

## CENTRAL ADMINISTRATIVE TRIBUNAL

LUCKNOW BENCH

T. K. Kumar  
Bhatnagar115  
G.CI

## FORM OF INDEX

D.A./T.A./R.A./C.G.P./ No. 495/82  
19

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4.	Judgement	:- 13.
5.	S.L.P.	:- NIL

D.Y. Registrat

Supervising Officer

Dealing Clerk

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Dealing Clerk

30/12/98

Received  
on 1/3/12  
m

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CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD//  
CIRCUIT BENCH, LUCKNOW

\*\*\*\*\*

INDEX - SHEET

CAUSE TITLE T. A. no. 187 OF 190

Name of the Parties Jagdish Kumar Bhatriya

Versus

C.O.I. & others

Part A, B and C

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✓

20/11/91

० अप्रैल सं ० ९ बाता IX

025780 281/०५

A1

571

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2

## सामान्य सूची (अध्याय 4, नियम 4)

० अप्रैल सं ० ९ बाता IX

बंद 198 हॉ

स्थान

पाना

प्रात्मज

उत्तरी भूमि अतिरिक्त वित्तीय विवरण

नियमाती

पाना

वित्ती

त्रैक

अध्याय 12 नियम 1 के अनुसार पदावली का प्रकार

पदावली का प्रकार	नस्थी (क) या नस्थी (ख)	सम्मिलित किये गये पदावली के पदों की सं ०	न्यायालय शुल्क		पदावली को पदावली में सम्मिलित किये जाने का दिनांक	प्रमुखित
			टिकटों (स्टाम्पों) फी संख्या	मूल्य		
१	३	४	५	६	७	८
१ अपील	क	१			14-५-८५	-
२ अपील	क	६				
३ अपील	क	६	४		22-५-८०	
४ अपील	क	१				
५ अपील	क	५				
६ अपील	क	१				
७ अपील	क	१	१	१.५		
८ अपील	क	२	३	१.८०		
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१२ अपील	क	१	-	-	-	20/१०/८३
१३ अपील	क	१	-	-	17-१-८७	
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१५ अपील	क	२	-	-	16-२-८७	
			३६	१३	३०/-	

१००—१०००० १० उच्च न्यायालय—४-१-८०-(2578)-15,00,000 (रुपये) ।

Certified that  
this file is complete

प्रपत्र संख्या—2

आदेश-पत्र

(अध्याय 5, नियम 143)

QSN<sup>o</sup> 231/85-

Jagadish Kumar Balakrishna vs. King Dated

3

पारम्परिक वाद  
मामला

संख्या

बनाम

भाग

आदेश का दिनांक	आदेश, अध्यासीन न्यायाधीश के संक्षिप्त हस्ताक्षर सहित	निर्देश उस प्रार्थना-पत्र अथवा पत्र का जिस पर मूल आदेश लिखा गया	आदेश के प्रतिपालन में किये गये परिवेदन की संख्या तथा दिनांक का निर्देश
2	आदेश का दिनांक 30/4/85 —	14-5-85	5
	उपर्युक्त पत्र का हस्ताक्षर —	Reest 31	
	मार्गदर्शक 30/4/85 —	68-82401	
	मार्गदर्शक 30/4/85 —	8-22-5001	
	14-5-85 ग-8 अधिकारी पत्र अलगीत घास 80 (2) हैली. प्री. सी. ए. ए. अस्तुतुमा (एक गाय) ज्ञादेश		
	मार्गदर्शक 14-5-85 के बारे में ज्ञादेश अस्तुत है।		
	14-5-85 ग-8 अधिकारी पत्र स्वीकार किया गया।	14-5-85	
	मार्गदर्शक 14-5-85 के बारे में ज्ञादेश अस्तुत है।	14-5-85	
	14-5-85 ग-9 डाकिना पत्र अलगीत ज्ञादेश 30/5/85 1व 2 सी. प्री. सी. मद दूसरी घोषणा के अस्तुत है।	14-5-85	
	ज्ञादेश		
	वादी आवश्यक पत्रकी उत्तर को प्रतिपादी पत्र के तोनिक्स धार्ते जायेंगी दिनांक 20/5/85 दूर वाती नियतारका दिनांक 30/5/85 दूर गयी है।	20/5/85	
	30/5/85		
	30/5/85 Case file up today. Process to be sent back today.	30/5/85	
	30/5/85 Case file up on the date fixed for Plaintiff to be 30/5/85.	30/5/85	

प्रत्यक्ष संज्ञा—२  
आदेश-पत्र  
(दाखल ५, विवर १४३)

Case of Nag Hwale do  
Date - 23/9/85

J.R. Bhaterage vs. Union of India

कानून

(१)

प्रावेश का दिनांक	प्रावेश, इन्वासीन व्यापारीका पर संदिग्ध एक्टाकार घटित	निर्देश उस प्रावेशना- पत्र अधिका पत्र का प्रिय गर मूल आदेश सिद्धा गया	आदेश के प्रतिपालन में किये ये प्रतिवेदन पीछेद्या तथा विनाश का निर्देश
2	3	4	5
14.8.85	क्रमानु अस्वित हुआ आवाहन की दीर्घिले हुए कानून	क्रमानु क्रमानु 21.8.85	30
	क्रमानु क्रमानु 21.8.85 को ही प्रस्तुत है		6
21/8/85	Case perked up today. Process not received before argu. P.O.'s are leave today.	on 8	
	Arrest fixing 25/9/85		
25/9/85	क्रमानु क्रमानु हुआ आवाहन की दीर्घिले हुए कोड अवधीन का उ. नं. ८३ दीर्घिले। कानून	25/9/85 M/4	25/9/85 J. P. Bhate
	क्रमानु क्रमानु 9.10.85 को निर्दि ३५-मिनी हुए रखा गया।		
	25/9/85		3

25/9/85  
for Bhate

प्र० ३० प्र० ३० जारी प्र० ३० जारी प्र० ३०

Ar

Q

प्रस्ता एव्वा-३

आदेश-प्र

(प्रधान ०, नियम १४३)

Rs. no 231/85

कृ॒

प्रारम्भिक ताप

प्रस्ता

प्रस्ता

प्र० १०८ फ०

प्राप्त

३

प्रस्ता

प्राप्त

प्रस्ता	आप्ता	प्राप्त	प्राप्त	प्राप्त
प्र० ३० प्र० ३०	आप्ता	प्राप्त	प्राप्त	प्राप्त
1.	2	3	4	5

२३१/८५ अप्रिल १९८६ को रात्रि ११ बजे  
को जा० Po. गोवकाशा यात्रा

कोइन्हा

मिनार २०.१.८६ को वापि विकृ  
ते तु प्रेक्षणो।

२५ अप्र०

३०.१.८६ ३५१२४०. ३५१२४०/ ३५१२४०/  
आ० ३५१२४०/३५१२४०/ ३५१२४०/

४२ ई। - ३१७३२१ -

कोइन्हा ११.३.८६ को वापि विकृ  
ते तु प्रेक्षणो।

२२ अप्र०

१०.३.८६ Transferred to the court of  
H. C. Dist. Muni. C. B. D. J.  
ordered dated 31/3/86.

1/3/86  
for M.M.

11.3.86

1/3/86  
for M.M.

Received by Mr. P. S. S.

Present party's court. None  
of defendant, issue notice  
to the court for defendant. fix

11.3.86

11.3.86

11.3.86

~~(deficit)~~  
~~5.52~~  
2016/02/14 6/86

22  
89  
notes  
22/9/86  
P.D.H.

21 - ? - 26

15-22-26

29-9-26

23/1/05 (X) (AS)  
8  
Parties on the 2nd & 6th  
to appear before the 2nd & 4th  
on the 2nd & 4th  
jurisdiction

11/12/1990 - 11/13/1990  
11/13/1990 - 11/14/1990

~~Government~~  
~~test~~  
~~for~~  
~~3~~ ~~for~~

2 9-10, 2000  
~~Official~~  
~~1999~~  
~~1998~~

27



231-85

9

16.2.87

A1

कृष्ण

प्र. निर्वाचनालय

कृष्ण चौक बाजार

कृष्ण चौक बाजार

कृष्ण चौक बाजार

5/3/87 की बाजार

कृष्ण चौक बाजार

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कृष्ण

कृष्ण चौक बाजार

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कृष्ण

कृष्ण

5.3.87 वार्षि 34/87/1

वार्षि 7.3.87 की

कृष्ण चौक बाजार

कृष्ण

7.3.87 3.9.87 5.3.87

विनाय कोलीवार्ता की नं 77

प्र. कृष्ण चौक बाजार दिन 18.

11.3.87 की बाजार

D  
16/2/87  
10/3/87

D  
16/2/87  
10/3/87

21  
3/3/87

11.3.87 11.3.87  
11.3.87 11.3.87

आदेश पत्रक  
ORDER SHEET

आ० अ० अ-18  
T-18

अपील  
निर्देश आवेदन रजिस्टर में सं०

No. in Reference Application  
Appeal Register

T.A. 495/07

OS. NO. 231/05

Jagdish Kumar Bhatnagar

vs  
Union of India

प्रत्यर्थी

Respondent

अपील अधिकारण  
Appellate Tribunal

अपोलार्थी  
आवेदक

Appellant  
Applicant

अपोलार्थी  
आवेदक द्वारा

बनाया

Appellant  
Applicant

प्रत्यर्थी द्वारा  
Respondent

आदेश की क्रम संख्या  
और तारीख  
Serial number of  
order and date

संक्षिप्त आदेश, निर्देश दते हुए, यदि आवश्यक हो  
Brief order, mentioning reference, if necessary

पालन कैसे हुआ और पालन  
करने की तारीख  
How complied with and  
date of compliance

Office defect

12.11.07

OS. NO. 231/05 has been  
received on transfer from Ministry of Finance  
Ltd.

For w.s. not filed.

Sum regarding payment of  
Rent of Govt quarters.

NOTES issued to both the  
parties on 16.11.07 by legal post.

No undelivered legal  
cover has been received back.

Submitted for orders  
before D.R.J.

Dec  
12/11

9/12

(कृपया P.T.O.)

## ORDER SHEET

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD

.....H.95.....No.....of 1987 (D)

J.K. Bhattacharya vs. M.O.I. .... (10)

Sl. No. of order	Date of order	ORDERS WITH SIGNATURE	Office Notes as to action (if any taken on order)
(3)	9.2.88	<u>DR</u> On the request of Counsel for the respondent, he is allowed to file reply by 8-3-88 <u>DR (D)</u>	<u>Office ref</u> Reply not filed 29/1
(6)	8.3.88	<u>DR</u> On the request of respondent, reply may be filed by 6.4.88 <u>DR</u>	
(7)	6.4.88	<u>DR</u> On the request of respondent, reply may be filed by 17.5.88. No further time shall be granted <u>DR</u>	
(8)	17.5.88	<u>DR</u> On the request of respondent, one more time for reply is granted. Same may be filed by 6.7.88 <u>DR</u>	

30.6.88

Office ref

Reply not filed.

Jasor

96

THE CENTRAL ADMINISTRATIVE TRIBUNAL  
CIRCUIT BENCH, LUCKNOW

ORDER SHEET

REGISTRATION NO. 4987 of 1987 (4)

APPELLANT  
APPLICANT

605. K. Suman

DEFENDANT  
RESPONDENT

VERSUS

(11)

Serial number of order and date	Brief Order, Mentioning Reference if necessary	How complied with and date of compliance
3/7/89	<p>Hon' Mr. Justice K. Nath, V.C. Hon' Mr. K.J. Raman, A.M.</p> <p>Shri D.K. Raizada, learned counsel for the applicant and Shri Prashant Mathur, learned counsel for the respondents are present. Shri Mathur files counter affidavit on behalf of the respondents. Shri Raizada requests for and is allowed three weeks time to file rejoinder. On the request of learned counsel for both the parties, this case is listed for <u>final hearing</u> on 2-8-89.</p> <p><i>km</i></p> <p>A.M.</p> <p>(sns)</p> <p><i>Hon. Justice K. Nath, V.C.</i></p>	<p>OR No reply have been filed by the respective submitted for order.</p> <p><i>km</i></p> <p><i>km</i></p> <p><i>km</i></p>
2/8/89	<p>The learned counsel for the applicant Shri D.K. Raizada requests for and is allowed two weeks time to file rejoinder. hearing on 21-8-89.</p> <p><i>km</i></p> <p><i>VC</i></p>	<p>OR No rejoinder has been filed submitted for hearing.</p> <p><i>km</i></p> <p><i>km</i></p> <p><i>km</i></p>

Filed today,

(A)  
13

~~David Jacob~~  
Advocate

14-5-85.

Complaint for Plaintiff

(12)

Re: Writ of Summons on 10/5  
Date 14-5-85  
Fees

Madam,

The claim as alleged is out of time and jurisdiction of this Court. It constitutes a cause of action & is fully clearly stamped along with the documents as per last filed along with the plaint.

In this case no 33 Q/ 22  
CPC supported with an affidavit attached along with the plaint.

Defects

Notice n/p. No CPC not served  
hence per article no. 80(2) for  
exemption from giving notice n/p CPC,  
the defendant is being tried in default

(In default)

Fee  
14.500



In the

A 71  
1/14

(B)

CENTRAL ADMINISTRATIVE TRIBUNAL  
CIRCUIT BENCH AT LUCKNOW

....

Augst 21, 1989

Registration T.A. No. 495/87(T)

Jagdish Kumar Bhatnagar .... Applicant

Vs.

Union of India & ors ... Respondents

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

The applicant is present in person.

Shri Prashant Mathur, Advocate is present on behalf of respondents.

The applicant files an application to withdraw the proceedings. In view of the decision of this Tribunal in T.A. No. 523 of 87(T) Kesri Lal Dhusia Vs. Union of India and ors judgment dated 2/8/89, there remains no doubt that the applicant employee is not entitled any out house, in view of the policy decision of the Railway Board in the years back and reiterated in the year 1985. Therefore, the competent authority is entitled to take or not to take possession of one or of the other out houses attached to the bungalow, and to review or not to review their rent according to rules. The matter is concluded by the aforesaid judgment. Therefore, the applicant is allowed to withdraw his application. There will be no order as to costs, in the present circumstances of the case.

