <p>30/9/85</p>  |                                  |

| Date     | Note of progress of proceedings and routine orders                                     | Date of which case is adjourned |
|----------|--|---------------------------------|
| 1        | 2  | 3                               |
| 7/10/85  | <p>Ha-SCM 5<br/>       Ha-GBS 5<br/>       SD<br/>       Ross<br/>       7/10/85</p>   |                                 |
| 14/10/85 | <p>Ha-VC 17<br/>       Ha-SCM 5<br/>       Ha-GBS 5<br/>       SD<br/>       14/10</p> |                                 |
| 28/10/85 | <p>Ha-SCM 5<br/>       Ha-GBS 5<br/>       SD<br/>       28</p>                        |                                 |
| 5/11/85  | <p>Ha-SCM 5 K.N. 14<br/>       Ha-GBS 5<br/>       SD</p>                              |                                 |

HONB. HIGH COURT OF JUDICATURE AT  
व अदालत श्रीमान् Allahabad (H.C. Bench) महोदय  
[ वादी ] अपीलान्ट BAJRAGI PRASAD वकालतनामा  
प्रतिवादी [ रेस्पाइन्ट ]

BAJRAGI PRASAD



न्ट)

1985  
१९८५

GOVT OF INDIA Accts

नं० मुकद्दमा

बनाम

सन् १९८५

प्रतिवादी (रेस्पाइन्ट)

DURGA PRASAD १६ ई०

ऊपर लिखे मुकद्दमा में अपनी ओर श्री

SHIVVEDI ADVOCATE HIGH COURT LUCKNOW

वकील  
महोदय  
एडवोकेट

नाम अदालत  
नाम मुकद्दमा  
नाम फरीकार

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 पेरवी व जवाब देही व प्रश्नोंतर करें या कोई कागज दाखिल करें या लौटावें 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 करें मुकद्दमा उठावें या कोई रूपया जमा करें या हारी विष्की ( फरीकसानी ) का दाखिल किया हुआ रूपया अपने या हमारे हस्ताक्षर युक्त ( दस्तखती ) रसीद से लेवे या पंच नियुक्त करें—वकील महोदय द्वारा की गई वह सब कार्यवाही हमको सर्वथा स्वीकार है और होगा मैं यह भी स्वीकार करता हूँ कि मैं हर पेशी पर स्वयं या किसी अपने पेरोकार को भेजता रहूँगा अगर मुकद्दमा अदम पेरवी में एक तरफ मेरे खिलाफ फैसला हो जाता है उसकी जिम्मेदारी मेरे वकील पर नहीं होगी इसलिए यह वकालतनामा लिख दिया प्रमाण रहे और समय पर काम आवे ।

हस्ताक्षर १६/१०/१९८५

साक्षी ( गवाह ) साक्षी ( गवाह )

दिनांक महीना सन् १६ ई०

स्वीकृत

महीना

सन् १६

ई०

Acc/ (Signature)  
S. L. D. (Deceased)  
D. L. (Deceased)

बदालत श्रीमान  
[वादी] अपीलान्ट

In the Central Administrative Tribunal  
Court Bench, Lucknow

महोदय

प्रतिवादी [रेस्पान्डेन्ट]

श्री

## वकालतनामा

टिकट

(वादीअपीलान्ट)

A 34

Bapang. P. 1/5 hru. y Ind. बनाम

प्रतिवादी (रेस्पान्डेन्ट)

