CENTRAL ADMINISTRATIVE TRIBUNAL LUCKNOW BENCH, LUCKNOW

INDEX SHEET		
CAUSE TITLE W.P. No. 153/80 OF		······································
NAME OF THEPARTIES In K. M. Lal.	,A	pplican
Versus	,	`.

union of fardia and ons Respondent

Part A.

I.No.	Description of documents		Page
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CERTIFICATE

Certified that no further action is required totaken and that the case is fit for consignment to the recoord room (decided)

Dated .29.-8-11

Counter Signed......

O Stood on 1/2 Lay

Section Officer/In charge

Signature of the Dealing-Assistant

A

Central A dministrative Tribunal Lucknow Bench

FORM OF INDEX

	Q.A./T.A./C.C.P./No		
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		Versus Respondents.	
1.	Index Papers	: 1 ta 6	
•	Order Sheet	: 1 ta 1 2	
3.	Any other orders	" 49 kg 58 (41.)	

Dy.Redistrar

Judgment

S.L.P.

Supervising Officer

Dealing Clerk

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

Niel

Dealing Clerk

RN)

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD/ INDEX - SHEET CAUSE TITLE TA. 650/84 Name of the Parties Kr M; Lal Union of India Part A, B and C , DESCRIPTION OF DOCUMENTS PAGE A General Index A Godor Sheet Az Judgement dt 25/4/89 (dismissed in Defelt) A3 High Court original Record 4. P.NO 153/80 B, Application for Respondent B2 - Vokalamana-(Power) B3 Notices By Application File Bench-Copy
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GENERAL INDEX

(Chapter XLI, Rules 2, 9 and 15)

Nature and numb	er of case	b-P.	153-	80.
Name of parties	K.M.	Lal. ro. vs.	Union o	of Inda

Date of institution 24.1-80... Date of decision.

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

	•	:	Munsarim
Date	. •		·
	•		Clerk.

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GENERAL INDEX

(Chapter XLI, Rules 2, 9 and 15)

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Name of parties_____

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that all orders have been carried out, and that the record is complete and in order up to the date of the certificate.

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Clerk.

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Movement the nesults for templests
shall not be declared before
6. 2. 1980.
The stay opplication shall
be listed for further orders
on 4.2.1980.

The learned counsel for the petitioners undertakes to serve notices of the write petition and the stay opplication on the opposite-parties 12 and 43 by 29.1.1980, He shall file an officient of service

Daste summonses to the learner coursel for the petitioners stating in the notice on the stay application that the stay application that the stay application show he has ted for further orders on 4.2-1980.

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25.1.1980

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24-1-1980

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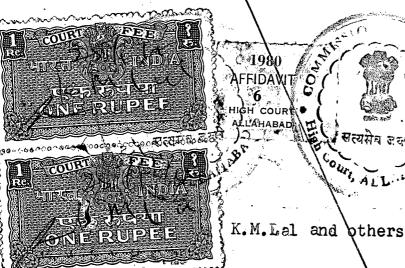
Issue notice.

In paragraph 55 of the polition it has been alleged that there are obout 66 vacancies out of which 20 persons have heen called from Lucknew Division. The petitioners have further contended that they have been called for interview from Lucknew Bevision.

In paragraph 58 of the petition it is alleged that the belietions are to be held from 28th January to 7th Fabruary, 1980. Obviously the result, wouldnot therefore be declared before 7.2.80. Keeping in view the allegations made in the petition we, therefore order that the petition we, therefore order that the petitioners may, without prising dice to their claim and contentions, to prising dice to their claim and contentions,

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

Writ Petition No. 153 of 1980



· 1980 **∖**FFIĎA**∖**ĮT

Petitioners

Versus

Union of India and others

Respondents

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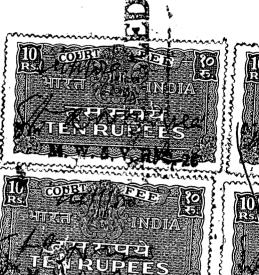
I, K.M.Lal, aged about 46 years, son of late Sri R.B.Lal, Traffic Anspector (SWR) resident of T-36 A Northerly Railway Colony, Charbagh, Lucknow, the deponent do hereby solemnly affirm and state on oath as under:

- That the deponent is the petitioner No.1 in the above-noted writ petition and he is well conversant with the facts of the case.
- That in the aforesaid writ petition, the 2. petitioners had undertaken to serve the Respondent No.3 on 24.1.1980. A copy of the writ petition\with supporting affidavit and stay application was served by the petitioner No.1 in the office of Respondent No.3 on 24.1.1980 at 15.20 Hrs. vide letter 24.1.1980. In the said letter it was also mentioned that the matter would be considered by the court on 25.1.1980. A true copy of the said letter is annexed as ANNEXURE NO.I

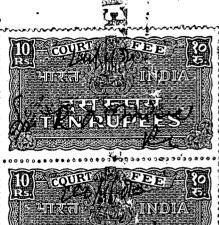
'IN THE HON'BLE HIGH COURT OF JUDICATURE AT ALLAN

SITTING AT LUCKNOW

of 1980 Writ Petition No. ..







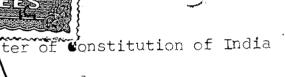






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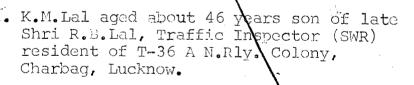


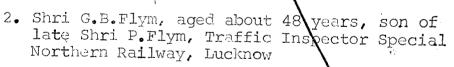
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the matter of Art\cle 226 of Constitution of India

And in the matter of

And





S.P.Srivastava, aged about 46 years, son of Shri Bhagwati Persad, Station Master, Northern Railway, Barabanki

C.S.Pande aged about 45 years son of late Sr Pande, Station Master, N.Rly, Sultanpur

I. Haque, aged about 46 years, son of Shi Newazish Ali, Traffic Inspector, Northern Faizabad.

6. B.N.Srivastava aged about 43 years son of Lal, Station Master, Northern Railway, Kask

@ A18 1. \$

ORDER SHEET

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	Date	Note of progress of proceedings and routine orders	Dated of which case is adjourned
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-		Sd. K.S. Valance	
,		25-1-20	
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Adv 291-1-06

Sd. T.S. Misso

Sa. K.S. Vasma

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ORDER SHEET

No. 163 of 1950

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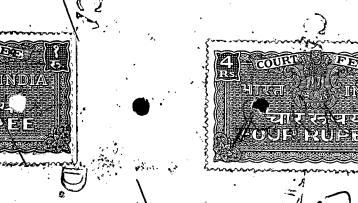
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IN THE HON BLE HIGH COURT OF JUDICATURE AT ALLAHABAD SITTING AT LUCKNOW

Civil: Misc. Appl. No. 1708 (W) of 1980

In re:

Writ Petition No.153 of 1980



K.M.Lal & others

Applicants

In re:

K.M.Lal & others

Petitioners

versus

Union of India & other

... Respondents

Application for amendment of Writ Petition

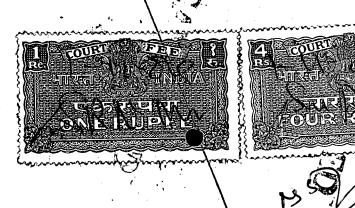
The applicants, above named, beg to submit as under:

- That in the aforesaid writ petition certain inaccuracies have crept in. The figures mentioned in paragraph 13, 14 and 15 relate to Delhi Division which are not relevant.
- That the said mistake has occurred due to inadvertence.

IN THE HON BLE HIGH COURT OF JUDICATURE AT ALLAHABAD

SITTING AT LUCKNOW

Civil Misc. Appl. No. 13 (W) of 1980



K.M.Lal & others

... Applicants

In re:

Writ Petition No.153 of 1980

K.M.Lal and others

.. Petitioners

\versus

Union of India & others

... Respondents

The applicants, above named, respectfully submit as under:

- 1. That in the aforesaid writ petition the petitioners have challenged fixation of seniority and also action of the Railway Administration in filling up of the posts reserved for the petitioners by rankers and Traffic Apprentices of Delhi and Allahabad Divisions.
- 2. That an application for stay was also moved

Me

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

Civil Misc. Appl.No. 3107 (W) of 1981

129.200 May 11/86

K.M.Lal & others

Petitioners/ Applicants

In re:

Writ Petition No.153 of 1980

K.M.Lal & others

.. Petitioners

versus

Union of India and others

... Respondents

The petitioners applicant, above named, respectfully submit as under:

1. That in the aforesaid writ petition this Hon'ble Court, after hearing the parties, passed the following orders on 27.11 1980:

"After hearing the learned counsel for the parties we modify our order dated 25th January.

1980 as follows:

"The result of the test in question held during the period from 28th January to 7th February, 1980 shall now be declared and, in case, the petitioners or any of them are found to have been successful in that test

the

ORDER SHEET

IN THE HIGH COURT OF JUDICATURE AT ALLAHABAD Date to which Note of progress of proceedings and routine orders Date case is adjourned 3 Com von Dya & 1748 wyod Me Combi affé Sant interni only deled 25-1.86 is wate absolute It Shall troveyor modification or location of it

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· · · · · · · · · · · · · · · · · · ·		application be furnished	
· · · · · · · · · · · · · · · · · · ·		to Shi Robin Mitra lears	re
•		counsel for the Union of	
		India who may file a rep	Sly V
		to this application by	
		to this application by 24th october, 1980. The	
	· · · · · · · · · · · · · · · · · · ·	application (c.M. Mr. 5)	36
فسيرون فلسني والسني والسني والسني		of 1980) shall be lister	e.
		for orders on that date.	
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Honble T.S. Missa, J. Honble K.S. Varmer, I Part up with the record. 129,1880-

Hon. T. S. Missea, J. Hon. K.S. Vaxma, J. After hearing the learned coursel for the parties we modify. our onder dated 25th January, 1980 as and, in case, In patitioners or any of them was found to have been successful in that test, the fromotions Shall be made in accordance with the principles laid aft minouple decision of this Court, dated 18th July, 1978 im went petition No. 3028 of 1972. KS 27.11.1988

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IN THE HON'BLE HIGH COURT OF JUDICATURE AT ALLAHABAD

SITTING AT LUCKNOW

Civil Misc. Appl.No. 523 (W) of 1980



DEFENDA ONE RUPEE

K.M.Lal and others

.. Applicant

In re:

Writ Petition No. 153 of 1980

K.M.Lal and others

.. Petitioners

vers

... Respondents

Union of India & others

Application for interim orders

The petitioners/applicants, above named, beg to submit as under:

1. That in the aforesaid writ petition the petitioners have prayed for issue of a writ of Mandamus directing respondents 1 to 4 to give due allowance to the petitioners in respect of 25% quota reserved for Traffic Apprentice for appointment/seniority/promotion in the higher grade of RTAs A It has further been prayed that respondents 1-4 may be commanded to treat the petitioners as having been given benefit of 25% reserva-

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(2)

ORDER SHEET

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,		(Am. T.S. Misra and K.S. Vapma, J.J.)
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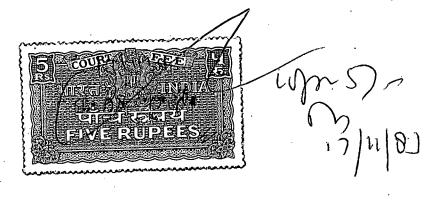
IN THE HIGH COURT OF JUDICATURE AT ALLAHABAD

Dated of Note of progress of proceedings and routine orders Date which case is adjourned -9-01 Taed in C-M. An-3/87-81 er orders. C-M. In 3107-07 C-M. An. 3187-01 Hen Goel J. The averments in the title and in the supplementary affidavit and in the affidavit accompanying this application remain unrebutted till date. However. Sri Robin Mitra prays for and is allowed two weeks further time for filing counter affidavit to the writ petition and also to the supplementary affidavit. In the meantime it is to be noted that the interim order dated 27.11.80 is quite categorical and it requires Railway Administration to make promotions in accordance with the principles laid down in the decision of this Court

dated 18.7.78 in writ petition no.3028 of

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

Civil Misc. Appl.No. /0/3(W) of 1981



K.M.L.land others

Petitioners/ Applicants

In re:

Writ Pet. No. 153 of 1980

K.M.Lal and others

. Petitioners

versus

Union of Ind a & others

Respondents

The applicants/petitioners above named most respectfully submit as under.

the accompanying affidavit it is prayed that this

Hon ble Court may be pleased to restrain respondents

1 to 4 from making any further promotions on the

posts of Lower Gazetted-Scale (Rs.840-1200), without

refixing the seniority of the petitioners in

accordance with the decisions of the Allahabad High

Court and Delhi High Court as directed by this Hon ble

Court in the interim orders, and further direct the

patitize respondents to promote the petitioners on the

posts in the lower gazetted scale on the basis of

seniority determined in accordance with the principle

laid down in the aforesaid judgments.

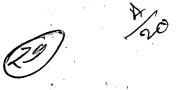
Dated: Lucknow November 17, 1981 Advocate Counsel for Patitioner:

all all

ORDER SHEET

IN THE HIGH COURT OF JUDICATURE AT ALLAFABAD 153 WP Date to which case is adjourned Note of progress of proceedings and routine orders Date 3 1 Fixed Service reportin ed Aprl No34014 1 A 3 4 D () Bo

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of 2:45 AMPM by the deponent on 21.1.83

cet 2:45 AMPM by the deponent on G.

Shanker marayana who is identified by

Sin S. Varma Advocate bigh Constituent

of Lineknew.

Wy have Rahsped myself by examining

the deponent that he remelestives the contents of this applicant which

have been seed out and

explained to him by me. Ream Murti Present

advocate

DATE COMMISSIONER

High Court, (Lucknow Beach)

21/208

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Coursel for o.P. + + +

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Hom. S.C. Mathwy J.

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BJW

16.9.1983

Roughest Sen R.N.T.M. Jen R.N.T.M. 9933

ORDER SHEET



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IN THE HIGH COURT OF JUDICATURE AT ALLAHABAD

-VS.-

o, — of 198

Dated of Note of progress of proceedings and routine orders which Date case is adjourned 3 RA. HLOT WIS applin Han. T.S. Missa, 9 2 agree. Sol TS Missa. ist it before the Bench in Court 100.4. fixed in coe An. 471 (w) 83 and 14. 3.83 Cof An 3870(w) 83 for orders. 14-4-63 27-49 fixed in cop. Mr. 471 (W) 83 and cof 1m 38 70(w) & for orden control 1 27-4-83

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ORDER SHEET

IN THE HIGH COURT OF JUDICATURE AT ALLAHABAD

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Date	Note of progress of proceedings and rout in eorders	Dated of which case is adjourned
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	the affidavit filed in support of the ap	plication
	the petitioners assert that the promotion	
	accordance with the judgment of this Cou	
	made only after revising the semiority 1	ist in
	accordance with the judgment of the Cour	t and that
,	will take some time. Accordingly it has	been prayed
	that the Railway Administration may be p	ermitted to
	make adhoc promotions.	
	Sri Sidharth Verma learned cou	asel for
	Railway Administration has stated that i	
	with the judgment of this Court provision	
	list was issued on 16-9-1982 and objecti	ons t
	were invited by December, 1982. He furt	her
	that objections against this list have	eenr
	by several persons. He is unable to sta	te where
	the said objections have bynow been disp	osed of c
	mot. He states that an official of the	Departme:
	is coming here on 13-5-1983 and on that	date it
,	be possible for him to make a positive s	tatement
	List on 13-5-1983.	0
		y
!	KC/- May 9, 1	983.
13.5-83.	finet in cop Au 1171 (by 85 and	Byc
<u>.</u>	Crf. Du 3870CW 83-for orders.	Chan
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	Mar 9 Char	

13/5/d3

(37) 1/26

Jan S. (Mothum)

Put up on 24-10-03-00th

bornen baker.

Wy Hon. SC. Mathur,)

Copy of this application has not Zeen served upon the . Cearned connsel for the patitioners. Learned comsel for the applicants has stated that the applicants shall serve a copy on Si R.M. Purived today. List this application with previous papers on 11th November, 1983. Meonwhile the petitioners may serve copy of the counter-affordant to this application upon Si Siddharth Vorma, learned connect for the apposite porties. The Counter - affirdavit shall, however, be filed when the case is fixed in count.

22-10-83

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Gun R. Mitma Advert

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List-with The record in the hest week.

DJ JA1284

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ORDER SHEET E HIGH COURT OF JUDICATURE AT ALLAHABAD No. Dated of Note of progress of proceedings and routine orders which case is Date adjourned timed in Cof An 10363 (ws 83 in the cts over Dr. 9.12-81 panco in Col. Tion An 10138 (w 81 cts. ones Dr. 9. 5.83 and Cy. An 11893 (w83 ter men HONKEN CM tisos in co. An. 10363 (us 83 vott Cts. order St. 9.12.81 parson in Cot. An. 10138 (w. 81, ct. order Dr. 9.5.83 Cap. An. 11893 (w) 03 and Col. An. 3653(w) 84 for orders Released fixed in CN 16363(WK3 4893 (W/3 mc 53 CW 184 PO How k Nalti

ORDER SHEET

IN THE HIGH COURT OF JUDICATURE AT ALLAHABAD

WY. No. \(\crim \) \(\crim \) \(\sigma \) of 1980

		1	
	Date	Note of progress of proceedings and routine orders	Date of which case is adjourned
	1	2	3
- A. J.	13-4-34		
	4-5-84	tised in Cop. An 10363 lw 83 with	Chang Si.
	18384	ets. order at 9-12-81 passed in	MB.
· · · · · · · · · · · · · · · · · · ·		C.P. An 10138(W) 81, C.S. order dated	Han Dr Han
:	6-8-8m		
<u> </u>	,	Gf. An 3653 LW 84 for orders	
,			
	P		
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ORDER SHEET

IN THE HIGH COURT OF JUDICATURE AT ALLAHABAD

No. ______of 198

		Date	Note of progress of proceedings and routine orders	Dated of which case is adjourned	
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ORDER SHEET





IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD

T.A. NO. 650/87

OF 198

16.M. Lal VS Union of Indialus.

SL NO of order	Date of order	ORDERS	WITH	SIGNATURE		Office Notes as (if any) taken		
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(P) (P) A 332

UNDER SHEET

DIFACE REPORT

An Application has been filed in this
Tribunal for transfering the case No. 650/87(T)
of — to the Circuit Bench, Luckney.

If eporoves, 26 th April 1986 may kindly be fixed for hearing at Sircuit Bench Luckness. In this regard the makers noticed may be east to the parties counsel.

Jesn'

Putupon 26th April 1988 at Lucknow Circuit Bench No.

26.4.88 D. R.D.

Sis K.M. Lal Petilioner Mo. 1
is present and Mone is present for the other
petitioners and respective. Sis A.v. Sis violates
for respectivene fresh notices to the petitioner
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informs the coursel for sespondents and other
respondents by regar post.

26-5-88

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an behalt of Repondents.
No one is present for the Applicant despite Notices issuit, on

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DP J

(2) L8 | 259. K-M. Lal & others vs. union of solig onto shar Registrar 20/2 (919) . None responds. Despoils on 88 the official Concern has not sombruited this raport. Let the raport be given and if the notices are not sever, usur fresh notices frip DR 20.9419 respondent, he is allowed to tile reply ley, 26,10,000 i. 6. 80 No one 28 respons for the parties. Regards before Lais also heen not filed of my hugited by 22.11. DD (DRS) 281134 Learned Adv. S. Varma is present. On the request of counsel for respotes, he is alward to file reply by 19.12.00. No mare time unil be allowed, 20/11/m No Sitty Adjourned to 221.09. 19/12/01 No neply tiled. The case is timed 19/12 23-1·09 Artimal hearnet on 30.2. ag. On the meantine the CA 4 R.M. From be 411-61.







CENTRAL ADMINISTRATIVE TRIBUNAL LUCKNOW CIRCUIT BENCH

Registration T.A No.650 of 1987. (W.P. No. 153 of 1980)

K.M. Lai & others

Petitioners.

Versus.

Union of India & others Respondents.

Hon'ble D.S. Misra, A.M. Hon'ble D.K. Agarwal, J.M.

None is present for the petitioners.

Shri. S.Verma for the respondents states that
he is unable to file any reply. It appears that
the petitioners are not interested in pursuing the
matter. None is present for them even today and no
one was present even on the earlier dates. The petition
is dismissed in default of the petitioners.

DK Gg ozaul

Member(J)

Member(A)

Dated: 25th April, 1989, brc/

Organizas.

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

Writ Petition No. 153 of 1980.

K.M. Lal and others.

Petitioners.

Versus

Union of India and others.

Respondents.

ANNEXURE 19.

The General Manager, Northern Railway, Barcda House, New Delbi.

THROUGH - The Divl. Railway Manager,
Northern Railway,
Lucknow.

SUB: HON'BLE COURTS' ORDERS DATED 27-11-1980 IN C.M. An. No. 5236 (W) - 80 IN RE: W.P. 153/1980.

Sir.

We, the following, for and on behalf of Petitions herewith submit the Hon'ble Courts' orders dated 27-11-in the above mentioned case for information and necess action.

The orders relate to 'application for interim' in MP No. 153 of 1980 in the High Court of Judicatur Allahabad, Lucknow Bench re: Shri K.M. Lal & other Union of India and others.

Yours faith

Bated. 10-12-1980.

Sd/- G.B. Flym

Sd/- K.M. Lal

Sd/- B.N. Mis Sd/- I. Haq,

Copy forwarded to Divl.Rly. Manager(P), N.Rly., Lucknow for necessary action.





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

Writ Petition No. 153 of 1980.

K.M. Lal end others.

Petitioners.

Versus

Union of India and others.

Respondents.

ANNEXURE 20.

The General Manager, Northern Railway, New Delhi.

The Divl.Railway Manager, Northern Railway, Lucknow.

> SUB: HON'BLE HIGH COURTS' ORDERS DATED 27-11-1980 IN C.M. An. No.5236 (W) - 80 IN RE: WP 153/1980.

REF: Our application dated 10-12-1980.

sir,

He, for and on behalf of Petitioners in the above case had submitted an application along with the original copy of the Courts' orders for necessary action.

Although considerable time has passed but no action has yet been taken to implement the Courts' orders either at the Divisional or Headquarter level.

It is requested that early action be taken to implement the Courts' orders. We shall be grateful.

Yours faithfully, For Petitioners.

Sd/- G.B. Flynn. TI/LKO.

sd/- K.M. Lal, TI/Lucknow.

Sd/- B.N. Misra, Dy.CHC/LKO.

sd/- M.W. Diddiqui, SS/PBH.

Sd/- S.P. Srivastava, SM/BBK.

Sd/- I. Haq; TI/PRG. Sd/- C.S. Pandey, SM/SIN.

Dated. 9-2-81.

37



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

Writ Petition No. 153 of 1980.

K.M. Lal and others.

Petitioners.

Versus

Union of India and others.

Respondents.

ANNEXURE 21.

TEXT OF THE INLAND TRUBGRAM.

Time - 18/-

Date 23-3-1981.

- 1. Prabhinder Singh General Manager, NORTHRAIL, NDLS.
- 2. Baldeoraj Pahva Chief Personnel Officer, NORTHRAIL NDIS.

High Court orders dated 27-11-80 in Writ Petition 153 of 1980 not yet implemented meanwhile juniors promoted to Class II in violation of Court directive Any further delay will lead to contempt of court proceedings.

Petitioner Traffic Apprentices
Lucknew Division.

Name

K.M. Lel

Address

T-36-A, N.R. Colony, Lucknow.



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

Writ Patition No. 153 of 1980.

K.M. Lal and others.

Petitioners.

Versus

Union of India and others.

Respondents.

ANNEX URE 22.

The General Manager,
Northern Railway,
Baroda House,
New Delhi.
The Divl. Railway Manager,
Northern Railway,
Lucknow.

EUB: HON'BLE HIGH COURTS' ORDERS DATED 27-11-1980 IN C.M. An. No. 5236(W)-80 IN RE: W.P. 153/1980.

REF: Our application dated 10.12. 80 and 9.2.1981 and telegram dated 23.3.1981.

Sir,

We the following for and on behalf of Petitioners in the above Writ Petition had submitted in original the Allahabad High Court, Lucknow Bench's orders dated 27.11.80 with the request that the same may be implemented without causing further loss to the petitioners. We also gave a reminder vide our application dated 9.2.81 and through a telegram dated 23.3.81. Although, four months have passed but the orders of the Hon'ble High Court has not yet been implemented. Bather our Juniors in Allahabad and other Divisions have been promoted to class II services which, we regret to point out, tantamounts to contempt of court as those promoted after 27.11.80 include respondents in our Writ Petition.

Annexure 22.

We again request for implementing the Hon'ble High Court's orders without further delay, failing which the petitioners will have no option but to initiate Contempt of Court proceedings before the Hon'ble High Court. We are again attaching a copy of the Hon'ble High Court's orders dated 27.11.1980 for ready reference.

DA/1 - Hon'ble High Court's orders dt. 27-11-80.

Yours faithfully, For Petitioners

sd/- G.B. Flynn, TI/Lucknow.

8d/- K.M. Lal, TI/Lucknow.

8d/- B.N. Misra, Dy.CHC/LKO.

Dated, 26th March, 181.

À





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

Writ Petition No. 153 of 1980.

K.M. Lal and others.

Petitioners.

Versus

Union of India and others.

Respondents.

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Sd/- M.W. Diddiqui, SS/PBH.

Sd/- S.P. Srivastava, SM/BBK. Sd/- I. Haq, TI/PRG. Sd/- I. Haq,

Sd/- C.S. Pandey, SM/SLN.

Dated. 9-2-81.



In the Hon'ble High Court of Judicature at Allahabad Sitting at Lucknow. 9

Writ Petition No. 153 of 1980.

K.M. Lal and others.

Petitioners.

Versus

Union of India and others.

Respondents.

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Petitioner Traffic Apprentices
Lucknow Division.

Name

15.

K.M. Lal

Address

T-36-A, N.R. Colony, Lucknow.

pel





An

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

7/6

Writ Petition No. 153 of 1980.

K.M. Lal and others.

Petitioners.

Versus

Union of India and others.

Respondents.

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Northern Railway,
Baroda House,
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The Divl. Hailway Manager,
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REF: Our application dated 10.12.180 and 9.2.1981 and telegram dated 23.3.1981.

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(continued on page 2)

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DA/1 - Hon'ble High Court's orders dt. 27-11-80.

26th March, 181.

Dated.

Yours faithfully, For Petitioners

TI/Lucknow. Sd/- G.B. Flynn,

TI/Lucknow. Sd/- K.M. Lal,

Sd/- B.N. Misra, Dy.CHC/LKO.





BY KIN

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL ADDITIONAL BENCH AT ALLAHABAD.

Application on behalf of

A.V. Srivastava, Advocate, Counsel for the Respondents.

----Applicant.

IN

Union of India & others. Respondents.

To

The Hon'ble the Vice Chairman and his other companion Hon'ble Members of the aforesaid Court.

The humble application on behalf of the applicant most respectfully showeth as under:-

- 1. That the aforementioned case was received on transfer after establishment of this Hon'ble Tribunal.
- 2. That I was entrusted the brief of the aforementioned case by the respondents to appear on their behalf and even the entrustment I have been appearing on behalf of the respondents and now 22.4.88 is the next date fixed for hearing before this Hon'ble Tribunal.
- That on 21.4.88 at about 3.00 P.M. I received confidence from the Registry of this Hon'ble Tribunal intimating me that the said case is fixed for hearing on 26.4.88 before the Circuit B ench at Lucknow.

Kepiton vorteefile to be placed

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL CIRCUIT BENCH, LUCKNOW

ORDER	SHFET	•	
UNDER		130	271
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PPELLANT PPLICANT

VERSUS

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

Writ Petition No. 153 of 1980

K.M.Lal and others

Petitioners

versus

Union of India & others

.. Respondents

group A Hier

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	19.	Applicati	on f	for grant of stay	56.57

Counsel for Petitioners

Dated: Lucknow /k
January 24,1980.

- 7. M.W.Siddiqui aged about 42 years son of Mumtaz Ali, Station Master, N. Railway, Pratapgarh.
- 8. M.C.Joshi, aged about 39 years son of K.D.Joshi, Station Master, Northern Rly, Unnai.
- 9. B.N.Misra, aged about 48 years son of late Shri V.P.Misra,, Deputy Chief Controller (Lobby), No. Railway, Lucknow.
- 10. S.D.Singh, aged about 44 years, son of Shri N.P.Singh, Station Master, Northern Railway, Prayag.

. Petitioners

versus

- 1. Union of India, through Secretary, Railway Board, Rail Bhavan, New Delhi.
- ✓ 2. General Manager, Northern Railway, Baroda House, New Delhi
 - 3. Divisional Railway Manager, Northern Railway, Lucknow.
- ✓ 4. General Manager, Personnel, Northern Railway, New Delhi.
 - 5. Kartar Singh son of Tehal Singh, Assistant
 Work Study Officer (Class II) N. Rly, Headquarter
 Office, New Delhi.
 - 6. Harcharan Singh, Asstt. Secretary (Public complaints) Class II, N. Rly. Headquarters, New Delhi.
 - 7. Varinder Singh, Assistant Traffic Officer, (Coaching) N. Rly. Headquarter Office, New Delhi
 - 8. S.S.Lal son of Anant Persad, Chief Controller, Northern Railway, Headquarter Office, New Delhi.
 - 9. G.D.Khare, son of B.N.Persahd, Chief Controller (Survey), Northern Railway, Kashmere Gate, Delhi.
- 410. S.M. Paarashar, Assistant Work Study Officer, Northern Railway, Headquarter, New Delhi.
- 11. Ved Prakash, Traffic Inspector, Delhi Division c/o Divisional Railway Manager, Northern Railway, New Delhi.

Lali

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- 12. S.N.Narula, Station Master, Ferozpur Division c/o Divisional Railway Manager, Northern Railway, Ferozepur.
- 13. J.N. Malviya, Traffic Inspector Headquartern Narthern Railway, Allahabad.
- 14. H.B.Deophas son of V.G.Deophas, Station Superintendent, N.Rly., Kanpur.
- 15. Prem Dayal, Traffic Inspector (Safety), Northern Railway, Allahabad.
- 16. M.M.R.C.Srivastava son of Vindyachal Persad, Station Superintendent (Class II), N.Rly, Allahabad
- مار. N.N.Srivastava, son of Ràjrang Sahai, Asstt. Traffic Officer (Rules), N.Railway, Allahabad
- 18. K.S.Srivastava, son of B.P.Srivastava, Dy. Chief Controller, Northern Rly, Juhi Yard:
- +19. H.N.Srivastava son of Jai Mangal Lal, Dy. Chief Controller, Northern Rly, Allahabad.
 - 20. R.P.Srivastava, son of R.A.Lal, Traffic Inspector, Northern Rly, Allahabad
 - 21. P.N.Srivastava, son of Inder Jeet Persad, Traffic Inspector, N. Railway, Mirzapur.
 - 22. R.A.S.Chauhan, Yard Master, Northern Railway, Lucknow.
 - 23. S.M. Naqvi, Deputy Chief Controller, Northern Railway, Lucknow.
 - 24. S.N.Singh, Yard Master, Northern Railway, Varanasi.
 - 25. R.K.Dube, Yard Master Northern Railway, Lucknow
 - 26. Shankata Persad Srivastava, Station Master, Northern Railway, Ayodhya
 - 27. T.N. Vajpayi, Safety Counsellor (Traffic) Northern Railway, Lucknow.

... Respondents

Ťo

Hon'ble the Chief Justice and his companion Judges in the aforesaid court.

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The petitioners above named respectfully submit as under:

- 1. That petitioner No.1 was appointed as Traffic Apprentice in December, 1966 for recruitment to the post of Assistant Station Master/Section Controller/Yard Master/Traffic Inspector. He completed this training in December, 1959. After due completion of the training he was appointed as Assistant Station Master in the grade of Rs.150-225 (PS) by letter dated 25.12.1959.
- 2. That since the petitioner No.1 was trained for being appointed in one of the posts mentioned above in the grade of Rs.200-300, he made a representation claiming that he should have been appointed in the grade of Rs.200-300 and that fixation of his salary in the grade of Rs.150-225 was not justified.
- Railways there was a class of posts known as Relieving Transportation Assistant (hereinafter referred to as the R.T.A. for the sake of brevity). The service consisted of different categories of posts known as Sectional Controller, Assistant Station Master, Assistant Yard Master, Assistant Movement Inspector etc, which constitute non-gazetted class III Traffic staff.
- 4. That the salary of petitioner No.1 was fixed with effect from May, 1962 in the grade of ks.250-380 (which was the R.T.A.'s grade).

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- 5. That after the report of the Third Pay Commission all the incumbents in the grade of Rs.250-380 were given the scale of Rs.455-700 RS.
- That the petitioners were entitled for being considered for appointment to the post of Assistant Yard Master, Sectional Controller, Station Master in the then grade of Rs.200-300 (PS).
- 7. That the service particulars of the petitioners No.2 to 8 are given below:

Pet. No.	Date of Appointmen promotion	Post/desig- t/ nation	Scales .	•
	•		•	
2.	30.4.1956	Traffic Apprentice		
	30.4.59	Asstt. Station Master Barabanki	150-225	(PS)
	May '62	Sectional Controller Lucknow	270-380	(AS)
	January !70	Traffic Inspector Lucknow	335-425	(AS)
	26.8,.72	Traffic Inspector Prayag	370 - 475	(AS)
	26.8.76	Dy. Chief Controller Lucknow & Allahabad	700-900	(R / (S)
	Feb. ! 77	Traffic Inspector Pratapgarh	550-750	(RS)
]	Aug, 179	Traffic Inspector Special Lucknow	700-900	(RS)
	-			
3.	30-4-56	Traffic Apprentice	-	
N.	May '59 `	Asstt. Station Master Barabanki	150-225 ((PS)
	June, 62	Sectional Controller Lucknow	270-380 (AS)
	Nov.'64	Traffic Inspector Safety, Prayag	250-380 (AS)
		t		

Divisional Transit

Inspector, Lucknow

325-425 (AS)

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June'68

	0-	J!	6
March '70	Chief Yard Master Lucknow	370 - 475	· (AS)
June '73	Station Suptdt. Lucknow	450-525	(AS)
Jan. '7 4 ,	Traffic Inspector Lucknow	5 50~7 50	(RS)
July, '74	Dy. Chief Controller (Survey) Lucknow	. 700 - 900	(RS)
March '75	Traffic Inspector Lucknow	550-750	(RS)
Aug.'75	Station Master. Barabanki	550 - 750	(RS)
•		,	
25.7.62	Traffic Apprentice	•	
July '62	Asstt. Station Master Barabanki	205–280	(AS)
Oct.'63	Relieving Transporta- tion Asstt. Lucknow	250 – 380	(AS)
July (70	Station Master Prayag	250-380	(AS)
May '71	Dy. Chief Yard Master	335-425	AS)
Aug. 177	Station Master Bhadoi and Sultanpur		
24.12.56	Traffic Apprentice		
Dec. '59	Asstt. Station Master Lucknow Yard	150-225	(PS)
16.5.62	Relieving Transporta- tion Asstt. Lucknow	200-300	(PS)
26.3.66	Sectional Controller, Lucknow	270-380	(AS)
11.5.70	Traffic Inspector Pratapgarh	335-425	(AS)
April '77	Traffic Inspector Faizabad	550-750	(RS)
8.8.62	Traffic Apprentice .		i
Aug.'62	Asstt. Station Master Lucknow	150-225	(PS)
Aug. 163	Relieving Transport Asstt. Lucknow	250-380	(AS)
1971	Traffic Inspector . Faizabad	335-425	(AS)

Station Master, Swita Phaphamau & Kashi

550**-**750 (RS)

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7.	23.12.57	Traffic Apprentice	.	·
	Dec.'69	Asstt. Yard Master Tughlakabad	150-225	(PS)
	Aug. 163	Asstt. Yard Master Lucknow	290-380	(AS)
	June '68	Station Master, Rae Bareli	250÷380	(AS)
	Sept.'70	Traffic Inspector Pratapgarh	325-425	(AS)
	20.8.77	Station Master Rae Bareli	550-750	(RS)
	20.8.78	Pratapgarh		
				*
8.	13.8.63	Traffic Apprentice		
	28.11.66	Relieving Transporta- tion Asstt. Lucknow	250-380	(AS)
	20.12.72	Station Master Unnao	250-380	(AS)
	2.7.1977	Dy. Chief Yard Master Juhi & Allahabad	550-750	(R¥)
	24.2.78	Station Master Unnao	550-750	(RS)
9.	30.4.56	Traffic Apprentice	•	
	25.5.59	Asstt. Station Master Barabanki	150-225	(PS)
· ;	17.9.62	Sectional ^C ontroller Lucknow	230-380	(AS)
	1.4.68	Traffic Inspector Lucknow	335-425	(AS)
	1.3.71	Traffic Inspector Lucknow & Barabanki	370-425	(_{AS})
	9.7.76	Dy. Chief Controller Lucknow	700-900	(RS)
10.	25.7.62	Traffic Apprentice		
	July '62	Asstt. Station Master Barabanki	205-280	(AS)
.•	1.10.63	Relieving Trans.Asstt. Lucknow		
		Traffic Inspector Planning Lucknow	455 ~7 00	(RS)

Station Master Prayag 55**0**−750 (RS)



- 8. That petitioner No.1 was promoted as Section Controller in the then grade of Rs.270-380 with an allowance of Rs.20/- per month.
- 9. This petition pertains to the applicability of the quota rule, which was originally adumerated in a scheme for the recruitment of Traffic Apprentices on all Indian Railways. This scheme is contained in the Railway Board letter No.E 49 RRI/1/. dated 30.8.1952

 TRAILWAY. The scheme was later on clarified by Railway Board letters No.E 55 RCI/127/S dated 7.12.1956 and No.E(NG)/9 dated 31.12.1960. This scheme was amended in 1963 vide Railway Board letter No.E(NG)/61 RRI/4 dated 18.12.1963.
- of the vacancies in Control & Traffic Groups in grade 200-300 (PS)/250-380 (AS) should be ear marked for the Traffic Apprentice and they should be absorbed against these reserved vacancies. The ratio of absorption of Traffic Apprentice vis-a-vis rankers (promotees) is 1;3. These vacancies were to be calculated from the year 1954, when the first batch of apprentices was recruited. If in a particular year, Traffic Apprentices were not available for absorption in the reserved vacancies, these vacancies were to be carried forward to the next year.

The Railway authorities have not correctly applied the above scheme, as a result of which the Traffic Apprentices have not been promoted to higher ranks, as envisaged in the above scheme. The said scheme was started on the recommendations of Indian Railways Enquiry Committee 1947, contained in item

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No.73, para 123 of the Report, with a view to improve control organisation on the Indian Railways. While examining the complaint of certain Railway employees, the Second Pay Commission in para No.64, page 268, has observed as follows:

"As regards the complaint about the appointment of apprentices to higher posts of Station Master etc.,

it is relevant to mention briefly the scheme of Traffic Apprentices. The scheme was introduced in 1951 as a result of one of the recommendations of the Indian Railways Enquiry Committee (1947) for the improvement of the control organisation on the Railways. The Committee suggested that necessary improvement sould be secured by better selection and training of Section Controllers. As the Railway Administration found that suitable employees in the lower grades were not available for selection as Section Controllers, it was decided to recruit a certain number of Apprentices and train, them for appointment to higher grades of Asstt. Station Master, Asstt. Yard Master, Section Controllers and Traffic Inspectors. Another reason for introducing the scheme of Apprentices for appointment to posts at intermediate levels is the absence in the Railways of direct recruitment to Class II, because of which it is considered necessary to recruit young graduates and train them for assuming responsibility of higher supervisory posts in Class III, and eventually for promotion to Class II posts. consider this to be a sound scheme and do not accept the complaint against it as reasonable".

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According to the Scheme, the Traffic Apprentices were expected to be promoted to Class II, Gazetted Service within a period of ten years, as would appear from the advertisement, which appeared in the Hindustan Times, dated 29.12.1962, as follows:

"An opportunity awaits, you, if you have a degree from a recognised University, sound health, normal eye sight without glasses and date of birth between 2.2.1939 and 1.2.1942. Better still, if you are a sportsman but this is not essential. (Age limit may be relaxed for a displaced person. a war service candidate or a member of the Scheduled Caste or Scheduled Tribe). You will be trained in Railway operation for three years as an apprentice and on successful completion of training, you will be called upon to work as a Relieving Transportation Assistant guiding Railway operation in yards, control offices and important stations, if you are of the right type, a chain of promotions to positions of higher responsibility will come your way and there is no reason why you may not be promoted to the Gazetted rank in ten years or so. Your jobs will all be invariably important, for the country counts on the railways for its progress and the Railways depend on young men like you.