DK. Agrawal  
21.8.89.

(sns)

MEMBER (JUDICIAL)

(sns)

August 21, 1989

Lucknow.

(sns)

August 21, 1989

Lucknow.

Received Copy  
DK Agrawal  
Deliverer  
8/1/89

Alz

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3. That the plaintiff was served with memorandum dated 16.4.1984, requesting him to hand over the vacant possession of one of the out house No. "C" attached with the Bunglow of the plaintiff.
4. That the plaintiff represented against the Memorandum dated 16.4.1984 regarding the detachment of one of the out houses of his Bunglow which was in his possession since the date of allotment and occupation. The defendant No. 2 did not reply the said representation of the plaintiff.
5. That the plaintiff again represented by his representation dated 19.11.1984 against the detachment of one of the out houses of his Bunglow.
6. That the Deputy Director (Administration) replied the representation dated 19.11.1984 by his letter dated 19.1.1985 in which he referred the letter No. 289-W/O (Out houses) dated 17.8.1977 of the General Manager, Northern Railway (N.R.).
7. That the aforesaid letter clearly mentioned that the cases in which the segregation is not feasible due to excess of costs or proximity to main bunglow or the out houses having out lived their normal lives, they shall continue to remain with

Contd. at page 3.

*St B 0201012*

AIW

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the bunglows and their rent should be included in the assessed rent of such bunglows.

8. That the plaintiff was allotted the bungalow alongwith the out houses on 7/10.10.1983 much after 17.8.1977 and besides this the rent of the bungalow alongwith the out houses stillare being realised from the plaintiff's salary at the same rate of rent since the occupation of the bunglows alongwith the out houses.

9. That there is an offic e council of the R.D.S.O. headed by the Director General as its Chairman, which takes certain decission regarding the staff matters. The said office council in one of the meetings with Staff Association held on 11.1.1983 took the decission in respect of the out houses in the R.D.S.O. contained in the copy of the minutes of the meetings, which are being filed in the aforesaid suit.

10. That the bunglows and itsout houses are very old and the out houses having outlived their normal lives and the roof of one of the out houses of Bungalow No. C-& W- 12 has fallen down. Besides this, there are no basic amenities, such as bath room, latrine, kitchen and electricity etc.,

Contd. at page 4.

St. G. Meenakshi

AIS

33

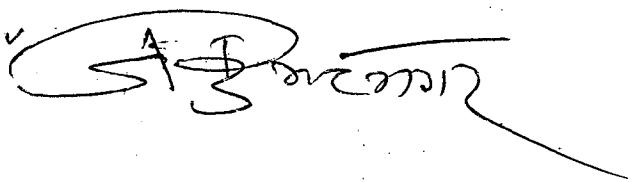
provided in the said out houses attached with the bungalow of the plaintiff.

11. That the decision of the said Office Council meeting held on 11.1.1983 is not applicable to the out houses attached with the bungalow of the plaintiff for the reasons stated in para 10 above. Besides, this decision can be made applicable to the bungalows allotted after the decision of the office council meeting, i.e. 11.1.1983.

12. That the present suit is for permanent injunction to obtain an urgent and immediate relief in respect of the detachment of the out house of the bungalow of the plaintiff against the defendants, hence the application for leave of the court without serving the notice under Section 80 C.P.C., has been filed.

13. That the cause of action accrued to the plaintiff against the defendants on 16.4.1984 when the memorandum dated 16.4.1984 of the defendant No. 2 was served upon the plaintiff and again on 19.1.1985 when the letter dated 19.1.1985 was served upon the plaintiff in Manak Nagar, Pergana Tahsil and District Lucknow within the jurisdiction of this Hon'ble Court.

Contd. at page 5.



A16

23  
3

14. That the valuation of the suit for the purposes of jurisdiction and court fee is Rs. 840.00 being annual rent of the bungalow of the ~~petitioner~~ <sup>plaintiff</sup> alongwith the out houses is deducted from the salary of the plaintiff, but it being a suit for permanent injunction hence the court fees, on 1/5th of Rs. 840.00 of Rs. 22.50P is being paid.

15. That the plaintiff is entitled for the following reliefs:-

- (a) That a decree for permanent injunction restraining the defendants. from detaching the out house No. "C" of the bungalow of the plaintiff stated in para 2 above be awarded to the plaintiff against the defendants.
- (b) That the costs of the suit be awarded to the plaintiff against the defendants
- (c) That any other relief which this Hon'ble Court may deem fit and proper be also awarded to the plaintiff against the defendants.

Lucknow dated:-

14.5.1985.

Plaintiff.

Contd. at page 6.

A17

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- 6 -

Verification.

I, Jagdish Kumar Bhatnagar, the above named plaintiff do hereby verify that the contents of paras 1 to 11 are true to my knowledge and those of paras 12 to 15 are believed by me to be true.

Signed and verified this 14th day of May, 1985 in the civil court's compound at Lucknow.

Lucknow dated:-

14.5.1985.



Plaintiff.

Through:

 14.5.85.  
( D.K. Raizada ),

Advocate,

Counsel for the plaintiff.

Jagdish Kumar Bhatnagar, Vs.  
Union of India and Others.  
R.S.No. 291/85, Fixed for 21.8.85 for disposal of objection filed by R.S. No. 54  
K.P.54

INDIAN POSTS AND TELEGRAPHS, DEPARTMENT

मेंजाने वाले का पता Sander's address

In the Court of Munsif Hawaii  
Civil Court Building  
Lucknow

~~(C.U.P.)~~ ~~1949-2616.C9-2.6.6.1.1.1.~~

MGIPAH—1040—26-16-63-2, (1,0,1,0,1,0,1).

GOVERNMENT OF INDIA  
MINISTRY OF RAILWAYS  
(RAILWAY BOARD)

No. E(G) 85-LL3

3 (206)

New Delhi, dated

14/8/1985

21/8/1985 A 11/2

To

The Court of Munsif  
Hawali, Lucknow

A 10/2

Subject: RS No. 231/85

Jyoti Singh Kumar, Bhopal - UP -  
Ward 2 and

24/7/85

Sir,

I am directed to refer to your summons/orders dated ..... on the  
subject mentioned above and to state that the General Manager ..... New Delhi, dated  
..... is the competent authority to deal with this matter.  
The summons/orders in question have, therefore, been sent to that authority for

Yours faithfully,

*My signature*  
for Secretary, Railway Board.

(G) 85-LL3

3 (206)

New Delhi

14/8/85

Copy together with a Court summons/orders forwarded to the General  
Manager ..... *Mr. Kumar K. Jy* for necessary action.

The date of hearing is.....

21/8/85

*My signature*

DA/As above.

for Director Establishment  
Railway Board.

# वादी प्रतिवादी द्वारा पेश किये गये दस्तावेजों की सूची

14

न्यायालय *Mary Howell* स्थान *Indore* आदेश १३, नियम ६  
वाद संख्या *R.S. No.* सन् १६४५ जिला *Indore*  
वादी *Tagore Bhawan-Bhataragar* वादी  
वनाम *Unit of India Society* प्रतिवादी  
*Plaintiff* वादी/प्रतिवादी की ओर से वाद-पत्र के साथ पेश किये गये दस्तावेजों की सूची  
क्रमांक सूची के सम्म-

इस सूची को *Plaintiff* ने आज सन् १६४५ - ई० के *5* के *14* दिवस को पेश किया।

१	२	३	४
क्र०	दस्तावेज का अभिवर्णन और उसकी तारीख यदि कोई हो	कागज कथा हुआ	
सं०	यदि अभिलेख में सम्मिलित किया या तो प्रदर्शन चिन्ह जो उस पर डाला गया	यदि नामजद हुआ तो पक्षकार को लौटाये जाने की तरीख और पक्षकर या उसके अभिवक्ता के हस्ताक्षर जिसको कागज लौटाया	यदि वाद के विविच्य के पश्चात कागज अभिलेख में रह जाय और अध्याय ३ नियम २४ के अधीन लिफाका में बन्द किया गया तो लिफाका में बन्द करने की तरीख
	<i>Photo copy of the</i>		
१-	<i>Allocation letter dated 7/10.10.1983</i>		
	<i>in respect of the delivery of the Plaintiff.</i>		
२-	<i>Notice dated 16.4.84 to the Plaintiff</i> <i>to hand over the vacant possession</i> <i>of the Authors' attached with the</i> <i>delivery of the Plaintiff.</i>		
३-	<i>Representation dated 19.11.84 of the</i> <i>Plaintiff in respect of the dated</i> <i>of the Authors of the Plaintiff.</i>		
४-	<i>Reply of the Defendant 2, of the</i> <i>Plaintiff's Representation dated 19.11.84.</i>		

न्यायालय का नाम-  
वाद संख्या-  
पक्षकारों का नाम-

*Mr. Verma* Advocate  
सूची पेश करने वाले पक्षकार या अभिवक्ता के हस्ताक्षर  
16.5.1851

*Counsel for the Plaintiff*

A20

775

S.No. 26

Government of India: Ministry of Railways  
Research Design & Standards Organisation  
Manak Nagar, Lucknow-226011.

No. A/AT/11

Dated :- 7-10-83

Sub: Allotment of residential accommodation  
at Manak Nagar, Lucknow.

The following officers/Staff are allotted quarters as  
indicated against them :-

S. No.	Name & Designation	Present Qrs. No.	Qr. No. Allotted	Remarks
1	J.K.Bhatnagar, PI	2/1	10-102A	Referred by S. m. A. Surveyor, S.I./R.R.

(M. S. f. 11 : Allotment No. A/AT/11 dated 14-5-83)

2. The rent liability will commence from the 3th day of issue of this letter or the date of occupation, whichever is earlier. This period of 8 days will count from the date the quarters are made available for occupation. It will be the responsibility of the allottee to check up the availability of the quarters from the IOW(Estate), RRSO/Lucknow.

3. The occupation/vacation slip of the quarters of employee concerned should be furnished immediately to the Admin. Section as well as to SO/E-III/E-IV b, TMR/IOW(Estate).

4. The employee concerned should send his acceptance of the allotment within the period stipulated in para 2 above. Failure to do so will be taken as refusal of the allotment for a period of one year.

5. In case the employee concerned does not occupy the railway quarters within 7 days from the date of issue of this allotment order he will be liable to pay the rent from the date as stipulated in para 2 above.

DA/Nil.

*S. M. K. K. S.*  
for Director General

1. Officer/Staff Concerned.
2. SO/E-III or IV
3. Town Engineer.
4. IOW/Estate.
5. AEE
6. Electrical Foreman
7. Finance & Accounts Branch
8. SO/E-I, E-IV, DD/E-II
9. Elec. Chargeeman (Metre Sec.)
10. AD4/Tele-I.

Government of India, Ministry of Railways  
Research Designs & Standards Organisation

27/2  
Manak Nagar, Lucknow-11

No. A/AT/NS

Dated 16-4-84.

MEMORANDUM

1/3

A21

In accordance with the revised policy of the Railway Board the scale of out-house attached to the Officer/staff quarters has been reduced. Accordingly it has been decided to detach 'out-house' No. C.... attached to quarters No. L.D-107/A which at present stands allotted in his name.

Shri J.K.Bhatnagar is therefore requested to handover the vacant possession of the said unit of the 'out-house' referred to in para 1 above within a period of 60 days from the date of issue of this memorandum.

sd/-

DA: Nil

( K. Kumar )  
for Director General

Shri J. K. Bhatnagar

Copy forwarded to Town Engineer. He may please take over the vacant possession of the above unit of the 'out-house' and submit a vacation report.

sd/-

DA: Nil

( K.K.umar )  
for Director General

Government of India-Ministry of Railways  
Research Designs & Standards Organisation

No.A/AT/NS

Manak Nagar, Lucknow-11.  
Dated 19th January, 1085

Sub: Detachment of out-houses from  
LD Type & C&W Bungalows.

As requested in your representation dt. 19.11.84 a copy of the GM Northern Railways' letter No. 289-W/0(Outhouses) dated 17.2.77 is sent herewith on the guide lines of which the out-houses attached to LD Type & C&W Bungalows have been detached.

DA: One (reproduced below).

Sd/- (K. Kumar)  
Dy. Director(Admn.)

A copy of General Manager, Northern Railway, Head Quarter's office letter No. 289-W/0(outhouses) dated 17.2.77.

Sub: Scale of out-houses for officers Bungalows.

The question of fixing the scales of outhouses for officers bungalows was ongoing attention of this office for past few months. It has been decided that the scales laid down in Railway Board's letter No. 53-W/191 dated 3.10.55 as given below will continue to be followed on all the Divisions.

1. For Asstt. Officers	One outhouse
2. For Sr. Scale Officers	One buthouse
3. For Junior Admn. Officer	Two outhouses
4. For Sr. and Intermediate Admn. Officers	Three out houses.

In the case of old bungalows when the number of outhouses provided are in excess of the scales indicated in para 1 above, the excess number where it is feasible and where the cost is not excessive should be segregated from the main bungalow by constructing a proper boundary wall, provision of independent entry and exit, water supply and lavatories except where community latrines are provided and allotted to the railway employees on the basis of entitlement.

In these cases when the segregation is not feasible due to excessive cost or proximity to the main bungalows or the out-houses having live their normal lives they should continue to remain attached with the bungalows and their rent should be included in the assessed rent of such bungalows.

225  
3

The Director General,  
R.D.S.O., Lucknow.

Respected Sir,

(A22)

✓

Sub: Detachmient of the out-houses from the  
quarters of the old colony.

With profound grief and great resentment, it is to bring to your kind notice that R.D.S.O. Administration has taken an arbitrary and unlawful decision of the detachment and subsequent allotment of some out-houses attached to C&W and LD type quarters under the occupation of the officers and staff. The decision, apart from being questionable on account of its propriety, has also caused undesirable harrassment to the occupation of the quarters.

