

Central Administrative Tribunal

Lucknow Bench

INDIA SILET

Cause Title \_\_\_\_\_ of 1983/

Name of the parties -----Applicant

Versus

-----Respondents.

Part A E C.

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Order Sheet

TA No 656/87

Office Report

This is WP No 384/80 Transferred from the High Court Lucknow Bench Lucknow.

Notices were issued fixing 3.10.88 by Regd Post. Both the Parties.

Notices has not received back after service. Expt Notice No. 33 with Remark " मकान होड कर वही चले गये है "

Submitted  
ml

3.10.88 OK.

No one appears for reports applicant. Sri K.C. Sarker requests the reports.

Sent fresh notice to the applicant as well as to the counsel fixing 15.12.88

N.V.

h  
ml

T.A-656/07 (C)

2

21/1/89

D.R

Dr. Dinesh Chandra, Adv, power  
filed on behalf of the reports.  
The case is adj. to 0-3-89 before  
D.R (J)

D.R

8-3-89 D.R

Both the parties are present.  
The case is adjourned  
to 28/3/89 for filing.

R.A

D.R

25/3/89 DR

Vakalatnama of Shri L.P Shukla Adv  
filed today on behalf of applicant.  
As the presiding officer is not present  
the case is adjourned to 24/4/89.

for  
for

BR

Counsel for applicant  
has not filed any  
rejoinder affidavit so far  
Submitted for orders.

2/4

T.A. 656/87

14.3.90

Hon. D. K. Agrawal J.M.  
Hon. K. Bangya, J.M.

Shri L. P. Shukla for applicant.  
Shri D. Chandra for respondent No. 3.  
No other respondent represented.

Arguments heard. Judgment reserved. Shri D Chandra wants to show us original records, which is not available with him, before the delivery of Judgment. The judgment will be delivered within a week.

LS

DM

DM  
J.M.

Judgment delivered on 23/3/1990

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
A L L A H A B A D

\*\*\*\*\*

CIRCUIT BENCH LUCKNOW

TA. NO. 656 / 1987 .

( W.P. No 384/80 )

DATE OF DECISION \_\_\_\_\_ .

Nankoo Singh and others PETITIONER

5

Advocate for the  
Petitioner (s) Shri L.P. Shukla .

VERSUS

Union of India & RESPONDENT  
Others

Advocate for the  
Respondent (s) Dr. Dinesh Chandra .

CORAM :

The Hon'ble Mr. D.K. Agarwal J.M.

The Hon'ble Mr. K. Oberoi A.M.

1. Whether Reporters of local papers may be allowed ✓  
to see the Judgement ?
2. To be referred to the Reporter or not ?
3. Whether their Lordships wish to see the fair  
copy of the Judgement ?
4. Whether to be circulated to other Benches ?

\*\*\*\*\*

Agarwal

AM

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD

CIRCUIT BENCH, LUCKNOW

T.A. No. 656/87

(Writ Petition No.384 of 1980)

Nankoo Singh & others ...Applicants.

versus

Union of India & others ...Respondents.

Hon. Mr. D.K.Agrawal, JUDL. MEMBER.

Hon. MR. K. Obayya, Adm. Member.

(K. Obayya, ADM. MEMBER)

Writ Petition No. 384 of 1980 filed in the High Court of Judicature at Allahabad, Lucknow Bench, Lucknow has been received in this Tribunal on transfer under section 29 of the Administrative Tribunals Act, 1985 for disposal and numbered as T.A.656/87(T), as indicated above. The petitioners, numbering 4 are employed in the Census Department and their prayer is that the final Seniority List circulated by Deputy Director of Census Operation, U.P. by letter dated 24.9.79. (Annexure 7) be quashed and a revised seniority list be prepared assigning proper seniority to the petitioners.

2. The petitioners were appointed as Computers in the Census Department during the year 1970. There were five Census cells, each under the Administrative Control of a Deputy Director, Census Operation. These cells were located at Lucknow, Meerut, Varanasi, Kanpur and Gorakhpur. According to the petitioners, there was a seniority list of Computers

P

separately for each cell. Subsequently, the census cells functioning at Varanasi, Gorakhpur and Meerut were closed and staff working in these units was transferred to Lucknow and Kanpur. After the merger of these cells, a combined seniority list was prepared in 1975 and the petitioners allege that this was not notified. The final seniority list was, however, circulated by letter dated 24.9.1979 of the Director, Census Operations, U.P., Lucknow indicating the seniority position of the Computers as on 1.10.1978. Aggrieved by this, the petitioners submitted representations to the authorities, which was rejected.

3. In the counter affidavit filed by the respondents, it is denied that there was a separate list for each cell. According to them, it was only a gradation list for facility of reference in establishment work and such list was not notified. However, they agreed that the combined seniority list indicating tentative seniority position of Computers, as on 1.1.1975 was drawn up and circulated among the staff members and objections were also invited. The objections received were considered and settled. The petitioners have not made any representation against this list. The final list could not be notified at that time as one of the Computers, namely Shri R.K.Verma filed Writ Petition in the High Court at Allahabad and obtained Stay. The Writ Petition was finally dismissed in the year 1982. Thereafter, the seniority list as on 1.10.1978 was notified and this list is the same as the tentative list circulated on 1.1.1975. The respondents further contend that the integrated seniority list was prepared following principles laid down by the Deputy

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Registrar General (Census) in his letter dated February 10, 1975 (Annexure 4).

4. We have heard the learned counsel for the parties and also seen the record. The learned counsel for the applicant assailed the seniority list on the ground that no uniform criteria has been followed in drawing up the seniority list, and that date of appointment has been followed as the criteria in fixing the seniority of candidates from 1 to 34 and 66 onwards. In between candidates selected on the basis of merit list A.B.C. figure. We have called for the relevant record and verified how this merit list was prepared. From the record it is seen that the interviews were held in the month of September, 1970 and based on their qualifications and performance at the interview the candidates were graded as ABC. There appears to be nothing wrong in such gradation. Since the number of vacancies was more, to absorb all the candidates in the merit list, it is not known why this merit position was not indicated while issuing the appointment orders. In as much as, the merit list does not reflect <sup>in the order of</sup> any appointment orders issued. Further, if there was gradation list prepared for each cell, why that gradation list was disturbed while drawing up a combined seniority list of different units, after their merger into two surviving units e.g. Lucknow and Kanpur. The principle laid down indicates that the criteria to be followed in the matter of interse seniority of Computers is (1) the date on which they were appointed/promoted to the grade and (2) in respect of such officials who had been appointed/promoted as a result of selection by a Board from lower grade or as a result of direct recruitment from Employment Exchange the interse position

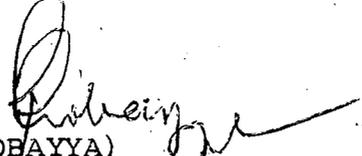
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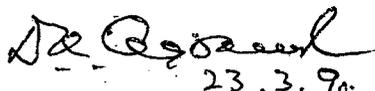
will be indicated by selection board or Recruitment Board. The record shows no such interse position was indicated by any Board.

5. Having regard to the facts and circumstances of the case, we are of the view that the final Seniority List of Computers circulated as on 24.9.1979 (Annexure-7) does not follow the uniform criteria and also the rationale for following different criteria has also not been explained in as much as the merit list A, B and C was only for the purpose of selection for appointment to the post which fact is confirmed by the fact that in issuing the appointment letters this list was not followed. We consider that in the interest of Justice this list cannot be sustained and as such it is quashed.

6. In the counter ( para 13) the respondents have mentioned that the petitioners have not exhausted available channels for redressal of their grievance by a representation. We direct that interse seniority of computers be drawn in consultation with the Registrar General of India (Respondent No.2) taking into consideration the representation of the petitioners which were rejected earlier in reference No. AE/11-1/78/DCG-UP/A-3001 dated 24.9.1979 and also Annexure-5 in conformity with the seniority rules, by a speaking order meeting the points raised ~~raised~~ in the representation of the petitioner.

7. The T.A./Writ Petition is disposed of as above.  
No order as to costs.

  
(K. OBAYYA)  
ADM. MEMBER

  
23.3.90  
(D.K. AGRAWAL)  
JUDL. MEMBER

Dated March 23/1990

~~CIVIL~~ SIDE  
CRIMINAL

GENERAL INDEX

(Chapter XLI, Rules 2, 9 and 15)

Nature and number of case CO 1. 384-80

Name of parties \_\_\_\_\_

Date of institution \_\_\_\_\_

Date of decision \_\_\_\_\_

File no.	Serial no. of paper	Description of paper	Number of sheets	Court-fee		Date of admission of paper to record	Condition of document	Remarks including date of destruction of paper, if any
				Number of stamps	Value			
1	2	3	4	5	6	7	8	9
					Rs.	P.		
A	1	General Index	1	-	-	-		
A	2	<del>General Index</del>	1	-	-	-		
A	5	visit with Affidavit and Annexures	37	11	102.00			
B	1	W.P. cases	1	2	05.00			
	5	cmh. 1155 (w)-80	1-		5.00			
	6	Amend W.D.	38					
	7	Cont 3471 (w)-80	2-		5.00			
	8	cmh. 1925 (w) 887 with e.A.	11-		7.00			
	9	order 822	4-					
	10	hand copy						

I have this \_\_\_\_\_ day of \_\_\_\_\_ 197 , 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.

Clerk.

Date \_\_\_\_\_

1346

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

Writ Petition No. 384 of 1980

Nankoo Singh and others Petitioners

versus

Union of India and others Opp-parties

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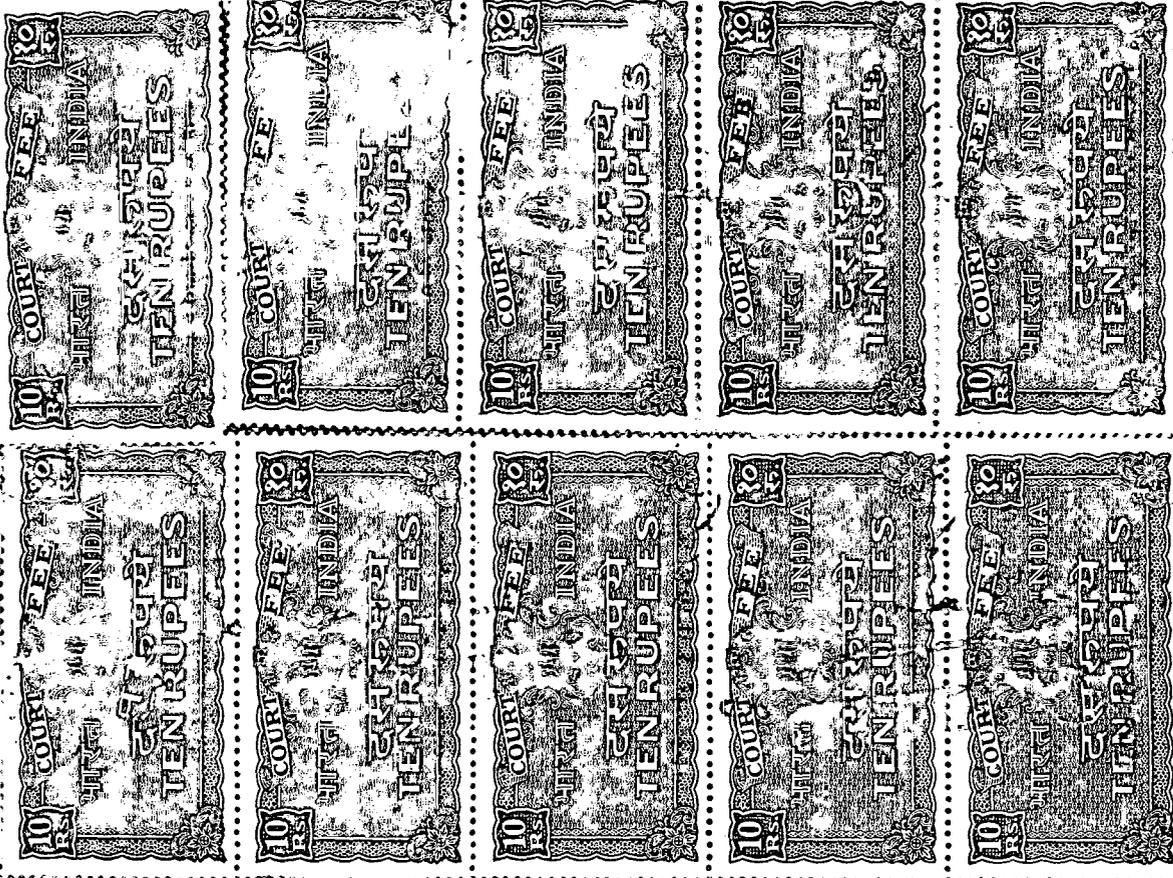
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*B. C. Saxena*

(B. C. Saxena)  
Advocate

(C)

710



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

3 loc for 1000  
10/10/80

Petition under Article 226 of the Constitution  
of India

Writ Petition No. 384 of 1980



1. Nankoo Singh, aged about 31 years, son of Sri Sheo Shanker Singh, care of Tika Ram, Mahton, Darshanganj Aliganj, Lucknow
2. Anadi Asthana, aged about 30 years, son of Sri R.C. Asthana, Ram Mandir Lane, Husainganj, Lucknow.
3. Sri Ram Duba, aged about 29 years, son of Sri Thakur Prasad Dube, resident of 533/49, Mahabir Ji Ka Purwa, Aliganj, Lucknow
4. Raman Lal, aged about 33 years, son of Sri Raja Ram, resident of 68/232, Chhitapur Pajawa, Lucknow

Petitioners

versus

1. The Union of India through the Secretary, Ministry of Home Affairs, Government of India, New Delhi

7/10/80

2. The Registrar General, India, 2/A, Man Singh Road,  
New Delhi
3. The Director of Census Operations, U.P., 6 Park  
Road, Lucknow
4. Mirza Khurram
5. Vinlesh Kumar Srivastava
6. Kamal Deo Pandey
7. Anil Saxena
8. Balbir Singh
9. Laxmi Kant Asthana
10. Karam Husain
11. Shyamal Kumar Banerjee
12. Abdul Rafiq
13. Nirmal Singh
14. Smt. Ranjana Chadha
15. Dinesh Narain Saxena
16. Satya Narain Agarwal
17. Vijai Kumar Tewari
18. Udit Gopal Jhingran
19. Sudhir Chandra
20. Tika Ram Deorari
21. Ram Lakhan Yadav
22. Vinod Kumar Agarwal
23. Mahesh Chandra Shukla
24. ~~Sri Ram Dubey~~
25. Surya Narain
26. Jivan Chandra Joshi
27. Brajesh Kumar Srivastava
28. Prem Kumar Pathak
29. Ajai Awasthi



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order dt  
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- 30. Devendra Isac Lyall
- 31. Krishna Gopal Awasthi
- 32. Satish Chandra Gupta
- 33. Raghuraj Singh
- 34. Subhas Chandra Verma
- 35. Jai Jai Ram Jatava

All working as Computers. <sup>e/o</sup> The Director Census  
Operations, U.P. 6 Park Road Lucknow.

Opp-parties

This humble petition on behalf of the petitioners  
above-named most respectfully showeth:-

1. That the petitioners were initially appointed  
as Computers in the office of the Deputy Director,  
Census Operations Incharge Coding and Punching Cells,  
Gorakhpur, Kampur and Varanasi. Petitioners 2 and 4  
were appointed by means of office order no.A-16786/  
SCO-UP/69-68 dated 28.12.1970 while petitioner no.3  
was appointed by means of office order no.540/SCO-UP/  
69-68 dated 15.1.1971. True copies of the aforesaid  
office orders are being annexed as Annexures nos. 1 and  
2 to this petition.

2. That the petitioners dates of joining the post of  
Computer is as indicated hereinbelow along the  
Coding and Punching Cell where they had joined:-

Name of the petitioner	Date of joining	Name of Coding and Punching cell where joined
1. Nankoo Singh	23.11.1970	Varanasi



*Handwritten note:* A Memo

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3/11/78

Name of the petitioner	Date of joining	Name of Coding and punching cell where joined
2. Anadi Asthana	16.11.1970	Kanpur
3. Sri Ram Duba	19.11.1970	Gorakhpur
4. Raman Lal	20.11.1970	Kanpur

3. That there were five Coding and Punching Cells located at Kanpur, Gorakhpur, Varanasi, Meerut and Lucknow. Prior to the issuance of letter dated 10.2.1975 reference to which will be made hereinafter. Each of the five Coding and Punching Cells was treated as a separate seniority unit and seniority lists of each of the said five Coding and Punching cells were notified in March 1973 and May 1973. The said seniority lists were drawn up on the basis of the respective dates of joining of each of the computers whose names were indicated therein.



4. That a provisional seniority list of employees serving in the various grades/posts in the ~~Directorate~~ <sup>Department</sup> office of the Director of Census Operations, U.P., as on 1.10.1978 was circulated by means of letter no. AE-11-1/78/DCO-UP/A-~~307~~ dated 24.9.1979. A true copy of the said circular letter is being annexed as Annexure no.3 to this petition. The provisional seniority list annexed thereto is not being annexed. The final seniority list which is wholly identical with the provisional seniority list is being enclosed hereafter.

Asthana

5. That prior to the issuance of the letter dated 10.2.1975 the five ~~BU~~ Coding and Punching Cells

ATM 3/9

were treated as separate seniority units and separate seniority lists were prepared for each of the Coding and Punching Cells whereas a separate seniority list was drawn up for Headquarters office. By the time the said letter dated 10.2.1975 was issued out of the five Coding and Punching Cells only two remained extant viz., those at Lucknow and Kanpur. The staff initially recruited for the other three Coding and Punching Cells located at Varanasi, Meerut and Gorakhpur were transferred to the Coding and Punching Cells which were functioning at Lucknow and Kanpur. The petitioners were similarly transferred.

6. That it appears that a decision was taken to combine the seniority of staff working at Headquarters office and those working at Coding and Punching Cells at Kanpur and Lucknow and a combined seniority list of each grade/post was required to be drawn up for which certain general principles had been decided upon and were contained in letter bearing no. A-791/SCO-UP dated 20.2.1975 issued from the office of the Director, Census Operations, U.P. under the signature of the then Deputy Director, Census Operations, U.P. A combined tentative seniority list was also circulated along with the said letter. The said tentative list was however, not finalised. A true copy of the said letter dated 10.2.1975 is being annexed as Annexure no.4 to this petition.

7. That against the provisional seniority list circulated by letter dated 24.10.1978 the petitioners



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individually preferred representations against the same . With a view to bring on record the facts stated and the pleas raised by the petitioners in t said representations a true copy of one of such representations preferred by petitioner no.2 is being annexed as Annexure no.5 to this petition.

8. That the representations preferred by the petitioners were rejected by means of office memo. no.AE/11-1/78/DCO-IP/A-3001 dated 24.9.1979. Therejection of the representation was communicate to each of the petitioners separately. In the last number of the file indicated above there is a change but the contents of the office memo. communicated to the petitioners is wholly identical. A true copy of one of such memos. relating to petitioner no.3 is being annexed as Annexure no.6 to this petition.



9. That by means of memo. no. AE-11-1/78/DCO-IP /A-3017 dated 24.9.1979 a final seniority list of the grade of computers as on 1.10.1978 was circulated. Copy of the said letter along with the seniority list as enclosed thereto is being annexed as Annexure no. 7 to this petition. A perusal of the final seniority list would show the the names of persons from serial 1 to 34 have been indicated in the order of date of appointment in t grade as given in column 6 thereof. It is stated that the said date of appointment is the same as the date of joining by the said persons onthe post of Computer. Against the petitioners names also

At home

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in column 6 their dates of joining as computers have been indicated . A perusal of the said seniority list would further show that the seniority to persons from 25 to 65 has been assigned on the basis of their position in the alleged merit list said to have been drawn up on 8.11.1970. Further the seniority of persons from 66 to 111 has been assigned on the basis of the date of joining which is the same as the date of appointment in the grade.

10. That in the said final seniority list persons from serials 1 to 22 and 35 to 40 belong to the Headquarters office while others belong to the Coding and Punching Cells.

11. That a perusal of the final seniority list would show that even the order indicated in the appointment letters filed as annexures 1 and 2 has not been adhered to while indicating the position in the merit list of the persons whose names are in the said office orders, annexures 1 and 2.

12. That on the basis of the inter se seniority assigned in the final seniority list circulated by means of letter dated 24.9.1979 orders for confirmation have also been issued and they are contained in the order bearing no. AE/308-71/DCO-UP/A-3050 dated 4.10.1979 and have been issued from the office of opposite-party no.3. A copy of the said order dated 4.10.1979 is being annexed as Annexure no.8



Attans

to this petition.

13. That aggrieved by the assignment of seniority in the final seniority list as also in the confirmation order and having no other equally effective and speedy alternative remedy the petitioners seek to prefer this petition and set forth the following, amongst others,

GROUNDS:

(a) Because the combined seniority list of staff which was hitherto treated as a separate seniority unit has not been drawn up on one single uniform criteria applicable to each of the persons whose names are given in the seniority list.

(b) Because inasmuch as in respect of considerable number of persons in the combined seniority list assignment of seniority has been on the basis of their date of joining/ date of appointment in the grade, the assignment of seniority to a few in the said combined seniority list on the basis of merit position is wholly unwarranted and offends the provisions of Articles 14 and 16 of the Constitution of India and amounts to denial of equal opportunity in the matter of conditions of service.

(c) Because the uniform principle of date of joining as the sole criteria for assignment of seniority should have been adopted especially if it was that merit test had not been conducted in respect of

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innumerable persons who have been assigned seniority in the combined list.

(d) Because without prejudice to the above pleas even the so-called merit position indicated in the combined seniority list is highly suspect and deserves to be ignored.

Wherefore, it is respectfully prayed that this Hon'ble Court be pleased:

(i) to issue a writ of certiorari or a writ, order or direction in the nature of certiorari to quash the final seniority list circulated by letter dated 24.9.1979 contained in annexure no. 7 and the office memo. dated 24.9.1979 (annexure no. 6) rejecting the petitioners representations against the same.

(ii) to issue a writ of mandamus or a writ, order or direction in the nature of mandamus commanding opposite-parties nos. 1 to 3 to issue a fresh seniority list of computers in the light of the judgment and observations of this Hon'ble Court.

(iii) to issue a writ of mandamus or a writ, order direction in the nature of mandamus commanding opposite-parties nos. 1 to 3 to suitably modify the order for confirmation dated 4.10.1979 and re-assign the place in the said list in accordance with the revised seniority list.

Doc

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(iv) to issue such other writ, direction or order, including an order as to costs which in the circumstances of the case this Hon'ble Court may deem just and proper.

*There is no defect in the above writ petition.*



(B.C. Saksena)  
Advocate

Counsel for petitioners

Dated Lucknow

28.1.1980

18.2.

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11/1/80

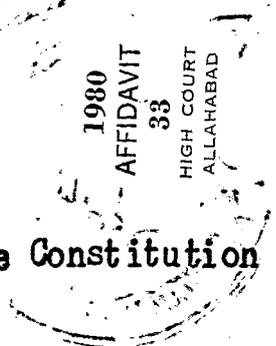
In the Hon'ble High Court of Judicature at Allahabad,  
(Lucknow Bench), Lucknow



--  
Affidavit

in

Petition under Article 226 of the Constitution  
of India



--  
Writ Petition No. of 1980

Nankoo Singh and others

--Petitioners

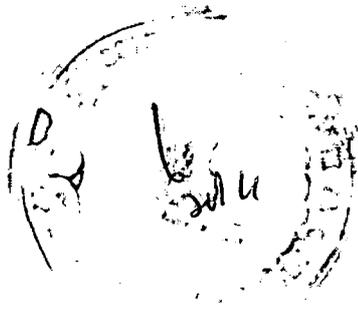
versus

Union of India and others

--Opp-parties

--

I, Anadi Asthana, aged about 30 years, son of  
Sri R.C. Asthana, <sup>R/o</sup> Ram Mandir Lane, Husainganj, Lucknow.  
do hereby solemnly take oath and affirm as under:-



1. That I am the petitioner no.2 in the above-noted  
writ petition and I am fully acquainted with the  
facts of the case.

2. That the contents of paras 1 to 12 of the  
accompanying petition are true to my own knowledge.

3. That annexures 1 to 6 have been compared and  
are certified to be true copies.

Dated Lucknow  
28.1.1980

*Anadi*  
Deponent

-2-

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

Dated Lucknow

*Deponent*  
Deponent

28.1.1980

I identify the deponent who has signed in my presence.

*Primalao*  
(Clerk to Sri B.C. Saksena)  
Advocate

Solemnly affirmed before me on 20.1.80 at 9.28 a.m/p.m by *And Anand Arthay* the deponent who is identified by Sri *G.S. D.* Clerk to Sri *B.C. Saksena* Advocate, High Court, Allahabad. I have satisfied myself by examining the deponent that he understands the contents of the affidavit which has been read out and explained by me.

*6/1/80*  
Oath Commissioner  
High Court, Allahabad  
Ludhiana Bench  
No 133-80  
20.1.80



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

Writ Petition No. \_\_\_\_\_ of 1980  
Nankoo Singh and others.....Petitioners.  
Versus  
Union of India and others.....Opposite-Parties.

Annexure No. 1

No.491/DBK(CFC)/T/71 Dated 14.1.1971.

No. A-16786/SC O-UP/69-68

Government of India  
Ministry of Home Affairs

Office of the Director of Census Operations, Uttar Pradesh, 85, Vidhan Sabha Marg.

Dated Lucknow Dec. 28, 1970.

Office Order

The following candidates are appointed as Computers in the central scale of Rs.150-5-160-8-240-EB-8-280-10-300 (together with dearness and other allowances at the rates admissible and subject to the conditions laid down in rules and orders governing the grant of such allowances in force from time to time) purely on temporary basis with effect from the dates shown below against their names untill further orders in the office of the Deputy Director of Census Operations, I/C Coding and Punching Cell, Kanpur.



At home

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3/15/70

S. No.	Name of the Candidates	Date of joining
1.	Shri Ajai Awasthi	Nov. 20, 1970 (F.N.)
2.	Shri Vijay Pratap Singh	Nov. 20, 1970 (F.N.)
3.	Shri Raman Lal	Nov. 20, 1970 (F.N.)
4.	Shri Krishna Gopal Awasthi	Nov. 21, 1970 (F.N.)
5.	Shri Prem Kumar Pathak	Nov. 21, 1970 (F.N.)
6.	Shri Rudra Narain Misra	Nov. 24, 1970 (F.N.)
7.	Shri Brijesh Kumar Srivastava	Nov. 24, 1970 (F.N.)
8.	Shri Hari Shabkar Pandey	Nov. 24, 1970 (F.N.)
9.	Shri Davendra Issac Lyall	Nov. 23, 1970 (F.N.)
10.	Shri Surya Narain	Nov. 26, 1970 (F.N.)
11.	Shri Jeevan Chandra Joshi	Nov. 26, 1970 (F.N.)

Other terms and conditions of their service will be governed by the rules and orders in force from time to time.

Sd/-(D.M.Sinha)  
Director.

No. 16786(i)/SCO-UP/69-68 of date.

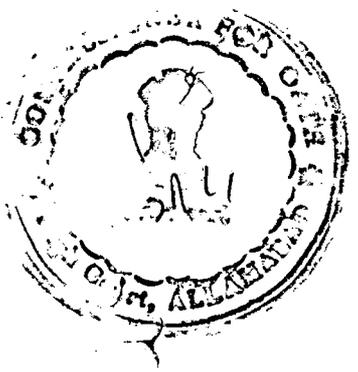
Copy forwarded for information and necessary action to the:-

1. The Deputy Director of Census Operations, I/C Coding and Punching Cell, Kanpur with reference to his letter No. 337/DDK(CFC)/T/70, dated Dec. 2, 1970 with one spare & copy for Treasury Officer.
2. Accountant of this office.
3. Official concerned.
4. Staff return file.
5. Personal file.

Sd/-Illegible  
(Mohd. F. Khan)  
Deputy Director.

TRUE COPY

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

Writ Petition No. \_\_\_\_\_ of 1980

Nankoo Singh and others.....Petitioners.

Versus

Union of India and others.....Opposite-Parties.

Annexure No. 2

No. A-540/SC0-UP/69-68

Government of India  
Ministry of Home Affairs

Office of the Director of Census Operations, U.P.

85, Vidhan Sabha Marg.

Dated: Lucknow Jan. 15, 1971.

Office Order

The following candidates are appointed as  
Computers in the central scale of Rs.150-5-160-8-240-  
2B-8-280-10-300 (together with dearness and other  
allowances at the rates admissible and subject to the  
conditions laid down in rules and orders governing the  
grant of such allowances in force from time to time)  
purely on temporary basis with effect from the dates  
shown below against their names until further orders  
in the office of the Deputy Director of Census Opera-  
tions, I/C Coding and Punching Cell, Gorakhpur.



S. No.	Names of the candidates	Date of joining
1.	Shri Vinod Kumar Agarwal	No.24, 1970 (F.No.)
2.	Shri Sri Ram Dubey	Nov.19, 1970 (F.No.)
3.	Shri Shesh Nath	Nov.25, 1970 (F.No.)
4.	Shri Mahesh Chandra Shukla	Nov.21, 1970 (F.No.)
5.	Shri Niwas Rai	Dec.8, 1970 (F.No.)
6.	Shri Prem Shanker Pandey	Dec.16, 1980 (F.No.)

*Handwritten signature/initials*

Other terms and conditions of their service will be governed by the rules and orders in force from time to time.

D.M. Sinha  
Director.

No. A-540(1)/SC0-UP/69-68, of date.

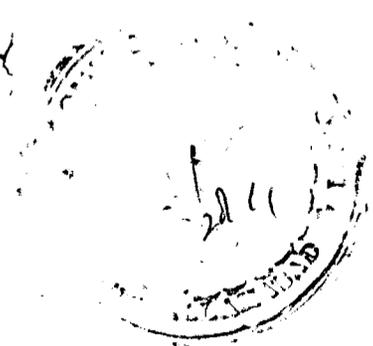
Copy forwarded, for information and necessary action, to the:-

1. Deputy Director of Census Operations, I/C Coding and Punching Cell, Gorakhpur with reference to his letter No. 465/DDC/GKF dated Dec. 28, 1970 with one spare copy for the Treasury Officer.
2. Accountant of this office.
3. Officials concerned.
4. Staff return file.
5. Personal file.

Sd. Illegible  
(Mohd. F.A. Khan)  
Deputy Director of Census Operations,  
Uttar Pradesh.

TRUE COPY

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A26

3/28/78

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

--

Writ Petition No. of 1980

Nankoo Singh and others --Petitioners

versus

Union of India and others --Opp-parties

Annexure no.3

No.AE258B/78/DCO-UP

Government of India  
Ministry of Home Affairs

Office of the Director of Census Operations, U.P.

(Administrative Section).

6, Park Road, Lucknow  
Dated October 24, 1978

Circular

Subject: Provisional seniority lists of employees serving in the various grades/posts in the Directorate of Census Operations, Uttar Pradesh.



11/10/78

The provisional seniority lists of officials working in the various grades/posts of TO/STA/SA/Computer/ Assistant Compiler in the Directorate of Census operations, U.P. as on 1.10.1978 are enclosed. The names of officials who have served in grade/post but have not been appointed substantively therein and promoted to higher grade(s) have been shown in the provisional seniority lists for the respective grades. The aforesaid provisional seniority lists have been drawn up in accordance with the general principles for determining seniority laid down by the Govt. of India and in consultation with the office of the

-2-

Registrar General, India. It is requested that each and every official concerned may verify the correctness of the particulars given therein. In case there is any factual discrepancy(ies) the same may be brought to the notice of the undersigned within three weeks of the date of issue of this circular. In case no such factual discrepancy(ies) is/are pointed out during the stipulated period i.e. by November 18, 1978 the provisional seniority lists shall be treated as final.

Sd. S.S.S. Jaiswal  
Deputy Director  
(Head of Office.)

No. AE (i)/78/DCO-UP/ of date

copy to:-

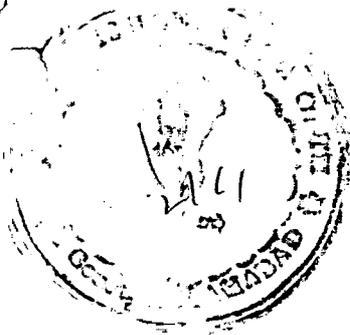
1. The Deputy Director Technical
2. All Assistant Director (Technical) with ten spare copies each. It is requested that these provisional seniority lists may be brought to the notice of the members of staff working under them.
3. The Deputy Registrar General, India (Census) for kind information.

Sd. Illegible

Deputy Director  
Head of Office

T.C.

B/hand



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

---

Writ Petition No. of 1980

Nankoo Singh and others -Petitioners

versus

Union of India and others -Opp-parties

Annexure no.4

Government of India  
Ministry of Home Affairs  
Office of the Director of Census Operations  
Uttar Pradesh

6, Park Road, Lucknow

Dated February 10, 1975

During the last visit on 20th and 21st January, 1975  
of the Deputy Registrar General (Census) had discussed  
the principles for drawing up the combined seniority  
lists relating to the headquarters staff, the Coding and  
Punching Cells, Lucknow and Kanpur. The principles which  
have been laid down by him for the purpose are as  
under:-

1. The position of all the employees of the  
office of the Director of Census Operations-  
headquarters- Coding and Punching Cells, Lucknow  
and Kanpur as on 1st January 1975 will be taken into  
account and a combined seniority list as on 1.1.1975  
will be drawn up based on the position occupied by each  
employee on that date.

2. For each grade/designation separate seniority list  
will be drawn.

3. In each list of a particular grade, officials



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working in the headquarters, Coding and Punching Cells at Lucknow and Kampur will find their position. The inter se seniority amongst them will be fixed taking into account :-

(i) The date on which each of them was appointed/promoted to the grade.

(ii) In respect of such officials who had been appointed/promoted as a result of selection by a Board from the lower grade or as a result of direct recruitment through the Employment Exchange the inter se position will be as indicated by the Selection Board/Recruitment Board.

(iii) Some of the officials who had earlier been working in the Coding and Punching Cells/Regional Tabulation Offices, had resigned their jobs but were immediately appointed without any break to the headquarters office some in higher grades, some in the same grades and some in the lower grades. In respect of the officials who had been appointed in the same grade for the purpose of fixing the inter se seniority, the service put in by each of them in that grade in the Coding and Punching Cell/Regional Tabulation Office will be taken into account; similarly in respect of those officials who had been appointed in the lower grade, the service put in by each of them in the higher grade as well as in the same grade in the Coding and Punching Cell/Regional Tabulation Office will be taken into account for fixing the inter se seniority..



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On the basis of the above principles a combined seniority list for the grade of computers has been drawn up and is circulated to the staff of the headquarters office, Coding and Punching Cells, Lucknow and Kanpur. It is requested that each and every official concerned of the grade may kindly be verify the correctness of the particulars given therein and ensure that the seniority indicated to him/her is correct. In case there is some factual discrepancy or the seniority has not been shown correctly taking into account the principles laid down, he/she may kindly submit his representation in duplicate by 15.2.1975. The representations will be considered and thereafter final seniority lists will be drawn up and published.

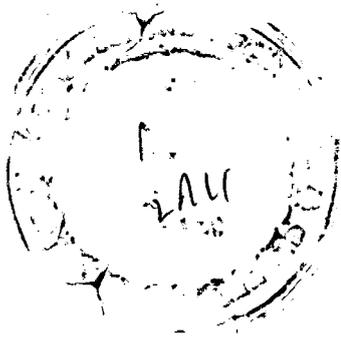
Sd. R.N.Trivedi  
Deputy Director of Census operations,  
U.P.

No. A-791(i)/SCO-UP of date

Copy forwarded for information and necessary action to:-

1. Dy. Director, State Tabulation Unit, Lucknow
2. Dy. Director, U.P.Cell, Kanpur
3. Deputy Director, C.P.Cell, Lucknow
4. Deputy Director (P) /Deputy Director (T)

The Dy. Director concerned may please hand over a copy of the seniority list to the official concerned and obtain his signatures for having received a copy. He may also verify the correctness of the details shown in the tentative seniority list and in case there be any discrepancy it may be reported to this office.



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It may also be ensured that the names of each official of the cadre has been covered by the list. If any official has remained excluded from the list, his particulars may be sent to this office at once.

The officials may be asked to send the representation, if any, against the place of seniority assigned to them in duplicate within the specified time and the same may be forwarded to this office with comments indicating factual position for further action by 16.2.1975.

5. Copy also forwarded to the General Secretary of the Census Directorate Employees Association.

Sd. R.N. Trivedi  
(Deputy Director

T.C.

*Thero*



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

Writ Petition No. \_\_\_\_\_ of 1980

Nankoo Singh and others.....Petitioners.

Versus

Union of India and others.....Opposite-Parties.

Annexure No. 5

To

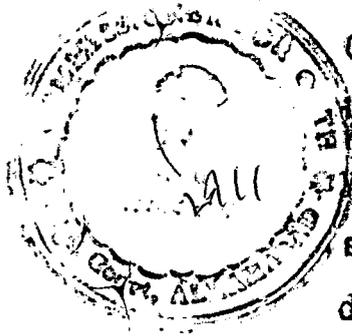
The Deputy Director (H.Gr.),  
Census Operations, U.P.,  
Lucknow.

Sir,

Subject:-Representation against Tentative Seniority List of Computers.

Respectfully I beg to invite your kind attention to the letter No. AE-2578/78/DCO-U.P./, dated 24th October 1978 Provisional Seniority list of "Computers" in the Census Directorate, U.P. at Lucknow I brought to your notice some facts about discrepancies in this seniority list according to General Principles for determination of seniority in the Central Government Offices.

1. Serial Nos. 13, 23, 25, 26 and 28th of this list were initially appointed as 'Statistical Assistants' from 14.10.1971, 1.1.1972, 1.9.1971, 18.5.1971 and 1.1.1972 respectively and they all tendered their resignations from the post of Computer and they all are regular and declared quasi Permanent on their intial post, i.e., Statistical Assistant. Then according to



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C.C.S. General Rule 6 for the seniority<sup>which</sup>/is as follows:-

"The period of service rendered on the post from which the person concerned have resigned has not been taken in-to account while provisionally determining their tentative seniority in the tentative seniority list of the posts to which they now belong."

Therefore S.No. 13, 23, 25, 26 and 28 have not any lien for confirmation on the post of Computer. They claim for confirmation only in the cadre of S.A. which they now belong.

S.No.32, 33 and 34 are placed senior to the official who were appointed by H.Qr. and posted at H.Qr. and all regional offices, who fail falls under the Lists 'A', 'B' & 'C' were selected by the penal which declared the merit list on 8.11.1970. After declaring this merit by the penal of H.Qr. all appointments made by the I/C. of Regional Offices are placed junior to all those who selected by the penal if there is actually any merit list.

In the merit list who was joined even on 1.12.1970 senior to those who joined on 1.12.1970. Then how those who join even after 16.11.1970 i.e. at S.No. 34 who joined on 18.11.1970 is treated senior to all the merit holders. It is not justified to place them above in seniority list to those candidates who joined even after the declaration of the merit list.

Serial No. 34 of the aforesaid list and S.No.23 of No.A-791/SCQ-UP, dated 10.2.1975 are same but in this list date of joining is shown as 18.11.1970 while in the list of 1975, the date of joining of the service



*Handwritten signature or initials*

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this of/~~xxxx~~ candidate aforesaid is shown as 12.11.1970. It appears that the date of joining of S.No.34 was corrected accordingly from his service records but his seniority has not been corrected. In the present circumstances of the matter S.No.34 must have been placed at S.No.65 below the merit list holders S.No.66 was also selected of the same penal, by which S.Nos. 32, 33, 34 were selected by the Dy. Director, I/C C.P. Cells, Varanasi later on approved by DSO, U.P. He topped the merit list prepared by Deputy Director/ I/C. CFC. Varanasi, but resumed on 23.11.1970.

According to the rules candidates who were selected by a penal or Board are always senior to other directly recruited candidates.

The candidates shown at S.No.32, 33, & 34 of this list must have been shown at 63, 64 & 65 of the list as per rule of aforesaid.



I was selected along with other candidates for the post of computer as a result of Interview held in Sep.1970. Neither written test was held nor the result of successful candidates was declared as a result of their interview-- showing their merit.

I was offered appointment, consequently I joined on 16.11.1970 in Coding and Punching Cell, Kanpur.

*Alwa*

At that time there were five C.P. Cells, i.e., Lucknow, Kanpur, Meerut, Gorakhpur and Varanasi each separate entity under census directorate, but vital section is part of Directorate along with S.T.U.

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We were placed in different sections under the Directorate and some in vital sections i.e. Part of the Directorate, while others were posted in all the five Coding and Punching Cells without framing any criteria or willingness for the posting even it was not clear at that time, that vital sections was a part of the directorate and C.P.Cells were under the Census directorate.

When the seniority list of the Directorate employees was declared vide letter No. A/3627/SC O-UP/1008/72 dated 8.12.72 then only S.T.U., V.S. and H.Qr. staff were included. Seniority lists of C.P.Cell was prepared separately in form of Register and acknowledged by the staff working with each unit that was prepared according to Gen. rules. But when according to the order of the Ex. D.R.O.(C) Combine seniority of staff working in the Directorate either parts of it or under this Directorate, was prepared on the ground of Gen. Principles for fixation of seniority on 1.1.1975. Actually principles were not followed because when merger takes place then only date of joining was criteria for preparing Inter-se-seniority of each separate entity i.e. C.P.Cells and H.Qr. along with S.T.U. & V.S. When authorities know very well that prior to 1.1.1975 each C.P.Cells was separate entity under the directorate then question does not arise for preparing a combined merit list at the time of computers interview at H.Qr. in Nov. 1970. It also witness by the fixation of salary according to revised scale from 1.1.73 each C.P. Cell was taken separately for fixation.....also upto 1.1.75.