As an Apprentice you will draw Rs.160/-, Rs.170/- and Rs.175/- per month in the three successive years, plus benefits of free medical attendance, Passes and Privilege Ticket Orders. As an R.T.A. you will start on Rs.250/- (plus Dearness Allowance Rs.30/-) in the grade rising

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up to Rs.380/- p.m. Further promotions are to be Inspectors, Controllers, Yard Masters, Station Masters in grades Rs.335-425/-, Rs.370-475/- and Rs.450-575 plus D.A. and other admissible allowances).

In all working posts right from R.A.A. you will enjoy good Railway housing or allowance in lieu thereof as admissible under the Railway rules.

Your application in prescribed from, obtainable from any Railway station or Booking Office, must reach Secretary, Railway Service Commission, Calcutta-14 by February 1, 1963".

- 11. That the non-implementation of the Scheme in the correct perspective has resulted in most of the Traffic Apprentices remaining in the initial grade of recruitment, even after putting in more than ten years of service, which was the period considered reasonable for promotion to Class II service.
- 12. That the first batch of Traffic Apprentices completed their apprenticeship in 1957, after being recruited in 1954. As per the scheme, the Traffic Apprentices were required to undergo three years extensive training in theory and practical for all categories of transportation course, such as Assistant Station Masters, Assistant Yard Masters, Station Masters, Section Controllers, Deputy Chief Controllers, Chief Controllers and Traffic Inspectors. The intensive training was imparted to ensure that Traffic Apprentices, after completion of apprenticeship might be put on any one of the above posts and eventually might be fit for promotion to class II service when they

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were still young.

- panel for grade 200-300 (PS)/250-380 (AS) for the post of Assistant Station Masters and Section Controllers. Thus, 72 employees were selected and empanelled. In these 72 vacancies, the share of the Traffic Apprentices, according to the quota rules was 18, but none of the Traffic Apprentices, who were available at that time were absorbed in that panel and all the 18 vacancies, reserved for the Traffic Apprentices were given to the rankers and the carry forward rule was not observed. In fact, three apprentices were available and they should have been absorbed and the remaining 15 vacancies should have been kept reserved and carried forward for the subsequent batches.
- 14. Admittedly operating posts reserved for Traffic Apprentices could not be kept vacant and, therefore, had to be filled, but this filling of reserved posts could not be done substantively. In other words, promotion of rankers against the posts reserved for apprentices should have been a purely temporary arrangement a till the availability of the rightful claimants, i.e. Traffic Apprentices. The Railway Administration not only did not absorb the available three apprentices against the 18 reserved vacancies, but also failed to keep the reserved vacancies for Traffic Apprentices, and promoted and confirmed rankers against the 18 reserved vacancies.
- 15. That again, selection for the posts of Assistant Station Masters and Section Controllers grade 250-380 (AS) was held in 1961, as a result of which about 40

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employees were placed on the panel. Out of this only
10 posts were given to Traffic Apprentices, whereas the
quota of vacancies which fall to their share from 1954
onwards was much more. Even at this late stage, i.e.
in the year 1961, many apprentices were left out for
want of vacancies, although all the Traffic Apprentices
had qualified in the selection/test and, in fact had
secured more marks in comparison to rankers. The
qualifying marks for apprentice were fixed at 65%,
whereas rankers had to secure only 60%. This discrimination in one and the same selection is unconstitutional
The petitioners never knew till recently that the
authorities had laid down different standards.

- 16. That the authorities have violated the carry forward rules of 25% quota assigned to the Traffic Apprentices under the aforesaid Scheme in the aforesaid grade 250-380 (AS). Their grievance is that the authorities have not calculated the vacancies from the year 1954 while they should have done so in terms of the Scheme.
- 17. That notwithstanding the aforesaid letter dated 20.11.1968; he authorities have failed to calculate the vacancies and give the rightful share of vacancies to the Traffic Apprentices on the basis of 25% of reserved quota. The 'carry forward' rule, according to which the Traffic Apprentices ought to have been fixed in seniority with reference to the dates from which they would have been promoted in Grade Rs.250-380 (AS), had the quota of vacancies from 1954 would have been calculated correctly, had also not been observed.

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- 18. That in December, 1969 a seniority list was published by the then Divisional Superintendent, Northern Railways in respect of all the incumbents working in the grade of Rs.250-280. The position of the petitioner No.1 in the said list was at Serial No.18.
- 19. That a circular was issued by the Railway Board on 30.8.1952 providing that for filling up 25% vacancies of Section Controller from amongst the traffic apprentices. A true copy of this circular is annexed as Annexure 1.
- 20. That another circular was issued on 7.2.1956 by the Railway Board in which it was clarified that the Traffic Apprentices were being recruited for ultimate absorption in the grade of Rs.200-300. A true copy of this circular is annexed as Annexure 2. As stated earlier the petitioner No.1 instead of being absorbed in the grade of Rs.200-300 was appointed in the grade of Rs.150-225. The wrong fixation of the salary of the petitioner not only resulted in monetary loss but it also effected the seniority and future chances of promotion.
- 21. That a circular was issued on 31.12.1960 laying down the procedure for the determination of seniority a true copy of which is annexed as Annexure 3.
- That a circular was again issued on 18.12.1963 to the effect that the Traffic Apprentices should be directly absorbed against 25% of annual vacancies in the higher grade and they would not have to undergo further selection. It was also clarified that till selections were made the Traffic Apprentices should be entitled to higher pay as

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personal to them. A true copy of this circular is annexed as Annexure 4 hereto.

- 23. That another circular dated 19.4.1968 was issued in which it was stated that Traffic Apprentices will be deemed to have been promoted from the date they were due eligible provided vacancies were available in the particular year for their absorption and their interests will be protected by giving benefit of proforma fixation of pay etc. A true copy of this circular is annexed as Annexure 5 hereto.
- 24. That para 9 of Chapter III of the Railway Establishment Manual, 1960 provides as follows:

"Paragraph 6 above applies equally to seniority in promotion vacancies, <u>due allowance being made</u> for quotas in promotion, if any, and delay in joining in the new post in the exigencies of services. Provision of paragraph 7 and 8 will also <u>apply</u> in case of promotion"

- 25. That for the purpose of determination of seniority only the date of joining was taken as the relevant consideration. Due allowance was not given for the quota reserved for the Traffic apprentices. In the circumstances petitioners were not satisfied even with the seniority list prepared in the year 1969.
- 26. That petitioner No.1 was promoted as Traffic Inspector in January, 1970 in the grade of Rs.335-425. It true copy of the order is annexed as Arrayur. 5

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- 27. That petitioner No.1 was subsequently promoted as Traffi Inspector Senior Grade (Rs.550-750) on January 21, 1977. He has thereafter been promoted in July, 1979 on an adhoc basis in the grade of Rs.700-900 and posted as Traffic Inspector at Lucknow. A true copy of the letter of appointment/posting is Annexure 7 hereto.
- 28. That the seniority list prepared in the year.

 1969 was revised in 1973 and the petitioner who was
 placed earlier at Serial No.18 in 1969 list was placed
 at serial No.27 in 1973 list.
- 29. That the petitioner No.1 along with others made a representation dated 23.7.1973 against the wrong fixation of his seniority. A true copy of the aforesaid representation is annexed as Annexure 8.
- 30. That a reply was received to the above representation in which the petitioner and others were intimated that no interference was called for in the revised seniority list. True copy of letter is annexed as Annexure 9 hereto.
- of 1971 was filed in representative capacity in the Delhi High Court by five persons belonging to the Delhi Division praying for: observing the scheme of reservation and to allot 25% of vacancies to Traffic Apprentices from the year 1954 onwards as and when they accrued, giving them the due seniority position from 1954 and the reserved vacancies should be carried forward and the benefit of proforma fixation in seniority is to be given to the apprentices joining

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in subsequent years, that the apprentices should be confirmed against the reserved vacancies from the date of which the said vacancies accrued to them; that the results of the selections already held should not be given effect to; and that the Railway administration should not make further selection to promotion posts in the transportation and commercial categories from the grade of Rs, 250-380 (AS) to class II gazetted till the decision of the case".

- 32. That the aforesaid writ petition came up for hearing before the learned single Judge of Delhi High Court.
- questions as arising in the case namely (i) whether the writ petition was unduly delayed, and (ii) whether the petitioners were entitled to seniority from before the dates of their selection to the Grade. The second question was answered in favour of the petitioners in the writ petition filed in the Delhi High Court. The first question was, however, answered in the negative and the writ petition was dismissed as unduly delayed by judgment dated August 8, 1972.
- 34. That feeling aggrieved by the decision of the learned single Judge, the petitioners in the Delhi High Court in a representative capacity filed Letter Patent Appeal No.220 of 1972 in the Delhi High Court.
- 35. That a Division Bench of the Delhi High Court by its judgment dated 30.7.1975 allowed the appeal

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and held that the petitioners in the Delhi High Court were entitled to the grant of a writ of mandamus directing the Railway administration to fix the seniority of Traffic Apprentices in the light of the observations made by the learned single Judgé and as upheld by Division Bench. The seniority list of 1969 was quashed. It was further directed that the Railway Administration shall draw the seniority list within three months from the date of judgment and proceed to make confirmations and/or further promotions in the higher grades in accordance with law.

- 36. That another writ petition was filed in similar circumstances in the Allahabad High Court at Allahabad which was numbered as Civil Misc. Writ Petition No.302 of 1972 (N.K.Rastogi and others vs. Union of India and others). This was also in representative capacity.
- 37. That in the above writ petition also the seniority list prepared in 1969 without due cons%-deration of reservations of quota for direct apprentices. was challenged.
- 38. That the aforesaid writ petition was allowed by a Division Bench of this Hon'ble Court by judgment dated 18.7.1978. By the said judgment the seniority list prepared on 1st May, 1969 and finalised on 18.12.1969 was quashed. The Railway administration was directed to revise the seniority list of the petitioners in the light of the observations made in the judgment and in accordance with law and to grant promotion on that basis.

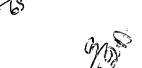
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- 39. That it may be mentioned here that the Delhi High Court and this Hon'ble High Court had quashed the list prepared by Delhi and Allahabad Divisions. The principle involved in the list of Lucknow Division 1969 and then 1973 should be the same.
- 40. That inspite of the fact that the seniority list prepared on 1st May, 1969 and finalised on 18.12.1969 was quashed by the Delhi High Court as well as by this Hon'ble Court the Railway Administration has been treating the petitioners position on the basis of seniority list drawn in 1969.
- 41. That petitioners are advised to state that in view of the decisions rendered by the Delhi High Court and this Hon'ble Court the seniority list in 1969 is no longer valid and fresh seniority have to be drawn up for making promotions giving due allowance to the 25% vacancies reserved for Traffic Applentice for promotion in the higher grade.
- 42. That another seniority list was published on November 19, 1978 for various categories of personnels in Traffic Inspectors post in the grade of Rs.550-750. A true copy of the Seniority List is annexed as Annexure 10 hereto.
- 43. That in 1969 separate lists were prepared by different Divisions. In 1979 the Zonal Headquarter Office Northern Railway, New Delhi, prepared a combined seniority list of incumbents working in Traffic Inspectors post in the grade of 550-750 in various Divisions of Northern Railway. In the said list the position of the incumbents working the Delhi Division

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has been shown to be improved as compared to their respective positions in 1969. It is submitted that the petitioners should also have been given the advantage of the principle laid down by the Delhi High Court and this Hon'ble court by refixing the seniority in 1978.

- 44. That the position of the petitioners in the said list at Serial No. 65, 66 and 87.
- 45. That the petitioners further understand that the petitioners in the Writ Petition filed in this Hon'ble Court have also been given due allowance regarding 25% reservation of vacancies for the Traffic Apprentice, for appointment in the higher grade.posts and consequently their seniority are being revised for the purpose of future promotions.
- 46. That the petitioners represented on 28.2.79 against the seniority list drawn on 19.11.78. A true copy of the representation is annexed as Annexure 11.
- 47. That on 12.4.79 a joint seniority list of Traffic Inspectors/Station Masters and Yard Masters was circulated and the petitioners were not given their due seniority by giving allowance of reservation of 25% of vacancies. A true copy of the said x joint seniority list is annexed as Annexure 12. The petitioners made representation to the railway administration against the seniority list of 12.4.1979. A true copy of the said representation is annexed as Annexure 13 hereto.

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- 48. That in the aforesaid representations the petitioners inter alia invited the attention of the Railway Administration to the aforesaid two decision of Delhi High Court and this Hon'ble Court and prayed that the seniority of the petitioners should atleast be similarly fixed as those of petitioners in the Delhi High Court and Allahabad High Court. The petitioners, however, did not receive any reply to the above representation so far.
- Delhi High Court the Railway Administration not only gave proforma seniority and promotions to the petitioners who had filed the Writ Petition in the Delhi High Court but had also given the same benefit to persons who were senior to the petitioners in the Delhi High Court. This would be evident from a circular issued on 6.4.1979 a true copy of which is annexed as Annexure 14 hereto.
- 50. That on the basis of the revised seniority given on the basis of Delhi High Court judgment, petitioners who had filed the Writ Petition and others have been given promotions to Class II gazetted posts with effect from August, 1979.
- 51. That the record of the petitioners have been above board and there is nothing against their work and conduct and they are entitled for promotion.
- 52. That regular selections are going to be held for the posts of Station Superintendent/Traffic Inspectors/Chief Yard Master in the grade of 700-900 and Chief Controller in the grade 840-1040.

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- by the Divisional Railway Manager, Northern Railway Lucknow inviting applications for appearing in selections to be held for the posts of Station Superintendent/Traffic Inspectors/Chief Yard Master, a true copy of which is annexed as Annexute 15 hereto.

 All the petitioners except petitioner No.9 Shri

 B.N.Misra are included in the said list. Petitioner No.9 is presently working as Deputy Chief Controller at Lucknow. This post is equivalent to the posts having 550-750 pay scale on traffic side. He has not been called for selection to the post of Chief Controller grade 840-1040 due to wrong fixation of his seniority.
- That the petitioners have further learne that a circular was issued on 8.1.1980 by the General Manager Personnel, Northern Railway, New Delhi inviting applications from eligible candidates in the Northern Railways for promotions to the posts of Station Superintendent/Traffic Inspectors/Chief Yard Master Along with the said circular a list of 203 eligible candidates have also been circulated. The names of petitioners appear at Serial No.9, 10, 25, 30, 31, 32 33, 34, and 63. A true copy of the circular is annexed as Annexure 16.
- 55. That there are about 66 vacancies out of which only 20 persons have been called from Lucknow Division.
- 56. That if the petitioners were given their due seniority in pursuance of the decisions of Delhi High Court and this Hon'ble Court, the petitioner No.1 would have long & since been promoted to a class II post. In



any case he should not have been placed in the eligibility list and should have been given outright promotion.

- 57. That due to wrong fixation of the seniority and because of the fact that the Railway Administration is not giving full effect to the decision of the Delhi High Court and this Hon'ble Court, mentioned above, the petitioners have already sufferred immense monetary loss and their chances of promotion have been adversely effected.
- 58. That if the selection for the posts of Station Superintendent/Traffic Inspectors and Chief Controller/Chief Yard Master are allowed to be held in pursuance of the circular dated 8.1.1980 and 19.1.1980 before the disposal of the present writ petition the petitioners would suffer substantial and irreparable loss. The belochous one to be held from 28 Leuway to 74 February 1980
- 59. That feeling aggrieved by the action of respondents 1 to 4 and having no other alternative and efficacious remedy available, the petitioners beg to prefer this writ petition inter alia on the following:

GROUNDS

- (i) Because recruitment of petitioners as

 Traffic Apprentice was for appointment directly
 to the higher grade of RTAs
- (ii) Because 25% of the annual vacancies in the RTAs have to be filled up from amongst the Traffic Apprentices.

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(iii) Because in fact due allowance was not given to the quota of 25% reserved for Traffic Apprentice for promotion to the higher grade.

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- (iv) Because fixation of the seniority of petitioners was in gross violation of the provisions of para 9 of Chapter III of the Railway Establishment Manual and other Rules and regulations.
- (v) Because the judgment of the Delhi High Court and this Hon'ble Court was a judgment in rem and should have been fully implemented.
- (vi) Because the Railway Administration is acting in an arbitrary manner and not allowing the benefit of the decision of the High Courts mentioned above to the petitioners.
- (vii) Because persons working in the Delhi Division even though not arrayed as petitioners in the Writ Petition filed in the Delhi High Court have been given benefit in matters of seniority and promotions taking into account the next below rule.
- (viii) Because the same principles should have been applied by the Railway administration while considering and making promotions inter alia of petitioners.
- (ix) Because the action of the administration is violative of the provisions of Articles 14 and 16 of the Constitution.

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- (x) Because there being nothing against the record of the petitioners to merit any supersession.

 they should have been promoted to Class II posts.
- (xi) Because the action of respondents 1 to 4 is illegal and without jurisdiction.

PRAYERS

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

- (i) Issue a writ, direction or order in the nature of mandamus directing respondents 1 to 4 to give due allowance to the petitioners in respect of 25% quota reserved for Traffic Apprentice for appointment/seniority/promotion in the higher grade of RTAs.
- (ii) Issue a writ, direction or order in the nature of mandamus commanding respondents 1 to 4 to treat the petitioners as having been given the benefit of 25% reservation of annual vacancies mentioned above, refix the seniority and grant confirmation and promotion in accordance we therewith.
- (iii) Issue a writ, direction or order in the nature of mandamus restraining respondents 1 to 4 from holding any further selections to the post of Station Superintendent/Traffic Inspector/Chief Yard Master in the grade 700-900 and Chief

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Controller in grade of Rs.840-1040 and lower gazetted scale of Rs.650-1200 without absorbing the petitioners in accordance with their due seniority.

- (iv) Issue a writ, direction or order in the nature of mandamus directing respondents 1-4 to give full effect to the decision of Delhi High Court and Allahabad High Court mentioned above, refix the seniority in accordance therewith and grant the petitioners all incidental reliefs.
- (v) Issue a writ, direction or order in the nature of mandamus commanding respondents 1 to 4 to revise the seniority in accordance with law.
- (vi) Issue a writ, direction or order in the nature of Certiorari quashing the seniority list of 19.11.1978 and 12.4.1979.
- (vii) Issue such other writ, direction or order as are deemed just and proper.

(viii) Award cost of the petition to the petitioners.

Nati: That there is no defect in this west let ilian.

Advocate Counsel for Petitioners.

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

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Writ Petition No. of 1980

K.M.Lal and others

.. Petitioners

versus

Union of India & others

.. Respondents

Annexure 1

Government of India Ministry of Railways

No.E.40 RRI/1/3

Dated 10.8.1952

To

- 1. The General Managers, N.R., N.E., E.R., S.R., C.R. & W.R.
- 2. The Chairman, Railway Service Commission, Bombay/Calcutta.

Reference replies

Sub: Improving control organisation on the Railways item 73 of the recommendation (Para 123) of the I.R.E.C. 1947 Report

Reference replies received from the Railway Administrations to Railway Board's letter No.E.49 RRI/9/S dated 24th Oct., 1951. The Board have decided that the following number of Traffic Apprentices should be recruited annually in each Railways to fill a maximum of 25% of the annual vacancies in the posts of Section Controllers, Assistant Inspector and Yard and Station Staff in Rs.150-225 Grade.

Railway

No. of vacancies

- 1. Northern 10 under the jurisdiction of Rly.
- 2. North Eastern 15 service Commission Calcutta
- 3. Eastern

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4. Southern

5 under the jurisdiction of Railway Service Commission Bombay

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- 5. Western 5 Under the jurisdiction of Railway Service Commission
 - Bombay
- 6. Central 6
- 2. The following terms and conditions will apply to these traffic apprentices.
 - i) Educational qualification as already approved in Board's letter of even number dated 24.10.51
 - ii) Scale of stipend
 - iii) Rrogramme of training
 - iv) Age limit between 20 and 24 years
 - v) Medical fitness: The candidate will be selected to training subject to medical fitness. They should belong to a category not below A2.
 - vi) Allowances: In addition to the monthly stipend they will be eligible for Dearness Allowance if admissible under the rules or extent orders.
 - vii) Boarding and lodging. In view D(vi) above boarding and lodging will be charged for from trainees if they provided in Railway Hostels.

The Railway Service Commission Bombay and Calcutta should make early arrangements to recruit the requireed number of Traffic Apprentices for each Railway. The candidates should be selected on the basis of a written competitive examination combined with an interview. The Board desire that a transportation officer of the junior Administrative grade should be associated with the Commission at the interview.

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Asstt. Director Establishment

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

Writ Petition No. of 1980

K.M.Lal & others

.. Petitioners

versus

Union of India & others

... Respondents

Annexure 2

Copy of Railway Board's letter No.E 55 RCI/
127/S dated 7.12.1956 addressed to the General
Managers, All Indian Railways.

Reference correspondence resting with your reply to Board's letter of even number dated the 25th August, 1952, has given the impression that, on completion of training, the apprentices would be eligible simultaneously for absorption in the grade of Rs.200-300 and Rs.150-225 which is not correct. The Board have, therefore, decided that para 1 of their letter dated the 30th August, 1952, referred to above, should be substituted by the following number of Traffic Apprentices should be recruited annually on each Railways eventually to fill a maximum of Section Controllers in Grade Rs.200-300 and in other posts in the same cadre in the yard and Station Trafportation cadre.

Railway	No. of Recruits
1. Northern	10
2. North Eastern	5
3. Eastern	14
4. Western	5
5. Southern	5
6. Central	· 5

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The Traffic Apprentices will, on completion of their training be first absorbed as Assistant

Station Masters, Assistant Yard Masters, Assistant

Movement Inspectors etc. in the grade Ns.150-225 and will be eligible for promotion to the grade of Rs.200-300 in the normal manner after selection

Controllers, Station Masters, Assistant Station

Masters, Yard Master, AYMS etc. provided they have completed at least one years service in the grade

Rs.150-225. Such promotion will, however, be considered only against 25% of the annual vacancies.

2. On the formation of the S.E. Railway, the number of Traffic Apprentices shown against Eastern Railway may be split up as under:

Eastern - 9
South Eastern - 5

3. Please acknowledge receipt of this letter.

True copy

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

Writ Petition No. of 1980

K.M.Lal and others

Petitioners

versus

Union of India & others

Respondents

Annexure 3

Copy of letter No.E(NG)/9 dated 31.12.1960 from the Assistant Establishment Rly. Board to G.M. Northern Rly. NDLS.

From the information supplied in Shri Zaheer's D.O.No.757/-E/42-II(Eia) dated 16.11.1960 and your office letter No.757-E/42-II-loose dated 19.1.60, it appears that a regular flow of Traffic Apprentice to the grade 200-300 is not being maintained on your Rly. Since. Traffic Apprentices are being recruited annually at a rate equivalent to 25% of the average annual wastage in grades 200-300 and above in the Control and Traffic groups, they should be absorbed in grade 200-300 at same rate.

To ensure this, it is necessary a that 25% of the annual vacancies on the grade Rs. 200-300 be earmarked for Traffic Apprentices. If during any particular year it is not found possible to utilise this quota fully on account of a sufficient number of Traffic Apprentices not being eligible for promotion (owing to not having completed one year's service in the grade 150-225) the deficit should be carried forward to next selection. This quot of 25% should also be adhered to when promotions to the grade 200-300 have to be made on

the basis of seniority-cum-suitability pending selection.

- Apprentices to the Gradæ 200-300 are appreciably slower on some divisions than on others. This leads to the conclusion that a rational system is not being followed in allotting apprentices to Divisions Promotions can be evened out if Traffic Apprentices are allotted to each division and on the basis of the number of posts in grade 200-300. and above available on that division. It should also be ensured that a number of candidates in successive order of merit are not posted to the same division.
- 4. The Board desire that action on the above lines should be taken on your Railway. They would also like to out point/that their orders contained in their letter No. E(NG)59 PMI-5 dated 20.11.59 are not intended to apply to traffic apprentices. In other words, T/As should not be considered ineligible for promotion to grade 200-300 merely because they have not completed one year as A.Y.M.

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

Writ Petition No.____ of 1980

Seminar of a discontinual

· ... Petitioners

versus

Union of India & others

K.M.Lal and others

· · · Respondents

Annexure 4

Copy of Railway Board letter No.E(ENG) 61 RRI/4 dat d 18.12.63 addressed to all General Managers

Subject: Recruitment of Traffic Apprentices.

Reference Board's letter No.E49 RRI/3 dated 30.8.52 as amplieifed vide their letter No.E55/RCI/127/3 dated 7.12.56, wherein Railway were allowed to recruit Traffic apprentices, who, after successful completion of their training were first to be absorbed in s ale of 200-300 against 25% of vacancies in the posts of Section Controllers, Station Masters, ASMs, Yarmasters, AIMS etc. provided the complete at least one year's service in the scale 150-225.

- 2. The Board have now decided that with immediate effect Traffic app. on successful completion of the three years' training should be straight away brought on the scale of 200-300 (PA)/250-380 (AS) as at present. Consequently they should be allowed stipend in the scale of Rs.205 7 219 during the period of their training.
 - 3. While implementing the above decision, Traffic Apprentices who have already been absorbed in the scale of 150-225 (PS)/205-280 (AS) against the quota of vacancies reserved for them, such staff should not be

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required to undergo the selection as stipulated in Board's letter No.E(NG)61 PMI-50 dated 24.10.61 which now stands superseded.

In the event of non-availability of the vacancies in scale 250-380 (As) ont of the quota reserved for the Traffic apprentices, staff should be allowed the scale of \$3.250-380 (As) as personal to them while working against the post in grade 205-380 (As) till they come in turn for appointment to the posts in the grade 250-380 (As).

- 4. As regards Traffic Apprentices who were undergoing training present and have not yet been brought on to the working post, it has been decided that from date of issue of this letter, they should be allowed stipend in the scale of 205-7-219 during the remaining period of their training.
- 5. These orders have the sanction of President.

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

Writ Petition No.

of 1980

K.M.Lal and others

.. Retitioners

versus

Union of Índia & others

... Respondents

Annexure 5

M.P.Mathur, SPO/R

NORTHERN RAILWAY

Headquarters Office Baroda House, New Delhi

19.4.1968

D.O.No.757 E/42(ELB) 19.4.68

Sub: Traffic Apprentices

Ref: This office letter No.230 E/172-VI (Rectt)-L dated 26.12.67 and wire bearing No.757E/42-IV (21B) dated 17.2.68.

A number of references have been received from Members of Parliament on the subject of redressal of grievances of Traffic Apprentices absorbed in various categories on Northern Railway. It has also been brought up for discussion during Lok Sabha debates. In view of the urgency and importance of the matter, the Chief Personnel Officer desires that necessary adjustment of seniority of the Traffic Apprentices, their confirmation as due, proforma fixation of pay, etc. should be finalised within a period of a fortnight certain. This work should be undertaken on top priority basis and all out efforts made to keep up to the target fixed by C.P.O.

The complaints of the Traffic Apprentices base mainly comprises of the following

- 1. No seniority list of Traffic Apprentices has been issued since their appointment.
- 2. No confirmation has yet been ordered.
- 3. They have not yet been absorbedin suitable po-

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4. No traffic apprentice has yet been called for any selection.

As regards items 1 to 3 necessary instructions have already been issued vide this office letter dated 26.12.67, quoted above. The Traffic Apprentices will be deemed to have been promoted from the dates they were due eligible provided vacancies were available in the particular year for their absorption and their interests will be protected by giving benefit of proforma fixation of pay etc., in terms of 'P' Branch serial Number 2709.

In regard to item 4 above, the position should be scrutinised on each Division and the posts and grades for which they would have been and eligible to appear for the selection had they been given the seniority due to them in time should be worked out immediately and further action taken in terms of extant orders.

In case of any difficulty the matter may be discussed on telephone without making a reference and waiting for its reply. You should expedite matters and eliminate the element of delay through ordinary reference.

This should be treated as most urgent and a completion report submitted by 4.5.68 certain for the information of Chief Personnel Officer.

This Receipt of this D.O. way please be acknowledged.

Yours sincerely.

Sd/- M.P.Mathur

Shri Divisional Personnel Officer. Northern Railway.

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IN THE HIGH COURT OF JUDICATURE AT ALLAHABAD. SITTING AT LUCKNOW.

OF 1980. Petitioners. WRIT PETITION NO. K. M. Lal and others VERSUS

.... Respondents. Union of India and others..... Annexure - 6.

Northern Railway.

Divisional Supdt's Office, Lucknow, Dt. 7-1-70.

The following orders are issued to take immediate effect:-

- Shri R.B.Singh TI(Safety) LKO Gr.370-475(AS) is transferred and temporarily appointed to officiate as Chief Yard Master Lucknow in the same grade vice Shri B.P.Panday CYM granted 31 days LAP from the date he is relieved.
- Shri P.L.Arya TI/SLN in Gr.Rs. 335-425(AS) is temporarily appointed to officiate as TI(Safety) in GriRs. 370-475(AS) 2. vice Shri R.B. Singh item 1 above.
- Shri G.B.Flynn Section Controller, LKO Gr. Rs.270-380(AS) is temporarily appointed to officiate as TI/SLN in Gr. Rs. 335-425(AS) vice Shri Arya item 3 above.
- Shri B.N.Misra Section Controller, LKO Gr. Rs.270-380(AS) is temporarily appointed to officiate as DTI/LKO in Gr. Rs. 335-425 (AS) vice Shri S.P. Srivastava DTI spared to Chandausi for work study course.
 - Shri K.M.Lal Section Controller Gr.Rs. 270-380 (AS) is temporarily appointed to officiate as TI/RBL in Gr. Rs.335-425 5. (AS) vice Shri Raghvan TI/RBL granted two months LAP from the date he is relieved.

The above is the purely temporary local arrangements and will not give them any claim over their seniors in future. Date of changes may be advised.

Sd/- (K.K.Khanna), Divl.Personnel Officer, Lucknow.

General Manager (P), N. Rly., Baroda House, New Delhi for Copy forwarded to :information, 2. TI/RBL, SLN. (3) TI(S)/LKO (4) DTI/LKO (5) Chief-Controller/LKO.(6)The SS/LKO & BSB.(7)CYM/LKO.(8)DOS & DSO/LKO. (9) Staff concerned for information and necessary action.

IN THE HIGH COURT OF JUDICATURE AT ALLAHABAD. SITTING AT LUCKNOW.

WRIT PETITION NO. _ ... Petitioners. K. M. Lal and others VERSUS

... Respondents. Union of India and others

Annexure - 7.

NORTHERN RAILWAY.

HEADQUARTERS OFFICE, BARODA HOUSE, NEW DELHI.

NOTICE.

Addl.COPS(C) has passed the following orders:-

One post of Traffic Inspector Gr. 700-900(RS) from Moradabad Division to Lucknow and one post of Traffic Inspector Gr. 550-750 from Lucknow division to Moradabad Division is temporarily transferred with immediate effect.

Consequently in part modification of earlier orders, the following posting orders are issued:-

- Shri K.M.Lal,Offtg.TI Gr. 550-750 under orders of promotion as TI Gr. 700-900(RS) on Moradabad is retained on Lucknow Division and posted as Offtg.TI Gr.700-900(RS)in local arrangements against the above post.
- Shri S.P.Gupta,Offtg.SCNL/MB under orders of transfer to LKO Division as TI Gr. 550-750(RS) is retained on Moradabad Divn. as TI Gr. 550-750 on Moradabad Division.

The above changes may be carried out immediately and changes advised to this office within 10 days. Sd/- (DEV RAJ)

Senior Personnel Officer(T & C) Dated 26th.June, 1979.

No. 757-E/85-VI(Eib).

Copy forwarded for necessary action to :-

The Divl.Rly.Manager, MB & LKO in reference to Sr.D.O.S./MB & DRM LKO's D.O.No.ST/4/78(TI-HQ)dated 8-6-79 and DRM LKO's D.O.No. 757-EV/1/iii/HQ dated 14-6-79.

PA/COPS & CA/COPS.

IN THE HIGH COURT OF JUDICATURE AT ALLAHABAD.

SITTING AT LUCKNOW.

WRIT PETITION NO. OF 1980.

VERSUS

Annexure - 8.

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The Fivisional Superintendent,

Northern Railway, Lucknow.

SUB: - Seniority of Traffic Apprentices.

REF:- Seniority List of RTAs issued on 26-6-1973.

Sir,

We the undersigned were greatly shocked to see the latest issue of Seniority List of RTAs replacing former list issued in Dec. 1969. The present list has totally ignored certain important principles and directives issued by the Rly. Board and the Hd. Qrs. Office and accepted by the Divl. Authorities. The reason for the urgency and abruptness with which 3 1/2 years old provisional list was replaced by yet another provisional list of RTAs(a defunct cadretafter revision of channel of promotion in 1972) and that top just on the eve of the proposed selection of TIS Gr. 335-425(AS) is not far to seek.

- The following few points are therefore submitted to your goodself for consideration and necessary action to rectify the injustice done.
- traffic apprentices are to be directly absorbed in Gr.250-380(AS) on completion of 3 years training as they are recruited against 25% xxx vacancies in that grade and not after 4 years i.e. 3 years training and one year probation in a junior grade.
- That even if the principle of absorption in Gr.250-380(AS) after 4 years is accepted for the sake of argument, the various batches of traffic apprentices who completed their 3 years training and one year probation in 1958-59 onwards have not been given Gr. 250-380 against their accumulated vacancies @ of 25 % from the year 1954. Our claims were however acceded to in 1962 after irregularly absorbing many promotees who are now being placed above us in seniority on that basis. This violates Rly. Board Circular No.E(HGN)63//PH-1/92 dated 16/17-9-64, which provides "the staff who have lost promotion be assigned correct seniority vis-a-vis,

(Continued on page 2).

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Annexure 8.

their juniors already promoted irrespective of the date of promotion". In this context it should also be noted that the then Divl. Authorities illegally operated 1958 panel of promotee R.T.As till late 1952 although life of any panel can not exceed more than 2 years. It was on account of those wrong promotion of promotees in excess of their legitimate quota of 75% that the confusion and complication in seniority has arisen.

- That the traffic apprentices have already suffered tremendous financial loss due to delayed promotions. Any further efforts deny them correct seniority and other consequent benefits will be a death blow to their already ruined career. It is indeed un-thinkable that a large number of traffic apprentices even after putting in, 10 to 15 years of services have not yet been confirmed in their initial grades of Rs. 250-380(AS).
 - (4) That the correct ratio of traffic apprentices vis-a-vis promotee RTAs should have been 1:3 and not 3:1 as laid down in Railway Board's letter No.E(NG)-61/PMI-50 dated 24-10-1961 para -2 which lays down as under:-

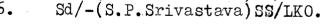
"The vacancies occuring in grades Rs. 250-380(AS) and above should be from the panel of Traffic Apprentices and the panel of other eligible staff (promotees from rank) in the ratio of 1:3 ".

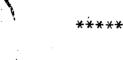
It is therefore requested that the seniority list issued in 1969 be confirmed as final after assigning correct seniority to Shri Inamul Haq whose name has been wrongly placed after a gap of 9 promotees instead of 3 as this mistake occurred due to wrong entry of the date of completion of training by office. We shall be highly grateful for early action on this appeal as justice delayed in justice denied. Thanking you for the kindness.

Yours faithfully,

Dated: 23rd.July, 1973.

- 1. Sd/- (J.Raghvan) TI(SWR).2.
- (Inamul Haq TI/Trg). (S.D.Singh) TI(Plg). 3.
- Sd/- (K.M.Lal) TI/SLN.
- Sd/-(B.N.Srivastava)TI/FD.





IN THE HIGH COURT OF JUDICATURE AT ALLAHABAD. SITTING AT LUCKNOW.

OF WRIT PETITION NO.___

Petitioners. K. M. Lal and others

VERSUS

Union of India and others Respondents.

Annexure - 9.

NORTHERN RAILWAY.

Divl.Supdt's Office, Lucknow, Dt. 28-8-73.

No. 220 E/1B/5/1.

The Station Superintendent,

Northern Railway,

Lucknow & Varanasi.

SUB:- Representation dated 23-7-73 from Traffic Apprentice against the provisional seniority list issued on 26-6-73.

The Traffic Apprentices now officiating as Traffic Inspectors etc: may be advised that their representation has been examined and it is found that they have been correctly assigned seniority from the dates they were due and eligible for promotion/absorption against the vacancies available.

> Sd/- J.N.Guha Divisional Personnel Officer, Lucknow.

Copy to :-

- T.Is. SLN, FD. 1.
- TI (SWR)/LKO. 2.
- TI (Training) LKO. 3.
- TI(Planning)/ LKO.

AT ALLAHABAD, EN THE HIGH COURT OF JUDICATURE K. M. Lal and others WRIT PETITION NO.

Petitioners.

VERSUS

Respondents. Union of India and others Annexure - 10.

SUB: SENIORITY LIST OF TRAFFIC INSPECTORS GRADE R. 550-750 (RS) AS ON 30-9-1978. Northern Railway Hd.Qr. letter No. 757E/85 Seniority(E-I-B) dated 19-11-78. Temporary -Sanctioned strength - Permanent - 29

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64.	K.K.Rattan.	FZR.	10-9-31	19-6-65	SCNL	470-750	II 59-6-9	550-750	2-9-76 P.164 SEI.
65.	G. B. Flynn.	LKO	27-5-31	30-4-56	op	- op-	26-5-62 TI	-do-	16-3-77 -do-
. 99	K.M.Lal.	LKO :	16-10-33	24-12-56	-q o-	op	1-7-69 TI	-qo-	-3-77 -do-
.79	Gian Singh.	DLI	15-3-31	3-9-46	MMIT	330-560	11-4-59 TI	-qo-	2-9-76 P.16A.
72.	S. P. Gupta.	FZR.	18-4-42	19-8-62	SCNL	470-750	30-6-68 FI	-qo-	22-9-76P.16A.SPL.
73.	K.K.Sharma.	FZR	5-10-42	19-8-63	0	-do-	1-9-68 TI	- O D -	3-11-76 -do-
74.	Misri Lal(SC)	LKO	1-11-38	22-3-67	ASM	455-700	2-12-71 TI	- o p-	11-5-77 -do-
7.5.	Withai Lal(SC)	1张0:	15-5-36	13-4-67	SIM	-90-	T.T.	-0p-	26-11-76 P.16A.
.94	Dharam Vir.	DILI	15-9-35	11-12-56	IMM.	425-640	.19-4-73 TI	-0,0-	2-9-76 P.14.
77.	J.P.Goel.	ALD	29-6-31	19-9-55	SCNL	470-750	2-1-70 TI	- o p -	9-3-77 Tr.App.
78.	Prem Dayal.	ΔĮΤΩ	24-9-32	16-12-57	ASM	455-700	TI -	-op-	9-3-77 P.16A/SPL.
79.	R.P. Srivastava. ALD	. ALD	31-3-37	6-9-9	ASM	455-700	TT.	- G D-	9-3-77 -do-
80.	P. N. Srivastava. ALD	.ALD	1-3-35	6-9-9	ASM	-qo-	TT -	-qo-	14-7-77Tr. App.
.84	Attam Prakash.	DLI	1-6-31	1-9-49	ASM	425-640	TI	-op-	22-8-77P.16 A.
87.	Inamul Haq.	LKO	28-2-33	24-12-56	SCNL/	470-750	15-12-70TI	- Q D-	- 7.16 A.
88.	J.N.Malviya.	ALD	26-2-29	24-12-56	SCNL	70-7	TI TI	-op-	.164/8
.06	M.M.Dhayani.	Ωſ	15-9-32	18-6-65	-op-	-0p-	17-5-68 TI. Prov.	- op-	- P.16 Promotion A. ued vide
91.	P.N. Soni.	DLI	21-1-30	19-6-6	-0p-	-qo-	-do-	-qo-	oticeN 57-E/8
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Sl. Nos. 1 to 38, 45 to 55, 68 to 71, 81 to 83, 85, 86, 89 and 92 to 100 left out, not being relevant to the case.

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Annexure - 10.

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IN THE HIGH COURT OF JUDICATURE AT ALLAHABAD.
SITTING AT LUCKNOW.

WRIT PETITION NO. OF 1980.

K. M. Lal and others Petitioners.

VERSUS

Union of India and others Respondents.

Annexure - 11.

The General Manager (P),
Northern Railway,
Headquarters Office,
Baroda House, New Delhi.
Sir,

SUB: - SENIORITY OF TRAFFIC INSPECTORS.

REF: - H. Q. No. 757E/85/Seniority(E-I-B) Dt. 19-11-78.