2. The railway administration and the officers and staff occupying the quarters in question have a land-lord-tenant relationship as the quarters have been duly allotted to them. As such, no portion of it can be and should be snatched from the occupants of the quarters and allotted to some employees during the period of the former's occupancy. If at all a deviation has got to be made from the normal laws and rules of the land-lord-tenant relationship on account of the quarters being government property, it may be done only in special cases under very exceptional circumstances. In the present case, the details of which are given in the subsequent paragraphs, it is obvious that there has not been any urgency for this and the detachment and consequent allotment of the out-houses is grossly objectionable and summarily illegal.

3. Some out-houses were detached and allotted sometime back and subsequently a similar order for allotment of 10 out-houses has been passed and executed in September 1984. In the latter case, a Memorandum No.A/AT/US dated 16.4.84 was served on some officers and staff and only a fraction of the recipients of the memorandum were forced to get their out-houses detached. Several representations have been made since 1982 but no action has been taken and the representations, in fact, stand unrepplied so far. Actually a clarification was sought about the "revised policy of the Railway Board" by many recipients of the memorandum from the administration but no reply had been given. As against this, the allotment of the out-houses has been done for some of the quarters in question without any clarification or review in the matter. In this connection, it is clarified that Railway Board's orders or policies which are being often quoted on the subject have not been followed in any case by any standards. On the other hand, some of the directives from the Board in this connection have been violated at the time of detachment and allotment.

...../2

v) As per the Railway Board's directive the detachment and consequent allotment of the out-houses may be done only in those case where it is practically feasible and advance action has been taken suitably in the modification in the out-house and parent quarter. Some immediate independent facilities in the form of electricity line, water supply, sanitation, demarcation of boundary, entry-exit passage etc. have to be done before the allotment of the out-houses in favour of other employees.

5. Keeping in view the above facts, it is clear that the allotment of the out-houses has not been done in proper order. It is, therefore, requested that the allotment orders till September, 1984 may please be quashed with/ by returning back the out-houses in question to the occupants of the main quarters. Further, no such allotment order or detachment order may please be issued forthwith. It is reiterated that the detachment of the out-houses can be done only in the case of extreme urgency when the quarters fall vacant and due action is taken for the provision of independent facilities to the out-houses under consideration for detachment.

6. It is urged once again that the whole matter may please be reviewed in totality and suitable action as called for in para 5 be please taken immediately.

With thanks,

With retrospective effect

Yours faithfully,

Dated: 19-11-'84



(J.K. Bhatnagar)  
Publicity Inspector  
L.D. 107/4, Planck Nagar  
R.D.S.O.

Lucknow - 226 011.

76

1/2

In the court of Munsif Haveli, Lucknow.

Jagdish Kumar Bhatnagar.....Plaintiff.

Vs.

Union of India and another.....Defendants.

Suit No. of 1985.

Registered address of the plaintiff.

JAGDISH KUMAR BHATNAGAR  
SON OF LATE SRI MAN MOHAN SAHAI  
RESIDENT OF BUNGLOW NO. LD-107/A  
MANAK NAGAR, LUCKNOW.

Lucknow dated:-

14.5.1985.

*D. Verma*  
14.5.85.  
Counsel for the plaintiff.

ब अदालत थीमान् Murshid Hawali, India

[ वादी ] अधीसान्ट

सी- Sugdhi Kumar Bhatar वकालतनामा

प्रतिवादी [ रेस्पाडेन्ट ]

महोदय



वादी (अधीसान्ट)

Sugdhi Kumar Bhatar

वनाम  
Union of India East

सन्

पेशी फी ता० ५४-५५ १६४५ ई०

नं० मुकद्दमा

अपर लिखे मुकद्दमा में अपनी ओर से श्री

प्रतिवादी (रेस्पाडेन्ट)

शहर, नगर,

महोदय

एडवोकेट

को अपना वकील नियुक्त करके प्रतिज्ञा ( इफरार ) फरता हूं और लिखे देता हूं इस मुकद्दमा में वकील महोदय स्वयं अथवा अन्य वकील द्वारा जो कुछ पैरवी व जवाब देही व प्रश्नोत्तर करें या फोई फागज बाखिल करें या लौटावें या हमारी ओर से छिगरी जारी करावे और रुपया वसूल करें या सुलहनामा व इकबाल दावा तथा अपील निगरानी हमारी ओर से हमारी या अपने हस्ताक्षर से बाखिल करें और तसदीफ फरें मुकद्दमा उठावें या फोई रुपया जमा फरें या हारी विपक्षी ( फरीकसामी ) का दाखिल फिया हुआ रुपया अपने या हमारे हस्ताक्षर युक्त ( दस्तखती ) रसीद से लेवे या पंच नियुक्त करें—वकील महोदय द्वारा की गई वह सब कार्यबाही हमको सर्वपा स्वीकार है और होगा मैं यह भी स्वीकार करता हूं कि मैं हर पेशी पर स्वयं या फिसी अपनी पैरोकार को भेजता रहूंगा अगर मुकद्दमा जबम पैरवी में एफ तरण मेरे खिलाफ फैसला हो जाता है उसकी जिम्मेदारी मेरे बकील पर महीं होगी इसलिए यह वकालतनामा लिख दिया प्रमाण रहे और समय पर पास आवे।

Accepted,

Dilip Joshi  
Advocate

हस्ताक्षर

१५-५-८५.  
साक्षी ( गवाह )

साक्षी ( गवाह )

दिनांक

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महीना

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सन् १६४५, ई०

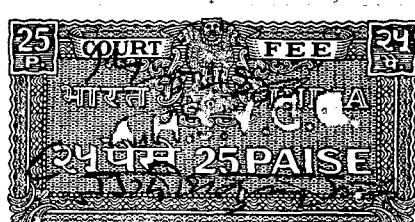
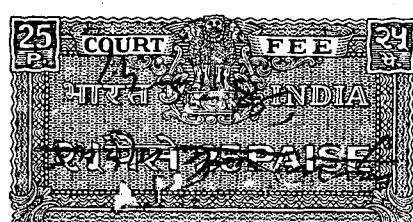
स्वीकृत

(A26)

DD/T

In the court of Munsif Haveli, Lucknow.

R.S. No. of 1985.



Jgadish Kumar Bhatnagar.....Plaintiff-Applicant.

Versus

Union of India & another.....Defendants-Opposite

Parties.

Application under section 80 (2) C.P.C.

for leave for exemption of the service of  
the notice under section 80 (2) on the  
defendants.

The applicant begs to submit as follows:-

1. That the plaintiff has filed the aforesaid suit for permanent injunction against the defendants for restraining the opposite parties from the detachment of the out house attached with the bungalow of the applicant.
2. That there is apprehension that the defendants may detach the out house No. "C" of the bungalow No. 107/A, of the applicant.
3. That due to the aforesaid reasons the relief claimed in the suit is urgent and immediate and

A 27

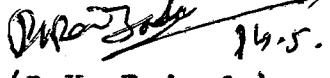
51d 2

the service of the notice under section 80 ~~(2)~~✓  
(1) will cause delay and may frustrate the purpose  
of filing the present suit.

Wherefore it is most respectfully prayed  
that this Hon'ble Court be pleased to exempt the  
applicant from giving the notice under section 80  
(1) of the C.P.C.

Lucknow dated:-

14.5.1985.

  
(D.K. Raizada),

Advocate,

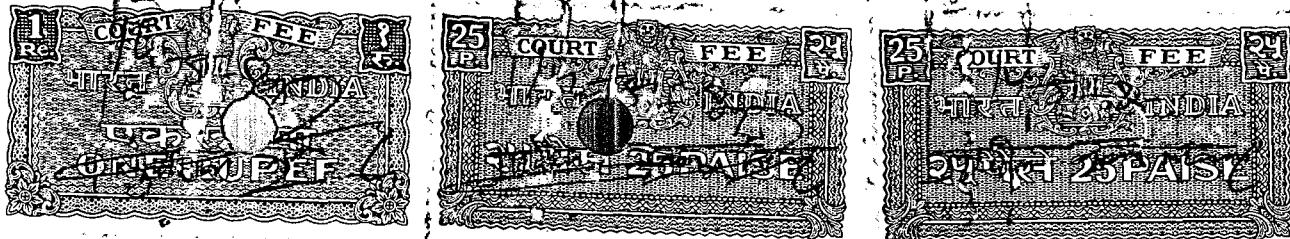
Counsel for the applicant

plaintiff.

A 20 77

In the court of Munsif Haval, Lucknow.

R.S. NO. of 1985.



*22/10/1985*  
Jagdish Kumar Bhatnagar, aged about 49 years,  
son of Late Sri Man Mohan Sahai, resident of  
Bungalow No.LD-107/A, Nanak Nagar, Lucknow.

.....Plaintiff.

Versus

1. Union of India through the Chairman,  
Railway Board, ~~Lucknow~~ New Delhi
2. Director General, R.D.S.O.,  
Nanak Nagar, Lucknow.....Defendants.

Application under order 39 Rules 1 and 2  
read with section 151 C.P.C., for the  
issue of ad-interim injunction order.

The plaintiff begs to submit as follows:-

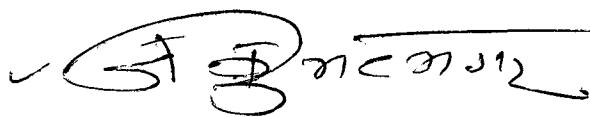
1. That for the facts and reasons deposed in the accompanying affidavit, it is expedient in the ends of justice that the defendants, their servants, Agents etc., be restrained from ~~the~~ detaching the out house attached with the bungalow or the plaintiff till the decision of the suit.

*G.B. 27/12*  
Contd. at page 2.

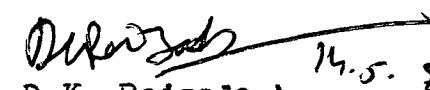
Wherefore it is most respectfully prayed that this Hon'ble Court be pleased to issue an ad-interim injunction order restraining the defendants, their servants, Agents etc., from detaching the out house attached with the bungalow No. LD-107/A, situated in Manak Nagar, Lucknow of the ~~plaintiff~~<sup>plaintiff</sup> ~~petitioner~~<sup>petitioner</sup> till the decision of the suit.

Lucknow dated:--

14.5.1985.

  
Plaintiff-Applicant.

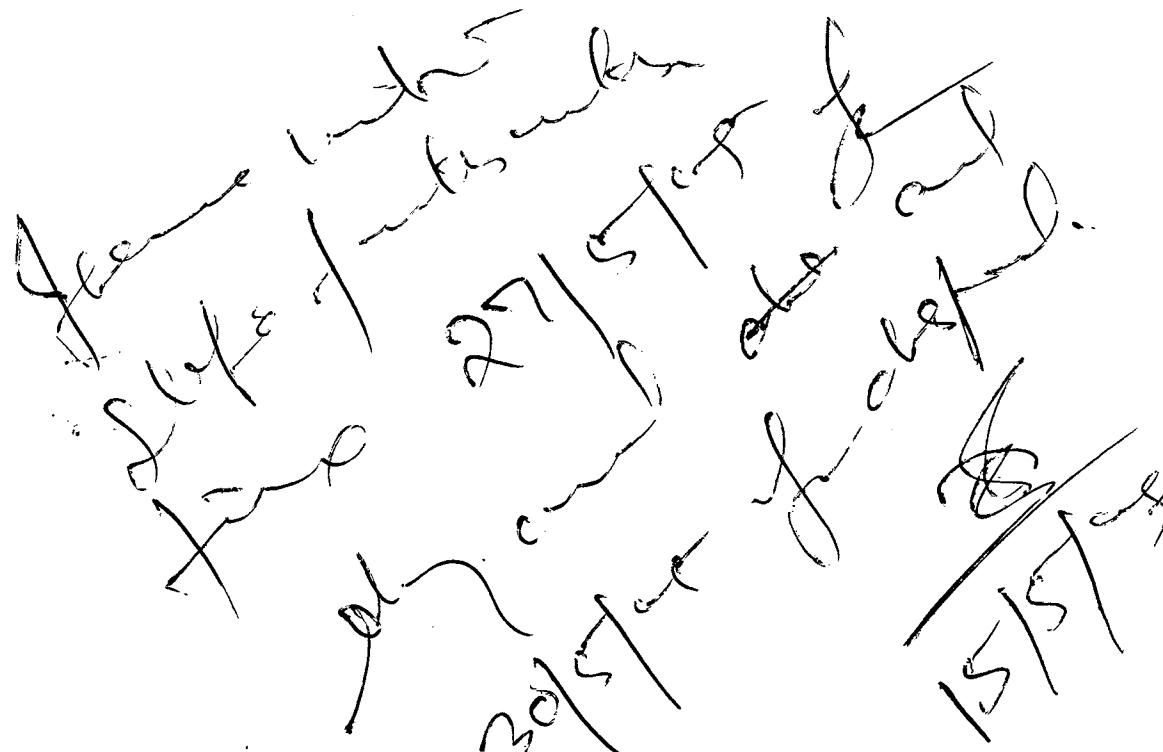
Through :

  
( D.K. Raizada ), 14.5.85,

Advocate.

Counsel for the plaintiff

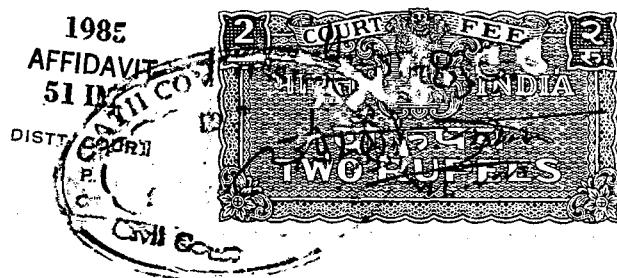
Applicant.

  
The handwritten signature is extremely large and slanted, appearing to be a copy of the previous signature. It includes the name 'D.K. Raizada' and the date '14.5.85'.

(A 30) 5770

In the court of Munsif Haveli, Lucknow.

R. S. No. of 1985.



Jagdish Kumar Bhatnagar.....Plaintiff.

Versus

Union of India and another.....Defendants.

Affidavit.