\*sic

*Handwritten signature/initials*

It was not clear that when Inter-se-Seniority of

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3/20/78

C.P.Cells and H.Gr. was revised under the directives of Now D.R.G.(C) then why baseless Merit-list was not Eliminated for preparing inter-se-seniority of C.P.Cells & H.Gr. cobins by the date of joining, which was the only criteria for preparation of Inter-se-seniority according to rules not to be changed by any body.

I was placed at S.No. 53 in the seniority list through the other candidates placed between S.No.34 to 52 are juniors to me, except the candidates placed at S.No. 37 as I and the candidate placed at S.No. 2 37 joined on the same date 16.11.1970 while the others joined after 16.11.1970 in different sections of the Directorates as per rules of the Gen. Principles i.e. length of service, was the basic and any criteria for preparation of seniority of Central Govt. Employees.

In preparing the seniority list of the Directly recruited computers different principles were adopted for one cadre. From 20-34 are shown from the date of joining & 35 to 65 from the A.B.C. merit list & 66 to onwards from the date of joining, but according to rules only one basis criteria can be adopted for one cadre they may arrange all candidates who were directly recruited by merit, which prepared at the time of interview. When merit list of all directly recruited computer was not there then only date of joining was the main criteria by which seniority can be prepared so that no one may suffer due to this major deficiency.



A/Leva

It would not be out of place to mention that some ad-hoc promotions were made for six months on 20.7.1970, who were regularised vide order No. AB-2406/DCO-UP/77-67 dated 30 Sept, 1978, direct recruits were placed junior

to the officials who were promoted on ad-hoc basis, although they should not have been done according to rules. In the alternative a separate list of seniority should be maintained of direct recruits to avoid any discrimination but the same has not been done in the instant case of seniority list declared by the department. Gen. & Principle 6 of Art. 25 page 52 of C.S.R. Vol-I also ensharind the rule.

I hope that after review of the above mentioned facts which were according to Gen. Principles for Fixation of seniority of Central Government Employees. You must oblige me to give necessary changes in the tentative seniority lists.

Waiting for your favourable and sympathetic consideration.

Yours faithfully,

A. Ashthana  
(Anadi Ashthana)  
Computer.

TRUE COPY

*Ashana*



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A38

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

Writ Petition No. of 1980  
Nankoo Singh and others --Petitioners  
versus  
Union of India and others --Opp-parties

Annexure no. 6

No. AE/11-1/78/DCO-UP/A-3001

Government of India  
Ministry of Home Affairs

Office of the Director of Census Operations, U.P.  
(Administrative Section)

6, Park Road, Lucknow  
Dated September 24, 1979

OFFICE MEMORANDUM

With reference to his representation dated 9.11.1978 regarding provisional seniority list of the grade of computer, Shri Shri Ram Dubey, Computer is hereby informed that the merit list A, B and C prepared as a result of selection centrally held at the headquarters office of the Directorate by the competent authority, are valid merit lists. There is therefore, no question of re-arranging seniority of officials with reference to their date of joining.

His representation is accordingly rejected.

Sd. Ravindra Gupta  
Director

shri Shri Ram Dubey,  
Computer through the  
Assistant Director, I/C.

T.C.

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In the Honble High Court of Judicature at Allahabad  
Sitting at Lucknow. A 3<sup>rd</sup> 30

Writ Petition no. of 1980.

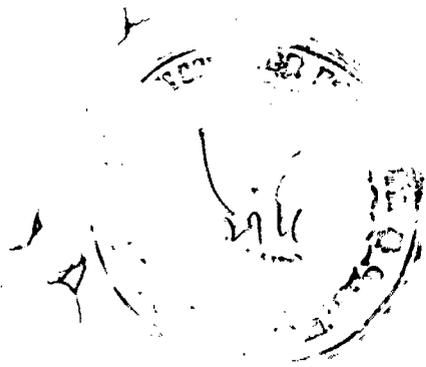
2/11/80

Nankoo Singh Lokhera . . . . . Petitioner

vs

Union of India Lokhera . . . . . Opp. Parties

ANNEXURE NO. 7.



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Am 7.

(Am)

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NO. AE-11-1/78/DCO-UP/A-3017

Government of India  
Ministry of Home Affairs  
Office of the Director of Census Operations, U.P.  
(ADMINISTRATIVE SECTION)

6, Park Road, Lucknow

Dated: September 24, 1979.

MEMORANDUM

The Final Seniority List of the Grade of Computer as on 1st October, 1978 is circulated for information of all concerned.

*[Signature]*

( RAVINDRA GUPTA )  
DIRECTOR

No. AE/11-1/78/DCO-UP/A (i) of date

Copy forwarded for information to :-

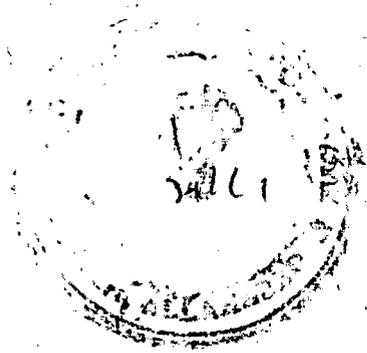
1. The Registrar General, India, 2/A, Mansingh Road, New Delhi-110011.
2. Officials concerned.
3. Personal File of the official concerned.
4. U.D.C. (E) / L.D.C. (S.T.U.) / L.D.C. (Ce 11)

*[Signature]*

( H.O.K. LAVANIA )  
DY. DIRECTOR (M.S?)

Banerjee/

*[Handwritten signature]*  
*[Handwritten initials]*



*[Handwritten notes]*

COMPUTORS

REMARKS

Name of official  
Date of birth  
Educational Qualifications  
Entr. into Government Service  
Date of appointment in the grade  
Whether Ad-hoc or regular

1	S/Shri Ram Sahai	3.1.44	M.A. (Eco.)	18.5.61	1.3.66	Regular	Promoted as S.A. w.e.f. 1.5.69.
2	Som Prakash (SC)	1.9.39	High School	29.5.61	1.3.66	-do-	Promoted as S.A.w.e.f. 1.5.69.
3	Shiva, Ram Gupta	20.6.37	M.A. (Eco. with Statistics)	1.5.61	1.3.66	-do-	Promoted as S.A.w.e.f. 1.5.69
4	Ram Shanker Pandey	5.1.40	M.A. (Socio.)	8.4.61	1.3.67	-do-	Promoted as S.A.w.e.f. 21.5.70
5	Jagdish Prakash	3.7.36	B.A.	12.1.64	1.6.68	-do-	Appointed as Investigator w.e.f. 22.7.71
6	Lal Chand Rastogi	10.7.38	M.A. (Eco.) B.Com.	1.4.61	1.6.68	-do-	Appointed as Investigator w.e.f. 30.8.69
7	Musum Kumar Mishra	10.5.35	B.A.	8.4.61	30.8.69	-do-	Promoted as S.A. on Ad-hoc basis w.e.f. 14.11.77
8	Rafiq Uddin	1.10.38	Inter	1.5.61	30.8.69	-do-	Promoted as S.A. on Ad-hoc basis w.e.f. 1.11.77
9	Suresh Chandra Sharma (Ex. Serviceman)	20.10.35	Inter	25.4.61	30.8.69	-do-	Promoted as S.A. on Ad-hoc basis w.e.f. 1.11.77
10	Chandra Pal Gupta	10.10.40	B.A., I.G.D. Bombay	2.5.61	30.8.69	-do-	Promoted as S.A. on Ad-hoc basis w.e.f. 1.11.77
11	Bishram Rawat (SC)	5.5.42	High School	16.1.62	30.8.69	-do-	Promoted as S.A.w.e.f. 3.10.72

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S/Shri								
27.	Girish Chandra Gupta	26.5.49	B.Sc.	5.10.70	5.10.70	Regular		
28.	Bashisth Singh	1.7.45	B.Com. M.A. L.I.B.	25.6.70	7.10.70	do	Appointed as S.A. w.e.f. 1.1.72	
29.	Hira Lal S/o Sri Baldeo Prasad (Ex. Serviceman)	5.5.42	M.A. (Eco.)	1.9.70	5.10.70	do		
30.	Rakesh Kumar Agarwal	20.8.48	B.Sc.	14.11.69	12.10.70	do		
31.	Nagendra Pandey	31.12.47	B.Sc. (Hons.)	15.10.70	15.10.70	do		
32.	Mirza Khurram	16.8.45	M.A. (Social work)	12.11.70	12.11.70	do		
33.	Vimlesh Kumar Srivastava	10.7.48	B.Sc.	12.11.70	12.11.70	do		
34.	Kamal Deo Pandey	31.12.46	B.A. (Hons.) (Eco.)	18.11.70	18.11.70	do		
35.	Anil Saxena	15.12.50	B.Sc.	25.11.70	25.11.70	do		
36.	Balbir Singh	20.7.49	M.A. (Stat.)	17.11.70 (AN)	17.11.70 (AN)	do	From Merit list A dated 8.11.70	
37.	Laxmi Kant Asthana	15.3.49	M.A. (Eco.)	16.11.70 (AN)	16.11.70 (AN)	do		
38.	Karam Husain	1.5.48	B.A.	18.11.70	18.11.70	do		
39.	Shyamal Kumar Banerjee	12.9.51	M.A. (Eco.)	21.11.70 (AN)	21.11.70 (AN)	do		
40.	Abdul Rafiq	31.10.49	M.A. (Socio.)	17.11.70 (AN)	17.11.70 (AN)	do		
41.	Nirmal Singh	23.3.50	B.Sc.	20.11.70 (AN)	20.11.70 (AN)	do	From Merit list B dated 8.11.70	
42.	Smt. Ranjana Chadda	10.8.46	M.A. (Eco.)	23.11.70	23.11.70	do		
43.	Dinesh Narain Saxena	4.7.47	B.Sc.	18.11.70 (AN)	18.11.70 (AN)	do		
44.	Satya Narain Agarwal	21.7.46	M.Sc. (Chem.)	25.11.70 (AN)	25.11.70 (AN)	do		
45.	Vijai Kumar Tewari	6.7.48	B.Sc.	23.11.70	23.11.70	do		
46.	Udit Gupta Jhingran	12.9.51	B.Sc. LL.B.	1.12.70	1.12.70	do	From Merit List C dated 8.11.70	

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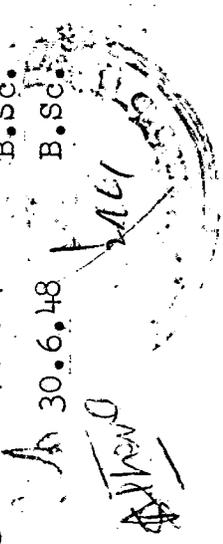
5:-

2 3 4 5 6 7 8

S/Shri

70.	Raj Kumar	10.2.49	B.A.	3.7.70	2.4.71	Regular
71.	Ram Autar Gupta	10.7.50	B.Sc.	24.6.70	12.4.71(AN)	-do-
72.	Mahesh Chandra Maheshwari	4.7.48	B.Sc.	27.7.70	13.4.71	-do-
73.	Ramesh Chandra Baranwal	2.5.46	M.A.(Eco.)	1.4.71	1.3.72	-do-
74.	Asharfi Lal	23.10.46	M.A.(Eco.)	19.4.71	1.3.72	-do-
75.	Om Prakash Srivastava	14.12.46	M.A.(Eco.with Stat.)	19.4.71	1.3.72	-do-
76.	Rakesh Kumar	11.7.49	M.Sc.(Maths.) B.Ed.	24.4.71	1.3.72	-do-
77.	Ram Prasad Misra	1.7.45	Inter	25.4.68(AN)	1.6.71	-do-
78.	Ehtishamur Rahman	1.1.37	B.A.	26.4.68	1.6.71	-do-
79.	Vijai Kumar Sinha	25.7.38	Inter	27.4.68	1.6.71	-do-
80.	Yugal Kishore Srivastava	12.1.43	Inter	27.4.68	1.6.71	-do-
81.	Dhani Ram	1.7.44	B.A.	27.4.68	1.6.71	-do-
82.	Dharikshan Prasad (SC)	1.3.40	High School	1.5.68	1.6.71	-do-
83.	Rajendra Kumar Verma	31.7.46	B.A.	17.5.68	1.6.71	-do-
84.	Ram Naresh Misra	25.1.49	B.Com.	1.8.70	16.6.71	-do-
85.	Mahendra Kumar Sharma	15.6.47	B.Sc.(Maths. with Stat)	17.6.71	1.3.72	-do-
86.	Harish Chandra Srivastava	3.7.44	B.A.	2.7.69(AN)	22.6.71	-do-
87.	Vishwa Nath Prasad	1.42.47	B.Sc.	16.8.70	25.8.71	-do-
88.	Vinod Solomon	10.10.48	B.Sc.	17.9.71	17.9.71	-do-
89.	Mohd. Badruddin Khan	25.7.46	M.A.(Eco.) LLB.	15.1.71	1.10.71	-do-
90.	Dharam Prakash Garg	17.1.47	B.Sc.	14.10.71	14.10.71	-do-
91.	Riaz Akhter	30.6.48	B.Sc.	14.10.71	14.10.71	-do-

Appointed as S.A.  
w.e.f. 1.5.72  
Appointed as S.A.  
w.e.f. 1.5.72



Signature

1	2	3	4
	Sarvshri		
27.	Nirmal Singh	Computer (Rs.330-560)	1.7.1979
28.	Smt. Ranjana Chadha	-do-	-do-
29.	Dinesh Narain Saxena	-do-	-do-
30.	Satya Narain Agarwal	-do-	-do-
31.	Vijai Kumar Tewari	-do-	-do-
32.	Udit Gopal Jhingran	-do-	-do-
33.	Sudhir Chandra	-do-	-do-
34.	Teeka Ram Deorari	-do-	-do-
35.	Ram Lakhan Yadav	-do-	-do-
36.	Vinod Kumar Agarwal	-do-	-do-
37.	Mahesh Chandra Shukla	-do-	-do-
38.	Shri Ram Dubey	-do-	-do-
39.	Anadi Asthana	-do-	-do-
40.	Surya Narain	-do-	-do-
41.	Jeewan Chandra Joshi	-do-	-do-
42.	Brajesh Kumar Srivastava	-do-	-do-
43.	Prem Kumar Fathak	-do-	-do-
44.	Ajai Awasthi	-do-	-do-
45.	Devendra Issac Lyal	-do-	-do-
46.	Krishna Gopal Awasthi	-do-	-do-
47.	Raman Lal	-do-	-do-
48.	Satish Chandra Gupta	-do-	-do-
49.	Raghu Raj Singh	-do-	-do-
50.	Subhash Chandra Verma	-do-	-do-
51.	Nankoo Singh	-do-	-do-
52.	Sri Niwas Rai	-do-	-do-
53.	Mohd.-Zakaria Ansari	-do-	-do-
54.	Vishuni Ram (SC)	-do-	-do-
55.	Raj Kumar	-do-	-do-
56.	Ram Autar Gupta	-do-	-do-
57.	Mahesh Chandra Maheshwari	-do-	-do-
58.	Ramesh Chandra Baranwal	-do-	-do-
59.	Asharfi Lal	-do-	-do-
60.	Om Prakash Srivastava	-do-	-do-
61.	Rakesh Kumar	-do-	-do-
62.	Ram Prasad Misra	-do-	-do-
63.	Ehtishamur Rahman	-do-	-do-
64.	Vijai Kumar Sinha	-do-	-do-
65.	Yugal Kishore Srivastava	-do-	-do-
66.	Dhani Ram	-do-	-do-
67.	Dharikshan Prasad (SC)	-do-	-do-
68.	Rajendra Kumar Verma	-do-	-do-
69.	Ram Naresh Misra	-do-	-do-
70.	Mahendra Kumar Sharma	-do-	-do-
71.	Harish Chandra Srivastava	-do-	-do-
72.	Vishwa Nath Prasad	-do-	-do-
73.	Vinod Solomon	-do-	-do-
74.	Mohd. Badruddin Khan	-do-	-do-
75.	Dharam Prakash Garg	-do-	-do-
76.	Vacant	-do-	-do-
77.	Vacant	-do-	-do-

Note: The cases of officials which were considered by the Departmental Promotion Committee but could not be confirmed alongwith the aforementioned officials, their inter-seniority at the time of their confirmation, vis-a-vis the above confirmed officials, shall be determined subsequently.

( RAVINDRA GUPTA )  
DIRECTOR OF CENSUS OPERATIONS  
UTTAR PRADESH

Certd....3/-

In the Honble High court of Judicature at Allahabad  
sitting at Lucknow.

35

(114)

Writ Petition no. 1980.

17/10

Nankoo Singh - L. Okwari - - Petitioner,

v

Union of India & others - - e/ff, Petitioner.

ANNEXURE NO. 8

114

114

746

37

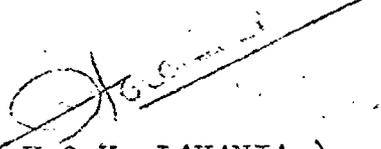
3/27

-:3:-

No. AE/308-71(i)/DCO-UP/A- 3050(i) of date.

Copy forwarded for information to :-

1. The officials concerned.
2. The Registrar General, India, 2/A, Mansingh Road, New Delhi-110011.
3. The Pay & Accounts Officer (Census) New Delhi.
4. All Deputy/Assistant Directors of Census Operations, in D.C.O., U.P.
5. Accounts Section.
6. Head Clerks/Assistants.
7. U.D.Cs./L.D.Cs. in Establishment Section.
8. Permanency File.
9. Personal Files of officials concerned.
10. General Secretary, Census Directorate Employees Association, U.P.

  
( H.O.K. LAVANIA )  
DEPUTY DIRECTOR (ADMN.)

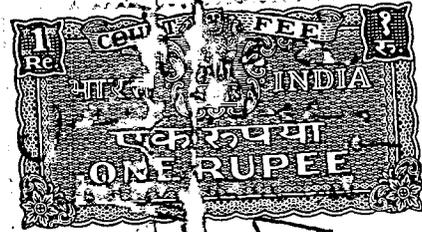
  
A.P. 200



In the Honble High Court of Judicature at Madras  
ब अदालत श्रीमान Settling at Lucknow महोदय  
वादी (मुद्दई)

प्रतिवादी (मुद्दाभलेह) का

वकालतनामा



Nankoo Singh & others

वादी (मुद्दई)

बनाम

The Union of India through the Secretary Ministry  
of Home Affairs Govt of India & others प्रतिवादी (मुद्दाभलेह)

नं० मुकदमा सन १९ पेशी की ता० १९ ई०

ऊपर लिखे मुकदमा में अपनी ओर से श्री

Shri B. C. Sekhena

एडवोकेट

महोदय

- बकील -

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

हस्ताक्षर रमूग लाल

साक्षी (गवाह)

साक्षी (गवाह)

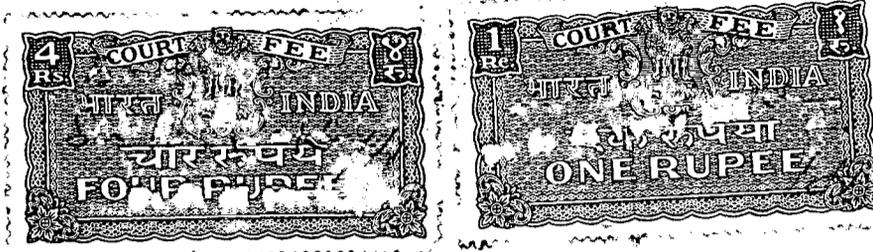
दिनांक

महीना

१९ ई०

Accepted  
Delabere

नाम अदालत  
नं० मुकदमा  
नाम फरीकस



5  
20/11/80  
5:30

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

Application for amendment

1155  
C.M. Application no. (w) of 1980

Writ Petition no. 384 of 1980

Yankoo Singh and others

--Petitioners--  
applicants

versus

The Union of India and others

--Opp-parties

6/11/80  
6/3/80

This application on behalf of the applicants  
above-named most respectfully sheweth:-

That due to inadvertance amongst the opposite-  
parties at serial no. 24 the name of one Sri Ram  
Dubey has been typed. Thesaid Sri Ram Dubey is  
petitioner no. 3 in the petition, and therefore his  
name should not have been shown in the array of the  
opposite-parties.

Wherefore, it is respectfully prayed that this  
Hon'ble Court be pleased to allow the name of opposite-  
party no. 24 to be deleted and serial nos. of opposite-  
parties nos. 25 to 25 be re-numbered as 24 to 34.

Dated Lucknow:  
3.3.1980

*Bechar Singh*  
(B. S. Chakraborty)  
Advocate  
Counsel for the petitioners

A44  
6  
1

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

---  
Application for amendment

----  
C.M. Application no. (w) of 1980

Writ Petition no. of 1980

Nankoo Singh and others

--Petitioners-  
applicants

versus

The Union of India and others

--Opp-parties

This application on behalf of the applicants  
above-named most respectfully sheweth:-

That due to inadvertance amongst the opposite-  
parties at serial no.24 the name of one Sri Ram  
Dubey has been typed. The said Sri Ram Dubey is  
petitioner no.3 in the petition, and therefore his  
name should not have been shown in the array of the  
opposite-parties.

Wherefore, it is respectfully prayed that this  
Hon'ble Court be pleased to allow the name of opposite-  
party no.24 to be deleted and serial nos. of opposite-  
parties nos. 25 to 25 be re-numbered as 24 to 34.

Dated Lucknow

5.3.1980

*Per*  
(B. C. Saksana)  
Advocate  
Counsel for the petitioners



AST  
6/3

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

PETITION UNDER ARTICLE 226 OF THE CONSTITUTION  
OF INDIA

Writ Petition No.                      of                      1980.

1. Nankoo Singh, aged about 31 years, son of Shri Sheo Shankar Singh, care of Tika Ram, Mahlon, Darshanganj Aliganj, Lucknow.
2. Anadi Asthana, aged about 30 years, son of Sri R.C.Asthana, Ram Mandir Lane, Husainganj, Lucknow.
3. Sri Ram Dube, aged about 29 years, son of Sri Thakur Prasad Dube, resident of 533/49, Mahabir Ji Ka Purwa, Aliganj, Lucknow.
4. Raman Lal, aged about 33 years, son of Sri Raja Ram, resident of 68/232, Chhitapur Pajawn, Lucknow

Petitioner

VERSUS

1. The Union of India through the Secretary, Ministry of Home Affairs, Government of India, New Delhi.
2. The Registrar General, India, 2/A, Man Singh Road, New Delhi
- ③ The Director of Census Operations, U.P.; 6 Park Road, Lucknow.
4. Mirza Khurram
5. Vimlesh Kumar Srivastava.
6. Kamal Deo Pandey

P.T.O.

7. Anil Saxena.
8. Balbir Singh.
9. Laxmi Kant Asthana
10. Karam Hussain.
11. Shyamal Kumar Banerjee.
12. Abdul Rafiq.
13. Nirmal Singh
14. Smt. Ranjana Chadha.
15. Dinesh Narain Saxena.
16. Satya Narain Agarwal.
17. Vijai Kumar Tewari.
18. Udit Gopal Jhingran.
19. Sudhir Chandra.
20. Tika Ram Dearani
21. Ram Lakhan Yadav
22. Vinod Kumar Agarwal.
23. Mahesh Chandra Shukla
24. Sri Ram Dubey.
25. Surya Narain.
26. Jivan Chandra Joshi.
27. Brajesh Kumar Srivastava.
28. Prem Kumar Pathak.
29. Ajai Awasthi.
30. Devendra Isac Lyall
31. Krishna Gopal Awasthi.
32. Satish Chandra Gupta.
33. Raghuraj Singh.
34. Subhash Chandra Verma.
35. Jai Jai Ram Jatava

All working as Computers. (Opp. M-3)

Opp-parties.

P.T.O.

This humble petition on behalf of the petitioners above named most respectfully showeth :-

1. That the petitioners were initially appointed as Computers in the office of the Deputy Director, Census Operations Incharge Coding and Punching Cells, Gorakhpur, Kanpur and Varanasi. Petitioners 2 and 4 were appointed by means of office order no. A-16786/SCO-UP/69-68 dated 28.12.1970 while petitioner no.3 was appointed by means of office order no.540/SCO-UP/69-68 dated 15.1.1971. True copies of the aforesaid office orders are being annexed as Annexures nos. 1 and 2 to this petition.

2. That the petitioners dates of joining the post of Computer is as indicated herein-below along the Coding and Punching Cell where they had joined :-

Name of the petitioner	Date of joining	Name of Coding and Punching cell where joined
1. Nankoo Singh	23.11.1970	Varanasi
2. Anadi Asthana	16.11.1970	Kanpur.
3. Sri Ram Dube	19.11.1970	Gorakhpur.
4. Raman Lal	20.11.1970.	Kanpur.

3. That there were five Coding and Punching Cells located at Kanpur, Gorakhpur, Varanasi, Meerut and Lucknow. Prior to the issuance of letter dated 10.2.1975 reference to which will be made hereinafter.

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6/6

Each of the five Coding and Punching Cells was treated as a separate seniority unit and seniority lists of each of the said five Coding and Punching Cells were notified in March 1973 and May, 1973. The said seniority lists were drawn up on the basis of the respective dates of joining of each of the computers whose names were indicated therein.

4. That a provisional seniority list of employees serving in the various grades/posts in the Directorate of Census Operations, U.P., as on 1.10.1978 was circulated by means of letter no., AE-258-B/78/DCO-UP/ dated 24.10.1978. A true copy of the said circular letter is being annexed as Annexure no.3. to this petition. The provisional seniority list annexed thereto is not being annexed. The final seniority list which is wholly identical with the provisional seniority list is being enclosed hereafter.

5. That prior to the issuance of the letter dated 10.2.1975 the five Coding and Punching Cells were treated as separate seniority units and

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separate seniority lists were prepared for each of the Coding and Punching Cells were as a separate seniority list was drawn up for Headquarters office. By the time the said letter dated 10.2.1975 was issued out of the five Coding and Punching Cells only two remained extent viz., those at Lucknow and Kanpur. The staff initially recruited for the other three Coding and Punching Cells located at Varanasi, Meerut and Gorakhpur were transferred to the Coding and Punching Cells which were functioning at Lucknow and Kanpur. The petitioners were similarly transferred.

6. That it appears that a decision was taken to combine the seniority of staff working at Headquarters office and those working at Coding and Punching Cells at Kanpur and Lucknow and a combined seniority list of each grade/post was required to be drawn up for which certain general principles had been decided upon and were contained in letter bearing no. A-791/SCO-UP dated 10.2.1975 issued from the office of the Director, Census Operation, U.P. under the signature of the then Deputy Director, Census Operations, U.P. A combined tentative seniority list was also circulated along with the said letter. The said tentative list was however, not finalised. A true copy of the said letter dated 10.2.1975 is being annexed as Annexure no. 4 to this petition.

7. That against the provisional seniority list circulated by letter dated 24.10.1978 the petitioners

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individually preferred representations against the same. With a view to bring on record the facts stated and the pleas raised by the petitioners in the said representations a true copy of one of such representations preferred by petitioners No.2 is being annexed as Annexure no.5 to this petition.

8. That the representations preferred by the petitioners were rejected by means of office memo. no.AE/11-1/78/DCO-UP/A-3001 dated 24.9.1979. Therejection of the representation was communicated to each of the petitioners separately. In the last number of the file indicated above there is a change but the contents of the office memo. communicated to the petitioners is wholly identical. A true copy of one of such memos. relating to petitioner no.3 is being annexed as Annexure no.6 to this petition.

9. That by means of memo. no. AE-11-1/78/DCO-UP /A-3017 dated 24.9.1979 a final seniority list of the grade of computers as on 1.10.1978 was circulated. Copy of the said letter along with the seniority list as enclosed thereto is being annexed as Annexure no.7 to this petition. A perusal of the final seniority list would show that the names of persons from serial 1 to 34 have been indicated in the order of date of appointment in the grade as given in column 6 thereof. It is stated that the said date of appointment is the same as the date of joining by the said persons on the post of Computer. Against the petitioners names also

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in column 6 their dates of joining as computers have been indicated . A perusal of the said seniority list would further show that the seniority to persons from 25 to 65 has been assigned on the basis of their position in the alleged merit list said to have been drawn up on 8.11.1970. Further the seniority of persons from 66 to 111 has been assigned on the basis of the date of joining which is the same as the date of appointment in the grade.

10. That in the said final seniority list persons from serial 1 to 22 and 35 to 40 belong to the Headquarters office while others belong to the Coding and Punching Cells.

11. That a perusal of the final seniority list would show that even the order indicated in the appointment letters filed as annexures 1 and 2 has not been adhered to while indicating the position in the merit list of the persons whose names are in the said office orders, annexures I and 2.

12. That on the basis of the inter se seniority assigned in the final seniority list circulated by means of letter dated 24.9.1979 orders for confirmation have also been issued and they are contained in the order bearing no. AE/308-71/DCO-UP/A-3050 dated 4.10.1979 and have been issued from the office of opposite -party no.3. A copy of the said order dated 4.10.1979 is being annexed as Annexure No. 8 to this petition.

Contd...



innumerable persons who have been assigned seniority in the combined list.

(d) Because without prejudice to the above pleas even the so called merit position indicated in the combined seniority list is highly suspect and deserves to be ignored.

Wherefore, it is respectfully prayed that this Hon'ble Court be pleased :

(i) to issue a writ of certiorari or a writ, order or direction in the nature of certiorari to quash the final seniority list circulated by letter dated 24.9.1979 contained in annexure no.7 and the office memo. dated 24.9.1979 (annexure no.6 ) rejecting the petitioners representations against the same.

(ii) to issue a writ of mandamus or a writ, order or direction in the nature of mandamum commanding opposite-parties nos. 1 to 3 to issue a fresh seniority list of computers in the light of the judgment and observations of this Hon'ble Court.

(iii) to issue a writ of mandamus or a writ, order or direction in the nature of mandamus commanding opposite parties nos. 1 to 3 to suitably modify the order for confirmation dated 4.10.1979 and re-assign the place in the said list in accordance with the revised seniority list.

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(iv) to issue such other writ, direction or order, including an order as to costs which in the circumstances of the case this Hon'ble Court may deem just and proper.

( B.C. Saksena )  
Advocate  
Counsel for petitioners

Dated Lucknow

28.1.1980



A62

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

Dated Lucknow  
28.1.1980

Deponent

I indentify the deponent who has signed in my presence.

(Clerk to Sri B.C.Saksena )  
Advocate.

Solemnly affirmed before me on  
at \_\_\_\_\_ a.m./p.m by  
the deponent who is identified by Sri  
Clerk to Sri  
Advocate, High Court, Allahabad . I have satisfied myself by examining the deponent that he understands the contents of the affidavit which has been read out and explained by me.

163  
6/15

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

Writ Petition No. \_\_\_\_\_ of 1980.  
Nankoo Singh and others.....Petitioners.

Versus

Union of India and others..... Opposite Parties

Annexure No. 1.

No.491/DRK(CPC)/T/71

Dated 14.1.1971.

No. A-16786/SC0-UP/69-68

Government of India  
Ministry of Home Affairs.

Office of the Director of Census Operations, Uttar  
Pradesh, 85-Vidhan Sabha Marg.

Dated Lucknow Dec. 28, 1970.

OFFICE ORDER

The following candidates are appointed as  
Computers in the central scale of Rs.150-5-160-8-240-EB-  
-8-280-10-300 (together with dearness and other  
allowances at the rates admissible and subject to the  
conditions laid down in rules and orders governing  
the grant of such allowances in force from time to  
time ) purely on temporary basis with effect from the  
dates shown below against their names untill further  
orders in the office of the Deputy Director of Census  
Operations, I/C Coding and Punching Cell, Kanpur.

Contd.. ..

164 6/16

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S.No.	Name of the Candidates.	Date of joining
1.	Shri Ajai Awasthi	Nov.20, 1970 (F.N.).
2.	Shri Vijay Pratap Singh	Nov.20, 1970 (F.N.):
3.	Shri Raman Lal	Nov.20, 1970(F.N.).
4.	Shri Krishna Gopal Awasthi	Nov.21, 1970.(F.N.).
5.	Shri Prem Kumar Pathak.	Nov. 21, 1970 (F.N.)
6.	Shri Rudra Narain Misra	Nov.24, 1970. (F.N.):
7.	Shri Brijesh Kumar Srivastava	Nov.24, 1970. (F.N.).
8.	Shri Hari Shankar Pandey	Nov.24, 1970 (F.N.).
9.	Shri Davendra Issac Lyall	Nov.23, 1970 (F.N.).
10.	Shri Surya Narain	Nov.26, 1970 (F.N.).
11.	Shri Jeewan Chandra Jaiswal	Nov.26, 1970 (F.N.).

.....

Other terms and conditions of their service will be governed by the rules and orders in force from time to time.

Sd/- D.M.Sinha.  
Director.

Nov.16786(1)SCO-UP/69-68 of date

Copy forwarded for information and necessary action to the :-

1. Deputy Director of Census operations, I/c- Coding and Punching Cell. Kanpur with reference to his letter No.337/DDK/(GPC)/1/70, dated Dec.2, 1970 with one spare copy for Treasury Officer.
2. Accountant of this office.
3. Official concerned.
4. Staff return file.
5. Personal file.

Sd/- Illegible  
(Mohd. F.Khan)  
Deputy Director.

TRUE COPY

ACS 6/17

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

Writ Petition No. \_\_\_\_\_ of 1980

Nankoo Singh and others.....Petitioners.

Versus

Union of India and others.....Opposite Parties

Annexures No. 2.

No. A-540/SCO-UP/69-68  
Government of India  
Ministry of Home Affairs.

Office of the Director of Census Operations, U.P.

85-Vidhan Sabha Marg.

Dated Lucknow Jan. 15, 1971.

OFFICE ORDER

The following candidates are appointed as  
Computers in the central Scale of Rs.150-5-160-8-240-  
ED - 8-280-10-300 (together with dearness and other  
allowances at the rates admissible and subject to the  
conditions laid down in rules and orders governing the  
grant of such allowances in force from time to time )  
purely on temporary basis with effect from the dates  
shown below against their names untill further orders  
in the office of the Deputy Director of Census Operations,  
I/C Coding and Punching Cell, Gorakhpur .

S.No.	Name of the Candidates.	Date of joining
1.	Shri Vinod Kumar Agarwal.	Nov.24,1970 (F.N.).
2.	Shri Sri Ram Dubey	Nov.19,1970 (F.N.).
3.	Shri Shesh Nath	Nov. 26, 1970 (F.N.).
4.	Shri Mahesh Chandra. Shukla.	Nov. 21, 1970 (F.N.).
5.	Shri Niwas Rai	Dec. 8, 1970 (F.N.).
6.	Shri Prem Shankar Pandey	Dec.16, 1970 (F.N.)

Contd....

12

Other terms and conditions of their service will  
be governed by the rules and orders in force from time  
to time.

766  
6/18

D.M.Sinha  
Director

No.A-540(i)/SCO-UP/69-68 of date

Copy forwarded for information and necessary action  
to the:-

1. Deputy Director of Census Operation, I/C Coding and Punching Cell, Gorakhpur with reference to his letter No.465/DDCO/GKP dated Dec.28, 1970 with one spare copy for the Treasury Officer.
2. Accountant of this office.
3. Official concerned.
4. Staff return file.
5. Personal file.

Sd/- Illegible  
(Mohd. F.A.Khan )  
Deputy Director of Census Operation  
Uttar Pradesh.

TRUE COPY.

ACF 6/19

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

.....  
Writ Petition No. of 1980  
Nankoo Singh and others. --Petitioners.  
Versus  
Union of India and others. --Opp. parties

ANNEXURE No:3.

No.AE258B/78/DCO-UP  
Government of India  
Ministry of Home Affairs.

Office of the Director of Census Operations, U.P.  
(Administrative Section)

6-Park Road, Lucknow  
Dated October 24, 1978

CIRCULAR

SUBJECT:- Provisional seniority lists of employees  
serving in the various grades/posts in the  
Directorate of Census Operations, Uttar  
Pradesh.

The provisional seniority lists of officials  
working in the various grades/posts of TO/STA/SA/  
Computer/Assistant Complier in the Directorate of  
Census Operations, U.P. as on 1.10.1978 are enclosed.  
The names of officials who have served in grade/  
post by have not been appointed substantively therein  
and promoted to higher grade(s) have been shown  
in the provisional seniority lists for the respective  
grades. The aforesaid provisional seniority lists have  
been drawn up in accordance with the general principles  
for determining seniority laid down by the Govt.  
of India and in consultation with the office of the

Contd.....

Acc

6/20

Registrar General, India. It is requested that each and every officials concerned may verify the correctness of the particulars given therein. In case there is any factual discrepancy (ies) the same may be brought to the notice of the undersigned within three weeks of the date of issue of this circular. In case no such factual discrepancy (ies) is/are pointed out during the stipulated period i.e. by November 18, 1978 the provisional seniority lists shall be treated as final.

Sd/- S.S.S.Jaiswal  
Deputy Director.  
(Head of office)

No. AE (1)/78/DCO-UP/ of date

Copy to

1. The Deputy Director Technical
2. All Assistant Director (Technical) with ten spare copies each. It is requested these provisional seniority lists may be brought to the notice of the members of staff working under them.
3. The Deputy Registrar General, India (Census) for kind information.

Sd/- Illegible

Deputy Director  
Head of Office

T.C.

829  
6/2

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

( Lucknow Bench) Lucknow

Writ Petition No. of 198A  
Nankoo Singh and others. -Petitioners.

Versus

Union of India and others. -Opp Parties.

Annexure No.4.

Government of India  
Ministry of Home Affairs  
Office of the Director of Census Operations  
Uttar Pradesh

6-Park Road, Lucknow  
Dated February 10, 1975

During the last visit on 20th and 21st January, 1975 the Deputy Registrar General (Census) had discussed the principles for drawing up the combined seniority lists relating to the headquarter staff, the Coding and Punching Cells, Lucknow and Kanpur. The principles which have been laid down by him for the purpose are as under:-

1. The position of all the employees of the office of the Director of Census Operations- headquarters- Coding and Punching Cells, Lucknow and Kanpur as on 1st January 1975 will be taken into account and a combined seniority list as on 1.1.1975 will be drawn up based on the position occupied by each employees on that date.
2. For each grade/designation separate seniority list will be drawn.
3. In each list of a particular grade, officials working in the headquarters, Coding and Punching

Gond.....

Cells at Lucknow and Kanpur will find their position.

The inter se seniority amongst them will be fixed taking into account:-

- (i) The date on which each of them was appointed/promoted to the grade.
- (ii) In respect of such officials who had been appointed/promoted as a result of selection by a Board from the lower grade or as a result of direct recruitment through the Employment Exchange the inter se position will be as indicated by the selection Board/Recruitment Board.
- (iii) Some of the officials who had earlier been working in the Coding and Punching Cells/Regional Tabulation Offices, had resigned their jobs but were immediately appointed without any break to the headquarters office some in higher grades, some in the same grades and some in the lower grades. In respect of the officials who had been appointed in the same grade for the purpose of fixing the inter se seniority, the service put in by each of them in that grade in the Coding and Punching Cell/Regional Tabulation Office will be taken into account; similarly in respect of those officials who had been appointed in the lower grade, the service put in by each of them in the higher grade as well as in the same grade in the Coding and Punching Cell/Regional Tabulation office will be taken into account for fixing the inter se seniority.

Contd.....

AT  
6/23

On the basis of the above principles a combined seniority list for the grade of computers has been drawn up and is circulated to the staff of the headquarters office, Coding and Punching Cells, Lucknow and Kanpur. It is requested that each and every official concerned of the grade may kindly verify the correctness of the particulars given therein and ensure that the seniority indicated to him/her is correct. In case there is some factual discrepancy of the seniority has not been shown correctly taking into account the principles laid down, he/she may kindly submit his representation in duplicate by 15.2.1975. The representations will be considered and thereafter final seniority lists will be drawn up and published.

Sd/- R.N.Trivedi  
Deputy Director of Census Operations,  
U.P.

No. A-791(j)/SCO-UP of date

Copy forwarded for information and necessary action

to:-

1. Dy-Director, State Tabulation Unit, Lucknow.
2. Dy. Director, C.P.Cell, Kanpur.
3. Deputy Director, C.P.Cell, Lucknow
4. Deputy Director (P)/Deputy Director (T).

The Deputy Director concerned may please hand over a copy of the seniority list to the official concerned and obtain his signatures for having received a copy. He may also verify the correctness of the details shown in the tentative seniority list and in case there be any discrepancy it may be reported to this office.

. Contd. ....

A72 6/24

It may also be ensured that the names of each official of the cadre has been covered by the list. If any official has remained excluded from the list, his particulars may be sent to this office at once.

The officials may be asked to send the representation, if any, against the place of seniority assigned to them in duplicate within the specified time and the same may be forwarded to this office with comments indicating factual position for further action by 16.2.1975.

5. Copy also forwarded to the General Secretary of the Census Directorate Employees Association.

Sd/- R.N. Trivedi.  
(Deputy Director

T.C.

123

6/25

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

Writ Petition No. \_\_\_\_\_ of 1980  
Nankoo Singh and others.....Petitioners.  
Versus  
Union of India and others.....Opposite Parties

Annexure-No.5

To

The Deputy Director (H.Gr.),  
Census Operations, U.P.  
Lucknow.

Sir,

Subject:-Representation against Tentative  
Seniority List. of Computers.

Respectfully I beg to invite you kind attention to the letter No.AE-2578/78/DCO-UP/, dated 24th October,1978 Provisional Seniority list of Computers in the Census Directorate, U.P. at Lucknow I brought to Your notice some facts about discrepancies in this seniority list according to General Principles for determination of seniority in the Central Government Offices.