An Examination of the Seniority List shows that no principle has been followed in assigning seniority. Even among persons from the same category consistency has not been observed.

Whereas Serial No. 40 to 44 and 61 to 63, though batches junior to undersigned as Traffic Apprentice have been assigned higher seniority in the list.

It is also understood that serial No. 40 to 44 have been assigned further higher seniority on the hypothesis that they were ignored for selection for T.I. Gr. Rs. 335-425 (AS) by Headquarter due to Administrative error. This has been further carried forward and its benefit given in seniority of Grade Rs. 450-575 (AS/700-900 (RS) as T. I.

It is prayed that similar relief and seniority should be given to me being similarly placed to ensure natural justice. Thanking you for the kindness.

Yours faithfully,

Sd/-(K.M.Lal) TI(SWR) N.Rly., Lucknow.

Dated: 28-2-79.

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SITTING AT LUCKNOW.	く ブ	. Petitioners.
IN THE HIGH COURT OF JUDICATURE OF ALLAHABAD.	WRIT PETITION NO.	K. M. LAL and others

.... Petitioners.

Union of India and others Respondents.

Annexure - 12.

Northern Railway Hd.Qr.Office letter No. 757E/38-11(E-IB) Dated 12-4-79. JOINT SENIORITY LIST. SUB:-

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Date of birth.	4	21-7-32	12-5-32	27-6-32	20-6-34	10-9-31	27-5-31	16-10-33	29-6-31	26-2-29	18-4-42		5-10-42	15-9-35	25-9-32	10-6-33	27-10-33	1-4-23	
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-	1-2-10	1-9-0	1-1-21	1-4-8	0-8-14	1-9-27	1-7-22	1-7-22	1-2-3	1-3-17	0-9-11	0-8-7	ı		ı	0-1-16	0-2-13
	SW 550-750	SM -0.0-	SM -do-	-0p- MS	.CYM-do-	SM -do-	TI -do-	TI -00-	SM -do-	TI -do-	SM -do-	SM -do-	SIM -do-	TI -do.	TI -do-	TI -do-	TI -do-
0	12-12-71	28-9-67	12-12-70		22-9-67DY	10-6-01	Ty.	Ty.	13-12-70	Ty.	2-6-71	3-6-71	7-1-67	13-12-70	17-5-68	1.7-5-58	15-9-72
O O	ASM 455-700	ASM -do-	ASM -do-	- YM 425-640	ASM -do-	SM -00-	ASM 455-700	ASM -do-	ASM -do-	ASM -do-	ASM -do-	ASM -do-	ASM 425-640	SCNL470-750	SCNI-do-	SCNL-co-	Guard.330-560
	12-12-57	25-7-62	8-8-62	27-3-58	4-12-44	4-10-65	16-12-57	65-9-9	25-7-62	65-9-9	18-9-63	13-8-63	2-1-47	24-12-56	18-6-65	9-6-57	6-11-54 G
•	12-1-38	12-1-55	4-2-36	6-5-34	1-9-26	15-11-35	24-9-32	31-1-37	1-6-34	1.3.35	5-6-42	4-12-41	1-2-28	28-2-33	15-9-32	21-1-38	15-3-35
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LKO. 12-13-8 12-12-57 ASM 455-700 12-12-71 SM 550-750 1-2-10 Tr.App.P16A SN. Siddiqui. LKO. 12-1-55 25-7-62 ASM -do- 28-9-67 SM -do- 1-1-2-9 SR -do- 1-1-2-7 SM -do- 1-1-2-8 Tr.App. S.P. Barari. LKO 1-9-26 4-12-44 ASM -do- 22-9-67DX·CIM-do- 0-8-14 Eximpted for S.N. Narula. FZR. 15-11-35 4-10-65 SM -do- 10-9-70 SM -do- 1-7-22 P16A/SPL. R.P. Srivastava.ALD 31-1-37 6-6-59 ASM -do- 13-12-70 SM -do- 1-2-3 do- 1-2-3 ASM -do- 1-2-37 SM -do- 1-2-3 ASM -do- 1-2-37 SM -do- 1-2-38 SM -do- 1-2-37 SM -do- 1-2-37 SM -do- 1-2-38 SM -do- 1-2-67 SM -do- 1-2-38 SM -do- 1-2-68 SM -do- 1-1-67 SM -do- 1-2-88 SM -do

Sl. Nos. 1, 4 to 10, 16, 21, 22, 24 to 29 etc. have been left out, not being relevant to the case.

Annexure - 12.

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IN THE HIGH COURT OF JUDICATURE AT ALLAHABAD. SITTING AT LUCKNOW.

WRIT PETITION NO. OF 1980.

K. M. Lal and others Petitioners.

VERSUS

Union of India and others Respondents.

Annexure - 13

The General Manager (P),

Northern Railway,

Headquarters Office,

Baroda House, New Delhi.

SUB: - JOINTSENIORITY LIST.

REF:- H.Q.Office letter No. 757E/38-11 (E-I-B) Dt.12-4-79.

Sir,

In reference to the above seniority list, I have to point out the following discrepancies while assigning seniority to me.

Although Sl. Nos.,2, 3 & 12 belong to junior batches of Traffic Apprentices a cadre to which I also belong, they have been assigned higher seniority. They were also promoted to grade 335-425 (AS) later than me.

The revised channel of promotion was introduced from 1-1-73, and all the above were promoted to the grade Rs.550-750(RS) after this date under this same channel of promotion.

It is not understood as to how the Inter-Se-Seniority was disturbed when I also gave option the very first time it was called for. In view of the above it is requested that I may be assigned higher seniority over the above mentioned serial numbers.

This representation is being submitted in addition to my appeal against the incorrect assigning of seniority and thereby not including my name in the panel of T.Is. Gr. Rs. 700-900(RS) (1976-77-78-79) which I submitted on 19-3-79. (Copy enclosed).

Yours faithfully,

Sd-

(K. M. Lal),

TI/ (SWR)/Lucknow.

Dated: 25-4-79.

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IN THE HIGH COURT OF JUDICATURE AT ALLAHABAD.

SITTING AT LUCKNOW.

OF 1980. WRIT PETITION NO. K. M. Lal and others Petitioners. VERSUS Union of India and others Annexure - 14. Dated 6 April, 1979. Divl.Rly.Manager's Office, New Delhi. Northern Railway No.7758-E/30/IX(EI). SS/DLI, NDLS. TI Working Rules, DRM Office, /NDLS. Transportation Instructor, S/Camp, SRE. Traffic Inspector(10 Hrs.), DRM Office/NDLS. D. T., DRM Office/NDLS. SUB: - Selection and promotion to the post of Traffic Inspector Grade Rs. 450-575(AS)/700-900(RS). As a result of grant of proforma promotion as T.I. Grade 370-475(AS)/550-750(RS) to Six Traffic Apprentices of this division, Supplementary Selection of these 6 Traffic Apprentices was held in Hd.Qrs.Office on 8-10-78 and 6-11-78 (Written Test) and on 8-1-79 (Vive-Voce) in continuation of the main selection held in the year 1975-76 and result declared on 2-8-76. In terms of Hd.Qrs.Office letter No.757-E/85-III(Eib)dated 5-2-79, all these six employees have been selected for the post of T.I. Grade Rs. 700-900 (RS) and the final panel is in the order of merit given below:-S.Ne. N A M E. Division Shri T.R.A.Pærkash. DLI. 2. Shri Panna Lal Arya (S/C) ALD. 3. Shri A.N.Sibbal. DLI. 4. Shri D.P. Sharma. DLI. Shri Chander Parkash. DLI. Shri Durga Dass (S/C). MB_{\bullet} Shri Purna Nand Gosain (Sharma). .7: DLI. Shri P.N.Sarin. DLI. Shri S.M. Prashar. Hd.Qrs. 10. Shri Ved Parkash. DLI. 11. Shri D.P. Sonker (S/C). DLI. 12. Shri Harcharan Singh. DLI. 13: Shri Kartar Singh. DLI. 14. Shri B.D.Khanna. DLI., . 15. Shri H.K.Bhasin. Hd.Qrs. 16. Shri Charanjit Singh. DLI. 17: Shri Hari Dev Sharma. DLI 18. Shri N.K. Rastogi. ALD. 19. Shri N.P.Sarkar (S/C).

(Continued on page 2).

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Annexure - 14:

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II. In terms of Hd. Qrs. Office letter No. 757-E/85-VI/L(EIB) dated 16-3-79, the adhoc promotion of S/Shri P. N. Sarin, Ved Parkash, D.P. Sonkar and Kartar Singh as Traffic Inspector Grade Rs. 700-900 (RS) are now regularised from the date of issue of Hd. Qrs. Office letter cited above.

The staff concerned may be informed accordingly.

Sd/- Illegible:

For Divisional Personnel Officer, N.Rly/NDLS.

Copy forwarded to the G. M. (P), Ni Rly., New Delhi for information.

well.

IN THE HIGH COURT OF JUDICATURE AT ALLAHABAD.

SITTING AT LUCKNOW.

OF 1980. WRIT PETITION NO.

K. M. Lal and others Petitioners.

VERSUS

Union of India and others Respondents.

Northern Railway.

Annexure - 15. Divisional Office, Lucknow, Dt. 19-1-80.

No. 757 E 5/1/III/Hd.Qr.

Sr. DOS/DSO/DOS/LKO. SS/LKO & BSB.

CHC/LKO.

TIS. (10 Hrs.), SWR, Safety LKO, FD, PBH.
SMs JNH, BBK, AY, PBH, PRG, KEI, SLN, RBL, ON, FD, JNU & VYN.

COMBINED SELECTION FOR THE POSTS OF STATION SUPDT., TRAFFIC INSPECTOR AND CHIEF YARD MASTER GR.Rs. 700-900 (RS).

G.M.(P) letter No. 757E/38-IX (EIB) dated 8-1-80.

G.M.(P) vide his letter referred above has now decided that only Viva Voce test be held for the Combined Selection for the post of Station Supdt., Traffic Inspector and Chief Yard Master Gr. Rs. 700-900 (RS).

The staff mentioned below may be relieved in time and directed to report on the dates noted against their names at 9.00 hrs. in Room No. 341-'A' III rd.floor Annexe-I Baroda House, New Delhi.

The refusal of the staff if any not willing to appear in the above selection may be obtained in writing and sent to this office by 21-1-80 positively. The staff concerned may be warned that failure on their part for the absence in the selection on the fixed date without sufficient reasons i.e. Sickness of the employee in ... himself or any other member of his family without support of. Medical Certificate from the authorised Medical Doctor will be taken to mean that he is not interested in the Selection and his name will be dropped, from the list of the elegible candidates.

List of candidates of Lucknow Division required to attend Combined Selection, for the posts of SS/TIs. & CYM Gr. Rs. 700-900 (RS).

S1. No.	NAME. Designation.	Date of Viva REMARKS.
1.	Shri G.B.Flynn. 757 T.I. (10 Hrs)	28-1-80.
2.	Shri K.M.Lal., T.I. (SWR).	
3. i.	Shri RCS. Tewarica beld CSM/JNH. Com	# 328-1-80:35 M
4 •	Shri S, P. Srivastava (I) SM/BBK.	29-1-80.
5.	Shri S.P. Srivastava(II). SM/AY.	29-1-80.
6.	Shri T. N. Vajpaj. TI (Safety).	. 29-1-80 · here so the re-
	and the second s	· Charles and Colored Section (Colored S

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Annexure - 15.

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Sl. No.	N A M E.	Designation.	Date of Viva- Voce.	Remarks.
7. 8. 91. 10. 11. 12. 13. 14. 15. 16. 17. 18.	Shri Inamul Haq. Shri M.W.Siddiqui. Shri S.D.Singh. Shri B.N.Srivastava. Shri C.S.Panday. Shri S.S.Verma. Shri S.N.Singh. Shri R.K.Dubey. Shri R.R.Singh. Shri M.C.Joshi. Shri R.R.Singh. Shri Imtiaz Ahmad. Shri S.R.Pathak.	TI/FD. SM/PBH. SM/PRG. SM/KEI. SM/SLN. SM/RBL. DY.CYM/BSB. DY.CYM/LKO. DY.CYM/LKO. SM/ON. SM/FD. TI/PBH. SM/JNU.	29-1-80. 29-1-80. 29-1-80. 29-1-80. 29-1-80. 29-1-80. 30-1-80. 30-1-80. 31-1-80. 31-1-80. 4-2-80. 5-2-80.	
20.	Shri R.D.Singh.	SM/VYN.	,	

Sd/- (A.K.KANAUJIA),
For Divl. Railway Manager,
N.Rly., Lucknow.

Copy to HCA for information and necessary action. He is directed to send the CR's of the above staff for the last three years section I & II duly brought up-to-date for the period ending 31-3-77, 31-3-78 and 31-3-79 to CA/COPS in a sealed ocver by 21-1-80 through Special Messenger.

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IN THE HIGH COURT OF JUDICATURE AT ALLAHABAD.

SITTING AT LUCKNOW.

WRIT PETITION NO. _____ OF 1980.

K. M. Lal and others Petitioners.

VERSUS

Union of India and others Respondents.

Annexure - 16.

NORTHERN RAILWAY.

No. 757E/38-IX (EIB).

Headquarters Office, Baroda House, New Delhi,

The Divl.Railway Managers,

Northern Railway, DKI,FZR,ALD,MB,BKN,LKO & JU.

The STO(Safety),

Baroda House, New Delhi.

The Secretary, Establishment,

Railway Board, New Delhi.

SÚB: - COMBINED SELECTION FOR THE POSTS OF STATION SUPDT.,
TRAFFIC INSPECTOR AND CHIEF YARD MASTER GRADE Rs. 700-900(RS).

- 1. In continuation of this office D.O.letter of even number dated 11-12-1979, it has now been decided that only viva-voce test be held for the above selection.
- 2. The staff mentioned in the enclosed list may please be relieved in time and directed to report to this office in Room No.341-A, ITT rd.Floor Annexe-I, Baroda House, New Delhi on the dates noted against each at 9/-hours.
- 3. A statement showing the details of awards given to the candidates of your division as well as record of Punishment during the last three years may be sent on the enclosed proforma by 21-1-80 positively.
- The Confidential reports of the staff concerned for the last the years Section I & II duly brought upto date i.e.for the period ending 31-3-77, 31-3-78 & 31-3-79 may be sent to CA/COPS in a sealed cover by 21-1-80 through special messenger. While directing the staff concerned to appear in the above selection, instructions contained in printed serial No. 2920, should strictly be followed.
- 5. The refusal of the staff if any not willing to appear in the above selection may be obtained in writing and sent to this office before the selection is held. The staff enlisted may please be warned that failure on their part for appearing in the selection on the fixed date, without sufficient reasons i.e. sickness of the employee himself or any member of his family without support of Medical certificate from the authorised Medical Doctor will be taken to mean that he is not interested in the selection and his name will be dropped, from the list of eligible candidates. Please ensure that all instructions in respect of this selection are noted by each of the staff concerned and his acknowledgement is obtained. of the staff who have not yet been promoted to grade Rs. 550-750(RS) as per promotion orders issued by this office due to DAR/Vig./SPE case or punishment should not directed to attend this selection.

DA/As above.

Sd/- (Dev Raj), For General Manager (P).

(Continued on page 2).

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Annexure - 16.

- 2 -

Copy forwarded for information to :
1. The Addl.COPS(C), N.Rly., New Delhi.

2. The Dy.CCS(G), N.Rly., New Delhi.

3. CA/COPS. He may please collect the CRs of the staff mentioned in the enclosed list for the period ending 31-3-79 for presentation before the selection Board on the dates shown against each.

LIST OF CANDIDATES CALLED FOR COMBINED SELECTION FOR THE POSTS OF S\$,TI,CYM Gr. Rs. 700-900 (RS).

Sl. No.	•	NAME.	:Designat		:Date of :Viva Voce.	
1.2.4.	Shri Shri Shri Shri	Misri Lal S/C. B.P.Misra. Jaswant Singh. P.N.Sondhi. R.L.Bangia.	-do- -do- -do-	SS/MB Divn. TI/JU Divn. BKN Divn. SM/JAT HPU TI/HQ.	28-1-80. -do- -do- -do- -do-	
70. 13.	Shri Shri Shri	K.K.Rattan. G.B.Flynn. K.M.Lal. S.P.Gupta. K.K.Sharma.	-do- -do- -do- -do-	FZR. LKO. LKO. FZR. FZR.	-do- -do- -do- -do-	
17. 19. 20. 24. 25.	Shri Shri Shri Shri	K.K.Bhardwaj. R.S.Gupta. T.R.Lakhanpal. J.Raghawan. S.P.Srivastava.	-do- -do- -do-	SM/Simla. SM/MB. SS/DLI. TI/RB. SM/BBK.	-do- -do- -do- 29-1-80. -do-	
27. 26. 30. 31. 32.	Shri Shri	T.N.Vajpai. Sankata Pd.Srivasta Inamul Haque. M.W.Siddiqui. S.D.Singh.	ava.	TI(S)/LKO. SM/AY. TI/FD. SM/PBH. SM/PRG.	-do- -do- -do- -do- -d•-	
33. 34. 51. 52.	Shri Shri Shri Shri	B.N.Srivastava. C.S.Panday. D.K.Agarwal. A.C.Chhada. S.N.Singh.		SM/KEI. SM/SLN. SM/ALD. SM/DLI. DY.CYM/BSB.	-do- -do- 30-1-80. -do- -do-	`
55. 57. 63. 150.	Shri Shri Shri Shri	R.K.Dubey. K.C.Gautam. M.C.Joshi. Imtiaz Ahmad. J.N.Mittal. Roshan Lal.		DY.CYM/LKO. DY.CYM/ALD. SM/ON. TI/PBH. TI/Solon. SM/TI/ALD.	-do- -do- 31-1-80. 4-2-80. 5-2-80. 7-2-80.	

S1. Nos. not relevant to the case have been left out.

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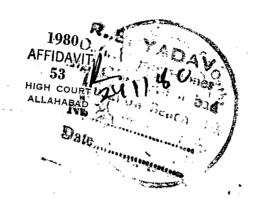
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IN THE HON'BLE HIGH COURT OF JUDICATURE AT ALLAHABAD SITTING AT LUCKNOW

Writ Petition No. of 1980

 $K_{\bullet}M$







K.M.Lal and others

... Petitioners

versus

Union of India & others

... Respondents

Affidavit

I, K.M.Lal aged about 46 years son of late ShriR.B.Lal, Traffic Inspector (SWR), resident of T-36A Northern Railway Colony, Charbagh, Lucknow, do hereby solemnly affirm and state as under:

- 1. That the deponent is petitioner No.1 in the aforesaid writ petition and he is fully conversant with the facts deposed to hereinafter.
- 1. That the contents of paragraphs 1, 2, 4, 5, 7, 8,18, 25 to 40, 42 to 44, 46 to 58 of the accompanying writ petition are true to my knowledge and those of paras 3, 6, 9 to 17, 19 to 24, 41 and 45 are believed by me to be true on the information received.

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3. That the deponent has compared Annexures
1 to 16 of the accompanying writ petition with their
originals and ce tifies them to be true copies thereof.

deponent deponent

Dated: Lucknow

1-24-1-9-

Verifications

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

Dated: Lucknow
January 2471980

peponent

I identify the deponent who has signed before me

Model acin Clo Sin R.N.
The Sin Advock

Solemnly affirmed before me on 24-1-80 at 8 70 am/pm by Shri K.M.Lal, who is identified by Shri Maka Kamic/o RN-Turned Advocate, High Court, Luc now

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

No. 53/306.

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wrongly fixed which resulted in not only monetary loss to the petitioners but also effected their future chances of promotions.

- 3. That Selections for the posts of Station Superintendent/Traffic Inspectors/Chief Yard Master and Chief Controller are going to be held in terms of circulars issued on 8.1.1980 and 19.1.1980 from 28.1.80 to 7.2.1980.
- 4. That the petitioners would suffer substantial and irreparable loss in case the selections are allowed to be held before the disposal of the present writ petition.

wherefore it is most respectfully prayed
that this Hon'ble Court may be pleased to restrain
respondents 1 to 4 to hold any selections in pursuance
of circulars dated 8.1.1980 and 19.1.1980, direct and
direct respondents 1 to 4 to treat the petitioner as
having been regularly absorbed in the posts of
700-900 grade from the date earlier than the promotion
of juniors of petitioners and also restrain respondent
1 to 4 from holding any selection for class II posts
from amongst the incumbents already absorbed in the
scale of 700-900 pending disposal of writ petition.

Advocate Counsel for Petitioners

Date: Lucknow January $\gamma 4$, 1980.

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to this affidavit.

DEPONENT

Dated, Lucknow:
January 25, 1980

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

DEPONENT

Dated, Lucknow:
January 25, 1980

explained by me.

I identify the deponent who has signed this affidavit before me. Nouckish. Gen R.N.Task

at 16 vo AM/FM by Sri K.M.Lal the deponent who is identified by Sri Nand Kishone Clerk to the R N Trouble About Lucknow, Bench
I have satisfied myself by examining the deponent that he has understood the contents of this affidavit which have been read out and

R D YADAV

OATH COMMISSIONER

High Court, Allahabed

No... 6/6/33 5......

Date... 2) 77/80

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

Writ Petition No.

of 1980

K.M.Lal and others

Petitioners

Versus

Union of India and others

Respondents

ANNEXURE NO. I

The Divisional Railway Manager, Northern Railway, Lucknow.

Dear Sir,

A writ petition has been filed in the Hon'ble High Court, Sitting at Lucknow, today, impugning the validity of the proposed selection for the post of SS, CYM and TI from 28th January 1980.

The court has directed notice to be given to you. It was undertaken by the petitioners that serving would be effected today. I am accordingly supplying a copy of the petition, affidavit and stay application.

The matter would be considered by the Court tomorrow i.e. 25.1.1980

DA/ as above.

Yours faithfully,

Sd. K.M.Lal TI /SWA Northern Railway, Lucknow.

Dated, 24.1.1980

15/- Hours.

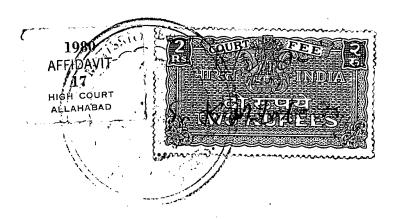
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R D YADAV OATH COARSE HOVER High Court, Allababad Lucknow Lench

Date ...

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

Writ Petition No.153 of 1980



K.W.Lal and others

.. Petitioner

.versus

Union of India andothers

.. Respondents

affidavit for Sergice

I, K.M. Lal, aged about 46 years, son of Shri R.B. Lal, Traffic Inspector SWR, resident of T-364 Northern Railway Colony, Charbag, Lucknow do hereby solemnly affirm and state as under:

- 1. That the deponent is petitioner No.1 in the above writ petition and he is fully conversant with the facts deposed to hereinafter.
- 2. That pursuant to the direction of this Hon'ble Court service was effected on the Railway Board on 28.1.80 and on General Manager, Northern Railway and General Manager Personal, Northern Railway on 20x1x 29.1.1980 with the intimation

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that the matter will be heard by this Hon'ble Court on 4.2.1980.

DEPONENT

Dated: Lucknow February 3, 1980.

Verifications

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

Deponent,

Dated: Lucknow

February 8, 1980

Mold Noun Co South No. Daw I identify the deponent Advect who has signed this affidavit

No. 126/810 Date: 8/2/00

Solemnly affirmed before me on 8.2.870

9.00

at am/pm_by Shri K.M.Lal, who is

identified by Shri Hohel.51 m m clede to mi

R. N. Thire.

Advocate, High Court Lucknow

I have satisfied myself by examining the doponent that he understands the contents of this affidavit which have been read out and explained by re-

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- 3. That in the circumstances it is expedient that the petitioners may be permitted to amend their writ petition in the manner set forth below:
- 4. That paragraphs 13, 14 and 15 may be permitted to be deleted and in their place new paragraphs 13, 14 and 15 may be substituted as mentioned below:

"13.' That in 1955 The Railway Board formed a panel of 30 R.T.As in the grade of Rs.200-300 (PS)/250-380 (AS). But 25% vacancies for Traffic Apprentices was not set aside and all vacancies were given to rankers"

"14. That admittedly operating posts reserved for Traffic Apprentices could not be kept vacant and, therefore, had to be filled, but this filling of reserved posts could not be done substantively. In other words promotion of rankers against the posts reserved for apprentices should have been purely a temporary arrangement till the availability of the rightful claimants i.e. Traffic Apprentices. The Railway Administration not only did not set aside 8 vacancies for Traffic Apprentices but also promoted and confirmed rankers against 8 reserved vacancies".

"15. That again selection for RTAs in the grade of Rs.200-300 (PS)/250-380 (AS) was held in 1958 and a panel of 35 persons was

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was formed. Again 25% vacancies reserved for Traffic Apprentices was not set aside and all 9 reserved vacancies were given to rankers. This was done inspite of the fact that two Traffic Apprentices became available for posting in September, 1958, 3 in May, 1959 and 3 in December, 1959. The above panel was kept alive till 1962 i.e. four years instead of normal two years life. In this manner the Traffic Apprentices were denied their quota of 25% vacancies in the grade of Rs.250-380 (AS) and were forced to work in lower grades although much more vacancies than their number were available"

Wherefore it is most respectfully prayed that this Hon'ble Court may be pleased to permit the petitioner to amend the above writ petition in the manner set forth hereinabove.

Advocate Counsel for Applicants

Dated: Lucknow

April ,1980.

Sy for

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

Civil Misc. Appl.No.____(W) of 1980





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K.M.Lal & others

.. Applicants

In re:

Writ Petition No.153 of 1980

K.M.Lal and others

. — MRS 2⁵³

.. Petitioners

versus

Union of India & others

... Respondents

<u>Affidavit</u>

I, K.M.Lal, aged about 46 years, son of late Shri R.B.Lal, Traffic Inspector (SWR), resident of T-36A Northern Railway Colony, Charbagh, Lucknow, do hereby solemnly affirm and state as under:

1. That the deponent is petitioner No.1 in the above writ petition and he is fully conversant with the facts deposed to hereinafter. The deponent is authorised to file this affidavit on behalf of other



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petitioners also.

- 2. That in the aforesaid writ petition certain inaccuracies have crept in. The figures mentioned in paragraphs 13, 14 and 15 relate to Delhi Division which are not relevant.
- 3. That the said mistake has occurred due to inadvertence.
- 4. That in the circumstances it is expedient that the petitioners may be permitted to amend their writ petition in the manner set forth below:
- 5. That paragraph 13, 14 and 15 need to be deleted and in their place new paragraphs 13 and 14 and 15 be substituted as mentioned below:
- 6. That in 1955 the Railway Rosed formed a panel of 30 R.T.As in the grade of Rs.200-300 (PS)/
 250-380 (AS). But 25% vacancies for Traffic
 Apprentices was not set aside and all vacancies were given to rankers.
- 7. That admittedly operating posts reserved for Traffic Apprentices could not be kept vacant and, therefore, had to be filled, but this filling of reserved posts could not be done substantively. In other words promotion of rankers against the posts reserved for apprentices should have been purely a temporary arrangement till the availability of the rightful claimants i.e. Traffic Apprentices. The

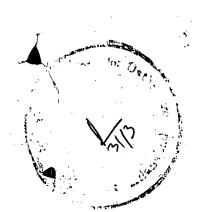


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Railway Administration not only did not set aside 8. vacancies for Traffic Apprentices but also promoted and confirmed rankers against 8 x reserved vacancies.

of Rs.200-300 (PS)/25-380 (AS) was held in 1958 and of Rs.200-300 (PS)/25-380 (AS) was held in 1958 and a panel of 35 persons was formed. Again 25% vacancies reserved for Traffice Apprentices was not set aside and all 9 reserved vacancies were given to rankers. This was done inspite of the fact that two Traffic Apprentices became available for posting in September, 1958, 3 in May, 1959 and 3 in December, 1959. The above panel was kept alive till 1962 i.e. four years instead of normal two years life. In this manner the Traffic Apprentices were denied their quota of 25% vacancies in the grade of Rs.250-380 (AS) and were forced to work in lower grades although much more vacancies than their number were available.



DEFONENT

Dated: Lucknow
April ,1980.

<u>Verifications</u>

I, the above named deponent, do hereby verify that the contents of paragraphs 1, 2 and 3 are true to my knowledge and those of paragraphs 6, 7 and 8 are true to my knowledge derived from records, and those of paragraphs 4 and 5 are

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bellieved by me to be true. No part of this affidavit is false and nothing material has been concealed. So help me God.

DEPONENT

Dated: Lucknow

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1980

I identify the deponent who has signed before me

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Solemnly affirmed before me on 31.3-80 at \$35 am/pm by Shri K.M.Lal, who is identified by Shri Mad Kinner Coshi RN-Tuhele Advocate, High Court, Lucknow.

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

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Date 377378

praying that the respondents 1 to 4 km may be restrained from holding any selection in pursuance of circulars dated 8.1.1980 and 19.1.1980 and direct the respondents 1 to 4 to treat the petitioners as having been regularly absorbed in the posts of 700-900 grade from the date earlier than the promotion of juniors of petitioners and also restrain respondents 1 to 4 from holding any selection for class II posts from amongst the incumbents already absorbed in the scale of Rs.700-900 pending disposal of their writ petition.

3. That this Hon'ble Court was pleased to grant the following stay orders on 25.1.1980:

"Issue Notice. In paragraph 55 of the petition it has been alleged that there are about 66 vacancies out of which 20 persons have been called from Lucknow Division. The petitioners have further contended that they have been called for interview from Lucknow Division. In paragraph 58 of the petition it is alleged that the selections are to be held from 28th January to 7th February, 1980. Obviously the results would not therefore be declared before 7.2.80. Keeping in view the allegations made in the petition we, therefore, order that the petitioners may, without prejudice to their claim and contentions, appear before the Selection Committee on the scheduled dates. However, the results for ten posts shall not be declared before 6.2.80.

The stay application shall be listed

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for further orders on 4.2.1980.

The learned counsel for the petitioners undertakes to serve notices of the writ petition and the stay application on the opposite parties 1, 2 and 4 by 29.1.1980. He shall file an affidavit of service.

The office shall issue Dasti summons to the learned counsel for the petitioners stating in the notice on the stay application that the stay application shall be listed for further orders on 4.2.1980".

Sd/- T.S.Misra Sd/- K.S.Varma 25.1.1980"

- 4. That the above interim order has been continued from time to time and no counter affidavit has been filed by the Railway Administration.
- 5. That selection process has been completed but in view of the orders passed by this Hon'ble Court, the results of the petitioners have not been declared.
- 6. That the petitioners have appeared at the said selection as a measure of caution and without prejudice to their rights in the aforesaid writ petition.
- 7. That if the results of the petitioners are not declared and subsequently they are found to have been selected, even in the event of writ petition having been dismissed, the petitioners would have

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sufferred additional losses.

That in the circumstances it is expedient in the interest of justice that the results of the petitioners may also be directed to be declared, without prejudice to the rights of the petitioners. claim in the above writ petition.

Wherefore it is most respectfully prayed that this Hon'ble Court may be pleased to direct the respondents 1-4 to declare the results of the petitioners in respect of the selections held from 28.1.1980 to 7.2.1980 for the posts of Station Superintendent/Traffic Inspectors/Chief Yard Master and Chief Controller, without prejudice to the claim of the petitioners' in their writ petition.

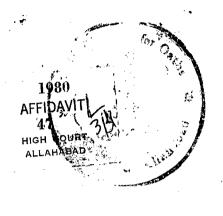
Advocate Counsel for Applicants

Dated: Lucknow April ,1980.

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

Writ Petition No. ____(W) of 1980





K.M.Lal & others

Applicants

In re:

Writ Petition No.153 of 1980

K.M.Lal & others

Petitioners

versus

Union of India & others

· Respondents

Affidavit

I, K.M.Lal, aged about 46 years, son of late Shri R.B.Lal, Traffic Inspector (SWR), resident of T-36A Northern Railway Colony, Charbagh, Lucknow, do hereby solemnly affirm and state as under:

poly.

1. That the depenent is petitioner No.1 in the above writ petition and he is fully conversant with the facts deposed to hereinafter. The deponent is authorised to file this affidavit on behalf of other petitioners as well.

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That in the aforesaid writ petition the petitioners have challenged fixation of seniority and a leastion of the Railway Administrationxix in filling up of the posts reserved for the petitioners by rankers and Traffic Apprentices of Delhi and Allahabad Divisions.

praying that the respondents 1 to 4 may be restrained from holding any selection in pursuance of circulars dated 8.1.1980 and 19.1.1980 and direct the respondents 1 to 4 to treat the petitioners as having been regularly absorbed in the posts of 700-900 grade from the date earlier than the promotion of juniors of petitioners and also restrain respondents 1 to 4 from holding any selection for class II posts from amongst the incumbents already absorbed in the scale of Rs.700-900 pending disposal of their writ petition.

4. That this Hon'ble Court was pleased to grant the following stay orders on 25.1.1980:

"Issue Notice. In paragraph 55 of the petition it has been alleged that there are about 66 vacancies out of which 20 persons a have been called from Lucknow Division. The petitioners have further contended that they have been calleed for interview from Lucknow Division. In paragraph 58 of the petition it is alleged that the selections are to be held from 28th January to 7th February, 1980. Obviously the results would not therefore be declared before

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7.2.80. Keeping in view the allegations made in the petition we, the refore, order that the petitioners may, without prejudice to their claim and contentions, appear before the Selection Committee on the scheduled dates. ever, the results for th ten posts shall not be declared before 6.2.1980.

The stay application shall be listed for further orders on 4.2.1980.

The learned counsel for the petitioners undertakes to serve notices of the writ petitions and the stay application on the opposite parties 1, 2 and 4 by 29.1.1980. file an affidavit of service.

The office shall issue Dasti summons to the learned counsel for the petitioners stating in the notice on the stay application that the stay application shall be listed for further orders on 4.2.1980*

> Sd/- T.S. Misra Sd/- K.S. Varma 25.1.1980*

That the above interim order has been continued 5. from time to time and no counter affidavit has been filed by the Railway Administration.

That selection process has been completed but in view of the orders passed by this Hon'ble Court the results of the petitioners have not been declared.



selection as a measure of caution and without prejudice to their rights in the aforesaid writ petition.

8. That if the results of the petitioners are not declared and subsequently they are found to have been selected, even in the event of writ petition having been dismissed, the petitioners would have sufferred additional losses.

9. That in the circumstances it is expedient in the interest of justice that the results of the petitioners may also be directed to be declared without prejudice to the rights of petitioners claim in the above writ petition.

DEPONENT

Dated: Lucknow, 1980.

Verifications

I, the above named deponent, do hereby verify that the contents of paragraphs 1 to 8 are true to my knowledge and those of para 9 are believed by me to be true. No part of this affidavit is false and nothing material has been concealed. So help me God.

Dated: Luc now 1980

DEPONENT

I identify the deponent who has signed before me.

solemnly affirmed before me on 31-3-50 Clicat Hoam/pm by Shri K.M.Lal, who is identified by Shri Nord Comm of the Mo-Translet Advocate, High Court, Lucknow.

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

A W. Soular.

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In the above noted Case

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

Writ Petition No. 153 of 1980

Amended Writ Petition.

In the matter of Constitution of India

And

In the matter of Article 226 of Constitution of India And in the matter of

- K.M.Lal aged about 46 years son of late Shri R.B.Lal, Traffic Inspector (SWR) resident of T-36 A N.Rly. Colony, Charbag, Lucknow.
- 2. Shri G.B.Flym, aged about 48 years, son of late Shri P.Flym, Traffic Inspector Special Northern Railway, Lucknow
- 3. S.P.Srivastava, aged about 46 years, son of Shri Bhagwati Persad, Station Master, Northern Railway, Barabanki
- 4. C.S.Pande aged about 45 years son of late Sri T.P. Pande, Station Master, N.Rly, Sultanpur
- 5. I. Haque, aged about 46 years, son of Sri Newazish Ali, Traffic Inspector, Northern Rly, Faizabad.
- 6. B.N.Srivastava aged about 43 years son of S.S. Lal, Station Master, Northern Railway, Kashi





- 7. M.W.Siddiqui aged about 42 years son of Mumtaz Ali, Station Master, N. Railway, Pratapgarh.
- 8. M.C.Joshi, aged about 39 years son of K.D.Joshi, Station Master, Northern Rly, Unnai.
- 9. B.N.Misra, aged about 48 years son of late Shri V.P.Misra,, Deputy Chief Controller (Lobby), No. Railway, Lucknow.
- 10. S.D.Singh, aged about 44 years, son of Shri N.P.Singh, Station Master, Northern Railway, Prayag.

... Petitioners

versus

- 1. Union of India, through Secretary, Railway Board, Rail Bhavan, New Delhi.
- 2. General Manager, Northern Railway, Baroda House, New Delhi
- 3. Divisional Railway Manager, Northern Railway, Lucknow.
- 4. General Manager, Personnel, Northern Railway, New Delhi.
- 5. Kartar Singh son of Tehal Singh, Assistant Work Study Officer (Class II) N. Rly, Headquarter Office, New Delhi.
- 6. Harcharan Singh, Asstt. Secretary (Public complaints) Class II, N. Rly. Headquarters, New Delhi.
- 7. Varinder Singh, Assistant Traffic Officer, (Coaching) N. Rly. Headquarter Office, New Delhi
- 8. S.S.Lal son of Anant Persad, Chief Controller, Northern Railway, Headquarter Office, New Delhi.
- 9. G.D.Khare, son of B.N.Persahd, Chief Controller (Survey), Northern Railway, Kashmere Gate, Delhi.
- 10. S.M. Paarashar, Assistant Work Study Officer, Northern Railway, Headquarter, New Delhi.
- 11. Ved Prakash, Traffic Inspector, Delhi Division c/o Divisional Railway Manager, Northern Railway, New Delhi.



- 12. S.N.Narula, Station Master, Ferozpur Division c/o Divisional Railway Manager, Northern Railway, Ferozepur.
- 13. J.N.Malviya, Traffic Inspector Headquartern Nerthern Railway, Allahabad.
- 14. H.B.Deophas son of V.G.Deophas, Station Superintendent, N.Rly., Kanpur.
- 15. Prem Dayal, Traffic Inspector (Safety), Northern Railway, Allahabad.
- 16. M.R.R.C.Srivastava son of Vindyachal Persad, Station Superintendent (Class II), N.Rly, Allahabad
- 17. N.N.Srivastava, son of Rajrang Sahai, Asstt. Traffic Officer (Rules), N.Railway, Allahabad
- 18. K.S.Srivastava, son of B.P.Srivastava, Dy. Chief Controller, Northern Rly, Juhi Yard:
- 19. H.N.Srivastava son of Jai Mangal Lal, Dy. Chief Controller, Northern Rly, Allahabad.
- 20. R.P.Srivastava, son of R.A.Lal, Traffic Inspector, Northern Rly, Allahabad
- 21. P.N.Srivastava, son of Inder Jeet Persad, Traffic Inspector, N. Railway, Mirzapur.
- 22. R.A.S, Chauhan, Yard Master, Northern Railway, Lucknow.
- 23. S.M. Naqvi, Deputy Chief Controller, Northern Railway, Lucknow.
- 24. S.N.Singh, Yard Master, Northern Railway, Varanasi.
- 25. R.K.Dube, Yard Master Northern Railway, Lucknow
- 26. Shankata Persad Srivastava, Station Master, Northern Railway, Ayodhya
- 27. T.N. Vajpayi, Safety Counsellor (Traffic) Northern Railway, Lucknow.

... Respondents

To

Hon'ble the Chief Justice and his companion Judges in the aforesaid court.







The petitioners above named respectfully submit as under:

- 1. That petitioner No.1 was appointed as Traffic Apprentice in Detember, 1966 for recruitment to the post of Assistant Station Master/Section Controller/ Yard Master/Traffic Inspector. He completed this training in December, 1959. After due completion of the training he was appointed as Assistant Station Master in the grade of Rs.150-225 (PS) by letter dated 25.12.1959.
- 2. That since the petitioner No.1 was trained for being appointed in one of the posts mentioned above in the grade of Rs.200-300, he made a representation claiming that he should have been appointed in the grade of Rs.200-300 and that fixation of his salary in the grade of Rs.150-225 was not justified.
- Railways there was a class of posts known as Relieving Transportation Assistant (hereinafter referred to as the R.T.A. for the sake of brevity). The service consisted of different categories of posts known as Sectional Controller, Assistant Station Master, Assistant Yard Master, Assistant Movement Inspector etc, which constitute non-gazetted class III Traffic staff.
- 4. That the salary of petitioner No.1 was fixed with effect from May, 1962 in the grade of Rs.250-380 (which was the R.T.A.'s grade).