CIVIL COMMISSIONER'S COURT  
CIVIL NO. 415/85

I, Jagdish Kumar Bhatnagar, aged about 49 years, son of Late Sri Man Mohan Sahai, resident of Bungalow No. LD-107/A, Manak Nagar, Lucknow, do hereby solemnly affirm and state on oath as follows:-

1. That the deponent is the plaintiff-applicant in the above noted suit and as such fully conversant of the facts hereinafter deposed.
2. That the deponent has filed the aforesaid suit for permanent injunction and he is very hopeful of its success.
3. That the deponent was ~~detained~~ <sup>fallot</sup> the Bungalow No. LD-107/A, alongwith two out houses in Manak Nagar, Lucknow on 7/10 October 1983 by the defendant No. 12.

(A34)

2/2

4. That the deponent was served with memorandum dated 16.4.1984, requesting him to hand over the vacant possession of one of the out house attached with the bungalow of the deponent.
5. That the deponent represented against the Memorandum dated 16.4.1984 regarding the detachment of one of the out house of his bungalow which was in his possession since the date of allotment and occupation. The defendant No. 2 did not reply the said representation, of the deponent.
6. That the deponent again represented by his representation dated 19.11.1984 against the detachment of one of the out house of his bungalow.
7. That the Deputy Director( Administration) replied the representation dated 19.11.1984 by his letter dated 19.1.1985 in which he referred the letter No. 289-W/O (out house) dated 17.8.1977 of the General Manager, Northern Railway (N.R.).
8. That the aforesaid letter clearly mentioned that the cases in which the segregation is not possible due to excess of costs or proximity to said bungalow or the out houses having out lived their

Contd. at page 3.

*STB 202012*

A32

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-3-

normal lives, they shall continue the bungalows and their rent should be included in the assessed rent of such bungalow.

9. That the deponent was allotted the bungalow alongwith the out house on 7.10.1983 much after 17.8.1977 besides this the rent of the bungalow alongwith the out houses still are being realised from the deponent's salary at the same rate of rent since the occupation of the bungalows alongwith the out houses.

10. That there is an office council of the R.D.S.O. headed by the Director General as its Chairman, which takes certain decisions regarding the staff matters. The said Office Council in one of the meetings with Staff Association held on 11.1.1983 took the decision in respect of the out houses in the R.D.S.O. contained in the copy of the minutes of the meeting, which are being filed in the aforesaid suit.

11. That the bungalows and its out houses are very old and the out houses having outlived their normal lives and the roof of one of the out house of bungalow No. C-& W-12 has fallen down. Beside this, there are no basic amenities such as bath room, latrine C and electricity kitchen and electricity etc., provided in the said

Contd. at page 4.

GB 202012

A 33

out houses attached with the bungalow of the deponent.

12. That the decision of the said Office Council meeting held on 11.1.1983 is not applicable to the out houses attached with the bungalow of the deponent for the reasons stated in para 10 above. Besides, this decision can be made applicable to the bungalow allotted after the decision of the office council meeting i.e. 11.1.1983.

13. That the present suit is for permanent injunction to obtain an urgent and immediate relief in respect of the detachment of the out house of the bungalow of the deponent against the defendant, hence the application for leave of the court without serving the notice under section 80 C.P.C., has been filed.

14. That the deponent will suffer irreparable loss and injury, if the defendant succeeds in detaching the out house "C" attached with the bungalow of the deponent.

15. That the balance of convenience lies in the maintenance of the status quo.

Lucknow Dated:-

14.5.1985.

  
Deponent.

Contd, at page 5.

Verification.

I, Jagdish Kumar Bhatnagar, the above named deponent do hereby verify that the contents of paras 1 to 12 are true to my knowledge and those of paras 13 to 15 are believed by me to be true.

Signed and verified this 14th day of May, 1985 in the civil court's compound at Lucknow.

Lucknow dated:-

14.5.1985.



Deponent.

I identify the deponent who has signed before me.

  
( D.K. Raizada ), 14.5.85.

Advocate.

10:45 A.M.  
J. K. Bhatnagar  
Advocate  
14/5/85  
On behalf of  
Advocate

A 35

ST 1.7

In the Court of H Adv. Mr. Lachman

Rs no 231/85

Japesh Kumar Bhatnagar

VS

Union of India

In the above suit, it is  
submitted as under:-

1. That the alleged dispute raised in the above suit, relates to a matter in the cause of service of the Plaintiff.
2. That any dispute in the cause of service is triable by Central Services Tribunal.
3. That after the enforcement of the Services Tribunal Act i.e. 1-1-1985 this Court ceases to have jurisdiction in any subject matter of the suit and any order passed will be without jurisdiction.
4. That in the circumstances, the suit is now not triable by this Court.

Whereupon it is prayed that the suit may be transferred to the Central Services Tribunal.

8/17/1887

Signature  
Dr  
C. M. F. T. O.

not  
29/10/87

A36

ITS

IN THE COURT OF VII ADDITIONAL MUNISIF, LUCKNOW

Jagdish Kumar Bhatnagar ... Plaintiff.

V E R S U S .

Union of India & another ... Defendants.

R.S. No. 231 of 1985

Fixed for 16-2-87

Objections on behalf of the plaintiff against  
application dt. 17.1.87 of the Defendants,

The humble submission of the Applicants is as follows:-

1. That the Defendants have filed an application dated 17.1.1987, that the present suit is triable by the central services Tribunal at Allahabad and not by this Hon'ble Court.
2. That it is submitted that the R.D.S.O. being an Industry, its cases are not triable by the Central Services Tribunal at Allahabad and the disputes arising are not triable by the

A37

JTS

: 2 ;

Central services Tribunal at Allahabad.

89

3. That the Defendants have moved the present application dated 17.1.1987 only with the intention to prolong the case for a longer period and thereby to harass the plaintiff.
4. That the present suit is a suit for permanent Injunction seeking only a judicial remedy in respect of the house in which he has been living at present and not connected with the service matter of the plaintiff.

In view of the aforesaid facts and reasons the present suit is triable by this Hon'ble Court and not by the central services Tribunal at Allahabad.

LUCKNOW

Dated 22.1.1987

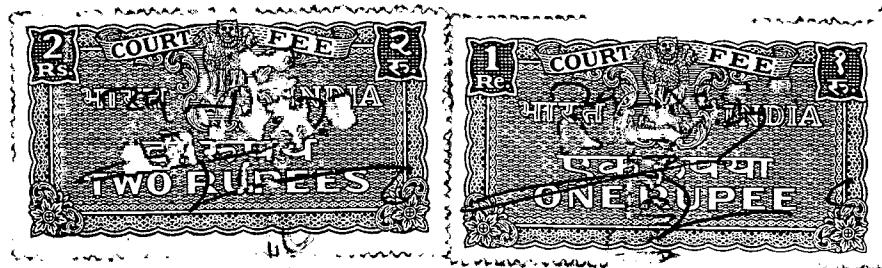
16.2.87

D.K. Raizada  
(D.K. RAIZADA)

Advocate

Counsel for the Plaintiff.

In the Court of Addl. Munsif VII, Unknown (A 38) (Ct 14)



2-3-80

On  
29.1.87

Sugish Kumar Bhattacharjee

versus,

Union of India & others

Plaintiff.

Defendants.

Rs. 16.230 of 1985.

Filed for 29.1.87.

Application on behalf of the Plaintiff for being given time to file the objections.

The defendant begs to submit as follows:

1. Not due to some irretrievable reasons, the defendant could not file the objections as yet.
2. Not the defendant shall file the objections on the next date.

Wherefore it is —  
The defendant respectfully pray that  
the defendant be allowed to file the objections on the  
next date.

Unknown; Dated,

29.1.87.

Abhijit  
29.1.87 Advocate

Constituted for the Plaintiff.

In the Court of Munsif Kawali, Lucknow

(A 39)

A/1

Jogdip Kumar Bhatergar Plaintiff  
versus  
Union of India Defendants.

R.S.A. 231 of 1985;

Fixed for 14.8.85 for object  
21.8.85 for disposal

Sir,

In the abovementioned case, the process fee of Rs. 2/- alongwith duplicates and regd. envelopes with notices are being fixed to be on the defendant No. 1 on the following address,

Chairman, Railway Board,  
New Delhi.

Witnessed, Dated,  
31.7.85.

(L)

Dilawar Zada  
Advocate

31.7.85,  
Counsel for Plaintiff.

Aug 25/85

25/85

In the Court of His Highness the Sultan

Part No 12  
Jagdish Kumar Bhattacharjee  
Plaint of Rs 12 28/10/85

In the above suit, it is  
respectfully submitted that the  
cause for the defendant is to go  
out of statis in the early  
morning of the date fixed i.e  
28/10/85 and may not be  
able to attend by the time

the case is called for hearing.

For which it would be  
permitted to attend the Court and  
conduct the case.

It is therefore prayed that  
the date fixed may be if  
possible, adjourned to some other date  
and cause time be allowed  
for this Mr. Bhattacharjee/Women  
Staleghari

Defend  
25/10/85

D) 26/10/85

Gymoo

Courtney

26/10/85 and 1/11/85  
for 2nd



पाद ११ शहर उजरत नक्लात मामूली तर

(द) नक्लात जिसमें १,५००० या कम अल्फाज वल मामूली खाव जरूरी जिसमें १,५०० दत होगी जैसा कि ऊपर मुद्रे है बादहू वर ३०० या उससे कम अल्फाज के लिए उजरत वृ आना वास्ते नक्ल मामूली और चार आना नक्ल वास्ते जरूरी की जायेगी ।

(स) बाव व रजिस्टर हाय व नक्शाजात खाकाजात और उनके इन्हिं खायदा नार किया जा सकता है, अगर हाकिम को अस्तियार होगा कि वलिहाज मिवदार व पेचदगी व फाम के हर सूरत में आस उजरत मुकर्रर करें। अगर सायल एक से ज्यादा नक्ल की दरकरे और छपी हुई नक्लात दी जा सकती हो तो अब्वल नक्ल के अलावा नक्ल निम्न शहरजा वाल शर दी जायेगी ।

हिदायत सायल के नमूना की खानापूरी हतुलइमकान व सेहत कीजिये:—

बजदाल *Ball - Muzif* *IV* वनाम *Under* बमुकाम

विधिदर्मतरम्

बराय भी एक एक मसिहिका हर एक दस्तावेज मुतज़किरा फेरहिन्त जेल की जिसकी नक्ल के वास्ते में जात स्टाप्प कीमत *5/-* रुपया हमराह इस दरखास्त के पेश करता हूँ मुझे मरहमत इये। वह दरखास्त मामूली/जरूरी है मुकदमा हूँ नहीं हूँ ।

नम्बर रजिस्टर और सालनालिज	नाम फरीकेन	तारीख डिगरी या हुक्मनाकिक अगर सादिर हुआ हो	किस्म दस्तावेज जिसकी नक्ल दरखास्त है	ठिक्स भरज के किए नक्ल मतलब है या बजह जिसकी विना पर दरखास्त मंजूर होनी चाहिए
<i>R.S. 23/10/1985.</i>	<i>Signature / Seal / Stamps</i> <i>Union of India</i>	<i>16.11.86</i> <i>17.11.86</i> <i>18.11.86</i>	<i>Copy of Signature over dated 22.10.86 placed by Ball - Muzif</i>	<i>For record</i>

तारीख *22.10.86* दरखास्त सायल *Under* *School*

हर दरखास्त ऐजो बजरिये डाक भेजी जेल के पहली सूरत में साल *22.10.86* होना चाहिए।

१—सायल का तरा

२—आया सायल चाहता है कि डाक नक्ल से भेजी जाय या हाजिर होगा। पहली सूरत में साल *22.10.86* टिकट चिपता लिफाका पता लिखा हुआ दरखास्त के साथ भेजना लाजिम है ऐसे न करने पर दरखास्त पर अब्वलदरायद हस्त कायदा किया जायगा।

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
ADDITIONAL BENCH, ALLAHABAD

A42

WRITTEN REPLY ON BEHALF OF RESPONDENTS

In

Regn. No. TA 495 of 1987

J.K.Bhatnagar .. Applicant

Vs.

Union of India and others .. Respondents

I, S.Bhatia s/o late Sh.U.C.Bhatia aged about 54 years, resident of C-77/2, Manaknagar, Lucknow do hereby solemnly affirm and most respectfully sheweth as under:-

1. That the deponent is working as Dy. Director/ Estt-I in Research, Designs and Standards Organisation, Lucknow and as such he is fully competent to affirm the Affidavit on behalf of Opposite Parties.
2. That the deponent has carefully gone through the relevant records relating to the instant case and has acquainted with the facts and circumstances of the case deposed below.
3. Before dealing with the para-wise reply the Respondent is placing the entire background of the instant case and/or the brief history of the case hereinbelow:-

a) That Shri J.K.Bhatnagar, the petitioner was

By Director Establishment I  
D. R. O., Ministry of Railways  
Almora, LUCKNOW-5

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allotted Quarter No. LD-107A vide RDSO's Allotment letter No. A/AT/III dt. 7/10-10-83 (copy annexed at Annexure R-I). As per ~~policy of RDSO~~ the letter received from the General Manager/Northern Railway/New Delhi vide his letter No. 289/H/0 (Outhouses) dt. 17-8-77, no mention was made that Class III staff will also be entitled for allotment of any Outhouses. However, in the old C&W and LD type Quarters which were mostly allotted to non-gazetted staff, the allottees were having possession of Outhouses with them and it was detected that in certain cases Outhouses were not properly utilised for the purpose they were meant i.e. for their domestic servants but were sub-let either to the RDSO employees or to outsiders at exorbitant rent. In this connection a point was raised by RDSO Class III and Class IV Staff Associations before the Director General/RDSO and the staff side demanded that the Outhouses attached to LD and C&W Quarters should be allotted to Class IV staff and the Chairman (i.e. Director General/RDSO) agreed to the demand of the staff side to allot only about 16 cut-houses. Out of the 16 outhouses, 10 cut-houses have already been allotted to RDSO Class IV staff by RDSO Administration & the remaining six have not yet been allotted for various reasons, one of them being not vacated as has been done by the Petitioner. There is a great demand from Class IV staff for the allotment of accommodation and it was decided to conduct a surprise check to

By Director Establishment, I  
R. D. S. O., Ministry of Railways,  
Ahmednagar, LUCKNOW-3

Any

find out whether the quarters were occupied by the domestic servants of the real allottees. It was found that in the outhouses to Quarter No. LD-107A belonging to Sh.J.K.Bhatnagar, the petitioner, outsiders were living. A copy of the report No. Wks/OH dt. 3.9.84 by the Town Engineer RDSO is annexed as Annexure R-2. The applicant was never allotted the Outhouses attached nor was entitled to have the same even for his domestic servant as ~~per~~ per the letter dt. 17.8.77 of the General Manager, Northern Railway, New Delhi. More over since the petitioner had been misutilising the Outhouses and is alleged to have rented the same to outsiders and also to a Class IV staff of RDSO un-authorisedly he is liable to vacate the possession of both the Outhouses and hand over to the Administration so that these could be allotted by the Administration to the persons who are due and waiting for allotment. At present there are about 400 Class IV staff waiting for the allotment of quarters.