नं० मुकदमा T.A. 193० सन् १९८७ (र) पेशी को ता० १९ रु०

ऊपर लिखे मुकदमा में अपनी ओर से श्री Dr. Dinesh Chander

Add. Com Secy. Standing Committee

Lucknow

वकील

महोदय

एडवोकेट

बनाम  
मुकदमा नं० १/५  
फरीकार

को अपना वकील नियुक्त करके प्रतिज्ञा (इकरार) करता हूँ और लिखे देता हूँ कि इस मुकदमा में वकील महोदय स्वयं अथवा अन्य वकील द्वारा जो कुछ पैरवी व जवाबदेही व प्रश्नोच्चर करें या कोई कागज दाखिल करें या लौटावें या हमारी ओर से डिगरी जारी करावे और रुपया वसूल करे या सुलहनामा व इकबालदावा तथा अपील निगरानी हमारी ओर से हमारे या अपने हस्ताक्षर से दाखिल करें और तसदीक करे या मुकदमा उठावे या कोई रुपया जमा करे या हमारी या विष्कृ (फरीकासनी) का दाखिल किया हुआ रुपया अपने या हमारे हस्ताक्षर युक्त (दस्तखती) रसीद लेवे या पंचनियुक्त करें वकील महोदय द्वारा की गई वह सब कार्यवाही हमस्तो सर्वदा स्वीकार हैं और होगी मैं यह भी स्वीकार करता हूँ कि हर पेशी पर स्वयं या अपने किसी पैरोकार को मेजता रहूँगा अगर मुकदमा अदम पैरवी में एक तरफ मेरे खिलाफ फैसला हो जाता है उसकी जिम्मेदारी मेरे वकील पर नहीं होगी इसीलिये यह वकालत नामा लिख दिया प्रमाण रहे और समय पर काम आवे।

*Subafft  
J. Chander  
Advocate*

हस्ताक्षर

*Shri M*

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

दिनांक ————— महीना ————— सन् १९ रु०

स्वीकृत

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

\*\* TA 193 of 87

C 62

A 59

No. CAT/Alld/Transfer/ 304 Dated the 01/1/90

B. Plaintiff

APPLICANT'S

VERSUS

Union of India

RESPONDENT'S

1) Balaorange, Present 870 Parash road  
To 56 Village and Post - Faizabad P.S. Dhan  
jali Thakur Khaelbad Distt - Bait  
2) Govt of India through the Director General  
Post & Telegraph, New Delhi  
3) Senior Subdt of Post Office, Faizabad  
District, Faizabad

Whereas the marginally noted cases has been transferred  
by High Court Lko under the provision of the Administrative  
Tribunal Act XIII of 1985 and registered in this Tribunal as above

Writ Petition No. 4545/85

of 1990. of the Court of

High Court Lko.

arising out of order dated

Passed by

in

The Tribunal has fixed date of  
6.2.90 1990. The hearing  
of the matter.

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 10  
day of 1 1990.

dinesh/

DR  
DEPUTY REGISTRAR

4) Commandant, Army Post S. Central Sector  
A.P.C.

5) Shri M.L. Kureel, Senior Subdt of Post  
Office, Denizpur, Faizabad

6) Shri D.P. Dwivedi, Adv. High Court Lko

To:

263

The Bench Secretary  
C. A. T., Lucknow

Sir

With due respect fully  
beg to submit as under:

1. That Petitioners Council be  
given out of ~~State~~ station

wherefore it is most  
respectfully prayed  
that S. N. 3, 4, 5 may be  
kindly adjourned  
~~my~~ ~~other~~ and fix  
any other date

Lucknow  
20/3/90

D. P. Dholakia  
An  
Counsel for Petitioners

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
Circuit Bench, Lucknow.

No. CAT/AKO/Jud/

date the

22/3/90

T.A. No. 1930/87 of 1990 (T)

Bhartiya ... Appellants.

Versus.

Govt. of India ..... Respondents.

To D. S. Randhawa (Adv) senior standing  
Counsel High Court Lucknow.

Whereas the marginally noted cases has been transferred  
by ~~the Lucknow~~ under the provision of the Adminis-  
trative Tribunal Act 13 of 1985 and registered in this Tri-  
bunal as above.

Writ petition No. 1545/85  
of 19 .....  
of the Court of .....  
..... arising out of .....  
of order dated .....  
passed by .....  
in .....  
.....

The Tribunal has fixed date  
of 26/7/90 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 sesl of the Tribunal this  
22 day of 3 1990.

Read  
Bhartiya  
by Sh. D. S. Randhawa  
22/3/90

L. M. DEPUTY REGISTRAR

Bhartiya