1. Serial Nos. 13, 23, 25, 26 and 28th of this list were initially appointed as 'Statistical Assistants' from 14.10.1971, 1.1.1972, 1.1.1971, 18.5.1971 and 1.1.1972 respectively and they all tendered their resignation from the post of Computer and they all are regular and declared Quasi Permanent on their initial post, i.e., Statistical Assistant. Then according to

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A74 6/26

C.C.S.General Rule 6 for the seniority which is as follows:-

"The period of service rendered on the post from which taken into account while provisionally determining their tentative seniority in the tentative seniority list of the posts to which they now belong."

Therefore S.No.13, 23, 25, 26 and 28 have not any lien for confirmation on the post of Computer. They claim for confirmation only in the cadre of S.A. which they now belong.

S.No.32, <sup>33</sup>33 and 34 are placed senior to the official who were appointed by H.Qr. and posted at H.Qr. and all regional offices, who falls under the lists 'A', 'B' & 'C' were selected by the penal which declared the merit list on 8.11.1970. After declaring this merit by the penal of H.Qr. all appointments made by the I/C. of Regional Offices are placed junior to all those who selected by the penal if there is actually any merit list.

In the merit list who was jointed even on 1.12.1970 senior to those who joined on 1.12.1970. Then how those who join even after 16.11.1970 i.e. at S.No. 34 who joined on 18.11.1970 is treated senior to all the merit holders. It is not justified to place them above in seniority list to those candidates who joined even after the declaration of the merit list.

Serial No.34 of the aforesaid list and S.No.23 of No.A-791/SCO-UP.dated 10.2.1975 are same but in this list date of joining is shown as 18.11.1970 while in the list of 1975, the date of joining of the service

Contd.....

of this candidate aforesaid is shown as 12.11.1970. It appears that the date of joining of S.No.34 was corrected accordingly from his service records but his seniority has not been corrected. In the present circumstances of the matter S.No.34 must have been placed at S.No.65 below the merit holders S.No.66 was also selected of the same penal, by which S.Nos. 32, 33, 24 were selected by the Dy. Director, I/C C.P. Cells, Varanasi later on approved by DCC, U.P.. He topped the merit list prepared by Deputy Director/ I/c CPC Varanasi, but resumed on 23.11.1970.

According to the rules candidates who were selected by a penal or Board are always senior to other directly recruited candidates.

The Candidates shown at S.No.32, 33, and 34 of this list must have been shown at 63, 64 and 65 of the list as per rule of aforesaid.

I was selected alongwith other candidates for the post of computer as a result of Interview held in Sept.1970. Neither written test was held nor the result of successful candidates was declared as a result of their interviews showing their merit.

I was offered appointment, consequently I joined on 16.11.1970 in Coding and Punching Cell, Kanpur.

At that time there were five C.P.Cells, I.e. Lucknow, Kanpur, Meerut, Gorakhpur and Varanasi each separate entity under census directorate, but vital section is part of Directorate alongwith S.T.U.

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178 6/78

We are placed in different sections under the Directorate and some in vital sections i.e. Part of the Directorate, while others were posted in all the five Coding and Punching Cells without framing any criteria or willingness for the posting even it was not clear at that time, that vital sections was a part of the Directorate and C.P.Cells were under the Census Directorate.

When the seniority list of the Directorate employees was declared vide letter No.A/3627/SCO-UP/1008/72 dated 8.12.1972 then only S.T.U. V.S. and H.Gr. staff were included. Seniority lists of G.P.Cell was prepared separately in form of Register and acknowledged by the Staff working with each unit that was prepared according to Gen.rules. But when according to the order of the Ex.D.R.C.(C) Combine seniority of Staff working in the Directorate either parts of it or under this Directorate, was prepared on the ground of Gen. Principles for fixation of seniority on 1.1.1975. Actually principles were not followed because when Merger takes place then only date of joining was criteria for preparing Inter-se-seniority of each separate entity i.e. C.P.Cells and H.Gr. along with S.T,U. & V.S. When authorities know very well that prior to 1.1.1975 each C.P.Cell was separate entity under the Directorate then question does not arise for preparing a combined merit list at the time of computers interview at H.Gr. in Nov.1970. It also witness \* by the fixation of salary according to revised scale from 1.1.73 each C.P. Cell was taken separate for fixation.....also upto 1.1.75.

\*sic

It was not clear that when Inter-se-seniority of

Contd.....

APR

63

-4-

S/Shri	1	2	3	4	5	6	7	8
46. Udait Gopal Jhingon	12.9.51	B. So. LIB	1.12.70	1.12.70	Regular	From date	Merit List	8.11.70
47. Sudhir Chandra	7.5.47	B.A.	24.11.70	24.11.70	-do-	-do-	-do-	-do-
48. Tikka Ra, Deorari	4.4.49	B.A.	24.11.70	24.11.70	-do-	-do-	-do-	-do-
49. Ram Lakhan Yadav	10.10.45	M.A. Hindi	30.11.70	(AN) 30.1.70	(AN) -do-	-do-	-do-	-do-
50. Vinod Kumar Agarwal	1.12.46	B.A.	24.11.70	24.11.70	-do-	-do-	-do-	-do-
51. Mahesh Chandra Shukla	19.1.47	B.A.	21.11.70	21.11.70	-do-	-do-	-do-	-do-
52. Shri Ram Duboy	30.3.50	B.Sc.	19.11.70	19.11.70	-do-	-do-	-do-	-do-
53. Anadi Asthana	16.8.50	M.A. (Eco)	16.11.70	16.11.70	-do-	-do-	-do-	-do-
54. Surya Narain	14.6.46	B.Sc.	26.11.70	26.11.70	-do-	-do-	-do-	-do-
55. Jijma Chandra Jodhi	12.2.49	B.A.	26.11.70	26.11.70	-do-	-do-	-do-	-do-
56. Brijesh Kumar Srivastava	28.10.49	B.Sc.	24.11.70	24.11.70	-do-	-do-	-do-	-do-
57. Prem Kumar Pathak	15.7.52	B.Sc.	21.11.70	21.11.70	-do-	-do-	-do-	-do-
58. Ajai Awasthi	24.8.49	B.Sc.	20.11.70	20.11.70	-do-	-do-	-do-	-do-
59. Devindra Issac Iyall	5.7.50	B.Sc.	23.11.70	23.11.70	-do-	-do-	-do-	-do-
60. Krishan Gopal Awasthi	9.12.45	B.A.	21.11.70	21.11.70	-do-	-do-	-do-	-do-
61. Ram Lal	11.1.48	B.Sc.	20.11.70	20.11.70	-do-	-do-	-do-	-do-
62. Satish Chandra Gupta	10.10.50	M.A.	30.11.70	30.11.70	-do-	-do-	-do-	-do-
63. Raghun Raj Singh	1.1.46	B.A.	4.1.71	4.1.71	-do-	-do-	-do-	-do-
64. Subhash Chandra Verma	5.7.47	B.Sc. (Math)	7.1.71	7.1.71	-do-	-do-	-do-	-do-
65. Jai Jai Ram Jatav (SC)	15.2.45	M.A.	13.1.71	13.1.71	-do-	-do-	-do-	-do-
66. Nankoo Singh	10.6.46	M.A. (Eco)	23.11.70	23.11.70	-do-	-do-	-do-	-do-
67. Sri Niwas Rai	1.1.47	B.A.	8.12.70	8.12.70	-do-	-do-	-do-	-do-
68. Mohd. Zakaria Ansari	7.7.46	B.A.	24.6.70	24.4.71	-do-	-do-	-do-	-do-

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Page 1

6

-2-

1.	2.	3.	4.	5.	6.	7.	8.
S/Shri							
11. Bishram Rawat (SC)	5.5.42	High School	16.1.62	30.8.69	Regular	Promoted as S.A. w.e.f. 3.10.72	
12. Anand Singh Nogi	7.3.58	B.A.	1.3.62	13.2.70	-do-	Promoted as S.A. on Ad-hoc basis w.e.f. 11.5.78	
13. Deo Dutt Sharma	7.1.46	B.Sc. (Agri) M.A.	24.6.70	24.6.70	-do-	Appointed as S.A. w.e.f. 14.10.71.	
14. Sharfi Ullah Khan	25.11.39	B.A.	1.5.61	20.7.70	-do-	Expired on 5.2.76.	
15. Jai Chand Prakash (SC)	15.4.41	Inter	10.10.62	20.7.70	-do-	Promoted as S.A. On Ad-hoc basis w.e.f. 11.5.78	
16. Atmad Ali	25.6.32	High School	16.5.63	20.7.70	-do-	Promoted as S.A. on Ad-hoc basis w.e.f. 14.9.78.	
17. Virendra Pratap Singh	15.7.30	Inter	17.5.63	20.7.70	-do-	Expired on 25.5.76.	
18. Rama Kant Mishra	5.12.36	Inte	17.5.63	20.7.70	-do-		
19. Surendra Nath Srivastava	1.1.40	B.A.	18.5.63	20.7.70	-do-		
20. Mitter Bhushan Taneja	26.8.45	B.Sc. (Maths.)	8.7.69	26.8.70	-do-		
21. Virendra Kumar Srivastava	1.7.46	B.A.	29.8.70	29.8.70	-do-		
22. Syd. Zaki Mehdi.	22.6.50	B.Sc. Course in IBM 1401 AUTO CODER PROGRAMMING	29.8.70	29.8.70	-do-		
23. Vinod Kumar Nigam	15.9.45	M.Sc. (Maths)	14.9.70 (A.N.)	14.9.70 (A.N.)	-do-	Appointed as S.A. w.e.f. 1.1.72	
24. Banarasi Lal (SC)	15.7.46	M.A. (Eco.)	29.9.70 (AN)	29.9.70 (AN)	-do-	Promoted as S.A. on ad-hoc basis w.e.f. 41.5.78.	
25. Krishna Chand Gupta	9.12.45	M.A. (Eco)	3.10.70	3.10.70	-do-	Appointed as S.A. w.e.f. 1.9.71	
26. Vindhya Chahal Singh	1.7.46	B.Sc. (Agri)	5.10.70	5.10.70	-do-	Appointed as S.A. w.e.f. 18.5.72	



No. AE/308-71/DCO-UP/A-3050  
Government of India  
Ministry of Home Affairs  
Office of the Director of Census Operations, Uttar Pradesh  
(Administrative Section)

6-Part Road,  
LUCKNOW

October 4, 1979.

O R D E R

Agreeing with the recommendations of the Departmental Promotions Committee in respect of the following officials, the officials named below in Col. 2 are hereby confirmed on the post indicated in Col. 3 with effect from the date shown against each in Col. 4.

The confirmation of these officials is subject to the result of the pending writ petitions:-

Serial No.	Name of official	Post on which substantively appointed.	Date from which substantively appointed.
1.	2.	3.	4.
	Sarvshri		
1.	Rafiq Uddin	Computer (Rs. 330-560)	1.7.1979
2.	Suresh Chand Sharma (Ex. ser)	-do-	-do-
3.	Chandra Pal Gupta	-do-	-do-
4.	Bishram Rawat (SC)	-do-	-do-
5.	Anand Singh Negi	-do-	-do-
6.	Jai Chand Prakash (SC)	-do-	-do-
7.	Atimad Aldi.	-do-	-do-
8.	Rana Kant Mishra.	-do-	-do-
9.	Surinder Nath Srivastava.	-do-	-do-
10.	Mittar Bhushan Taneja.	-do-	-do-
11.	Virendra Kumar Srivastava.	-do-	-do-
12.	Syed Zaki Mehdi.	-do-	-do-
13.	Banarasi Lal (SC).	-do-	-do-
14.	Girish Chandra Gupta	-do-	-do-
15.	Hira Lal S/o Sh. Baldev Prasad (Ex-Serviceman).	-do-	-do-
16.	Rakesh Kumar Agarwal.	-do-	-do-
17.	Nagendra Pandey.	-do-	-do-
18.	Mirza Khurem.	-do-	-do-
19.	Kamal Deo Pandey.	-do-	-do-
20.	Kamal Deo Pandey.	-do-	-do-
21.	Anil Saxena.	-do-	-do-
22.	Balbir Singh	-do-	-do-
23.	Laxmi Kant Asthana	-do-	-do-
24.	Karam Hussain.	-do-	-do-
25.	Shyamal Kumar Banerjee	-do-	-do-
26.	Abdul Rafiq.	-do-	-do-

Contd.....

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1.	2.	3.	4.
	Sarvabhi		
27	Nirmal Singh	Computer (Rs. 330-560)	1.7.1979
28.	Smt. Ranjana Chadha	-do-	-do-
29.	Dinesh Narain Saxena.	-do-	-do-
30.	Satya Narain Agarwal.	-do-	-do-
31.	Vijai Kumar Tewari.	-do-	-do-
32.	Udit Gopai Jhingran.	-do-	-do-
33.	Sudhir Chandra.	-do-	-do-
34.	Tika RamDeorani	-do-	-do-
35.	Ram Lakhan Yadav	-do-	-do-
36.	Vinod Kumar Agarwal.	-do-	-do-
37.	Mahesh Chandra Shukha.	-do-	-do-
38.	Shri Ram Dubey.	-do-	-do-
39.	<del>Anadi Asthana.</del>	-do-	-do-
40.	Surya Narain.	-do-	-do-
41.	Jeewan Chandra Joshi.	-do-	-do-
42.	Brahesh Kumar Srivastava.	-do-	-do-
42.	Prem Kumar Pathak	-do-	-do-
44.	Ajai Awasthi.	-do-	-do-
45.	Devendra Issac Lyall.	-do-	-do-
46.	Krishna Gopal Awasthi	-do-	-do-
47.	<del>Raman Lal</del>	-do-	-do-
48.	Satish Chandra Gupta.	-do-	-do-
49.	Raghu Raj Singh	-do-	-do-
50.	Subhash Chandra Verma.	-do-	-do-
51.	<del>Nankoo Singh.</del>	-do-	-do-
52.	Sri Niwas Rai	-do-	-do-
53.	Mohd. Zakaria Ansari.	-do-	-do-
54.	Vishuni Ram (SC)	-do-	-do-
55.	Raj Kumar	-do-	-do-
56.	Ram Autar Gupta.	-do-	-do-
57.	Mahesh Chandra Maheshwari	-do-	-do-
58.	Ramesh Chandra Baranwal	-do-	-do-
59.	Asharfi Lal	-do-	-do-
60.	Om Prakash Srivastava.	-do-	-do-
61.	Rakesh Kumar	-do-	-do-
62.	Ram Prasad Misra.	-do-	-do-
63.	Ehtishamur Rahman.	-do-	-do-
64.	Vijai Kumar Sinha.	-do-	-do-
65.	Yugal Kishore Srivastava.	-do-	-do-
66.	Dhani Ram	-do-	-do-
67.	Dharikshan Prasad (SC)	-do-	-do-
68.	Rajendra Kumar Verma	-do-	-do-
69.	Ram Naresh Misra.	-do-	-do-
70.	Mahendra Kumar Verms.	-do-	-do-
71.	Harish Chandra Srivastava.	-do-	-do-
72.	Vishwa Nath Prasad.	-do-	-do-
73.	Vinod Soloman.	-do-	-do-
74.	Mohd. Badruddin Khan.	-do-	-do-
75.	Dharam Prakash Garg	-do-	-do-
76.	Vacant	--	--
77.	Vacant.	--	--

Note: The cases of officials which were considered by the Departmental Promotion Committee but could not be confirmed along with the aforementioned officials, their inter-se-seniority at the time of their confirmation, vis-a-vis the above confirmed officials shall be determined subsequently.

Sd/-Ravinder Gupta  
Director of Census  
Operations, Uttar Pradesh

Sd/-

.. Contd.....3

No. AE/308-71(i)/DCO-UP/A-3050(1) of date

Copy forwarded for information to:-

1. The officials concerned.
2. The Registrar General, India, 2/A, Mansingh Road, New Delhi-110011.
3. The Pay and Accounts officer (Census), New Delhi.
4. All Deputy/Assistant Directors of Census Operations, in DCO, U.P.
5. Accounts Section.
6. Head Clerks/Assistants.
7. U.D.Cs./L.D.Cs. in Establishment Section.
8. Permanency File.
9. Personal Files. of officials concerned.
10. General Secretary, Census Directorate Employees Association, U.P.

Sd/- H.O.K.LAVANIA  
DEPUTY DIRECTOR (ADMN.)

A97

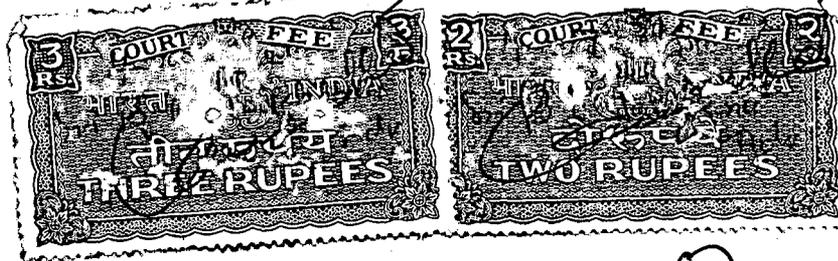
2  
1

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

C.M. Application No. 347 (w) of 1980

In re:

Writ petition No. 384 of 1980.



Nankoo Singh and others

Versus

Union of India and others

2 = 895  
M  
4/7/80  
... Petitioners  
Applicants  
... Opp-parties

This application on behalf of the applicants  
above-named most respectfully sheweth :-

1. That opposite-parties nos. 4 to 35 are working as Computers in the Office of Director of Census Operations, opposite-party no.3.
2. That for the purposes of service on the said opposite-parties nos: 4 to 35, it would be encumbersome and would also entail unnecessary expenditure to send registered notices individually.
3. That places of residence of the said opposite-parties Nos: 4 to 35 are not to the petitioners, and their official addresses is known.

WHEREFORE, it is respectfully prayed that  
this Hon'ble Court be pleased to permit the

JCB  
2/2

(2)

petitioners to effect service on opposite-  
parties nos: 4 to 35 by registered parcel  
addressed to opposite party no. 3 enclosing  
therein duplicates of the writ petition with  
notices and summons for each of the said  
opposite-parties and the office be directed  
to accept the process so filed and the delay in  
filing the process fee be condoned.

Lucknow dated,  
July 4, 1980.

(B.C.Saksena)  
Advocate,  
Counsel for the applicants

---

Agg

2/3

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

Civil Misc. App. (W) of 1980  
in Writ Petition No. of 1980

G.B. Singh & others ... Petitioners  
vs  
State of U.P. & others ... Respondents

In the above noted case, the petitioners have paid the necessary court fee and removed the deficiency today. The deficiency had arisen on account of non-availability of court-fee stamps with the Stamp Vendors.

Prayer

Wherefore, it is respectfully prayed that this Hon'ble Court be pleased to condone the delay in paying the court-fee.

Lucknow:  
4th July, 1980.

*R. Nath*  
(R. Nath)  
Advocate  
Counsel for Petitioners.

A102

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

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C.M. Application No. \_\_\_\_\_ (w) of 1980

In re:

Writ Petition No. \_\_\_\_\_ of 1980.

Nankoo Singh and others ...Petitioners  
Applicants

Versus

Union of India and others ...Opp-parties

---

This application on behalf of the applicants  
above-named most respectfully sheweth :-

1. That opposite-parties nos. 4 to 35 are working as Computers in the Office of Director of Census Operations, opposite-party no.3.
2. That for the purposes of service on the said opposite-parties nos. 4 to 35, it would be cumbersome and would also entail unnecessary expenditure to send registered notices individually.
3. That places of residence of the said opposite-parties Nos: 4 to 35 are not to the petitioners, and their official addresses is known.

WHEREFORE, it is respectfully prayed that  
this Hon'ble Court be pleased to permit the

A 101

(2)

petitioners to effect service on opposite-parties nos: 4 to 35 by registered parcel addressed to opposite party no. 3 enclosing therein duplicates of the writ petition with notices and summons for each of the said opposite-parties and the office be directed to accept the process so filed and the delay in filing the process fees be condoned.

Lucknow dated,  
July 4, 1980.

(B.C. Saxena)  
Advocate,  
Counsel for the applicants



14

A/153

हाई कोर्ट इलाहाबाद  
( अध्याय 12, नियम 1 और 7 )

प्रत्यर्था ( मुतफरिका ) प्रार्थना पत्र सं० - - - - - सन् 19 - 80  
W.P. 204/1980 - - - - - प्रार्थी

Nan Koo Singh & Others  
प्रति

Kriem of India & Others - - - - - प्रत्यर्थी

Smt Ranjana Chaudha working  
as Computers Under the  
Opp Party No. 3 Directorate of Computerisation  
U.P. 6 Park Road Lucknow

चूंकि उपर लिखे प्रार्थी ने इस न्यायालय में उपर्युक्त मुकदमें के संबन्ध में - - - - -

लिये प्रार्थना पत्र दिया है, अतः आपको सूचित किया जाता है कि आप दिनांक 24 - - - - -

माह 12-80 - - - - - सन् को या उससे पहले उपस्थित होकर कारण बतलाये कि प्रार्थना पत्र क्यों न  
स्वीकार लिया जाय । उक्त प्रार्थना पत्र की सुनवाई उसके बाद नियमानुसार विज्ञापित किसी और  
दिन होगी ।

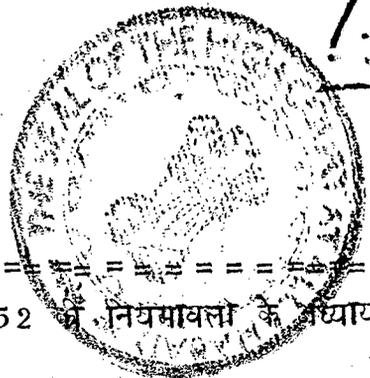
विदित हो कि यदि आप उपर लिखे दिनांक पर या उसके पहले स्वयं अथवा किसी  
एडवोकेट या ऐसे व्यक्ति द्वारा, जो आपकी ओर से कार्य करने के लिये कानूनन अधिकृत हो,  
उपस्थित न होंगे तो उक्त प्रार्थना पत्र की सुनवाई और निर्णय आपकी अनुपस्थिति में हो जायेंगे ।  
प्रार्थना पत्र और प्रार्थी द्वारा दिए गए शपथपत्र की एक एक प्रतिलिपि उसी के साथ लगी है ।

मेरे हस्ताक्षर और न्यायालय की मोहर से आज दिनांक 27 - - - - - माह 11 - - - - -

सन् 19 80 - - - - - को जारी किया गया ।

In P.C. Lakshana के एडवोकेट

P. B. Singh



डिप्टी रजिस्ट्रार  
इलाहाबाद / लखनऊ

तिथि - - - - -

सूचना- इस न्यायालय की 1952 में नियमावली के अध्याय 37, नियम 2 के अधीन प्राप्त तलवाना  
मिल गया ।

तलवाना पाने वाले कार्ड के हस्ताक्षर

हाई कोर्ट इलाहाबाद  
( अध्याय 12, नियम 1 और 7 )

प्रकीर्णक ( मुतफरिफ ) प्रार्थना पत्र सं० - - - - - सन् 19 - 80  
W.P. 384 of 1980

Nan Koo Singh Jethwa  
प्रति

Union of India & others

Normal Singh  
Working as Computers under  
the opp-Party No 3 Directorate of Census  
operations U.P. ~~Lucknow~~

चूंकि ऊपर लिखे प्रार्थी ने इस न्यायालय में उपर्युक्त मुकदमें के संबन्ध में - - - - -  
के लिये प्रार्थना-पत्र दिया है, अतः आपको सूचित किया जाता है कि आप दिनांक 24  
माह 12-80 सन् को या उससे पहले उपस्थित होकर कारण बतलायें कि प्रार्थना पत्र क्यों न  
स्वीकार लिया जाय । उक्त प्रार्थना-पत्र की सुनवाई उसके बाद नियमानुसार विज्ञापित किसी और  
दिन होगी ।

विदित हो कि यदि आप ऊपर लिखे दिनांक पर या उसके पहले स्वयं अथवा किसी  
रहबोकेट या ऐसे व्यक्ति द्वारा, जो आपकी ओर से कार्य करने के लिये कानूनन अधिकृत हो,  
उपस्थित न होंगे तो उक्त प्रार्थना पत्र की सुनवाई और निर्णय आपकी अनुपस्थिति में हो जायेंगे ।  
प्रार्थना-पत्र और प्रार्थी द्वारा दिए गए शपथ-पत्र की एक एक प्रतिलिपि उसी के साथ लगी है ।

मेरे हस्ताक्षर और न्यायालय की मोहर से आज दिनांक 27 माह 11  
सन् 19 80 को जारी किया गया ।

By A.C. Saxena के रहबोकेट



R. B. Singh

तिथि - - - - -

डिप्टी रजिस्टार  
इलाहाबाद / लखनऊ

सूचना- इस न्यायालय की 1952 की नियमावली के अध्याय 37, नियम 2 के अधीन प्राप्त तलवाना  
मिल गया ।

तलवाना पाने वाले क्लर्क के हस्ताक्षर

A105

हाई कोर्ट इलाहाबाद  
( अध्याय 12, नियम 1 और 7 )

प्रार्थना पत्र सं० --- सन् 19 --- ई०  
W.P. 384/1980

Nankoo Singh Jethers  
पति

Orisan of India Jethers

Abdul Rafiq Working  
as Computers under the opp.  
Party No 3 Director of Computer operations  
U.P. Lucknow

चूंकि ऊपर लिखे प्रार्थी ने इस न्यायालय में उपर्युक्त मुकदमें के संबंध में ---

के प्रार्थना पत्र दिया है, अतः आपको सूचित किया जाता है कि आप दिनांक 24 ---

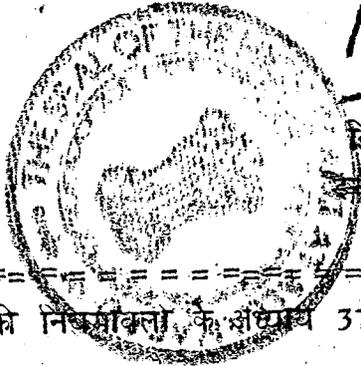
माह 12-80 --- सन् को या उससे पहले उपस्थित होकर कारण बतलाये कि प्रार्थना पत्र क्यों न  
स्वीकार लिया जाय । उक्त प्रार्थना पत्र की सुनवाई उसके बाद नियमानुसार विज्ञापित किसी और  
दिन होगी ।

विदित हो कि यदि आप ऊपर लिखे दिनांक पर या उसके पहले स्वयं अथवा किसी  
रडवोकेट या ऐसे व्यक्ति द्वारा, जो आपके ओर से कार्य करने के लिये कानूनन अधिकृत हो,  
उपस्थित न होंगे तो उक्त प्रार्थना पत्र की सुनवाई और निर्णय आपके अनुपस्थिति में हो जायेंगे ।  
प्रार्थना पत्र और प्रार्थी द्वारा दिए गए शपथ पत्र की एक एक प्रतिलिपि उसी के साथ लगी है ।

मेरे हस्ताक्षर और न्यायालय की मोहर से आज दिनांक 27 --- माह 11 ---

सन् 19 80 --- को जारी किया गया ।

Sr. B.C. Luceana रडवोकेट



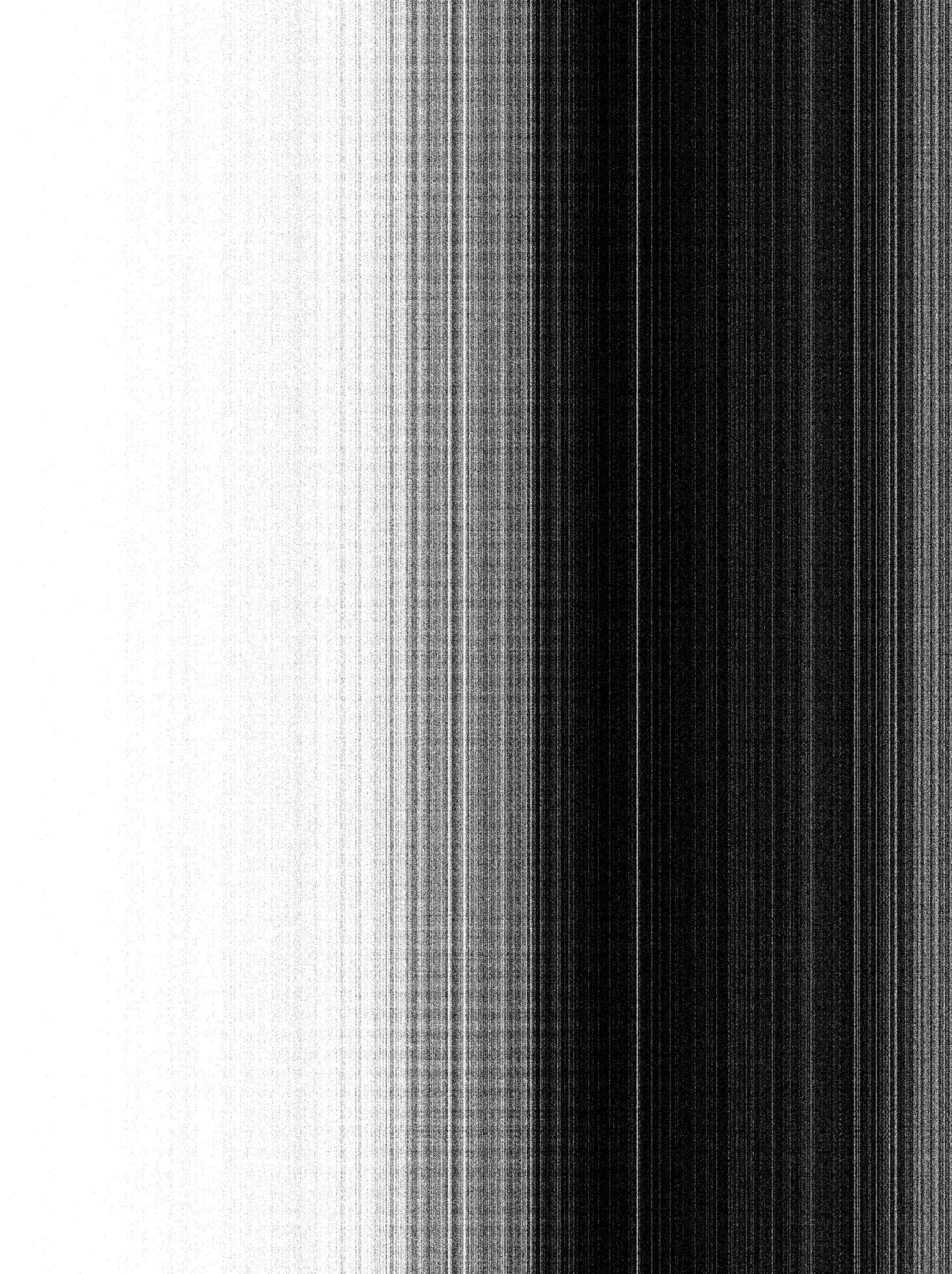
P. R. D. Singh

तिथि ---

डिप्टी रजिस्टार  
इलाहाबाद लखनऊ

सूचना- इस न्यायालय की 1952 की नियमवली के अनुच्छेद 37, नियम 2 के अधीन प्राप्त तलवाना  
मिल गया ।

तलवाना पाने वाले क्लर्क के हस्ताक्षर



24

1106

हाई कोर्ट इलाहाबाद  
( अध्याय 12, नियम 1 और 7 )

क्र. 384 of 1980 (मुतफरिफ) प्रार्थना पत्र सं० - - - - - सन् 19 - - - - - ई०

Nankoo Singh Others  
प्रति

Union of India Others

~~Surya Narayan~~  
Working as Computers under the opp.  
Party No. 3 Director of Census operations U.P.  
Clark Road Lucknow

चूंकि ऊपर लिखे प्रार्थी ने इस न्यायालय में उपर्युक्त मुकदमें के संबंध में - - - - -

के लिये प्रार्थना पत्र दिया है, अतः आपको सूचित किया जाता है कि आप दिनांक 24  
माह 12-80 सन् को या उससे पहले उपस्थित होकर कारण बतलायें कि प्रार्थना पत्र क्यों न  
स्वीकार लिया जाय। उक्त प्रार्थना पत्र की सुनवाई उसके बाद नियमानुसार विज्ञापित किसी और  
दिन होगी।

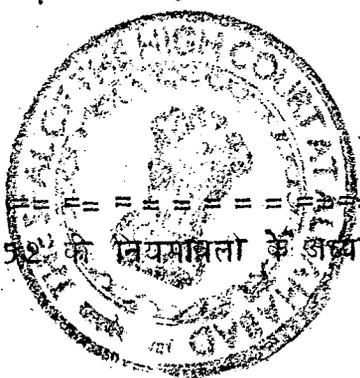
विदित हो कि यदि आप ऊपर लिखे दिनांक पर या उसके पहले स्वयं अथवा किसी  
रडवोकेट या ऐसे व्यक्ति द्वारा, जो आपकी ओर से कार्य करने के लिये कानूनन अधिकृत हो,  
उपस्थित नहीं होंगे तो उक्त प्रार्थना पत्र की सुनवाई और निर्णय आपकी अनुपस्थिति में हो जायेंगे।  
प्रार्थना पत्र और प्रार्थी द्वारा दिए गए शपथ पत्र की एक एक प्रतिलिपि उसी के साथ लगी है।

मेरे हस्ताक्षर और न्यायालय की गोहर से आज दिनांक 27 - - - - - माह 11 - - - - -

सन् 19 80 - - - - - को जारी किया गया।

Sri B. L. Sanyal रडवोकेट

तिथि - - - - -



R. B. Singh

डिप्टी रजिस्टार  
इलाहाबाद लखनऊ

सूचना- इस न्यायालय की 1952 के नियमानुसारी अध्याय 37, नियम 2 के अधीन प्राप्त तलवाना  
मिल गया।

तलवाना पाने वाले क्लर्क के हस्ताक्षर

A 107

भाग हाई कोर्ट इलाहाबाद

( अध्याय १२, नियम १ और ७ )

पकीर्ण ( मुफर्रि ) प्रार्थना पत्र सं० - - - - - सन् १९ ६०

W.B. सं० 384 - - - - - सन् १९६० में

Nenkoo Singh & others - - - - - प्राणी

+ Oriana of India & others. - - - - - प्रत्याणी

Jwan Chandra Jashiwarlang as  
Computers Under the opp. Party No 3  
Director of Census operations U.P  
6 Park Road Lucknow

चूंकि ऊपर लिखे प्राणी ने इस न्यायालय में उपर्युक्त त मुकदमें के सम्बन्ध में प्रत्यवादी के बाद

के - - - - - लिए प्रार्थना पत्र दिया है अतः आपको आदेश दिया जाता है कि  
आप दिनांक 24-12-60 सन् १९ ६० को या उसके पहले उपस्थित होकर बतलायें  
कि प्रार्थना पत्र क्यों न स्वीकार कर लिया जाय उक्त प्रार्थना पत्र की सुनवाई उसके  
बाद नियमानुसार विज्ञप्ति किसी और दिन होगी।

विदित हो कि यदि ऊपर लिखे दिनांक पर या उसके पहले स्वयं अथवा किसी  
एडवोकेट या ऐसे व्यक्ति द्वारा जो आपकी और से कार्य करने के लिये कानूनन अधिष्ठित  
हो, उपस्थित न होंगे तो उस प्रार्थना पत्र की सुनवाई और निर्णय आपकी अनुपस्थित  
में हो जायेंगे।

प्रार्थना पत्र और प्राणी द्वारा दिये गये शपथ पत्र की एक प्रतिलिपि इसी के साथ  
लगी है।

मेरी हस्ताक्षर और न्यायालय की मांहर से आज दिनांक 27 - - - मास 11 - - - सन् १९६०

की जारी किया गया।

S. B. C. Saksena के एडवोकेट

तिथि - - - - -

L. P. Singh  
डिस्टी रजिस्ट्रार  
इलाहाबाद, लखनऊ

सूचना इस न्यायालय की १९६२ की नियमवली के अध्याय ३७, नियम ३ के अधीन  
प्राप्त तलवाना मिल गया।



तलवाना प्राप्त वाले के क्लर्क के हस्ताक्षर

( विधि आदेश पत्र )

23

3/12

2160

1108

दीवानी विभाग हाई कोर्ट इलाहाबाद

(अध्याय १२, नियम १ और ७)

प्रकीर्ण (मुतफरि) प्रार्थना पत्र सं० - - - - - सन् १९ ई०

W.P. सं० 384 - - - - - सन् १९८० में

Monkoo Singh & others - - - - - प्राची

Union of India & others - - - - - प्रत्यागी

Mahesh Chandra Agarwal Working as  
Computers Under the opp. Party No 3  
Director of Consus Operations U.P. & Park  
Road Lucknow

चूंकि ऊपर लिखे प्राची ने इस न्यायालय में उपर्युक्त मुकदमें के सम्बन्ध में प्रत्यवादी के बाद

के - - - - - लिए प्रार्थना पत्र दिया है अतः आपका आदेश दिया जाता है कि

आप दिनांक 24-12-80 सन् १९ का या उसके पहले उपस्थित होकर बतलायें

कि प्रार्थना पत्र क्यों न स्वीकार कर लिया जाय उक्त प्रार्थना पत्र की सुनवाई उसके

बाद नियमानुसार विज्ञप्ति किसी और दिन होगी।

विदित हो कि यदि ऊपर लिखे दिनांक पर या उसके पहले स्वयं अथवा किसी  
हडवाकेट या ऐसे व्यक्ति द्वारा जो आपकी आंर से कार्य करने के लिये कानूनन अधिष्ठित

की सुनवाई और निर्णय आपकी अनुपस्थित

क्रमांक/No 28/20



की एक प्रतिलिपि इसी के साथ

Form with fields for 'Stamps affixed', 'Registered Insured', 'Director of Consus Operations', 'Lucknow', and 'Weight (in words)'. Includes a signature 'M. K. Agarwal'.