(b) Sh.J.K.Bhatnagar, the petitioner was directed vide letter No. A/AT/NS dt. 16.4.84 (copy annexed as Annexure R-3) to hand over the vacant possession of one of the Outhouses within a period of 60 days from 16.4.84 but the petitioner failed to hand over the vacant possession and proceeded to the Hon'ble High Court of Judicature at Allahabad, Lucknow bench, Lucknow and filed Writ Petition No. 1135 of 1985 but the Hon'ble High Court dismissed the Writ petition. The Petitioner then filed the case in the Court of Munsif Hawali Lucknow and filed a Civil Suit No. 231/85 which has since been transferred to this Hon'ble Tribunal vide T.A.No. 495 of 1987. Munsif Hawali had passed an Ex-parte stay order in this case

Dy. Director Establishment -I  
D. D. S. O., Ministry of Railways,  
Alamgir, LUCKNOW-5

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on 22.10.86. Since the house No.LD-107-A was allotted without the Outhouses and the same is in accordance with the decision taken by the General Manager/Norther Railway/New Delhi letter dt.17.8.77 the petitioner is not utilising the Outhouses for the use of his personal servants and thus misutilising it by giving on rent at exorbitant rates, the Administration has every right to get the same vacated. The Petitioner has no personal servant as the same has been declared vide declaration dt.16.6.88(copy enclosed at Annexure R-4).

4. Para-wise comments on the Petition filed by the petitioner are furnished as under:-

5. That in reply to the contents of para 1, it is stated that the Petitioner who was working as Publicity Inspector is now working as Photographer in the Office of the Director General/RDSO/Lucknow.

6. As regards para 2, the Petitioner was allotted Quarter No.LD-107A vide allotment letter No.A /AT/III dt.7/10.10.83 but nowhere it was mentioned that it was allotted alongwith 2 Outhouses.

*As regards para 3 & application*  
7. It is admitted that the Petitioner was directed to Hand over the vacant possession of one of the Outhouses to Quarter No.LD-107A vide letter No.A/AT/WS dt.16.4.84(copy at Annexure R-3) but he did not carry out the orders of the Administration.

8. That the contents of para 4 of the application are vague and misconceived and the same are not admitted and are denied as no such application in the form of representation is available with the answering respondents as in the case of other staff who had already been served with the Memorandum. More over the applicant had failed to adduce any

*Dy. Director Establishment, -1*  
*R. D. S. O., Ministry of Railways,*  
*Almora, LUCKNOW-5*

Aug)

evidence of the same, to be sent to the authorities. Hence the question of replying the same by the answering respondents does not arise at all. A.D.

9. That in reply to the contents of para 5 & 6, it is stated that the Outhouses to Qr.No.LD-107A were treated as misutilisation by the Petitioner. Hence the Petitioner was asked to hand over the vacant possession of the outhouses misutilised by him. The representation of the Petitioner was considered and as stated by him he was replied vide Memo No.A/AT/NS dt.19.1.85 giving him a copy of General Manager/Northern Rly's letter dt.17.8.77, wherein no mention has been made that class III staff will also be entitled for allotment of Outhouses.

10. That in reply to the contents of para 7, it is stated that the Petitioner has been informed the policy laid down in the GM/N.Rly/New Delhi's letter No.289/W/C(Outhouses) dt.17.8.77. Accordingly being a Class III employee, he is not eligible even for one of the two outhouses attached with the Quarter No.LD-107/A. As such, he was asked to hand over the vacant possession of one of the two outhouses attached with Quarter No.LD-107A(copy annexed as Annexure R-3).

Here it may be mentioned, as has already been stated in the history of the case at para 3 above, the Petitioner is not using the outhouses for the genuine purpose but has rented the same to outsiders at exorbitant rates as per reports from the Town Engineer/RDSO vide letter No.WKS/0H dt.3.9.84 (Copy annexed as Annexure R-2) and therefore, he is not authorised to keep the outhouses in his possession. These outhouses are urgently required to meet the demand of Class IV staff who are in the Que and waiting for the allotment of Quarters for the last many years.

Dy. Director Establishment, -1  
D. D. S. O., Ministry of Railways,  
Alambagh, LUCKNOW-5

Any

11. That in reply to the contents of para 8 of the application contents of para 6 of the Written statement are reiterated. Further the outhouses were not allotted to the applicant. In any case if the rent had been recovered from the applicant, proper reliefs will be provided to applicant as soon as he vacates the possession of the outhouses.

12. That the contents of para 9 of the application are admitted with a submission that after meeting and decision taken in January 1984, the Class III and IV staff Associations which are a recognised Associations demanded that the allotment of Outhouses, situated in the same premises, should be allotted to the Class IV needy staff and accordingly the Chairman, who is the Director General, RDSO agreed to allot about 16 such outhouses to the demand of the staff side. Since then Class IV staff have been entitled for allotment of the outhouses and accordingly possession of 10 outhouses had been handed over to the allottees and since the rest 6 outhouses including the petitioner have not been allotted for various reasons like the applicant not vacating the outhouses etc.

13. As regards para 10, the Petitioner has mentioned that the outhouses to Quarter No. LD-107A allotted to him are very old and there are no basic amenities. The Petitioner when offered the quarter allotment of No. LD-107A had himself given acceptance for allotment of the Quarter and he is at liberty always to request for change of the quarter.

14. As regards para 11, the decision is definitely for the Quarter No. LD-107A as will be evident from the list (copy of which is enclosed as Annexure R-3). The Petitioner has been in occupation of the Quarter No. LD-107A which appears at S.No. 13 of the list.

Dy. Director Establishment, -I  
D. D. S. O., Ministry of Railways  
Alambagh, LUCKNOW-5

*RuS*

15. That in reply to the contents of para 12 & 13 of the application it is submitted that the applicant had received reply to his representation on 19.1.85 where as the instant suit for injunction had been filed on 14.5.85 without complying the provisions of 80 CPC which is obligatory in the suit of injunction.

Further the applicant had seeked the Hon'ble Court discretion by filing the destorted facts of the case, to file the application without serving the notice under section 80 CPC and had obtained an Ex parte injunction order against the answering respondents which is not legally maintainable.

It is further clarified that since the outhouses were not specifically allotted to the applicant nor are utilised by the applicant for his personal servants and the same have been rented to outsiders, this act of applicant tantamounts to be against the moral torpetude and he has violated the Railway Servants Conduct Rules.

16. That the contents of para 14 of the application need no comments as the same are not at all relevant in the present circumstances of the case.

17. As regards para 15, it is stated that since the Petitioner has misutilised the outhouses and he failed to hand over the vacant possession of the outhouses even after receiving the Memorandum issued by the respondent No.2 and has disobeyed the orders of Administration, the petition is liable to be dismissed with costs.

18. It is also submitted that the applicant had obtained an Ex-parte injunction order restraining the defendants to take action on the Memorandum which is not legally maintainable

*D.S.O.*  
Dy. Director Establishment, -I  
D. S. O., Ministry of Railways,  
Alambagh, LUCKNOW-5

*Bua*

That none of the grounds taken by the Petitioner in the instant petition are maintainable and the petition is liable to be dismissed with special costs to the respondents.

*12/8188*

Place: Lucknow

Deponent.

Dated: 12 8 88

By: Director Establishment, I  
D. S. O., Ministry of Railways,  
*Almora, LUCKNOW-5*

VERIFICATION

I, S.Bhatia, do hereby verify that the contents of paras 1&2 of this reply are true to my personal knowledge and those of paras 3 to 16 of this reply are true to my knowledge based on the perusal of the relevant office records and the contents of paras 17 to 18 of this reply are believed by me to be true on the basis of legal advice. No part of this ~~xx~~ reply is false and nothing material has been concealed.

Place: Lucknow

Deponent.

Dated: 12/8188

By: Director Establishment, I  
D. S. O., Ministry of Railways,  
*Almora, LUCKNOW-5*

ASO S.M/26  
Amrit Singh  
XV

Government of India: Ministry of Railways  
Research Design & Standards Organisation  
Manak Nagar, Lucknow-226011.

11th Dec. 2011

Dated :- / / /

Sub: Allotment of residential accommodation  
at Manak Nagar, Lucknow.

The following officers/Staff are allotted quarters as  
indicated against them :-

S. No.	Name & Designation	Present Qrs. No.	Qr. No. Allotted	Remarks
-----------	--------------------	---------------------	---------------------	---------

1. Mr. S. K. Bhattacharya, PI- C-2/II, Town Engg. Deptt.,  
R.D.S.O. Allotted 10th Dec. 2011/2012, 10th Dec. 2011.

2. Mr. S. K. Bhattacharya, PI- C-2/II, Town Engg. Deptt.,  
R.D.S.O. Allotted 10th Dec. 2011/2012, 10th Dec. 2011.

2. The rent liability will commence from the 8th day of issue of this letter or the date of occupation, whichever is earlier. This period of 8 days will count from the date the quarters are made available for occupation. It will be the responsibility of the allottee to check up the availability of the quarters from the R.D.S.O. (Estt.), R.D.S.O./Lucknow.

3. The occupation/vacation slip of the quarters of employee concerned should be furnished immediately to the Admin. Section as well as to SO/E-III/E-IV b, R.D.S.O./Estt.

4. The employee concerned should send his acceptance of the allotment within the period stipulated in para 2 above. Failure to do so will be taken as refusal of the allotment for a period of one year.

4. In case the employee concerned does not occupy the railway quarters within 7 days from the date of issue of this allotment order he will be liable to pay the rent from the date as stipulated in para 2 above.

DA/Nil.

for Director General

1. Officer/Staff Concerned.	6. Electrical Foreman
2. SO/E-III or IV	7. Finance & Accounts Branch
3. Town Engineer.	8. SO/E-I, E-IV, DD/E-II
4. R.D.S.O./Estt.	9. Elec. Chargeeman (Metre Sec.)
5. R.E.E.	10. AD/Tele-I.

Dy. Director Establishment,  
R. D. S. O., Ministry of Railways  
Alambagh, LUCKNOW-5

Office of the T.D./R.D.O.  
Lucknow.

(ASY) 1/3  
Annexure R-2  
d/s 25

No. 68/CH

100, 84

The D.D./A.D.M.  
R.D.O., Lucknow.

Sub:- Out houses.

.....  
.....  
.....

With reference to your note mentioned above, the details of the out houses occupied as on date is given below after a fresh survey conducted.

1. No.	2. Quarter	3. Outhouse No.	4. Name of Occupant Father's name	5. Deptt.
1. Q.W-11	C	Shri Ram Prasad	Shri Ram Chandra T.D./R.D.O.	
2. Q.W-12	A	Outsider		
3. Q.W-13	F.	Shri Ramchandar	Shri Ramchandar T.D./R.D.O.	
4. Q.W-15A	A	Outsider		
5. LD-103 A	A	Outsider		
6. LD-103 B	F	Outsider		
7. LD-104 A	A	Shri Ramanlal	Shri Ramanlal T.D./R.D.O.	
8. LD-104 A	A	Shri Ratanchand	Shri Jagatran	Res. Civil
9. LD-104 C	D	Shri Maharajdin	Shri Baderi	Res. Civil
10. LD-105 B	E	Shri Tikkaram	Shri Rajaram	Res. Civil
11. LD-105 C	D	Shri Shankar	Shri Baderi	Res. Civil
12. LD-107 A	B	Outsider		
13. LD-107 C	F	Shri Rameshwar	Shri Shridhar	TEN
		Chowdhary	Chowdhary	
14. LD-109 B	E	Sari Jamuna Prasad	Shri Shridhar	Res. Instrumentation.
		<i>Con sidered</i>	Prasad	

As regards occupation of outhouse C of LD-106 A, Grievance flags against Smt Hooli, Working under D.E.S. Supervisor is that Smt. S. S. is in occupation of the said outhouse.

The matter regarding the occupation of the said outhouse C of LD-106 A is still under investigation and a finality will be reached after the same is sorted out.

Dy. Director Establishment,  
R. D. S. O., Ministry of Railways  
Alambagh, LUCKNOW-5

100, 84  
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OK 15/4/84  
by  
16/4

Issued  
by  
16/4

AS2  
Arunachal R-3

Government of India  
Ministry of Railways  
Railway Stations & Standards Organization

No. A/AT/NS

Nainak Nagar, Lucknow-11  
Dated: 16/4/84

MEMORANDUM

In accordance with the revised policy of the Railway Board the scale of out-houses attached to the Officer, staff quarters has been reduced. Accordingly it has been decided to detach 'out-house' No. 1 attached to quarters No. 164, Attached which at present stands allotted in his name.

Shri \_\_\_\_\_ is therefore requested to handover the vacant possession of the said unit of the 'out-house' referred to in para 1 above within a period of 60 days from the date of issue of this memorandum.

DA:Nil.

(K. Kumar)  
for Director-General

Shri

26-  
16/4/84

Copy forwarded to Town Engineer, He may please take over the vacant possession of the above unit of the 'out-house' and submit a vacation report.