- 5. That after the report of the Third Pay Commission all the incumbents in the grade of Rs.250-380 were given the scale of Rs.455-700 RS.
- 6. That the petitioners were entitled for being considered for appointment to the post of Assistant Yard Master, Sectional Controller, Station Master in the then grade of Rs.200-300-(PS).
- 7. That the service particulars of the petitioners No.2 to 8 are given below:

Pet. No.	Date of Appointment promotion	Post/desig- , Scales t/ nation	
	Promocion .		
•		•	•
2.	30.4.1956	Traffic Apprentice	
	30.4.59	Asstt. Station Master 150-225 Barabanki	(PS)
	May 162	Sectional Controller 270-380 Lucknow	(AS <u>)</u>
	January '70	Traffic Inspector 335-425 Lucknow	(AS)
	26.8.72	Traffic Inspector 370-475 Prayag	(AS)
	26.8.76,	Dy. Chief Controller 700-900 Lucknow & Allahabad	(R X S)
	Feb. '77	Traffic Inspector 550-750 (Pratapgarh	(RS)
	Aug.'79	Traffic Inspector 700-900 (Special Lucknow	RS)
	•	•	
3.	30-4-56	Traffic Apprentice	
	May '59	Asstt Station	PS)
	June '62	Sectional Controller 270-380 (2	4S)
	Nov. '64.	Traffic Inspector 250-380 (A	3S)
,	June'68	Divisional Transit 325-425 (A	4S)

Inspector, Lucknow



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٠,	March '70	Chief Yard Master Lucknow	370-475 (AS)
	June '73,	Station Suptdt. Lucknow	450-525 (AS)
	Jan. 174	Traffic Inspector • Lucknow	550 - 750 (RS)
	July, '74	Dy. Chief Controller (Survey) Lucknow	700-900 (RS)
	March '75	Traffic Inspector Lucknow	550 - 750 (RS)
,	Aug. '75	Station Master. Barabanki	550-750 (RS)
4.	25.7.62	Traffic Apprentice	<u>د</u>
	July '62	Asstt. Station Master Barabanki	205–280 (AS)
	Oct.'63	Relieving Transporta- tion Asstt. Lucknow	250-380 (AS)
	July (70	Station Master Prayag	250-380 (AS)
٠.	May '71	Dy. Chief Yard Master	335-425 (AS)
•	Aug.'77	Station Master Bhadoi and Sultanpur	550-750 (RS)
5.	24.12.56	Traffic Apprentice,	
	Dec.'59	Asstt. Station Master Lucknow Yard	150-225 (PS)
,	16.5.62	Relieving Transporta- tion Asstt. Lucknow	200-300 (PS)
	26.3.66	Sectional Controller, Lucknow	270-380 (AS)
	11.5.70	Traffic Inspector Pratapgarh	335-425 (AS)
	April '77	Traffic Inspector Faizabad	550-750 (RS)
6.	8.8.62	Traffic Apprentice	
	Aug. '62	Asstt. Station Master Lucknow	150 – 225 (PS)
	Aug. '63	Relieving Transport Asstt. Lucknow	250-380 (AS)
	1971	Traffic Inspector Faizabad	335-425 (AS)
••	1976	Station Master, Sulka Phaphamau & Kashi	550 - 750 (RS)
		•	

- 8. That petitioner No.1 was promoted as Section Controller in the then grade of Rs.270-380 with an allowance of Rs.20/- per month.
- 9. This petition pertains to the applicability of the quota rule, which was originally adumerated in a scheme for the recruitment of Traffic Apprentices on all Indian Railways. This scheme is contained in the Railway Board letter No.E 49 RRI/1/. dated 30.8.1952

 RNXXXXX. The scheme was later on clarified by Railway. Board letters No.E 55 RCI/127/S dated 7.12.1956 and No.E(NG)/9 dated 31.12.1960. This scheme was amended in 1963 vide Railway Board letter No.E(NG)/61 RRI/4 dated 18.12.1963.
- of the vacancies in Control & Traffic Groups in grade 200-300 (PS)/250-380 (AS) should be ear marked for the Traffic Apprentice and they should be absorbed against these reserved vacancies. The ratio of absorption of Traffic Apprentice vis-a-vis rankers (promotees) is 1:3. These vacancies were to be calculated from the year 1954, when the first batch of apprentices was recruited. If in a particular year, Traffic Apprentices were not available for absorption in the reserved vacancies, these vacancies were to be carried forward to the next year.

The Railway authorities have not correctly applied the above scheme, as a result of which the Traffic Apprentices have not been promoted to higher ranks, as envisaged in the above scheme. The said scheme was started on the recommendations of Indian Railways Enquiry Committee 1947, contained in item

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No.73, para 123 of the Report, with a view to improve control organisation on the Indian Railways. While examining the complaint of certain Railway employees, the Second Pay Commission in para No.64, page 268, has observed as follows:

"As regards the complaint about the appointment of apprentices to higher posts of Station Master etc.,

it is relevant to mention briefly the scheme. of Traffic Apprentices. The scheme was introduced in 1951 as a result of one of the recommendations of the Indian Railways Enquiry Committee (1947) for the improvement of the control organisation on the Railways. The Committee suggested that necessary improvement could be secured by better selection and training of Section Controllers. As the Railway Administration found that suitable employees in the lower grades were not available for selection as Section Controllers, it was decided to recruit a certain number of Apprentices and train them for appointment to higher grades of Asstt. Station Master, Asstt. Yard Master, Section Controllers and Traffic Inspectors. Another reason for introducing the scheme of Apprentices for appointment to posts at intermediate levels is the absence in the Railways of direct recruitment to Class II, because of which it is considered necessary to recruit young graduates and train them for assuming responsibility of higher supervisory posts in Class III and eventually for promotion to Class II posts. consider this to be a sound scheme and do not accept the complaint against it as reasonable".

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According to the Scheme, the Traffic Apprentices were expected to be promoted to Class II, Gazetted ...

Service within a period of ten years, as would appear from the advertisement, which appeared in the Hindustan Times, dated 29.12.1962, as follows:

"An opportunity awaits, you, if you have a degree from a recognised University, sound health, normal eye sight without glasses and date of birth between 2.2.1939 and 1.2.1942. Better still, if you are a sportsman but this is not essential. (Age limit may be relaxed for a displaced person, a war service candidate or a member of the Scheduled Caste or Scheduled Tribe). You will be trained in Railway operation for thr years as an apprentice and on successful completion of training, you will be called upon to work as a Relieving Transportation Assistant guiding Railway operation in yards, control offices and important stations, if you are of the right type, a chain of promotions to positions of higher responsibility will come your way and there is no reason why you may not be promoted to the Gazetted rank in the years or so. Your jobs will all be invariably important, for the country counts on the railways for its progress and the Railways depend on young men like you.

As an Apprentice you will draw Rs.160/-,.
Rs.170/- and Rs.175/- per month in the three
successive years, plus benefits of free medical
attendance, Passes and Privilege Ticket Orders.
As an R.T.A. you will start on Rs.250/- (plus
Dearness Allowance Rs.30/-) in the grade rising

up to Rs.380/- p.m. Further promotions are to be Inspectors, Controllers, Yard Masters, Station Masters in grades Rs.335-425/-, Rs.370-475/- and Rs.450-575 plus D.A. and other admissible allowances).

In all working posts right from R.T.A. you will enjoy good Railway housing or allowance in lieu thereof as admissible under the Railway rules.

Your application in prescribed from, obtainable from any Railway station or Booking Office, must reach Secretary, Railway Service Commission, Calcutta-14 by February 1, 1963".

- 11. That the non-implementation of the Scheme in the correct perspective has resulted in most of the Traffic Apprentices remaining in the initial grade of recruitment, even after putting in more than ten years of service, which was the period considered reasonable for promotion to Class II service.
- completed their apprenticeship in 1957, after being recruited in 1954. As per the scheme, the Traffic Apprentices were required to undergo three years extensive training in theory and practical for all categories of transportation course, such as Assistant Station Masters, Assistant Yard Masters, Station Masters, Section Controllers, Deputy Chief Controllers, Chief Controllers and Traffic Inspectors. The intensive training was imparted to ensure that Traffic Apprentices, after completion of apprenticeship might be put on any one of the above posts and eventually might be fit for promotion to class II service when they

were still young.

- 13. That in 1955, the Railway authorities formed a penel of 30 RTAs in the grade of Rs. 200-300 (PS)/250-380 (AS). But 25% vacancies for Traffic Apprentices was not set aside and all vacancies were given to rankers.
- Apprentices could not be kept vacant and, therefore, had to be filled, but this filling of reserved posts could not be done substantively. In other words, promotion of rankers against the posts reserved for Apprentices should have been a purely temporary arrangement till the availability of the rightful claimants, i.e. Traffic Apprentices. The Railway Administration not only did not set aside 8 vacancies for Traffic Apprentices but also promoted and confirmed rankers against 8 reserved vacancies.
- That again, selection for the posts of RTAs in the grade of Rs. 200-300 (PS)/250-380 (AS) was held in 1958 and a panel of 35 persons was formed. Again 25 % vacancies reserved for Traffic Apprentices was not set aside and all 9 reserved vacancies were given to rankers. This was done inspite of the fact that 2 Traffie Apprentices became available for posting in September 1958, 3 in May 1959, and 3 in December 1959. The evods panel kept alive till 1962 was four years instead of normal

in this manner the Traffic Apprentices were denied their quota of 25 % vacancies in the grade of Rs. 250-380 (AS) and were forced to work in lower grades although much more vacancies than their number were available.

- 16. That the authorities have violated the carry forward rules of 25 % quota assigned to the Traffic Apprentices under the aforesaid scheme in the aforesaid grade 250-380 (AS). Their grievance is that the authorities have not calculated the vacancies from the year 1954 while they should have done so in terms of the Scheme.
- 20-11-1968, the authorities have failed to calculate the vacancies and give the rightful share of vacancies to the Traffic Apprentices on the basis of 25% of reserved quota. The 'carry forward'rule, according to which the Traffic Apprentices ought to have been fixed in seniority with reference to the dates from which they would have been promoted in grade Rs. 250-380 (AS), had the quota of vacancies from 1954 would have been calculated correctly, had also not been observed.

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personal to them. A true copy of this circular is annexed as Annexure 4 hereto.

- in which it was stated that Traffic Apprentices will be deemed to have been promoted from the date they were due eligible provided vacancies were available in the particular year for their absorption and their interests will be protected by giving benefit of proforma fixation of pay etc. A true copy of this circular is annexed as Innexure 5 hereto.
- 24. That para 9 of Chapter III of the Railway Establishment Manual, 1360 provides as follows:

"Paragraph 6 above applies equally to seniority in promotion vacancies, due allowance being made for quotas in promotion, if any, and delay in joining in the new post in the exigencies of services. Provision of paragraph 7 and 8 will also apply in case of promotion"

- 25. That for the purpose of determination of seniority only the date of joining was taken as the relevant consideration. Due allowance was not given for the quota reserved for the Traffic Apprentices.

 In the circumstances petitioners were not satisfied even with the seniority list prepared in the year 1969.
- 26. That petitioner No.1 was promoted as Traffic Inspector in January, 1970 in the grade of Rs.335-425. A true copy of the order is annexed as Inscript 6

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- as Traffic Inspector Senior Grade (Rs.550-750) on

 January 21, 1977. He has thereafter been promoted in

 July, 1979 on an adhoc basis in the grade of Rs.700-900

 and posted as Traffic Inspector at Lucknow. True

 copy of the letter of appointment/posting is

 Annexure 7 hereto.
- 28. That the seniority list prepared in the year 1969 was revised in 1973 and the petitioner who was placed earlier at Serial No.18 in 1969 list was placed at serial No.27 in 1973 list.
- 29. That the petitioner No.1 along with others made a representation dated 23.7.1973 against the wrong fixation of his seniority. A true copy of the aforesaid representation is annexed as Annexure 8.
- 30. That a reply was received to the above representation in which the petitioner and others were intimated that no interference was called for in the revised seniority list. True copy of letter is annexed as Annexure 9 hereto.
- of 1971 was filed in representative capacity in the Delhi High Court by five persons belonging to the Delhi Division praying for: observing the scheme of reservation and to allot 25% of vacancies to Traffic Apprentices from the year 1954 onwards as and when they accrued, giving them the due seniority position from 1954 and the reserved vacancies should be carried forward and the benefit of proforma fixation in seniority is to be given to the apprentices joining

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in subsequent years, that the apprentices should be confirmed against the reserved vacancies from the date of which the said vacancies accrued to them; that the results of the selections already held should not be given effect to; and that the Railway administration should not make further selection to promotion posts in the transportation and commercial categories from the grade of Rs, 250-380 (AS) to class II gazetted till the decision of the case".

- 32. That the aforesaid writ petition came up for hearing before the learned single Judge of Delhi High Court.
- 33. That the learned single Judge formulated two questions as arising in the case namely (i) whether the writ petition was unduly delayed, and (ii) whether the petitioners were entitled to seniority from before the dates of their selection to the Grade. The second question was answered in favour of the petitioners in the writ petition filed in the Delhi High Court. The first question was, however, answered in the negative and the writ petition was dismissed as unduly delayed by judgment dated August 8, 1972.
- 34. That feeling aggrieved by the decision of the learned single Judge, the petitioners in the Delhi High Court in a representative capacity filed Letter Patent Appeal No.220 of 1972 in the Delhi High Court.
- 35. That a Division Bench of the Delhi High Court by its judgment dated 30.7.1975 allowed the appeal

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and held that the petitioners in the Delhi High Court were entitled to the grant of a writ of mandamus directing the Railway administration to fix the seniority of Traffic Apprentices in the light of the observations made by the learned single Judge and as uptheld by Division Bench. The seniority list of 1969 was quashed. It was further directed that the Railway Administration shall draw the seniority list within three months from the date of judgment and proceed to make confirmations and/or further promotions in the higher grades in accordance with law.

- 36. That another writ petition was filed in similar. circumstances in the Allahabad High Court at Allahabad which was numbered as Civil Misc. Writ Petition No.302 of 1972 (N.K.Rastogi and others vs. Union of India and others). This was also in representative capacity.
- 37. That in the above writ petition also the seniority list prepared in 1969 without due cons8-deration of reservations of quota for direct apprentices, was challenged.
- 38. That the aforesaid writ petition was allowed by a Division Bench of this Hon ble Court by judgment dated 18.7.1978. By the said judgment the seniority list prepared on 1st May, 1969 and finalised on 18.12.1969 was quashed. The Railway administration was directed to revise the seniority list of the petitioners in the light of the observations made in the judgment and in accordance with law and to grant promotion on that basis.





- 39. That it may be mentioned here that the Delhi High Court and this Hon'ble High Court had quashed the list prepared by Delhi and Allahabad Divisions. The principle involved in the list of Eucknow Division 1969 and then 1973 should be the same.
- 40. That inspite of the fact that the seniority list prepared on 1st May, 1969 and finalised on 18.12.1969 was quashed by the Delhi High Court as well as by this Hon'ble Court the Railway Administration has been treating the petitioners position on the basis of seniority list drawn in 1969.
- 41. That petitioners are advised to state that in view of the decisions rendered by the Delhi High Court and this Hon'ble Court the seniority list in 1969 is no longer valid and fresh seniority have to be drawn up for making promotions giving due allowance to the 25% vacancies reserved for Traffic Applentice for promotion in the higher grade.
- 42. That another seniority list was published on November 19, 1978 for various categories of personnels in Traffic Inspectors post in the grade of Rs.550-750. A true copy of the Seniority List is annexed as Annexure 10 hereto.
- 43. That in 1969 separate lists were prepared by different Divisions. In 1979 the Zonal Headquarter Office Northern Railway, New Delhi, prepared a combined seniority list of incumbents working in Traffic Inspectors post in the grade of 550-750 in various Divisions of Northern Railway. In the said list the position of the incumbents working the Delhi Division



has been shown to be improved as compared to their respective positions in 1969. It is submitted that the petitioners should also have been given the advantage of the principle laid down by the Delhi High Court and this Hon'ble court by refixing the seniority in 1978.

- 44. That the position of the petitioners in the said list at Serial No. 65, 66 and 87.
- 45. That the petitioners further understand that the petition rs in the Writ Petition filed in this Hon'ble Court have also been given due allowance regarding 25% reservation of vacancies for the Traffic Apprentice, for appointment in the higher grade posts and consequently their seniority are being revised for the purpose of future promotions.
- 46. That the petitioners represented on 28.2.79 against the seniority list drawn on 19.11.78. A true copy of the representation is annexed as Annexure 11.
- A7. That on 12.4.79 a joint seniority list of Traffic Inspectors/Station Masters and Yard Masters was circulated and the petitioners were not given their due seniority by giving allowance of reservation of 25% of vacancies. A true copy of the said x joint seniority list is annexed as Annexure 12. The petitioners made representation to the railway administration against the seniority list of 12.4.1979. A true copy of the said representation is annexed as Annexure 13 hereto.



- 48. That in the aforesaid representations the petitioners inter alia invited the attention of the Railway Administration to the aforesaid two decision of Delhi High Court and this Hon'ble Court and prayed that the seniority of the petitioners should atleast be similarly fixed as those of petitioners in the Delhi High Court and Allahabad High Court. The petitioners, however, did not receive any reply to the above representation so far.
- 49. That in pursuance of the decision, the of the Delhi High Court the Railway Administration not only gave proforma seniority and promotions to the petitioners who had filed the Writ Petition in the Delhi High Court but had also given the same benefit to persons who were senior to the petitioners in the Delhi High Court. This would be evident from a circular issued on 6.4.1979 a true copy of which is annexed as Annexure 14 hereto.
- 50. That on the basis of the revised seniority given on the basis of Delhi High Court judgment, petitioners who had filed the Writ Petition and others have been given promotions to Class II gazetted posts with effect from August, 1979.
- 51. That the record of the petitioners have been above board and there is nothing against their work and conduct and they are entitled for promotion.
- 52. That regular selections are going to be held for the posts of Station Superintendent/Traffic Inspectors/Chief Yard Master in the grade of 700-900 and Chief Controller in the grade 840-1040.

- by the Divisional Railway Manager, Northern Railway
 Lucknow inviting applications for appearing in selections to be held for the posts of Station Superintendent/Traffic Inspectors/Chief Yard Master, a true
 copy of which is annexed as Annexute 15 hereto.

 All the petitioners except petitioner No.9 Shri

 B.N.Misra are included in the said list. Petitioner
 No.9 is presently working as Deputy Chief Controller
 at Lucknow. This post is equivalent to the posts
 having 550-750 pay scale on traffic side. He has not
 been called for selection to the post of Chief Controller
 grade 840-1040 due to wrong fixation of his seniority.
- That the petitioners have further learne that a circular was issued on 8.1.1980 by the General Manager Personnel, Northern Railway, New Delhi inviting applications from eligible candidates in the Northern Railways for promotions to the posts of Station Superintendent/Traffic Inspectors/Chief Yard Master Along with the said circular a list of 203 eligible candidates have also been circulated. The names of petitioners appear at Serial No.9, 10, 25, 30, 31, 32 33, 34, and 63. A true copy of the circular is annexed as Annexure 16.
- 55. That there are about 66 vacancies out of which only 20 persons have been called from Lucknow Division.
- 56. That if the petitioners were given their due seniority in pursuance of the decisions of Delhi High Court and this Hon'ble Court, the petitioner No.1 would have long & since been promoted to a class II post. In

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any case he should not have been placed in the eligibility list and should have been given outright promotion.

- 57. That due to wrong fixation of the seniority and because of the fact that the Railway Administration is not giving full effect to the decision of the Delhi High Court and this Hon'ble Court, mentioned above, the petitioners have already sufferred immense monetary loss and their chances of promotion have been adversely effected.
- 58. That if the selection for the posts of Station Superintendent/Traffic Inspectors and Chief Controller/Chief Yard Master are allowed to be held in pursuance of the circular dated 8.1.1980 and 19.1.1980 before the disposal of the present writ petition the petitioners would suffer substantial and irreparable loss.
- 59. That feeling aggrieved by the action of respondents 1 to 4 and having no other alternative and efficacious remedy available, the petitioners beg to prefer this writ petition inter alia on the following:

GROUNDS

- (i) Because recruitment of petitioners as

 Traffic Apprentice was for appointment directly
 to the higher grade of RTAs
- (ii) Because 25% of the annual vacancies in the RTAs have to be filled up from amongst the Traffic Apprentices.

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- (iii) Because in fact due allowance was not given to the quota of 25% reserved for Traffic Apprentice for promotion to the higher grade.
- (iv) Because fixation of the seniority of petitioners was in gross violation of the provisions of para 9 of Chapter III of the Railway Establishment Manual and other Rules and regulations.
- (v) Because the judgment of the Delhi High Court and this Hon'ble Court was a judgment in rem and should have been fully implemented.
- (vi) Because the Railway Administration is acting in an arbitrary manner and not allowing the benefit of the decision of the High Courts mentioned above to the petitioners.
- (vii) Because persons working in the Delhi Division even though not arrayed as petitioners in the Writ Petition filed in the Delhi High Court have been given benefit in matters of seniority and promotions taking into account the next below rule.
- (viii) Because the same principles should have been applied by the Railway administration while considering and making promotions inter alia of petitioners.
- (ix) Because the action of the administration is violative of the provisions of Articles 14 and 16 of the Constitution.





- (x) Because there being nothing against the record of the petitioners to merit any supersession. they should have been promoted to Class II posts.
- (xi) Because the action of respondents 1 to 4 is illegal and without jurisdiction.

PRAYERS

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

- (i) Issue a writ, direction or order in the nature of mandamus directing respondents 1 to 4 to give due allowance to the petitioners in respect of 25% quota reserved for Traffic Apprentice for appointment/seniority/promotion in the higher grade of RTAs.
- (ii) Issue a writ, direction or order in the nature of mandamus commanding respondents 1 to 4 to treat the petitioners as having been given the benefit of 25% reservation of annual vacancies mentioned above, refix the seniority and grant confirmation and promotion in accordance we therewith.
- (iii) Issue a writ; direction or order in the nature of mandamus restraining respondents 1 to 4 from holding any further selections to the post of Station Superintendent/Traffic Inspector/Chief Yard Master in the grade 700-900 and Chief



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Controller in grade of Rs.840-1040 and lower gazetted scale of Rs.650-1200 without absorbing the petitioners in accordance with their due seniority.

- (iv) Issue a writ, direction or order in the nature of mandamus directing respondents 1-4 to give full effect to the decision of Delhi High Court and Allahabad High Court mentioned above, refix the seniority in accordance therewith and grant the petitioners all incidental reliefs.
- (v) Issue a writ, direction or order in the nature of mandamus commanding respondents 1 to 4 to revise the seniority in accordance with law.
- (vi) Issue a writ, direction or order in the nature of Certiorari quashing the seniority list of 19.11.1978 and 12.4.1979.
- (vii) Issue such other writ, direction or order as are deemed just and proper.

(viii) Award cost of the petition to the petitioners.

Counsel for Petitioners.



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tion of annual vacancies mentioned above, refix the seniority and grant confirmation and promotion in accordance therewith. A further prayer has been made for restraining respondents 1 to 4 from holding any further selections to the post of Station Superintendent/Traffic Inspector/Chief Yard Master in the grade of Rs.700-900 and Chief Controller in grade of Rs.840-1040 and lower gazetted scale of Rs.650-1200 without absorbing the petitioners in accordance with their due seniority.

- 2. That the matter has been concluded by a decision of this Hon'ble Court in writ petition No.3028 of 1972 decided on 18.7.1978.
- 3. That the juniors of petitioners are going to be promoted to the post of Assistant Officers in the grade of Rs.650-1200. The petitioners have already been deprived of their due seniority and consequent promotion for over 15 years now.
- 4. That some of the petitioners would retire by the time the writ petition is finally disposed of.
- 5. That respondents are going to make further promotions in the next week.
- that respondents 1-4 may be directed to consider the case of petitioners also for promotion to the posts of Assistant Officers. after giving due allowance to the petitioners in respect of the quota of 25% reservation for Traffic Apprentices.

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7. That the seniority of Traffic Apprentices has to be determined railwaywise as per circular of the Railway Board No.E(NG)61 PM 1-50 dated 24.10.1961. A true copy of this circular is annexed hereto as Annexure 17 to the accompanying wr affidavit.

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8. That it is expedient that promotions to the post of Assistant Officers may be made only on the basis of the railwaywise seniority as per circular dated 24.10.61 and the decision of this Hon ble Court dated 18.7.78 in writ petition No.3028 of 1972.

Wherefore it is most respectfully prayed that this Hon'ble Court may be pleased to restrain respondents 1-4 from making further promotions to the post of Assistant Officer, without giving the petitioners due allowance in respect of 25% quota reserved for Traffic Apprentices and after giving due seniority, and further direct the respondents 1-4 not to make further promotions on the aforesaid post except after taking into account circular of the Railway Board contained in Annexure 17 and the decision of this Hon'ble Court dated 18.7.78 in writ petition No.3028 of 1972.

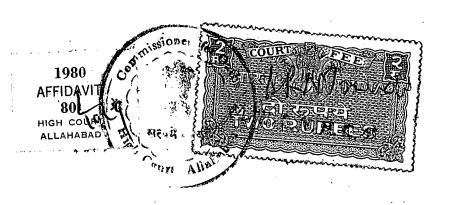
Advocate Counsel for Petitioners

Dated: Lucknow
September | 7,1980.



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

Writh Misc. Appl.No.___(W) of 1980



K.M.Lal and others

. Applicants

In re:

Writ Petition No. 153 of 1980

K.M.Lal and others

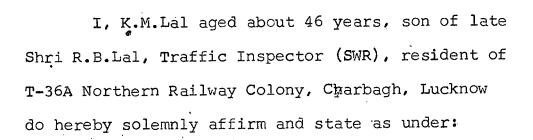
. Petitioners

versus

Union of India & others

... Respondents

Affidavit



- 1. That the deponent is petitioner No.1 in the above writ petition and he is fully conversant with the facts deposed to hereinafter.
- 2. That in the aforesaid writ petition the petitioners have prayed for issue of a writ of Mandamus directing respondents 1-4 to give due allowance to



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the petitioners in respect of 25% quota reserved for Traffic Apprentice for appointment/seniority/promotion in the higher grade of RTAs It has further been prayed that respondents 1-4 may be commanded to treat the petitioners as having been given benefit of 25% reservation of annual vacancies mentioned above, refix the seniority and grant confirmation and promotion in accordance therewith. A further prayer has been made for restraining respondents 1-4 from holding any further selections to the post of Station Superintendent/Traffic Inspector/ Chief Yard Master in the grade of Rs.700-900 and Chief Controller in grade of Rs.840-1040 and lower gazetted scale of Rs.650-1200 without absorbing the petitioners in accordance with their due seniority.

- 3. That the matter has been concluded by a decision of this Hon'ble Court in writ petition No. 3028 of 1972 decided on 18.7.1978.
- 4. That the juniors of petitioners are ½ going to be promoted to the post of Assistant Officers in the grade of Rs.650-1200. The petitioners have already been deprived of their due seniority and consequent promotion for over 15 years now.
- 5. That some of the petitioners would retire by the time the writ petition is finally disposed of.
- 6. That respondents are going to make further promotions in the next week.



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true. No part of this effidavit is false and nothing material has been concealed. So help me God.

DEPONENT

Dated: Lucknow
September / 0 ,1980.

I identify the deponent who has signed before me

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Advocat

solemnly affirmed before me on 10-9-90 at quam/pm by Shri K.M.Lal, who is identified by Shri Barudes dollar R.N. Turuchr Advocate, High Court, Lucknow.

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



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

Writ Petition No. 153 of 1900

K.M. Lal and others

.. Petitioners

versus

Union of India and others

Respondents

Annexure 17

Government of India Ministry of Railways

No.E (NG) 61 PM 1-50

New Delhi dated 24.10.61.

To

The General Managers, All Indian Railways.

uniformity in the matter.

Sub: Promotion of Traffic Apprentices to Grade Rs. 200-10-300.

Reference Railway Board's letters'Nos. E55RC1/127/3

dated 7.12.1956 and E(NG)59RRI/9 dated 31.12.60. It

was laid down by the Board that Traffic Apprentices

should be eligible for promotion in the normal manner

after selection to the grade %.200-300 (PS)/250-380

(AS) Sta against 25%age of vacancies in the post of

of Section Controllers, Station Masters, Asstt. Station

Masters, Yard Masters, Asstt. Yard Masters etc:

provided they have been completed atleast one year's

service in Gr. %.150-225 (PS). Since it has been

represented to the Board that there are certain diffi
culties in maintaining the quota for Traffic Apprentices.

it has been decided after considering the views

expressed by certain Railways, that the following

principles should be adopted for the sake of achieving



he had



- (i) The seniority of Traffic Apprentices should be maintained and a 41-Railway basis and a separate panel by selection should be formed from amongst the qualified traffic apprentices for promotion to the grade of 200-10-300 (PS)/Rs. 250-380 (AS) and above.
- (ii) The vacancies occurring in grade Rs.250-380 (AS) and above in a year should be filled up from the panel of Traffic Apprentices and the panel of other eligible staff (promotees from ranks) in the ratio of 1 to 3.
- (iii) In any particular year where adequate number of suitable men from other staff is not forthcoming by the process of selection to fill up the 75% of the vacancies earmarked for them, the Railway Administration may make up the deficiency by promoting suitable Traffic Apprentices from their panel.
- 2. The Board desire that action on the above lines should be taken by your Railway.

(This disposes of DY.CPO, N.Rly's D.O.No.757E/42-II dated 12.5.61).

sd/-

(B.N.BONI)
Asstt. Director Estt. Rly
Board

True copy

Or Allahabada

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the promotions shall be made in accordance with the principles laid down in the decision of this Court, dated 18th July, 1978 in writ petition No.3028 of 1972"

Sd. K.S.Verma"

- 2. That in pursuance of the above orders, the results of the selection for the posts of Station Superintendent/Chief Yard Master/Traffic Inspector grade Rs.700-900 (RS) was declared on 22.12.80 and the petitioners have been declared successful in the said selection. A true copy of the result as declared is annexed hereto as Annexure 18.
- 3. That, however, promotions have not been made in pursuance of the directions of this Hon'ble Court in terms of the decision of this Hon'ble Court dated 18.7.1978 in Writ Petition No.3028 of 1972.
- of this Hon'ble Court dated 27.11.1980 in original with the request for its implementation by letter dated 10.12.1980, a true copy of which is annexed as Annexure 19 to the accompanying affidavit. A reminder was also sent on 9.2.1981, followed by 5x a telegram on 23.3.1981 and another reminder on 26.3.1981, true copies of which are annexed as Annexures 20,21&22 to the accompanying affidavit.
- 5. That inspite of repeated requests made in this regard, the seniority of petitioners has not

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respondents 1 to 4 to make promotions of petitioners on the basis of the principles laid down in the decision of this Hon'ble Court dated 18.7.78 in Writ Petition No.3026 of 1972, without waiting for the formalities, as directed by this Hon'ble Court by its order dated 27.11.1980, and also pass such other orders as are messed deemed just and proper in the circumstances of the case.

Advocate Counsel for Petitioners

Dated: Lucknow April 1981.

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been & recasted and promotions made accordingly.

On the contrary respondents S/Shri S.N.Narula,

J.N.Malviya, H.B.Cleophas, Prem Dayal and K.S.

Srivastava listed at Sl.No.12, 13, 14, 15 and 18

have been promoted to Class II posts and respondents

Shri H.N.Srivastava and Shri P.N.Srivastava listed

at Sl.No.17 and 21 to the senior grade of Rs.840-1040.

(RS), though junior to most of thepetitioners,

and the same principles have not been applied in

case of petitioners.

- amongst the respondents are again going to be made without considering petitioners cases for promotion. The petitioners would suffer substantial and irreparable loss if the same principles as laid down in the decision of this Hon'ble Court dated 18.7.78 in Writ Petition No.3020 of 1972 are not applied in the case of petitioners, as directed by this Hon'ble Court by order dated 27.11.1980, as the petitioners would become junior to their juniors in the promoted posts.
- 7. That in the circumstances it is expedient that respondents 1 to 4 may be directed to make promotions of petitioners on the basis of the Principles laid down in the decision of this H n ble Court dated 18.7.78 inwrit Petition No.3028 of 1972, without waiting for the formalities, to avoid further loss to the petitioners

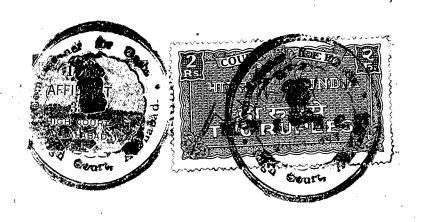
Wherefore it is most respectfully prayed that this Hon'ble Court may be pleased to direct



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In the Hen'ble High Court of Judicature at Allahabad
Sitting at Lucknow

C.M.A. No. _____ of 1981



K.M.Lal ≈ others

• Applicants

In re:

Writ Pet. No. 153 of 1980

K.M. Lal & others

.. Petitioners

versus

Union of India & others

... Respondents

<u>Affidavit</u>

I, K.M.Lal, aged about 47 years, son of late Shri R.B.Lal, Tmaffic Inspector (SWR) resident of T-36A, Northern Railway Colony, Charbagh, Lucknow, do hereby solemnly affirm and state as under:

- 1. That the deponent is petitioner No.1 in the above writ petition and he is fully conversant with the facts deposed to hereinafter.
- 2. That in the aforesaid writ petition this Hon'ble Court, after hearing theparties, passed the following orders on 27.11.1980:



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"After hearing thelearned counsel for the parties we modify our order dated 25th January, 1980 as follows:

The result of the test in question held during the period from 28th January to \$7th February, 1980, shall now be declared and, in case the petitioners or any of them are found to have been successful in that test the promotions shall be made in accordance with the principles laid down in the decision of this Court, dated 18th July, 1978 in Writ Petition No. 3028 of 1972"

Sd/- T.S.Misra .
Sd/- K.S.Verma"

- That in pursuance of the above orders, the results of the selection for the posts of Station Superintendent/Chief Yard Master/Traffic Inspector grade Rs.700-900 (RS) was declared on 22.12.80 and the petitioners have been declared successful in the said selection. A true copy of the result as declared is annexed hereto as Annexures 18.
- 4. That, however, promotions have not been made in pursuance of the directions of this Hon'ble Court in terms of the decision of this Hon'ble Court dated 18.7.78 in Writ Petition No.3028 of 1972.
- of this Hon'ble Court dated 27.11.1980 in original with the request for its implementation by letter dated 10.12.1980, a true copy of which is annexed



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hereto as Annexure 19. A reminder was also sent on 9.2.1981, followed by a telegram on 23.3.1981 and another reminder on 26.3.1981, true copies of which are annexed hereto as Annexures 20,21 & 22.

- this regard, the seniority of petitioners have not been recasted and promotions made accordingly. On the contrary respondents S/Shri S.N.Narula, J.N. Malviya, H.B.Cleophas, Prem Dayal and K.S. Srivastava listed at Sl.No.12, 13, 14, 15 and 18 have been promoted to Class II posts and respondents Shri H.N. Srivastava and Shri P.N.Srivastava listed at Sl. No.17 and 21 to the senior grade of Rs.840-1040 (RS) though junior to most of the petitioners and the same principles have not been applied in case of petitioners.
- 7. That further promotions to higher posts from amongst the respondents are again going to be made without considering petitioners cases for promotion. The petitioners would suffer substantial and irreparable loss if the same principles as laid down in the decision of this Hon'ble Court dated 18.7.78 in Writ Petition No.3024 of 1972 are not applied in the case of petitioners, as directed by this Hon'ble Court by order dated 27.11.1980, as the petitioners would become junior to their juniors on the promoted posts.
- 8. That in the circumstances it is expedient that respondents 1 to 4 may be directed to make



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promotions of petitioners on the basis of the principles laid down in the decision of this Hon'ble Court dated 18.7.78 in Writ Petition No.3026 of 1972 without waiting for the formalities, to avoid further loss to the petitioners.

DEPONENT

Dated: Lucknow April 13.1981.

Verifications

I, the above named deponent, do hereby verify that the contents of paragraphs 1 to 7 are true to my knowledge and those of para 8 are believed byme to be true. No part of this affidavit is false and nothing material has been concealed. So help meGod.

DEPONENT

Dated: Lucknow April /3 ,1981

I identify thedeponent who has signed before me KN. The Charles S. KN.

Solemnly affirmed before me on 13-4-81 at 9. 30 am/pm by Shri K.M. Lal. who is identified by Shri Clatur Buy Kuman e/o for R.N. Trived. Advocate, High Court, Lucknow.

I have satisfied myself by examining the deponent that he understands the contents of this affidavit which has been mad out and explained byme.

Oath Commissioner
High Court, Allahabad
Lucknow Bench
No. 335/35/205
Date /3-4-81

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

Writ Petition No. 153 of 1980.

K.M. Lal and others.

Petitioners

Versus

Union of India and others.

Respondents.

ANNEXURE 18.

NORTHERN RAILWAY

Headquarters Office, Baroda House, New Delhi

No. 757E/61-XVII(EIB)

Dated: 22-12-80.

The Divl. Railway Managers,
Northern Railway,
DLI, FZR, ALD, LKO, MB, JU & BKN.

SUB: Combined Selection for the posts of Station Supdt/ Traffic Inspectors/Chief Yard Masters Grade Rs.700-900(RS).

As a result of the combined selection (Viva-voce test) for the posts of Station Supdts/Traffic Inspectors/Chief Yard Masters Grade Rs.700-900(RS) held in this office on 29-1-80 to 7-2-80 and Supplementary test for absentees conducted on 12-3-80 and 13-3-80, the following candidates have been placed on the provisional panels in order of merit:

PROVISIONAL PANEL FOR THE POST OF STATION SUPDT. GRADE Rs.700 - 900(RS).

1. Shri Misri Lal, S/C

Offtg. SS/MB.

2. Shri Jaswant Singh,

Offtg. TI/BKN.

3. Shri P.N. Sondhi,

SM/MB - Retired.

4. Shri P.S. Jaspal,

Offtg. SS/JAT - Retired.

5. Shri Hotu Ram Arora,

Offtg. SS/BSB.

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(continued on page 2)

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Annexu	re 18.	= 2
· 6 .	Shri Har	i Kishan Seth
7• ·	Shri R.K	. Bhardwaj,
8.	Shri R.S	. Gupta,
9.	Shri J.S	. Kohli,
10.	Shri Rag	hubir Si ngh,
11.	Shri J.S	. Uppal,
12.	Shri S.P	. Srivastava,
13.	Shri Sat	ogan Singh,
14.	Shri M.W	. Siddiqui,
15.	Shri S.D	. Singh,
16.	Shri C.S	Pandev.

Offtg. SS/PTK Offtg. SS/SML. SM/MB SM/DLI - Retired. Offtg. SS/ASR. SM/BKN. SM/LKO. SM/BKN. SM/LKO. SM/LKO. SM/LKO. SM/MB - Retired. SM/ALD. SM/MB.

20. Shri V.P. Saxena, 21. Shri Chhotey Lal, S/C 22. Shri Pyara Singh, S/C 23. Shri Radha Kishan, S/C 24.

Shri S.K. Jain,

Shri Shiv Charan Singh,

Shri K.B. Ial Saxena,

17.

18.

19.

SM/FZR. SM/JU. Shri Mehanga Singh, 5/C SM/BKN.

Sethi,

25. Shri Gopi Ram, S/T Offtg. SS/BKN. 26. Shri R.R. Naik, S/T SM/JU. 27. SM/JU. Shri J.R. Meena, S/T

PROVISIONAL PANEL FOR THE POST OF TRAFFIC INSPECTOR GRADE Rs. 700-900 (RS)

SM/MB.

SM/MB.

1. Shri B.P. Misra, TI/JU. 2. Shri R.L. Bangia, TI/HQ. 3. Shri K.K. Rattan, TI/FZR. 4. Shri G.B. Flynn, TI/LKO. 5. Shri K.M. Lal, TI/LKO. 6. Shri M.L. Kalla, TI/BKN - Retired. 7. Shri Narain Ram, TI/BKN. 8. Shri S.P. Gupta, TI/FZR. 9. Shri K.K. Sharma, TI/FZR. 10. Shri Dharambir, TI/DLI. .11. Shri T.N. Vajpai, TI/LKO. Shri M.R. Puri, TI/JU.