ज दिनांक 21 - - - - - मास 11 - - - - - सन् १९

के P. R. Agarwal

पानेवाले अधिकारी के हस्ताक्षर  
Signature of Receiving Officer

डिप्टी रजिस्ट्रार  
इलाहाबाद, लखनऊ

वली के अध्याय ३७, नियम ३ के अधीन

पाने वाले के क्लर्क के हस्ताक्षर

A109

हाई कोर्ट इलाहाबाद  
( अध्याय 12, नियम 1 और 7 )

प्रकीर्णक ( मुतफर्रिक ) प्रार्थना पत्र सं० - - - - - सन् 19 - 80

W.P. 384 of 1980

Nonkoo Singh & others

प्रार्थी

प्रति

Union of India & others

प्रत्यर्थी

Vinod Kumar Agarwal working  
as Computers Under the opp Party No 3  
Director of Co-operation

प्रत्यर्थी का नाम

V.P. 6 Park Road Lucknow

चूंकि ऊपर लिखे प्रार्थी ने इस न्यायालय में उपर्युक्त मुकदमें के संबन्ध में - - - - -

के लिये प्रार्थना पत्र दिया है, अतः आपको सूचित किया जाता है कि आप दिनांक 24 - - - - -

माह 12-80 सन् को या उससे पहले उपस्थित होकर कारण बतलायें कि प्रार्थना पत्र क्यों न

स्वीकार लिया जाय । उक्त प्रार्थनापत्र की सुनवाई उसके बाद नियमानुसार विज्ञापित किसी और

दिन होगी ।

विदित हो कि यदि आप ऊपर लिखे दिनांक पर या उसके पहले स्वयं अथवा किसी

रहबोकेट या ऐसे व्यक्ति द्वारा, जो आपकी ओर से कार्य करने के लिये कानूनन अधिकृत हो,

उपस्थित न होंगे तो उक्त प्रार्थना पत्र की सुनवाई और निर्णय आपकी अनुपस्थिति में हो जायेंगे ।

प्रार्थना पत्र और प्रार्थी द्वारा दिए गए शपथपत्र की एक एक प्रतिलिपि उसी के साथ लगी है ।

मेरे हस्ताक्षर और न्यायालय की गोहर से आज दिनांक 27 - - - - - माह - 11 - - - - -

सन् 19 80 को जारी किया गया ।

के रहबोकेट

तिथि - - - - -



P. R. Bhatnagar

डिप्टी रजिस्टार

इलाहाबाद लखनउ

सूचना- इस न्यायालय की 1952 की नियमावली के अध्याय 37, नियम 2 के अधीन प्राप्त तलवाना

मिल गया ।

तलवाना पाने वाले कार्क के हस्ताक्षर

21

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हाई कोर्ट इलाहाबाद  
( अध्याय 12, नियम 1 और 7 )

पक्षीक ( मुतफरिफ), प्रार्थना पत्र सं० - - - - - सन् 19 - 80

W.P. 384 of 1980

Nonkoo Singh Jothers

प्रार्थी

प्रति

Union of India Jothers

प्रत्यर्थी

Ram Lakhan Yadav working as Compu  
tors Under the app. Party No 3

Director of Census operations  
U.P. 6 Park Road Lucknow

प्रत्यर्थी के नाम

चूंकि ऊपर लिखे प्रार्थी ने इस न्यायालय में उपर्युक्त मुकदमें के संबन्ध में - - - - -

के लिये प्रार्थना पत्र दिया है, अतः आपको सूचित किया जाता है कि आप दिनांक 24

माह 12-80 सन् को या उससे पहले उपस्थित होकर कारण बतलायें कि प्रार्थना पत्र क्यों न

स्वीकार लिया जाय । उक्त प्रार्थना पत्र की सुनवाई उसके बाद नियमानुसार विज्ञापित किसी और  
दिन होगी ।

विदित हो कि यदि आप ऊपर लिखे दिनांक पर या उसके पहले स्वयं अथवा किसी  
रहबोकेट या ऐसे व्यक्ति द्वारा, जो आपकी ओर से कार्य करने के लिये कानूनन अधिकृत हो,  
उपस्थित नुं होंगे तो उक्त प्रार्थना पत्र की सुनवाई और निर्णय आपकी अनुपस्थिति में हो जायेंगे ।  
प्रार्थना पत्र और प्रार्थी द्वारा दिए गए शपथपत्र की एक एक प्रतिलिपि उसी के साथ लगी है ।

मेरे हस्ताक्षर और न्यायालय की मोहर से आज दिनांक 27 माह 11  
सन् 19 80 को जारी किया गया ।

S. B. G. Saxena के रहबोकेट

तिथि - - - - -



P. R. Bhatnagar

डिप्टी जजिस्टार  
इलाहाबाद लखनऊ

सूचना- इस न्यायालय की 1952 की नियमावली के अध्याय 37, नियम 2 के अधीन प्राप्त तलवाना  
मिल गया ।

तलवाना पाने वाले कर्क के हस्ताक्षर

हाई कोर्ट इलाहाबाद  
( अध्याय 12, नियम 1 और 7 )

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( मुतफरक ) प्रार्थना पत्र सं० - - - - - सन 49 - ३०  
C.P. 384 of 1980 - - - - - प्रार्थी

Non Koo Singh Jothers  
प्रति

Union of India Jothers - - - - - प्रत्यर्थी

Tika Ram Dearari

Working as Computers under  
The app. Party No 2 Director of Census  
operations U.P. Park Road Lucknow

चूंकि ऊपर लिखे प्रार्थी ने इस न्यायालय में उपर्युक्त मुकदमें के संबन्ध में - - - - -

के लिये प्रार्थना पत्र दिया है, अतः आपको सूचित किया जाता है कि आप दिनांक - 24 - - - - -

माह 12-80 सन् को या उससे पहले उपस्थित होकर कारण बतलायें कि प्रार्थना पत्र क्यों न  
स्वीकार लिया जाय । उक्त प्रार्थनापत्र की सुनवाई उसके बाद नियमानुसार विज्ञापित किसी और  
दिन होगी ।

विदित हो कि यदि आप ऊपर लिखे दिनांक पर या उसके पहले स्वयं अथवा किसी  
रखवाकेट या ऐसे व्यक्ति द्वारा, जो आपकी ओर से कार्य करने के लिये कानूनन अधिकृत हो,  
उपस्थित न होंगे तो उक्त प्रार्थना पत्र की सुनवाई और निर्णय आपकी अनुपस्थिति में हो जायेंगे ।  
प्रार्थना पत्र और प्रार्थी द्वारा दिए गए शपथपत्र की एक एक प्रतिलिपि उसी के साथ लगी है ।

मेरे हस्ताक्षर और न्यायालय की मोहर से आज दिनांक 27 - - - - - माह 11 - - - - -

सन 19 80 - - - - - को जारी किया गया ।

Sd/- P. G. Saxena  
के रखवाकेट



P. R. Singh  
डिप्टी रजिस्टार

इलाहाबाद / लखनऊ

तिथि - - - - -

सूचना- इस न्यायालय की 1952 की नियमों के अध्याय 37, नियम 2 के अधीन प्राप्त तलवाना  
मिल गया । तलवाना पाने वाले क्लर्क के हस्ताक्षर

हाई कोर्ट इलाहाबाद  
( अध्याय 12, नियम 1 और 7 )

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प्रतर्फ (क) प्रार्थना पत्र सं० - - - - - सन् 19 - 80

384 of 1980

Nonkoo Singh Jothers

प्रार्थी

प्रति

Union of India Jothers

प्रत्यर्थी

Sudhir Chandra Working

as Computers Under the opp

Party No. 3 Director of Census operations

of Park Road Lucknow

चूंकि उपर लिखे प्रार्थी ने इस न्यायालय में उपर्युक्त मुकदमें के संबंध में - - - - -

के लिये प्रार्थना पत्र दिया है, अतः आपको सूचित किया जाता है कि आप दिनांक 24 - - - - -

माह 12-80 सन् को या उससे पहले उपस्थित होकर कारण बतलायें कि प्रार्थना पत्र क्यों न

स्वीकार लिया जाय । उक्त प्रार्थनापत्र की सुनवाई उसके बाद नियमानुसार विज्ञापित किसी और

दिन होगी ।

विदित हो कि यदि आप उपर लिखे दिनांक पर या उसके पहले स्वयं अथवा किसी

रडवोकेट या ऐसे व्यक्ति द्वारा, जो आपकी ओर से कार्य करने के लिये कानूनन अधिकृत हो,

उपस्थित न होंगे तो उक्त प्रार्थना पत्र की सुनवाई और निर्णय आपकी अनुपस्थिति में हो जायेंगे ।

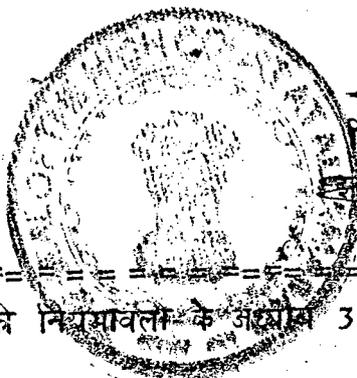
प्रार्थना पत्र और प्रार्थी द्वारा दिए गए शपथपत्र की एक एक प्रतिलिपि उसी के साथ लगी है ।

मेरे हस्ताक्षर और न्यायालय की ओर से आज दिनांक 27 - - - - - माह 11 - - - - -

सन् 19 80 - - को जारी किया गया ।

Sri B. C. Saxena के रडवोकेट

तिथि - - - - -



P. K. Sharma

डिप्टी रजिस्टार  
इलाहाबाद लखनऊ

सूचना- इस न्यायालय की 1952 की नियमावली के अर्ध 37, नियम 2 के अधीन प्राप्त तलवाना मिल गया ।

तलवाना पाने वाले क्लर्क के हस्ताक्षर

हाई कोर्ट इलाहाबाद  
( अध्याय 12, नियम 1 और 7 )

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कीर्णक ( मुतफिरक ) प्रार्थना पत्र सं० - - - - - सन् 19 - 80  
W.P. 384 of 1980

Nankoo Singh Jothers  
प्रति

प्रार्थी

Anian of India Jothers

प्रत्यर्थी

Udit Gopal Jhingran

Working as Computers Under the  
C.P. Party No. 2 Directorate of Census Operations  
U.P. ~~Bank Road~~ Lucknow

चूंकि ऊपर लिखे प्रार्थी ने इस न्यायालय में उपर्युक्त मुकदमें के संबन्ध में - - - - -

के लिये प्रार्थना पत्र दिया है, अतः आपको सूचित किया जाता है कि आप दिनांक - 24 -  
माह 12 - 80 सन् को या उससे पहले उपस्थित होकर कारण बतलायें कि प्रार्थना पत्र क्यों न  
स्वीकार लिया जाय । उक्त प्रार्थनापत्र की सुनवाई उसके बाद नियमानुसार विज्ञापित किसी और  
दिन होगी ।

विदित हो कि यदि आप ऊपर लिखे दिनांक पर या उसके पहले स्वयं अथवा किसी  
एडवोकेट या ऐसे व्यक्ति द्वारा, जो आपकी ओर से कार्य करने के लिये कानूनन अधिकृत हो,  
उपस्थित न होंगे तो उक्त प्रार्थना पत्र की सुनवाई और निर्णय आपकी अनुपस्थिति में हो जायेंगे ।  
प्रार्थना पत्र और प्रार्थी द्वारा दिए गए शपथपत्र की एक एक प्रतिलिपि उसी के साथ लगी है ।

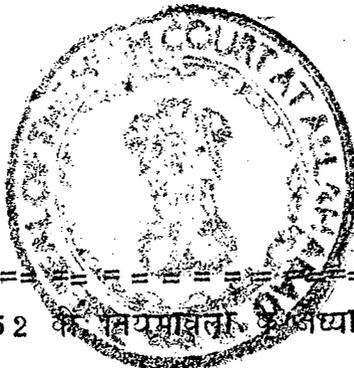
मेरे हस्ताक्षर और न्यायालय की मोहर से आज दिनांक - 27 - माह - 11 -

सन् 19 80 को जारी किया गया ।

Sh. B. Chakravarty  
के एडवोकेट

R. D. Sharma

तिथि - - - - -



डिप्टी रजिस्टार  
इलाहाबाद लखनऊ

सूचना- इस न्यायालय की 1952 के नियमावली के अध्याय 37, नियम 2 के अधीन प्राप्त तलवाना  
मिल गया ।

तलवाना पाने वाले क्लर्क के हस्ताक्षर

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हाई कोर्ट इलाहाबाद  
( अध्याय 12, नियम 1 और 7 )

प्रकीर्णक ( मुतफर्रिक ) प्रार्थना पत्र सं० - - - - - सन 19 - ई०  
w: l 384 of 1920 - - - - - प्रार्थी  
Nankoolingh Jothurs

प्रति  
Union of India Jothurs - - - - - प्रत्यर्थी

Vijai Kumar Tewari  
working as Camputors under the  
Opp-Party No. 3 Director of Police operations  
u. P. 6 Park Road Lucknow

चूंकि ऊपर लिखे प्रार्थी ने इस न्यायालय में उपर्युक्त मुकदमें के संबंध में - - - - -

के लिये प्रार्थना पत्र दिया है, अतः आपको सूचित किया जाता है कि आप दिनांक - 24 -  
माह 12 - 20 - सन् को या उससे पहले उपस्थित होकर कारण बतलायें कि प्रार्थना पत्र क्यों न  
स्वीकार लिया जाय । उक्त प्रार्थनापत्र की सुनवाई उसके बाद नियमानुसार विज्ञापित किसी और  
दिन होगी ।

विदित हो कि यदि आप ऊपर लिखे दिनांक पर या उसके पहले स्वयं अथवा किसी  
एडवोकेट या ऐसे व्यक्ति द्वारा, जो आपकी ओर से कार्य करने के लिये कानूनन अधिकृत हो,  
उपस्थित न होंगे तो उक्त प्रार्थना पत्र की सुनवाई और निर्णय आपकी अनुपस्थिति में हो जायेंगे ।  
प्रार्थना पत्र और प्रार्थी द्वारा दिए गए शपथपत्र की एक एक प्रतिलिपि उसी के साथ लगी है ।

मेरे हस्ताक्षर और न्यायालय की मोहर से आज दिनांक - 27 - माह 11 -

सन 19 - - - - - को जारी किया गया ।

S. B. C. Saxena क एडवोकेट

तिथि - - - - -



P. R. Bhatnagar  
डिप्टी रजिस्टार  
इलाहाबाद लखनऊ

सूचना- इस न्यायालय की 1952 की नियमावली के अध्याय 37, नियम 2 के अधीन प्राप्त तलवाना  
मिल गया ।  
तलवाना पाने वाले क्लर्क के हस्ताक्षर

दीवानी विभाग हाई कोर्ट इलाहाबाद

( अध्याय १२, नियम १ और ७ )

प्रकीर्ण ( मुतफर्रि ) प्रार्थना पत्र सं० - - - - - सन् १९ ६०

W.P. - - - - - सं० 384 of 1980 सन् १ १९६० में

- - - - - Monkeo Singh & others - - - - - प्रार्थी

पति

- - - - - Union of India & others - - - - - प्रत्याक्षी

Satyajit Narain <sup>Agarwal</sup> Working as Computers  
Under the opp Party No 3 Director of Census  
apertian U.P. 6 Park Road Lucknow.

चूंकि ऊपर लिखे प्रार्थी ने इस न्यायालय में उपर्युक्त मुकदमें के सम्बन्ध में प्रत्यवादी के बाद के - - - - - लिए प्रार्थना पत्र दिया है अतः आपको आदेश दिया जाता है कि आप दिनांक 24 मास - 12 - - - - - सन् १९ ८० का या उससे पहले उपस्थित होकर 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 ऊपर लिखे दिनांक पर या उसके पहले स्वयं अथवा किसी एडवोकेट या ऐसे व्यक्ति द्वारा, जो आपकी और से कार्य करने के लिये कानूनन अधिकृत हो, उपस्थित न होंगे तो उस प्रार्थना पत्र की सुनवाई और निर्णय आपकी अनुपस्थिति में ही जायेंगे।

प्रार्थना पत्र और प्रार्थी द्वारा दिये गये शपथ पत्र की एक प्रतिलिपि इसी के साथ लगी है।

मेरे हस्ताक्षर और न्यायालय की मुहर से आज दिनांक - 27 - - - - - मास - 11 - - - - - सन् १९ ८०

का जारी किया गया।

Sri B. C. Saccama एडवोकेट

तिथि - - - - -

J. R. Sharma

डिप्टी रजिस्ट्रार  
इलाहाबाद, लखनऊ

सूचना इस न्यायालय की १ ६५२ की नियमबली के अध्याय ३७, नियम ३ के अधीन प्राप्त तलवाना मिल गया।

तलवाना पान वाले के बलके के हस्ताक्षर

( विरथ आंजा-पत्र )

हाई कोर्ट इलाहाबाद  
( अध्याय 12, नियम 1 और 7 )

प्रार्थना पत्र सं० --- सन् 19 --- ई०  
W. 3040/1980

Nankoo Singh & others  
प्रति

Union of India & others

Shyamal Kumar Banerjee  
Working as Compiler under the  
app-Party No 3 Directorate of Census operations  
U.P. Lucknow

चूंकि ऊपर लिखे प्रार्थी ने इस न्यायालय में उपर्युक्त मुकदमें के संबंध में

के लिये प्रार्थना पत्र दिया है, अतः आपको सूचित किया जाता है कि आप दिनांक 24  
माह 12-80 सन् को या उससे पहले उपस्थित होकर कारण बतलायें कि प्रार्थना पत्र क्यों न  
स्वीकार लिया जाय। उक्त प्रार्थना पत्र की सुनवाई उसके बाद नियमानुसार विज्ञापित किसी और  
दिन होगी।

विदित हो कि यदि आप ऊपर लिखे दिनांक पर या उसके पहले स्वयं अथवा किसी  
रहबोकेट या ऐसे व्यक्ति द्वारा, जो आपके ओर से कार्य करने के लिये कानूनन अधिकृत हो,  
उपस्थित न होंगे तो उक्त प्रार्थना पत्र की सुनवाई और निर्णय आपके अनुपस्थिति में हो जायेंगे।  
प्रार्थना पत्र और प्रार्थी द्वारा दिए गए शपथ पत्र की एक एक प्रतिलिपि उसी के साथ लगी है।

मेरे हस्ताक्षर और न्यायालय की मोहर से आज दिनांक 27 माह 11

सन् 19 80 को जारी किया गया।

B.C. Sarkaria के रहबोकेट

P. R. Bhatnagar



तिथि ---

मिस्टर रजिस्टार  
इलाहाबाद/ लखनऊ

सूचना- इस न्यायालय की 1952 की नियमवली के अध्याय 37, नियम 2 के अधीन प्राप्त तलवाना  
मिल गया।

तलवाना पाने वाले क्लर्क के हस्ताक्षर

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हाई कोर्ट इलाहाबाद  
( अध्याय 12, नियम 1 और 7 )

क) प्रार्थना पत्र सं० - - - - - सन् 19 - 80

27/04/1980

Nonkoo Singh Jethers  
प्रति

प्रार्थी

Union of India Jethers

प्रत्यर्थी

Karam Hussain Working

as Computers Under the

app Party No 3 Director of Census operations

V.P. Park Road Lucknow

चूंकि ऊपर लिखे प्रार्थी ने इस न्यायालय में उपर्युक्त मुकदमें के संबंध में - - - - -

के लिये प्रार्थना पत्र दिया है, अतः आपको सूचित किया जाता है कि आप दिनांक 24 - - - - -

माह 12-80 सन् को या उससे पहले उपस्थित होकर कारण बतलायें कि प्रार्थना पत्र क्यों न

स्वीकार लिया जाय । उक्त प्रार्थना पत्र की सुनवाई उसके बाद नियमानुसार विज्ञापित किसी और

दिन होगी ।

विदित हो कि यदि आप ऊपर लिखे दिनांक पर या उसके पहले स्वयं अथवा किसी

एडवोकेट या ऐसे व्यक्ति द्वारा, जो आपकी ओर से कार्य करने के लिये कानूनन अधिकृत हो,

उपस्थित न होंगे तो उक्त प्रार्थना पत्र की सुनवाई और निर्णय आपकी अनुपस्थिति में हो जायेंगे ।

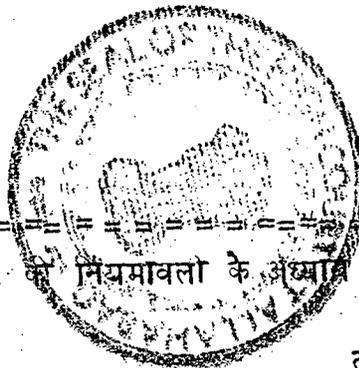
प्रार्थना पत्र और प्रार्थी द्वारा दिए गए शपथ पत्र की एक एक प्रतिलिपि उसी के साथ लगी है ।

मेरे हस्ताक्षर और न्यायालय की मोहर से आज दिनांक 27 - - - - - माह 11 - - - - -

सन् 19 80 को जारी किया गया ।

S. B. C. Saranya के एडवोकेट

तिथि - - - - -



P. R. Bhatnagar

डिप्टी रजिस्टार

इलाहाबाद / लखनऊ

सूचना- इस न्यायालय की 1952 के नियमावली के अध्याय 37, नियम 2 के अधीन प्राप्त तलवाना मिल गया ।

तलवाना पाने वाले कार्ड के हस्ताक्षर

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हाई कोर्ट इलाहाबाद  
( अध्याय 12, नियम 1 और 7 )

प्रकीर्णक (मुतफरिफ) प्रार्थना पत्र सं० - - - - - सन् 19 - 80

W.P. 384/1980

Nantoo Singh & others

प्रार्थी

प्रति

Union of India & others

प्रत्यर्थी

Lawrence Karol Asthana  
Working as Computers Under  
the opp-Party No 3 Director of Census  
operations u.p. Lucknow

चूंकि उपर लिखे प्रार्थी ने इस न्यायालय में उपर्युक्त मुकदमें के संबंध में - - - - -

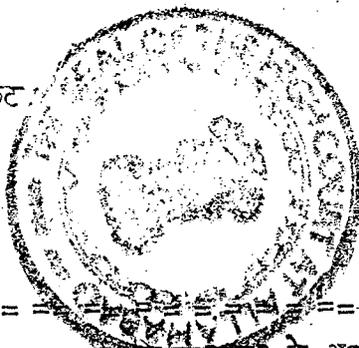
के लिये प्रार्थना पत्र दिया है, अतः आपको सूचित किया जाता है कि आप दिनांक 24  
माह 12-80 सन् को या उससे पहले उपस्थित होकर कारण बतलायें कि प्रार्थना पत्र क्यों न  
स्वीकार लिया जाय । उक्त प्रार्थनापत्र की सुनवाई उसके बाद नियमानुसार विज्ञापित किसी और  
दिन होगी ।

विदित हो कि यदि आप उपर लिखे दिनांक पर या उसके पहले स्वयं अथवा किसी  
एडवोकेट या ऐसे व्यक्ति द्वारा, जो आपकी ओर से कार्य करने के लिये कानूनन अधिकृत हो,  
उपस्थित न होंगे तो उक्त प्रार्थना पत्र की सुनवाई और निर्णय आपकी अनुपस्थिति में हो जायेंगे ।  
प्रार्थना पत्र और प्रार्थी द्वारा दिए गए शपथपत्र की एक एक प्रतिलिपि उसी के साथ लगी है ।

मेरे हस्ताक्षर और न्यायालय की ओर से आज दिनांक 27 माह 11 - - - - -

सन् 19 80 - - - - - को जारी किया गया ।

Sri B.C. Lawsons एडवोकेट



R. B. Singh

तिथि - - - - -

डिप्टी रजिस्टार  
इलाहाबाद / लखनऊ

सूचना- इस न्यायालय की 1952 का अध्याय 37, नियम 2 के अधीन प्राप्त तलवाना  
मिल गया ।

तलवाना पाने वाले क्लर्क के हस्ताक्षर

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हाई कोर्ट इलाहाबाद  
( अध्याय 12, नियम 1 और 7 )

प्रकारिक (मतफोरिक) प्रार्थना पत्र सं० - - - - - सन् 19 - - - - - ई०  
W.P. 384 of 1980

Nankoo Singh Tothurs

प्रार्थी

प्रति  
Union of India Tothurs

प्रत्यर्थी

Balbir Singh working as

Computer under the

app. Party No 3 Director of Census operation

C.P. Chandrasekhar IAS

चूंकि ऊपर लिखे प्रार्थी ने इस न्यायालय में उपर्युक्त मुकदमें के संबंध में - - - - -

के लिये प्रार्थना पत्र दिया है, अतः आपको सूचित किया जाता है कि आप दिनांक - 24 - - - - -  
माह 12 - - - - - सन् को या उससे पहले उपस्थित होकर कारण बतलायें कि प्रार्थना पत्र क्यों न  
स्वीकार लिया जाय । उक्त प्रार्थना पत्र की सुनवाई उसके बाद नियमानुसार विज्ञापित किसी और  
दिन होगी ।

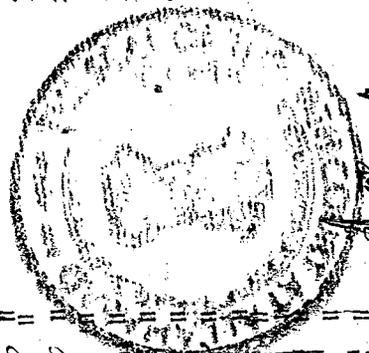
विदित हो कि यदि आप ऊपर लिखे दिनांक पर या उसके पहले स्वयं अथवा किसी  
रहबोकेट या ऐसे व्यक्ति द्वारा, जो आपकी ओर से कार्य करने के लिये कानूनन अधिकृत हो,  
उपस्थित न होंगे तो उक्त प्रार्थना पत्र की सुनवाई और निर्णय आपकी अनुपस्थिति में हो जायेंगे ।  
प्रार्थना पत्र और प्रार्थी द्वारा दिए गए शपथ पत्र की एक एक प्रतिलिपि उसी के साथ लगी है ।

मेरे हस्ताक्षर और न्यायालय की गेहर से आज दिनांक - 27 - - - - - माह 11 - - - - -

सन् 19 80 - - - - - को जारी किया गया ।

S.P.C. Lakshana क रहबोकेट

तिथि - - - - -



P. R. Sharma

डिप्टी रजिस्टार  
इलाहाबाद / लखनऊ  
B

सूचना- इस न्यायालय की 1952 की नियमावली के अध्याय 37, नियम 2 के अधीन प्राप्त तलवाना  
मिल गया ।  
तलवाना पाने वाले क्लर्क के हस्ताक्षर

A120

हाई कोर्ट इलाहाबाद  
( अध्याय 12, नियम 1 और 7 )

प्रकीर्णक ( मुकदमा ) प्रार्थना पत्र सं० - - - - - सन् 19 - ई०

W.P. 384 of 1980

Nankool Singh & others.

प्रार्थी

प्रति

Union of India & others

प्रत्यर्थी

Anil Sakseena

Working as Computers Under the  
Opp. Party No 3 Director of Census  
operations U.P. @ Patna

चूंकि ऊपर लिखे प्रार्थी ने इस न्यायालय में उपर्युक्त मुकदमें के संबंध में - - - - -

के लिये प्रार्थना पत्र दिया है, अतः आपको सूचित किया जाता है कि आप दिनांक - - - - -

१५

माह 12-80 सन् को या उससे पहले उपस्थित होकर कारण बतलायें कि प्रार्थना पत्र क्यों न  
स्वीकार लिया जाय । उक्त प्रार्थना पत्र की सुनवाई उसके बाद नियमानुसार विज्ञापित किसी और  
दिन होगी ।

विदित हो कि यदि आप ऊपर लिखे दिनांक पर या उसके पहले स्वयं अथवा किसी

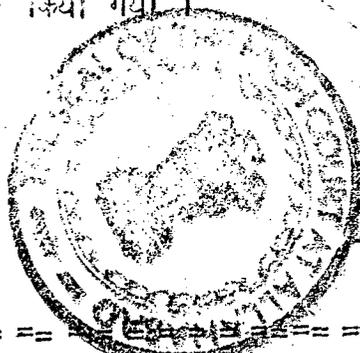
रखवोकेट या ऐसे व्यक्ति द्वारा, जो आपकी ओर से कार्य करने के लिये कानूनन अधिकृत हो,  
उपस्थित न होंगे तो उक्त प्रार्थना पत्र की सुनवाई और निर्णय आपकी अनुपस्थिति में हो जायेंगे ।  
प्रार्थना पत्र और प्रार्थी द्वारा दिए गए शपथपत्र की एक एक प्रतिलिपि उसी के साथ लगी है ।

मेरे हस्ताक्षर और न्यायालय की गेहर से आज दिनांक - - १७ - - माह - - 11 - -

सन् 19 80 को जारी किया गया ।

Sr. R.C. Sakseena के रखवोकेट

*P. R. Sakseena*



तिथि - - - - -

डिप्टी रजिस्टार  
इलाहाबाद / लखनऊ

सूचना- इस न्यायालय की 1952 की नियमावली के अध्याय 37, नियम 2 के अधीन प्राप्त तलवाना  
मिल गया ।

तलवाना पाने वाले क्लर्क के हस्ताक्षर

हाई कोर्ट इलाहाबाद  
( अध्याय 12, नियम 1 और 7 )

1121

प्रकीर्णक ( मुतफरिफ ) प्रार्थना पत्र सं० - - - - - सन् 19 - 80  
W.R. 384 of 1980 - - - - - प्रार्थी

Nankoo Singh Jothers  
पति

Union of India Jothers

Kamal Deo Pandey

Working as Computers under

of the opp. Party No 3 Director of Census operations U.P. Lucknow

चूंकि उपर लिखे प्रार्थी ने इस न्यायालय में उपर्युक्त मुकदमें के संबध में - - - - -

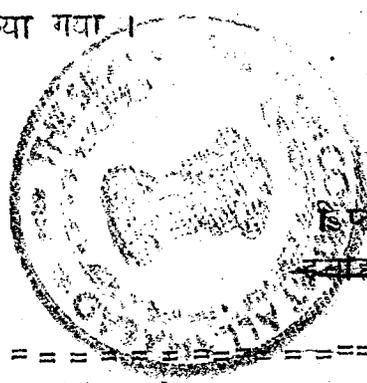
के लिये प्रार्थना पत्र दिया है, अतः आपको सूचित किया जाता है कि आप दिनांक 29  
माह 12-80 सन् को या उससे पहले उपस्थित होकर कारण बतलायें कि प्रार्थना पत्र क्यों न  
स्वीकार लिया जाय । उक्त प्रार्थनापत्र की सुनवाई उसके बाद नियमानुसार विज्ञापित किसी और  
दिन होगी ।

विदित हो कि यदि आप उपर लिखे दिनांक पर या उसके पहले स्वयं अथवा किसी  
रडवोकेट या ऐसे व्यक्ति द्वारा, जो आपके ओर से कार्य करने के लिये कानूनन अधिकृत हो,  
उपस्थित न हों तो उक्त प्रार्थना पत्र की सुनवाई और निर्णय आपके अनुपस्थिति में हो जायेंगे ।  
प्रार्थना पत्र और प्रार्थी द्वारा दिए गए शपथपत्र की एक एक प्रतिलिपि उसी के साथ लगी है ।

मेरे हस्ताक्षर और न्यायालय की ओर से आज दिनांक 27 माह 11

सन् 19 80 को जारी किया गया ।

Shri B. C. Saranya के रडवोकेट



P. R. Bhatnagar

हिस्टो रजिस्टार  
इलाहाबाद लखनऊ

सूचना- इस न्यायालय की 1952 की नियमावली के अध्याय 37, नियम 2 के अधीन प्राप्त तलवाना  
मिल गया ।

तलवाना पाने वाले क्लर्क के हस्ताक्षर

5

AP22

हाई कोर्ट इलाहाबाद  
( अध्याय 12, नियम 1 और 7 )

प्रकीर्णक ( मुतफरिफ ) प्रार्थना पत्र सं० - - - - - सन 19 - 80

W.P. No 384/80

Nankoo Singh & others

प्रार्थी

प्रति

Union of India & others

प्रत्यर्थी

Vinlesh Kumar Srivastava

Working as Computer under the

~~apt. Posty - No 2 Co. The Director of~~

~~Centers of Park Road Lucknow.~~

5 Park Road

चूंकि उपर लिखे प्रार्थी ने इस न्यायालय में उपर्युक्त मुकदमें के संबंध में - - - - -

के लिये प्रार्थना पत्र दिया है, अतः आपको सूचित किया जाता है कि आप दिनांक - 24 -

माह 12-80 - सन् को या उससे पहले उपस्थित होकर कारण बतलायें कि प्रार्थना पत्र क्यों न

स्वीकार लिया जाय ; उक्त प्रार्थनापत्र की सुनवाई उसके बाद नियमानुसार विज्ञापित किसी और

दिन होगी ।

विदित हो कि यदि आप उपर लिखे दिनांक पर या उसके पहले स्वयं अथवा किसी

रहबोकेट या ऐसे व्यक्ति द्वारा, जो आपकी ओर से कार्य करने के लिये कानूनन अधिकृत हो,

उपस्थित न होंगे तो उक्त प्रार्थना पत्र की सुनवाई और निर्णय आपकी अनुपस्थिति में हो जायेंगे ।

प्रार्थना पत्र और प्रार्थी द्वारा दिए गए शपथपत्र की एक एक प्रतिलिपि उसी के साथ लगी है ।

मेरे हस्ताक्षर और न्यायालय की मोहर से आज दिनांक - 27 - माह - 11 -

सन 19 80 - को जारी किया गया ।

S. B. Chakravarty  
रहबोकेट



P. R. Dasgupta

तिथि - - - - -

डिप्टी रजिस्ट्रार  
इलाहाबाद लखनऊ

सूचना- इस न्यायालय की 1952 की नियमावली के अध्याय 37, नियम 2 के अधीन प्राप्त तलवाना

मिल गया ।

तलवाना पाने वाले कार्य के हस्ताक्षर

A123

4

हाई कोर्ट इलाहाबाद  
( अध्याय 12, नियम 1 और 7 )

प्रकीर्णक ( मुतफर्रिक ) प्रार्थना पत्र सं० - - - - - सन 19 - 80

5 P. 384 of 1980

Nan Koo Sengh + others

प्रार्थी

प्रति

Union of India + other

प्रत्यर्थी

Mirza Khurram

Working as Computer under the

app. Party No 3 - Director of Census Operation

प्रत्यर्थी के नाम

U.P. ~~Patna Road~~ Lucknow

चूंकि ऊपर लिखे प्रार्थी ने इस न्यायालय में उपर्युक्त मुकदमें के संबंध में - - - - -

के प्रार्थना पत्र दिया है, अतः आपको सूचित किया जाता है कि आप दिनांक - 24 - - - - -

माह - 12 - 80 - सन् को या उससे पहले उपस्थित होकर कारण बतलायें कि प्रार्थना पत्र क्यों न

स्वीकार लिया जाय । उक्त प्रार्थना पत्र की सुनवाई उसके बाद नियमानुसार विज्ञापित किसी और

दिन होगी ।

विदित हो कि यदि आप ऊपर लिखे दिनांक पर या उसके पहले स्वयं अथवा किसी

एडवोकेट या ऐसे व्यक्ति द्वारा, जो आपके ओर से कार्य करने के लिये कानूनन अधिकृत हो,

उपस्थित न होंगे तो उक्त प्रार्थना पत्र की सुनवाई और निर्णय आपके अनुपस्थिति में हो जायेंगे ।

प्रार्थना पत्र और प्रार्थी द्वारा दिए गए शपथपत्र की एक एक प्रतिलिपि उसी के साथ लगी है ।

मेरे हस्ताक्षर और न्यायालय की मोहर से आज दिनांक - 27 - माह - 11 - - - - -

सन 19 - 80 - को जारी किया गया -

Sri B. C. Saxena क एडवोकेट



P. R. Dasgupta

तिथि - - - - -

डिप्टी रजिस्टार

इलाहाबाद लखनऊ

सूचना- इस न्यायालय की 1952 के नियमावली के अध्याय 37, नियम 2 के अधीन प्राप्त तलवाना मिल गया ।

तलवाना पाने वाले क्लर्क के हस्ताक्षर

38

A/24

निर्देशों के विषय में

हाई कोर्ट इलाहाबाद  
(अध्याय १२, नियम २ और ७)

दिनांक ( मुतफरिफ ) प्रार्थना-पत्र संख्या - - - - - संन १६

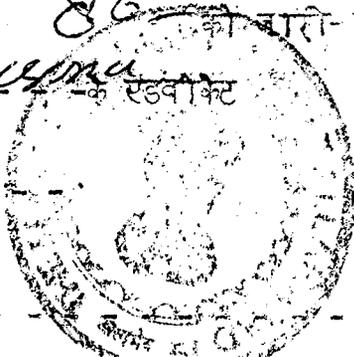
W.P. सं- 3814 - - - - - संन १६८०  
Nankoo Singh & others

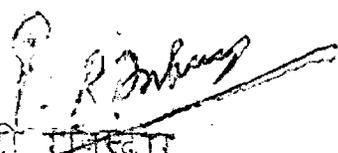
प्रति  
Union of India & others  
Jai Jai Ram Jatawa working as  
Computers under the opp Party No 3  
Director of Census operation U.P & Park  
Rooh Lucknow प्रत्यक्षों के नाम

चूंकि ऊपर लिखे प्रार्थी ने इस न्यायालय में उपरोक्त मुकदमें के सम्बन्ध में  
ले लिये प्रार्थना-पत्र दिया है, इतः आपको सूचित  
किया जाता है कि आप दिनांक- 24 - मास- 12 - संन 80 या  
पहले उपस्थित होकर कारण बतलायें कि प्रार्थना-पत्र क्यों न स्वीकार लिया जाय।  
उक्त प्रार्थना-पत्र की सुनवाई उसके बाद नियमानुसार विज्ञापित किसी और दिन को  
विदित हो कि यदि आप ऊपर लिखे दिनांक पर या उसके पहले स्वयं या  
किसी एडवोकेट या ऐसे व्यक्ति द्वारा, जो आपकी ओर से कार्य करने के लिए कामना  
अधिकृत हो, उपस्थित न होंगे तो उक्त प्रार्थना पत्र को सुनवाई और निर्णय आपकी  
अनुपस्थिति में ही जायेंगे।

प्रार्थना पत्र और प्रार्थी द्वारा दिए गए शपथ-पत्र की एक-एक प्रतिलिपि उसी के साथ  
जाओ है।

मेरे हस्ताक्षर और न्यायालय की मुहर के साथ दिनांक- 27 - मास- 11 -  
संन १६ को जारी किया गया।

Sn B.C. Saccama  
के एडवोकेट  


  
डिप्टी जज  
इलाहाबाद। इलाहाबाद  
B

सूचना - इस न्यायालय की १६५२ की नियमावली के अध्याय ३६, नियम २ के प्रावधानों  
प्राप्त करवाना मिल गया।

तत्त्वाना पाने वाले क्लर्क के हस्ताक्षर

33

34

1125

न्याय विभाग

हाई कोर्ट इलाहाबाद  
(अध्याय १२, नियम २ और ७)

प्रार्थना (मुतफरिफ) प्रार्थना-पत्र संख्या - - - - - सन १९८०

W.P. - सं. - 384 - - - - - सन १९८० ई० में

\* Nonko Singh & others - - - - - प्रार्थी

प्रति  
Union of India & others  
Subhas Chandra Varma working  
as Computers under the opp Party No3  
Director of Census operations U.P & work  
Lucknow प्रत्यर्थी के नाम

चूंकि ऊपर लिखे प्रार्थी ने इस न्यायालय में उपरोक्त मुद्दयों के सम्बन्ध में

- - - - - ले लिखे प्रार्थना-पत्र दिया है, अतः आपको सूचित

किया जाता है कि आप दिनांक- 24 - - - मास- 12 - - - सन 80 को या

पहले उपस्थित होकर कारण बतलायें कि प्रार्थना-पत्र क्यों न स्वीकार लिया जाय।

उक्त प्रार्थना-पत्र की सुनवाई उसके बाद नियमानुसार विज्ञापित किसी और दिन की

विदित हो कि यदि आप ऊपर लिखे दिनांक पर या उसके पहले स्वयं या

किसी एडवोकेट या ऐसे व्यक्ति द्वारा, जो आपकी ओर से कार्य करने के लिए आवेदन

अधिकृत हो, उपस्थित न हों तो उक्त प्रार्थना पत्र को सुनवाई और निर्णय आपकी

अनुपस्थिति में ही जायेंगे।

प्रार्थना पत्र और प्रार्थी द्वारा दिए गए शपथ-पत्र की एक-एक प्रतिलिपि उसी के साथ

जाओ है।

मेरे हस्ताक्षर और न्यायालय की मोहर सेवाज दिनांक- 27 - - - मास- 11 - - -

सन 80 को जारी किया गया।

Sd/- D. C. Paulgeria  
के एडवोकेट

P. R. Bhatia

तिथि - - - - -

डिप्टी रजिस्ट्रार

इलाहाबाद। लखनऊ

BR



सूचना - इस न्यायालय की १९५२ की नियमावली के अध्याय ३६, नियम २ के अन्तर्गत प्राप्त तत्वाना मिल गया।

तत्पश्चात् प्राप्त वाले क्लर्क के हस्ताक्षर

388

112

न्यायालय विभाग

हाई कोर्ट इलाहाबाद  
(अध्याय १२, नियम २ और ७)

प्रार्थना पत्र (सुतफारिक) प्रार्थना-पत्र संख्या - - - - - सन १९

W.P. सं. 384 - - - - - सन १९८० ई० में

Nankoo Singh & others - - - - - प्रार्थना

प्रति  
Union of India & others - - - - - प्रत्य

Raghuraj Singh working as Computers  
under the opp party No 3 Director of  
Census operation U.P. & Park Road  
Lucknow प्रत्यर्थी के नाम

चूंकि ऊपर लिखे प्रार्थी ने इस न्यायालय में उपर्युक्त मुद्दमें के सम्बन्ध में

ले लिये प्रार्थना-पत्र दिया है, अतः आपको सूचित  
किया जाता है कि आप दिनांक- 24 - - - - मास- 12 - - - - सन 80 को या

पहले उपस्थित होकर कारण बतलायें कि प्रार्थना-पत्र क्यों न खोकार लिया जाय  
उक्त प्रार्थना-पत्र की सुनवाई उसके बाद नियमानुसार विज्ञापित किसी और दिन

विदित हो कि यदि आप ऊपर लिखे दिनांक पर या उसके पहले स्वयं अथवा  
किसी एडवोकेट या ऐसे व्यक्ति द्वारा, जो आपको और से कार्य करने के लिए कानून  
अधिकृत हो, उपस्थित न होंगे तो उक्त प्रार्थना पत्र को सुनवाई और निर्णय आपकी  
अनुपस्थिति में ही जायेंगे।

प्रार्थना पत्र और प्रार्थी द्वारा दिए गए शपथ-पत्र की एक-एक प्रतिलिपि उसी के साथ  
ली है।

मेरे हस्ताक्षर और न्यायालय की मोहर दिनांक- 27 - - - - मास- 11

सन १९ 80 को जारी किया गया।

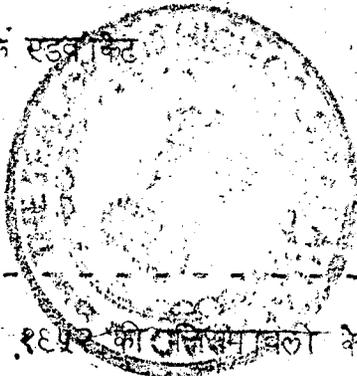
En B. C. Saranya एडवोकेट

J. P. Singh

तिथि - - - - -

डिप्टी रजिस्ट्रार

इलाहाबाद उक्त



सूचना - इस न्यायालय की १९५२ की प्रक्रियावली के अध्याय ३६, नियम २ के अंतर्गत  
प्राप्त तत्वाना मिल गया।

तत्वाना पत्र वाले क्लर्क के हस्ताक्षर

38

1127

प्रविणी विभाग

हाई कोर्ट इलाहाबाद

( अध्याय १२, नियम १ अरि ७ )

प्रीति ( सुतफरि ) प्रार्थना पत्र सं० ~~१६~~ १६ ई०

W.P. --- सं०-384 --- सन् १९८० ई० में

NonKoo Sengh Letters --- प्रार्थना

प्रति *Orison of India Letters* --- प्रत्यार्थ

*Satish Chandra Gupta working as  
Computers under the app Party NO 3  
Director of Census operations U.P. & Pate  
Road Lucknow*

चूंकि ऊपर लिखे प्रार्थना ने इस न्यायालय में उपर्युक्त मुकदमें के सम्बन्ध में प्रत्यक्षादी के बन्द --- लिए प्रार्थना पत्र दिया है अतः आपकी आदेश दिया जाता है कि आप दिनांक 24 मास- 12 --- सन् १९ 80 को या उसके पहले उपस्थित होकर बतलायें कि प्रार्थना पत्र क्यों न स्वीकार कर लिया जाय उक्त त प्रार्थना पत्र की सुनवाई उसके बाद नियमानुसार विज्ञापित किसी और दिन होगी।

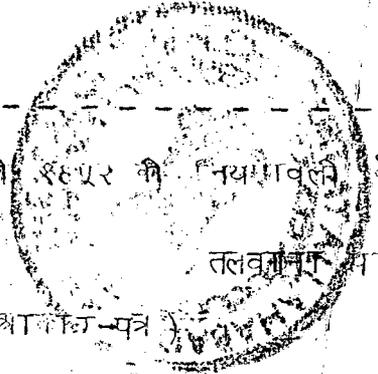
विदित है कि यदि ऊपर लिखे दिनांक पर या उसके पहले स्वयं अथवा किसी एडवोकेट य एंस व्यक्ति द्वारा, जो आपकी और से कार्य क्रम के लिये कानूनन अधिकृत है, उपस्थित न होंगे तो उस प्रार्थना पत्र की सुनवाई और निर्णय आपकी अनुपस्थित में ही जायेंगे।