DA:Nil  
By Director Establishment  
R. D. S. O.; Ministry of Railways,  
Alambagh, LUCKNOW-3

(K. Kumar)  
for Director-General

Name of the Allottee	Qrs. No.	Out House
1. Shri C.M.Kulshreshtha, DTR	C&W 11	'C'
2. Shri Niraj Kumar, JDS/Wagon	C&W 12	'A' +
3. Shri R.C.Angrawal, DDS/S&T	C&W 13	'C' -
4. Shri K.K.Bajpai, DD/Cent.	C&W 25A	'A' +
5. Shri S.L.Bhatia, DD/EL	LD-103A	'A' +
6. Shri S.P.Maini. DDR/C	LD-103B	'A' +
7. Shri Dharm Singh, TEN	C&W 24A	'C'
8. Shri Karnail Singh, PA	LD-102A	'A'
9. Shri I.P.Gupta, SDA/Trk	LD-104 'C'	'E'
10. Shri Suresh Prakash, ADD/P	LD-102B	'E'
11. Shri K.L.Dhusia, SDA/Carr.	LD-105C	'E'
12. Shri G.Venkatarman, SDA/Carr.	LD-106A	'B'
13. Shri J.K.Bhatnagar, PI	LD-107A	'B' +
14. Shri P.D.Joshi, IDW	LD-107C	'F'
15. Shri T.N.Srivastava, SRA/C	LD-108C	'D' +
16. Shri Kharak Singh, CDA/S&T	LD-109B	'E'

for S.I.  
AC 3

200  
9/8/87

12/9/88  
By. Director Establishment,  
D. S. O., Ministry of Railways,  
Alambagh, LUCKNOW-5



A 82

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD  
BENCH AT LUCKNOW

MISC. APPLICATION NO. OF 1989

IN

T.A. NO. 495 OF 1987

J.K.Bhatnagar ..... Applicant.

Versus

Union of India & others ... Respondents.

Before,

The Hon'ble Vice Chairman and other companion  
members of Hon'ble Tribunal Bench at Lucknow.

Humble application on behalf of Union of India and  
others Most Respectfully showeth as under :

1. That the respondents have filed their counter in  
the aforesaid registration before the Hon'ble Tribunal.
2. That some important facts have been left out in the  
counter which are relevant for the proper aprisal of the  
entire facts and circumstances of the case.

P R A Y E R

It is most respectfully prayed to the Hon'ble  
Tribunal to be graciously pleased to admit the supplementary  
counter on record.

*Prashant Mathur*  
(Prashant Mathur) <sup>Advocate</sup>

Dated: 21/8/89.

Counsel for Respondent No.1 & 2.

A 83

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD

CIRCUIT BENCH AT LUCKNOW.  
Supplementary Counter  
ON

Behalf of Respondent No. I & II.

IN

Registration No. 495 of 1987 (T)

J. K. Bhatnagar ... Applicant

Versus

Union of India & others. ... Respondents.

I, S. Bhatia S/o Late Sri U.C.Bhatia aged about 55 years is presently posted as Dy. Director (Estt-I) in Research, Designs and Standards Organisation, Lucknow Most Respectfully sheweth as under :

1. That the deponent has carefully gone through the relevant records relating to the instant case and is aquainted with the facts and circumstances of the case deposed to below.
2. That the applicant at the time of allotment of quarter No. LD-107A was working as Publicity Inspector and is presently working as Photographer in the office of the Director General, RDSO, Lucknow and is only a class III employee.
3. That the applicant as stated under para 6 of the application that the representation was considered by the administration and the decision thereon was communicated

*1. Dy. Director Establishment  
2. D.S.O., Ministry of Railways  
Almora, LUCKNOW*  
Reed  
B.D. 2/2/86  
letter No.289/W/C(out houses) dated 17.8.77 of General

A8V1

X

Manager, Northern Railway, Head quarter. In this regard a bare perusal of letter dated 19.1.85 will show that the General Manager, Northern Railway have only conveyed ~~the~~ decision that the scales laid down in Railway Board's letter No. 53-W/191 dated 3.10.55 as stated in the letter would continue to be followed by all railways. This letter deals with the entitlement of out houses for officers and not from the ministerial establishment.

Since the applicant is only a class III employee hence he is not entitled even for one out house and as such it was incumbent upon the petitioner to hand over the possession of the out houses. The photostat copy of the letter dated 19.1.85 is enclosed herewith in the supplementary counter and is marked as Annexure-Sl.1 of the supplementary counter.

4. That a bare perusal of Annexure R-2 will reveal that out siders were occupying the out houses attached with the Bungalow. The applicant/petitioner is not using the out houses for the genuine purpose but he has rented the same to out siders at exorbitant rates and therefore the applicant is not at all entitle to keep the out houses in his possession ~~as~~ <sup>as</sup> ~~order~~ such the ex-parte injunction granted in favour of the applicant is not only liable to be dismissed but the suit

itself is liable to be dismissed with special cost to the

*Dr. Director Establishment  
R. D. S. O., Ministry of Railways  
Almabagh, Lucknow-2*  
respondents as the act of the applicant comes with in the orbit of moral torpetude.

A 05

It will not be out of place to mention that the applicant will be provided a Type-3 quarter for which he is entitled as the allotment in favour of the bungalow No. LD-107A is abnition against the policy of the Railway Board.

~~and several officers entitled for the accommodations are already on the waiting list~~  
y. Director Establishment  
L. D. S. O., Ministry of Railways  
Alambagh, LUCKNOW  
That the Hon'ble Tribunal consisting the Bench of Hon'ble Justice Kamleshwar Nath, had dismissed similar nature petition transferred to this Hon'ble Tribunal under Registration No. 523 of 1987 Kesri Lal Dhurai Vs. Union of India & others vide his order dated 2nd Agusut 1989. The photostat copy of the order and judgement dated 2nd August 1989 is enclosed herewith the supplementary counter and is marked as annexure SC II to the supplementary counter.

6. That none of the grounds taken by the applicant in the instant petition are tenable under the law and the present application is devoid of merits and further the ex-parte injunction order dated 22.10.86 passed by the Hon'ble Munsif Haveli, Lucknow in suit No. 231 of 1985 which had been transferred under section 29 of the Central Administrative Tribunal Act XIII of 1985 is liable to be set aside and the instant application is liable to be dismissed with the special cost to the respondents.

G. Dy. Director Establishment  
L. D. S. O., Ministry of Railways  
Alambagh, LUCKNOW

Verification

I, the deponent above named, do hereby verify that the contents of para 1 to .X..... are true to my

A S C

- 4 -

personal knowledge and the contents of para 2 ... to 5.....  
are based on the record available with the answering  
respondents and contents of para..... to 6..... are  
based on legal advice which I believe to be true.

Signed and verified on 21.1.818, at Lucknow.

Amritpal Singh  
Dependent of Director Establishment  
S. D. S. C., Ministry of Railways  
Chamber, Lucknow

Through : Prashant Mathur, Advocate, 2B Muir Road,  
Allahabad.

Prashant Mathur  
Advocate  
Counsel for Respondent No.1&2.

(5)

ANNEXURE I

AC7

SC/...

8

Annexure I-2

Government of India,  
Ministry of Railways,  
Research Designs & Standards Organisation.

No. A/4T/RS.

Howrah Nagar, Lucknow-11.  
Dated 19 January 1955.

Sub: Detachment of couthouses from ID Type &  
C&W Bungalows.

Ldt. 21.4.55 4:3.9.24

See SNo 8,39

As required in your representation a copy of  
the CR Northern Railway's letter No. 289-W/O(outhouses)  
dated 17.8.77 is sent herewith on the guide lines of  
which the couthouses attached to ID Type & C&W Bungalows  
have been detached.

DA/One (reproduced below).

By: Director (Admn).

Shri C. M. Kishoreeshta, DFR.

A copy of General Manager, N.Rly, Head Quarter's office  
letter No. 289-W/O(outhouses) dated 17.8.77.

Sub:4 Scale of out houses for officers Bungalows.

The question of fixing the scales of couthouses for  
officers bungalows was engaging attention of this office for  
past few months. It has been decided that the scales laid  
down in Railway Board's letter No. 53-W/19 dated 3.10.55 as  
given below will continue to be followed on All the Divisions.

1. For Asstt. Officers. One outhouse.
2. For Sr. Scale Officers. One outhouse.
3. For Junior Admn. Officer Two outhouses.
4. For Sr. and Intermediate Three outhouses.
5. Admn. Officers.

In the case of old bungalows when the number of  
outhouses provided are in excess of the scales indicated  
in para 1 above, the excess number where it is feasible and  
where the cost is not excessive should be segregated from  
the main bungalow by constructing a proper boundary wall,  
provision of independent entry and exit, water supply and  
lavatories except where community latrines are provided and  
allotted to the railway employees on the basis of entitlement.

In these cases when the segregation is not feasible  
due to excessive cost or proximity to the main bungalows or  
the outhouses having lived their normal lives they should  
continue to remain attached with the bungalows and their rent  
should be included in the assessed rent of such bungalows.

TRUE COPY ATTESTED

AOB

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## ANNEXURE II

S. no. 27

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD

Circuit Bench at Lucknow.

Registration T.A. No. 523 of 1987  
(R.S. No. 474/85 of the Court of Munsif Havalji, Lucknow)

Kesri Lal Dhusia ..... Applicant

Versus

Union of India & Others ..... Opposite Parties.

Hon. Justice Kamleshwar Nath, V.C.

Regular Civil Suit No. 474 of 1985 mentioned above has been received on transfer under Section 29 of the Administrative Tribunals Act XIII of 1985 for disposal by this Tribunal.

2. The applicant is a Senior Design Assistant (Jagor) belonging to class III service in the office of the Director General, RDSO, Lucknow, Opposite Party No.2. Bungalow No. 1D-105/C, Manek Nagar, Lucknow was allotted to him for occupation by an allotment order dated 20.6.81. The Bungalow also contains two out houses No. D & E. On 16.4.84 the applicant was called upon to deliver possession of out house No. E to Opposite Party No. 3 Shanker, a Khalasi. The applicant made a representation to Opposite Party No. 2 on the same day. However, Opposite Party No. 2 issued an order of allotment dated 17.9.84 in favour of Opposite Party No. 3 in respect of out house No. E. It may be mentioned that Opposite Party No. 3 entered into possession of out house No. D. This seems to have been subsequently ratified by Opposite Party No. 2 as stated in para 6 of the written statement.

3. The applicant then represented against the allotment made in favour of Opposite Party No. 3. The representation was rejected and the applicant was informed by the Deputy Director Administration's letter dated 19.1.85 on the basis of letter No. 269-H/4 (out house)

1. *Mr. Jagor Kesri Lal Dhusia*  
2. *Ministry of Railways*  
3. *C. C. Ministry of Railways*  
4. *Lucknow*

dated 17.8.77, Annexure-R2 of the General Manager, Northern Railway Headquarters. Annexure-R2 states that the question of fixing scales of out houses for the Officers' Bungalows was engaging attention of the HQs. office and it was decided that the scales laid down in the Railway Board's letter No.53-H/191 dated 3.10.55 as stated in the letter would continue to be followed by all Divisions. This letter deals with entitlement of out houses for officers, not for below the ministerial establishments. The case of the opposite parties in para 7 of the Counter is that since the applicant was a class III employee, he was not entitled even for one out house, and as such he had been asked to vacate one of the two houses which was ultimately allotted to opposite party No.3.

4. The case of the applicant is that with the allotment of Bungalow No.LD-105/C, both the out houses stood allotted to him and that since he had been paying rent for the entire bungalow, which includes the out houses, he should not have been deprived of one of them by allotment to opposite party No.3. He has therefore prayed for a decree for possession of out house No.D.

5. The stand of the opposite parties is that the applicant was not entitled to any out house at all on account of his status as a class III employee, and for that reason, the out house in question had been taken out of the premises and allotted to opposite party No.3. It is also stated that on account of the taking out of the out house, the rent payable by the applicant would be reduced.

✓  
Free of charge  
Ministry

Aqo

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1/3

- 3 -

6. It may be mentioned that in the allotment order dated 17.9.86 in favour of opposite party, the endorsement made to the applicant clearly mentioned that "out house in question had been detached from Bungalow No. LD-105/C and as such the rent of the quarter will be reduced accordingly".

7. The case of the opposite parties, in para 7 of the written statement is that as class III employee, the applicant was not entitled even to one out house. It has not been met satisfactorily by the applicant. In para 7 of the rejoinder affidavit although the allegation has been denied, the only positive statement made is that <sup>is not informed</sup> the policy of the Railway Board regarding the entitlement of the out houses according to the scale of the concerned officer, nor the same had ever been served upon the applicant and as such the applicant had no knowledge of the policy of the Railway Board.

8. It is not shown that there was any requirement of law to bring every policy matter to the personal knowledge of the applicant. A policy matter has a general application and whether it is in the knowledge of a particular employee or not, it must have its effect. That being so, the policy that a class III employee is not entitled to an out house must be given effect to even if the applicant was not aware of the policy.

5. The applicant, of course, would have something to say in his favour on the question of rent, and the ordinary law of the rent is that in respect of a composite accommodation, covered by a composite rent paid, the occupant cannot be deprived of a part, either without agreement or by execution of law. But that as

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Xv

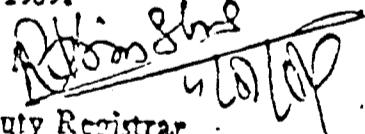
- 4 -

it may, the policy of a class III employee being not entitled to an out house deprives the applicant of a right to have the out house and the mere fact that the applicant has been paying rent for the entire accommodation is not enough legal authority to restore possession to him in present. It is rather unfortunate that despite clear directions contained in the allotment order dated 27.9.84 that the rent of the applicant's accommodation would be reduced for reason of taking out of the quarter, the opposite parties have not done so much for. They must do so.

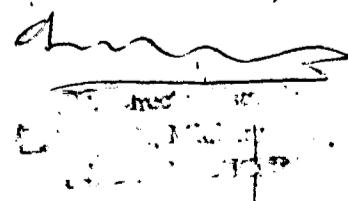
In the result, this application fails and is dismissed with further direction that the opposite parties must within three months from ~~from~~ <sup>July 1984</sup> reduce the rent of the applicant's accommodation on account of allotment of the quarter in question to opposite party No.3 and the benefit of reduction must be given to the applicant from the date on which the opposite party No.3 occupied the quarter in question. Parties shall bear their costs.

— —  
Vice Chairman

Dated the 2nd August, 1989.

RSS:   
Deputy Registrar  
Central Administrative Tribunal  
Lucknow B.uch,  
Lucknow

TRUE COPY ATTESTED

  
M. M. M.  
M. M. M.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,  
(ALLAHABAD BENCH)  
23-A Thornhill Road, Allahabad-211001.