(continued on page 3)



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13.	Shri Inamul Haq,	TI/LKO.
14.	Shri B.N. Srivastava,	SM/LKO.
15.	Shri S.S. Sharma,	TI/MB.
16.	Shri G.B. Negi,	TI/MB.
17.	Shri B.N. Singh,	TI/MB.
18.	Shri Attam Prakash,	TI/DLI.
19.	Shri Lakhan Lal, S/C.	TI/MB.
20.	Shri Kessar Singh,	TI/JU.
21.	Shri D.K. Agarwal,	SM/ALD.
22.	Shri A.C. Chadha,	SM/DLI.
23.	Shri K.R. Agnihotri,	SM/DLI.
24.	Shri K.C. Gautam,	CYM/ALD.
25.	Shri Raghuvansh Rai,	SM/ALD.
26.	Shri Joginder Singh,	SC/SM/DLI.
27.	Shri Harminder Singh, S/C	SM/FZR.
28.	Shri Balwant Rai,	TI/FZR.
29.	Shri Hans Raj,	TI/BKN.
30.	Shri M.M. Dhyani,	TI/DLI.
31.	Shri P.N. Soni,	TI/DLI.
32.	Shri B.S. Gill,	TI/FZR.
33.	Shri T.C. Bhardwaj,	TI/FZR.
34.	Shri S.P. Srivastava,	TI/ALD.

PROVISIONAL PANEL FOR THE POST OF CHIEF YARD MASTER GRADE Rs.700-900(RS).

1.	Shri Manohar Lal,	SM/BKN.
2.	Shri Kundan Lal,	SM/BKN.
3.	Shri S.N. Singh,	Dy.CYM/LKO.
4.	Shri B.P. Mandal,	Dy.CYM/MB.
5•	Shri P.D. Chaturvedi,	TI/Traffic Survey.
6.	Shri B.P. Srivastava,	Dy.CYM/MB.
7.	Shri M.M.Dayal Bhatnagar,	Dy.CYM/MB.
8.	Shri M.C. Joshi,	Sm/lko.
9•	Shri Yeshpal,	SM/FZR.
10.	Shri Hari Kishan Nagia,	SM/DLI.
11.	Shri O.P. Verma,	SM/DLI.
12.	Shri C.P. Singh,	SM/MB.
13.	Shri Kaloo Ram,	SM/JU.
14.	Shri G.S. Srivastava,	SM/MB.
15.	Shri Shiv Raj Singh,	SM/JU.

(continued on page 4)

16.	Shri R.R. Singh,	SM/LKO.
17.	Shri Kartar Singh	, s/c sm/fzr.
18.	Shri Harjit Singh	Rao, S/C SM/FZR.
19.	Shri Nathu Ram,	S/C SM/MB.
20.	Shri Gurbachan Si	ngh, Dy.CYM/DLI.
21.	Shri V.P. Dutta,	-do-
22.	Shri Ved Prakash,	S/C -do-
2 3.	Shri Janki Dass	-do-
24.	Shri R.L. Tiwari,	TI/ALD.
25.	Shri G.P. Upadhya	, -do-
26.	Shri Girdhari Lal	, -do-
27.	Shri Gulshan Lal,	-do-
28.	Shri S.R. Dada Ra	o. S/T SM/JU.

The above panels are provisional and have the approval of C.P.T.S.

The above staff may please be warned that retention of their names on the panel is subject to the condition that their conduct/working remains satisfactory during the currency of the panel and the mere fact that any one has been placed on the panel does not gurantee that he will be posted against the post for which empanelled. If DAR case for imposition of major penalty is contemplated or initiated against any employee after the last letter of your division, this office may be advised and the result of that employee may not be notified.

Sd/- Dev Raj for General Manager (P).





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

Writ Petition No. 153 of 1980.

K.M. Lal and others.

Petitioners.

Versus

Union of India and others.

Respondents.

ANNEXURE 19.

The General Manager, Northern Railway, Baroda House, New Delhi.

THROUGH - The Divl. Railway Manager,
Northern Railway,
Lucknow.

SUB: HON'BLE COURTS' ORDERS DATED 27-11-1980 IN C.M. An. No. 5236 (W) - 80 IN RE: W.P. 153/1980.

Sir,

We, the following, for and on behalf of Petitioners, herewith submit the Hon'ble Courts' orders dated 27-11-80 in the above mentioned case for information and necessary action.

The orders relate to 'application for interim relief' in MP No.153 of 1980 in the High Court of Judicature at Allahabad, Lucknow Bench re: Shri K.M. Lal & others versus Union of India and others.

Yours faithfully, For Petitioners -

Sd/- G.B. Flynn, TI/LKO.

Sd/- K.M. Lal, TI/LKO.

Sd/- B.N. Misra, Dy.CHC/LKO.

Sd/- I. Haq, TI/FD.

Copy forwarded to Divl.Rly.
Manager(P), N.Rly., Lucknow
for necessary action.

Dated. 10-12-1980.

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

Writ Petition No. 153 of 1980

(642,) La.81.

K.M. Lal and others.

Petitioners.

Vs.

Union of India and others.

Respondents.

In the above noted Writ Petition, I am filing the Supplementary Affidavit on behalf of the Petitioner within time, and the same may kindly be accepted.

Lucknow, Dated:

1 --9-- 1981

Advocate,

Counsel for the Petitioner.

Salata



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

Writ Petition No. 153 of 1980





K.M.Lal and others

Petitioners

versus

Union of India and others

.. Respondents

Supplementary Affidavit

I, K.M. Lal, aged about 47 years son of late Shri R.B. Lal, Traffic Inspector (SWR) resident of T-36A Northern Railway Colony, Charbagh, Lucknow, do hereby solemnly affirm and state as under:

- 1. That the deponent is petitioner No.1 in the above writ petition and he is fully conversant with the facts deposed to hereinafter.
- 2. That the order of this Hon'ble Court dated 27.11.1980 has not been complied with as yet. The petitioners have not been promoted to higher posts, though they were declared secessful in the test, inspite of repeated requests having been made by them. True copies of reminders are already annexed as Annexures 19, 20 and 21 and 22 with Civil Misc. Application No.3187 of 1981.





- 3. That the respondents in the circumstaces committed contempt of this Hon'ble Court.
- 4. That instead of implementing the orders of this Hon'ble Court the respondents by order No.940-E/15-XVII-A(Ein) dated 22.8.81 have promoted S/Shri G.D.Kharé, B.P.Singh and V.B.Khare who are juniors to many of the petitioners. A photostat copy of the order is annexed hereto as Annexure 23.

Dated: Lucknow August 7.1981.

Verifications

I, the above named deponent do hereby verify that the contents of paragraphs 1 to 4 are true to my know-ledge. No part of this affidavit is false and nothing material has been concealed. So help me God.

Dated: Lucknow August 29 ,1981

I identify the deponent who has signed before me

Solemny affirm and skx before me that when he form on 99.8 % at 9 or am/pm by Shri

K.M.Lal who is identified by Shri challen on ken he

Advocate, High Court, Luck o.

R.M.T. with

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

Oath Commissioner
High Court, Aliahabad
Lucknow Bench
No. 522/22/290



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NORTHERN RATLLAY

Headquarters Office Baroda House New Deity.

NOTICE

R.No.450/1981

The following transfers and postings are ordered with immediate effection.

Shri G. O. Khere, CHC/Hq. is appointed to officiate in Class II service, on ed-hoc basis, and posted as ATO(PH)/H; vice Shri Shiv Kumar.

Shri Shiv Kumar, ATO(PH)/HQ is posted as A.T. S. (FM) vice Shri H.N.

srivastava.

Shri H.N. Srivastava, ATO(FM)/HQ is transferred to Varanesi and posted
as ACO(C)/Waranesi vice Shri P.N. Srivastava.

Shrt p.N. Srivestave, ACO(C)/Varansei, is transferred to Lucknow Division and posted as Station Supdt., Varansei vice Shri J.B. Misra retiring from Railway Service on 31.8.81(AN).

Shirt B.p. Singh, CHC, MB-Division, is appointed to officiate in Class II Service, on adhoc basis, and posted as A.O.S. (M)/MB vice Sh.R.K. Singh.

Shri R.K. Singh, AOS(m)/MB is transferred to Varanasi and posted as ACO(C)/Varanasi against an existing vacancy.

7. Shri Chedi Lal, AOS/Rosa, is transferred to FZR division and posted as

ATS Amritear vice Shri H.S. Sandhu.

Shri V.B. Khore, CHC, CLI-Divn. is transforred to FZA-Civision, appointed to officiate in Class II Survice, on ad-hac basis, and posted as AUS(C)/ Forezopera, vice Shri S.C. Soth.

 shri S.C. suthk AOS(C), FZR is posted as AOS(M) FZR against an existing Vacancy.

10. Shri Vod prakash, ATD, on loavo, is rocalled from leave and posted as Manager, ICD, pargati Madan, New Bolhi.

The above orders have the approval of COPS/CCS. The premetten orders of Sirvashri G.O. Khare, 8.p. Singh, V.B. Khare and posting orders of Sirvashri P.N. Sivastava and Chudi tal have the approval of G.M.

Note:

1. The promotion of Servashri G.O. Khare, B.p. Singh & V.B. Khare to Class II Sergice is purely on adhec basis and will not confer upon them any prescriptive right for similar promotions, in future, in preference to their senior. It is also subject to their passing of modical Examination, wherever necessary.

3. Shri P.N. Srivastava must take ever as Station Supdt. BSB on 31.8.81(AN)

3. Orders regarding posting of a rollof vice Shri Chedi Lai, ADS/Rosa, will follow.

Hindi vorsion will follow.

(S. Cherni)22/9
for Concrol Managor(p).

HU4940-E/15-XXVII-A(EIa). Datod: 22/8/1981

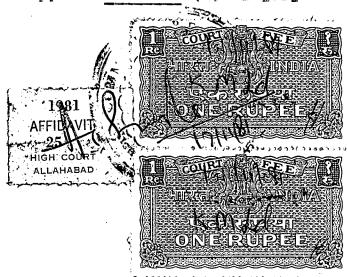
furwarded to FA & CAD(EC), B. House, NOLS. 2. DAME/DLI, FZR, MB, LKO; DADE, DLI, FZR, MB, LKO; DV.CCS(C)/Varancei. Bill Elerk Ele and SPO(TS)/Heres Office; for information and nuceesary action.

Dopy forwarded for information to:-1.All HODs through their pas. 2. DAMS/BKN-JU-ALD: 3. Becy. to CMt Add:CVO, RCM(U)&(T), Sr. ADCM, AS(Cenfdl.), CA/Dy. CPO(G).
4. Secretary(E), Rly. 8 rard. 5. Sept. Hanpur Aros, Kanpur. 6. Seri pn Sivestova, ACO(C)/-USH. 7. Selectory(E), Rly. 8 rard. 5. Sept. Handur Aros, Kanpur. 6. Seri pn Sivestova, ACO(C)/-USH. 7. Selectory(E), Rly. 8 rard. 6. Sept. Handur, ATU(PH)H. 9. Selectory(E), ACO(MIN)MB 10. Selectory(E)

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

Civil Misc.Appl.No.____(W) of 1981



K.M.Lal and others

Applicants

In re:

Writ Petition No. 153 of 1980

K.M.Lal and others

Petitioners

versus

Union of India and others

Respondents

Affidavit

I, K.M.Lal, aged about 47 years, son of late Shri R.B.Lal, Traffic Inspector (SWR), Resident of T-36, A.N.Rly, Colony, Charbagh, Lucknow, do hereby solemnly affirm and state as under:

- 1. That the deponent is petitioner No.1 in the above writ petition and he is fully conversant with the facts deposed to hereinafter.
- 1. That the petitioners have filed the aforesaid writ petition praying for (i) issue of a writ direction

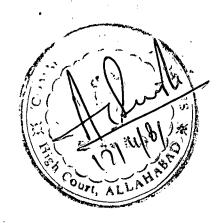


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or order in the nature of mandamus (i) directing respondents 1 to 4 to give due allowance to the petitioners in respect of 25% quota reserved for Traffice Apprentice for appointment/promotion in the higher grade of RTAS; (ii) commanding respondents 1-4 to treat the petitioners as having been given the benefit of 25% rese vation of annual vacancies m ntioned above, refix the seniority and grant confirmation and promotion in accordance therewith: (iii) restraining respondents 1-4 from holding any further selections to the post of Station Superintendent/Traffic Inspector/Chief Yard Master in the grade of Rs. 700-900 and Chief Controller in grade of $\ensuremath{\mathtt{Rs}} {\boldsymbol{.}} 840 {\boldsymbol{-}} a 040$ and lower gazetted scale of $\ensuremath{\mathtt{Rs}} {\boldsymbol{.}} 650 {\boldsymbol{-}} 1200$ without absorbing the petitioners in accordance with their due seniority; (iv) directing respondents 1-4 to give full effect to the decision of Delhi and Allahabad High Courts, rrefix the seniority in accordance therewith and grant the petitioners all incidental reliefs; (v) commanding respondents 1-4 to revise the seniority ligh in accordance with law; (vi) and quashing the seniority list of \$9.11.1978 and 12.4.1979. Other ancillary reliefs were also claimed.

That the case of the petitioner briefly was that 25% of the posts in grade Rs.200-300 (PS)/
250-380 (AS) of the posts of Section Controller/
Station Master/ A.S.Ms/ Yard Masters had to be filled up from amongst the Traffice Apprentices which had not been done.

4. That if the above 25% quota had been allotted to the Traffic Tragger Apprentices, the petitioners



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would have been appointed on the aforesaid posts much earlier and consequently they would have secured higher position in the seniority list.

- 5. That in similar situation a writ petition No.3028 of 1972 had been filed in the Allahabad High Court by some Traffic Apprentices of Allahabad Divisions claiming the aforesaid benefits.
- Court had been pleased to set aside the seniority
 list which had not given the benefit of the
 aforesaid quota to the Traffic Apprentices of
 Allahabad Division. Consequently promotions
 in the Allahabad division to the post of Assistant
 Operating Superintendent/Assistant Commercial
 Superintendent from inter alia the Traffic Apprentices was made after giving due weightage of
 seniority to the Traffic Apprentices.
 - 7. That in Delhi Division also some Traffic Apprentices had also filed a writ petition in for similar reliefs. The said petition was allowed and directions similar to those issued by the Allahabad High Court were granted by the Delhi High Court also.
 - 8. That the petitioners are identically situated with those who had filed petitioners at Allahabad and Delhi High Courts.
 - 9. That since the petitioners were not given benefit of the said 25% quota meant for the Traffic Apprentices, they filed the aforesaid

Court ALLANDER

writ petition No.153 of 1980 in this Hon'ble Court.

10. That along with the writ petition an application was also moved for interim relief. On the said application this Hon'ble Court was pleased to pass the following order:

"Mosue Notice. In paragraph 55 of the petition it has been alleged that there are about 66 vacancies out of which 20 persons have been called from Lucknow Division. The petitioners have further contended that they have been called for interview from Lucknow Division. In paragraph 58 of the petition it is alleged that the selections are to be held from 28th January to 7th February, 1980. Obviously the results would no t therefore be declared before 7.2.80. Keeping in view the allegations made in the petition we, therefore, order that the petitioners may, without prejudice to their claim and contentions, appear before the Selection Committee on the scheduled dates. However, the results for ten posts shall not be declared before 6.2.1980.

The stay application shall be listed for further orders on 4.2.80.

The learned counsel for the petitioners undertakes to serve notices of the writ petition and the stay application on the Opposite parties 1,2 and 4 by 29.1.1980. He shall file an affidavit of service.

The office shall issue Dasti summons to the learned counsel for the petitioners

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stating in the notice on the stay application that the stay application shall be 'listed for further orders on 4.2.1980"

Sd/- T.S.Misra Sd/- K.S.Verma 25.1.1980**

- 1]. That subsequently another application No. 5236(W) of 1980 was moved by the petitioners for modification of the aforesaid stay order. This Hon'ble Court was pleased to direct that the results of the tests in question held during the period 27.11.80 to 7.2.1980 shall be declared and in case petitioners or any of them were found to be successful promotions shall be made in accordance with the principles laid down in this Hon'ble Court Judgement for Allahabad Division.
- 12. That the petitioners who had appeared at the tests had been declared successful at the tests and they were consequently promoted to the posts of Traffic Inspector/Station Superintendent/Chief Yard Master in the grade of Rs.700-900.
- 13. That although the petitioners were promoted on the above posts and were regularized on the said posts in June, 1981 they have still not been given the benefit of the judgment of Allahabad High Court in Writ Petition No.3028 of 1972 as the sehiority list have not been revised accordingly.

That in the circumstances another application was moved (C.M.A.No.3]87 of 1981) on which this



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Hon'ble Court passed the following order on 15.9.81:

The averments in the writ petition and in the supplementary affidavit and in the affidavit accompanying this application remain unrebutted till date. However, Sri Robin Mitra prays for and is allowed two weeks fürther time for filing counter affidavit to the writ petition and also the the supplementary affidavit. In the meantime it is to be noted that the interim order dated 27.11.80 is quite categorical and it requires Railway Administration to make promotions in accordance with the principles laid down in the decision of this Court dated 18.7.1978 in writ petition No.3028 of 1972, notwithstanding that the present petitioners were not parties to that writ petition. Accordingly it is hereby directed that the decision of the court in the earlier writ petition shall be given effect to in respect of the petitioners as well and no body junior to the petitioners shall be promoted in preference to the petitioners. Further if the petitioners are, in accordance with the judgment, so extended to them, due for promotion they or any of them who are so due shall be promoted.

> Sd/- K.N.Goya1 15.9.1981

15. That the next posts to which the petitioners can be considered for promotion is that of Assistant Operating Superintendent, Assistant Commercial

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Superintendent and Assistant Traffic Officer in the scale of Rs.840-1200, which are the lower gazetted posts.

- That promotions on the above lower gazetted posts are based on seniorityecum-tests.
- their due seniority in accordance with the principles laid down in the Allahabad High Court decision, they would have been promoted on the aforesaid lower gazetted posts along time back. As a matter of fact juniors to the petitioners have been promoted as far back as 1977 and promotions of juniors are still continuing. Such promotions on the post of lower gazetted scales are being made without any tests, overlooking the claim of the petitioners.
- 18. That promotions to the said posts are being made on the basis of a seniority list parts of which have already been quashed by the Allahab d High Court and Delhi High Court.
- 19. That in the circumstances it is expedient that the respondents 1 to 4 may be restrained from making any promotions on the lower gazetted scales without giving due weightage to the seniority of the petitioners taking into account the decisions of the Allahabad High Court and Delhi High Court.

DEPONENT.

Dated: Lucknow November 17, 1981.



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Verific ations

verify that the contents of paragraphs 1 to 18 are true to my knowledge and those of para 19 are believed by me to be true. No part of this affidavit is false and nothing material has been concealed. So help me God.



Deponent

Dated: Lucknow

November / ,1981.

I identify the deponent who has signed before me Char Bly Kummr Go so RM Tarak

Solemnly affirmed before me on at quo am/pm by Shri K.M.Lal, who is identified by Shri & C. Kumar clark to Sik White Advocate, High Court, Lucknow.

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

OATH COMMISSIONER
High Court, (Lucknow Bench)

No ... 25/195/394

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work of the administration and that in Public interest the ex-parte stay order passed by this Hon'ble Court may kindly be suitably amended to enable the Railway Administration to make adhoc temporary promotions purely as a tentative measure.

Prayer.

WHEREFORE, it is most respectfully prayed that the above Writ Petition may be dismissed as having become infructuous or in the alternative, the ex-parte stay order passed by this Hon'ble Court may be modified

and the respondents may be permitted to make other promotions purely as a local temporary tentative arrangement.

Lucknow,

Dated: 31.1.83

Merine

Advocate

Counsel for Opp-parties



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

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Try. Form No. 385

RÉCEIPT FOR PAYMENT TO GOVERNMENT

(Form No. 1, Chapter III, Paragraph 26, Financial Handbook, Volume V, Part I) 70444

... Petitioners.

on account of-

Opp-parties.

Signature of Government Servant granting the receipt.

Casher or Accountant.

Designation.

presently working as Jen

aged about

opin (7+c)

in the Head Quarters' Office of Northern Railway, Baroda House, New Delhi do hereby affirm and state on oath as under:-

That the deponent is presently working as 5. P.o. (T+c) in the Head Quarters' office of Northern Railway, Baroda House, New Delhi and is well conversants of the facts stated hereunder. The deponant is authorised to swear this affidavit on behalf of the opposite parties.

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- 2. That the deponent has read and understood the writ petition and the various applications filed by the petitioners for interim reliefs.
- 3. That the petitioners in the present writ petition have claimed the following reliefs:
 - I. To issue a writ, direction or order in the nature of mandamus directing the respondants No.1 to 4 to give due allowance to the petitioners in respect of 25% quota reserved for Traffic Apprentices for appointment/seniority/promotion in the Higher grade of RTAs.
 - II. Issue a writ, direction or order in the nature of mandamus companding the Respondants 1 to 4 to treat the petitioners as having being given the benefit of 25% reservation of annual vacancies mentioned above, refix the seniority and grant confirmation and promotion in accordance therewith.
 - of mandamus restraining the respondants

 1 to 4 from holding any further selections
 to the post of Station Superintendent/
 Traffic Inspector/Chief Yard Master in the
 grade Rs. 700-900 and Chief Controller in

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the grade Rs. 840-1040 and lower gazetted scale of Rs.650-1200 without absorbing the petitioners in accordance with their due seniority.

- IV. Issue a writ, direction or order in the nature of mandamus directing the Respondents 1-4 to give full effect to the decision of Delhi High Court and Allahabad High Court mentioned above, refix the seniority in accordance therewith and grant the petitioners all incidental reliefs.
- V. Issue writ, direction or order in the nature of mandamus commanding the Respondants 1 to 4 to revise the seniority in accordance with law.
- VI. Issue writ, direction or order in the nature of certiorari quashing the seniority list of 19.11.1978 and 12.4.1979.
- VII. Issue such other writ, direction or order as are deemed just and proper.

VIII. Award cost of the writ petition to the petitioners.

- 4. That the main relief claimed by the petitioners is that they may be given the benefit of judgement of the High Court at Allahabad in Civil Misc. Writ petition No. 3028 of 1982.
- 5. That in view of the facts stated in the subsequent paragraphs, it is not necessary to reply

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to the facts alleged in the paragraphs 1 to 58 of the writ petition.

- That in the writ petition before the Allahabad High Court, the petitioners were Traffic Apprentices as inthe present case and they claimed that they have not been given the benefit 25% quota at the initial recruitment in terms of circulars of the Railway Board. The Allahabad High Court by its Judgement allowed the writ petition and directed the Railway Administration to give the benefit of 25% quota to the petitioners inthe initial recruitment grade and refix the seniority and adjust their Promotions accordingly.
- 7. That the similar writ petitions were filed before the Punjab and Delhi High Courts which were allowed that these Judgements, in respect of the petitioners in these cases were implemented.
- Railway but the benefit of the Judgements were given only in 3 Divisions i.e. Allahabad, Delhi, and Ferozepur in accordance with the Judgements of the various High Courts to the petitioners only.
- 9. That the petitioners inthe present writ petition are also Traffic Apprentices and have claimed the same benefits as ordered in the Allahabad High Court Judgement in Civil Misc.Writ petition No.3028 of 1972.
- That it may be stated that in order to implement the Judgement of the Allahabad High Court, it became necessary to work out the number of vacancies which occured in the categories of RTAs grade Rs.200-300/

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250-380 from 1954 onwards in order to arrive at 25% quota of Traffic Apprentices. This necessiated searching of records of more than 20 years old and number of files had to be consulted. The post of RTAs is a Division controlled post. Thus it took about 2 years to prepare the seniority list in the light of the Judgement of the Allahabad High Court.

That the Northern Railway Administration vide its letter No. 757-E/42-VI/KIB, dated 6/2/1980 wrote to the Railway Board that in view of the Judgement of Hon'ble High Courts of Allahabad, Delhi, and Punjab & Haryana, the benefits of these Judgements may be given to all the Traffic Apprentices in all the Divisions of Northern Railway. A true copy of this letter is being annexed herewith as ANNEXURE 'A'.

- That the Railway Board vide its letter dated 12. 24/26-12-1980, a copy of which is being annexed herewith as ANNEXURE 'B', decided that the seniority list of all the Traffic Apprentices in all the Divisions may be prepared afresh in the manner directed and in the light of observations made inthe Judgements of Allahabad, Punjab and Haryana & Delhi High Courts.
- 13. That in view of the directions of the Railway Board, the work relating to the revision of the seniority lists of all Traffic Apprentices of Northern Railway in terms of Judgements of Allahabad, Delhi, Punjab & Haryana High Courts was taken in hand. This work is of voluminous nature and relates to the revision of seniority inthe categories and grades mentioned below from 1954 to

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1963:-

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ASMs/AYMs/SCNLs

Grade Rs. 200-300 (PS) /250-380 (AS) which

is controlled by the Divisions

(Selection post).

YMs/SCNLs

Grade Rs. 260-350 (PS)/335-425 (AS) which

wascontrolled by the Division(Non-

selection.)

SMs/TIs.

Grade Rs.260-350(PS)/335-425(AS) which was controlled by the Hd.Qrs. office (formerly Non-selection post but later

Selection post).

SMs/TIs/CYMs.

Grade Rs.300-400(PS)/370-475(AS) which was controlled by the Hd. grs. office.

SMs and CYMs grade Rs. 300-400 (PS)

selection and TIs non-selection.

SMs/TIs/CYMs.

Grade Rs.360-500(PS)/450-575(AS) which was controlled by Hd.Qrs.office (all

posts are selection posts).

penals formed in all the above categories from 1954 to 1963 are required to be consulted and modified. Since old cases of over 25 years' period are not readily forthcoming at this distant date, the matter was referred to the Railway Boare for decision, keeping inview of the complexities arising out of the Judgements of various High Courts, vide this office letter NO.522-E/64-IX/25/EIB, dated 30/7/1982, a reply to which has been received vide Board's letter NO.E(NG)I-80/SR6/9 dated 17/8/1982. A true copy of Board's letter is being annexed herewith as Annexure'C'.

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That in accordance with the directions of the Railway Board dated 24/26-12-80 and in light of the Judgements of Hon ble High Courts of Allahabad, Delhi, Punjab & Haryana, the Respondants have prepared a provisional list and have given the benefit of revised seniority to all the petitioners as well as to other Traffic Apprentices in all the 7 Divisions. A true copy of this revised list is being attached as Annexure 'D' of this affidavit.

in paragraph. 14 above have been invited upto 31/12/1982. This contains list has been prepared in accordance with the Judgement delivered by the Hon'ble High Court of

Allahabad in Civil Misc. writ petition No. 3028 of 1972.

A true copy of the paid and the being annexed herewith as Annexure D.

That after considering the objections received on the said provisional list dated 16/11/1982, the list

will be finalised and the promotions will be adjusted.

accordingly.

17. That the Railway Administration is making sincere efforts to give full benefit of judgements of Hon'ble High Courts of Allahabad, Delhi, Punjab & Haryana to all concerned including the petitioners and the same will be done at a very early date.

18. That me in view of the facts stated above, this writ petition has become infructuous and is liable to be dismissed.

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

CIVIL MISC. APPLICATION NO.

(W) 1982

IN RE:

Writ Petition No. 153 of 1980

Sri K.M. Lal and others

Rekikimensx Petitioner

versus

Opp. Parties.

Union of India and others

Copy of Northern Railway, Headquarters Office, letter No.757-E/42-VI dated 6.2.1980 addressed to the Secretary, Establishment, Railway. Board, New Delhi.

Sub: Fixation of seniority of Traffic Apprentices vis-a-

vis <u>rankers</u>.

It was proposed to the Railway Board vide this office letter No. 145-E/C/17535/AO/SSE/W dated 25.2.1972 that Traffic Apprentices recruited against 25% vacancies of Section Controllers/Yard Staff and Station Transportation Cadre in Grade Rs. 200-300 (PS)/250-380 (AS) may be allowed seniority according to their quota on the basis of their roster positions 1,5,9 etc; against the vacancies which arose from 1.4.1954 onwards. This proposal was based on the fact that commercial Apprentices had been assigned seniority vis-a-vis rankers according to their quota on the basis of their roster positions on receipt of judgement given by Allahabad High Court on the writ petition filled by one of the Commercial Apprentices. The Railway Board did not agree to this proposal vide their letters No.E (NG) 172 SR6/19 dated 3.11.1973 and 22.7.1975, in view of the judgement given by the single bench of Delhi High Court on 8.8.1972 in the writ petition filed by Shri S.S. Lal and other Traffic Apprentices of Delhi Division of this Railway.

The Traffic Apprentices of Delhi Division filed an appeal to the double bench of Delhi High Court against the judgement given by the single bench of that court. The double bench of Delhi High Court vide judgement dated 30.7.1975 allowed them seniority vis-a-vis rankers according to their quota on the basis of their roster positions. An appeal against the judgement of double bench of Delhi High Court was filed by administration in the supreme court but the same was not accepted. Consequently 5 Traffic Apprentices of Delhi Division who were party to the writ petition were allowed seniority vis-avis rankers in grade Rs. 200-300 (PS)/250-380 (AS) on the basis of roster points reserved for them against 25% quota. The assignment of seniority on the basis of judgement of the double bench of Delhi High Court resulted into disturbing the interse seniority of the Traffic Apprentices of Delhi Division in as much as that the 5 petitioners 1though recruited in the year 1961-1963 became senior to thos who recruited during the period from 1959 to 1962.

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To remove this anomaly the seniority of 12 Traffic Apprentices who were otherwise senior to the 5 Petitioner Traffic Apprentices on Delhi Division was protected and they were placed above them to maintain the intense seniority. These facts have already been advised to Railway Board vide this office DO letter of even number dated 8.9.1977 in reference to their DO letter No.E (NG) I-77SR6-45 (CA) dated 12.8.1977.

Apart from the above, 18 Traffic Apprentices employed on Allahabad Division filed writ petition in Allahabad High Court and one Traffic Apprentice employed on Firozpur Division filed writ petition in Punjab and Haryana High Court, Chandigarh for determination of their seniority vis-a-vis rankers according to their quota on the basis of their rosters positions. These two courts have also given judgement in their favour and allowed them seniority according to their quota. case of judgement given by Allahabad High Court an application for leave to appeal in the supreme court was filed in the High Court, Allahabd as per permission granted under Railway Board's letter No.E (NG) I-78 SR6/71 dated 26.9.1978. The same was, however, dismissed by the High Court, Allahabad vice judgement dated 15.2.1979. This position was advised to Railway Board vide this office letter No.7-AID/ WP/Legal Cell(P)/72 dated 8.6.1979 and they were requested to convey their decision if a special leave petition may be filed in the Supreme Court. The Board decided vide their letter No E(NG) 178/SP6/71 dated The Board decided vide their letter No.E (NG) 178/SR6/71 dated 1.7.1979 that this case need not be purused further in the Supreme On the analogy of decision given by this administration in Court. the case of seniority of Traffic Apprentices of Delhi Division, the seniority of one Traffic Apprentice of Allahabad Division and one of Firozepur Division who are not party to the petitions but are senior to the petitioners is being protected to maintain the inter-se-seniority.

It would be seen from the position explained above on Delhi, Allahabd and Firozpur Divisions 24 TrafficApprentices who were party to the petitions have been allowed seniority-vis-a-vis rankers according to their quota on the basis of their roster positions 1,5,9 etc. as per judgement given by three courts mentioned above. As a sequal of the same 14 Traffic Apprentices who were not party to the petitions but otherwise senior to the petitioners have also been given position above them to maintain the inter-se-seniority.

Apart from 38 Traffic Apprentices (24 party in the court cases plus 14 senior in inter-se-seniority on respective Divisions there are about 80 Traffic Apprentices who were recruited upto the year 1963 and have not been allowed seniority according to the quota on the basis of their roster positions.

Out of these 80 Traffic Apprentices, 10 of Lucknow Division have fix filed writ petitions in the High Court, Allahabad bench at Lucknow for determination of their seniority according to their quota. Sixteen more Traffic Apprentices of Delhi Division inclusive of certain persons already allowed the benefit of inter-se-seniority over the Traffic Apprentices of Delhi Division who were party to the writ petitions as mentioned in para 3 above, have also filed writ petitions the Quota.

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The junior most Traffic Apprentice who has been allowed seniority according to quota as per judgement given by the double bench of High Court, Delhi, is Shri Kartar Singh. He was recruited as Traffic Apprentice in 1963 and on completion of three years Apprenticeship directly absorbed in grade Rs. 200-300 (PS)/250-380 (AS) in terms of Board's revised instructions contained in their letter No.E (NG) 61 RR1/4 dated 18.12.1963.

Since Traffic Apprentices of Delhi, Allahabad and Firozpur Divisions mentioned in the preceding paragraphs have been allowed seniority vis-a-vis rankers according to their quota due to judgement given by High Courts, Delhi, Allahabad and Chandigarh, it would be unfair to deny wim similar benefit to other Traffic Apprentices posted on the other Divisions who as per batch/merit assigned by Training School are senior to them. In viewof this anomalous position and to avoid further litigation, the Railway Board are requested to reconsider their earlier decision given in their letter No.E (NG) I-72 SR6/19 dated 22.7.1975 and permit this administration to assgn the seniority to about 80 other Traffic Apprentices recruited upto the year 1963 according to their quota as decided by 3 courts mentioned above.

Sd/- HS Chatta for General Manager

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IN THE HON BLE HIGH COURT OF JUDICATURE AT ALLAHABAD,

LUCKNOW BENCH, LUCKNOW



CIVIL MISC. APPLICATION NO. (W) OF 1982.

IN RE :

WRIT PETITION NO. 153 of 1980

SRI K.M. LAL AND OTHERS

PETITIONERS

VERSUS

UNION OF INDIA AND OTHERS

OPP. PARTIES

Copy of Board's letter No.E(NG) I_80/SR6/9 dated 24/26.12.80 addressed to the General Manager, Northern Railway Board, House, New Delhi.

Sub: Fixation of seniority of Traffic Apprentices vis-a-vis rankers.

Ref: Correspondence resting with Dy. CPO(G)'s DO No.757_E/42_VI(EIB) dated 5.4.1980.

The Ministry of Railways have, after careful examination of the matter, decided that the seniority lists of all Traffic Apprentices in all the Divisions of Northern Railway should be prepared afresh in the manner directed and in the light of the observations made by the High Courts of Allahabad, Delhi, Punjab and Haryana.



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IN THE HON BLE HIGH COURT OF JUDICATURE AT ALLAHABAD.

LUCKNOW BENCH, LUCKNOW

CIVIL MISC. APPLICATION NO. (W) of 1982

IN RE:

WRIT PETITION NO. 153 of 1980

Sri KM Lal and others

Petitioners

Union of India and others

Opp. parties.

**

versus

Copy of Railway Board's letter No.E (NG) I-80/SR6/9 dt. 17.8.82 from Joint Director, Establishment (N) Railway Board, to General Manager, Northern Rly. New Delhi.

(Attn. Shri MS Bhandari, Chief Personnel Officer (IR).

Sub: Fixation of seniority of Traffic Apprentices

vis-a-vis Rankers.

Ref: Northern Railway's letter No.522-E/64-IX-25/EIB

dated 30.7.1982.

The matter has been carefully considered in the Ministry of Railways after discussion with your Chief Personnel Officer (IR) and it is observed that is it is essential for the Railway to finalise the revised seniority list in accordance with the judgement of the High Courts since they had already cast the seniority list on Division basis despite Board's instructions of 24.10.1961. Northern Railway should accordingly act after examining the legal implications involved if they again change the seniority list on zonal basis at this stage. Any attempt now to implement Board's letter of 1961, which has all along been not implemented, is not likely to carry conviction with the Courts in the event of the new seniority list based on the whole Railway is challenged.





HEADQUARTERS OFFICE BARODA HOUSE NEW DELHI

16th November, 1982.

No.522-E/64-IX-25(EIB)

The Divisional Railway Managers, Northern Railway, DLI AID MB LKO FZR JU & BKN

Sr. Transportation officer/Coaching, Northern Railway, Baroda House, New Delhi

The Secretary, Railway Board, New Delhi

Sub: Revision of seniority of Traffic apprentices recruited on Northern Railway from 1954 to 1963.

Enclosed please find copies of list of Traffic Apprentices recruited from 1954 to 1963 indicating the notional dates provisionally allotted to them in grades &.300-400(PS)/370-475(AS), 360-500(PS)/450-575(AS) after assigning them positions on roster basis in grade &.200-300(PS)/250-380(AS). This has been don in the light of judgements delivered by the High Courts of Allahabad, Delhi an d Chandigarh.

2. The basis adopted while assigning the notional positions to these Traffic Apprentices as follows:-

On the ex- EI Railway Divisions namely, Allahabad Lunknow and Moradabad, the rankers against 75% of the vacancies and Traffic Apprentices to the extent of 25% used to be selected as RTAs, grade &.200-300(PS)/250-380(AS) which was the feeding category for the posts of ASMs/AYMs/SCNLs in identical scale, whereas on other Divisions separate panels in these categories used to be formed. In order to maintain uniformity divisionwise lists of promotions made of RANKERS in the categories of ASM/AYM/SCNL in Grade &.200-300(PS)/250-380(AS) have been prepared from the available records. Traffic Apprentices recruite during these years against 25% quota have been given notional positions on the basis of their course and merit on their respective divisions assuming that they could have been posted in any of three streams on successful completion of the r three years requisite training by applying roster of 1, 5, 9 and so on.

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ii) Subsequently, a consolidated list of all the 'Rankers' promoted in the categories of ASM/AYM/SCNL Grade &.200-300(PS)/250-380(A-) of all the Divisions has been compiled and Traffic Apprentices recruited during these years 1954 59 1963 interpolated in this list on the basis of the notional positions assigned to them on the divisions of their initial posting.

Thereafter, notional positions have been assigned to these Traffic Apprentices vis-a-vis their Junior rankers, who had been empanelled or promoted in any of three streams, provided the Traffic Apprentices had cassed in the PROFESSID AL ABBLITY in their first appearances in any of the selections in Grade R. 300-400(PS)/375-475(MS)/360-500(AS)/450-575(AS). Such of the Traffic Apprentices who could not qualify in professional ability in first appearances have been assigned notional positions from the dates on which they subsequently qualified in professional Ability. Suitable remarks have been given against the names of such Traffic Apprentices.

Iv) Those Traffic Apprentices who were not malled in any of the selection in grade & 260-350(RJ)/335-425(AS)/300-400(PS)/370-475(AS)/360-500(PS)/450-575(AS) being junior at that time, have been assigned notional positions from the dates their junior rankers were empanelled.

v) The notion 1 positions so assigned is only for further advancement an for grant of no other benefit whatesoever.

3. A copy of the list should be displayed on the Notice Board of the office and should also be got noted by the staff concerned working on your Division. Objections, if any, should be submitted so as to reach this office by 31st December, 1982.

Sd/-

(G. SANKARANARAYANAH)

for GENERAL MANAGER (P)

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at all the hearings of the case.

Wherefore it is most respectfully prayed that the writ petition may be allowed with costs and the respondents be directed to give promotions to petitioners as due from time to time giving proforma fixation and arrears of pay within a specified time fixed by this Hon ble Court.

Advocate Counsel for Petitioners

Dated: Lucknow
March 31 ,1983.



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

Writ Petition No. 153 of 1980



K.M.Lal and others

.. Petitioners

versus

Union of India and others

.. Respondents

Rejoinder Affidavit to the counter Affidavit filed on behalf of Resp.



- I, K.M.Lal, aged about 49 years, son of late Shri R.B.Lal, resident of T-36A Northern Railway Colony, Charbagh, Lucknow, do hereby solemnly affirm and state as under:
- 1. That the deponent is petitioner No.1 in the above writ petition and he is fully conversant with the facts deposed to hereinafter. The deponent has read copy of the counter affidavit filed on behalf of respondent in the above writ petition and he has understood the contents fully.
- 2. That the contents of paragraphs 1, 2 and 3 of the counter affidavit no comment.
- 3. That with respect to para 4 of the counter

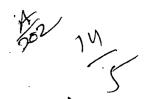
efs claimed

affidavit itis submitted that the reliefs claimed by the petitioner would appear from a perusal of the writ petition. The reliefs claimed have their own merits. It is further submitted that the matter has been decided by the Allahabad HighCourt and the Delhi High Court in writ petition No.3028 of 1972.