प्रार्थना पत्र और प्रार्थना द्वारा दिये गये स्पष्ट पत्र की एक प्रतिलिपि इसी के साथ लगी है।  
मेरे हस्ताक्षर और न्यायालय के मांछर से आज दिनांक 27 मास 11 सन् १९ को जारी किया गया।

*Sn. B. C. Sarma* --- के एडवोकेट

तिथि ---

*P. P. Sarma*  
हि.टी. रजिस्ट्रार  
इलाहाबाद/लखनऊ



सूचना इस न्यायालय की १९८२ की नियमावली के अध्याय ३७, नियम २ के अधीन प्राप्त तलवाना मिल गया।

तलवाना भरणे वालों के प्लर्क के हस्ताक्षर

(विक्रय आदेश पत्र)

30

172

दीवानी विभाग

हाई कोर्ट इलाहाबाद

( अध्याय १२, नियम १ और ७ )

प्रकीर्ण ( सुतफरि ) प्रार्थना पत्र सं० ~~१८~~ १९ ई०

W.P. - सं० 384 - - - - - सं० १९८० ई० में

Non/Koo Singh & others - - - - - प्रार्थ

प्रति  
Union of India & others - - - - - प्रत्या

Krishna Gopal Awasthi working as  
Computers under the app. Party No 3  
Director of Census operations U.P. & Part  
Roorkee know

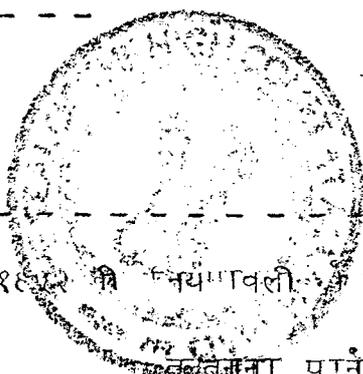
चूंकि ऊपर लिखे प्रार्थने में इस न्यायालय में उपर्युक्त मुकदमें के सम्बन्ध में प्रत्येकी के बाद - - - - - लिए प्रार्थना पत्र दिया है अतः आपकी आदेश दिया जाता है कि आप दिनांक 24 मास - 12 - - - - - सं० १९ 80 को या उसके पहले उपस्थित होकर बतलायें कि प्रार्थना पत्र क्यों न स्वीकार कर लिया जाय उक्त प्रार्थना पत्र की सुनवाई उसके बाद नियमानुसार विज्ञापित किसी और दिन होगी।

विदित हो कि यदि ऊपर लिखे दिनांक पर या उसके पहले स्वयं अथवा किसी एडवोकेट, य एसे व्यक्ति द्वारा, जो आपकी और से कार्य करने के लिये कानूनन अधिकृत है, उपस्थित न होंगे तो उस प्रार्थना पत्र की सुनवाई और निर्णय आपकी अनुपस्थित में हो जायेंगे।

प्रार्थना पत्र और प्रार्थने द्वारा दिये गये स्पष्ट पत्र की एक प्रतिलिपि इसी के साथ लगी है।  
मेरे हस्ताक्षर और न्यायालय के मांहर से आज दिनांक 27 मास 11 - - - - - सं० १९ को जारी किया गया।

Sr P. C. Sakane - - - - - के एडवोकेट

तिथि - - - - -



P. P. Singh  
डिप्टी रजिस्टार  
इलाहाबाद जिल्ला  
11

सूचना इस न्यायालय की १९८२ की नियमावली के अध्याय ३७, नियम २ के अधीन प्राप्त तलवाना मिल गया।

( विकल्प आकाश पत्र )

~~30-29~~

3124

नी विभाग

हाई कोर्ट इलाहाबाद

(अध्याय १२, नियम १ और ७)

पुस्तक (मुतफरि) प्रार्थना पत्र सं० ~~सन् १६~~ सं०

W.P. --- सं० 384 --- सन् १६८० सं०

Alankoo Singh Johere --- प्रार्थ

Union of India Johere --- प्रत्या

Jevendra Isaac Lyall Working as  
Computers under the opp. Party No3  
Director of Census operations u.p  
6 Park Road Lucknow

चूंकि ऊपर लिखे प्रार्थी ने इस न्यायालय में उपर्युक्त मुकदमें के सम्बन्ध में प्रत्येकी के बाद ~~के~~ लिए प्रार्थना पत्र दिया है अतः आपकी आदेश दिया जाता है कि आप दिनांक 24 मास 12 --- सन् १६ 80 को या उससे पहले उपस्थित होकर बतलायें कि प्रार्थना पत्र क्यों न स्वीकार कर लिया जाय उक्त प्रार्थना पत्र की सुनवाई उसके बाद नियमानुसार विज्ञापित किसी और दिन होगी।

विदित है कि यदि ऊपर लिखे दिनांक पर या उसके पहले स्वयं अथवा किसी एडवोकेट या एंस व्यक्ति द्वारा, जो आपकी और से कार्य करने के लिये कानूनन अधिक है, उपस्थित न होंगे तो उस प्रार्थना पत्र की सुनवाई और निर्णय आपकी अनुपस्थिति में ही जायेंगे।

प्रार्थना पत्र और प्रार्थी द्वारा दिये गये स्पष्ट पत्र की एक प्रतिलिपि इसी के साथ लगी है।  
मेरे हस्ताक्षर और न्यायालय के मांछर से आज दिनांक 27 मास 11 --- सन् १६ को जारी किया गया।

Sr. B.C. Bhusoni --- के एडवोकेट

तिथि ---

J. P. Singh  
डिप्टी रजिस्ट्रार

इलाहाबाद लखनऊ

सूचना इस न्यायालय की १६१२ की नियमावली के अध्याय ३७, नियम २ के अधीन प्राप्त तलवाना मिल गया।

(विक्रय आकाश-पत्र)

28

2130

दीवानी विभाग

हाई कोर्ट इलाहाबाद

( अध्याय १२, नियम १ और ७)

प्रकीर्ण ( मुतफरि ) प्रार्थना पत्र सं० - - - - - सन् १९ ई०

W.C. सं० 384 - - - - - सन् १ १९६० में

Nonkoo Singh & Others - - - - - प्राणी

Union of India <sup>पति</sup> Others - - - - - प्रत्याणी

Ajai Awasthi working as Computer  
under the app. Posty No 3 Director of Census  
operations U.P. 6 Park Road Lucknow

क ऊपर लिखे प्राणी ने इस न्यायालय में उपर्युक्त मुकदमें के सम्बन्ध में प्रत्यवादी के बाद

के - - - - - लिए प्रार्थना पत्र दिया है अतः आपको आदेश दिया जाता है कि

आप दिनांक - मास - 24-12-00 - - - - - सन् १९ का या उससे पहले उपस्थित होकर 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 ऊपर लिखे दिनांक पर या उसके पहले स्वयं अथवा किसी एडवोकेट या ऐसे व्यक्ति द्वारा, जो आपकी और से कार्य करने के लिये कानूनन अधिकृत हो, उपस्थित न होंगे तो उस प्रार्थना पत्र की सुनवाई और निर्णय आपकी अनुपस्थिति में हो जायेंगे।

प्रार्थना पत्र और प्राणी द्वारा दिये गये शपथ पत्र की एक प्रतिलिपि इसी के साथ लगी है।

हस्ताक्षर और न्यायालय की पांहर से आज दिनांक - 27-11-80 - - - - - मास - - - - - सन् १९

का जारी किया गया।

Sh. B. C. Sarsena - के एडवोकेट

तिथि - - - - -

P. K. Bhatnagar

डिप्टी रजिस्ट्रार  
इलाहाबाद, लखनऊ



सूचना इस न्यायालय की १९६२ के नियमावली के अध्याय ३७, नियम ३ के अधीन प्राप्त तलवाना मिल गया।

तलवाना पान वाले के क्लर्क के हस्ताक्षर

( विक्रेय आलाप-पत्र )

२४ २७

1131

दीवानी विभाग

हाई कोर्ट इलाहाबाद

( अध्याय २२, नियम १ आर ७)

प्रार्थना ( मुतफरि ) प्रार्थना पत्र सं० - - - - - सन् १९ ६०

W. C. - - - - - सं० 384 - - - - - सन् १ ६०० में

P. Nankoo Singh & others - - - - - प्रार्थी

Onians of India & others - - - - - प्रत्याधी

Prem Kumar Pathak Working as  
Computers under the app. Party No 3  
Director of Censor operations U.P  
6 Park Road Lucknow

क ऊपर लिखे प्रार्थी ने इस न्यायालय में उपर्युक्त त मुकदमे के सम्बन्ध में - - - - - प्रत्यवादी के बाद

के २ - - - - - लिए प्रार्थना पत्र दिया है अतः आपका आदेश दिया जाता है कि  
आप दिनांक 24-12-80 सन् १९ ६० का या उससे पहले उपस्थित होकर बतलायें  
कि प्रार्थना पत्र क्यों न स्वीकार कर लिया जाय उक्त प्रार्थना पत्र की सुनवाई उसके  
बाद नियमानुसार विज्ञप्ति किसी और दिन होगी।

विदित हो कि यदि ऊपर लिखे दिनांक पर या उसके पहले स्वयं अथवा किसी  
एडवोकेट या ऐसे व्यक्ति द्वारा, जो आपकी आर से कार्य करने के लिये कानूनन अधिकृत  
हो, उपस्थित न होंगे, तो उस प्रार्थना पत्र की सुनवाई और निणयि आपकी अनुपस्थित  
में हो जायेगी।

प्रार्थना पत्र और प्रार्थी द्वारा दिये गये शपथ पत्र की एक प्रतिलिपि इसी के साथ  
लगी है।

हस्तादार और न्यायालय की पहिरे से आज दिनांक 27-11-80 सन् १९ ६०

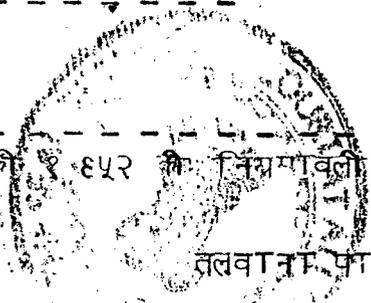
का जारी किया गया।

S. B. C. Saxena के एडवोकेट

तिथि - - - - -

P. Rishang  
डिप्टी रजिस्ट्रार  
इलाहाबाद, लखनऊ

सूचना इस न्यायालय की १६५२ के नियमोंवाली के अध्याय ३७, नियम ३ के अधीन  
प्राप्त तलवाना मिल गया।



तलवाना पान वाले के क्लर्क के हस्तादार

( विरथ आज्ञा-पत्र )

1132

दीवानी विभाग

हाई कोर्ट इलाहाबाद

( अध्याय १२, नियम १ आर ७ )

प्रार्थना ( मुक्तफारि ) प्रार्थना पत्र सं० - - - - - सन् १९ - ई०

W.P. - - - - - सं० 384 - - - - - सन् १९४० में

Nankoo Singh Jethers - - - - - प्रार्थना

Prorian of India Jethers - - - - - प्रत्यापी

Prayesh Kumar Srivastava, working as Computers Under the opp. Party No 3 Director of Census operations U.P 6 Park Road Lucknow

ऊपर लिखे प्रार्थना ने इस न्यायालय में उपर्युक्त मुकदमे के सम्बन्ध में प्रत्यवादी के बाद

के लिए प्रार्थना पत्र दिया है अतः आपको आदेश दिया जाता है कि आप दिनांक 24-12-40 मास - - - - - सन् १९ का या उससे पहले उपस्थित होकर 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 ऊपर लिखे दिनांक पर या उसके पहले स्वयं अथवा किसी एडवोकेट या ऐसे व्यक्ति द्वारा, जो आपकी और से कार्य करने के लिये कानूनन अधिकृत हो, उपस्थित न होंगे तो उस प्रार्थना पत्र की सुनवाई और निणयि आपकी अनुपस्थित में हो जायेगी।

प्रार्थना पत्र और प्रार्थना द्वारा दिये गये शपथ पत्र की एक प्रतिलिपि इसी के साथ लगी है।

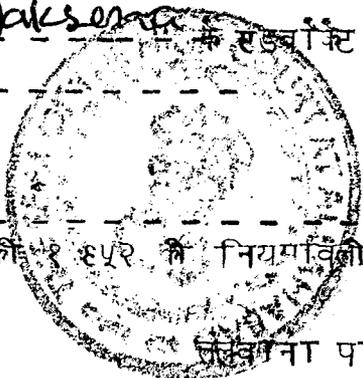
हस्ताक्षर और न्यायालय की मांहर से आज दिनांक 27 - 11 - 40 मास - - - - - सन् १९

का जारी किया गया।

Sr. B. C. Saxena के एडवोकेट

तिथि - - - - -

रजिस्ट्रार इलाहाबाद, लखनऊ



सूचना इस न्यायालय की १९४२ के नियमवली के अध्याय ३७, नियम ३ के अधीन प्राप्त तलवाना मिल गया।

सूचना पान वाले के क्लर्क के हस्ताक्षर

( विधि आज्ञा-पत्र )

A133 8/1

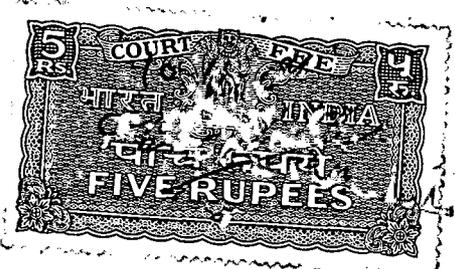
IN THE HON'BLE HIGH COURT OF JUDICATURE AT ALLAHABAD:

LUC KNOW BENCH/LUC KNOW.

CIVIL MISCELLANEOUS APPLICATION NO. 1925 (W) OF 1981.

IN RE:

WRIT PETITION NO. 384 of 80



Nanakoo Singh.

..... Petitioner.

V/S

Union of India and others.

..... Opp. Parties.

APPLICATION FOR CONDONATION OF DELAY IN FILING THE COUNTER AFFIDAVIT TO THE ABOVE NOTED WRIT PETITION.

The humble petition of the opposite parties most respectfully sheweth:

1. That the opposite parties could not filed the counter-affidavit within time and there has been some delay as the same was sent to the Ministry concerned for vetting.
2. That the delay is, therefore, not deliberate and is liable to be excused.
3. That in the circumstances, it is desirable that the accompanying counter-affidavit may kindly ~~be~~ be accepted and brought on record.

Wherefore it is respectfully prayed that the delay in filing the counter-affidavit may be condoned and the same be brought on record.

*[Signature]*

Advocate,

Counsel for the Opposite Parties.

Dated, Lucknow, the 10-11 1981.

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15083  
24-12-81



A134

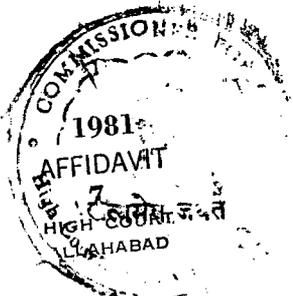
8/2

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

Counter Affidavit

in re:

Writ Petition No. 304 of 1980.



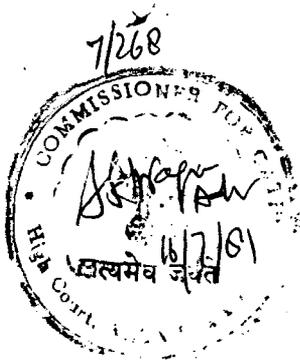
Nankoo Singh and others... ..Petitioner's

Versus

Union of India and others.. ...Opp. Parties.

Counter Affidavit on behalf of Opposite Parties  
Nos. 2 and 3.

I, Ravindra Gupta, Director of Census  
Operations, U.P., 6-Park Road, Lucknow, do hereby  
solemnly affirm and state on oath as under:-



1. That the deponent is the Director of  
Census Operations, U.P. and is fully acquainted  
with the facts deposed to hereunder.

2. That the ~~the~~ contents of para 1 of the  
writ petition in so far as they relate to the  
petitioner No.2 are denied. Petitioner No.2 was  
appointed as Computer vide order No.A-696/SCO-UP/

69-68 dated 20.1.71 in C.P.Cell, Kanpur. Petitioner

*[Handwritten signature]*

2135

8/7

:: 2 ::

No.1 was a local appointee to the post of Computer in Varanasi Cell. He was appointed with effect from 30.11.1970 vide order No.A-16784/SCO-UP/69-68 dated 26.12.70 on the basis of Deputy Director, C.P.Cell, Varanasi letter No.772 dated 4.12.1971. Subsequently, in his letter No.28 of dated 22.1.1971 Deputy Director, C.P.Cell, Varanasi, informed that the date of joining of Shri Nankoo Singh was 23.11.70 instead of 30.11.1970 which was inadvertently reported. Accordingly modification was issued in office order No.A-1444/SCO-UP/69-68 dated 2.11.1971.

3. That the contents of para 2 of the writ petition are not denied.

4. That in reply to para 3 of the writ petition, it is stated that the C.P.Cells were established at Varanasi, Gorakhpur, Lucknow, Kanpur and Meerut in 1970 in accordance with the processing of data of 197 Census. The Deputy Director in charge of the C.P.Cell was the Head of Office in respect of the establishment of the C.P.Cell under

7/268



*[Handwritten signature]*

A136

8/4

:: 3 ::

his charge. Each of these C.P.Cells, had separate entity till 31.12.74. The C.P.Cells were purely temporary establishments, sanction of which was accorded on year to year basis. They were to be abolished after the processing of the Census data was completed. The C.P.Cells of Gorakhpur and Meerut were closed down in June and September, 1973 respectively. The C.P.Cell of Varanasi was wound up in April, 1974. Gradation list of different grades of staff was prepared in each of these five cells separately. It was prepared only for facility of reference in establishment work. These lists were not the notified seniority lists. No combined seniority list of the staff of C.P.Cells was prepared prior to 31.12.74.

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5. That the contents of paragraph 4 of the writ petition are not denied.
6. That with regard the contents of para 5 of the writ petition, it is stated that the separate gradation lists of the staff of each C.P.Cell was prepared only for the facility of establishment

*[Handwritten signature]*

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8/15

:: 4 ::

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work. These were not the notified seniority lists.

The list of the Headquarter staff also was not a notified seniority list.

7. That with regard the contents of para 6 of the writ petition, it is stated that a combined tentative seniority list of the staff of the C.P. Cells and the Headquarter establishment was drawn up with effect from 1.1.75 and the same was circulated amongst the staff members inviting objections from them, if any, against their places of seniority shown in the said tentative combined seniority list.

The objections received from the members of staff, including the Computers, were considered and settled.

The list was to be notified when a writ petition was filed by Shri R.K.Verma, Computer, in the Allahabad Bench of this Hon'ble High Court. That writ petition is still pending. As a result of this writ petition, the combined seniority list could not be notified.

7.1 That in the combined tentative seniority list of 1.1.75, the position of seniority of the

*Signature*



Also

8/6

:: 5 ::

petitioners vis-a-vis opposite party No.4-35 in

the grade of Computer was as hereunder:-

1. Mirza Khurram (Opp. Party No.3)
2. Kamal Deo (Opp. Party No.6)
3. Vinlesh Kumar Sri-  
vastava (Opp. Party No.5)
4. A nil Saxena (Opp. Party No.7)
5. Balbir Singh (Opp. Party No.8)
6. Laxmi Kant Asthana (Opp. Party No.9)
7. Karam Hussain (Opp. Party No.10)
8. Shyamal Kumar Banerjee (Opp. Party No.11)
9. Abdul Rafiq (Opp. Party No.12)
10. Nirmal Singh Sing (Opp. Party No.13)
11. Smt. Banjana Chadda (Opp. Party No.14)  
(formerly Km. Ranjana Bhalia)
12. Dinesh Narain Saxena (Opp. Party No.15)
13. Satya Narain Agarwal (Opp. Party No.16)
14. Vijai Kumar Tewari (Opp. Party No. 17)
15. Udit Gopal Jangran (Opp. Party No.18)
16. Sudhir Cha-ndra (Opp. Party No.19)
17. Teeka Ram Deprari (Opp. Party No.20)
18. Ram Lakhan Yadav (Opp. Party No.21)
19. Vinod Kumar Agarwal (Opp. Party No.22)
20. Mahesh Chandra Shukla (Opp. Party No.23)
21. Sri Ram Dubey (Opp. Party No.24 as also  
petitioner No.3)
22. Anadi Asthana (Opp. Party No.25)
23. Surya Narain (Opp. Party No.25)
24. Jiwan Chandra Joshi (Opp. Party No.26)
25. Brajesh Kumar Srivas-  
tava (Opp. Party No.27)
26. Prem Kumar Pathak (Opp. Party No.28)
27. Ajai Awasthi (Opp. Party No.29)



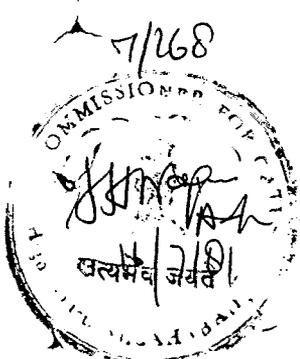
*[Handwritten signature]*

A139  
S/M

:: 7 ::  
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- 28. Devendra Issac Lyall (Opp. Party No.30)
- 29. Krishna Gopal Awasthi (Opp. Party No.31)
- 30. Raman Lal (Petitioner No.4)
- 31. Satish Chandra Gupta (Opp. Party No.32)
- 32. Ajai Kumar Srivastava (Since resigned)
- 33. Raghu Raj Singh (Opp. Party No.33)
- 34. Subhash Chandra Verma (Opp. Party No.34)
- 35. Jai Jai Ram Jatav (Opp. Party No.35)
- 36. Nankoo Singh (Petitioner No.1)

The place of inter-se-seniority assigned to the petitioners vis-a-vis Opposite parties Nos. 4 to 35 in the combined ~~and~~ tentative seniority list of 1.1.75 and the final (combined) seniority list of the grade of Computer of 1-10-78 is the same. The principles underlying the combined tentative seniority list of 1.1.75 and the final seniority list of 1.10.78 were the same. That is the inter-se-seniority amongst the officials of the grade of Computer will be fixed taking into account:



- (i) The date on which each of them was appointed/promoted to the grade;
- (ii) In respect of such officials who had been appointed/promoted as a result of selection by a Board, the inter-se-seniority will be as indicated by the selection Board.

*[Handwritten signature]*

A140  
8/11

:: 8 ::

The seniority assigned to the petitioners in the combined tentative seniority list of 1.1.75 was not disputed by any of them in 1975.

8. That with regard to the contents of paras 7 and 8 of the writ petition, it is stated that the objections of the petitioners against seniority assigned to them in the seniority list of Computers of 1.10.78 were found to have no force and the representations were rejected after due consideration. The petitioners could have submitted representation to the opposite party No.2 who is the Head of the Census Department. The petitioners have thus, not availed themselves of the available channel of redressal of grievances, before invoking the extraordinary jurisdiction of the Hon'ble High Court.



9. That in reply to para 9 of the writ petition, it is stated that the principles for the preparation of the Combined Seniority List of 1.10.78 and 1.1.75 were the same as mentioned in para 6 above. The Computers selected by the Selection

A141  
S/A

:: 9 ::

Committee at the Centralized Selection held at Lucknow on 8.11.70 were assigned the same place of seniority as was indicated by the Selection Committee in the merit lists entitled A, B & C. Merit list 'A' covered opposite parties Nos. 7 to 12, Merit list 'B' covered opposite parties Nos. 13 to 17 and Merit list 'C' covered opposite parties Nos. 18 to 35 besides the petitioners Nos. 2, 3 and 4. Petitioner No. 1 was not covered by any of the aforesaid merit lists. Petitioners Nos. 1, 2, 3 and 4 are, thus, junior to all the opposite parties other than opposite parties Nos. 1, 2 and 3. They can not claim a superior place in seniority above the opposite parties by any standard.



10. That with regard to the contents of para 10 of the writ petition, it is stated that there were no separate establishments as alleged after 1.1.75.

11. That in reply to the contents of para 11 of the writ petition it is stated that the petitioners Nos. 2, 3 and 4 were the ~~approved~~-candidates approved in Merit List 'C' and their place as

*[Handwritten signature]*

Mu2

8/70

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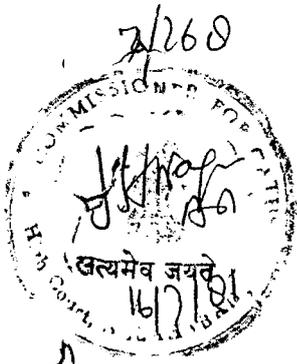
in the said merit list 'C'.

12. That the contents of para 12 of the writ petition are not denied.

13. That the contents of para 13 of the writ petition are denied. The petitioners have not ~~represented~~ exhausted the available channel of redressal of their grievances by a representation to the Opposite party No.2 against the order of rejection of their representations by opposite party No.2.

Additional Paragraph

14. That the petitioners are not entitled to any of the reliefs prayed for and writ petition is liable to be dismissed with costs.



Dated: Lucknow the,  
July 16, 1981.

*[Signature]*  
DEPONENT.

Verification

I, the deponent above named, do hereby verify that the contents of para 1, 3, 5, 6, 10, 11 of this affidavit are true to my own knowledge, those of paras 2, 4, 7, 7.1 are believed to be true on the basis of the information derived from perusal of office records and those of paras 8, 13 & 14 are true to my belief on legal advice. no part of it is false and nothing material has been

*[Signature]*

7  
143  
11  
:: 11 ::

concealed. So help me God.

Dated: Lucknow the,  
July 16<sup>th</sup>, 1981.

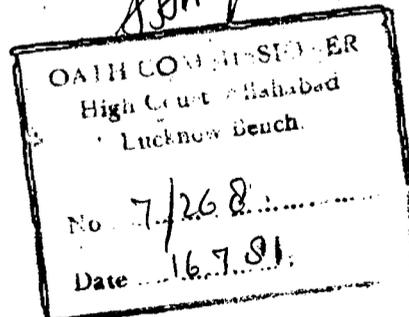
*[Signature]*  
DEPONENT.

I identify the deponent who has signed  
before me.

*[Signature]*  
(Nirankar Prasad)  
Clerk to Shri B.L.Shukla, Advocate,  
High Court Allahabad, Lucknow Bench.

*[Signature]*  
Solemnly affirmed before me on this th  
day of , 1981 at *5.00* a.m./p.m. by Shri  
Ravindra Gupta, the deponent, who is identified by  
Shri Nirankar Prasad, clerk to Shri B.L.Shukla,  
Advocate, Allahabad High Court Lucknow Bench, 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 to him.



Date	Note of progress of proceedings and routine orders	Date to which case is adjourned
1	2	3
3-7-82	writ in P.F.R. Hon. H.S.D. Hon. Verma J. <del>...</del> <del>...</del> ad... 780 Allowed.	
27-11-80	24-12-80 fixed with <sup>Ref. Jor</sup> <del>...</del> Attendance No. 40 of 1979, 4 to 34 through R.P. Jor filing counter etc. 27-11-80	
7.5-83	Service Report OP 1 to 8. Notice has been accepted by 82. Pt Shukla, Advocate. Counter affidavit filed on behalf of OP 1+2. * OP 4. Notice over return back due to transferred to All. * OP 5 to 8. Notices have been accepted but no power has been filed yet. * OP 4 to 11. Notice over return back with remark "in UTSI report". * OP 12 to 13. Notices have been accepted but no power has been filed yet. * OP 14. Notice return back with remark "3 of	

ORDER SHEET

IN THE HIGH COURT OF JUDICATURE AT ALLAHABAD

No. 384

of 1980

vs.

92

16.5.83

Date	Note of progress of proceedings and routine orders	Dated of which case is adjourned
1	2	3
✓	of 15 to 18. Notice has been accepted by the o/s.	
	but no power have been filed yet.	
x	of 19 to 20. Notice return back with remarks	
	" attempt of mt 1/2 "	
✓	of 21 to 22. Notice has been accepted but no	
	power has been filed yet.	
x	of 23 to 26. Notice returned unserved with remarks	
	" attempt of mt 1/2 " and for 26. " attempt of mt 1/2 "	
✓	of 27 Notice has been accepted but no power has	
	been filed yet.	
x	of 28. Notice return unserved with remarks	
	" attempt of mt 1/2 "	
✓	of 29 to 30. Notice served but no power has been	
	filed yet.	
x	of 31 to 34. Notice cover return back with remarks	
	" attempt of mt 1/2 "	
12-5-83	Ad Regr	Submitted
	Seen report dated 7-5-83. O/s	7/5/83
	1 to 3 have served through their Standing Counsel	
	Counsel Akhlaq on behalf of o/s 1 and 2 has also	
	been filed. Service on o/s. 5 to 8, 12, 13, 15 to 18, 21, 22,	
	27, 29 and 30 deemed sufficient. So far neither they have	
	put in appearance nor have engaged any Counsel.	
	Send per notice to of 4, 9 to 11, 14, 19, 20,	
	23 to 26, 28, 31 to 34 by registered post on their	
	present address on which they are now available.	
	+ which address shall be furnished by the petitioner	
	while taking steps for service.	

by

12-5-83

MD

# ORDER SHEET

IN THE HIGH COURT OF JUDICATURE AT ALLAHABAD

W.P. No. 384 of 1980

25.

9/3

Date	Note of progress of proceedings and routine orders	Dated of which case is adjourned
1	2	3
	<p>not ascertain their whereabouts. The petitioners are allowed one week time to take steps for effecting service upon the unserved opposite parties. If steps are not taken within this period, the writ petition shall stand dismissed against opposite parties No. 4, 9 to 14, 14, 19, 20, 23 to 26, 28 and 31 to 34 without further orders of the Court and interim orders, if any, operating against the said opposite parties shall also stand discharged.</p>	
	<p>18-10-83</p>	
	<p>10-1-84</p> <p>Fitted for attendance and for filing C.A. vis W.P. No. 1 to O.P. No. 4, 9, 10, 11, 14, 19, 20, 23, 24, 25, 26, 28, 31, 32, 33, 34, R.P.</p>	

Bans  
26-11-83

# ORDER SHEET

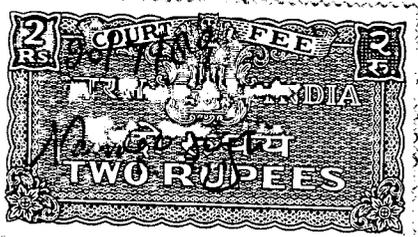
IN THE HIGH COURT OF JUDICATURE AT ALLAHABAD

WP. No. 384 of 1980

25

Date	Note of progress of proceedings and routine orders	Date of which case is adjourned
1	2	3
10-5-85	<p><u>Pate depart</u>                      Learned Counsel for the petitioner has not taken steps since an OD No 23 and 25 in compliance with OR order dated 14.2.85 by R.J.</p> <p style="text-align: right;">Submitted by                      [Signature]                      10/5/85</p>	
19-9-85	<p>fixed in P.F.R. dated 10-5-85 for orders.</p> <p style="text-align: center;">Hza SCMT                      No GBS S                      Steps taken.                      Delay condoned.</p> <p style="text-align: center;">Boc                      [Signature]                      19/9/85</p>	P.P.P. Bench
	<p style="text-align: center;"><u>New</u>                      [Signature] some notice fixed 4-11-85 for attendance</p> <p style="text-align: right;">[Signature]</p>	

2/3



1104

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
LUCKNOW BENCH, LUCKNOW



T.A. No. 656 of 1987 (T)  
(Writ Petition No. 384 of 1980)

Nanku Singh & others ..... Applicants

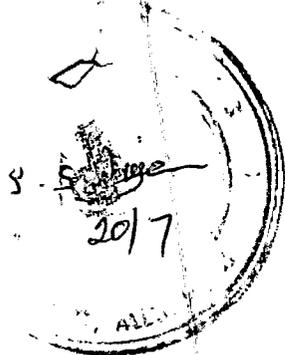
Versus

The Union of India through the Secretary,  
Ministry of Home Affairs, Government of  
India, New Delhi & others. .... Opp. Parties

Rejoinder to the counter affidavit  
on behalf of opposite party Nos.2&3

*Filed today  
19/1/89*

I, Nanku Singh, aged about 31 years, son  
of Sri Shiv Shaker Singh, C/o Sri Tika Ram Mahton  
Darshanganj Aliganj, Lucknow, do hereby solemnly  
affirm and state on oath as under :-



1. That the deponent is applicant No.1 in the  
above application. He has been read over and explained  
the contents of the counter affidavit on behalf of  
opposite parties 2 and 3 and has understood the same.  
He is fully conversant with the facts deposed to herein.  
He has been duly authorised by applicants 2,3 and 4 to  
file this rejoinder affidavit.

2. That para 1 of the counter affidavit needs  
no reply.

*SPh*

A 1015

3. That in reply to para 2 of the counter affidavit averments made in para 1 of the petition are reiterated and contrary averments made in para 2 under reply are denied. It is reiterated that applicant No.1 joined the Varanasi cell on 23.11.1970 and the applicant No.2 joined the cell at Kanpur on 16.11.1970 as indicated in para 2 of the petition which has been admitted.

4. That para 3 of the counter affidavit inasmuch as it admits the contents of para 2 of the petition needs no reply. It is reiterated that the applicants' dates of joining the working post in the respective cells at Varanasi and Gorakhpur are as indicated in the relevant column in para 2 of the petition.

5. That in reply to para 4 of the counter affidavit averments made in para 3 of the petition are reiterated. It is reiterated t-hat the separate seniority lists for each of the five Coding and Punching Cells were drawn up on the basis of the respective dates of joining of the Computers whose names were indicated therein. Contrary averments made in para under reply are denied.

6. That para 5 of the counter affidavit needs no reply.

7. That in reply to para 6 of the counter affidavit averments made in para 5 of the petition are reiterated.

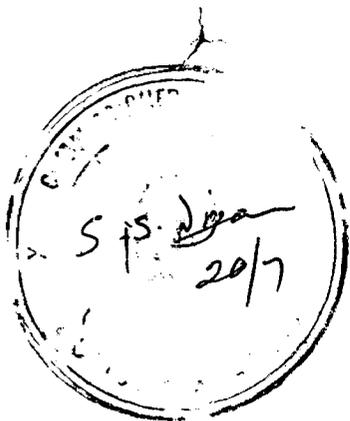


ARK

A 146

8. That in reply to para 7 of the counter affidavit averments made in para 6 of the petition are reiterated. It is stated that no rules for the purpose of determining seniority of persons working at the Headquarters Office and those working in Coding and Punching Cells at Kanpur and Lucknow have been made. Thus in the absence of rules relating to seniority no legally valid uniform criteria for determining the inter-se seniority being available the only basis for determining seniority is to be on the basis of the actual joining on the working post.

9. That para 7.1 of the counter affidavit as stated is denied. It is reiterated that in the absence of rules relating to seniority, the seniority list was drawn up in an arbitrary manner on pick and choose basis in order to show undue favour to some working at Headquarters as against the others. Thus, the seniority position of the opposite parties vis-a-vis the applicants has been determined in an arbitrary manner and is based on favouritism by adopting a different and unequal criteria for persons similarly placed. Thus the applicants have been discriminated in the matter of seniority in service in violation of Articles 14 and 16 of the Constitution of India as the final seniority list was the same as the tentative seniority list. It is evident that there was no application of mind with respect to the representations of the applicants against the tentative seniority list. It is also evident that different and contradictory principles were adopted for drawing up the combined seniority list which is wholly untenable.



S.P.S.

A 107

10. That para 8 of the counter affidavit as stated is denied and the averments made in paras 7 and 8 of the petition are reiterated. It is denied as alleged that the applicants' representations against the seniority assigned in the seniority list were found to have no force. On the contrary, the said seniority list was drawn up in an arbitrary manner on pick and choose basis in order to show undue favour to some against others without following any uniform and legally valid criteria. It is denied that the applicants did not avail the available channel of redressal of grievances as alleged in para under reply.

11. That para 9 of the counter affidavit as stated is denied and the averments made in para 9 of the petition are reiterated. It is reiterated that no uniform criteria in the absence of any rules was followed to draw up the combined seniority list. As evident from the averments made in para under reply, different principles were applied. To some seniority was assigned from the date of joining on the working post while to some seniority was assigned on the basis of the merit list which amounts to discrimination of persons similarly placed. The alleged lists A, B, & C were not drawn up on a rational basis and are, therefore, legally untenable. It is reiterated that the applicants are senior to opposite parties on the basis of their respective dates of joining the working post.

12. That para 10 of the counter affidavit as stated is denied and the averments made in para 10 of the petition are reiterated. It is reiterated that undue favour was shown to persons belonging to the Headquarters



SPK

7/108

office as against those belonging to the Coding and Punching Cells.

13. That para 11 of the counter Affidavit as stated is denied and the averments made in para 11 of the petition are reiterated. The placement of applicant Nos. 2,3 and 4 in the alleged merit list 'C' has been done in an arbitrary and irrational manner.

14. That para 12 of the counter affidavit needs no reply.

15. That para 13 of the counter affidavit is denied and the averments made in para 13 of the petition are reiterated. It is denied as alleged that the applicants have not exhausted the available channel of redressal of their grievances by representation to opposite party No.2. The petition is maintainable on the grounds stated therein and it is liable to be allowed.

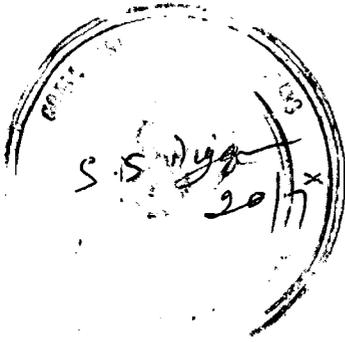
16. That para 14 of the counter affidavit is denied. The applicants are entitled to the reliefs claimed in the petition and the same is liable to be allowed.

Lucknow Dated:  
~~April~~ 20, 1989.

*Deponent.*

Verification

I, the above-named deponent, do verify that the contents of paragraphs 1 to 8, 10 to 14 of this



*Deponent*

A141

affidavit are true to my own knowledge and those of paragraphs 9, 15 & 16 of this affidavit are believed to be true by the deponent on the basis of the advice given to him. No part of it is false and nothing material has been concealed.

Lucknow Dated:  
April 20, 7, 1989.

*[Signature]*  
Deponent.



I identify the above-named deponent who has signed before me.

*[Signature]*  
Advocate.

Solemnly affirmed before me on <sup>20, 7, 89 at</sup> 1.40 P. M.  
by the deponent who is identified by  
C. P. Asthana & Sri L. P. Shukla Advocate  
High Court Lucknow.

I have fully satisfied  
myself by examining the deponent who  
has understood the contents of this  
affidavit which have been read out  
and explained to him by me.

S. S. Nigam  
SATYA SUMAN NIGAM  
OATH COMMISSIONER  
High Court, Lucknow  
No. 39/192 - 20/7/89

115

Office Report

This Appln. (M.A. No. 263 of 1990) has been filed for recalling judgment and order passed by the Bench consisting of Hon'ble D.K. Agrawal, J.M. and Hon'ble K. Obayye, A.M. on 23.3.1990 (Flag 'A')

The plea of the Applicants in the present Misc. Appln. is that they were not heard and even notices were not sent to them regarding transfer of the case from ALLD to C.B. Lko. Rule 16(2) of the C.A.T. (Procedure) Rules, 1987 provides that if an order is passed against a Respondent or some Respondents, an application for recalling and setting aside the order can be filed. Hence this Misc. Appln.

Submitted for orders.

Manager

25-4-90

26/4/90

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

The Request has been made on behalf of Shri R.C. Singh, Counsel for the respondent, who has filed Civil Misc. Appl. No 263/90<sup>(1)</sup> & 273/90<sup>(2)</sup> to 278/90<sup>(3)</sup> for setting aside the order dated 23/3/90 under Rule -16 of <sup>Central</sup> Administrative Tribunal (Procedure) Rules, 1987. The adjournment is allowed being on personal ground of the Counsel. However, let notice be sent to the Counsel for the petitioner, as well as, to the

Re: ...  
D.K. Agrawal  
K. Obayye

656/82AT

(15)

9.8.90 No sitting Adj. to 17.9.90

17/9/90

No sitting Adj. to 25/9/90

(u)

25.9.90

No Sesi. Adj. to 1.10.90

9.10.90

No sitting - Adj. to 18.11.90

OR

Notices were issued to the applicant on 9.7.90

No answer yet. Cover has been returned.

19.11.90

Hon. Mr Justice K. Math. VC  
Hon. Mr M. M. Singh AM.

On the request of both the Counsel case is adjourned to 28.11.90

K. A. L  
AM

(u)  
VC

4c to Sr. R.C  
Syl also filed  
C.M. Review No 232/90(u)

S.F.O

S.F.O

23.11.90

case not reached case is adjourned to 12.12.90 for order.

L 7/11 L 21/11 L 18/11 L 21/11

12.12.90

case not reached Adj. to 17.1.91

(u)

Boe.

(u)  
Boe.

17.1.91

No sitting adj. to 12.2.91

12.2.91

No sitting Adj. to 1.4.91

(u)

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL  
CIRCUIT BENCH, LUCKNOW.

Misc.(Recall) Application No. 263 of 1990. (2)

Satya Narain Agarwal, aged about 43 years  
son of Sri D.P. Agarwal (employed as Statistical  
Assistant in the Office of Director of Census  
Operations, U.P., Lucknow) resident of 119,  
Faizabad Road, Hassanganj, Lucknow.

....Applicant

In re:

T.A.No.656 of 1987

(Writ Petition No.384 of 1980)

Nankoo Singh and others

...Petitioners

Versus

Union of India and others

...Opp.Parties.

Application under Rule 16(2) of the Central  
Administrative Tribunal (Procedure) Rules, 1987  
to set aside the ex-parte judgment and order  
dated 23.3.1990 passed by Hon'ble Mr.D.K.Agarwal  
J.M. and Hon'ble Mr.K.Obayya, A.M.