25677  
No. CAT/ALLD.

DATED 25/11/82

Transfer Application No. 495 of 1982 (T)

Jagdish Kumar Ahntmagar

APPLICANT

VERSUS

Union of India & others

RESPONDENTS

To, Sh. A. K. Raigade, Advocate

563/21, Chhatrapati Nagar  
Alambagh, Lucknow.

for applicant.

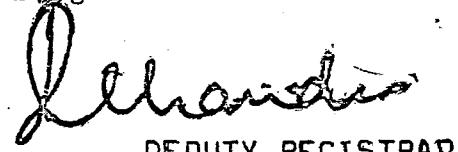
WHEREAS the marginally noted case has been transferred by 23-12-1982 under the provisions of the Administrative Tribunal Act (No. 13 of 1985) and registered in this Tribunal as above.

Q.S  
Writ Petition No. 231 of 1985  
of the Court of Munni H. Walikar  
arising out of the order dated  
passed by  
in  
act and plead on your behalf, the matter will be heard and decided in your absence.

The Tribunal has fixed the date of 23-12-1982 for the hearing of the matter.

If no appearance is made on your behalf by your someone duly authorised to

Given under my hand seal of the  
Tribunal this 25/11/82 day of November 1982

  
DEPUTY REGISTRAR  
JSM

X6 07  
C Ato.

CENTRAL ADMINISTRATIVE TRIBUNAL  
(ALLAHABAD BENCH)  
(ALLAHABAD)

24212 to 214  
23-A, Thornhill Road, Allahabad.

No. CAT/ALD. TA. NO = 495/87 DATED 19/X/87

Jagdish Kumar Bhattacharya APPLICANT

VERSUS

Union of India & others

RESPONDENTS

① Jagdish Kumar Bhattacharya, 310 Late Sri Man Mohan Sahai, 110 Bunglow, No. L-107/A, Manak Nagar, Lucknow.  
② Union of India through the Chairman, Railway Board, New Delhi.

WHEREAS the marginally noted case has been transferred by Union of India under the Provisions of the Administrative Tribunal Act (No. 13 of 1985) and registered in this Tribunal as above.

O S No. 231 of 1987 The Tribunal has fixed the of the Court of Union of India Date of 16-11-1987 arising out of the order dated for the hearing of the matter, passed by in If no appearance is made on your behalf by yourself, your pleader or by someone duly authorised to act and plead on your behalf, the matter will be heard and decided in your absence.

Given under my hand and seal of the Tribunal this dat of 14/11/87

③ Director General R.D.S.O  
Manak Nagar, Lucknow.

DEPUTY REGISTRAR.

A 23  
Dt 18.8.89

In the Honourable Court of  
Central Administrative Tribunal  
Lucknow Bench.

JAGDISH KUMAR BHATNAGAR Vs. Union of India & Others.

Ref: Case No. 495/87 (T).OS NO. 231/85.

.....  
In connection to my appeal I beg to state as under :-

1. That the date of hearing of my above case has been fixed on 21.8.89.
2. That I am withdrawing the power of Attorney from my Advocate Shri D.K. Raizada to be pleadable by me in person if at all required.
3. That my above case is different than other cases of outhouses decided by the Hon. Tribunal Lucknow Bench.
4. That in this case it has to pointed out that I was first allotted on 14.5.82 a similar quarter LD 106/A which was refused by me on the grounds that one of the two outhouses attached with it was not vacant and was occupied unauthorisely by one of the employee of RDSO and administration after considering my application with two outhouses in vacant position vide allotment order dated 7/10.10.83 (A copy of order enclosed). Ans 1
5. That I kept the maid servant the daughter of a widow Smt. Shanti Devi W/o Late Shri Ram Chandra Working as Farash RDSO in my one of the out house now numbered as 'E' and that it was not allotted to her at the time of allotment done to such cases by RDSO as has been done in other cases.
6. That under these circumstances applicant was helpless and has no motive to defy orders of administration to surrender one out house in question.
7. That RDSO ~~xx~~ administration failed & never informed that our rent will be reduced for such a surrender. The fact has been judged and considered by Hon. Tribunal Lucknow in another case of Shri K.L. Dhusia decided on 2.8.1989 that order the RDSO to implement within three months for reducing the rent and intimating the Hon. Tribunal.

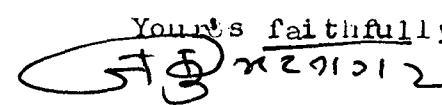
P R A Y E R

Keeping all the latest developments and decessions of the Hon. Tribunal and giving due regards to the justice I WITHDRAW MY CASE/APPEAL NO. 495/87(T) pending in this Hon. Tribunal. The withdrawal may please be allowed.

I have no objection in surrendering one out House now numbered as "E" the other one "F" is being used for my residential and personal use as photodarkroom etc.

All valid orders from administration will be obeyed as in past.

Yours faithfully,

  
J.K. Bhatnagar

(J.K. Bhatnagar) Photographer  
Applicant in case No. 495/87/(T)

Copy to Director General RDSO Lucknow with the request that out House No 'E' can be allotted as I will not raise any objection to the orders.

SD XXXX  
(J.K. Bhatnagar)  
PHOTOGRAPHER.

DA

Annexures 2

- 1, copy of allotment letter
- 2, Copy of Application (Smt. Shanti Devi)

Government of India: Ministry of Railways  
Research, Designs & Standards Organisation  
Manak Nagar, Lucknow-226011.

No. A/AT/71

Dated :- 7-10-82

To

Sub: Allotment of residential accommodation  
at Manak Nagar, Lucknow.

The following officers/Staff are allotted quarters as indicated against them :-

S. No.	Name & Designation	Present Qrs. No.	Qr. No. Allotted	Remarks
	Shri J.K. Bhatnagar, PI	C 21/1	LD-107A	R.F. and 1/2, S.I. m. A. Engineer, S.I./RPF.

(This supersedes Allotment Order No A/AT/III date 14-5-82)

2. The rent liability will commence from the 3th day of issue of this letter or the date of occupation, whichever is earlier. This period of 8 days will count from the date the quarters are made available for occupation. It will be the responsibility of the allottee to check up the availability of the quarters from the IOW(Estate), RRSO/Lucknow.

3. The occupation/vacation slip of the quarters of employee concerned should be furnished immediately to the Admin. Section as well as to SO/E-III/E-IV b, TEN/IOW(Estate).

4. The employee concerned should send his acceptance of the allotment within the period stipulated in para 2 above. Failure to do so will be taken as refusal of the allotment for a period of one year.

4. In case the employee concerned does not occupy the railway quarters within 7 days from the date of issue of this allotment order he will be liable to pay the rent from the date as stipulated in para 2 above.

DA/Nil.

*— P. K. Sena*  
for Director General

1. Officer/Staff Concerned.	6. Electrical Foreman
2. SO/E-III or IV	7. Finance & Accounts Branch
3. Town Engineer.	8. SO/E-I, E-IV, DD/E-II
4. IOW/Estate.	9. Elec. Chargeeman (Metre Sec.)
5. AEE	10. AD/Tele-I.

खेवा गे,

DEPT. OF HIGHWAYS  
GANGA RIVER - 11  
KANNAUJ - 11  
- 9 AUG 1989  
क्र० ८० न० .....  
C. Dy. No. ....

## ଶ୍ରୀମଦ

महानिदेवाय  
प्र० श० र० र० स०  
ल० २१ न० ३१

תְּנַשֵּׁא

विषय:- सरकारी औबास भविधा श्रवण हैं तु

412442

जीने वैराग्य में एक भरकारी आवास प्राप्त है तो  
प्राप्ति पर्याप्ति द्विभाषा किन्तु अत्यन्त रवेद का विषय किनविषय के  
अभी तक प्राप्तित न हो शका, इस रूप जो ज्ञान विभूषित  
तथा शिक्षित करना चाहती है —

① कि भौती वक्त्री लड़की योजा जो गुरु जामी करने के समझे में आनंदता के लिए धारा पर धूमी है, कैंप अटलागर जी जैसे प्रयत्न।  
Out-House जैसे कि LD 107 A से सरकटू है कोटी भारा था। यह जैसे धूमी धुक्का वक्त्री के साथ उसकी दैवत रैम औलिल लाल ही रहती थी। वे शुभ जो कि रात्रि प्रकार की कोई गर्व की रात्रि नहीं लेते ही।

② कि - प्रभारी कुक्कुट गाहु शुल गोरी वर्षाः की भादी होइदृढ़ ।  
तो कि - पुगाले नाइ प्राप्तुष्टु वर्षी जाहरी । तब जेरे पारा कोई सर  
दुपारे केलिए कोई नहि स्थान न रह जाएगा ।

③ कि अंग इस अंदीआम में, आप का दमान रस-पीर फार्मिंग करना चाहती है कि जो लोग वह उकाट के आउट हो उसे (out House) में बैठ दें वो वह बड़े थे ताकि R.D.C.O. जो दी गयी गति है उसे दी दी जाउट हो उस फार्मिंग का दिये गए थे।

## पर्याप्ति

प्रतः अंगिराप जैवित्यु उत्तरेन है किंग्राम शुभ

As the out house is ~~विद्युत~~ विद्युत कुपा करके उपरोक्त लिए रख जाते  
 being with door and ~~विद्युत~~ विद्युत कुपा करके उपरोक्त लिए रख जाते  
 I have no objection to ~~लिए~~ (L.D. 107 A वा-E) आपका व्यावरणित करने के कुपा  
 the orders. This can करके करके किमि २२-२-१९८५ से R.D.S.O. को प्रशंसा की पद  
 be collected ~~करके~~ लिए रख दें।

G. B. M. 11/18/82  
J. K. Bhavnigaw  
Photographer  
3/18/89.

7/8/89  
(2) 100-56-2-2 (7/8/89)

SO (Adm.)

कुर्यानी —  
भारती देवी  
(भारती भारती देवी)  
मारुति  
विष्वका स्व. अश्विनी देवी

Dt 18.8.89

In the Honourable Court of  
Central Administrative Tribunal  
Lucknow Bench.

JAGDISH KUMAR BHATNAGAR Vs. Union of India & Others.

Ref: Case No. 495/87 (T).OS NO. 231/85.

(A75)

In connection to my appeal I beg to state as under:-

1. That the date of hearing of my above case has been fixed on 21.8.89.
2. That I am withdrawing the power of Attorney from my Advocate Shri D.K. Raizada to be pleaded by me in person if at all required.
3. That my above case is different than other cases of outhouses decided by the Hon. Tribunal Lucknow Bench.
4. That in this case it has to pointed out that I was first allotted on 14.5.82 a similar quarter LD 106/A which was refused by me on the grounds that one of the two outhouses attached with it was not vacant and was occupied unauthorisely by one of the employee of RDSO and administration after considering my application with two outhouses in vacant position vide allotment order dated 7/10.10.83 (A copy of order enclosed). Anx I
5. That I kept the maid servant the daughter of a widow Smt. Shanti Devi W/o Late Shri Ram Chandra Working as Farash RDSO in my one of the out house now numbered as 'E' and that it was not allotted to her at the time of allotment done to such cases by RDSO as has been done in other cases.
6. That under these circumstances applicant was helpless and has no motive to defy orders of administration to surrender one out house in question.
7. That RDSO ~~fax~~ administration failed & never informed that our rent will be reduced for such a surrender. The fact has been judged and considered by Hon. Tribunal Lucknow in another case of Shri K.L. Dhusia decided on 2.8.1989 that order the RDSO to implement within three months for reducing the rent and intimating the Hon. Tribunal.

P R A Y E R

Keeping all the latest developments and decessions of the Hon. Tribunal and giving due regards to the justice I WITHDRAW MY CASE/APPEAL NO. 495/87(T) pending in this Hon. Tribunal. The withdrawal may please be allowed.

I have no objection in surrendering one out House now numbered as "E" the other one "F" is being used for my residential and personal use as photo to darkroom etc.

All valid orders from administration will be obeyed as in past.

Yours faithfully,



(J.K. BHATNAGAR) Photographe

Applicant in case No. 495/87/(T)

Copy to Director General RDSO Lucknow with the request that out House No 'E' can be allotted as I will not raise any objection to the orders.

Sd/xx

(J.K. BHATNAGAR)  
PHOTOGRAPHER.

DA

Annexures 2

1, Copy of allotment Letter

2, Copy of application (Smt. Shanti Devi)

ANX 1

A76

Government of India: Ministry of Railways  
Research Design & Standards Organisation  
Manak Nagar, Lucknow-226011.

No. A/AT/II

Dated :- 7-10-83

To.

Sub: Allotment of residential accommodation  
at Manak Nagar, Lucknow.

The following officers/Staff are allotted quarters as  
indicated against them :-

S. No.	Name & Designation	Present Qrs. No.	Qr. No. Allotted	Remarks
-----------	--------------------	---------------------	---------------------	---------

Shri J.K.Bhatnagar PI C 21/1 LD-107A Refund by Sh. M.  
A. S. Roy, S.I./R.R.

(This superseds Allotment Order No A/AT/II dated 14-5-83)

2. The rent liability will commence from the 3th day of issue of this letter or the date of occupation, whichever is earlier. This period of 8 days will count from the date the quarters are made available for occupation. It will be the responsibility of the allottee to check up the availability of the quarters from the ICW(Estate), RRSO/Lucknow.

3. The occupation/vacation slip of the quarters of employee concerned should be furnished immediately to the Admin. Section as well as to SO/E-III/E-IV b, F&M/ICW(Estate).

4. The employee concerned should send his acceptance of the allotment within the period stipulated in para 2 above. Failure to do so will be taken as refusal of the allotment for a period of one year.

4. In case the employee concerned does not occupy the railway quarters within 7 days from the date of issue of this allotment order he will be liable to pay the rent from the date as stipulated in para 2 above.

DA/Nil.

*— N. K. Sena*  
for Director General

1. Officer/Staff Concerned.
2. SO/E-III or IV
3. Town Engineer.
4. ICW/Estate.
5. AEE
6. Electrical Foreman
7. Finance & Accounts Branch
8. SO/E-I, E-IV, DD/E-II
9. Elec. Charge man (Metre Sec.)
10. AD/Tele-I.