- 4. That with respect to the contents of para 5 of the counter affidavit it is submitted that the contents of paragraphs 1 to 58 of the writ petition are correct and are reiterated.
- 5. That with respect to para 6 of the counter affidavit it is submitted that the reliefs claimed by the petitioners are identical with the reliefs claimed in the writ petition under reference.
- affidavit are not disputed. It is further submitted that since a matter of principle has been decided by the Allahabad High Court, Delhi High Court and Punjab and Haryana HighCourt, namely the manner in which the seniority of Traffic Apprentices has to be determined, it was a judgment in rem and it should have been applied by the railway administration to all persons concerned whether they were parties to the writ petition or not.
- 7. That with respect to para 8 of the counter affidavit it is submitted that since the judgments mentioned above were the judgments in rem they

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should have been implemented in respect of similarly situated persons whether they were petitioners or not. It is further submitted that the assertion that the benefits of the aforesaid decisions were given only to petitioners in the aforesaid writ petition is incorrect. Petitioners have been able to find out names of some of the persons who were not petitioners in any of the writ petitions but were given benefit of the aforesaid decisions. The names of some of such persons are S/Shri S.C.S.Sandhu, Virendra Singh, S.M.Parashar, Ved Prakash, P.L.Sarin, P.R.Sachdeva, S.C.Seth and R.S.Mishra. The Railway Board, however, had decided that the benefits should be given to others also. Reference in this connection may be made to Annexure 17 to the writ petition, which has not been disputed by the answering respondents.

- 8. That the contents of para 9 of the counter affidavit need no comment.
- 9. That with respect to para 10 of the counter affidavit it is submitted that the judgment in the writ petition in Allahabad High Court was rendered on 18.7.1978 and the list was prepared by the Division on 24.5.1979 and consequent promotions were made in the first half of 1980. In the present writ petition this Hon'ble Court was pleased to issue directives on 27.11.1980 and the Division submitted the refised list as desired by the Headquarters vide No.522E/64-IX-125 (Eib) dated 17.2.1981, in May, 1981 vide their No.522E/5-1/T.App. but still the orders of this Hon'ble Court have not been implemented and none of the

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petitioners were promoted till proceedings for contempt were drawn in February, 1982. Even now benefits have not been given to the petitioners.

10. That with respect to the contents of para 11 of the counter affidavit it is submitted that inspite of directions of this Hon¹ble Court and their own recommendations, the orders have not been implemented.

11. That the contents of para 12 of the counter affidavit need no comment.

That with respect to the contents of para 13 of the counter affidavit it is submitted that several years have passed since the judgment given by this Hon ble Court but there is no explanation whatsoever for the inordinate delay in implementing the orders of the court. In any case there is no explanation why the specific directions of the Hon'ble High Court have been deliberately flouted by the respondents. This clearly shows the scant respect shown to the *xx directives of this Hon'ble Court dated 27.11.80 and reaffirmed on 15.9.1981 and 9.12.1981, as the respondents busied themselves in carrying out Railway Board's orders in preference to this Hon'ble Court's orders as stated above. The complexities involved were well known to the respondents while making the recommendations on 6.2.80 as they had already done the exercise in case of Delhi, Allahabad and Ferozpur divisions. The only reason due to which the respondents developed cold feet, while doing the same

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exercise in the case of the present petitioners, can be attributed to pressure of vested interests and their own bias due to unreasonable attitude of certain officials who do not relish the idea of aggrieved staff seeking justice from the Hon ble Court. It is also noteworthy that the letter asking the Railway Board to change its orders of 24.10.1961 (Annexure 17 to the writ petition) was written on 20.7.1982 i.e. more than one and a half years after the directives of this Hon'ble Court of 27.11.1980. The Railway Board also transgressed its authority in modifying the said orders with retrospective effect. If at all, the respondents should have approached this Hon'ble Court for guidance and directive rather than a co-respondent. It may also be mentioned here that the contempt proceedings were not initiated against the Railway Board in view of their orders dated 24/26.12.1980 which they are now trying to change as stated above.

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of the counter affidavit it is submitted that the list contained in Annexure D to the counter affidavit is neither in conformity to this Hon'ble Courts orders nor those of the Railway Board dated 24/26.12.80.

It also ignores - albeit in collusion with Railway Board - the orders of the Railway Board itself dated 24.10.61. The list mentions names of Traffic Apprentices only and names of rankers have not been given at all which should have been given in the ratio of 1:3 i.e. roster positions 1. 5. 9 etc. The list also tries to harm a couple of petitioners specially who are actively pursuing this petition and also



contempt petitions (Criminal Misc. Case No.166 and 1622 of 1982), in the name of professional ability although this was not the result of any written test and unknown to them as it was not reflected in any of the seniority lists or promotion orders passed during the last more than 12 years. Representations giving more detailed reasons were submitted to respondents and are being filed hereto as Annexures R-1 and R-2 The two seniority lists referred to in Annexure Rare already contained in Annexures 10 and 12/to writ petition No.153 of 1980 and the two seniority lists of Section Controller and Deputy Chief Controllers are being filed hereto as Annexures R-3 and R-4. this list has not been finalized and implemented The contents of although several months have passed. the representations filed as Annexures R-1 and R-2 *** may be treated as part of this rejoinder affidavit.

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- 14. That with respect to para 15 of the counter affidavit it is not disputed that objections were invited upto 31.12.1982. It is, however, submitted that the list has been prepared in gross violation of the decisions of the Allahabad High Court and other similar judgments.
- 15. That with respect to para 16 of the counter affidavit it is submitted that although the last date for receipt of objections was 31.12.1982, till date the list has not been finalized and representations disposed of. It is submitted that the respondents may be directed to finalize the list and dispose of the representations according to directions of the Allahabad High Court.

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That with respect to the contents of para 17 16. of the counter affidavit it is submitted that the actions of the answering respondents do not give credance to their claim of sincerety in implementing orders of this Hon ble Court. Although this Hon'ble Court is interested in implementation of its orders as regards the petitioners who have approached this Hon ble Court for justice, the petitioners are not selfish and have no objection whatsoever if traffic apprentices of other divisions and non-petitioners as well are given the benefits provided th ey are in conformity to Hon ble Court's wom order and the implementation is not delayed on that pretext. The delay in implementation of the orders is causing untold mental and financial hardship to the petitioners and as the delay is on respondents account ends of justice will be met only by giving full proforma benefits of fixation ofpay, arrears as fell due to petitioners from time to time.

17. That the contents of para 18 of the counter affidavit are denied. The reliefs claimed by the petitioners have still be to be given to the petitioners by the respondents.

18. That the contents of para 19 of the counter affidavit are denied. It is submitted that the interim order is only to the effect that the orders passed by this Hon'ble Court may be implemented. The averments made in para under reply that it is hampering day to day work of the administration is

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indicative of the scant respect which therespondents have for the directions of the Hon'ble Court.

That with respect to para 20 of the counter affidavit it is submitted that the respondents may be restrained from making any promotions even on an adhoc basis without applying the directions of the It may be mentioned that the petitioners High Cour have already sufferred immensely because of the policy of the respondents to flout the orders of the High Court. If they are permitted to make adhoc promotions the petitioners apprehend that they will not get the reliefs till the date of their It may also be brought to the superannuation. notice of this Hon'ble Court that the respondents are further trying to harm the interests of the petitioners by shrinking class II cadre by making the petitioners who are transportation (Traffic) staff ineligible for commercial class II posts notwithstanding that it amounts to change in their basic service condition during their tenure of service vide Railway Board's letter No.E(GP)82/2/120 dated 25.1.1983, a true copy of which is annexed hereto as <u>Annexure R-5</u>.

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That the respondents, while accepting the facts as stated by the petitioners have not even cared to implement the interim orders passed by this Hon'ble Court on 27.11.1980 and reaffirmed on 15.9.1981 and 9.12.1981 as stated in this rejoinder affidavit.

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21. That it is submitted that the interim

orders of this Hon ble Court were not passed ex-parte as claimed. The respondents were represented by their counsel at all the hearings of the case.

Dated: Lucknow March 3 ,1983.

<u>Verific ations</u>

I, the above named deponent, do hereby verify that the contents of paragraphs 1 to 21 are true to my knowledge. No part of this affidavit is false and nothing material has been concealed. So help me God.

DEPONENT

I identify the deponent

Dated: Lucknow March 3 ,1983.

who has signed before me

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me on 31-212 Have to Solemnly affirmed before me on 31.3.4 at 4.50 am/pm by Shri K.M.Lal who is identified by Shri Ch Cork of Sri RN Trivedi Advocate.

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

A. U.Soula Oath Commiserones aigh Court Anshabat Lucknow Hencing IN THE HON BLE HIGH COURT OF JUDICATURE AT ALLAHABAD

LUCKNOW BENCH, LUCKNOW.

WRIT PETITION NO. 153 OF 1980.

K.M. Lal & Others.

PETITIONERS.

Versus

Union of India & Others.

RESPONDENTS.

ANNEXURE - R. 1.

The General Manager (P),
Northern Railway,
Baroda House,
New Delhi.

Sir,

Sub: Revision of Senicrity of Traffic Apprentices recruited on Morthern Railway from 1954 to 1963.

Ref: Your letter No.522-E/64-IX-25(E.i.B) dated 16-11-1982.

The seniority list attached with the above quoted letter is not in order, keeping in view the judgments delivered by the Hon'ble High Court of Judicature at Allahabad, Delhi and Chandigarh. The discrepancies are as under :-

1. The Writ petitions and judgments were in favour of Traffic Apprentices vis-a-vis Rankers and not Traffic Apprentices amongst themselves.

Vide para II of your above quoted letter a consolidated list interpolating the Traffic Apprentices vis-a-vis Rankers has been prepared but not circulated.

3. The seniority in grade Rs.250-380(AS) is not possible to accept unless interpolation with Rankers is given along with the date the vacancies occured on the various divisions.

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The very fact that MB Division, senior Apprentices are clubbed together, then Allahabad division, then Incknow Division and so on, gives rise to suspicion that the interpolation along with date on which a

vacancy occured is haphazard.

Para V is not accepted because it is arbitrary so much so that it seeks to debar a senior employee getting corollary benefits such as, promotions and monetary benefits. If a higher seniority is not bringing forth such benefits, then what for it is claimed and given.

For the above facts I cannot accept this seniority

list.

Yours faithfully,

Sd/- G.B. Flynn T.I./Non-Interlocking Lucknow.

Dated 3-12-1982.

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IN THE HON BLE HIGH COURT OF JUDICATURE AT ALIAHABAD

K.M. Lal & Others - Vrs- Union of India and others.

WRIT PHILITION No. 173 of 1980.

ANHEXURE - R.2.

Me General Hanager (P), Merthern Hailway, Maroda House, May Dalhi.

Mr.

Sub:- Revision of Seniority of Traffic Apprentices recruited on Northern Railway from 1954 to 1963.

Ref:- Your letter No.522-R/64-IX-25(NIB) dated 16.11.1982.

The seniority list circulated wide above quoted letter is basically wrong and, therefore, not acceptable on the following grounds:

- Although the seniority list is supposed to be in the light of judgments delivered by High Courts of Allahabad, Delhi and Chandigarh in case of Traffic Apprentices -Vrs- Rankers, but the list gives names of Traffic Apprentices only and no name of rankers figure in it and thereby projects the court dispute as amongst Traffic Apprentices themselves, which is wrong.
 - The basis adopted vide para 2(i), while assigning seniority should not have been certain "fallacious notions" of some individual officials, but extant rules and regulations as enforced from time to time. Traffic Apprentices are recruited in accordance with Rule 123 of Section B, Chapter I of Est. Manual for Grade 38.250-380 (AS) to fill 25% vacancies of Section Controller ASM, AYM and T.I. and their seniority has to be maintained on all ruilway basis vide Ruilway Board's order No. E(NG)61PH'-50 dated 24-16-1961 is sued in reply to N. Rly. D.O. No.7572/42-II dated 12-5-1961. The batch-wise seniority of Traffic Apprentices depending on their year of recruitment and position of merit obtained after completion of training cannot be changed except by any subsequent act of positive selection/non-selection provided proper weightage of seniority as per tion provided proper weightage of seniority as per tion provided at the time of such selection. This has never been done even after several High Court's orders. Any notional change of above seniority would be against principle laid down in Printed Serial No.115 xxxx circulated by your office.

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The next para 2(ii) speaks of a consolidated list of all rankers promoted as ASM, AYM, Section Controller, but makes no mention of T.I. on Jodhpur and Hikaner Divisions. It also speaks of interpleation of Traffic Apprentices in this list on the basis of notional positions (not acceptable for reasons given in para 2 above) assigned to them. As per Railway Board's order dated 24-10-1961 quoted in para 2 and also High Court's order referred to in para 1 of your letter dated 16-11-1982, the interpolation should be done on the basis of 1 s 3 i.e. roster position 1, 5, 9 and so on. The very basis of Railway Board's order and High Court judgments have been flouted. The consolidated list referred to has also not been given to us to see what further manipulations in the name of notional seniority have been done there and whether the principles as mentioned above have been followed or not. Without that list neither the list circulated on 16-11-1982 is complete nor my reasons for not accepting it can be complete. Towever, the fact of non-supplying the ranker's list as interpolated with Traffic Apprentices list raises grave doubts regarding its correctness.

As regards para 2(111) and (1v), the so called notional seniority of the undersigned has been pushed down from 18 in Col.2 to 82 in Col.4 and 85 in Col.5 of the Annexure to the letter, on fallacious and ingeneously invented basis which does not figure eyen in Establishment Manual or Printed Serial, of Maving not qualified in professional ability in 1971 although I was promoted to the same post in March/76 by the Hd. Ors. without being required to prove my professional ability. In this connection it is further pointed out that in any selection professional ability is generally judged by a written test, but in this case no written test was taken and only interview was held and that also after my appeals. In absence of any written test, a candidate has no idea as to what transpired in the selection board. As number of staff called for selection is 3/4 times of number of vacancies, quite a large number of candidates are bound to be isft out of the selected list, specially those having lower seniority. In this case we appeared in the interview with wrongly essigned lower source ority (as stated in part 2 above) and therefore, and only the undersigned and his juniors but several of his seniors were not selected. Even, where a written test is held, the fact of not qualifying in it is relevant only from that particular selection. After the results are declared, there remains only The latter two lists i.e. selected and not selected. list cannot be further sub-divided and has never been so sub-divided into those of passing and not-passing professional ability as is being tried in this list. Those not placed on panel, retained there inter-se-seniority amongst themselves and also vis-a-vis these not called at all for selection.

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This non-selection also does not debarr them from local officiatings and from further selections held even after a gen of 6 months. Qualifying in the selection or not is relevant only for six months when fresh selection can be held. Those not called for any selection for any reason whatsoever cannot be placed above their seniors even on the hypothetical notion that seniority was assigned wrong to them. Because then the same hypothetical assumption will have to be made in respect of seniors for even earlier selections. X I had appealed against my seniority for Dy. CHC selection on 8-8-1969 sent by registered post to your office and also given in Divisional Office under acknowledgement. elso strange as to how contents of record association, which are confidential vide Prinsed Serial No. 343 were made evailable and used in properation of a list meant for general perusal. This has to be seriously looked into. I have grave doubte about the procedure followed and about the validity of the entire selection and reserve my right to demand the production of the records in Court.

It is the high-handed act of some officials after beving been named in a criminal case vide Cr. Misco Contempt Petition No. 156/82 followed by another No. 1622/82 an opposite parties by the undersigned in. 1622/82 as opposite parties by the undersigned as the leading petitioner, to impose their can notices in violation of extant rules with a view to harm me and exade punishment by court. The above is further proved beyond doubt by the fact that the seniority of of the undersigned in subsequent lists and promotion orders is sued after 21-1-1971 and before 16-11-1982 remained and unchanged vis-a-vie other seniors and juniors and the so called "profess onal ability" had no effect on To quote a fev :them.

No. 757-E/62-II/Me dated March, 1976. (1)

No. 847-E45/1/HQ dated of Section Controllers (those promoted to 335-425(AS) upto 31-12-72) circulated by D.S./Lucknov on 14-6-1976. (11)

(111) No.757-D/85 Seniority(EIB) dated 19-11-1978 of T. Is grade Re. 50-750(EB) as on 30-9-78.

No.757E/38-II(EIB) dated 12-4-79 Joint (14) Seniority Mst.

No.757 E/38-IX(EIB) dated 8.1.1980. (4)

No.757-E/49-Pt.IV(KIB) dated 2-8-1982. (v1)

Added- (Vii) M 757+E/61-XVII(E1B) detel 2212.80.

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The is a closer and unfilted example of vendetts unbloodshed against the under-signed for reasons stated above. Thus the fact of not passing the so called professional ability by the undersigned not become to the all knowing officials preparing the formal to for all these years? It is also pertinent to not as to how a few others who have also been shown as having failed in professional ability were given further promotions even upto class II although ranked further promotions even upto class II although ranked junior to the undersigned even in this list. Orders yids P. Serial No. 25% are also relevant. (A selection vide P. Serial No. 25% are also relevant. (A selection is not a process for picking out the suitable, but the best and a man not selected cannot be considered the best and a man not selected cannot be considered and suitables are called for selection.

Lastly para 2(v), besides ignoring the High Court's crief is yet another example of arbitrariness. It tries to achieve whatever could not be achieved through tries to achieve whatever could not be achieved through other cliques and manipulations. Even after going other cliques and manipulations, keen after going other cliques and manipulations, the framers of through all the "notional" exercises, the framers of this list still find quite a few persons working in Class II since 1-to 5 years, who are junior to the Class II since 1-to 5 years, who are junior to the undersigned. Therefore, by one stroke of the pen, they dobar a senior person even in this abnoxious they dobar a seniority like NBR (Next Helow Rule), benefits of seniority like

It may be stated here that in preparation of a seniority list of Traffic Apprentices it is very casy to follow Railway Board's orders of 24-10-1951. The to follow Railway Board's orders of 24-10-1951. The position of Traffic Apprentices batch-wise seniority is known as also that of Rankers prosected from 1954 to 1963. Interphlation by ratio of 1:3 by giving to 1963. Interphlation by ratio of 1:3 by giving roster positions 1.5.9 etc. should be done and promotions and allied benefits like proforma fixation promotions and allied benefits like proforma fixation etc. allowed accordingly. A seniority list prepared etc. allowed accordingly. A seniority list prepared on the above basis without any notional gimmicks like professional ability etc. for any Traffic Apprentices or Ranker shall only be acceptable as all the Traffic Apprentices are at present working in minimum grade Apprentices are at present working in minimum grade of Rs.700-900 % after going through process of selection and promotion.

yours catthingly,

T. I./SVR.

pated. 15-12-1982.

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

LUCKNOW.

PETITION NO. 153/1980

K. M. LAL & OTHERS.

Petitioners.

Vrs.

Union of India & Others.

Respondents.

MURTHURN HAILMAY

HEAD WARTERS OF ICE, BARUDA HUUSE'S NEW DELLIA.

757-B/62-IX(B1b)

Dated: 11 1/1 September, 1981

The Divisional Ruilway Manager, Northern Reilway, ALD, BRN, JU, F2R, DLI, MB & LKO.

> Sub: - Provisional Seniority list of Dy. OHC, Gr. M. 700-900(as) upto 21-12-79.

Ten copies of Provisional Seniority list of Dy.CHC, Gr. R. 700-900(hS) are enclosed for circulation amongst the staff of your Division. The part culars given in the semiority list may be checked up with the relevant records in your office and dischipancy, if any, may be advised to this office.

The date of joining as Dy. CHC, Gr. Rs. 700-900(RS) after ismue of orders by this office may be advised to this. office. The staff concerned may be asked to give their objetions latest by 10-10-1981 and the same may be forwarded to this cifice by 15-10-81 for necessary action with your comments.

for General Manager

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IN THE HON BLE HIGH COURT OF JUDICATURE AT ALLAHA AD LUCKNOW.

K.M. Ial & Others - Vrs- Union of India. & oths. ANNEXURE - R.5.

W.P. No.153/80. GOVERNMENT OF INDIA MINISTRY OF RAILWAYS (RAILWAY BOARD)

1¹/₂

NO. E(GP)82/2/120

NEW DELHI DATED 25.1.83

The General Managers, All Indian Railways.

/w

Sub: Selection for promotion to Group 'B' posts in Transporation(Traffic) & Commercial Department.

Reference is invited to Board's letter No.E(GP)61 PM2/49 dated 29.4.63 which lays down that selection for promotion to Group'B'(Class II) posts should not be held for the particulars Branches/Streams within a Department and that one panel should be drawn for the Department as a whole.

- 2. Following the implementation of the recommendations of the Third Pay Commission and the changes that have come about in the Group'C'(Class III) cadre, it has been represented to the Ministry that the existing system of a combined selection for the Group'B' posts in the Transporation(Traffic) and Commercial Department does not offer adequate opportunity to the staff for advancement to Group 'B'. The organised labour have also represented in this context that selections for the Group'B' posts in the Transportation(Traffic) & Commercial Department should be organised separately for the Oper ting & Commercial Branches.
- 3. After careful consideration of the representations and with due regard to the expertise needed to handle the work in the specialised areas of activity both in the Commercial and Operating Branches, the Railway Ministry have decided that selections for Group'B' vacancies in the Transportation(Traffic) and Commercial Department should be conducted separately for the Operating Branch and separately for the Commercial Branch. The Ministry have also decided that,, for purposes of selection, the Group'B' posts of Chief Yard Master, Assistant Traffic Superintendent, Area Officer and Station Superintendent, should be treated as posts of the Operating Branch.
- 4. The Limited Departmental Competitive Examination should also be held separately branch-wise. Appropriate changes in the existing syllabus prescribed for the Limited Departmental Competitive Examination and circulated vide this Ministry's letter No. E(GP)79/2/30/2 dated 16.1.81 may be made in consultation with the Chief Operating Superintendent and Chief Commercial Superintendent to suit the requirement of branch-wise selections .

5. The General conditions, as are applicable to Group'B' selections and other instructions governing selection will apply.

plo2/-

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- 6. The instructions contained herein will apply in resect of selections initiated after the issue of this letter. These instructions will also apply in respect of selections which have been initiated and where written examination forming a part of the selection has not yet been held.
- 7. Please acknowledge receipt of this letter.
- 8. Hindi version will follow.

Sd/- N. Anantaraman Jt. Director, Estt. Rly Board.

No. E(GP)82/2/120

New Delhi dated 25.1.83.

copy to:

- 1. The Principal, Railway Staff College, V.-dodara.
- 2. DTT, DTC, Dir. (Coaching), Dir. (Safety).
- (3) PSs to CRB, FC, MM, MS, ME, Adv. (IR), DE and Secy.

Sd/- N.Anantaraman Jt.Director, Estt.Rly Board.

No. E(GP)82/2/120

New Delhi dated 25.1.83

Copy(with 25 spares) forwarded to)-

- 1. The General Secretary, NFIR.,3-Chelmsford Road, New Delhi-110055.
- 2. The General Secy, AIRF, 4-State Entry Road, New Delhi-110055.

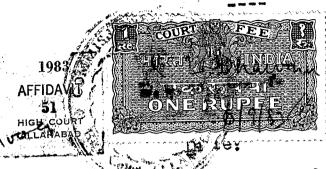
Copy to all Members of the National Council, Departmental Council and Secretary, Staff side, National Council, 13-C, Ferozeshah Road, New Delhi.

Sd/-xxxxx for Secretary Railway Board.

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In the Hon ble High Court of Judicature at Allahabad,



COUPT PEF LE

Writ Botation No. 153 of 1980

Shri K.M.Lal and others.

....petitioners.

Versus.

Union of India and others.

....Respondents/ Opp-parties/ Applicants.

Affidavit in support of application for modification of stay orders.

I,R.L.Dhawan, aged about 51 years, son of late Shri
C.L.Dhawan, presently working as Dy.Chief Personnel
Officer(Gazetted), Northern Railway, Headquarters Office,
Baroda House, New Delhi, solemnly affirm and state on
oath as under:-

- 1. That the deponent is presently working as Dy. Chief Personnel Officer (Gazetted), Northern Railway, Baroda House, New Delhi and is well conversant with the facts deposed hereunder.
- That on various dates this Hon ble High Court was pleased to pass the following orders in favour of the petitioners, which are being given as under:

/M/

Contd....2.

On 25.1.1980:-

"Issue notice. In para 55 of the patition it has been alleged that there are about 66 vacancies out of which 20 persons have been called from Lucknow Division. The petitioners have further contended that they have been called for interview from Lucknow Division. In para 55 of the petition it is alleged that the selections are to be held from 28th January to 7th February, 1980. Obviously the results would not therefore be declared before 7.2.80. Keeping in view the allegations of made in the petition we, therefore order that the petitioners may, without prejudice to their claim and contentions appear before the Selection Committee on the scheduled dates. However the results for ten posts shall not be declared before 6.2.80.

The stay application shall be listed for further orders on 4.2.80.

The learned counsel for the petitioners undertakes to serve notices of the writ petition and the stay application on the oppparties 1,2 and 4 by 29.1.1980. He shall file an affidavit of service.

The office shall issue Dasti summons to the learned counsel for the petitioners stating in the notice on the stay application that the stay application shall be listed for

further orders on 4.2.1980.

Sd.f.S.Misra, Sd.K.S.Verma, 25.1.1980".

B) on 27.11.80:-

* After hearing the learned counsel for the parties we modify our order, dated 25th.January, 1980 as follows:-

"The result of the test in question held during the period from 28th January to 7th February, 1980, shall now be declared and, in case, the petitioners or any of them are found to have been successful in that test, the promotions shall be made in accordance with the principles laid down in the decision of this Court dated 18th July, 1978 in Writ Pet.No.3028 of 1972.

Sd.T.S.Misra, Sd. K.S.Verma."

0n15.9.81:-C)

"The averments made in the writ petition and in the Supplementary Affidavit and in the affidavit accompanying this application remain unrebutted till date. However, Sri Rot Mitra prays for and is allowed two weeks' further time for filing counter-affidavit to the writ petition and also to the suppleme tary affidavit. In the mention it is be noted that the interim order May is quite categorical and it remains

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accordance with the

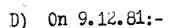
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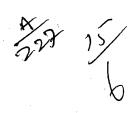
that the present petitioners were not parties to that writ petition. According it is hereby directed that the decision of the court in the earlier writ petition shall be given affect to in respect of the petitioners as well and nobody junior to the petitioners shall be promoted in preference to the petitioners. Further, if the petitioners are, in accordance with the judgment, so extended to them, due for promotion, they or any of them who are so due shall be promoted.

Sd.K.N.Goyal. 15.9.1981".



No counter-affidavit has been filed although copies were given to the learned Counsel for Union of India on 17.11.1981. The order dated 15.9.1981 shall be given effect to not only in relation to the promotion posts of Station Superintendent/ Traffic Inspector/Chief Yard Master and Chief Controller, but also in relation further promotion to the Lower Gazette/ scale of Rs 650-1200/-i.e. for the pof of Assistant Operating Superintende Assistant Commercial Superintender Assistant Traffic Officer. The pr shall, however, be subject to the rules, if those relating to test etc.





- 3. That in view of the orders passed by this
 Hon'ble Court as quoted in paragraph 2 above,
 no person junior to the petitioner was to be
 appointed on the posts of Station Superintendents,
 Traffic Inspectors, Chief Yard Masters and
 Chief Controllers and on the posts of Lower
 Gazetted Scale Class II and these are the
 posts on traffic as well as Commercial side.
 - 4. That Transportation (Traffic) and Commercial Department comprised of Transportation Branch, which is also known as operating Branch and Commercial Branch.
 - 5. That as per directive of Ministry of Railways, selection for promotion to Group 'B'(Class II) for the particular Branches/streams within a department and that one panel should be drawn for the Department as a whole.
 - 6. That the staff of operating and Commercial Branches were eligible to appear in both the branches.
 - 7. That the persons placed on the select list in the combined selections were classified as under on the basis of their performance:-
 - a) Fit for operating only,
 - b) Fit for Commercial only.
 - c) Fit for operating and Commercial both.
 - 8. That the Traffic Apprentices belong to operating Branch and Commercial Apprentices





belong to Commercial Branch. They are recruited through Railway Service Commission for which separate selections are held and separate panels are drawn.

- 9. That the Ministry of Railways vide letter E(GP)82/2/120 dated 25.1.1983, have decided that selections for Group'B'vacancies in the Transportation (Traffic) and Commercial Department should be conducted separately for the operating Branch and separately for Commercial Branch. A true copy of this letter is annexed as Annexure 1 to this affidavit.
- 10. That the petitioners in writ petition no.153 of 1980 -K.M.Lal and others Vs.Union of India are Traffic Apprentices belonging to operating Branch.
- 11. That as per decision of Ministry of Railways contained in letter No.E(GP)82/2/120 dated 25.1.1983, the petitioners i.e. K.M.Lal & others are not eligible for selection/promotion against vacancies of Commercial Branch.
- 12. That the posts of ACO/ACS are posts of Commercial Branch and petitioners are not entitled/eligible for promotion/selection against the post of ACO/ACS.
- 13. That the stay order dated 9.12.198. stipulates that no person junior to the petitioner should be promoted as ACS/ACO also.



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That with the revised conditions, petitioners are not eligible/entitled for consideration for promotion/selection against posts of Commercial Branch i.e. as ACS/ACO.

15. That the stay order dated 9.12.1980 requires amendment as far as promotion of the petitioners promotion as ACS/ACO(Commercial Branch posts) is concerned.

Lucknow, dated, 6.9.1983

that the contents of paras 1,2

are true to my own knowledge, those of paras 3 to 14

are verified on information derived from the records and believe to be true and the of paras 5

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advocate sigh Caust Richnew Banch.
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deponent That he under stant the
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has been readant and explave.



In the Hon'ble High Court of Judicature at Allahabas hucknow Bench, hucknow.

Writ Petition No. 153 of. 1986.

Si K. M. Lal and others union of India and others Petitioners

off: parties

ANNEXURE No. 1.

(P.T.O.)



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ne general conditions, as are applicable to Group'8' tions and other instructions governing selection will apply.

The instructions contained herein will apply in respect of selections initiated after the issue of this letter. These instructions will also apply in respect of selections which have been initiated and where written examination forming a part of the selection has not yet been held.

- 7. Please acknowledge receipt of this letter.
- 8. Hindi version will follow.

Elan antivirio

(N.A.nantaraman)
Jt. Director, Estt., Railway Board.

NO E (GP) 82/2/120

New Delhi dated 25-1-83

Copy to:-

(1) The Principal, Railway Staff College, Vadodara.

(2) DTT, DTC, Dir. (Coaching), Dir. (Safety)

(3) PSs to CRB, FC, MM, MS, ME, Adv. (IR), DE and Secy.

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(N.Amantaraman) Ut.Director, Estt., Railway Board.

No. E(GP)82/2/120

New Delhi dated 25-1-83

Copy (with 25 spares) forwarded to 1-

(1) The General Secretary, N.F.I.R., 3-Chelmsford Road, New Delhi - 110055

(2) The General Secretary, A.I.R.F., 4-State Entry Road, New Delhi- 110055

Copy to all Members of the National Council, Departmental Council and Secretary, Staff Side, National Council,

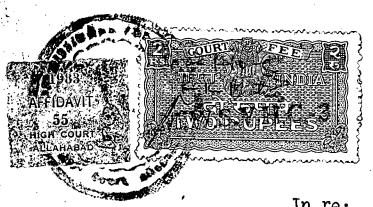
13-C, Ferozeshah Road, New Delhi.

For Secretary, Railway Board.

copy to E(CR)

Fligh Coon, Allatabad

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



In re:

Writ Pet.No.153 of 1980.

Sri K.M.Lal and others

----Petitioners.

Versus

Union of India and others

----Opp-parties.

Affidavit in support of application for granting permission to make ad-hoc promotions for the post of Assistant Commercial Superintendent/Assistant Commercial Officers.

I, R.K.Bhatia, aged about 49 years, son of late Shri P.L.Bhatia, presently working as Assistant Personnel Officer (Gazetted), Northern Railway. Head Quarters' Office, Baroda House, New Delhi, hereby solemnly affirm and state on oath as under:-

- That the deponent is presently working as Assistant Personnel Officer (Gazetted), Northern Railway, Head Quarters' Office, Baroda House, New Delhi and is well conversant with the facts deposed hereunder. The deponent has been authorised to swear this affidavit on behalf of opp-parties.
- 2. That in the abovementioned writ petition, a short counter affidavit, was filed on 31.1.1983 wherein it was stated inter alia that the above mentioned writ petition has become



_ 2_

infructuous on the ground that the Railway Board vide its letter dated 24/26.12.1980, a copy of which is being annexed herewith as Annexure 1 to this affidavit decided that the seniority list of all the Traffic Apprentices in all the Divisions of Northern Railway may be prepared afresh in the manner directed and in the light of the observations made in the judgment of Allahabad High Court in Writ petition No. 3028 of 1972, as well as the judgments of Delhi and Punjab and Haryana High Courts, which was the main relief claimed by the petitioners in the present writ petition. Accordingly, the work of fixing correct seniority of the petitioners and all other Traffic Apprentices in all the Divisions of Northern Railway was taken in hand and is nearing completion fast.

An application along with the aforesaid affidavit was also moved praying that either the above
mentioned writ petition be dismissed as infructuous or
alternatively, the opp-parties may be permitted
to make ad-hoc promotions pending finalisation
of the seniority list of the Traffic Apprentices.
This application remains undisposed as today
even though the petitioners have already filed
their rejoinder affidavit.

3. That on 15.9.1983, an application, along with an affidavit in support thereof was moved for modification of stay orders/s granted by this Hon'ble Court on various dates in view of bifurcation of Traffic and Commercial sides for the posts in Class II Group B, vide Railway Board's circular



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No.E (GP) 82/2/120 dated 25.1.1983 providing that selections for Group B vacancies in the Transportation (Traffic) and Commercial Department should be conducted separately for the operating branch and for commercial branch. A photostat copy of this letter is being anmexed herewith as Annexure No.II to this affidavit. Thus the petitioners are no longer eligible for promotion in Class-II (Group B) posts on the Commercial side, although they are deligible for promotion in Class-II posts on the Traffic side as before. This application for the modification of stay order/s of this Hon'ble Court also remains undisposed. The petitioners have. so far, not filed any objections against this application. The urgency of the situation necessitates the present application.

4. That this bifurcation, as provided in the Railway Board's letter, a photostat copy of which is annexed herewith as Annexure No.II is in conformity with the recommendations of the Third Pay Commission, a mention of which is made in the paragraph 2 of this Annexure no.II.

- 5. That the Transportation(Traffic) and Commercial Department comprised of Transportation Branch, which is also known as Operating Branch, and Commercial Branch.
- 6. That the Traffic Apprentices(patitioners)
 belong to operating branch and Commercial
 Apprentices belong to Commercial Branch. They are
 recruited through the Railway Service Commission





by separate selections.

- 7. That for promotions in the Class-III
 (Non-Gazetted) posts, Traffic Apprentices and
 Commercial Apprentices were eligible for promotions in their respective Traffic and Commercial Branch only.
- 8. That however, selection for promotion/
 appointment to Class-II(Group B) posts, for particular Branches/Streams within a department and one
 panal was to be drawn for the department as
 a whole.
- 9. That the staff of Operating and Commercial Branches working on Class III posts were eligible to appear in the selection in both the branches and the persons placed on the select list in the combined selections were classified as under on the basis of their performance:-
- a) Fit for Operating Branch only,
- b) Fit for Commercial Branch only,
- c) Fit for Operating as well as Commercial Branches both.
- 10. That after the issuance of Railway Board's letter, as contained in the Annexure No.II, to the affidavit, the position which emerges is, that the persons belonging to Class III posts in Operating Branches (including the petitioners) are no longer eligible to appear in the selection of Class II posts in the Commercial Branch, and vice versa.



11. That the posts of Assistant Commercial Superintendant and Assistant Commercial Officer are posts on the Commercial Branch in Class II (Group B) and in view of the Annexure No.II, the petitioners, who belong to Operating Streams, are no longer eligible to appear in the selection for these posts.

12. That the opposite-parties, on account of various stay orders granted by this Hon'ble Court, have neither been able to hold selections to these posts, nor they are able to make adhoc promotions on these posts pending disposal of the abovementioned writ petition. This is causing serious administrative difficulties.

13. That in view of the submissions made above, the stay order/s granted by this Hon'ble Court require modification to the extent that the posts of Assistant Commercial Superintendent and Assistant Commercial Officer be brought out of the purview of these stay orders and the opposite-parties be permitted to make adhoc appointments on these posts pending selection.

Lucknow, dated, 21.10.83

I, the deponent abovenamed verify that the contents of para 1 of this affidavit are true to my own knowledge, those of paras 2 to 11 are based on record available to the patitioner.



deponent and the same are believed to be true and those of paras 12 and 13 are believed to be true and no part of it is false and nothing material has been concealed so help me God.

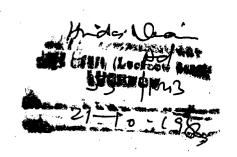
Lucknow, dated, 21.10.83

I identify the deponent who has signed before me. Slevue.

Solemnly affirmed before me on 2140-1983 at 1.35 A.M./P.M. by On f.K. Bhelia the deponent who is identified by Shri Sich with a Verma Ad

Advocate High Court Allahabad.

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





16/

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

In re:

Writ Pet.No.153 of 1980

Sri K.M.Lal and others

----Petitioners.

Versus

Union of India and others

---Opp-parties-Applicants.

Annexure I.

Copy of Board's letter No.E(NG)I-80/SR6/9 dated 24/26.12.80 addressed to the General Manager, Northern Railway Board, House, New Delhi.

Sub: Fixation of seniority of Traffic Apprentices vis-a-vis rankers.

Ref: Correspondence resting with Dy. CPO(G)'s DO No. 757-E/42-VI(EIB) dated 5.4.1980.

The Ministry of Railways have, after careful examination of the matter, decided that the seniority lists of all Traffic Apprentices in all the Divisions of Northern Railway should be prepared afresh in the manner directed and in the light of the observations made by the High Courts of Allahabad, Delhi, Punjab and Haryana.

True-copy.

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

In ra:

Writ Pat.No. 153 of 80

Sri K.M.Lal and others

----Petitioners.

Versus

Union of India and others

----Opp-parties.

Annexure II.

P.T.O.

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GOVERNMENT OF INDIA MINISTRY OF RAILWAYS (RAILWAY BOARD)

NO.E(GP)82/2/120

NEW DELHI DATED

25 -1-83

Horthern Rly.

The General Managers.

Sub: Selection for promotion to Group B' posts in Transportation Wraffic) & Commercial Department.

A Rec

Reference is invited to Board's letter No. E(GP)61PM2/49 dated 29-4-63 which lays down that selection for promotion to Group'B (Class II) posts should not be held for the particular Branches/Streams within a Department and that one panel should be drawn for the Department as a whole.

Following the implementation of the recommendations of the Third Pay Commission and the changes that have come about the Group'C' (Class III) cadre, it has been represented to the Ministry that the existing system of a combined selection for the Group'B' posts in the Transportation (Traffic) and Commercial Group'B' posts in the Transportation (Traffic) and Commercial Department does not offer adequate opportunity to the staff Department to Group'B'. The organised labour have also for advancement to Group'B'. The organised labour the Group'B' represented in this context that selections for the Group'B should be organised separately for the Operating & Commercial should be organised separately for the Operating & Commercial

3. After careful consideration of the representations and with due regard to the expertise needed to handle the work in the specialised areas of activity both in the Commercial and the specialised areas of activity both in the Commercial and Operating Branches, the Railway Ministry have decided that Operating Branches, the Railway Ministry have decided that Selections for Group's vacancies in the Transportation (Traffic Selections for Group's vacancies in the Transportation (Traffic Selections and Separately for the Commercial Branches, The Operating Branch and separately for the Commercial Branches, the Ministry have also decided that, for purposes of selection, the Ministry have also decided that, for purposes of selection, the Group's posts of Chief Yard Master, Assistant Traffic Superint Group's posts of the Operating Branch.

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The limited Departmental Competitive Examination should also be held separately branch-Wise. Appropriate Competitive Examination and circulated vide this Ministry's with the Chief Operating Superintend may be made in consultation Superintendent to suit the requirement of branch-wise selection

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5. The general conditions, as are applicable to Group'a' selections and other instructions governing selection will apply.

- 6. The instructions contained herein will apply in respect of selections initiated after the issue of this letter. These instructions will also apply in respect of selections which have been initiated and where written examination forming a part of the selection has not yet been held.
- 7. Please acknowledge receipt of this letter.
- 8. Hindi version will follow.

Clari antivi-

(N.A.nantaraman)
Jt. Director, Estt., Railway Board.

NO.E (GP) 82/2/120

New Delhi dated 25-1-83.

Copy to:-

- (1) The Principal, Railway Staff College, Vadodara.
- (2) DTT, DTC, Dir. (Coaching), Dir. (Safety)
 - (3) PSs to CRB, FC, MM, MS, ME, Adv. (IR), DE and Secy.