For the facts and reasons given  
in the accompanying affidavit, it is humbly  
prayed that in the interest of justice this

Noted for 26/4/90.  
A.C. Singh  
20/4/90

A.C. Singh

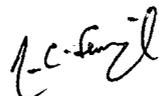
1253

Hon'ble Court may kindly be pleased to :-

(a) set aside the ex parte judgment and order dated 23.3.1990 passed by Hon'ble Mr.D.K.Agarwal, J.M. and Hon'ble Mr.K.Obayya, A.M.;

(b) suspend the implementation of the judgment and order dated 23.3.1990 passed in T.A.No.656/87 (W.P.No. 384 of 1980) during the pendency of application for setting aside the judgment and order as aforementioned; and

(c) pass such other order as this Hon'ble Tribunal may consider appropriate in the circumstances of the case.



(R.C.Singh )

Advocate  
Counsel for the Applicant

Lucknow:

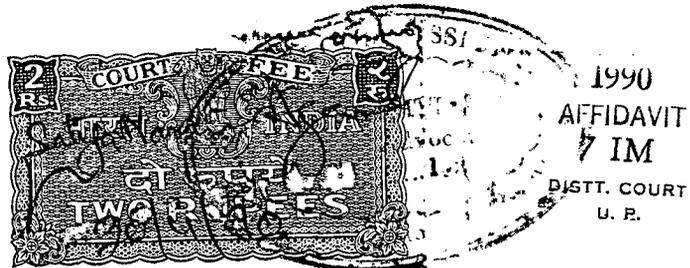
Dated: April 20<sup>th</sup>, 1990.

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BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL  
CIRCUIT BENCH, LUCKNOW.

T.A.No.656 of 1987

(Writ Petition No.384 of 1980)



A F F I D A V I T

in support of Misc.(Recall)Application No. of  
1990.

Satya Narain Agarwal, aged about 43 years, son of  
Sri D.P.Agarwal, employed as Statistical Assistant  
in the Office of Director of Census Operations, U.P.,  
Lucknow, resident of 119, Faizabad Road, Hassanganj,  
Lucknow. ...Applicant

In re:

Nankoo Singh and others.

...Petitioners

Versus

Union of India and others

...Opp.Parties.

I, Satya Narain Agarwal, aged about  
43 years, son of Sri D.P.Agarwal,  
employed as Statistical Assistant  
in the Office of the Director of  
Census Operations, U.P.Lucknow,  
resident of 119, Faizabad Road,  
Hassanganj, Lucknow, the deponent  
do hereby solemnly affirm and state  
on oath as under:-



*Satya Narain Agarwal*

7155

1. That the deponent is opposite Party No. 16 in the above described writ petition No.384 of 1980 and as such he is fully acquainted with facts and circumstances of the case.

2. That the petitioners had challenged the final seniority list of computers, working in the Office of the Director of Census Operations, as on 1.10.1978 circulated under Memorandum dated 24.9.1979 contained in Annexure No.7 to the petition by filing the writ petition as described above. In the Writ petition it was also prayed that a writ of MANDAMUS be issued to the opp.parties 1 to 3 to issue a fresh seniority list. It was further prayed that a writ of MANDAMUS be issued to opposite parties 1 to 3 to suitably modify the order of confirmation dated 4.10.1979 and re assign the place in the said list in accordance with the revised seniority list.

3. That the deponent's name was sponsored by the Employment Exchange, Lucknow in response to the requisition sent by the Director of Census Operation U.P. for appointment as computers. The selection committee constituted for the purpose conducted the interview during the month of Sept. 1970. On completion of the selection, merit list of successful candidates included the name of deponent as well as the names of petitioners No.2 to 4.



*Signature*

4. That an offer letter was issued to the deponent on 12.11.1970, calling upon him to submit medical certificate and character certificate within

15 days of the receipt of the offer letter and submit the joining report at Coding and Punching Cell, Lucknow. The deponent had come to know, which he believes to be true, that similar offer letters were issued to other selected candidates (including petitioners No.2 to 4) and they were directed to join at various Coding and Punching Cells.

5. That on receipt of offer letter, the deponent reported to the Civil Surgeon, Lucknow for medical and after obtaining medical certificate, he obtained character certificate and reported to the Deputy Director, Coding and Punching Cell, Lucknow on 25.11.1970 and submitted his joining report.

6. That the other selected candidates had also got their medical examinations done by Civil Surgeon, Lucknow and obtained character certificates from Ist Class Magistrates at Lucknow and thereafter they had proceeded to submit their joining at different Coding and Punching Cells.

7. That it so happened that candidates required to join at Lucknow and Kanpur could submit their joining early and those required to join at Meerut etc. could join later, without any fault on their part. In some cases, candidates were not allowed to join at the first instance by the respective Deputy Directors, and they could join subsequently with the indulgence of the Director of Census Operations, U.P. Lucknow.



*J. Aggarwal*

8. That the deponent is advised to state that the seniority of the candidates selected by a selection Board is determined as per their respective positions in the merit list and accordingly candidates selected and placed in merit lists 'A' and 'B' and 'C' dated 8.11.1970 were given their place of seniority as they are in no way responsible for the delay in joining.

9. That the petitioners have claimed the seniority on the basis of their dates of joining. It may be stated here that petitioners No.2 to 4 were also selected by the selection Board held in September, 1970 and their names were placed in the merit list dated 8.11.1970 and as such they cannot claim seniority on the basis of date of joining over and above the names of those <sup>whom</sup> were placed in earlier positions in the merit list. As regards petitioner No.1, he was appointed by the Dy. Director, Coding and Punching Cell, Varanasi and his appointment was made admittedly on 23.11.1970, i.e. after finalisation of the merit list on 8.11.1970 and issue of offer letter dated 12.11.1970 as such he has rightly been placed in the seniority list after the candidates included in the merit lists 'A', 'B' and 'C'.

10. That after filing of the writ petition described above in the Hon'ble High Court of Judicature at Allahabad, Lucknow Bench, Lucknow, notices were issued to the respondents (including the deponent) and received by the deponent.

11. That on receipt of the notice, the deponent and few others arranged for necessary finances and contacted Sri Shridhar Misra, Advocate and engaged



*[Handwritten signature]*

15/5/87

him to conduct the case.

12. That the deponent signed the Vakalatnama in favour of the Counsel Sri Shridhar Misra, Advocate who assured the deponent that the counter affidavit will be prepared and the deponent will be called upon to swear the same, as and when required.

13. That during the year 1987, the writ petition was transferred to the Central Administrative Tribunal, Allahabad U/S 29 of the Central Administrative Tribunals Act, 1985 and registered as T.A.No.656 of 1987. A notice was received by the deponent on 30.9.1988 from Central Administrative Tribunal, Allahabad that the case has been transferred from Hon'ble High Court of Judicature at Allahabad, Lucknow Bench, Lucknow to the Central Administrative Tribunal, Allahabad and the Tribunal fixed 3.10.1988 for hearing of the matter.

14. That on receipt of notice, the deponent contacted his counsel and informed him about the transfer of the writ petition. The Counsel assured that he would make arrangements for conducting the case at Tribunal at Allahabad. The deponent bonafide believed that the Counsel would do his best to contest the matter and protect the deponent's interest. Thereafter, he has not heard anything from the Counsel.



15. That on 2.4.1990, the deponent heard rumours in the Office that the Writ Petition has been allowed by the Hon'ble Tribunal at its Circuit Bench, Lucknow. This took the deponent and other

*[Handwritten signature]*

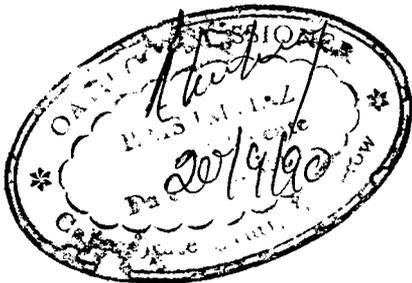
51/51

opposite parties by surprise, as the deponent had no notice about the transfer of the case from Allahabad to Circuit Bench, Lucknow. The deponent has come to know, which he bonafide believes to be true, that the petitioners had moved application for transfer of the case from Allahabad to Lucknow though no notice was received by the deponent of the said application for transfer of the case nor any notice was received from this Hon'ble Tribunal about date fixed in the case. On enquiry from office, it revealed that the application has been heard and decided ex-parte in the absence of the opp. parties Nos. 4 to 35 on 23.3.1990.

16. That on coming to know of the facts of the case, the deponent made efforts to contact his counsel Sri Shridhar Mishra, Advocate to ascertain the true facts and reasons for non appearance in the case. To the misfortune of the deponent, he came to know that the said Sri Shridhar Misra, Advocate has expired on 7.12.1988.

17. That in these circumstances, the deponent could not appear in the case. The deponent had bonafide belief that the Counsel, who <sup>was</sup> already paid his fees and had been given instructions in the matter, would be representing the deponent, but now it transpired that the counsel had neither filed his Vakalatnama nor ever appeared in the case. Moreover, the deponent had no notice of the transfer of the case from Allahabad to Lucknow.

18. That in view of the above, the correct facts could not be placed before this Hon'ble Tribunal and this Hon'ble Tribunal decided the application in the absence of the deponent and 31 other opposite parties.



*[Handwritten signature]*

10/15/90

19. That it will be expedient in the interest of justice that the deponent is allowed an opportunity of contesting the case and place the correct material facts before this Hon'ble Tribunal.

20. That under the circumstances, the ex-parte judgment and order dated 23.3.1990 is liable to be set aside and during the pendency of this application the operation of the judgment and order dated 23.3.1990 is liable to be suspended.

21. That the deponent has not avoided to attend the hearing the case deliberately and his prayer to set aside the ex-parte judgment and order dated 23.3.190 is bonafide.

*[Signature]*  
Deponent.

Lucknow:

Dated: April 20<sup>th</sup>, 1990.

VERIFICATION

I, the above named deponent do hereby

verify that the contents of paras 1 to 21 of this affidavit are true to my personal knowledge. No part of it is false and nothing has been concealed. So help me God.

*[Signature]*  
Deponent.

Lucknow:

Dated: April 20<sup>th</sup>, 1990.

I identify the deponent who has signed before me on the basis of the documents

e-No. 7. 1M produced before me.

presently examined before me in office to  
11-4/AM Satya Narain Agarwal,  
who is known to me as  
Clerk to R.C. Gupta

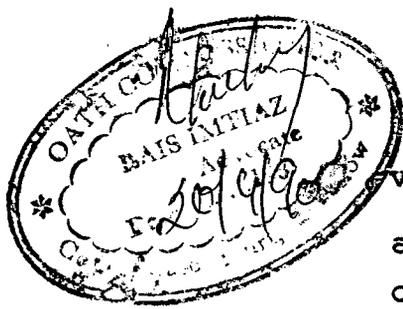
*[Signature]*  
Advocate.

I have verified myself by examining the deponent that he understands the contents of this affidavit which has been read out and explained by him. Fee Ro. 1/-1/50

*[Signature]*  
RAJESH KUMAR  
Advocate

Collectorate Court, Lucknow

Date 20/4/90



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD  
CIRCUIT BENCH, LUCKNOW

T.A. No. 656/87

(Writ Petition No.384 of 1980)

Nankoo Singh & others ...Applicants.

VERSUS

Union of India & others ...Respondents.

Hon. Mr. D.K.Agrawal, JUDL. MEMBER.

Hon. MR. K. Obayya, Adm. Member.

(K.Obayya,ADM.MEMBER)

Writ Petition No. 384 of 1980 filed in the High Court of Judicature at Allahabad, Lucknow Bench, Lucknow has been received in this Tribunal on transfer under section 29 of the Administrative Tribunals Act, 1985 for disposal and numbered as T.A.656/87(T), as indicated above. The petitioners, numbering 4 are employed in the Census Department and their prayer is that the final Seniority List circulated by Deputy Director of Census Operation, U.P. by letter dated 24.9.79. (Annexure 7) be quashed and a revised seniority list be prepared assigning proper seniority to the petitioners.

2. The petitioners were appointed as Computers in the Census Department during the year 1970. There were five Census cells, each under the Administrative Control of a Deputy Director, Census Operation. These cells were located at Lucknow, Meerut, Varanasi, Kanpur and Gorakhpur. According to the petitioners, there was a seniority list of Computers

Attested  
C. C. Singh  
Adm.

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separately for each cell. Subsequently, the census cells functioning at Varanasi, Gorakhpur and Meerut were closed and staff working in these units was transferred to Lucknow and Kanpur. After the merger of these cells, a combined seniority list was prepared in 1975 and the petitioners allege that this was not notified. The final seniority list was, however, circulated by letter dated 24.9.1979 of the Director, Census Operations, U.P., Lucknow indicating the seniority position of the Computers as on 1.10.1978. Aggrieved by this, the petitioners submitted representations to the authorities, which was rejected.

3. In the counter affidavit filed by the respondents, it is denied that there was a separate list for each cell. According to them, it was only a gradation list for facility of reference in establishment work and such list was not notified. However, they agreed that the combined seniority list indicating tentative seniority position of Computers, as on 1.1.1975 was drawn up and circulated among the staff members and objections were also invited. The objections received were considered and settled. The petitioners have not made any representation against this list. The final list could not be notified at that time as one of the Computers, namely Shri R.K.Verma filed Writ Petition in the High Court at Allahabad and obtained Stay. The Writ Petition was finally dismissed in the year 1982. Thereafter, the seniority list as on 1.10.1978 was notified and this list is the same as the tentative list circulated on 1.1.1975. The respondents further contend that the integrated seniority list was prepared following principles laid down by the Deputy

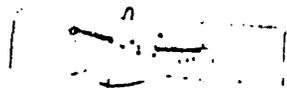
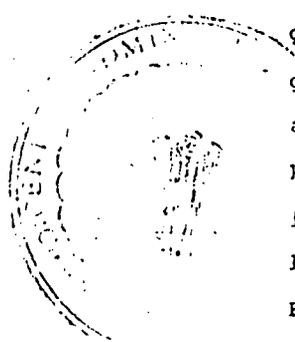
Attested

*[Handwritten signature]*

A163

Registrar General (Census) in his letter dated February 10, 1975 (Annexure 4).

4. We have heard the learned counsel for the parties and also seen the record. The learned counsel for the applicant assailed the seniority list on the ground that no uniform criteria has been followed in drawing up the seniority list, and that date of appointment has been followed as the criteria in fixing the seniority of candidates from 1 to 34 and 66 onwards. In between candidates selected on the basis of merit list A.B.C. figure. We have called for the relevant record and verified how this merit list was prepared. From the record it is seen that the interviews were held in the month of September, 1970 and based on their qualifications and performance at the interview the candidates were graded as ABC. There appears to be nothing wrong in such gradation. Since the number of vacancies was more, to absorb all the candidates in the merit list, it is not known why this merit position was not indicated while issuing the appointment orders. In as much as the merit list does not reflect <sup>in the order of</sup> any appointment orders issued. Further, if there was gradation list prepared for each cell, why that gradation list was disturbed while drawing up a combined seniority list of different units, after their merger into two surviving units <sup>e.g.</sup> Lucknow and Kanpur. The principle laid down indicates that the criteria to be followed in the matter of interse seniority of Computers is (1) the date on which they were appointed/promoted to the grade and (2) in respect of such officials who had been appointed/promoted as a result of selection by a Board from lower grade or as a result of direct recruitment from Employment Exchange the interse position



*Attested*  
*L. C. Singh*  
*Adv.*

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will be indicated by selection board or Recruitment Board. The record shows no such interse position was indicated by any Board.

5. Having regard to the facts and circumstances of the case, we are of the view that the final Seniority List of Computers circulated on 24.9.1979 (Annexure-7) does not follow the uniform criteria and also the rationale for following different criteria has also not been explained in as much as the merit list A, B and C was only for the purpose of selection for appointment to the post which fact is confirmed by the fact that in issuing the appointment letters this list was not followed. We consider that in the interest of Justice this list cannot be sustained and as such it is quashed.

6. In the counter. ( para 13) the respondents have mentioned that the petitioners have not exhausted available channels for redressal of their grievance by a representation. We direct that interse seniority of computers be drawn in consultation with the Registrar General of India (Respondent No.2) taking into consideration the representation of the petitioners which were rejected earlier in reference No. AE/11-1/78/DCS-UP/A-3001 dated 24.9.1979 and also Annexure-5 in conformity with the seniority rules, by a speaking order meeting the points raised raised in the representation of the petitioner.

7. The T.A./Writ Petition is disposed of as above. No order as to costs.

(K. OBAYYA)  
ADM. MEMBER

23.3.90  
(D.K. AGRAWAL)  
JUDL. MEMBER

Recd March 23/1990

Attested  
Deputy Registrar 23.3.90

eTC.

Central Administrative Tribunal  
Lucknow Bench,  
Lucknow

Attested  
R.C. Singh  
Adv.

58259/90  
23/3/90

In the Central Administrative Tribunal  
Circuit Bench, Lucknow

ब अदालत श्रीमान्

Circuit Bench, Lucknow

महोदय

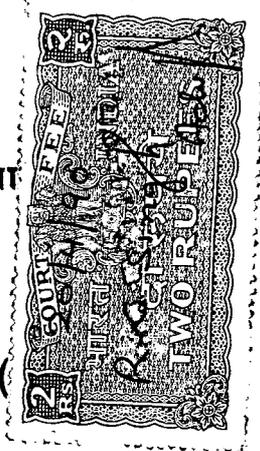
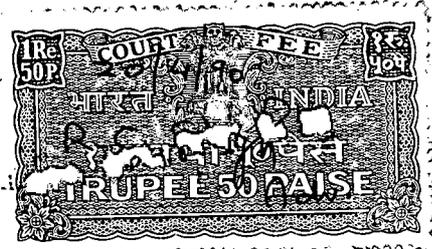
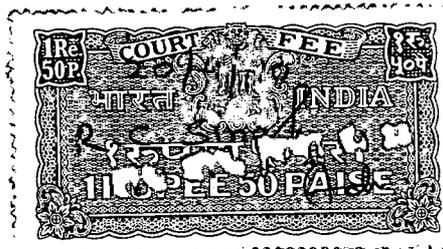
[वादी अपीलान्त]

श्री Satya Narain Agarwal ... का

वकालतनामा

प्रतिवादी [रिस्पॉन्डेंट] (O.P No. 16)

T.A. No. 656 of 1987



Nankoo Singh and others.  
Vs.

बनाम

प्रतिवादी

Union of India and others

नं० मुकद्दमा

सन्

पेशी की ता०

१६ ई०

ऊपर लिखे मुकद्दमा में अपनी ओर से श्री R.C. Singh, Advocate  
(Regn. No. 2388 of 1987)  
... 51/2/29, 7th Lane, Nishatganj, Lucknow ... वकील  
महोदय  
एडवोकेट

नाम अदायत	नाम मुकद्दमा नं०	नाम फरीकान	बनाम
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को अपना वकील नियुक्त करके प्रतिज्ञा ( इकरार ) करता हूं और लिखे देता हूं इस मुकद्दमा में वकील महोदय स्वयं अथवा अन्य वकील द्वारा जो कुछ पैरवी व जवाब देही व प्रश्नोत्तर करे या कोई कागज दाखिल करे या लौटावे या हमारी ओर से डिगरी जारी करावे और रुपया वसूल करे या सुलहनामा व इकबाल दावा तथा अपील निगरानी हमारी ओर से हमारी या अपने हस्ताक्षर से दाखिल करे और तसदीक करे मुकद्दमा उठावे या कोई रुपया जमा करे या हारी विपक्षी ( फरीकसानी ) का दाखिल किया हुआ रुपया अपने या हमारे हस्ताक्षर युक्त ( दस्तखती ) रसीद से लेवे या पंच नियुक्त करे—वकील महोदय द्वारा की गई वह सब कार्यवाही हमको सर्वथा स्वीकार है और होगा मैं यह भी स्वीकार करता हूं कि मैं हर पेशी पर स्वयं या किसी अपने परोकार को भेजता रहूंगा अगर मुकद्दमा अदम पैरवी में एक तरफ मेरे खिलाफ फैसला हो जाता है उसकी जिम्मेदारी मेरे वकील पर नहीं होगी इसलिए यह वकालतनामा लिख दिया प्रमाण रहे और समय पर काम आवे ।

हस्ताक्षर...  
(Satya Narain Agarwal)

साक्षी (गवाह) ... साक्षी (गवाह) ...

दनांक ... 20th ... महीना ... April ... सन् १९९० ई०

स्वीकृत

R.C. Singh Adv.

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL  
CIRCUIT BENCH, LUCKNOW.

Misc. (Recall) Application No. 273 of 1990. (L)

Sudhir Chandra, aged about 43 years son of  
Sri Dwarka Prasad Chitranshi (employed as  
Statistical Assistant in the Office of Director  
of Census Operations, U.P. Lucknow) resident of  
108/205, New Model House, Lucknow.

...Applicant

In re:

T.A.No. 656 of 1987

(Writ Petition No. 384 of 1980)

Nankoo Singh and others

...Petitioners

Versus

Union of India and others

...Opp. Parties.

Application under Rule 16(2) of the Central  
Administrative Tribunal (Procedure) Rules, 1987  
to set aside the ex-parte judgment and order  
dated 23.3.1990 passed by Hon'ble Mr. D.K. Agarwal  
J.M. and Hon'ble Mr. K. Obayya, A.M.

For the facts and reasons given  
in the accompanying affidavit, it is humbly  
prayed that in the interest of justice this

*Filed today  
L  
23/9/90*

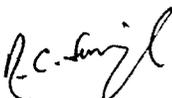
*H.C. Singh  
Adv.*

Hon'ble Court may kindly be pleased to:-

(a) set aside the ex-parte judgment and order dated 23.3.1990 passed by Hon'ble Mr.D.K.Agarwal, J.M. and Hon'ble Mr.K.Obayya, A.M.;

(b) suspend the implementation of the judgment and order dated 23.3.1990 passed in T.A.No.656/87 (H.P.No.384 of 1980) during the pendency of application for setting aside the judgment and order as aforementioned; and

(c) pass such other order as this Hon'ble Tribunal may consider appropriate in the circumstances of the case.

  
( R.C.Singh )  
Advocate  
Counsel for the Applicant

Lucknow:

Dated: April 23<sup>rd</sup>, 1990.

AKS

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL, CIRCUIT BENCH,  
LUCKNOW.

T.A. No.656 of 1987

(Writ Petition No.384 of 1980)



A F F I D A V I T

In support of Misc.(Recall)Application No. <sup>3</sup> of 1990.

Sudhir Chandra, aged about 43 years son of Sri Dwarka Prasad Chitranshi (employed as Statistical Assistant in the Office of Director of Census Operations, U.P. Lucknow) resident of 108/205, New Model House, Lucknow.

...Applicant.

In re:

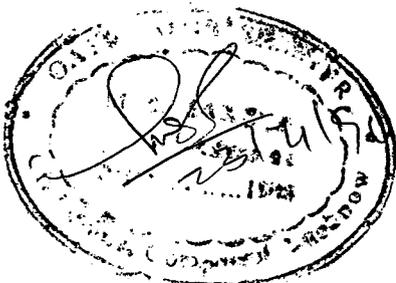
Nankoo Singh and others

...Petitioners

Versus

Union of India and others

...Opp.Parties.



I, Sudhir Chandra, aged about 43 years son of Sri Dwarka Prasad Chitranshi, employed as Statistical Assistant in the Office of Director of Census Operations, U.P. Lucknow, resident of 108/205, New Model House, Lucknow, the deponent do hereby solemnly affirm and state on oath as under:-

1. That the deponent is opposite party No.19 in the above described writ petition No.384 of 1980

*Chandra*

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and as such he is fully acquainted with the facts and circumstances of the case.

2. That the petitioners had challenged the final seniority list of computers, working in the Office of the Director of Census Operations, as on 1.10.1978 circulated under Memorandum dated 24.9.1979 contained in Annexure No.7 to the petition by filing the writ petition as described above. In the writ petition it was also prayed that a writ of mandamus be issued to the opp.parties 1 to 3 to issue a fresh seniority list. It was further prayed that a writ of MANDAMUS be issued to opposite parties 1 to 3 to suitably modify the order of confirmation dated 4.10.1979 and to re-assign the place in the said list in accordance with the revised seniority list.

3. That the deponent's name was sponsored by the Employment Exchange, Lucknow in response to the requisition sent by the Director of Census Operations U.P. for appointment as computers. The Selection Committee constituted for the purpose conducted the interview during the month of Sept. 1970. On completion of the selection, merit list of successful candidates included the name of deponent as well as the names of petitioners No.2 to 4.

4. That an offer letter was issued to the deponent on 12.11.1970, calling upon him to submit medical certificate and character certificate within 15 days of the receipt of the offer letter and submit the joining report at Coding and Punching Cell, Meerut. The deponent had come to know, which he believes to be true, that similar offer letters were issued to other selected candidates (including petitioners No.2 to 4).



Chanda

A 170

and they were directed to join at various Coding and Punching Cells.

5. That on receipt of offer letter, the deponent reported to the Civil Surgeon, Lucknow for medical and after obtaining medical certificate, he obtained character certificate and report to the Deputy Director, Coding and Punching Cell, Meerut on 25.11.1970. The deponent was medically examined on 19.11.1970 by the Civil Surgeon, Lucknow.

6. That <sup>other</sup> selected candidates has also got their medical examinations done by Civil Surgeon Lucknow and obtained character certificates from Ist Class Magistrates at Lucknow and thereafter they had proceeded to submit their joining at different Coding and Punching Cells.

7. That it so happened that candidates required to join at Lucknow and Kanpur could submit their joining early and those required to join at Meerut etc. could join later, with any fault on their part. In some cases, candidates were not allowed to join at the first instance by the respective Deputy Directors, and they could join subsequently with the indulgence of the Director of Census Operations, U.P. Lucknow.

8. That the deponent is advised to state that the seniority of the candidates selected by a selection Board is determined as per their respective positions in the merit list and accordingly candidates selected and placed in merit list 'A' and 'B' and 'C' dated 8.11.1970 were given their place of seniority as they are in no way responsible for the delay in joining.



*Blum &*

A/172

9. That the petitioners have claimed the seniority on the basis of their dates of joining. It may be stated here that petitioners No.2 to 4 were also selected by the selection Board held in September 1970 and their names were placed in the merit list dated 8.11.1970 and as such they cannot claim seniority on the basis of date of joining over and above the names of those <sup>✓ who</sup> were placed in earlier positions in the merit list. As regards petitioner No.1, he was appointed by the Dy. Director, Coding and Punching Cell, Varanasi and his appointment was made admittedly on 23.11.1970, i.e. after finalisation of the merit list on 8.11.1970 and issue of offer letter dated 12.11.1970 as such he has rightly been placed in the seniority list after the candidates included in the merit lists 'A', 'B' and 'C'.

10. That after filing of the writ petition described above in the Hon'ble High Court of Judicature at Allahabad, Lucknow Bench, Lucknow, notices were issued to the respondents (including the deponent) and received by the deponent.

11. That on receipt of the notice, the deponent and few others arranged for necessary finances and contacted Sri Shridhar Misra, Advocate and engaged him to conduct the case.

12. That the deponent signed the Vakalatnama in favour of the Counsel Sri Shridhar Misra, Advocate who assured the deponent that the counter affidavit will be prepared and the deponent will be called upon to swear the same, as and when required. It may be stated here that the deponent was transferred to Coding and Punching Cell, Lucknow during Sept. 1971. During Sept, 1980, he was transferred to Regional Tabulation Office, Bareilly where he continued till May 1982,



*Sharma*

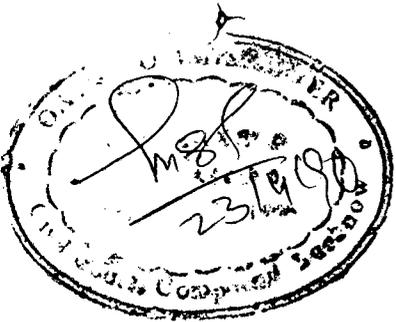
A173

when he was transferred back to Lucknow. "Due to being away from Lucknow, the deponent had also engaged the same counsel, who was engaged by other 7 co-employees."

13. That during the year 1987, the writ petition was transferred to the Central Administrative Tribunal, Allahabad U/S 29 of the Central Administrative Tribunals Act. 1985 and registered as T.A.No. 656 of 1987. A notice was received by the deponent on 30.9.1988 from Central Administrative Tribunal, Allahabad that the case has been transferred from Hon'ble High Court of Judicature at Allahabad, Lucknow Bench, Lucknow to Central Administrative Tribunal, Allahabad the Tribunal fixed 3.10.1988 for hearing of the matter.

14. That on receipt of notice, the deponent contacted his counsel and informed him about the transfer of the writ petition. The counsel assured that he would make arrangements for conducting the case at Tribunal at Allahabad. The deponent bonafide believed that the Counsel would do his best to contest the matter and protect the deponent's interest. Thereafter, he has not heard anything from the Counsel.

15. That on 2.4.1990, the deponent heard rumours in the Office that writ petition has been allowed by the Hon'ble Tribunal at its Circuit Bench Lucknow. This took the deponent and other opposite parties by surprise, as the deponent had no notice about the transfer of the case from Allahabad to Circuit Bench, Lucknow. The deponent has come to know, which he bonafide believes to be true, the the petitioners had moved application for transfer of the case from Allahabad to Lucknow though no notice was received by the deponent of the said application for transfer of the case nor any notice was received from this



Chand

17/11/90

Hon'ble Tribunal about date fixed in the case. On enquiry from office, it revealed that the application has been heard and decided ex-parte in the absence of the opp.parties No.4 to 35 on 23.3.1990.

16. That on coming to know of the facts of the case, the deponent made efforts to contact his counsel Sri Shridhar Misra, Advocate to ascertain the true facts and reasons for non appearance in the case. To the misfortune of the deponent, he came to know that the said Sri Shridhar Misra, Advocate has expired on 7.12.1988.

17. That in these circumstances, the deponent could not appear in the case. The deponent had bonafide belief that the Counsel, who was already paid his fees and had been given instructions in the matter, would be representing the deponent, but now it transpired that the counsel had neither filed his Vakalatnama nor ever appeared in the case. Moreover, the deponent had no notice of the transfer of the case from Allahabad to Lucknow.

18. That in view of the above, the correct facts could not placed before this Hon'ble Tribunal and this Hon'ble Tribunal decided the application in the absence of the deponent and 31 other opposite parties.

19. That it will be expedient in the interest of justice that the deponent is allowed an opportunity of contesting the case and place the correct material facts before this Hon'ble Tribunal.

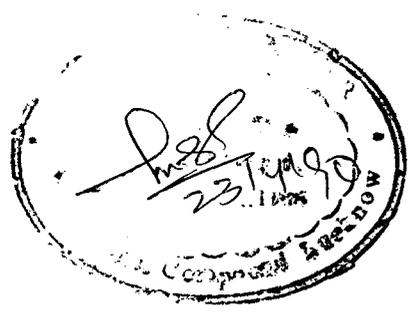


Ghandi

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20. That under the circumstances, the ex-parte judgment and order dated 23.3.1990 is liable to be set aside and during the pendency of this application the operation of the judgment and order dated 23.3.1990 is liable to be suspended.

21. That the deponent has not avoided to attend the hearing of the case deliberately and his prayer to set aside the ex-parte judgment and order dated 23.3.1990 is bonafide.



*Chandra*  
Deponent

Lucknow:  
Dated: April 23<sup>rd</sup>, 1990.

84114

Subscribed before me in presence of  
11:15 AM by Sudhir Chandra  
who is identified by this  
letter to Shri  
I have seen the contents  
deponent the contents  
of this affidavit are true and  
explained by me for the  
10/200

*P.C. Singh*  
Advocate

VERIFICATION

I, the above named deponent do

hereby verify that the contents of paras 1 to 21

*M.S. Sethi*  
23/4/90  
Oath Commissioner  
Dist. Court Lucknow

of this affidavit are true to my personal

knowledge.

No part of it is false and nothing has been concealed.

So help me God.

Lucknow:  
Dated: April 23<sup>rd</sup>, 1990.

*Chandra*  
Deponent

I identify the deponent who has signed before me on the basis of the documents produced before me.

*P.C. Singh*  
Advocate

A76

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD  
CIRCUIT BENCH, LUCKNOW

T.A. No. 656/87

(Writ Petition No.384 of 1980)

Nankoo Singh & others ...Applicants.

VERSUS

Union of India & others ...Respondents.

Hon. Mr. D.K.Agrawal, JUDL. MEMBER.

Hon. MR. K. Obayya, Adm. Member.

(K.Obayya,ADM.MEMBER)

Writ Petition No. 384 of 1980 filed in the High Court of Judicature at Allahabad, Lucknow Bench, Lucknow has been received in this Tribunal on transfer under section 29 of the Administrative Tribunals Act, 1985 for disposal and numbered as T.A.656/87(T), as indicated above. The petitioners, numbering 4 are employed in the Census Department and their prayer is that the final Seniority List circulated by Deputy Director of Census Operation, U.P. by letter dated 24.9.79. (Annexure 7) be quashed and a revised seniority list be prepared assigning proper seniority to the petitioners.

2. The petitioners were appointed as Computers in the Census Department during the year 1970. There were five Census cells, each under the Administrative Control of a Deputy Director, Census Operation. These cells were located at Lucknow, Meerut, Varanasi, Kanpur and Gorakhpur. According to the petitioners, there was a seniority list of Computers

Attested  
K. Obayya  
Adm.

separately for each cell. Subsequently, the census cells functioning at Varanasi, Gorakhpur and Meerut were closed and staff working in these units was transferred to Lucknow and Kanpur. After the merger of these cells, a combined seniority list was prepared in 1975 and the petitioners allege that this was not notified. The final seniority list was, however, circulated by letter dated 24.9.1979 of the Director, Census Operations, U.P., Lucknow indicating the seniority position of the Computers as on 1.10.1978. Aggrieved by this, the petitioners submitted representations to the authorities, which was rejected.

3. In the counter affidavit filed by the respondents, it is denied that there was a separate list for each cell. According to them, it was only a gradation list for facility of reference in establishment work and such list was not notified. However, they agreed that the combined seniority list indicating tentative seniority position of Computers, as on 1.1.1975 was drawn up and circulated among the staff members and objections were also invited. The objections received were considered and settled. The petitioners have not made any representation against this list. The final list could not be notified at that time as one of the Computers, namely Shri K.K.Verma filed Writ Petition in the High Court at Allahabad and obtained Stay. The Writ Petition was finally dismissed in the year 1982. Thereafter, the seniority list as on 1.10.1978 was notified and this list is the same as the tentative list circulated on 1.1.1975. The respondents further contend that the integrated seniority list was prepared following principles laid down by the Deputy

Attested  
R.K. Singh  
Adm.

8/1/78

Registrar General (Census) in his letter dated February 10, 1975 (Annexure 4).

4. We have heard the learned counsel for the parties and also seen the record. The learned counsel for the applicant assailed the seniority list on the ground that no uniform criteria has been followed in drawing up the seniority list, and that date of appointment has been followed as the criteria in fixing the seniority of candidates from 1 to 34 and 66 onwards. In between candidates selected on the basis of merit list A.B.C. figure. We have called for the relevant record and verified how this merit list was prepared. From the record it is seen that the interviews were held in the month of September, 1970 and based on their qualifications and performance at the interview the candidates were graded as ABC. There appears to be nothing wrong in such gradation. Since the number of vacancies was more, to absorb all the candidates in the merit list, it is not known why this merit position was not indicated while issuing the appointment orders. In as much as the merit list does not reflect <sup>in the order of</sup> any appointment orders issued. Further, if there was gradation list prepared for each cell, why that gradation list was disturbed while drawing up a combined seniority list of different units, after their merger into two surviving units e.g. Lucknow and Kanpur. The principle laid down indicates that the criteria to be followed in the matter of interse seniority of Computers is (1) the date on which they were appointed/promoted to the grade and (2) in respect of such officials who had been appointed/promoted as a result of selection by a Board from lower grade or as a result of direct recruitment from Employment Exchange the interse position



Attested  
C.P. Singh Adh.

179

will be indicated by selection board or Recruitment Board. The record shows no such interse position was indicated by any Board.

5. Having regard to the facts and circumstances of the case, we are of the view that the final Seniority List of Computers circulated as on 24.9.1979 (Annexure-7) does not follow the uniform criteria and also the rationale for following different criteria has also not been explained in as much as the merit list A, B and C was only for the purpose of selection for appointment to the post which fact is confirmed by the fact that in issuing the appointment letters this list was not followed. We consider that in the interest of Justice this list cannot be sustained and as such it is quashed.

6. In the counter ( para 13) the respondents have mentioned that the petitioners have not exhausted available channels for redressal of their grievance by a representation. We direct that interse seniority of computers be drawn in consultation with the Registrar General of India (Respondent No.2) taking into consideration the representation of the petitioners which were rejected earlier in reference No. AE/11-1/78/ DEO-UP/A-3001 dated 24.9.1979 and also Annexure-5 in conformity with the seniority rules, by a speaking order meeting the points raised in the representation of the petitioner.

7. The P.A./Writ Petition is disposed of as above. No order as to costs.

(K. OBAYYA)  
ADM. MEMBER

23.3.90  
(D.K. AGRWAL)  
JUDL. MEMBER

Dated March 23/1979

etc

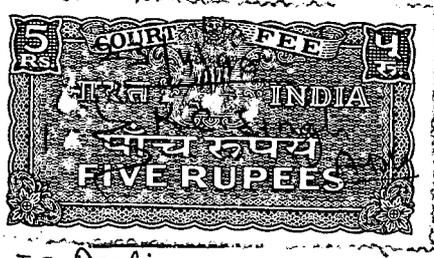
Attested  
Deputy Registrar 23.3.90  
General Administrative Tribunal  
Lucknow Bench,  
Lucknow

Attested  
P. Singh Adv.

50859/90  
29/90

In the Central Administrative Tribunal, Circuit Bench, Lucknow  
अदालत श्रीमान् महोदय

श्रीवादी अपीलान्त] श्री Sudhir Chandra ... का वकालतनामा  
प्रतिवादी [रिस्पाडेन्ट]  
Misc. (Recall) An. No. of 1990 in Re: T.A. No. 656 of 1987



वादी (अपीलान्त)

Sudhir Chandra Applicant

Nankoo Singh and others बनाम

प्रतिवादी (रेस्पाडेन्ट)

Union of India and others

नं० मुकद्दमा

सन्

पेशी की ता०

१६ ई०

उपर लिखे मुकद्दमा में अपनी ओर से श्री R.C. Singh, Advocate (Regn. No 2388 of 1987)

वकील

..... महोदय

एडवोकेट

नाम अदालत  
मुकद्दमा नं०  
नाम फरीकत  
..... बनाम

को अपना वकील नियुक्त करके प्रतिज्ञा ( इकरार ) करता हूँ और लिखे देता हूँ इस मुकद्दमा में वकील महोदय स्वयं अथवा अन्य वकील द्वारा जो कुछ पैरवी व जवाब देही व प्रश्नोत्तर करे या कोई कागज दाखिल करे या लौटावे या हमारी ओर से डिगरी जारी करावे और रुपया बसूल करे या सुलहनामा व इकबाल दावा तथा अपील निगरानी हमारी ओर से हमारी या अपने हस्ताक्षर से दाखिल करे और तसदीक करे मुकद्दमा उठावे या कोई रुपया जमा करे या हारी विपक्षी ( फरीकसानी ) का दाखिल किया हुआ रुपया अपने या हमारे हस्ताक्षर युक्त ( दस्तखती ) रसीद से लेवे या पंच नियुक्त करे—वकील महोदय द्वारा की गई वह सब कार्यवाही हमको सर्वथा स्वीकार है और होगा मैं यह भी स्वीकार करता हूँ कि मैं हर पेशी पर एवयं या किसी अपने परोकार को भेजता रहूँगा अगर मुकद्दमा अदम पैरवी में एक तरफ मेरे खिलाफ फैसला हो जाता है उसकी जिम्मेदारी मेरे वकील पर नहीं होगी इसलिए यह वकालतनामा लिख दिया प्रमाण रहे और समय पर काम आवे ।

हस्ताक्षर...  
Sudhir Chandra

साक्षी (गवाह) ... साक्षी (गवाह) ...

दनांक 23.4.90 ... महीना April ... सन् १९९० ई०

स्वीकृत

R.C. Singh Adv.  
23.4.90

2181

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL  
CIRCUIT BENCH, LUCKNOW.

Misc.(Recall) Application No. 274 of 1990.

Shyamal Kumar Banerjee, aged about 39 years  
son of Sri A.K. Banerjee (employed as Statistical  
Assistant in the Office of Director of Census  
Operations, U.P. Lucknow) resident of 1-A,  
Behari Bhawan, Latouche Road, Charbagh, Lucknow.

...Applicant

In re:

T.A.No.656 of 1987

(Writ Petition No.384 of 1980)

Nankoo Singh and others

...Petitioners

Versus

Union of India and others

...Opp. Parties.

Application under Rule 16(2) of the Central  
Administrative Tribunal (Procedure) Rules, 1987  
to set aside the ex-parte judgment and order  
dated 23.3.1990 passed by Hon'ble Mr. D.K. Agarwal  
J.M. and Hon'ble Mr. K. Obayya, A.M.

For the facts and reasons given  
in the accompanying affidavit, it is humbly  
prayed that in the interest of justice this

P.T.  
Stamp  
23/4/90

A.C. Swil  
Adv.

Hon'ble Court may kindly be pleased to :-

(a) set aside the ex-parte judgment and order dated 23.3.1990 passed by Hon'ble Mr. D.K. Agarwal, J.M. and Hon'ble Mr. K. Obayya, A.M.;

(b) suspend the implementation of the judgment and order dated 23.3.1990 passed in T.A.No.656/87(W.P.No.384 of 1980) during the pendency of application for setting aside the judgment and order as aforementioned; and

(c) pass such other order as this Hon'ble Tribunal may consider appropriate in the circumstances of the case.