सेवा गें

Min. of Railway  
लखनऊ, ११-८-१९४९  
R. C. O. Lucknow-19  
- 9 AUG 1949  
केंद्र दूर सं  
C. Dy. No. ....

ANX 2

अधिकारी

महानिदेशाय  
श्रीमान महान् देव  
प्रश्ननक्ष

विषय:- सरकारी आवास सुविधा आवास हैं

मानवर

जैसे १८८८ में एक सरकारी आवास आवास हैं  
प्राप्ति पज द्विमा था किन्तु अत्यन्त रवैद कानिष्ठ है किंवदं युक्त  
अभी तक प्रावित न हो शका; इस अंदैण के निम्नलिखित  
तथा शोधगत कानिष्ठ आहत हैं—

- ① कि मेरी बड़ी बड़ी बड़ी कोला को बद्द बांध करने के सबसे  
मेरी भावता के शोधा पर युक्ति के अद्यागर पर्याप्त है।  
Out-House कि LD 107 A से सर्वत्र है द्विमा था। मेरी  
युक्ति के सब उपका देख रखा अंतिम राज है रहती है।  
वे युक्ति जो कि शोध उपका कोई किंवदं बद्द लेते हैं।
- ② कि मेरी कुद शाद शुल्क गोरी बड़ी की बादी है जैसे है।  
जो कि इहले भाव आसुस्त बनी जाएगी। तब जेर पांच दोहरे लार  
दुपाने के लिए कोई भी रुकान न रह जाएगा।
- ③ कि मैं इस अंदैण में, श्राप के द्वान रस-पारे जाकीजित  
करना चाहती हूँ कि जो लोग बच पुकार के अड्डे हाउसें (Out-  
House) में बूढ़े बड़े बड़े अंतर २०.८.० में दी गई करते  
हैं तब वे अंतर हाउस आवास का दिए गए हैं।

— प्राप्ति —

प्रतः अपीक्षा जैवित्य जारी है कि शाम शुग

As the out-house is अंदैण किंवदं प्रावित रुप गर्दे के उपरोक्त लोकत लाउट  
being with door and अंदैण किंवदं (LD 107 A वा-E) प्रावित करने के कुपा  
I have no objection to अंदैण (LD 107 A वा-E) प्रावित करने के कुपा  
the orders. This can करने की की ने १३-२-१९४९ से R.D.O. में प्रशंसा के पद  
be allowed. अपीक्षा गांधी रत है।

J. K. Bhattacharya

Photograph  
१०/८/४९

(१०-८-२-१९४९)

(१०/८/४९)

१० (Admn.)

प्राप्ति —

गांधी देवी

(गांधी देवी)

गांधी देवी

गांधी देवी

(A7a)

21

The Deputy Registrar  
CAT, Lucknow

Reg. Registration No 648/87G  
Shiv Kumar vs V.O.I. & others

Sir. With due respect - I am  
to state that the subject-noted  
Case is listed on 8/3/89, but  
due to some problem I will not  
be in a position to attend the  
Court.

Kindly fix 13/4/89 in the  
subject-noted Case as other  
Cases are listed on the same  
date.

Yours faithfully,

Lucknow

Pratima

Advocate

23.12.89

23.8.89

T.A. 495-87

24/11/89  
440

A 80

Before the Hon'ble Central Administrative Tribunal,  
Circuit Bench, Lucknow.

Transfer  
Application for Registration No. Tribunal Administrative 495 of 1987.  
Application dated 16.4.84  
needed by 16.5.85  
by 16.5.85  
9/5/88

F.F. 17.5.88

J.K. BHATNAGAR

.....

Applicant

Union of INDIA &

Director General,  
MPSD Lucknow  
& others

Venue

Respondent

Application for hearing of my  
Case by the Circuit Bench  
Lucknow.

The application begs to state as under:-

1. That the applicant had filed a Regular Suit against the order dated 16.4.84 of Respondent before the Addl. Munsiff VII, Lucknow on 17.9.85.
2. That the Suit of the applicant has now been transferred to the Central Administrative Tribunal, Allahabad, for further Consideration and orders of the Tribunal on the Suit.
3. That an Additional Bench has already been constituted for hearing the cases of the area of Allahabad High Court, Lucknow Bench's jurisdiction, at Lucknow itself following the Hon'ble Supreme Court's Judgment.

That this addl. Bench has already started functioning at Gandhi Bhawan, Lucknow, in the name of Circuit Bench.

That the applicant and the Respondent (S) both are from Lucknow and the cause of actions had also arisen at Lucknow in the jurisdiction of the Allahabad High Court, Lucknow Bench.

That the applicant finds lot of problems in attending the Tribunal at Allahabad, whereas it would be very easy and convenient to the applicant and also to the respondents to attend the aforesaid case before the Circuit Bench when they sit at Lucknow.

That attending the above case at Lucknow would be economical to the applicant and also to the Respondents.

Therefore the applicant-plaintiff respectfully prays that his case aforesaid may please be transferred before the Circuit Bench at Lucknow for further hearing and decision on the applicant's Claim.

Lucknow 6.9.1988  
Dated: -20/9/88

STB 21/11/88  
Applicant 6/1/88  
(J.K. Bhatnagar)  
L.D. & A. Manskaray  
Lucknow  
PIN 226011

Copy to Additional Bench Lucknow  
(Circuit Bench)

STB 21/11/88

Before the Hon'ble Central Administrative Tribunal,  
Circuit Bench, Lucknow.

Registration No. Tribunal Administrative 495 of 1987.

F.F. 17.5.88

J.K. BHATNAGAR

.....

Applicant

Union of INDIA &  
Director General,  
RDSO Lucknow  
& others

Versus

Respondents.

Application for hearing of my  
Case by the Circuit Bench  
Lucknow.

SOT +

Dr. Jee  
17/9/88

The application begs to state as under:

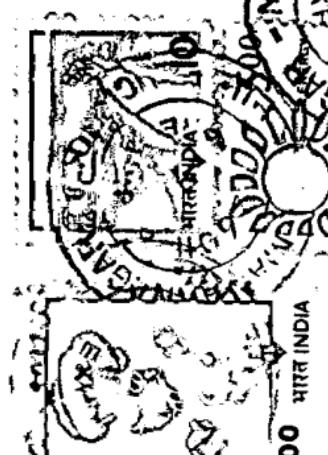
1. That the applicant had filed a Regular Suit against the order dated 16.4.84 of Respondent before the Addl. Munsiff VII, Lucknow on 17.9.85
2. That the Suit of the applicant has now been transferred to the Central Administrative Tribunal, Allahabad, for further Consideration and orders of the Tribunal on the Suit.
3. That an Additional Bench has already been constituted for hearing the cases of the area of Allahabdd High Court, Lucknow Bench's jurisdiction, at Lucknow itself following the Hon'ble Supreme Court's Judgement.
4. That this addl. Bench has already started functioning at Gandhi Bhawan, Lucknow, in the name of Circuit Bench.
5. That the applicant and the Respondent (S) both are from Lucknow and the cause of actions had also arisen at Lucknow in the jurisdiction of the Allahabad High Court, Lucknow Bench.
6. That the applicant finds lot of problems in attending the Tribunal at Allahabad, whereas it would be very easy and convenient to the applicant and also to the respondents to attend the aforesaid case before the Circuit Bench when they sit at Lucknow.
7. That attending the above case at Lucknow would be economical to the applicant and also to the Respondents.

Wherefore the applicant- appellant respectfully prays that his case aforesaid may please be transferred before the Circuit Bench at Lucknow for further hearing and decision on the applicant's Claim.

Lucknow 6.9.1988  
Dated: - 20/4/88

GTB 12/9/88  
Applicant  
(J. K. Bhatnagar)  
LD 107 A. Manaknagar  
LUCKNOW  
PIN 226011

REGISTERED



भारत  
INDIA  
100



Central Adalative Tribunal  
Alahabad Bench

9/2/86  
93-A. Thorn Hill Road  
ALLAHABAD 211001

REGD LETTER  
MANAKNAGAR  
LUCKNOW  
22/6/83

16/11/87

कानूनी प्रशासनिक डॉक्यूमेंट्स

पृष्ठ 46/10

वकालतनामा

हाईकोर्ट अौ पूर्विकोर्ट एवं इलाहाबाद  
इलाहाबाद

AN/8

रिट्रीवील नम्बर T.A. 495 सन् १९८७  
निगरानी

जिला अरविंधी

वादी/प्रतिवादी

उग्रदीश लुमार अट्टोगे

अपीलान्ट

वनाम

वादी/प्रतिवादी

मार्केट भरकार इवं आव्ये

रेस्पान्डेन्ट

मैं कि  
हम

२५. अग्रीया उप निकेशव रव्यापिना -

अ. अ. अ. सं लखन

उपरोक्त प्रकरण हम अपनी ओर के पक्ष समर्थन के हेतु

Sri

पृष्ठान्त भाषुर

एडवोकेट हाईकोर्ट

इलाहाबाद को कानूनी निश्चित शुल्क नियत करके अपना अभिभाषक नियुक्त करते हैं, और स्वीकार करते हैं कि उक्त सज्जन हमारी ओर से वाद-पत्र, प्रतिवाद-पत्र, बाद स्वीकार पत्र, विवाद-पत्र, पुनरवलोकन एवं पुनर्निर्णय प्रार्थना-पत्र शापथिक कथन प्रवर्तन-पत्र अपील, निगरानी इत्यादि हर प्रकार के अन्य प्रार्थना आदि एवं लेखादि की प्रतिलिपियाँ अपने हस्ताक्षर करके न्यायालय में प्रस्तुत करें अथवा किसी पत्र पर आवश्यकतानुसार शापथिक पुष्टीकरण करें, और आवश्यक सवाल जबाब करें और लेखादि की प्रतिलिपियाँ एवं हमारे प्राप्त धन को अपने हस्ताक्षरों द्वारा रसीद देकर प्राप्त करें, हमारी ओर से किसी मध्य पत्र तथा साक्षी मानें और उससे सम्बन्धित प्रार्थना-पत्र प्रस्तुत करें तथा उसका समर्थन करें तथा तसदीक करें, वाद-पत्र उठावें छोड़ें अथवा समझौता करें तथा सुलहनामा दाखिल करें तथा उसके सम्बन्ध में प्रार्थना-पत्र दाखिल करके उसका समर्थन करें अर्थात् प्रकरण से सम्बन्ध रखने वाली कुल कार्यवाही डिग्री भर पाई होने के समय तक स्वतः या संयुक्त करें आवश्यक होने पर किसी अन्य वकील महोदय को वकील करें।

उक्त सभी कार्यवाही जो उक्त सज्जन करेंगे प्रत्येक दशा में अपने किये की भाँति हमको सर्वथा स्वीकार होगी। अगर हम कानूनी/निश्चित शुल्क उक्त सज्जन को न दें तो उनको अधिकार होगा कि वह हमारी ओर से मुकदमा की पैरवी न करें। उपरोक्त दशा में उक्त सज्जन का कोई उत्तरदायित्व न रहेगा।

अतएव वह अभिभाषक पत्र प्रमाण रूप लिख दिया कि प्रमाण रूप से समय पर काम आये।

उप निवेशक स्थापना - ।

जहुरायान एवं बैंगनी एवं लाल चौक संग्रहालय,  
रेस भंग्राहल, इलाहाबाद - 223011।

21

For Govt. Use

A24

Before Central Administrative Tribunal  
Bench - Allahabadव अदालत श्री मान.....  
वादी मुद्दा Regn. No. 455/87(T)

प्रतिवादी मुद्दालेहा फ़ वकालतगामा

J. K. Bhatnagar वादी मुद्दा

बनाम

प्रतिवादी मुद्दालेहा

ब० मुकदमा सब 19 पेशी की ता० Origin of India  
अब लिखो मुकदमा में अपनी ओर से श्रीर० क० ग० इ पानीहिल रोड  
इलां एं बांद  
वकील

एक्सोलेट

महोदय

फो अपना वकील बिल्युर्गत फरके प्रतिश्वाइकरार। करता हूँ। लिखो देता हूँ। इस मुकदमा में वकील महोदय स्वयं अश्वावा अन्य वकील द्वारा जे उत्त प्रेरणी व जवाब देही व प्रश्न करेगा अन्य फोई फागज दाखिल करें या लौटा देय हगारी और से डिगरी जारी करावें और उपया वसूल करेगा उल्लंगनामा इक्काल द्वावा अपनी व फिकराबी हमारी और से हमारें या अपके हस्ताक्षर से दाखिल करें और तसदीक करें या मुकदमा डरायें या फोट में जमा करें या हमारी या विपक्ष पर्याक्षाबी। का दाखिल किया उपया अपनें या हमारे हस्ताक्षर युक्त इस तरीके से लेवेगा पैद बिल्युर्गत करें वकील महोदय छवारा फी गई वह कार्यवाही हमको सर्व दा तरीकार है और होशी मैं भी यह कहता हूँ। कि मैं हृ पेशी स्वयं या बिल्युर्गत अपने कराकर फो शोजता रहूगा अगर मुकदमा अदम पैरवी में एक तरफा मेरे छिपाक सैसला हो जाता है उसकी जिम्मेदारी मेरी वकील पर न होगी। इसलिये यह वकालतगामा लिखा दिया फ़ प्रमाण रहे और समय पर फ़ास आये।

वादी गवाह। .....

दिल्ली कर्मचारी महीना

हस्ताक्षर। .....

साथी गवाह। .....

सर्वोच्च प्रमाणीकरण प्राप्ति Office

ग्राम अदालत। .....

Railway, Lucknow

ग्राम अदालत। .....

ए० क० श्री०

AGS  
X/X

CC

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

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

3/7/89

Shri D.K. Raizada, learned counsel for the applicant and Shri Prashant Mathur, learned counsel for the respondents are present.

Shri Mathur files counter affidavit on behalf of the respondents. Shri Raizada requests for and is allowed three weeks time to file rejoinder.

On the request of learned counsel for both the parties, this case is listed for final hearing on 1-8-89.

A.M.

V.C.

(sns)