Clay activité

(N. Anantaraman)
Jt. Director, Estt., Railway Board

No. E(GP)82/2/120

New Delhi dated 25-1-83

Copy (with 25 spares) forwarded to 1-

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- (1) The General Secretary, N.F.I.R., 3-Chelmsford Road, New Delhi - 110055
- (2) The General Secretary, A.I.R.F., 4-State Entry Road, New Delhi- 110055

Copy to all Members of the National Council, Departmental Council and Secretary, Staff Side, National Council,

13-C, Ferozeshah Road, New Delhi

For Secretary, Railway Board.

Copy to E(CR)

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CONTENENDED DOS

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test, the promotions shall be made in accordance with the principle laid down in the decision of this court dated 18th July, 1978 in Writ Petition No. 3028 of 1972.

Sd/- T.S. Misra J. K.S. Verma J.

- 4. That the Hon'ble Court reiterated that the above orders in their further directives of 15-9-1981 and 9-12-1981, requiring the Railway Administration to issue promotion orders of petitioners following principle of Writ Petition No. 3028 of 1972.
- 5. That the respondents in their affidavit submitted in January, 1983 have also given an undertaking in Para 16 that after finalising seniority list, promotions will be adjusted.
- 6. That the respondents have prepared an integrated senicrity list on 23-6-1983 (Annexure -A), though it is not prepared strictly according to law and principle of W.P. No.3028 of 1972, they have not taken any steps to promote the petitioners by adjusting promotions etc.
- 7. That the respondents have already taken more than 3 years and are yet to carry out Hon'ble Court's directives.

PRAYER.

It is prayed that, without prejudice to our claim to be assigned correct Senicrity in accordance with Law as claimed in Para 13 of our rejoinder, the

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the respondents may be directed to enforce the seniority list of 23-6-1983 within a specified time limit fixed by this Hon'ble Court. The respondents may further be directed to allow benefit of "Next Below Rule" to the petitioners immediately as a first step in this direction. The enormity of injustice done by the respondents to the petitioners is borne out by the fact that there are 35 to 72 persons junior to petitioners who are enjoying higher grades and status at their cost, even according to this list.

Lucknow,

Dated \mathcal{M}_{i} March, 1984.

Advocate

Counsel for the Petitioners.

IN THE HON'BLE HIGH COURT OF JUDICATURE AT ALLAHABAD

SITTING AT LUCKNOW.

COURT HE SEE COURT OF THE PROPERTY OF THE PROP

Civil. Misc. Appl. No. of 1984.

Lal and Others.

Applicants.

In re:

Writ Petition Nc. 153 of 1980.

K.M. Lal and Others.

Petitioners.

Versus

Union of India and Others.

Respondents.

AFFIDAVIT.

I, K.M. Lal, aged about 50 years, son of late Sri R.B. Lal, Traffic Inspector (5.W.R), resident of T-36A, N.Rly. Colony, Charbagh, Lucknow, do hereby solemnly affirm and state as under:-

- 1. That the deponent is petitioner No.1 in the above Writ Petition and he is fully conversant with the facts deposed to hereinafter.
- 2. That the contents of the paragraphs 1 to 5, of the accompanying application are true to my knowledge and those of paras 6 and 7 are believed to be true on the information received.

Lucknow.
Dated 24 March, 1984.

VERIFICATION.

Deponent

I, the above named deponent do hereby verify that the contents of the paragraphs 1 and 2 are true to my knowledge



175

No part of this affidavit is false and nothing material has been concealed, so help me God.

Lucknow:

Deponent.

Dated 24 March, 1984.

I identify the deponent who has signed

before me.

Chaden Bluy Virming Closeri RN Trivecli

High Court, Lucknow.

Lucknow.

Dated 14 March, 1984.

at 10.20 AM/PH by Shri K.M. Lal, who is identified by Srice B. Kuman Clurk to Srice Advocate, High Court, Lucknow.

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

Ereck

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

WRIT PETITION NO. 153 OF 1980.

K.M. Lal & Others.

Petiticners.

Versus

Union of India & Others. --

Opp. Parties.

ANNEXURE - 'A'.

Extract of Hd.Qrs., Northern Railway, New Delhi's letter No.522-E/64-IX-25(EIB) dated 23-6-83 regarding Revised Integrated Seniority List for Selection to Class II Services in T&C Deptt. as on 31-1-1980 sent by S.F.O.(T&C) to Dy.C.P.O.(Gazetted) for necessary action.

Sl. No.	Name.		Remarks.
1.	B.L. Eharati	••	J.A. Grade.
2.	G.B. Singh	w	Sr. Scale.
28.	Inamul Haq	Peti ti d	oner
29.	K.S. Srivastava	17894	Class II.
31.	P.L. Arya	ent ,	Sr. Scale.
32.	Ramji Pandey	en.	Sr. Scale.
33•	B.P. Singh	863	Class II
34.	Ved Prakash	eest .	Class II.
35•	S.M. Parshar.		Class II.
36.	S.S. Lal	-	Class II.
37•	Prem Dayal	-	Class II
3 8•, .	Durga Prasad	-	Class II.
39•	M.L. Saigal	•	C _{lass II}
40,0	0.P. Dutta	49	Class II.
41.	Som Nath	840	Class II.
42.	Moti Ram.	ஸ்.	Class II.
43.	Narindra Nath	ACMA	Class II.
1+1+.	B.K. Kapoor		Class II.
45.	Virender Singh	, .	Class II.
* * * * * * * * * * * * * * * * * * *	· · · · · ·		

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	Sl. Nc.	Name.	Re	marks.
,	49.	O.P. Sonkar.	- -	Class II.
	51.	B.R. Sharma.	-	Class II.
	52.	S. S. Sandhu.	***	Class II.
	57.	N.P. Sarkar.	⊸ ·	Class II.
	58.	La s kar Singh	. 440	Class II.
	59.	Shiv Kumar.	es	Class II.
	60.	Hargian Singh.	. write	Class II.
	63.	B. N. Srivastava	Petitioner.	
	64.	R.K. Ram	ens	Class II.
	65.	Basant Prasad.	-	Class II.
	66.	Misri Lal.(II)	rsen	Class II.
	67.	Ram Charan.	dermin /	Class II.
	68.	C.S. Pandey.	Petitioner.	
	69.	P.N. Srivastava	and the second	Class II.
	71	R.L. Bangia	um .	Class II.
	78.	S. N. Narula.	· · · · · · · · · · · · · · · · · · ·	Class II.
1	80.	Chedi Lal	ese	Class II.
	80A.	Gyan Singh	•	Class II.
• .	81.	A.P. Misra.	. Areas	Class II.
	82.	P.N. Sareen.	entire.	Class II.
	84.	K.K. Sharma.		Class II.
	85.	Kartar Singh.	•••	Class II.
	89.	M.C. Joshi.	Petitioner.	-
	92.	K. K. Ratan.		Class II.
	93.	B.N. Misra.	Petitioner.	•••
	95.	K.M. Lal.	Petitioner.	•••
	97•	R.K. Sharma.	Comb	Class II.
	98.	G.D. Khare.	ens	Class II.
J'e	99.	V. B. Khare.	iem.	Class II.
	101.	R.S. Misra.	end .	Class II.
	102.	B. B. Munjal.	· · · · · · · · · · · · · · · · · · ·	Class II.
1.1	103.	M.M. Verma.	tos	Sr. Scale.
1	104.	R.B. Sinha.	em	Class II.
	105.	Darshan Singh.	, es	Class II.

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				*
	SI. No.	Name.	Re	emarks.
	107.	Mukundi Lal	-	Class II.
	108.	K.N. Saxena	, cal	Class II.
•	109.	Rameshwar Dayal	· · · · · · · · · · · · · · · · · · ·	Class II.
	110.	Sunder Lal		Class II.
	111.	Pritam Singh.	#C00	Class II.
	112.	Kesar Singh.	ette	Class II.
	113.	A.S. Saxena.	8 10 0	Class II.
	114.	A.P. Chaudhury.	•**	Sr. Scale.
	115.	B. N. Singh.	enn)	Class II.
	117.	R.C. Singh.	•••	Class II.
	118.	R.S. Tewari.	,	Class II.
•	119.	B.M. Anand.		Class II.
	120.	Chattar Lal	-	Class II.
	121.	R.K. Singh.	enterna :	Class II.
	122.	N.C. Soti.	cca:	Class II.
	123.	Bhau Nath Singh.	· page	Class II.
	124.	Ram Ajore.	ecs.	Class II.
	125.	Hot Chand.	, 	Class II.
	126.	M.S. Mathur.	emb e	Class II.
	127.	T.N. Sinha.		Class II.
	128.	Avtar Singh.	, está	Class II.
	144.	R.S. Sant.	9000	Class II.
	180.	J. Raghavan.		Class II.
	182.	H. B. Cheophas.	##	Class II.
	183.	O.P. Gupta.	eges .	Class II.
	184.	H.N. Srivastava.		Class II.
	185.	R.P. Srivastava.	••	Class II.

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दीवानी विभाग

हाई कांट्रे, इलाहाबाद, लखनउर पी ठिका, लखनउर (अध्याय १२, नियम १ और ७)

प्रकी एकि (मुतपा कि) प्रार्थना सन् १६ ई०	
- Co. R. M. Lal and ether graf	٠
	•
- 1. Union of India and others granel	
20) Soi R.P. Soirastave & Sit A. Las traffic	
20) In R.P. Snivastave & Si R.A. Las traffic Inspector-N. Rly Allahabad	
र्चूिक उत्पर लिखे प्राथि ने इस न्यायालय में उपर्युक्त मुक्दमे के संबंध में प्रत्याधी के	
ने म के लिये प्रार्थना-पत्र दिया है, अत: आपको सादेश दिया	
जाता है कि लाप दिनांक	ले
उपस्थित होनर नारण बतलायें कि प्रार्थना-पत्र क्यों न स्वीकार कर लिया जाय । उक्त	
प्रार्थना-पत्र की सुनवाई उसके बाद नियमानुसार विज्ञापित किसी और दिन होगी।	
विदित हो कि यदि लाप उत्पर लिखे दिनाक पर या उसमे पहले स्वयं अथवा किसी	
एहवांबेट था ऐसे व्यक्ति द्वारा, जो लापकी लोर से कार्य करने के लिये कानूनन अधिकृत हो,	
उपस्थित न होंगे तो उस प्रार्थना-पत्र	
की सुनवाही और निर्णय आपकी अनुपस्थित में हो जायंग ।	
प्रार्थना-पत्र सार् प्रार्थी द्वारा दिये गये शपथ -पत्र की एक-एक प्रतिलिपि इसी के साथ नत्थी	
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SAN R. J. Snivale	
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भेजरोगारे हा देश द पुला • • • • • • • • • • • • • • • • • • •	
डाक्चर निर्देशिका में दी गई शर्ता के बधीन जारी की गई पनिष्णुले सहिकारी के हस्ताध्य	
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दीवानी विभाग

हाई कार्ट, इलाहाबाद, लखनऊ पीठिका, लखनऊ (अच्याय १२, नियम १ आर्र ७)

प्रकीणिक (मृतक िंक) प्रार्थना - पत्र संख्या - 48 कि सन् १६ कि . है। श्रि. मंग् - 153 सन् १६ कि है। मं रिजा रि. M. Lal all attack प्रार्थी
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प्रति । भी
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hospector
Ni Rly - Allahassad
चूंकि उत्पर लिखे प्रार्थी ने इस न्यायालय में उपर्युक्त मुक्दमें के संबंध में प्रत्याधी के
नोम के लिये प्रार्थना पत्र दिया है, अत: आपको सादेश दिया
जाता है कि लाप दिनांक
उपस्थित होनर नारण बतलायें कि प्रार्थना-पत्र क्यों न स्वीकार कर लिया जाय । उक्त
प्रार्थना-पत्र की सुनवाहीं उसके बाद नियमानुसार विज्ञापित किसी और दिन होगी।
विदित हो कि यदि लाप उत्पर लिखे दिनाक पर या उसमे पहले स्वयं अथवा किसी
एडवांकेट या ऐसे व्यक्ति द्वारा, जो लापकी लोर से कार्य करने हे लिये कानूनन अधिकृत हो,
उपस्थित न होंगे तो उस प्रार्थना-पत्र
की सुनवाही और निर्णय आपकी अनुपस्थित में हो जायंग ।
प्रार्थना-पत्र और प्रार्थी द्वारा दिये गये शपथ -पत्र की एक-एक प्रतिलिपि इसी के साथ नत्थी
मेरे हस्ताचार और न्यायालय की मोहर में आज दिनांक अमाह
संद १८% को जारी किया गया लाई, वसावादार करते हैं।
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15°C1 341 VEC 160
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हाई कोर्ट, इलाहाबाद, लखनउर पीठिका, लखनउर (अध्याय १२, नियम १ और ७)

दीवानी विभाग

प्रकी पकि (मृतक कि) प्रार्थना - पत्र संख्या ---- सन् १६ **ਵੰ**0 W.D. -सं0-15-3---सन् १६ 86 ई० मं So K. M. Lal and others Union of India autothers. र्चुकि उत्पर लिखे प्राथि ने इस न्यायालय में उपर्युक्त मुक्दमे के संबंध में प्रत्याधी के के लिये प्रार्थना-पत्र दिया है, अत: आपको लादेश दिया जाता है कि आप दिनांक --- 2 ---- माह---- 2 --- सन् १६- क --- को या उससे पहले उपस्थित होका कारण बतलायें कि प्रार्थना-पत्र क्यों न स्वीकार का लिया जाय । उक्त प्रार्थेना-पत्र की सुनवाई उसके बाद नियमानुसार विज्ञापित किसी और दिन होगी। विदित हो कि यदि लाप उत्पर लिले दिनांक पर या उससे पहले स्वयं अथवा किसी एदवांकेट या ऐसे व्यक्ति द्वारा, जो आपकी और से कार्य करने के लिये कानूनन अधिकृत हो, उपस्थित न हांगे तो उस प्रार्थना-पत्र की सुनवाही और निर्णय आपकी उन्पस्थित में हो जायंगे। and the second of the second second second एक प्रतिलिपि इसी के साथ नत्थी veic/No. Received a Degistered Insured* पारेचाे का नाम हिप्टी रजिस्टार Insurance fee Rst इलाहाबाद, लखन्उर भेजनेपाले का नाम व पता. Name and address of sender ठाकचर निर्देशिका में दी गई य ३७, नियम २ के अनुसार प्राप्त पानेवाले अधिकारी के हस्ताक्षर **शतों के अधोन जारी की गई** ignature of Receiving Officer issued subject to terms and conditions in P. O. vuide

हाई कांटें, इलाहाबाद, लखनउर पी ठिका, लखनउर (अध्याय १२, नियम १ और ७)

दीवानी विभाग

तलबाना मिल गया।

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प्रकी एकि (मृतक रिक) प्रार्थना - पत्र संख्या - 348 कि सन् १६ कि - हैं ०
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वृंकि उत्पर लिखे प्रार्थी ने इस न्यायालय में उपर्युक्त मुक्दमे के संबंध में प्रत्याधी के
नाम के लिये प्रार्थना-पत्र दिया है, अत: आपको लादेश दिया
जाता है कि लाप दिनांकमाहसन् १६ हि को या उससे पहले
उपस्थित होका कारण बतलायें कि प्रार्थना-पत्र क्यों न स्वीकार कर लिया जाय । उक्त
प्रार्थना-पत्र की सुनवाई उसके बाद नियमानुसार विज्ञापित किसी और दिन होगी।
विदित हो कि यदि लाप उत्पर लिखे दिनांक पर या उसमें पहले स्वयं अथवा क्सी
एहवांकेट या ऐसे व्यक्ति द्वारा, जो आपकी और से कार्य करने के लिये कानूनन अधिकृत हां,
उपस्थित न होंगे तो उस प्रार्थना-पत्र
की सुनवाही और निर्णय आपकी अनुपस्थित में हो जायंग ।
प्रार्थना-पत्र सोर प्रार्थी द्वारा दिये गये शपथ -पत्र की एक-एक प्रतिलिपि इसी के साथ नत्थी
मेरे हस्ताचार और न्यायालय की मोहर मे आज दिनांक
सन् १६ ८% , को जारी किया गया ।
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सूचना:- इस न्यायालय की १६५२ की नियमावली के अध्याय ३७, नियम २ के अनुसार प्राप्त
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ना पाने बोले, क्लर्क के हस्ताचार 🧳

हाई कोर्ट, इलाहाबाद, लवनज पीठिका, लवनज (अध्याय १२, नियम १ और ७)

दीवानी विभाग

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पुकी एकि (मुतपा कि) प्रार्थना - पत्र संख्या ----- सन् १६ ई० W.P. - 75-3--- HT 8E 80 50 FLANS-Si K.M. Lal all athors.

Milly Lack-raw-

बूंकि उत्पर लिले प्रार्थी ने इस न्यायालय में उपर्युक्त मुक्दमे के संबंध में प्रत्याधी के के लिये प्रार्थना-पत्र दिया है, अत: आपको सादेश दिया उपस्थित होका कारण बतलायें कि प्रार्थना-पत्र क्यों न स्वीकार कर लिया जाय । उक्त प्रार्थना-पत्र की सुनवाई उसके बाद नियमानुसार विज्ञापित किसी और दिन होगी।

विदित हो कि यदि नाप उत्पर लिखे दिनांक पर या उसमे पहले स्वयं अथवा किसी एहवांबेट या ऐमं व्यक्ति द्वारा, जो आपकी लोर से कार्य करने के लिये कानूनन अधिकृत हो, उपस्थित न होंगे तो उस प्रार्थना-पत्र

की सुनवाही और निर्णय सापकी सनुपस्थित में हो जायंगे।

पार्थना-पत्र सोर प्राथी द्वारा दिये गये शपथ -पत्र की एक-एक प्रतिलिपि इसी के साथ नत्थी

१६ 82 को जारी किया गया ।

क्रे सहवाकेट

हिप्टी रिजस्ट्रार

गालय की १६५२ की नियमावली के लघ्याय ३७, नियम २ के लनुसार प्रा

तलबाना पाने वाले क्लर्ज के हस्तादार

हाई कोर्ट, इलाहाबाद, लखनउर पीठिका, लखनउर दीवानी विभाग (अध्याय १२, नियम १ और ७

7	ाना विमान (अध्याय १२, नियम १ अगर ७)
	प्रकोण क (मृतक कि) प्रार्थना - पत्र संख्या अहि कि निसन् १६ कि इंग्
	Union of India and others gravel Master NRLY. Lucknows
	- Leicknows
	वृंकि उत्पर लिखे प्रार्थी ने इस न्यायालय में उपर्युक्त मुक्दमें के संबंध में प्रक्यांथी के
	नाम के लिये प्रार्थना-पत्र दिया है, अत: आपको सादेश दिया जाता है कि आप दिनांक
	उपस्थित होना नारण बतलायें कि प्रार्थना-पत्र क्यों न स्वीकार कर लिया जाय । उक्त
	प्रार्थना-पत्र की सुनवाई उसके बाद नियमानुसार विज्ञापित किसी और दिन होगी। विदित हो कि यदि अप उत्पर लिखे दिनांक पर या उससे पहले स्वयं अथवा किसी
	एड़वांकेट या ऐसे व्यक्ति द्वारा, जो आपती और से कार्य करने के लिये कानूनन अधिकृत हां,
,	उपस्थित न होंगे तो उस प्रार्थना-पत्र
'	की सुनवार और निर्णय आपकी अनुपस्थित में हो जायंगे। प्रार्थना-पत्र और प्रार्थी द्वारा दिये गये अपथ -पत्र की एक-एक प्रतिलिपि इसी के साथ नत्थी
.•	प्राथन निष्य जार प्राया क्षारा प्रिय गय रापय निष्या
•	मेरे हस्ताचार और न्यायालय की मोहर में आज दिनांक स्व
<i>t</i>	सन् १६ ि को जारी किया गया ।
	तिथि हिप्टी गीजरदार
	इलाहाबा द लेखेंने उन्

सूचना:- इस न्यायालय की १६५२ की नियमगवली के अध्याय ३७, नियम २ के अनुसार प्राप्त तलबाना मिल गया।

तलबाना पाने वाले क्लर्क के हस्तादार

75

हाई कोर्ट, इलाहाबाद, लखनऊ पीठिका, लखनऊ दीवानी विभाग (अध्याय १२, नियम १ और ७)

तिमाग (अध्याय १२, नियम १ और ७)	
प्रकी णॅक (मुतक रिंक) प्रार्थना - पत्र संख्या सन् १६ ई०	
Le l' Ho 153-47 8800 \$0 \$0 \$1	,
gfa Conion of India and other grands	
23) Si S.M. Magri Dy. Chief Controller - N. Rly - Lucknow-	
चूंकि उत्पर लिले प्राथि ने इस न्यायालय में उपर्युक्त मुक्दमें के संबंध में प्रत्याधी के	:
नाम के लिये प्रार्थना-पत्र दिया है, अत: आपको लादेश दिय	
जाता है कि लाप दिनांकसन् १६	पहले
उपस्थित होका कारण बतलायें कि प्रार्थना-पत्र क्यों न स्वीकार कर लिया जाय । उक्त	
प्रार्थना-पत्र की सुनवाई उसके बाद नियमानुसार विज्ञापित कियी और दिन होगी।	
विदित हो कि यदि अप उत्पर लिखे दिनाक पर या उससे पहले स्वयं अथवा कि	सी
एड्वांक्टेट या ऐसं व्यक्ति द्वारा,जो लापी और से कार्य करने के लिये कानूनन अधिकृत हो	•,
उपस्थित न होंगे तो उस प्राथना-पत्र	
की सुनवाही और निर्णाय आपकी अनुपस्थित में हो जायंगे।	
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तलबाना पाने वाले क्लर्क के हस्ताचार

िक काकियारी के इस्सारक है। जनकर अस्तरकारक विकटा ३७, नियम २ के लनुसार प्राप्त

हाई कोर्ट, इलाहाबाद, लखनऊ पी ठिका, लखनऊ (अध्याय १२, नियम १ और ७)

दीवानी विभाग

प्रकीणिक (मृतकारिक) प्राधिना - पत्र संख्या 348 (12) सन् १६ 🔊 हैं।
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Onion of India and others - gravelle 23) Si 3 M Nagvi Dy. Chief Controller Nokly: Luck now
Union of mais and ollows grarell
23) Si-3-M Nagvi Dy-Chief Controller
Luck now
र्वृति उत्पर लिखे प्राथीं ने इस न्यायालय में उपर्युक्त मुक्दमें के संबंध में प्रत्याधी के
नाम के लिये प्रार्थना-पत्र दिया है, अत: आपको सादेश दिया
जाता है कि आप दिनांकमाहसन् १६-४३को या उससे पहले
उपस्थित होना नारण बतलायें कि प्रार्थना-पत्र क्यों न स्वीकार कर लिया जाय । उक्त
प्रार्थना-पत्र की सुनवाई उसके बाद नियमानुसार विज्ञापित किसी और दिन होगी।
विदित हो कि यदि अप उत्पर लिखे दिनांक पर या उससे पहले स्वयं अथवा किसी
एडवांकेट या ऐसं व्यक्ति द्वारा, जो आपी और से कार्य करने के लिये कानूनन अधिकृत हो,
उपस्थित न होंगे तो उस प्रार्थना-पत्र
की सुनवाई और निर्णय आपकी उनुपस्थित में हो जायंग ।
प्रार्थना-पत्र और प्रार्थी द्वारा दिये गये शपथ -पत्र की एक-एक प्रतिलिपि इसी के साथ नत्थी
मेरे हस्तादार और न्यायालय की मोहर में आज दिनांक न
सन् १६ 😚 🖅 जारी किया गया, ।
के एडवांकेट
तिधि हिप्टी रिजिस्टार
हिला हा बा द क्विनुजे
सूचना:- इस न्यायालय की १६५२ की नियमावली के अध्याय ३७, नियम २ के अनुसार प्राप्त
तलबाना मिल गया।

तलबाना पाने वाले क्लर्क के हस्ताचार

हाई कोर्ट, इलाहाबाद, लखनउर पीठिका, लखनउर (अध्याय १२, नियम १ और ७)

दीवानी विभाग

मूं कि उत्पर लिले प्रार्थों ने इस न्यायालय में उपर्युक्त मुक्दमें के संबंध में प्रत्याधी के नाम - - - - - - के लिये प्रार्थना-पत्र दिया है, अत: आपको अपदेश दिया जाता है कि आप दिनांक -- - - - - माह--- सन् १६ कि---- को या उससे पहले उपस्थित होका कारण बतलायें कि प्रार्थना-पत्र क्यों न स्वीकार कर लिया जाय । उक्त प्रार्थना-पत्र की सुनवाई उसके बाद नियमानुसार विज्ञापित किसी और दिन होगी ।

विदित हो कि यदि आप उत्पर लिखे दिनांक पर या उससे पहले स्वयं अथवा किसी एडवांकेट या ऐसं व्यक्ति द्वारा, जो आपती और से कार्य करने के लिये कानूनन अधिकृत हो, उपस्थित न होंगे तो उस प्रार्थना-पत्र

की सुनवाही और निर्णय आपकी अनुपस्थित में हो जायंगे।

प्रार्थना-पत्र सोर प्रायो द्वारा दिये गये शपथ -पत्र की एक-एक प्रतिलिपि इसी के साथ नत्थी

मेरे हस्ताचार और न्यायालय की मोहर में आज दिनांक -25---माह ------१६ हिंग जारी किया गया ।

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तिथि -----

हिन्दी रंजिंग्ट्रार इलाहाबाद, लखनऊ

य्य की १६५२ की नियमावली के लघ्याय ३७, नियम र के लनुसार प्राप्त

तलबाना पाने वाले क्लर्ज के हस्ताचार

हाई कोर्ट, इलाहाबाद, लखनउर पीठिका, लखनउर (अध्याय १२, नियम १ और ७)

दीवानी विभाग

प्रकी एकि (मुतदा दिक) प्रार्थना - पत्र संख्या अकि () सन् १६ हैं हैं ।
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llnion of India and others grand of Bris N. Single Yard Master N. Rly
DD Bris. N. Singly- Yard Master
Varanasi
वृंकि उत्पर लिले प्रार्थी ने इस न्यायालय में उपर्युक्त मुक्दमे के संबंध में प्रत्यार्थी के
नाम के लिये प्रार्थना-पत्र दिया है, अत: आपको सादेश दिया
जाता है कि लाप दिनांक
उपस्थित होकर कारण बतलायें कि प्रार्थना-पत्र क्यों न स्वीकार कर लिया जाय । उक्त
प्रार्थना-पत्र की सुनवाई उसके बाद नियमानुसार विज्ञापित किसी और दिन होगी।
विदित हो कि यदि अप उत्पर लिखे दिनांक पर या उससे पहले स्वयं अथवा किसी
एडवांकेट था एम व्यक्ति द्वारा, जो आपी और से कार्य करने के लिये कानूनन अधिकृत हो,
उपस्थित न होंगे तो उस प्रार्थना-पत्र
की सुनवाही और निर्णय लापकी उनुपस्थित में हो जायंगे।
प्रार्थना-पत्र और प्रायो द्वारा दिये गये शपथ -पत्र की एक-एक प्रतिलिपि इसी के साथ नत्थी
र <mark>हैं ।</mark>
मेरे हस्तादार और न्यायालय की मोहर में जाज दिनांक - 2
सन् १६ 💎 को जारी किया गया ।
के एडवोकेट
तिथि
इक्रम्हें बाद , ल्बनज

सूचना:- इस -यायालय की १६५२ की नियमावली के लघ्याय ३७, नियम २ के लनुसार प्राप्त तलबाना मिल गया।

तलबाना पाने बाले कलर्न के हस्ताचार

हाई कांट, इलाहाबाद, लखनउर पी ठिका, लखनउर (अध्याय १२, नियम १ और ७)

दीवानी विभाग

प्रकी णूंक (मूतक दिक) प्रार्थना - पत्र संख्या - - - सन् १६ ₹0 W.P. + +0 - 15-3 - + + 80 80 # Sri K.M. Lac and others...

Christ of Inclia and Man grandi Brit. N. Vaipai Safety Counsellor (-Transfrie)--H. Rly: Luckner

चूंकि उत्पर लिखे प्राधी ने इस न्यायालय में उपर्युक्त मुक्दमे के संबंध में प्रत्याधी के - - के लिये प्रार्थना-पत्र दिया हं, अत: आपको लादेश दिया जाता है कि लाप दिनांक -- की या उससे पहले उपस्थित होकर कारण बतलायें कि प्रार्थना-पत्र क्यों न स्वीकार कर लिया जाय । उक्त प्रार्थना-पत्र की सुनवाई उसके बाद नियमानुसार विज्ञापित किसी और दिन होगी।

विदित हो कि यदि अप उत्पर लिखे दिनांक पर या उसमे पहले स्वयं अथवा किसी एड्वांकेट था ऐसं व्यक्ति द्वारा, जो लापी लोर से कार्य करने के लिये कानूनन अधिकृत हो, उपस्थित न होंगे तो उस प्रार्थना-पत्र

की सुनवाही और निर्णय आपकी अनुपस्थित में हो जारंग ।

र्प्रार्थना-पत्र लोग पण N. X. Shit or Vigla 100/080 ja -- C Cackwas

प्रतिलिपि इसी के साथ नत्थी

नयम २ के अनुसार प्राप्त

तलबाना पाने वाले क्लर्क के हस्तादार

द्यानी	निवसाय क्षा के कि के कि
	(ज्याय-१२, नियम १ इति ।
	क्रीण (नुहर्किक) मर्थना-क ने -368 (क्रिक्ने-किस १६-४० दे
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	· · · Chion of molia autottes
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لمري	Lucknow.
	प्रतिवादी है हाद
• .	चूं कि जमर लिते पार्था ने इस न्याय लग में उपर्युत्त मुख्यें के सम्बन्ध में
_	The order of and order of and and are
I^{-}	िए ग्रापना-पन दिया है। अत: आएको आदेश दिया जाता है कि अप दिनांच-
	तिव कि १६-ि को गा उसमें पहले उपस्थित होता बनवाने कि
	प्राधना-पन वयाँ न स्वोकार कर जिया जाय । उदत प्राधना-पन को एननाई उसने त
_	नियमानुसार विद्याप्ति किसी और दिन होंगो।
	विदित हो कि यदि आप ऊपर लिखें दिना के पर या उसके पहले स्वारं असदा वि
	रडवोकेट या ऐसे व्यक्ति हारा जो आपकी और से काम करने के लिए तानूनन जिल्ह
•	हों, उपस्थित न होंगें तो उस प्राथना -पत्र की सुनवाई और निणाय आएकी सनुपर्स
ĩ	र्ने ही जायेंगें।
	प्राथना-पत्र सीर प्राथा द्वारा दिये गरी सपथ पत्र की एक प्रतिनिधि इसी है।
,	ली हैं ।
1	मेरे हस्तात्तर और न्याया लय की मौहर से जाज दिनांक
<i>)</i> = \(\(\)	नास एन् १६ रे जागे िया गया।
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ene k	के स्डवीहर
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	डिप्टी रविद्रार
	<u>इलाइम्बर्ट</u> । लडन री ।
;	महाना - द्रम न्या ना ना की ०००० की किन्स्त के ना ना किन्स के ना
(पुचना:- इस न्यायालय की १६५२ की नियमावली के अध्याय ३७, नियम २ के अनेत्र प्राप्त तलवाना मिल गया।

्तलगाना पाने वाले कर्ल के हस

हाई कोर्ट, इलाहाबाद, लखनउर पी ठिका, लखनउर (अध्याय १२, नियम १ और ७)

दीवानी विभाग

Charles alone

प्रकी एकि (म्तक रिक) प्रार्थना - पत्र संख्या - - - सन् १६ ई० W.P_++0-153-++7 8€ 80 €0 मं Sn. K. M. Lat and others Monion of India oul others In Shanketa Basad Snivastava Station Master - N.Rly. Avodhya चूंकि उत्पर लिखे प्रार्थी ने इस न्यायालय में उपर्युक्त मुक्दमे के संबंध में प्रयाधी के - के लिये प्रार्थना-पत्र दिया हं, अत: आपको सादेश दिया जाता है कि लाप दिनांक -- १ ----- माह---- सन् १६- रिक्--- को या उससे पहले उपस्थित होका कारण बतलायें कि प्रार्थना-पत्र क्यों न स्वीकार कर लिया जाय । उक्त प्रार्थना-पत्र की सुनवाई उसके बाद नियमान्सार विज्ञापित किसी और दिन होगी। विदित हो कि यदि आप उत्पर लिखे दिनाक पर या उसमे पहले स्वयं अथवा किसी एडवांकेट था ऐसं व्यक्ति द्वारा, जो लापी लोर से कार्य करने के लिये कानूनन अधिकृत हो, उपस्थित न होंगे तो उस प्रार्थना-पत्र की सनवाही और निर्णय लाएको जन्मिकी में तिलिपि इसी के साथ नत्थी वजन (शब्दों में) विवेदाले का नाम व डाकघर निर्देशिका में 🕸 भद्रे पानेबाले अधिकारी के हस्साक्षर **शतों** के अधीन खारी की नई Signature of Receiving Officer Issued subject to terms and conditions in P. O. guide बरव २७, नियम २ के अनुसार प्राप्त

तलबाना पाने वाले क्लर्क के हस्तादार

हाई कोर्ट, इलाहाबाद, लखनका पीठिका, लखनका (अध्याय १२, नियम १ और ७)

त्रवानी विभाग (अध्य

प्रकी एकि (मृतक रिक) प्रार्थना सन् १६ 🛮 🕏 ०
Soik M. Lal and others great
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Clorison of India and other grands 20 So. Shankate Brasad Srisastara Station Master
Station Master
N-Aly-Ayoshye-
चूंकि उत्पर लिखे प्रार्थी ने इस न्यायालय में उपर्युक्त मुक्दमें के संबंध में प्रयाधी के
नाम के लिये प्रार्थना-पत्र दिया है, अत: आपको लादेश दिया
जाता है कि साप दिनांकमाहसन् १६-छको या उससे पहले
उपस्थित होकर कारण बतलायें कि प्रार्थना-पत्र क्यों न स्वीकार कर लिया जाय । उक्त
प्रार्थना-पत्र की सुनवाई उसके बाद नियमानुसार विज्ञापित कियी और दिन होगी।
विदित हो कि यदि लाप उत्पर लिखे दिनाक पर या उससे पहले स्वयं अथवा किसी
एड्वोकेट था ऐसे व्यक्ति द्वारा,जो आपकी सोर से कार्य करने के लिये कानूनन अधिकृत हो,
उपस्थित न होंगे तो उस प्रार्थना-पत्र
की सुनवाही और निर्णय आपकी उनुपस्थित में हो जायंगे।
प्रार्थना-पत्र और प्रार्थी द्वारा दिये गये शपथ -पत्र की एक-एक प्रतिलिपि इसी के साथ नत्थी
त्र है । इ.स. १९८७ - १९८७ - १९८७ - १९८७ - १९८७ - १९८७ - १९८७ - १९८७ - १९८७ - १९८७ - १९८७ - १९८७ - १९८७ - १९८७ - १९८७ -
मेरे हस्ताचार और न्यायालय की मोहर में आज दिनांक - अमाह/
सन् १६ 💔 - को जारी किया गया ।
के एडवोकेट
तिधि डिप्टी रेजिस्ट्रार
EXTERNIE AMAIN

सूचना:- इस न्यायालय की १६५२ की नियम्बिली के अध्याय ३७, नियम २ के अनुसार प्राप्त तलबाना मिल गया।

तलबाना पाने वाले क्लर्क के हस्तादार

हाई कोर्ट, इलाहाबाद, लखनउर पीठिका, लखनउर (अध्याय १२, नियम १ और ७)

दीवानी विभाग

वृंकि उत्पर लिखे प्रार्थी ने इस न्यायालय में उपर्युक्त मुक्दमें के संबंध में प्रत्यार्थी के नाम - - - - - - के लिये प्रार्थना-पत्र दिया हं, अत: अपको आदेश दिया जाता हं कि आप दिनांक -- - - - - - - - - - - - - - - - - सन् १६ - - - को या उससे पहले उपस्थित होकर कारण बतलायें कि प्रार्थना-पत्र क्यों न स्वीकार कर लिया जाय । उक्त प्रार्थना-पत्र की सुनवाई उसके बाद नियमानुसार विज्ञाणित कियी और दिन होगी ।

्रे विदित हो कि यदि लाप उत्पर् लिखे दिनांक पर या उसमे पहले स्वयं अथवा किसी एडवांकेट था ऐसे व्यक्ति द्वारा, जो लापी लोर से कार्य करने के लिये कानूनन अधिकृत हो, उपस्थित न होंगे तो उस प्रार्थना-पत्र

RR

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नियम २ के अनुसार प्राप्त

तलबाना पाने वाले कलके के हस्ताचार

বাচীবানী জড়িকারী কি চুবাই সিয়াজন লোল সংগ্রিকালায়, Pan हाई कार्ट, इलाहाबाद, लखनउर पीठिका, लखनउर (अध्याय १२, नियम १ और ७)

दीवानी विभाग

प्रकी एकि (मुतक रिक्) प्रार्थना - पत्र संख्या 36866 सन् १६ % ईo
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- N. Rly
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र्ने चूंकि उत्पर लिखे प्राथि ने इस न्यायालय में उपर्युक्त मुक्दमे के संबंध में प्रक्याधी के
नाम के लिये प्रार्थना-पत्र दिया है, अत: आपको आदेश दिया
जाता है कि आप दिनांक माह निस्त १६-८ को या उससे पहले
उपस्थित होकर कारण बतलायें कि प्रार्थना-पत्र क्यों न स्वीकार कर लिया जाय । उक्त
प्रार्थना-पत्र की सुनवाई उसके बाद नियमानुसार विज्ञापित कियी और दिन होगी।
विदित हो कि यदि लाप उत्पर लिखे दिनाक पर या उससे पहले स्वयं अथवा किसी
एडवांकेट था ऐसं व्यक्ति द्वारा, जो आपी और से कार्य करने के लिये कानूनन अधिकृत हो,
उपस्थित न होंगे तो उस प्रार्थना-पत्र
की सुनवाही और निर्णय आपकी अनुपस्थित में हो जायंग ।
प्रार्थना-पत्र कोर प्रार्थी द्वारा दिये गये शपथ -पत्र की एक-एक प्रतिलिपि इसी के साथ नत्थी
E I
मेरे हस्तादार अंर न्यायालय की मोहर में आज दिनांक
सन् १६ क्रिंगारी किया गया।
के एडवोकेंट
तिथि हिस्टी रिजिस्ट्रार
डला होबोद , लवने छेर्
सूचना:- इस न्यायालय की १६५२ की नियमावली के अध्याय ३७, नियम २ के अनुसार प्राप्त
तलबाना मिल गया।

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हाई कार्ट, इलाहाबाद, लखनउर पीठिका, लखनउर (अध्याय १२, नियम १ और ७)

दीवानी विभाग

प्रकी णिक (मृतक रिक) प्रार्थना सन् १६ ई०
Si K. M. Lal andothers great
(19) In H. N. Snivaslava & son Tai Mangallar, Dy Chief Controller,
(19) In H. N. Snivastava Ster Tai Mangal Lat, Do Chil
Chief Controller,
M-Rly- Allahabad
वृंकि उत्पर लिले प्राधी ने इस न्यायालय में उपर्युक्त मुक्दमे के संबंध में प्रत्याधी के
नाम के लिये प्रार्थना-पत्र दिया है, अत: आपको लादेश दिया
जाता है कि साप दिनांक 9माह ११ कि को या उससे पहले
उपस्थित होना नारण बतलायें कि प्रार्थना-पत्र क्यों न स्वीकार कर लिया जाय । उक्त
प्रार्थना-पत्र की सुनवाई उसके बाद नियमानुसार विज्ञापित किसी और दिन होंगी।
्रे विदित हो कि यदि लाप उत्पर लिखे दिनाक पर या उससे पहले स्वयं अथवा किसी
ए हवां केट था ऐमं व्यक्ति द्वारा, जो लापकी लोर से कार्य करने के लिये कानूनन अधिकृत हो,
उपस्थित न होंगे तो उस प्रार्थना-पत्र
की सुनवाह और निर्णय आपकी उनुपस्थित में हो जायंग ।
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> पानेवाले अधिकारी के हस्ताक्षर Signature of Receiving Officer

Insurance fee Rs.

भेजवेगाले का नाम व पता.