*R.C. Singh*

( R.C. Singh)

Advocate

Counsel for the Applicant

Lucknow:

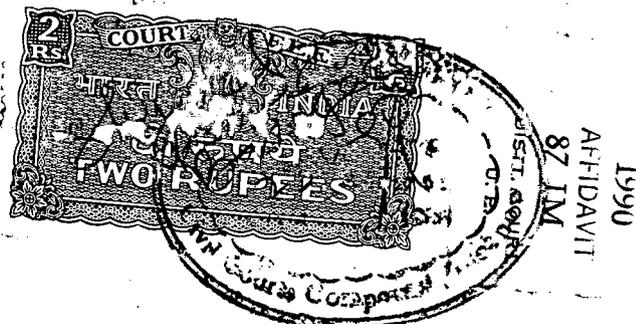
Dated: April 23<sup>rd</sup>, 1990.

1183

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL  
CIRCUIT BENCH, LUCKNOW.

T.A.No.656 of 1987

(Writ Petition No.384 of 1980)



A F F I D A V I T

in support of Misc.(Recall)Application No. of 1990.

Shymal Kumar Banerjee, aged about 39 years son of Sri A.K.Banerjee (employed as Statistical Assistant in the Office of the Director of Census Operations, U.P.Lucknow) resident of 1-A, Behari Bhawan, Latouche Road, Charbagh, Lucknow.

...Applicant

In re:

Nankoo Singh and Others.

...Petitioners

Versus

Union of India and others

...Opp.Parties.

I, Shymal Kumar Banerjee, aged about 39 years, son of Sri A.K. Banerjee, employed as Statistical Assistant in the Office of Director of Census Operations, U.P., Lucknow resident of 1-A, Behari Bhawan, Latouche Road, Charbagh, Lucknow, the deponent do hereby solemnly affirm and state on oath as under:-



1. That the deponent is opposite/<sup>Party</sup>No.11 in the above described writ petition No.384 of 1980 and as such he is fully acquainted with the facts and

*Subawar*

circumstances of the case.

2. That the petitioners had challenged the final seniority list of computers, working in the Office of the Director of Census Operations, as on 1.10.1978 circulated under Memorandum dated 24.9.1979 contained in Annexure No.7 to the petition by filing the writ petition as described above. In the writ petition it was also prayed that a writ of MANDAMUS be issued to the opp. parties 1 to 3 to issue a fresh seniority list. It was further prayed that a writ of MANDAMUS be issued to opposite parties 1 to 3 to suitably modify the order of confirmation dated 4.10.1979 and re assign the place in the said list in accordance with the revised seniority list.

3. That the deponent's name was sponsored by the Employment Exchange, Lucknow in response to the requisition sent by the Director of Census Operations U.P. for appointment as computers. The Selection Committee constituted for the purpose conducted the interview during the month of Sept. 1970. On completion of the selection, merit list of successful candidates included the name of deponent as well as the names of petitioners No.2 to 4.



4. That an offer letter was issued to the deponent on 12.11.1970, calling upon him to submit medical certificate and character certificate within 15 days of the receipt of the offer letter and submit the joining report at Coding and Punching Cell, Lucknow. The deponent had come to know, which he believes to be true, that similar offer letters were issued to other selected candidates (including petitioners No.2 to 4)

*Subramanyam*

and they were directed to join at various Coding and Punching Cells.

5. That on receipt of offer letter, the deponent reported to the Civil Surgeon, Lucknow for medical and after obtaining medical certificate, he obtained character certificate and reported to the Deputy Director, Coding and Punching Cell, Lucknow on 21.11.1970 and submitted his joining report.

6. <sup>✓ other ✓</sup> That selected candidates had also got their medical examinations done by Civil Surgeon, Lucknow and obtained character certificates from Ist Class Magistrates at Lucknow and thereafter they had proceeded to submit their joining at different Coding and Punching Cells.

7. That it so happened that candidates required to join at Lucknow and Kanpur could submit their joining early and those required to join at Meerut etc. could join later, without any fault on their part. In some cases, candidates were not allowed to join at the first instance by the respective Deputy Directors, and they could join subsequently with the indulgence of the Director of Census Operations, U.P. Lucknow.

8. That the deponent is advised to state that the seniority of the candidates selected by a selection Board is determined as per their respective positions in the merit list and accordingly candidates selected and placed in merit list 'A' and 'B' and 'C' dated 8.11.1970 were given their place of seniority as they are in no way responsible for the delay in joining.



*Subawar*

9. That the petitioners have claimed the seniority on the basis of their dates of joining. It may be stated here that petitioners No. 2 to 4 were also selected by the selection Board held in September 1970 and their names were placed in the merit list dated 8.11.1970 and as such they cannot claim seniority on the basis of date of joining over and above the names of those <sup>who</sup> were placed in earlier positions in the merit list. As regards petitioner No.1, he was appointed by the Dy. Director, Coding and Punching Cell, Varanasi and his appointment was made admittedly on 23.11.1970, i.e. after finalisation of the merit list on 8.11.1970 and issue of offer letter dated 12.11.1970 as such he has rightly been placed in the seniority list after the candidates included in the merit lists 'A', 'B' and 'C'.

10. That after filing of the writ petition described above in the Hon'ble High Court of Judicature at Allahabad, Lucknow Bench, Lucknow, notices were issued to the respondents (including the deponent) and received by the deponent.



11. That on receipt of the notice, the deponent and few others arranged for necessary finances and contacted Sri Shridhar Misra, Advocate and engaged him to conduct the case.

12. That the deponent signed the Vakalatnama in favour of the Counsel Sri Shridhar Misra, Advocate who assured the deponent that the counter affidavit will be prepared and the deponent will be called upon to swear the same, as and when required.

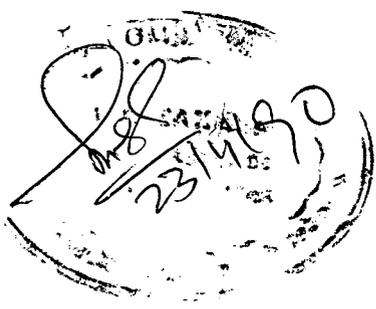
13. That during the year 1987, the writ

*Subawo*

petition was transferred to the Central Administrative Tribunal, Allahabad U/S 29 of the Central Administrative Tribunals Act, 1985 and registered as T.A.No.656 of 1987. A notice was received by the deponent on 30.9.1988 from Central Administrative Tribunal, Allahabad that the case has been transferred from Hon'ble High Court of Judicature At Allahabad, Lucknow Bench, Lucknow to Central Administrative Tribunal, Allahabad and the Tribunal fixed 3.10.1988 for hearing of the matter.

14. That on receipt of notice, the deponent contacted his counsel and informed him about the transfer of the writ petition. The counsel assured that he would make arrangements for conducting the case at Tribunal at Allahabad. The deponent bonafide believed that the Counsel would do his best to contest the matter and protect the deponent's interest. Thereafter, he has not heard anything from the Counsel.

15. That on 2.4.1990, the deponent heard rumours in the Office that writ petition has been allowed by the Hon'ble Tribunal at its Circuit Bench Lucknow. This took the deponent and other opposite parties by surprise, as the deponent had no notice about the transfer of the case from Allahabad to Circuit Bench, Lucknow. The deponent has come to know, which he bonafide believes to be true, that the petitioners had moved application for transfer of the case from Allahabad to Lucknow though no notice was received by the deponent of the said application for transfer of the case nor any notice was received from this Hon'ble Tribunal about date fixed in the case. On enquiry from office, it revealed that the application has been heard and decided ex-parte in the absence of the opp. parties No.4 to 35 on 23.3.1990.

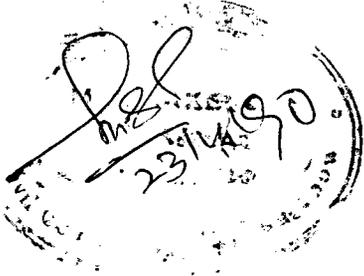


16. That on coming to know of the facts of the case, the deponent made efforts to contact his counsel Sri Shridhar Misra, Advocate to ascertain the true facts and reasons for non appearance in the case. To the misfortune of the deponent, he came to know that the said Sri Shrishar Misra, Advocate has expired on 7.12.1988.

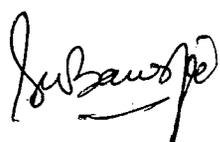
17. That in these circumstances, the deponent could not appear in the case. The deponent had <sup>✓</sup>bonafide belief that the Counsel, who was already paid his fees and had been given instructions in the matter, would be representing the deponent, but now it transpired that the counsel had neither filed his Vakalatnama nor ever appeared in the case. Moreover, the deponent had no notice of the transfer of the case from Allahabad to Lucknow.

18. That in view of the above, the correct facts could not be placed before this Hon'ble Tribunal and this Hon'ble Tribunal decided the application in the absence of the deponent and 31 other opposite parties.

19. That it will be expedient in the interest of justice that the deponent is allowed an opportunity of contesting the case and place the correct material facts before this Hon'ble Tribunal.



A circular stamp containing a signature and the date 23/11/90. The signature appears to be 'Subansu' or similar. The stamp is partially obscured by the text of the document.



A handwritten signature, likely 'Subansu', written in cursive at the bottom left of the page.

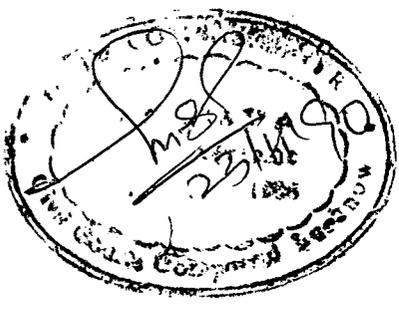
20. That under the circumstances, the ex-parte judgment and order dated 23.3.1990 is liable to be set aside and during the pendency of this application the operation of the judgment and order dated 23.3.1990 is liable to be suspended.

21. That the deponent has not avoided to attend the hearing of the case deliberately and his prayer to set aside the ex-parte judgment and order dated 23.3.1990 is bonafide.

*Subanshi*

Deponent.

Lucknow:  
April 23<sup>rd</sup>, 1990.



VERIFICATION.

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

07/M.  
11/22/90  
Shyamal Kumar Banerjee  
Advocate

M.S. Sefee  
23/4/90  
Joint Commissioner  
Civil Court Lucknow

Lucknow:  
Dated: April 23<sup>rd</sup>, 1990.

*Subanshi*  
Deponent

I identify the deponent who has signed before me on the basis of the documents produced before me.

*L.C. Singh*  
Advocate.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD  
CIRCUIT BENCH, LUCKNOW

A190

T.A. No. 656/87

(Writ Petition No.384 of 1980)

Nankoo Singh & others ...Applicants.

VERSUS

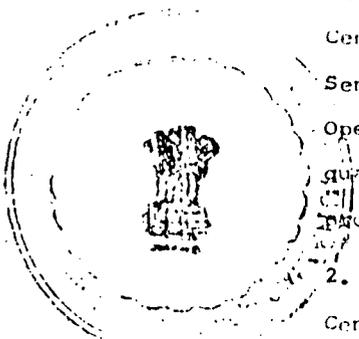
Union of India & others ...Respondents.

Hon. Mr. D.K.Agrawal, JUDL. MEMBER.

Hon. MR. K. Obayya, Adm. Member.

(K. Obayya, ADM. MEMBER)

Writ Petition No. 384 of 1980 filed in the High Court of Judicature at Allahabad, Lucknow Bench, Lucknow has been received in this Tribunal on transfer under section 29 of the Administrative Tribunals Act, 1985 for disposal and numbered as T.A.656/87(T), as indicated above. The petitioners, numbering 4 are employed in the Census Department and their prayer is that the final Seniority List circulated by Deputy Director of Census Operation, U.P. by letter dated 24.9.79. (Annexure 7) be quashed and a revised seniority list be prepared assigning proper seniority to the petitioners.



2. The petitioners were appointed as Computers in the Census Department during the year 1970. There were five Census cells, each under the Administrative Control of a Deputy Director, Census Operation. These cells were located at Lucknow, Meerut, Varanasi, Kanpur and Gorakhpur. According to the petitioners, there was a seniority list of Computers

*Attested  
K. Obayya  
Adm.*

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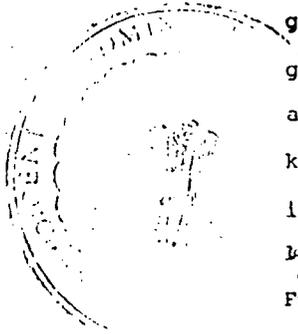
separately for each cell. Subsequently, the census cells functioning at Varanasi, Gorakhpur and Meerut were closed and staff working in these units was transferred to Lucknow and Kanpur. After the merger of these cells, a combined seniority list was prepared in 1975 and the petitioners allege that this was not notified. The final seniority list was, however, circulated by letter dated 24.9.1979 of the Director, Census Operations, U.P., Lucknow indicating the seniority position of the Computers as on 1.10.1978. Aggrieved by this, the petitioners submitted representations to the authorities, which was rejected.

3. In the counter affidavit filed by the respondents, it is denied that there was a separate list for each cell. According to them, it was only a gradation list for facility of reference in establishment work and such list was not notified. However, they agreed that the combined seniority list indicating tentative seniority position of Computers, as on 1.1.1975 was drawn up and circulated among the staff members and objections were also invited. The objections received were considered and settled. The petitioners have not made any representation against this list. The final list could not be notified at that time as one of the Computers, namely Shri R.K.Verma filed Writ Petition in the High Court at Allahabad and obtained Stay. The Writ Petition was finally dismissed in the year 1982. Thereafter, the seniority list as on 1.10.1978 was notified and this list is the same as tentative list circulated on 1.1.1975. The respondents further contend that the integrated seniority list was prepared following principles laid down by the Deputy.

Attested  
R.C. Singh  
Jain

Registrar General (Census) in his letter dated February 10, 1975 (Annexure 4).

4. We have heard the learned counsel for the parties and also seen the record. The learned counsel for the applicant assailed the seniority list on the ground that no uniform criteria has been followed in drawing up the seniority list, and that date of appointment has been followed as the criteria in fixing the seniority of candidates from 1 to 34 and 66 onwards. In between candidates selected on the basis of merit list A.B.C. figure. We have called for the relevant record and verified how this merit list was prepared. From the record it is seen that the interviews were held in the month of September, 1970 and based on their qualifications and performance at the interview the candidates were graded as ABC. There appears to be nothing wrong in such gradation. Since the number of vacancies was more, to absorb all the candidates in the merit list, it is not known why this merit position was not indicated while issuing the appointment orders. In as much as the merit list does not reflect <sup>in its order of</sup> ~~any~~ appointment orders issued. Further, if there was gradation list prepared for each cell, why that gradation list was disturbed while drawing up a combined seniority list of different units, after their merger into two surviving units ~~of~~ Lucknow and Kanpur. The principle laid down indicates that the criteria to be followed in the matter of interse seniority of Computers is (1) the date on which they were appointed/promoted to the grade and (2) in respect of such officials who had been appointed/promoted as a result of selection by a Board from lower grade or as a result of direct recruitment from Employment Exchange the interse position



Attested  
E.C. Singh  
Adk.

will be indicated by selection board or Recruitment Board. The record shows no such interse position was indicated by any Board.

5. Having regard to the facts and circumstances of the case, we are of the view that the final Seniority List of Computers circulated as on 24.9.1979 (Annexure-7) does not follow the uniform criteria and also the rationale for following different criteria has also not been explained in as much as the merit list A, B and C was only for the purpose of selection for appointment to the post which fact is confirmed by the fact that in issuing the appointment letters this list was not followed. We consider that in the interest of Justice this list cannot be sustained and as such it is quashed.

6. In the counter. ( para 13) the respondents have mentioned that the petitioners have not exhausted available-channels for redressal of their grievance by a representation. We direct that interse seniority of computers be drawn in consultation with the Registrar General of India (Respondent No.2) taking into consideration the representation of the petitioners which were rejected earlier in reference No. AE/11-1/78/ INO-UP/A-3001 dated 24.9.1979 and also Annexure-5 in conformity with the seniority rules, by a speaking order meeting the points raised raised in the representation of the petitioner.

7. The T.A./Writ Petition is disposed of as above.  
No order as to costs.

(K. OBAYYA)  
ADM. MEMBER

13.3.90  
(D.K. AGRWAL)  
JUDI. MEMBER

Dated March 23/1990

etc

Attested  
Deputy Registrar 23.3.90  
Central Administrative Tribunal  
Lucknow Bench,  
Lucknow

Attested  
R. S. Singh  
Adv



2195

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL  
CIRCUIT BENCH, LUCKNOW.

Misc.(Recall)Application No. 275 of 1990. (L)

Ram Lakhan Yadav, aged about 45 years  
son of Sri Mathura Prasad(employed as Statistical  
Assistant in the Office of Director of Census  
Operations, U.P.Lucknow)resident of Sector No.22  
House No.22/25, Indira Nagar, Lucknow.

...Applicant.

In re:

T.A.No.656 of 1987

(Writ Petition No.384 of 1980)

Nankoo Singh and others

...Petitioners

Versus

Union of India and others

...Opp.Parties.

Application under Rule 16(2) of the Central  
Administrative Tribunal(Procedure)Rules, 1987  
to set aside the ex-parte judgment and order  
dated 23.3.1990 passed by Hon'ble Mr.D.K.Agarwal  
J.M. and Hon'ble Mr.K.Obayya, A.M.

A  
H T  
23/4/90

P.C. Singh  
Adv.

For the facts and reasons given  
in the accompanying affidavit, it is humbly  
prayed that in the interest of justice this

9/19/6

Hon'ble Court may kindly be pleased to :-

(a) set aside the ex-parte judgment and order dated 23.3.1990 passed by Hon'ble Mr.D.K.Agarwal, J.M. and Hon'ble Mr.K.Obayya, A.M.;

(b) suspend the implementation of the judgment and order dated 23.3.1990 passed in T.A.No.656/87 (W.P.No.384 of 1980) during the pendency of application for setting aside the judgment and order as aforementioned; and

(c) pass such other order as this Hon'ble Tribunal may consider appropriate in the circumstances of the case.

*R.C. Singh Adv.*  
( R.C.SINGH )

Advocate  
Counsel for the Applicant.

Lucknow:

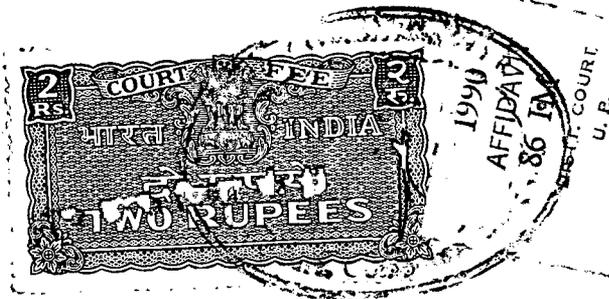
Dated: April 23<sup>rd</sup>, 1990.

AKM

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL  
CIRCUIT BENCH, LUCKNOW.

T.A.No.656 of 1987

(Writ Petition No.384 of 1980)



A F F I D A V I T

2

in support of Misc.(Recall)Application No. of 1990.

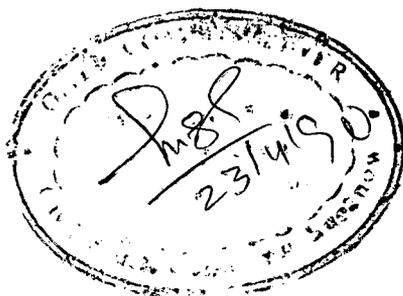
Ram Lakhan Yadav, aged about 45 years son of Sri Mathura Prasad(employed as Statistical Assistant in the Office of Director of Census Operations, U.P.Lucknow)resident of Sector No.22 House No. 22/25, Indira Nagar, Lucknow.      ...Applicant

In re:

Nankoo Singh and others.      ...Petitioners

Versus

Union of India and others      ..Opp.Parties.



I, Ram Lakhan Yadav, aged about 45 years son of Sri Mathura Prasad (employed as Statistical Assistant in the Office of Director of Census Operations, U.P.Lucknow)resident of Sector No.22 House No.22/25, Indira Nagar, Lucknow, the deponent do hereby solemnly affirm and state on oath as under:-

1. That the deponent is opposite party No. 21 in the above described writ petition No.384 of 1980 and as such he is fully acquainted with the

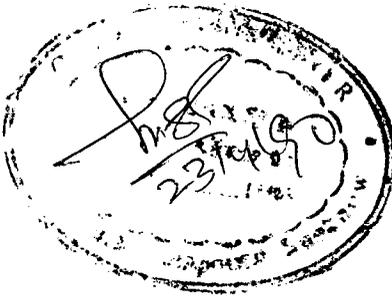
*Adale*

A 198

facts and circumstances of the case.

2. That the petitioners had challenged the final seniority list of computers, working in the Office of the Director of Census Operations, as on 1.10.1978 circulated under Memorandum dated 24.9.1979 contained in Annexures No.7 to the petition by filing the writ petition as described above. In the writ petition it was also prayed that a writ of MANDAMUS be issued to the opp. parties 1 to 3 to issue a fresh seniority list. It was further prayed that a writ of MANDAMUS be issued to opposite parties 1 to 3 to suitably modify the order of confirmation dated 4.10.1979 and re-assign the place in the said list in accordance with the revised seniority list.

3. That the deponent's name was sponsored by the Employment Exchange, Lucknow in response to the requisition sent by the Director of Census Operations U.P. for appointment as computers. The Selection Committee constituted for the purpose conducted the interview during the month of Sept. 1970. On completion of the selection, merit list of successful candidates included the name of deponent as well as the names of petitioners No.2 to 4.



4. That an offer letter was issued to the deponent on 12.11.1970, calling upon him to submit medical certificate and character certificate within 15 days of the receipt of the offer letter and submit the joining report at Coding and Punching Cell Meerut. The deponent had come to know, which he believes to be true, that similar offer letters were issued to other selected candidates (including petitioners No.2 to 4).

*Adak*

A199

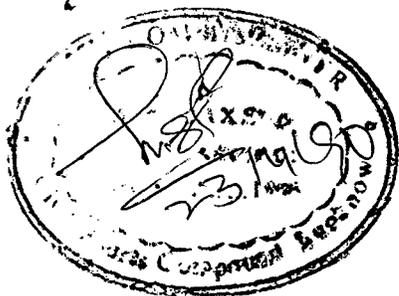
and they were directed to join at various Coding and Punching Cells.

5. That on receipt of offer letter, the deponent reported to the Civil Surgeon, Lucknow for medical and after obtaining medical certificate, he obtained character certificate and reported to the Deputy Director, Coding and Punching Cell, Meerut on 24.11.1970 and submitted his joining report, but he was allowed to join on 31.11.1970. The deponent was medically examined on 20.11.1970 by the Civil Surgeon Lucknow. The deponent was transferred to Coding and Punching Cell, Lucknow in Sept. 1973.

6. That <sup>other</sup> selected candidates had also got their medical examinations done by Civil Surgeon, Lucknow and obtained character certificates from Ist Class Magistrates at Lucknow and thereafter they had proceeded to submit their joining at different Coding and Punching Cells.

7. That it so happened that candidates required to joined at Lucknow and Kanpur could submit their joining early and those required to join at Meerut etc. could join later, without any fault on their part. In some cases, candidates were not allowed to join at the first instance by the respective Deputy Directors, and they could join subsequently with the indulgence of the Director of Census Operations.

8. That the deponent is advised to state that the seniority of the candidates selected by a selection Board is determined as per their respective positions in the merit list and accordingly candidates selected and placed in merit list 'A' and 'B' and 'C' dated 8.11.1970 were given their place of seniority as they are in no way responsible for the delay in joining.



*Rdole*

A2w2

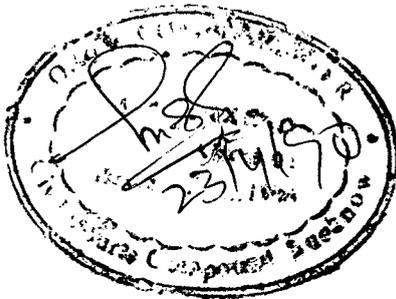
9. That the petitioners have claimed the seniority on the basis of their dates of joining. It may be stated here that petitioners No.2 to 4 were also selected by the selection Board held in September 1970 and their names were placed in the merit list dated 8.11.1970 and as such they cannot claim seniority on the basis of date of joining over and above the names of those <sup>who</sup> were placed in earlier positions in the merit list. As regards petitioner No.1, he was appointed by the Dy. Director, Coding and Punching Cell, Varanasi and his appointment was made admittedly on 23.11.1970, i.e. after finalisation of the merit list on 8.11.1970 and issue of offer letter dated 12.11.1970 as such he has rightly been placed in the seniority list after the candidates included in the merit lists 'A', 'B' and 'C'.

10. That after filing of the writ petition described above in the Hon'ble High Court of Judicature at Allahabad, Lucknow Bench, Lucknow, notices were issued to the respondents (including the deponent) and received by the deponent.

11. That on receipt of the notice, the deponent and few others arranged for necessary finances and contacted Sri Shridhar Misra, Advocate and engaged him to conduct the case.

12. That the deponent signed the Vakalatnama in favour of the Counsel Sri Shridhar Misra, Advocate who assured the deponent that the counter affidavit will be prepared and the deponent will be called upon to swear the same, as and when required.

13. That during the year 1987, the writ



Rdals

729

petitions was transferred to the Central Administrative Tribunal,Allahabad U/S 29 of the Central Administrative Tribunals Act.1985 and registered as T.A.No.656 of 1987. A notice was received by the deponent on 30.9.1988 from Central Administrative Tribunal,Allahabad that the case has been transferred from Hon'ble High Court of Judicature at Allahabad,Lucknow Bench,Lucknow to Central Administrative Tribunal,Allahabad and the Tribunal fixed 3.10.1988 for hearing of the matter.

14. That on receipt of notice, the deponent contacted his counsel and informed him about the transfer of the writ petition. The counsel assured that he would make arrangements for conducting the case Tribunal at Allahabad. The deponent bonafide believed that the Counsel would do his best to contest the matter and protect the deponent's interest. Thereafter, he has not heard anything from the Counsel.

15. That on 2.4.1990, the deponent heard rumours in the Office that writ petition has been allowed by the Hon'ble Tribunal at its Circuit Bench Lucknow. This took the deponent and other opposite parties by surprise, as the deponent had no notice about the transfer of the case from Allahabad to Circuit Bench,Lucknow.. The deponent has come to know, which he bonafide believes to be true, that the petitioners had moved application for transfer of the case from Allahabad to Lucknow though no notice was received by the deponent of the said application for transfer of the case nor any notice was received from this Hon'ble Tribunal about date fixed in the case. On enquiry from office, it revealed that the application has been heard and decided ex-parte in the absence of the opp.parties No.4 to 35 on 23.3.1990.



*Adole*

A 202

16. That on coming to know of the facts of the case, the deponent made efforts to contact his counsel Sri Shridhar Misra, Advocate to ascertain the true facts and reasons for non appearance in the case. To the misfortune of the deponent, he came to know that the said Sri Shridhar Misra, Advocate has expired on 7.12.1988.

17. That in these circumstances, the deponent could not appear in the case. The deponent had bonafide belief that the Counsel, who was already paid his fees and had been given instructions in the matter, would be representing the deponent, but now it transpired that the counsel had neither filed his Vakalatnama nor ever appeared in the case. Moreover, the deponent had no notice of the transfer of the case from Allahabad to Lucknow.



18. That in view of the above, the correct facts could not be placed before this Hon'ble Tribunal and this Hon'ble Tribunal decided the application in the absence of the deponent and 31 other opposite parties.

19. That it will be expedient in the interest of justice that the deponent is allowed an opportunity of contesting the case and place the correct material facts before this Hon'ble Tribunal.

Adolc

20. That under the circumstances, the ex-parte judgment and order dated 23.3.1990 is liable to be set aside and during the pendency of this application the operation of the judgment and order dated 23.3.1990 is liable to be suspended.

21. That the deponent has not avoided to attend the hearing of the case deliberately and his prayer to set aside the ex-parte judgment and order dated 23.3.1990 is bonafide.

Lucknow:

Dated: April 23<sup>rd</sup>, 1990.

*[Signature]*  
Deponent



VERIFICATION

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

Lucknow:

Dated: April 23<sup>rd</sup>, 1990.

*[Signature]*  
Deponent

8614-

I have signed myself before me in the presence of *M. S. S. S. S.* who is identified by this Clerk to Shri *Ram Lakhan Yadav*

I identify the deponent who has

signed before me on the basis of the documents produced before me. *A. C. Singh*

*[Signature]*  
Advocate.

*M. S. S. S. S.*  
23/4/90 -  
M. S. S. S. S.  
M. S. S. S. S.  
M. S. S. S. S.

A-204

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD  
CIRCUIT BENCH, LUCKNOW

T.A. No. 656/87

(Writ Petition No.384 of 1980)

Nankoo Singh & others ...Applicants.

versus

Union of India & others ...Respondents.

Hon. Mr. D.K.Agrawal, JUDL. MEMBER.

Hon. MR. K. Obayya, Adm. Member.

(K..Obayya,ADM.MEMBER)

Writ Petition No. 384 of 1980 filed in the High Court of Judicature at Allahabad, Lucknow Bench, Lucknow has been received in this Tribunal on transfer under section 29 of the Administrative Tribunals Act, 1985 for disposal and numbered as T.A.656/87(T), as indicated above. The petitioners, numbering 4 are employed in the Census Department and their prayer is that the final Seniority List circulated by Deputy Director of Census Operation, U.P. by letter dated 24.9.79. (Annexure 7) be quashed and a revised seniority list be prepared assigning proper seniority to the petitioners.

2. The petitioners were appointed as Computers in the Census Department during the year 1970. There were five Census cells, each under the Administrative Control of a Deputy Director, Census Operation. These cells were located at Lucknow, Meerut, Varanasi, Kanpur and Gorakhpur. According to the petitioners, there was a seniority list of Computers

*Attested  
K.E. Singh  
Adm.*

27205

separately for each cell. Subsequently, the census cells functioning at Varanasi, Gorakhpur and Meerut were closed and staff working in these units was transferred to Lucknow and Kanpur. After the merger of these cells, a combined seniority list was prepared in 1975 and the petitioners allege that this was not notified. The final seniority list was, however, circulated by letter dated 24.9.1979 of the Director, Census Operations, U.P., Lucknow indicating the seniority position of the Computers as on 1.10.1978. Aggrieved by this, the petitioners submitted representations to the authorities, which was rejected.

3. In the counter affidavit filed by the respondents, it is denied that there was a separate list for each cell. According to them, it was only a gradation list for facility of reference in establishment work and such list was not notified. However, they agreed that the combined seniority list indicating tentative seniority position of Computers, as on 1.1.1975 was drawn up and circulated among the staff members and objections were also invited. The objections received were considered and settled. The petitioners have not made any representation against this list. The final list could not be notified at that time as one of the Computers, namely Shri R.K.Verma filed Writ Petition in the High Court at Allahabad and obtained Stay. The Writ Petition was finally dismissed in the year 1982. Thereafter, the seniority list as on 1.10.1978 was notified and this list is the same as the tentative list circulated on 1.1.1975. The respondents further contend that the integrated seniority list was prepared following principles laid down by the Deputy

Attested  
 K. S. Singh  
 Adv.

*[Faint official stamp]*

A266

Registrar General (Census) in his letter dated February 10, 1975 (Annexure 4).

4. We have heard the learned counsel for the parties and also seen the record. The learned counsel for the applicant assailed the seniority list on the ground that no uniform criteria has been followed in drawing up the seniority list, and that date of appointment has been followed as the criteria in fixing the seniority of candidates from 1 to 34 and 66 onwards. In between candidates selected on the basis of merit list A.B.C. figure. We have called for the relevant record and verified how this merit list was prepared. From the record it is seen that the interviews were held in the month of September, 1970 and based on their qualifications and performance at the interview the candidates were graded as ABC. There appears to be nothing wrong in such gradation. Since the number of vacancies was more, to absorb all the candidates in the merit list, it is not known why this merit position was not indicated while issuing the appointment orders. In as much as the merit list does not reflect <sup>in the order of</sup> any appointment orders issued. Further, if there was gradation list prepared for each cell, why that gradation list was disturbed while drawing up a combined seniority list of different units, after their merger into two surviving units of Lucknow and Kanpur. The principle laid down indicates that the criteria to be followed in the matter of interse seniority of Computers is (1) the date on which they were appointed/promoted to the grade and (2) in respect of such officials who had been appointed/promoted as a result of selection by a Board from lower grade or as a result of direct recruitment from Employment Exchange the interse position



Attested  
R. e. Singh Adm.

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19/9/79

will be indicated by selection board or Recruitment Board. The record shows no such interse position was indicated by any Board.

5. Having regard to the facts and circumstances of the case, we are of the view that the final Seniority List of Computers circulated as on 24.9.1979 (Annexure-7) does not follow the uniform criteria and also the rationale for following different criteria has also not been explained in as much as the merit list A, B and C was only for the purpose of selection for appointment to the post which fact is confirmed by the fact that in issuing the appointment letters this list was not followed. We consider that in the interest of Justice this list cannot be sustained and as such it is quashed.

6. In the counter. ( para 13) the respondents have mentioned that the petitioners have not exhausted available channels for redressal of their grievance by a representation. We direct that interse seniority of computers be drawn in consultation with the Registrar General of India (Respondent No.2) taking into consideration the representation of the petitioners which were rejected earlier in reference No. AE/11-1/78/ DCR-UP/A-3001 dated 24.9.1979 and also Annexure-5 in conformity with the seniority rules, by a speaking order meeting the points raised in the representation of the petitioner.

7. The T.A./Writ Petition is disposed of as above.

No order as to costs.

(K. OBAYYA)  
ADM. MEMBER

13.3.90  
(D.K. AGRAWAL)  
JUDL. MEMBER

Dated March 23/1979

etc

Attested  
Deputy Registrar 25.5.90  
Central Administrative Tribunal  
Lucknow Bench,  
Lucknow

Attested  
K.C. Singh  
Adv.

In the Central Administrative Tribunal, Circuit Bench, Lucknow

ब अदालत श्रीमान्

महोदय

[वादी अपीलान्त] श्री R. L. Yadav

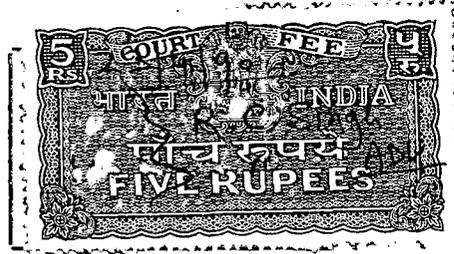
वकालतनामा

प्रतिवादी [रिस्पॉण्डेंट]

Misc. (Recall) An. No.

of 1990 in re: T.A. No. 656 of 1987

R.L. Yadav Applicant  
In re:



दी (अपीलान्त)

Nankoo Singh and others  
Vs.

Union of India and others

बनाम

प्रतिवादी (रिस्पॉण्डेंट)

नं० मुकद्दमा

सन्

पेशी की ता०

१६ ई०

ऊपर लिखे मुकद्दमा में अपनी ओर से श्री R. C. Singh, Advocate (Regn. No. 2388 of 1987)

वकील

..... महोदय

एडवोकेट

नाम अदालत  
मुकद्दमा नं०  
नाम फरीकन  
..... बनाम

को अपना वकील नियुक्त करके प्रतिज्ञा ( इकरार ) करता हूं और लिखे देता हूं इस मुकद्दमा में वकील महोदय स्वयं अथवा अन्य वकील द्वारा जो कुछ पंरबी व जवाब देही व प्रश्नोत्तर करे या कोई कागज दाखिल करे या लौटात्रे या हमारी ओर से डिगरी जारी करावे और रुपया वसूल करे या सुलहनामा व इकबाल दावा तथा अपील निगरानी हमारी ओर से हमारी या अपने हस्ताक्षर से दाखिल करे और तसदीक करे मुकद्दमा उठावे या कोई रुपया जमा करे या हारी विपक्षी ( फरीकसानी ) का दाखिल किया हुआ रुपया अपने या हमारे हस्ताक्षर युक्त ( दस्तखती ) रसीद से लेवे या पंच नियुक्त करे—वकील महोदय द्वारा की गई वह सब कार्यवाही हमको सर्वथा स्वीकार है और होगा मैं यह भी स्वीकार करता हूं कि मैं हर पेशी पर स्वयं या किसी अपने पंरोकार को भेजता रहूंगा अगर मुकद्दमा अदम पंरबी में एक तरफ मेरे खिलाफ फंसला हो जाता है उसकी जिम्मेदारी मेरे वकील पर नहीं होगी इसलिए यह वकालतनामा लिख दिया प्रमाण रहे और समय पर काम आवे ।

हस्ताक्षर

*R. L. Yadav*  
(R. L. Yadav)

साक्षी (गवाह) ..... साक्षी (गवाह) .....

दनांक 23/4/90 ..... महीना April ..... सन् १९९० ई०

स्वीकृत

*R. C. Singh Adv.*  
23/4/90

5-2-9

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL  
CIRCUIT BENCH, LUCKNOW.

Misc. (Recall) Application No. 276 of 1990. (C)

T.R. Deorari, aged about 41 years son of  
Sri H.D. Deorari (employed as Statistical  
Assistant in the Office of Director of Census  
Operations, U.P. Lucknow) resident of 22/62,  
Indira Nagar, Lucknow.

... Applicant.

In re:

T.A. No. 656 of 1987

(Writ Petition No. 334 of 1980)

Nankoo Singh and others

... Petitioners

Versus

Union of India and others

... Opp. Parties.

Application under Rule 16(2) of the Central  
Administrative Tribunal (Procedure) Rules, 1987  
to set aside the ex-parte judgment and order  
dated 23.3.1990 passed by Hon'ble Mr. D.K. Agarwal  
J.M. and Hon'ble Mr. K. Obayya, A.M.

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For the facts and reasons given  
in the accompanying affidavit, it is humbly  
prayed that in the interest of justice this

*P.C. Singh Adv.*

*T.S.  
3/4/20*

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Hon'ble Court may kindly be pleased to:-

(a) set aside the ex-parte judgment and order dated 23.3.1990 passed by Hon'ble Mr.D.K.Agarwal, J.M. and Hon'ble K.Obayya, A.M.;

(b) suspend the implementation of the judgment and order dated 23.3.1990 passed in T.A.No.656/87 (W.P.No.384 of 1980) during the pendency of application for setting aside the judgment and order as aforementioned; and

(c) pass such other order as this Hon'ble Tribunal may consider appropriate in the circumstances of the case.

*R.C. Singh Adv.*

( R.C.SINGH )

Advocate  
Counsel for the Applicant

Lucknow:

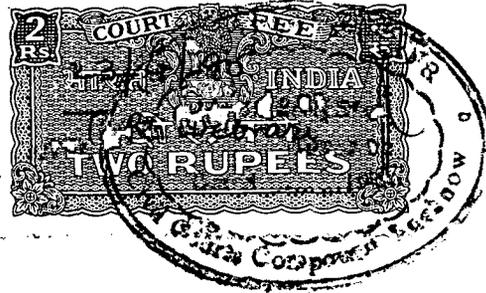
Dated: April 23<sup>rd</sup>, 1990

A 2/12

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL  
CIRCUIT BENCH, LUCKNOW.

T.A.No.656 of 1987

(Writ petition No.384 of 1980)



1990  
AFFIDAVIT  
89 IM  
DISTT. COURT  
U. P.

A F F I D A V I T

in support of Misc.(Recall) Application No.        of 1990.

T.R.Deorari, aged about 41 years son of Sri H.D.Deorari  
(employed as Statistical Assistant in the Office of  
Director of Census Operations, U.P.Lucknow)resident of  
22/62, Indira Nagar, Lucknow.

...Applicant

In re:

Nankoo Singh and others

...Petitioners

Versus

Union of India and others.

...Opp.parties.

I, T.R.Deorari, aged about 41 years  
son of Sri H.D.Deorari (employed  
as Statistical Assistant in the  
Office of Director of Census  
Operations, U.P.Lucknow) resident  
of 22/62, Indira Nagar, Lucknow,  
the deponent do hereby solemnly  
affirm and state on oath as under:-

1. That the deponent is opposite partu No.20  
in the above described writ petition No.384 of 1980  
and as such he is fully acquainted with the facts and  
circumstances of the case.



*Deorari*

72/13

2. That the petitioners had challenged the final seniority list of computers, working in the Office of the Director of Census Operations, as on 1.10.1978 circulated under Memorandum dated 24.9.1979 contained in Annexure No.7 to the petition by filing a writ petition as described above. In the writ petition it was also prayed that a writ of MANDAMUS be issued to the opp. parties 1 to 3 to issue a fresh seniority list. It was further prayed that a writ of MANDAMUS be issued to opposite parties 1 to 3 to suitably modify the order of confirmation dated 4.10.1979 and re-assign the place in the said list in accordance with the revised seniority list.

3. That the deponent's name was sponsored by the Employment Exchange, Lucknow in response to the requisition sent by the Director of Census Operations U.P. for appointment as computers. The Selection Committee constituted for the purpose conducted the interview during the month of Sept. 1970. On completion of the selection, merit list of successful candidates included the name of deponent as well as the names of petitioners No.2 to 4.



4. That an offer letter was issued to the deponent on 12.11.1970, calling upon him to submit medical certificate and character certificate within 15 days of the receipt of the ~~offer~~ offer letter and submit the joining report at Coding and Punching Cell, Meerut. ~~Lucknow~~. The deponent had come to know, which he believes to be true, that similar offer letters were issued to other selected candidates (including petitioners No.2 to 4) and they were directed to join at various Coding and Punching Cells.

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5. That on receipt of offer letter, the deponent reported to the Civil Surgeon, Lucknow for medical and after obtaining medical certificate, he obtained character certificate and reported to the Deputy Director, Coding and Punching Cell, Meerut on 18.11.1970 and submitted his joining report. However, the deponent was allowed to join on 23.11.1970(A.N.) with the indulgence of the District Magistrate, Meerut and the Director of Census Operations, Lucknow. The deponent was medically examined on 16.11.1970 by the Civil Surgeon, Lucknow.