Name and address of sender उपकार निर्देशिका में दी गई शर्तों के अश्रोन जारी की गई

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वलर्क के हस्तादार

हाई कार्ट, इलाहाबाद, लखनउर पी ठिका, लखनउर (अध्याय १२, नियम १ और ७)

लखनउर पी ठिका, लख दीवानी विभाग (अध्याय १२, नियम १

	प्रकी एकि (मुतक रिक) प्रार्थना - पत्र संख्या 340 (सन् १६ हि) हैं ।
	Soi K.M. Lal and athors great
	Union of India and other yearel
	(19) Sn H. M. Snivastava & Sr Jai Mangallal Dy. Chief
· 1	(9) Sn. H. M. Snivastava J. Sr. Jai Mangallul Dy. Chief Controller N. Roly Allahabad -
٠,	वृंकि उत्पर लिले प्राथा ने इस न्यायालय में उपर्युक्त मुक्दमें के संबंध में प्रतयाधी के
	नाम के लिये प्रार्थना-पत्र दिया है, अत: आपको लादेश दिया
	जाता है कि साम दिनांकमाह सन् १६ को या उससे पहले
	उपस्थित होका कारण बतलायें कि प्रार्थना-पत्र क्यों न स्वीकार कर लिया जाय । उक्त
	प्रार्थना-पत्र की सुनवाई उसके बाद नियमानुसार विज्ञापित किसी और दिन होगी।
	विदित हो कि यदि आप उत्पर लिखे दिनाक पर या उससे पहले स्वयं अथवा किसी.
	एड़वांक्ट था ऐसं व्यक्ति द्वारा, जो आपकी आर से कार्य करने के लिये कानूनन अधिकृत हां,
	उपस्थित न होंगे तो उस प्रार्थना-पत्र
•	की सुनवाही और निर्णय आपकी उनुपस्थित में हो जायंग ।
	प्रार्थना-पत्र लोर प्रार्थी द्वारा दिये गये शपथ -पत्र की सक-सक प्रतिलिपि इसी के साथ नत्थी
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_	मेरे हस्ताचार और न्यायालय की मोहर में आज दिनांक -2
•	सन् १६ कि नो जारी किया गया ।
	के एडवोकेट Much के
	तिथि दिप्ती गिजरता
	इलाइम्बाद् , लबनेउर
	सूचना:- इस न्यायालय की १६५२ की नियमावली के लघ्याय ३७, नियम २ के लनुसार प्राप्त
	तलबाना मिल गया।

तलबाना पाने वाले बलर्न के हस्तादार

हाई कोर्ट, इलाहाबाद, लखनजा पी ठिका, लखनजा

दीवानी विभाग (अध्याय १२, नियम १ और ७)

तलबाना मिल गया।

प्रकी एकि (मुतक रिक) प्रार्थना - पत्र संख्या अधि (कि) सन् १६ कि इं
Bri K. M. Lac are athers great
gfa Union of India windothers grand
(18) Si BS Sziraslava & B.P. Szivastava, Du. Chiel
(18) Si ES Szivastava & B.P. Szivastava, Dy. Chief Controller N. Rly.
- This yerd
र्नुकि उत्पर लिले प्रार्थी ने इस न्यायालय में उपर्युक्त मुक्दमे के संबंध में प्रत्याधी के
नाम के लिये प्रार्थना-पत्र दिया है, अत: आपको सादेश दिया
जाता है कि आप दिनांक माह माह सन् १६ को या उससे पहले
उपस्थित होका कारण बतलायें कि प्रार्थना-पत्र क्यों न स्वीकार कर लिया जाय । उक्त
प्रार्थना-पत्र की सुनवाई उसके बाद नियमानुसार विज्ञापित कियी और दिन होगी।
विदित हो कि यदि अप उत्पर लिखे दिनाक पर या उसमे पहले स्वयं अथवा किसी
एडवांकेट या ऐसे व्यक्ति द्वारा, जो आपकी और से कार्य करने के लिये कानूनन अधिकृत हो,
उपस्थित न होंगे तो उस प्राथना-पत्र
की सुनवाह और निर्णय आपकी अनुपस्थित में हो जायंग ।
वार्थना-पत्र लोर प्राथी द्वारा दिये गये शपथ -पत्र की एक-एक प्रतिलिपि इसी के साथ नत्थी
. मेरे हस्तादार और न्यायालय की मोहर से आज दिनांक
सन् १६ कि को जारी किया गया।
के एडवांकेट
নিখি
हिप्टी गंजिरद्वार हलाहाबाद, ल ्लनक
सूचना:- इस न्यायालय की १६५२ की िनियमावली के लघ्याय ३७, नियम २ के लनुसार प्राप्त

तलबाना पाने वाले वलके के हस्तादार

हाई कोर्ट, इलाहाबाद, लबनउर पी ठिका, लबनउर

दीवानी विभाग (अध्याय १२, नियम १ और ७)

तलबाना मिल गया।

प्रकी एकि (मुतक रिक) प्रार्थना - पत्र संख्या सन् १६ है०	
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Bo K. M. Cal and others	
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प्ति	
- Union of India and other	
Union of India audothos प्रमाधी (1) Soi N. IX. Soivastava & Soi Bajrang Sahai Aest. Traffic oficor (Rules) N. Rly. 	•
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र्ने चूंकि उत्पर लिले प्रार्थी ने इस न्यायालय में उपर्युक्त मुक्दमे के संबंध में प्रत्याधी ने	,
नाम के लिये प्रार्थना-पत्र दिया है, अत: आपको आदेश दिश	या .
जाता है कि जाप दिनांकमाहसन् १६को या उससे	
	পহত
उपस्थित होकर कारण बतलायें कि प्रार्थना-पत्र क्यों न स्वीकार कर लिया जाय । उक्त	
प्रार्थना-पत्र की सुनवाई उसके बाद नियमानुसार विज्ञापित कियी और दिन होगी।	
	 -
विदित हो कि यदि लाप उत्पर लिखे दिनाक पर या उससे पहले स्वयं अथवा वि	ह्स ।
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हाई कोर्ट, इलाहाबाद, लखनउर पीठिका, लखनउर (अध्याय १२, नियम १ और ७)

दीवानी विभाग

तलबाना मिल गया।

प्रकी एकि (मुतक रिक) प्रार्थना - पत्र संख्या अधि -) - सन् १६ 🕫 🕏
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Union of India and others grands (19) Sp. N. N. Srivastuva & Bajrangshei, Asst. Traffic Officer (Rules) N. Rhy Allahabad
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N. R.Ly. Allahabad
वूंकि उत्पर लिले प्राथि ने इस न्यायालय में उपर्युक्त मुक्दमे के संबंध में प्रत्याधी के
माम के लिये प्रार्थना-पत्र दिया है, अत: आपको सादेश दिया
जाता है कि आप दिनांक
उपस्थित होकर कारण बतलायें कि प्रार्थना-पत्र क्यों न स्वीकार कर लिया जाय । उक्त
प्रार्थना-पत्र की सुनवाई उसके बाद नियमानुसार विज्ञापित कियी और दिन होगी।
विदित हो कि यदि लाप उत्पर लिखे दिनांक पर या उससे पहले स्वयं अथवा किसी
एहवांनेट या ऐसं व्यक्ति द्वारा, जो आपकी लोर से कार्य करने के लिये कानूनन अधिकृत हो,
उपस्थित न होंगे तो उस प्रार्थना-पत्र
की सुनवाही और निर्णय आपकी अनुपस्थित में हो जायंग ।
प्रार्थना-पत्र सार् प्रार्थी द्वारा दिये गये शपथ -पत्र की एक-एक प्रतिलिपि इसी के साथ नत्थी
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हिप्टी गजिग्द्रार इलाहाबाद ,लब्राजा
सचना:- इस -यायालय की १६५२ की नियमावली के लध्याय ३७, नियम २ के लनुसार प्राप्त
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तलबाना पाने वाले क्लर्क के हस्तादार

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हाई कार्ट, इलाहाबाद, लखनउर पीठिका, लखनउर (अध्याय १२, नियम १ और ७)

दीवानी विभाग

े विदित हो कि यदि लाप उत्पर लिखे दिनांक पर या उससे पहले स्वयं अथवा किसी एडवां केट या ऐसे व्यक्ति द्वारा, जो लापकी लोर से कार्य करने के लिये कानूनन अधिकृत हो,

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तलबाना पाने वाले क्लर्क के हस्तादार

हाई कार्ट, इलाहाबाद, लखनक पीठिका, लखनक (अध्याय १२, नियम १ और ७)

प्रकी एकि (मुतक रिक) प्रार्थना - पत्र संख्या अकिक ने सन् १६८ ६०
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(16) By M. R.S. Srivastava Jos Vindy Val Basad
(16) By M. R.S. Srivastava of son Vindy Val Brasad Station Suprexintendent (Llass 12) N. Rly. Allahabar
चूंकि उत्पर लिखे प्राथि ने इस न्यायालय में उपर्युक्त मुक्दमे के संबंध में प्रत्याधी के
नोम के लिये प्रार्थना-पत्र दिया है, अत: आपको लादेश दिया
जीता है कि आप दिनांक माहसन् १६-४० को या उससे पहले
उपस्थित होकर कारण बतलायें कि प्रार्थना-पत्र क्यों न स्वीकार कर लिया जाय । उक्त
प्रार्थना-पत्र की सुनवाई उसके बाद नियमानुसार विज्ञापित किसी और दिन होगी।
विदित हो कि यदि लाप उत्पर लिखे दिनांक पर या उसमें पहले स्वयं अथवा किसी
एडव्रोकेट या ऐसे व्यक्ति द्वारा,जो आपकी ओर से कार्य करने के लिये कानूनन अधिकृत हो,
उपस्थित न होंगे नो उस प्रार्थना-पत्र
की सुनवाई और निर्णय आपकी अनुपस्थित में हो जायंग ।
प्रार्थना-पत्र लोर प्रार्थी द्वारा दिये गये शपथ -पत्र की स्क-स्क प्रतिलिपि इसी के साथ नत्थी
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नेरे हस्ताचार और न्यायालय की मोहर में आज दिनांक - 2
सन् १६ % को जारी किया गया ।
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तिधि
ाहण्टा प्राप्त हो। इलाहाबाद तल्लनक

सूचना:- इस न्यायालय की १६५२ की नियमावली के लघ्याय ३७, नियम र के लनुसार प्राप्त

तलबाना पाने वाले क्लर्क के हस्तादार



तलबाना मिल गया।

हाई कार्ट, इलाहाबाद, लखनउर पीठिका, लखनउर (अध्याय १२, नियम १ और ७)

दीवानी विभाग

विदित हो कि यदि आप उत्पर लिखे दिनाक पर या उससे पहले स्वयं अथवा किसी एडवां केट था ऐसे व्यक्ति द्वारा, जो आपकी और से कार्य करने के लिये कानूनन अधिकृत हो, उपस्थित न होंगे तो उस प्रार्थना-पत्र

की सुनवाही और निर्णय आपकी अनुपस्थित में हो जायंगे।

पार्थना-पन बांच प्राणी हराए जिंगे हिंदी के साथ नत्थी

प्राणी गए डाक टिकटों का मृत्य २०

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वाले क्लर्क के हस्तादार

हाई कांट, इलाहाबाद, लखनजर पी ठिका, लखनजर (अध्याय १२, नियम १ और ७)

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1	प्रकी पाँक (मुतक रिंक) प्रार्थना -पत्र संख्या - पूर्व कि सन् १६ ८० ई०
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	वृंकि उपार लिखे प्राथि ने इस न्यायालय में उपर्युक्त मुक्दमें के संबंध में प्रतयाधी के
नाम	के लिये प्रार्थना-पत्र दिया है, अत: आपको लादेश दिया
जाता है	कि लाप दिनांकमाह १६को या उससे पहले
उपस्थित ह	होकर कारण बतलायें कि प्रार्थना-पत्र क्यों न स्वीकार कर लिया जाय। उक्त
प्रार्थना-पः	त्र की सुनवाई उसके बाद नियमानुसार विज्ञापित किसी और दिन होगी।
.4	विदित हो कि यदि आप उत्पर लिखे दिनांक पर या उससे पहले स्वयं अथवा किसी
एदवानेत र	या ऐसं व्यक्ति द्वारा, जो आपकी लोर से कार्य करने के लिये कानूनन अधिकृत हो,
तपरिधत =	होंगे तो उस प्रार्थना-पत्र
	िगोर निर्णय आपको अनुपस्थित में हो जायंग ।
	न लोर प्राथी द्वारा दिये गये शपथ - पत्र की एक-एक प्रतिलिपि इसी के साथ नत्थी
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Į.	ोरे हस्ताचार और न्यायालय की मोहर में आज दिनांक -2
सन् १६ 🗞	» को जारो किया गया ।
	के एटलोकेंग्र

सूचना:- इस न्यायालय की १६५२ की नियमावली के अध्याय ३७, नियम २ के अनुसार प्राप्त तलबाना मिल गया।

तलबाना पाने वाले क्लर्क के हस्तादार

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हाई कार्ट, इलाहाबाद, लखनउर पीठिका, लखनउर (अध्याय १२, नियम १ और ७)

दीवानी विभाग

प्रकी णाक (मुतक रिक) प्रार्थना - पत्र संख्या सन् १६	ई०
१६८० ई० मं	
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(4) Si H. B. Deophas Sand S. V. G. Deophas, Superintendent N. Rly-Ranpur Kanpur	, Station
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विदित हो कि यदि लाप उत्पर लिले दिनांक पर या उसमे पहले स्वयं अथवा किसी एडवां केट था ऐसं व्यक्ति द्वारा, जो आपकी आरे से कार्य करने के लिये कानूनन अधिकृत हो, उपस्थित न होंगे तो उस प्रार्थना-पत्र

ि गौर निर्णय लापकी लनुपस्थित में हो जायंगे।

र प्राथीं द्वारा दिये गये शपथ -पत्र की एक-एक प्रतिलिपि इसी के साथ नत्थी

- - - क्रे एडवोकेट

हिप्टी ग्रेजस्ट्रार इवाहाबाद, लवनज

े की नियमावली के लघ्याय ३७, नियम २ के लनुसार प्राप्त

तलुबाना पाने वाले बलके के हस्तादार

हाई कांटे, इलाहाबाद, लखनऊ पीठिका, लखनऊ (अध्याय १२, नियम १ आरि७)

दीवानी विभाग

	प्रकी एकि (मुतक रिक) प्रार्थना - पत्र संख्या निक्कि कि सन् १६०
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	Open H.B. Beophas & Si V. G. Deophas, Station Suprintendant N. Rly, - Kanpur
	Suprinterdant N. Rly, -
	Kanpur
7	वृंकि उत्पर लिखे प्राथा ने इस न्यायालय में उपर्युक्त मुक्दमे के संबंध में प्रत्याधी के
₩.	नाम के लिये प्रार्थना-पत्र दिया है, अत: आपको लादेश दिया
	जाता है कि साप दिनांक
	उपस्थित होका कारण बतलायें कि प्रार्थना-पत्र क्यों न स्वीकार कर लिया जाय । उक्त
	प्रार्थना-पत्र की सुनवाई उसके बाद नियमानुसार विज्ञापित किसी और दिन होगी।
	विदित हो कि यदि अप उत्पर लिखे दिनांक पर या उसमे पहले स्वयं अथवा किसी
	एदवां केट या ऐमें व्यक्ति द्वारा, जो लापकी लोर से कार्य करने के लिये कानूनन अधिकृत हो,
	उपस्थित न होंगे तो उस प्रार्थना-पत्र
,	की सुनवाही और निर्णय आपकी अनुपस्थित में हो जायंग ।
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اد پو	मेरे हस्तादार और न्यायालय की मोहर में आज दिनांक
	सन् १६ 🗞 को जारी किया गया ।
†	के एडवोकेट
	तिथि
	इक्ष्महाबाद तिवन्तर
	सूचना: - इस न्यायालय की १६५२ की नियमावली के अध्याय ३७, नियम २ के अनुसार प्राप्त
	तलबाना मिल गया।

(5) AN

हाई कोर्ट, इलाहाबाद, लखनउर पीठिका, लखनउर (अध्याय १२, नियम १ और ७)

दीवानी विभाग

- 13. Si J.N. Atolya Malviye, To-affic Inspector Headquartern-Nethern Railway
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्र विदित हो कि यदि लाप उत्पर लिखे दिनांक पर या उससे पहले स्वयं अथवा किसी एडवांकेट या ऐमं व्यक्ति द्वारा, जो लापकी लोर से कार्य करने के लिये कानूनन अधिकृत हो, उपस्थित न होंगे तो उस प्रार्थना-पत्र

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प इसी के साथ नत्थी

स्थार काक्रमच के कुरकार क्रियांच के के क्रिकार

म २ के अनुसार प्राप्त

तलबाना मिल गया।

तलबाना पाने वाले वलके के हस्तादार

July 2	लार नगट, स्लाम्साम,	•	
	लखनउर पी ठिका, लखनउर		
दीवानी विभाग	(अध्याय १२, नियम १ और ७)		•
प्रकीर	र्गिक (मुतक रिक) प्रार्थना -पत्र संख्या अस्त्रि 💯 /-	- ਜ਼ੁਜ਼ १६ <i>80 ' ਵ</i> ਿ	
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2 02	don of India and others. 13. So I.M. Malviya Traffic Ins N. R Allaha-baol-	प्र त् य	ार्थी
	13. So I. N. Malriya Traffic Ins	pector Hedguarte	Yn .
•	N.R. Allaha-baol-		
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चूकि	उत्पर लिखे प्रार्थी ने इस न्यायालय में उपर्युक्त	· · · · · · · · · · · · · · · · · · ·	
'नाम	के लिये प्रार्थना-पत्र दिया	•	
'	गाप दिनांक	•	
	कारण बतलायें कि प्रार्थना-पत्र क्यों न स्वी	•	
	सुनवाई उसके बाद नियमानुसार विज्ञापित र्व रत हो कि यदि जाप उत्पर लिखे दिनांक पर		
~ .	में व्यक्ति द्वारा,जो आपकी और से कार्य कर	•	
	गे तो उस प्रार्थना-पत्र	(VI
•	र निर्णय आपकी उनुपस्थित में हो जायंग ।		•
	्र र प्राथी द्वारा दिये गये शपथ - पत्र की एक-ए	रक प्रतिलिपि इसी के सा	थ नत्थी
ÉI			
मेरे ह	इस्तादार और न्यायालय की मोहर में आज	दिनांक - २०माह -	
· ·	•	· ·	11.

सन् १६ γ को जारी किया गया । क्रे एडवाकेट तिथि --

हिप्टी गणिस्ट्रीर इक्रानाबाद, लखनउर

सूचना:- इस न्यायालय की १६५२ की नियमावली के लघ्याय ३७, नियम २ के अनुसार प्राप्त तलबाना मिल गया।

पाने वाले कलर्ज के हस्ताचार

हाई कोर्ट इलाहाबाद (अध्याय 12, नियम । और 7)

दीवानी विभाग

प्रकीर्ण (मुतकरिक) प्रार्थनान पत्र सं० - - - - - सन् 19 - - - - ई 0 - W-12- = - - 40 - 153- - - 47 19 10- \$ 3 K.M. had on

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fe respectively gravit à air

लिये प्रार्थना - पत्र दिया है। जतः अधको आदेश दिया जाता है कि आप दिनांक 🗩 मास - - - - - - वन् 19 हर - - को जा उस से पहले उपस्थित हो कर क्तार्थं के प्रार्थना पत्र क्यों न स्थीकार कर दिया जाए। उस्त प्रार्थना पत्र को जुनवाई उनके याद नियानुनार विक्रीप्त किनी और दिन होगी।

विदित हो कि बाद आप उपर तिवे दिनकि पर या उपके पहले एवं अधना किसी एडपोनेट वा हेते व्यक्ति इनाराजा जापकी और से काम करते के लिने कानूनन आधवृत हो, उपस्थित न होंगे तो एक कर्णा पंत्र की बुनवाई और निर्णय

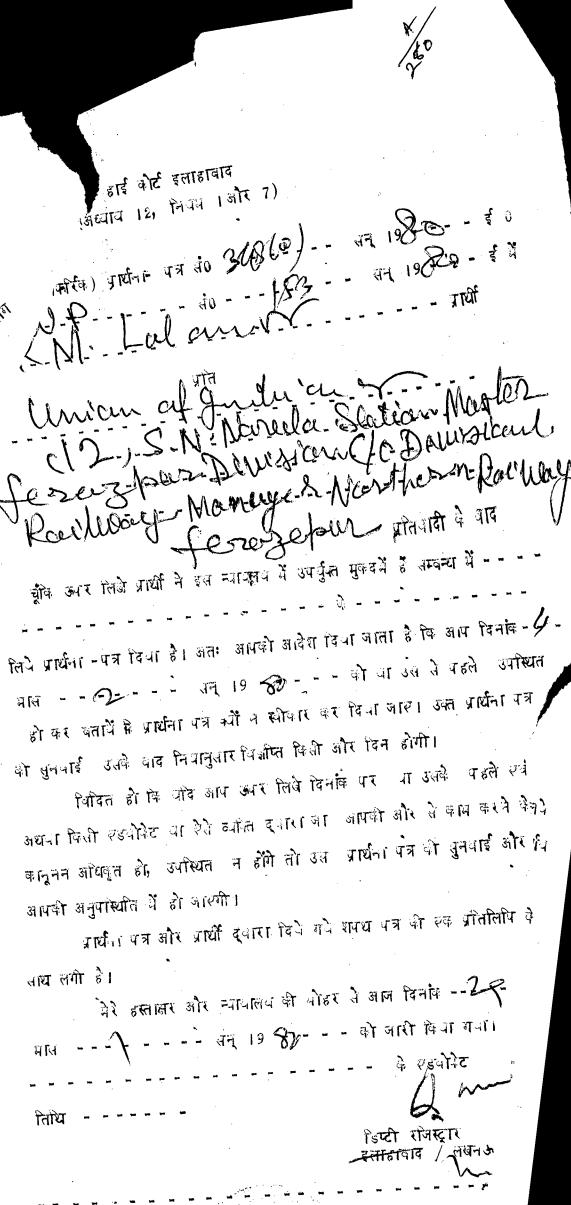
। जो एक प्रतिलिपि इसी वै

दिनांक ---24 ति किया गया। *ए*डवो∓ेट

जञ्चान ३७, निजर्न ६ के अधीन

। प्त तलवाना विल गना।

ंतलपाना पाने पाले क्लर्ज के इस्ताक्षर



सूचना - इस न्यायालय की 1952 को नियमायली के अध्यान 37, नियम प्राप्त तलवाना थिल गया।

तत्तवाना गाने वाले क्लर्ब के हा

हाई कोर्ट इलाहाबाद (अध्याय 12, नियम 1 और 7)

दी गानी विभाग

प्रकीर्ण (मुत्किरिक) प्रार्थनान पत्र सं० - - - - - -- K-M. Lal on

Unian af India on 11) Vect thatosh, trefergus Delhi Diressicon C/o-Dripistan -- Railway - Ma neiger-Morthorn Revilway New Delhyraga & are

चूंकि उपर लिखे प्रार्थी ने इसे न्याज्ञनय में उपर्युक्त मुकदमें हैं तम्बन्धा में - -

लिने प्रार्थना - पत्र दिना है। जतः आपको आदेश दिना जाता है कि आप दिनांव - 25 माल - - - १ - - वन् 19 रिक्ट - - - को जा उस से यहले उपस्थित हो कर बतायें है प्रार्थना पत्र भ्यों न स्थीकार कर दिया जाए। उक्त प्रार्थना पत्र की जुनवाई उतके वाद नियानुवार विजीपत किवी और दिन होगी।

विदित हो कि बाद जाप उपर तिले दिनांव पर मा उपके पहले एवं अधना विसी रडपोनेट या रेते व्यक्ति इनाराजा जापकी और से काम करने के लिने कानूनन अधिकृत हो, उपस्थित न होंगे तो उस प्रार्थना पत्र की सुनवाई और निर्णय अ।पदी अनुपास्थित हैं हो जाएकी।

अद्याध गए डाक दिकटों का मृत्य ६०

नी एक प्रतिलिप्रि इसी वै

अबन (शब्दों वे) Weight (in words)

insurance fee Rs. भेजनेगले का नाम व

Name and address of sender डाकसर निर्देशिका में दी गई श्रानी के अधान जारी की गई

issued supject to terms and conditions to P. C. vuine

पानवाले बिनारी के इस्ताक्षर व / लखन फ Signature of Receiving Officer

जिस्टार

दनांव ----

ा विचा गना।

एड जोने**ट**

प्त 37, निजम ६ में अधीन

वलर्व के हस्ताक्षर

हाई कोर्ट इलाहाबाद (अध्याय 12, निवंध 1 और 7)

दीशनी विभाग

प्रकार्ण (मुतक्तिरंक) प्रार्थनान पत्र सं० - अधिरिक्ष्रे)- सन् 19 - किं- ई वें सन् 19 किं- ई वें 	•
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्रिक्ति अपर तिको प्रार्थी ने इस न्यायुक्त में उपर्युक्त मुक्तवमें हैं सम्बन्ध में	
लिये प्रार्थना - पत्र दिया है। अतः आपको आदेश दिया जाता है कि आप दिनांक 4 - भारत को या उस ने पहले उपस्थित	,

को जुनवाई उनके वाद नियानुनार विश्वीपत किनी और दिन होगी।

विदित हो कि यदि जाप उनर लिखे दिनांक पर या उनके पहले एवं

अध्या किनी एडवोनेट या ऐने व्यक्ति द्वारा जा जापकी और से काम करने के लिने
कानूनन अधिकृत हो, उपस्थित न होंगे तो उस प्रार्थना पत्र को जुनवाई और निर्णय
अपको अनुपास्थित में हो जाएगी।

हो कर बतार्थे के प्रार्थना पत्र क्यों न स्थीकार कर दिया जार। उस्त प्रार्थना पत्र

प्रार्थन पत्र और प्रार्थी द्वारा दिने गने शपथ पत्र की एक प्रतिलिप इसी के साथ लगी है।

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	नेरे हस्ता	तर और न्या या	लय की भोहर ते	आज दिनांव	2-6
मास		चेन् ।	9 8 7 4	ो जारी किया गया	1
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स्ताप			P.	ि इप्टी राजस्वार	6
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सूचना - इस न्यापालक की 1952 को नियमायली के अध्यान 37, नियम ६ के अधीन प्राप्त तलवानी विल गना।

तलवाना याने वाले वलर्व के इस्ताक्षर

हाई कोर्ट इलाहाबाद (अध्याप 12, नियम । और 7)

प्रकीर्ण (युतमिर्रक) प्रार्थन है पत्र तं० 🕶 -183- 47 1980 - 37 K.M. Lal am Michael Gudace and Study officer Neistham -- Pailiteast fleweightenter. Melhil sing & 113 बूँकि उनर लिखे प्रार्थी ने इस न्यायमान में उपार्युक्त मुकदर्ने हैं सम्बन्ध में - - - -

लिये प्रार्थना - पत्र दिया है। जतः आपको आदेश दिया जाता है वि आप दिनांव - 25 -मात - - - 2 - - वन् 19 % - - - को जा उस से बहले उनस्थित हो कर वतार्वे के प्रार्थना पत्र क्यों न स्थीनार कर दिया जाए। उदत प्रार्थना यत्र को जुलवाई उतके वाद निवानुतार विक्रीप्त किती और दिन होगी।

विदित हो कि बाद आप अपर लिखे दिनाँक पर बा उसके बहले एउँ अथना विती एडनेनिट वा हेते व्यांत द्वारा जा आपकी और ते काल करने के लिने कलूनन आध्यत्त हो, उपस्थित न होंगे तो उन प्रार्थना पत्र को जुनकाई और निर्णय अध्यक्षे अनुपास्यति वे हो काळते।

मीतिलिमि इती नै

इस न्यानालय की 1952 को नियमावली के अध्यान 37, नियम ६ के अधीन प्राप्ति विराधाना जिल गना।

तलवाना अने वाले वलकी वे इस्ताबर

हाई कोर्ट इलाहाबाद (अध्याय 12, नियम 1 और 7)

दीनानी विभाग

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प्रकार्ण (मुतक्तिक) प्रार्थनान पत्र तं० 3/8 (12) तन् 1980 इ 	
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Rockway Headquarter.	
New Delhe giant à art	
चूंकि उत्तर तिओ प्रार्थी ने इस न्यायूलय में उपर्युक्त मुक्तदमें हैं सम्बन्ध में	~
लेने प्रार्थना - पत्र दिना है। अतः आपको आदेश दिना जाता है कि आप दिनांक - न	
मास सन् 19 🗫 की जा उस से पहले उपस्थित	

लिये प्रार्थना - पत्र दिया है। अतः आपको आदेश दिया जाता है कि आप दिनांक - ८ माल - - - - - जन् 19 कि - - - को या उस से पहले उपस्थित हो कर क्तार्थ के प्रार्थना पत्र क्यों न स्थीकार कर दिया जार। उस्त प्रार्थना पत्र को सुनवाई उसके बाद नियानुसार विश्वीपत किसी और दिन होगी।

विदित हो कि जोद आप उपर तिखे दिनकि पर जा उपके पहले एवं अधना विकी एडनेकिट जा रेते व्यक्ति द्वारा जा आपकी और से काम करने के तिजे कानूनन अधिकृत हो, उपस्थित न होंगे तो उस जार्थना पत्र की सुनवाई और निर्णय आपकी अनुपास्थित में हो जारगी।

प्रार्थता पत्र और प्रार्थी द्वारा दिने गने शपथ पत्र की इक प्रतिलिप इसी के साथ लगी है।

	नेरे	हस्ताबर औ	र न्यापालय की	बोहर ते आ	जि दिनांक -		-
मात	ب يند سد سد	- }	सन् 19 हिर्	१ को	जारी किया	गना।	
	··· ·· ··						

तिथि - - - - - के एडपोनेट

िष्टी रिजेस्ट्रीर इसाहाबाद / लखनऊ

सूचना - इस न्यापालय की 1952 की नियमायली के अध्याप 37, नियम ६ के अधार प्राप्त तलवाना सिंत गुना।

तलवाना जाने वाले वलवी वे हस्तासर

65

दीवानी किराग

पुत्यावादी के बाद

लिये प्रार्थाना पत्र दिया है

चुकि उपर लिखो प्राथा ने सम । न्यायालय में उपर्युक्त के संबंधा में

विदित हो कि यदि आर लिखो दिनांक पर या उसके पहले स्वयं अथवा किसी एडवोकेंट या ऐसे व्यक्ति द्वारा , जो आपकी ओर से कार्य करने के लिये कानूनन अधिकृत हो, उपस्थित न होंगें तो उस प्राथानी पत्र की सुनवाई और निर्णाय आपकी अनुपर्थात में हो जायेगी ।

प्राथिना पत्र और प्राथ्नी दवाका निके पत्रकी प्रतिलिपि मोहर से आज suici/No. को जारी क्रभाए गए कि टिकटों का मृत्य हैं। Amount Samp कि प्रिक्ट की मार्थ Received a Registered Insured बादेवाके का नाम..... Addressed to बीचे की सार्धिक किया ...(शब्दों में).. (in words) वजन (शब्दों में). बीमा शुल्फ रु Weight (in words) incuranço fee Rs. भेपबेहाले का नाम व परा लिखानऊ। Name and address of the sar पानेयाले अधिकारी के हस्ताक्षर ठाफधर निर्देशिका में दी गई शर्तों के अधीन बारी की गई Signature of Receiving Officer issued subject to terms and conditions in P. O. guide जहयाय १३७ नियम 2 के

ञ्चललवाना मिल गया।

ंत्लेवाना पाने वाले कलके के. कर्मा हस्ताक्षर ्र दीवानी विभाग

हाई कोर्ट इलाहाबाद (अध्याय 12) नियम (और 7)

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प्रकीर्ण (मुतकरिक) प्रार्थन में पत्र तं ० १३८८ (-८) सन् 1980 - + ई ०
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Stranger Sto BN Ad Cheef Contracter New Here Secretaries Kerten Roulinery Menthern Kertemore gas
therefore Kerhone te
New Delhie
चूँकि उनर तिजे प्रार्थी ने इस न्याक्तय में उपर्युक्त मुकदर्भे हैं सम्बन्ध भें
लिये प्रार्थना - पत्र दिया है। अतः . आपकी आदेश दिया जाता है कि आप दिनांक - 4
हो कर बतायें के प्रार्थना पत्र क्यों न स्थीकार कर दिया जाए। उन्त प्रार्थना यत्र
की धुनवाई उत्तके बाद निवानुवार विश्वीपत किती और दिन होगी।
विवित हो कि यदि जाप अपर तिवे विनांव पर या उत्तवे पहले एवं
अधान विसी एडपोनेट या हैने व्यक्ति द्वारा जा जापकी और ने कान करने ने लिने कानूनन आधाकृत हो, उपस्थित न होंगे तो उस प्रार्थना पत्र की सुनवाई और निर्णव
अपकी अनुपास्थिति में हो जास्मी।
प्रार्थत पत्र और प्रार्थी द्वारा दिने गने शपथ पत्र की एक प्रतिलिय इसी वै
नाथ लगी है। मेरे हस्ताहार और न्यायालय की गोहर ने आज दिनांव2-9
माल ने लन् 19 हिल्ल - को जारी विचा गया।
के स्डवोनेट क
िप्यो राजस्य
इलिसिन र्वाचन क

बूचना - इस न्यानालय की 1952 की नियमावली के अध्यान 37, नियम ६ के अधीन प्राप्त तलकाना विस्त गरा।

ं तलवाना याने वाले वलवी वे हस्ताक्षर

द्रीवानी कि । । ग

हाई कोर्ड इलाहाबाद १अन्याय 12, नियम । और 7 १ पुकीर्ण १मुतंपारि १ प्राथिना पत्र सं

153-- सन् 1986 ई० में रिट पिटीशान सं0

K-M- Leil aw पाराने el-Sto Ament Pd Chill, Combreller Northern Railway - Head quarter offere New Delhi

पत्यांवादी के बाद

चुकि उमर लिखो पारशी ने इस । न्यायालय में उपर्युक्त के संबंधा में

- लिये प्रार्थाना पत्र दिया है

अत: आपको आदेश दिया जाता है कि आप दिनांक मान----29----2--को या उससे पहले उपस्थित हो कर बतलायें कि प्रार्थना पत्र कयों न स्वीकार कर लिया जाय उक्त प्रार्थांना पत्र की सुनवाई उसके बाद नियमानुसार विक्राप्ति किसी और दिन होगी।

विदित हो कि यदि आर लिखो दिनांक पर या उसके पहले स्वयं अथवा किसी एडवोकेट या ऐसे व्यक्ति द्वारा , जो आपकी ओर से कार्य करने के लिये काननन अधिकत हो. उपस्थित न होंगे तो तस पाथानी पत्र की सुनवाई और

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।लेखान्दी।

न पर ११७० मुन्यमा वला के अध्योय 37 नियम 2 के अधारीन प्राप्त ललवाना मिल मुँदाँ 🗎 😈

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अत: आपको आदेश दिया जाता है कि आप दिनांक मुम्स- की या उससे पहले उपिस्थात होकर बतलायें कि प्रथिना पत्र क्यों न स्वीकार कर लिया जाय उक्त प्रार्थना पत्र की सुनवाई उसके बाद नियमानुसार विक्रिन्त किसी और दिन होगी।

विदित हो कि यदि उसर लिखो दिनांक पर या उसके पहले स्वयं अथवा किसी एडवोंकेट या ऐसे व्यक्ति द्वारा , जो अपकी ओर से कार्य करने के लिये कानूनन अधिकृत हो, उपस्थित न होंगें तो उस प्राथानी पत्र की सुनवाई और निर्णाय आपकी अनुपरिधात में हो जायेगी ।

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श्री आर० एन० त्रिवेदी के एडवोकेट

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ि उपटिश्व रिजस्टार इलाह्य बाद । लेखानलें।

सूचना इस न्यायालय की 1952 किने नियमावली के अध्याय 37 नियम 2 के अधानि प्राप्त सलवाना मिल गेंखा ।

> तलवाना पाने वाले कलर्क के हस्ताक्षर

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सन् 52. को या उससे पहले उपस्थित होकर बतलायें कि प्रार्थना पत्र कयों न स्वीकार कर लिया जाय उक्त प्रार्थना पत्र की सुनवाई उसके बाद नियमानुसार विक्रिपत किसी और दिन होगी।

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इस न्यायालय की 1952 की नियमावली के अध्याय 37 नियम 2 के प्राप्त लावाना सिल गया।

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श्री आर० एन० ित्वेदी के एउवोकेट

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डिप्टी रजिस्ट्रार इलाहाबाद क्लान्डां।

सूनना इस न्यायालय की 1952 की नियमावली के अध्याय 37 नियम 2 के अधीन प्राप्त ललवाना सिल गया।

तलवानी पाने वालें कलर्क के

दीवानी जिल्ला

चार्च जांटी दलाहाबाद

(अन्याय १२, नियम १ और ७)

प्रशिवा (मुतकारी) प्रार्थना पत्र हरं-सन् १६

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प्रत्यवादी केंट न वृति जपर लिखं प्रांधि ने इस न्यायालय में उपर्युत्त मुक्ष्में के सम्बन्ध में -नित्यं प्रार्थना पत्र दिया है अतः अपका अदंश दिया जाता है कि त्राप दिनाक शिमास -- 2 सर्वे १६ ८० काया उसपे पहले उपि एक्त होंकर बतलाय कि प्रार्थना पत्र क्या निस्वीकार कर लिया जाय उत्त प्रार्थना पत्र की सुनवाह उपके बाद नियमानुसार वि सिप्त किसी याँर दिन होगी।

विदित हो कि यदि ऊपर लिखे दिनाक पर या उपके पहले स्वयं अध्वा किपी एडवान्ट या एतं वास्त द्वांग . ज्यार

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पानेवाले जशिकारी के हस्ताजद Signature of Receiving Officer

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अत: आपको अन्देश दिया जाता है कि आप दिनांक मुम्सः — कि कि प्रार्था है सन् अप दिनांक मुम्सः — कि प्रार्थाना पत्र कयों ने स्वीकार कर लिया जाय उक्त प्रार्थाना पत्र की सुनवाई उसके बाद नियमानुसार विश्विपत किसी और दिन होंगी।

विदित हो कि यदि आर लिखो दिनांक पर या उसके पहले स्वयं अथवा किसी एडवोंकेट या. ऐसे व्यक्ति द्वारा , जो आपकी ओर से कार्य करने के लिये कानूनन अधिकृत हो, उपस्थित न होंगें तो उस प्राथानी पत्र की सुनवाई और निर्णाय आपकी अनुपस्थित में हो जायेगी ।

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श्री आर० एन० त्रिवेदी के एडवोकेट तिथा -----

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डिप्टी रजिस्ट्रार इसाहाबाद (लंडान्स)

स्ना इस न्यायालय की 1952 की नियमावली के अध्याय 37 नियम 2 के अधानि प्राप्त सलवाना मिल गया।

तल्वाना पाने वाले कलर्क है।

सूनना: - इस न्यायालय की १६५२ की नियमावली के अध्याय ३७, नियम २ के अधिन प्राप्त तल्लाना मिल गर्मा।

तल्वाना पाने वाले कर्क के हस्राज्य

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प्रार्थना पत्र और प्रार्थी दवारा दिये गर्य शमध पत्र की प्रतिलिय नेपीय में साथ लगी है।

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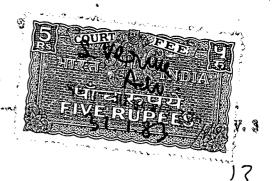
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्र इस न्यायालय की १६५२ की नियणविली के अध्याय ३७, नियम २ के अधीन प्राप्त

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VAKALATNAMA



Refere
In the Court of

HON'BLE HIGH COURT OF JUDICATURE AT ALLAHABAD, LUCKNOW BENCH, LUCKNOW WRIT PETITION NO. 153 OF 1980

SRI K.M. LAL & OTHERS

Plaintiff Defendant Claimant Appellant Petitioner

Versus

UNION OF INDIA & OTHERS

Defendant Plaintiff Respondent
OPP PARTIES

The President of India de hereby appoint and authorise Shri. SIPPHARTH, VERMA, ADVOCATE, ...

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

definitely prejudicial to the interest of the Government of India and said Pleader/Advocate of Counsel may enter into any agreement, settlement or compromise whereby the suit/appeal/proceeding is/are wholly or partly adjusted and in every such ease the said Counsel/Advocate/Pleader shall record and communicate forthwith to the said officer:

the special reasons for extering into the agreement, settlement or compromise.

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India	this th	he	UNAL	ARY. 31.,			* 1 4 1 2 1	19 83			•

ACCEPTED

(SIDDHARTH VERMÁ) ADVOCATE Designation of the Executive Officer

अपर मुख्य कामिक अधिकारी प्रधान कार्यालय, उत्तर रेलके

नयी विल्ली

N.R.-149/1-June, 1981-75,00 F.