6. That <sup>other</sup> selected candidates had also got their medical examinations done by Civil Surgeon, Lucknow and obtained character certificates from Ist Class Magistrates at Lucknow and thereafter they had proceeded to submit their joining at different Coding and Punching Cells.

7. That it so happened that candidates required to join at Lucknow and Kanpur could submit their joining early and those required to join at Meerut etc. could join later, without any fault on their part. In some cases, candidates were not allowed to join at the first instance by the respective Deputy Directors, and they could join subsequently with the indulgence of the Director of Census Operations, U.P. Lucknow.

8. That the deponent is advised to state that the seniority of the candidates selected by a selection Board is determined as per their respective positions in the merit list and accordingly candidates selected and placed in merit list 'A' and 'B' and 'C' dated 8.11.1970 were given their place of seniority as they are in no way responsible for the delay in joining



Prer

A215

9. That the petitioners have claimed the seniority on the basis of their dates of joining. It may be stated here that petitioners No.2 to 4 were also selected by the selection Board held in September 1970 and their names were placed in the merit list dated 8.11.1970 and as such they cannot claim seniority on the basis of date of joining over and above the names of those <sup>who</sup> were placed in earlier positions in the merit list. As regards petitioner No.1, he was appointed by the Dy. Director, Coding and Punching Cell, Varanasi and his appointment was made admittedly on 23.11.1970, i.e. after finalisation of the merit list on 8.11.1970 and issue of offer letter dated 12.11.1970 as such he has rightly been placed in the seniority list after the candidates included in the merit lists 'A', 'B' and 'C'.

10. That after filing of the writ petition described above in the Hon'ble High Court of Judicature at Allahabad, Lucknow Bench, Lucknow, notices were issued to the respondents (including the deponent) and received by the deponent.

11. That on receipt of the notice, the deponent and few others arranged for necessary finances and contacted Sri Shridhar Misra, Advocate and engaged him to conduct the case.

12. That the deponent signed the Vakalatnama in favour of the Counsel Sri Shridhar Misra, Advocate who assured the deponent that the counter affidavit will be prepared and the deponent will be called upon to swear the same, as and when required. It may be stated here that the deponent was transferred to Lucknow during December 1973. During November 1980, the deponent



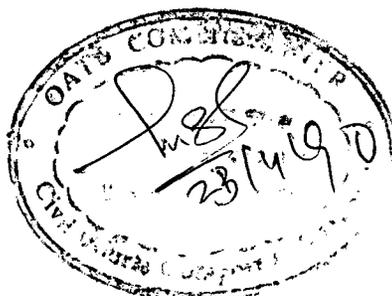
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was transferred to the Regional Tabulation Office, Nainital where he continued to work till 2.5.1982, when he was transferred back to Lucknow. Due to the employment of the deponent outside Lucknow, the deponent had engaged the same counsel who was engaged by 7 other co-employees.

13. That during the year 1987, the writ petition was transferred to the Central Administrative Tribunal, Allahabad U/S 29 of the Central Administrative Tribunals Act.1985 and registered as T.A.No.656 of 1987. A notice was received by the deponent on 30.9.1988 from Central Administrative Tribunal, Allahabad that the case has been transferred from Hon'ble High Court of Judicature at Allahabad, Lucknow Bench, Lucknow to Central Administrative Tribunal, Allahabad and the Tribunal fixed 3.10.1988 for hearing of the matter.

14. That on receipt of notice, the deponent contacted his counsel and informed him about the transfer of the writ petition. The counsel assured that he would make arrangements for conducting the case at Tribunal at Allahabad. The deponent bonafide believed that the Counsel would do his best to contest the matter and protect the deponent's interest. Thereafter, he has not heard anything from the Counsel.



15. That on 2.4.1990, the deponent heard rumours in the Office that writ petition has been allowed by the Hon'ble Tribunal at its Circuit Bench Lucknow. This took the deponent and other opposite parties by surprise, as the deponent had no notice about the transfer of the case from Allahabad to Circuit Bench, Lucknow. The deponent has come to know

*P. K. M.*

A217

which he bonafide believes to be true, that the petitioners had moved application for transfer of the case from Allahabad to Lucknow though no notice was received by the deponent of the said application for transfer of the case nor any notice was received from this Hon'ble Tribunal about date fixed in the case. On enquiry from Office, it revealed that the application has been heard and decided ex-parte in the absence of the opp.parties No.4 to 35 on 23.3.1990.

16. That on coming to know of the facts of the case, the deponent made efforts to contact his counsel Sri Shridhar Misra, Advocate to ascertain the true facts and reasons for non appearance in the case. To the misfortune of the deponent, he came to know that the said Sri Shridhar Misra Advocate has expired on 7.12.1988.

17. That in the <sup>46</sup>these circumstances, the deponent could not appear in the case. The deponent has bonafide belief that the Counsel, who was already paid his fees and had been given instructions in the matter, would be representing the deponent, but now it transpired that the counsel had neither filed his Vakalatnama nor ever appeared in the case. Moreover, the deponent had no notice of the transfer of the case from Allahabad to Lucknow.

18. That in view of the above, the correct facts could not be placed before this Hon'ble Tribunal and this Hon'ble Tribunal decided the application in the absence of the deponent and 31 other opposite parties.



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19. That it will be expedient in the interest of justice that the deponent is allowed an opportunity of contesting the case and place the correct material facts before the Hon'ble Tribunal.

20. That under the circumstances, the ex-parte judgment and order dated 23.3.1990 is liable to be set aside and during the pendency of this application the operation of the judgment and order dated 23.3.1990 is liable to be suspended.

21. That the deponent has not avoided to attend the hearing of the case deliberately and his prayer to set aside the ex-parte judgment and order dated 23.3.1990 is bonafide.

Lucknow:

Dated: April 23<sup>rd</sup>, 1990.

Deponent

VERIFICATION

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

Lucknow:

Dated: April 23<sup>rd</sup>, 1990.

Deponent

I identify the deponent who has

signed before me on the basis of the documents

affidavit sworn before me in office to-day at Lucknow by T. R. Desai

who is identified by Shri Clerk to Shri

I have signed and verified the contents of this affidavit which has been read out and explained by me. Fee charged Rs. 150/200

Advocate.

M. S. Sarma  
23/4/90

(M. S. Sarma)  
Dist. Commissioner  
Dist. Court Lucknow



89/M.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD  
CIRCUIT BENCH, LUCKNOW

T.A. No. 656/87

(Writ Petition No.384 of 1980)

Nankoo Singh & others ...Applicants.

versus

Union of India & others ...Respondents.

Hon. Mr. D.K.Agrawal, JUDGE. MEMBER.

Hon. MR. K. Obayya, Adm. Member.

(K.Obayya,ADJ.MEMBER)

Writ Petition No. 384 of 1980 filed in the High Court of Judicature at Allahabad, Lucknow Bench, Lucknow has been received in this Tribunal on transfer under section 29 of the Administrative Tribunals Act, 1985 for disposal and numbered as T.A.656/87(T), as indicated above. The petitioners, numbering 4 are employed in the Census Department and their prayer is that the final Seniority List circulated by Deputy Director of Census Operation, U.P. by letter dated 24.9.79. (Annexure 7) be quashed and a revised seniority list be prepared assigning proper seniority to the petitioners.

2. The petitioners were appointed as Computers in the Census Department during the year 1970. There were five Census cells, each under the Administrative Control of a Deputy Director, Census Operation. These cells were located at Lucknow, Meerut, Varanasi, Kanpur and Gorakhpur. According to the petitioners, there was a seniority list of Computers

Attested  
K. Obayya  
Adm.

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separately for each cell. Subsequently, the census cells functioning at Varanasi, Gorakhpur and Meerut were closed and staff working in these units was transferred to Lucknow and Kanpur. After the merger of these cells, a combined seniority list was prepared in 1975 and the petitioners allege that this was not notified. The final seniority list was, however, circulated by letter dated 24.9.1979 of the Director, Census Operations, U.P., Lucknow indicating the seniority position of the Computers as on 1.10.1978. Aggrieved by this, the petitioners submitted representations to the authorities, which was rejected.

3. In the counter affidavit filed by the respondents, it is denied that there was a separate list for each cell. According to them, it was only a gradation list for facility of reference in establishment work and such list was not notified. However, they agreed that the combined seniority list indicating tentative seniority position of Computers, as on 1.1.1975 was drawn up and circulated among the staff members and objections were also invited. The objections received were considered and settled. The petitioners have not made any representation against this list. The final list could not be notified at that time as one of the Computers, namely Shri R.K.Verma filed Writ Petition in the High Court at Allahabad and obtained Stay. The Writ Petition was finally dismissed in the year 1982. Thereafter, the seniority list as on 1.10.1978 was notified and this list is the same as the tentative list circulated on 1.1.1975. The respondents further contend that the integrated seniority list was prepared following principles laid down by the Deputy

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 (e. Singh)  
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Registrar General (Census) in his letter dated February 10, 1975 (Annexure 4).

4. We have heard the learned counsel for the parties and also seen the record. The learned counsel for the applicant assailed the seniority list on the ground that no uniform criteria has been followed in drawing up the seniority list, and that date of appointment has been followed as the criteria in fixing the seniority of candidates from 1 to 34 and 66 onwards. In between candidates selected on the basis of merit list A.B.C. figure. We have called for the relevant record and verified how this merit list was prepared. From the record it is seen that the interviews were held in the month of September, 1970 and based on their qualifications and performance at the interview the candidates were graded as ABC. There appears to be nothing wrong in such gradation. Since the number of vacancies was more, to absorb all the candidates in the merit list, it is not known why this merit position was not indicated while issuing the appointment orders. In as much as the merit list does not reflect <sup>in its order of</sup> ~~any~~ appointment orders issued. Further, if there was gradation list prepared for each cell, why that gradation list was disturbed while drawing up a combined seniority list of different units, after their merger into two surviving units of Lucknow and Kanpur. The principle laid down indicates that the criteria to be followed in the matter of interse seniority of Computers is (1) the date on which they were appointed/ promoted to the grade and (2) in respect of such officials who had been appointed/promoted as a result of selection by a Board from lower grade or as a result of direct recruitment from Employment Exchange the interse position



Attested  
 R.C. Singh Adv.

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will be indicated by selection board or Recruitment Board. The record shows no such interse position was indicated by any Board.

5. Having regard to the facts and circumstances of the case, we are of the view that the final Seniority List of Computers circulated as on 24.9.1979 (Annexure-7) does not follow the uniform criteria and also the rationale for following different criteria has also not been explained in as much as the merit list A, B and C was only for the purpose of selection for appointment to the post which fact is confirmed by the fact that in issuing the appointment letters this list was not followed. We consider that in the interest of Justice this list cannot be sustained and as such it is quashed.

6. In the counter. ( para 13) the respondents have mentioned that the petitioners have not exhausted available channels for redressal of their grievance by a representation. We direct that interse seniority of computers be drawn in consultation with the Registrar General of India (Respondent No.2) taking into consideration the representation of the petitioners which were rejected earlier in reference No. AE/11-1/78/DCR-UP/A-3001 dated 24.9.1979 and also Annexure-5 in conformity with the seniority rules, by a speaking order meeting the points raised raised in the representation of the petitioner.

7. The T.A./Writ Petition is disposed of as above. No order as to costs.

(K. OBAYYA)  
ADM. MEMBER

23.3.90  
(D.K. AGRAWAL)  
JUDL. MEMBER

Dated March 23/1990

Attested  
Deputy Registrar 23.3.90  
Central Administrative Tribunal  
Lucknow Bench,  
Lucknow

ETC

Attested  
C.C. Singh  
Adm.

In the Central Administrative Tribunal  
ब अदालत श्रीमान् Circuit Bench, Lucknow

महोदय

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[वादी अपीलान्त]

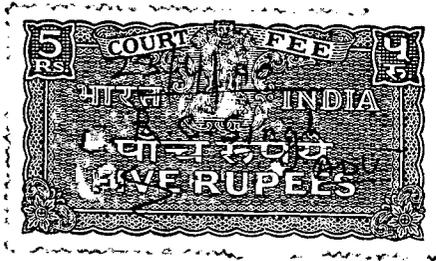
श्री T.R. Deorari

वकालतनामा

प्रतिवादी [रिस्पॉण्डेंट]

Misc. (Recall) Am. No.

of 1990 in re: T.A. No. 656 of 1987



T.R. Deorari -- Applicant

वादी (अपीलान्त)

In re:  
Nankoo Singh and others

Vs. बनाम  
Union of India and others

प्रतिवादी (रिस्पॉण्डेंट)

नं० मुकद्दमा

सन्

पेशी की ता०

१६ ई०

ऊपर लिखे मुकद्दमा में अपनी ओर से श्री R.C. Singh, Advocate (Regn. No. 2388/1987)

वकील

..... महोदय  
एडवोकेट

नाम अदालत  
मुकद्दमा नं०  
नाम फरीकन  
बनाम

को अपना वकील नियुक्त करके प्रतिज्ञा ( इकरार ) करता हूं और लिखे देता हूं इस मुकद्दमा में वकील महोदय स्वयं अथवा अन्य वकील द्वारा जो कुछ पैरवी व जवाब देही व प्रश्नोत्तर करे या कोई कागज दाखिल करें या लौटात्रे या हमारी ओर से डिगरी जारी करावे और रुपया वसूल करें या सुलहनामा व इकबाल दावा तथा अपील निगरानी हमारी ओर से हमारी या अपने हस्ताक्षर से दाखिल करें और तसदीक करें मुकद्दमा उठावें या कोई रुपया जमा करें या हारी विपक्षी ( फरीकसानी ) का दाखिल किया हुआ रुपया अपने या हमारे हस्ताक्षर युक्त ( दस्तखती ) रसीद से लेवें या पंच नियुक्त करें—वकील महोदय द्वारा की गई वह सब कार्यवाही हमको सर्वथा स्वीकार है और होगा मैं यह भी स्वीकार करता हूं कि मैं हर पेशी पर एवयं या किसी अपने परोकार को भेजता रहूंगा अगर मुकद्दमा अदम पैरवी में एक तरफ मेरे खिलाफ फैसला ही जाता है उसकी जिम्मेदारी मेरे वकील पर नहीं होगी इसलिए यह वकालतनामा लिख दिया प्रमाण रहे और समय पर काम आवे ।

हस्ताक्षर...  
( R.C. Singh )

साक्षी (गवाह) ..... साक्षी (गवाह) .....

दनांक .... 23/4/90 ... महीना April ... सन् १९९० ई०

स्वीकृत

R.C. Singh  
Adv.  
23.4.90

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BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL  
CIRCUIT-BENCH, LUCKNOW.

Misc.(Recall)Application No. 277 of 1990. (L)

Anil Saxena, aged about 40 years son of  
Sri Narendra Swarup Saxena(employed as  
Statistical Assistant in the Office of Director  
of Census Operations, U.P.Lucknow)resident of  
D-3051, Indira Nagar, Lucknow.

...Applicant

In re:

T.A.No.656 of 1987

(Writ Petition No.384 of 1980)

Nankoo Singh and others

...Petitioners

Versus

Union of India and others

...Opp.Parties.

Application under Rule 16(2) of the Central  
Administrative Tribunal (Procedure) Rules, 1987  
to set aside the ex-parte judgment and order  
dated 23.3.1990 passed by Hon'ble Mr.D.K.Agarwal  
J.M. and Hon'ble Mr.K.Obayya, A.M.

For the facts and reasons given  
in the accompanying affidavit, it is humbly  
prayed that in the interest of justice this

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SDF  
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H.C. Singh  
Sd/-

Hon'ble Court may kindly be pleased to :-

(a) set aside the ex-parte judgment and order dated 23.3.1990 passed by Hon'ble Mr.D.K.Agarwal, J.M. and Hon'ble Mr.K.Obayya, A.M.;

(b) suspend the implementation of the judgment and order dated 23.3.1990 passed in T.A.No.656/87 (W.P.No.384 of 1980) during the pendency of application for setting aside the judgment and order as aforementioned; and

(c) pass such other order as this Hon'ble Tribunal may consider appropriate in the circumstances of the case.

  
( R.C.SINGH)

Advocate  
Counsel for the Applicant

Lucknow:

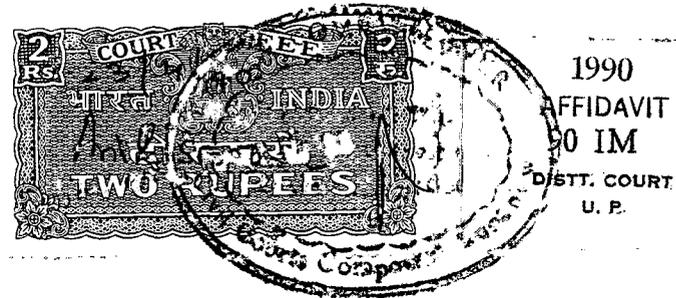
Dated: April 23<sup>rd</sup>, 1990.

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BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL  
CIRCUIT BENCH, LUCKNOW.

T.A.No.656 of 1987

(Writ Petition No.384 of 1980)



A F F I D A V I T

in support of Misc.(Recall)Application No. of 1990.

Anil Saxena, aged about 40 years son of Sri Narendra Swarup Saxena(employed as Statistical Assistant in the Office of Director of Census Operations,U.P. Lucknow) resident of D-3051,Indira Nagar,Lucknow.

... Applicant

In re:

Nankoo Singh and others

...Petitioners

Versus

Union of India and others

...Opp.Parties.

I, Anil Saxena, aged about 40 years, son of Sri Narendra Swarup Saxena employed as Statistical Assistant in the Office of Director of Census Operations, U.P.Lucknow, resident of D-3051,Indira Nagar,Lucknow, the deponent do hereby solemnly affirm and state on oath as under:-

1. That the deponent is opposite party No. 7 in the above described writ petition No.384 of



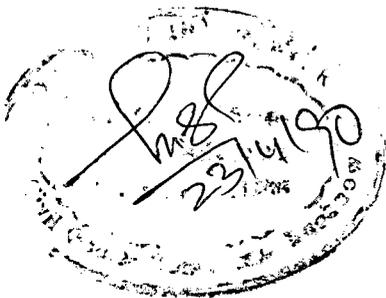
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of 1980 and as such he is fully acquainted with the facts and circumstances of the case.

2. That the petitioners had challenged the final seniority list of computers, working in the Office of the Director of Census Operations, as as on 1.10.1978 circulsted under Memorandum dated 24.9.1979 contained in Annexure No.7 to the petition by filing the writ petition as described above. In the writ petition it was also prayed that a writ of MANDAMUS be issued to the opp.parties 1 to 3 to issue a fresh seniority list. It was further prayed that a writ of MANDAMUS be issued to opposite parties 1 to 3 to suitably modify the order of confirmation dated 4.10.1979 and re assign the place in the said list in accordance with the revised seniority list.

3. That the deponent's name was sponsored by the Employment Exchange, Lucknow in response to the requisition sent by the Director of Census Operations U.P. for appointment as computers. The Selection Committee constituted for the purpose conducted the interview during the month of Sept. 1970. On completion of the selection, merit list of successful candidates included the name of deponent as well as the names of petitioners No.2 to 4.



4. That an offer letter was issued to the deponent on 12.11.1970, calling upon him to submit medical certificate and character certificate within 15 days of the receipt of the offer letter and submit the joining report at Coding and Punching Cell, Lucknow. The deponent had come to know, which he believes to be true, that a similar offer letters were issued to other selected candidates (including petitioners No.2 to 4)

*AP Sakya*

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and they were directed to join at various Coding and Punching Cells.

5. That on receipt of offer letter, the deponent reported to the Civil Surgeon, Lucknow for medical and after obtaining medical certificate, he obtained character certificate and reported to the Deputy Director, Coding and Punching Cell, Lucknow on 25.11.1970 and submitted his joining report.

6. That the selected candidates had also got their medical examinations done by Civil Surgeon, Lucknow and obtained character certificates from Ist Class Magistrates at Lucknow and thereafter they had proceeded to submit their joining at different Coding and Punching Cells.

7. That it so happened that candidates required to join at Lucknow and Kanpur could submit their joining early and those required to join at Meerut etc. could join later, without any fault on their part. In some cases, candidates were not allowed to join at the first instance by the respective Deputy Directors, and they could join subsequently with the indulgence of the Director of Census Operations, U.P. Lucknow.

8. That the deponent is advised to state that the seniority of the candidates selected by a selection Board is determined as per their respective positions in the merit list and accordingly candidates selected and placed in merit list 'A' and 'B' and 'C' dated 8.1.1970 were given their place of seniority as they are in no way responsible for the delay in joining.



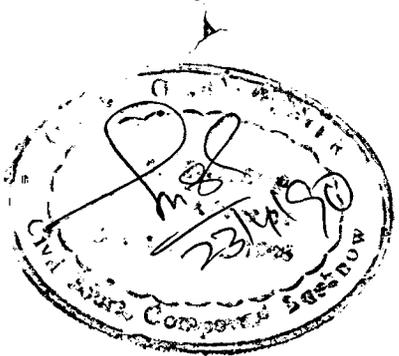
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9. That the petitioners have claimed the seniority on the basis of their dates of joining. It may be stated here that petitioners No.2 to 4 were also selected by the selection Board held in September 1970 and their names were placed in the merit list dated 8.11.1970 and as such they cannot claim seniority on the basis of date of joining over and above the names of those <sup>who</sup> were placed in earlier positions in merit list. As regards petitioner No.1, he was appointed by the Dy. Director, Coding and Punching Cell, Varanasi and his appointment was made admittedly on 23.11.1970, i.e. after finalisation of the merit list on 8.11.1970 and issue of offer letter dated 12.11.1970 as such he has rightly been placed in the seniority list after the candidates included in the merit lists 'A', 'B' and 'C'.

10. That after filing of the writ petition described above in the Hon'ble High Court of Judicature at Allahabad, Lucknow Bench, Lucknow, notices were issued to the respondents (including the deponent) and received by the deponent.



11. That on receipt of the notice, the deponent and few others arranged for necessary finances and contacted Sri Shridhar Misra, Advocate and engaged him to conduct the case.

12. That the deponent signed the Vakalatnama in favour of the Counsel Sri Shridhar Misra, Advocate who assured the deponent that the counter affidavit will be prepared and the deponent will be called upon to swear the same, as and when required.

13. That during the year 1987, the writ

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petition was transferred to the Central Administrative Tribunal, Allahabad U/S 29 of the Central Administrative Tribunals Act.1985 and registered as T.A.No.656 of 1987.

A notice was received by the deponent on 30.9.1988 from Central Administrative Tribunal, Allahabad that the case has been transferred from Hon'ble High Court of Judicature at Allahabad, Lucknow Bench, Lucknow to Central Administrative Tribunal, Allahabad and the Tribunal fixed 3.10.1988 for hearing of the matter.

14. That on receipt of notice, the deponent contacted his counsel and informed him about the transfer of the writ petition. The counsel assured that he would make arrangements for conducting the case at Tribunal at Allahabad. The deponent bonafide believed that the Counsel would do his best to contest the matter and protect the deponent's interest. Thereafter, he has not heard anything from the Counsel.

15. That on 2.4.1990, the deponent heard rumours in the Office that writ petition has been allowed by the Hon'ble Tribunal at its Circuit Bench Lucknow. This took the deponent and other opposite parties by surprise, as the deponent had no notice about the transfer of the case from Allahabad to Circuit Bench, Lucknow. The deponent has come to know, which he bonafide believes to be true, that the petitioners had moved application for transfer of the case from Allahabad to Lucknow though no notice was received by the deponent of the said application for transfer of the case nor any notice was received from this Hon'ble Tribunal about the date fixed in the case. On enquiry from office, it revealed that the application has been heard and decided ex-parte in the absence of the opp.parties No.4 to 35 on 23.3.1990.



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16. That on coming to know of the facts of the case, the deponent made efforts to contact his counsel Sri Shridhar Misra, Advocate to ascertain the true facts and reasons for non appearance in the case. To the misfortune of the deponent, he came to know that the Said Sri Shridhar Misra, Advocate has expired on 7.12.1988.

17. That in these circumstances, the deponent could not appear in the case. The deponent had bonafide belief that the Counsel, who was already paid his fees and had been given instructions in the matter, would be representing the deponent, but now it transpired that the counsel had neither filed his Vakalatnama nor ever appeared in the case. Moreover, the deponent had no notice of the transfer of the case from Allahabad to Lucknow.



18. That in view of the above, the correct facts could not be placed before this Hon'ble Tribunal and this Hon'ble Tribunal decided the application in the absence of the deponent and 31 other opposite parties.

19. That it will be expedient in the interest of justice that the deponent is allowed an opportunity of contesting the case and place the correct material before this Hon'ble Tribunal.

20. That under the circumstances, the

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ex-parte judgment and order dated 23.3.1990 is liable to be set aside and during the pendency of this application the operation of the judgment and order dated 23.3.1990 is liable to be suspended.

21. That the deponent has not avoided to attend the hearing of the case deliberately and his prayer to set aside the ex-parte judgment and order dated 23.3.1990 is nonafide.

*A. Sale & Co*

Lucknow:

Deponent

Dated: April 23<sup>rd</sup>, 1990.

VERIFICATION

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



*A. Sale & Co*

Deponent

Lucknow:

Dated: April 23<sup>rd</sup>, 1990.

I identify the deponent who has signed before me on the basis of the documents produced before me.

90/11  
I have read the contents of this affidavit and find it to be true and correct.

*M.S. Saxena*  
23/4/90  
Advocate

*P.C. Singh*  
Advocate.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD  
CIRCUIT BENCH, LUCKNOW

T.A. No. 656/87

(Writ Petition No.384 of 1980)

Nankoo Singh & others ...Applicants.

versus

Union of India & others ...Respondents.

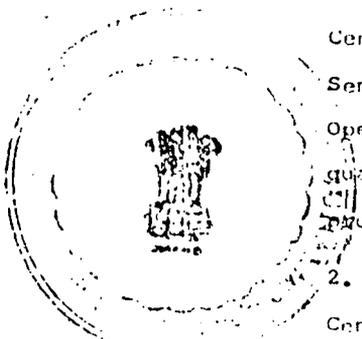
Hon. Mr. D.K.Agrawal, JUDL. MEMBER.

Hon. MR. K. Obayya, Adm. Member.

(K. Obayya, ADM. MEMBER)

Writ Petition No. 384 of 1980 filed in the High Court of Judicature at Allahabad, Lucknow Bench, Lucknow has been received in this Tribunal on transfer under section 29 of the Administrative Tribunals Act, 1985 for disposal and numbered as T.A.656/87(T), as indicated above. The petitioners, numbering 4 are employed in the Census Department and their prayer is that the final Seniority List circulated by Deputy Director of Census Operation, U.P. by letter dated 24.9.79 (Annexure 7) be quashed and a revised seniority list be prepared assigning proper seniority to the petitioners.

2. The petitioners were appointed as Computers in the Census Department during the year 1970. There were five Census cells, each under the Administrative Control of a Deputy Director, Census Operation. These cells were located at Lucknow, Meerut, Varanasi, Kanpur and Gorakhpur. According to the petitioners, there was a seniority list of Computers



Attested  
K. Obayya  
Adm.

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separately for each cell. Subsequently, the census cells functioning at Varanasi, Gorakhpur and Meerut were closed and staff working in these units was transferred to Lucknow and Kanpur. After the merger of these cells, a combined seniority list was prepared in 1975 and the petitioners allege that this was not notified. The final seniority list was, however, circulated by letter dated 21.9.1979 of the Director, Census Operations, U.P., Lucknow indicating the seniority position of the Computers as on 1.10.1978. Aggrieved by this, the petitioners submitted representations to the authorities, which was rejected.

9. In the counter affidavit filed by the respondents, it is denied that there was a separate list for each cell. According to them, it was only a gradation list for facility of reference in establishment work and such list was not notified. However, they agreed that the combined seniority list indicating tentative seniority position of Computers, as on 1.1.1975 was drawn up and circulated among the staff members and objections were also invited. The objections received were considered and settled. The petitioners have not made any representation against this list. The final list could not be notified at that time as one of the Computers, namely Shri R.K.Verma filed Writ Petition in the High Court at Allahabad and obtained Stay. The Writ Petition was finally dismissed in the year 1982. Thereafter, the seniority list as on 1.10.1978 was notified and this list is the same as the tentative list circulated on 1.1.1975. The respondents further contend that the integrated seniority list was prepared following principles laid down by the Deputy

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A.C. Sanjiv  
Adv.

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Registrar General (Census) in his letter dated February 10, 1975 (Annexure 4).

4. We have heard the learned counsel for the parties and also seen the record. The learned counsel for the applicant assailed the seniority list on the ground that no uniform criteria has been followed in drawing up the seniority list, and that date of appointment has been followed as the criteria in fixing the seniority of candidates from 1 to 34 and 66 onwards. In between candidates selected on the basis of merit list A.B.C. figure. We have called for the relevant record and verified how this merit list was prepared. From the record it is seen that the interviews were held in the month of September, 1970 and based on their qualifications and performance at the interview the candidates were graded as ABC. There appears to be nothing wrong in such gradation. Since the number of vacancies was more, to absorb all the candidates in the merit list, it is not known why this merit position was not indicated while issuing the appointment orders. In as much as the merit list does not reflect <sup>the order of</sup> any appointment orders issued. Further, if there was gradation list prepared for each cell, why that gradation list was disturbed while drawing up a combined seniority list of different units, after their merger into two serving units <sup>at</sup> Lucknow and Kanpur. The principle laid down indicates that the criteria to be followed in the matter of interse seniority of Computers is (1) the date on which they were appointed/promoted to the grade and (2) in respect of such officials who had been appointed/promoted as a result of selection by a Board from lower grade or as a result of direct recruitment from Employment Exchange the interse position



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Ac [Signature]

A236

will be indicated by selection board or Recruitment Board. The record shows no such interse position was indicated by any Board.

5. Having regard to the facts and circumstances of the case, we are of the view that the final Seniority List of Computers circulated as on 24.9.1979 (Annexure-7) does not follow the uniform criteria and also the rationale for following different criteria has also not been explained in as much as the merit list A, B and C was only for the purpose of selection for appointment to the post which fact is confirmed by the fact that in issuing the appointment letters this list was not followed. We consider that in the interest of Justice this list cannot be sustained and as such it is quashed.

6. In the counter. ( para 13) the respondents have mentioned that the petitioners have not exhausted available channels for redressal of their grievance by a representation. We direct that interse seniority of computers be drawn in consultation with the Registrar General of India (Respondent No.2) taking into consideration the representation of the petitioners which were rejected earlier in reference No. AE/11-1/78/DCR-UP/A-3001 dated 24.9.1979 and also Annexure-5 in conformity with the seniority rules, by a speaking order meeting the points raised in the representation of the petitioner.

7. The T.A./Writ Petition is disposed of as above. No order as to costs.

(K. OBAYYA)  
ADM. MEMBER

23.3.90  
(D.K. AGRAWAL)  
JUDL. MEMBER

Dated March 23/1990

etc

Attested  
Deputy Registrar 23.3.90  
General Administrative Tribunal  
Lucknow Bench,  
Lucknow

Attested  
[Signature]

In the Central Administrative Tribunal, Circuit Bench, Lucknow

ब अदालत श्रीमान्

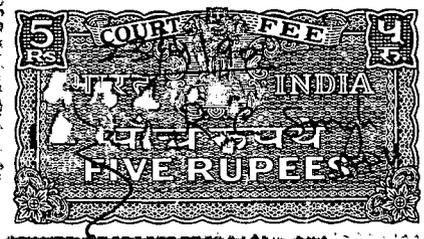
महोदय

[वादी अपीलान्त] श्री Anil Saksena ... .. का

वकालतनामा

प्रतिवादी [रेस्पाडेन्ट]  
Misc. (Recall) An. No.

of 1990 in re: T.A. No. 656 of 1987



Anil Saksena - Applicant

वादी (अपीलान्त)

In re:

Nankot Singh and others

vs.

Union of India and others

बनाम

प्रतिवादी (रेस्पाडेन्ट)

नं० मुकद्दमा

सन्

पेशी की ता०

१९ ई०

ऊपर लिखे मुकद्दमा में अपनी ओर से श्री R.C. Singh, Advocate (Regn. No. 2388 of 1987)

वकील

..... महोदय

एडवोकेट

नाम अदालत	.....
मुकद्दमा नं०	.....
नाम फरीकत	..... बनाम

को अपना वकील नियुक्त करके प्रतिज्ञा ( इकरार ) करता हूं और लिखे देता हूं इस मुकद्दमा में वकील महोदय स्वयं अथवा अन्य वकील द्वारा जो कुछ पैरवी व जवाब देही व प्रश्नोत्तर करे या कोई कागज दाखिल करें या लौटावें या हमारी ओर से डिगरी जारी करावे और रुपया वसूल करें या सुलहनामा व इकबाल दावा तथा अपील निगरानी हमारी ओर से हमारी या अपने हस्ताक्षर से दाखिल करें और तसदीक करें मुकद्दमा उठावें या कोई रुपया जमा करें या हारी विपक्षी ( फरीकसानी ) का दाखिल किया हुआ रुपया अपने या हमारे हस्ताक्षर युक्त ( दस्तखती ) रसीद से लेवें या पंच नियुक्त करें—वकील महोदय द्वारा की गई वह सब कार्यवाही हमको सर्वथा स्वीकार है और होगा मैं यह भी स्वीकार करता हूं कि मैं हर पेशी पर स्वयं या किसी अपने परोकार को भेजता रहूंगा अगर मुकद्दमा अदम पैरवी में एक तरफ मेरे खिलाफ फैसला हो जाता है उसकी जिम्मेदारी मेरे वकील पर नहीं होगी इसलिए यह वकालतनामा लिख दिया प्रमाण रहे और समय पर काम आवे ।

हस्ताक्षर... *Anil Saksena* ... ..  
(Anil Saksena)

साक्षी (गवाह) ... .. साक्षी (गवाह) ... ..

दनांक ... 23/4/90 ... .. महिना ... April ... .. सन् १९९० ई०

स्वीकृत

*R.C. Singh*  
Adv.  
23/4/90

1000

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL  
CIRCUIT BENCH, LUCKNOW.

Misc.(Recall) Application No. 278 of 1990. (L)

U.G. Jhingran, aged about 39 years, son of  
Sri K.G. Jhingran (employed as Statistical  
Assistant in the Office of Director of Census  
Operations, U.P. Lucknow) resident of 32, Kutchery  
Road, Lucknow.

...Applicant.

In re:

T.A. No. 656 of 1987

(Writ Petition No. 384 of 1980)

Nankoo Singh and others

...Petitioners

Versus

Union of India and others

...Opp. Parties.

Application under Rule 16(2) of the Central  
Administrative Tribunal (Procedure) Rules, 1987  
to set aside the ex-parte judgment and order  
dated 23.3.1990 passed by Hon'ble Mr. D.K. Agarwal  
J.M. and Hon'ble K. Obayya, A.M.

For the facts and reasons given  
in the accompanying affidavit, it is humbly  
prayed that in the interest of justice this

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23/3/90

H.C. Singh

Hon'ble Court may kindly be pleased to :-

(a) set aside the ex-parte judgment and order dated 23.3.1990 passed by Hon'ble Mr.D.K.Agarwal, J.M. and Hon'ble Mr.K.Obayya, A.M.;

(b) suspend the implementation of the judgment and order dated 23.3.1990 passed in T.A.No.656/87 (W.P.No.384 of 1980) during the pendency of application for setting aside the judgment and order as aforementioned; and

(c) pass such other order as this Hon'ble Tribunal may consider appropriate in the circumstances of the case.

*R.C. Singh*  
( R.C.SINGH)

Advocate  
Counsel for the Applicant

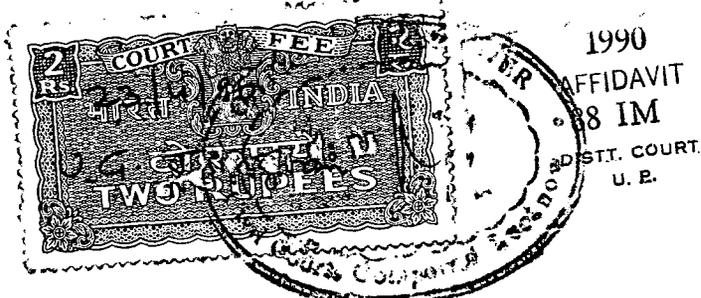
Lucknow:

Dated: April 23<sup>rd</sup>, 1990.

A 240

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL, CIRCUIT BENCH  
LUCKNOW.

R.A.No.656 of 1987  
(Writ Petition No.384 of 1980)



A F F I D A V I T

in support of Misc.(Recall)Application No.      of 1990.

U.G.Jhingran, aged about 39 years, son of Sri K.G.Jhingran employed as Statistical Assistant in the Office of Director of Census Operations, U.P.Lucknow, resident of 32 Kutchery Road, Lucknow.

...Applicant

In re:

Nankoo Singh and others

...Petitioners

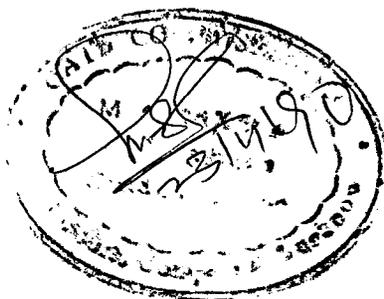
Versus

Union of India and others

...Opp.Parties.

I, U.G.Jhingran, aged about 39 years, son of Sri K.G.Jhingran employed as Statistical Assistant in the Office of Director of Census Operations, U.P.Lucknow, resident of 32, Kutchery Road, Lucknow, the deponent do hereby solemnly affirm and state on oath as under:-

1. That the deponent is opposite party No.18 in the above described writ petition No.384 of 1980 and as such he is fully acquainted with the facts and circumstances of the case.

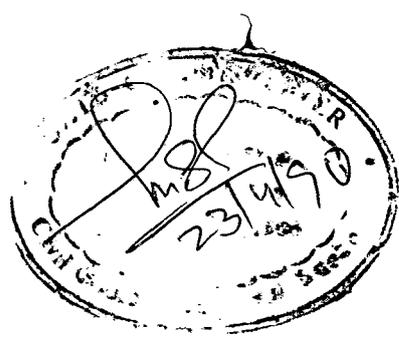


*G. M. J. Now*

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2. That the petitioners had challenged the final seniority list of computers, working in the Office of the Director of Census Operations, as on 1.10.1978 circulated under Memorandum dated 24.9.1979 contained in Annexure No.7 to the petition by filing the writ petitions described above. In the writ petition it was also prayed that a writ of MANDAMUS be issued to the opp. parties 1 to 3 to issue a fresh seniority list. It was further prayed that a writ of MANDAMUS be issued to opposite parties 1 to 3 to suitably modify the order of confirmation dated 4.10.1979 and re-assign the place in the said list in accordance with the revised seniority list.

3. That the deponent's name was sponsored by the Employment Exchange, Lucknow in response to the requisition sent by the Director of Census Operations U.P. for appointment as computers. The Selection Committee constituted for the purpose conducted the interview during the month of September 1970. On completion of the selection, merit list of successful candidates included the name of deponent as well as the names of petitioners No.2 to 4.



4. That an offer letter was issued to the deponent on 12.11.1970, calling upon him to submit medical certificate and character certificate within 15 days of the receipt of the offer letter and submit the joining report at Coding and Punching Cell, Meerut. The deponent had come to know, which he believed to be true, that similar offer letters were issued to other selected candidates (including petitioners No.2 to 4) and they were directed to join at various Coding and Punching Cells.

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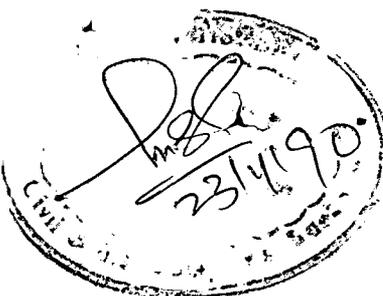
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5. That on receipt of offer letter, the deponent reported to the Civil Surgeon, Lucknow for medical and after obtaining medical certificate, he obtained character certificate and reported to the Deputy Director Coding and Punching Cell, Meerut on 26.11.1970 and submitted his joining report accordingly. However, the deponent was allowed to join duty on 1.12.1990 and that too with the indulgence of the District Magistrate, Meerut and the Director of Census Operations, U.P. Lucknow. The deponent was medically examined on 20.11.1970 by the Civil Surgeon, Lucknow. The deponent was transferred from Meerut to Lucknow w.e.f. 20.7.1972.

6. <sup>✓ other</sup> That selected candidates has also got their medical examinations done by Civil Surgeon, Lucknow and obtained character certificates from Ist Class Magistrates at Lucknow and thereafter they had proceeded to submit their joining at different Coding and Punching Cells.

7. That it so happened that candidates required to join at Lucknow and Kanpur could submit their joining early and those required to join at Meerut etc. could join later, without any fault on their part. In some cases, candidates were not allowed to join at the first instance by the respective Deputy Directors, and they could join subsequently with the indulgence of the Director of Census Operations, U.P. Lucknow.

8. That the deponent is advised to state that the seniority of the candidates selected by a selection Board is determined as per their respective positions in the merit list and accordingly candidates selected and placed in merit list 'A' and 'B' and 'C' dated 8.11.1970 were given their place of seniority as they are in no way responsible for the delay in joining.

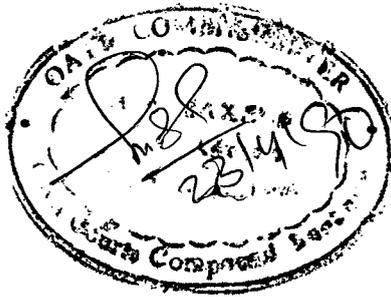


*Y. S. Jais*

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9. That the petitioners have claimed the seniority on the basis of their dates of joining. It may be stated here that petitioners No.2 to 4 were also selected by the selection Board held in September 1970 and their names were placed in the merit list dated 8.1.1970 and as such they cannot claim seniority on the basis of date of joining over and above the names of those <sup>who</sup> were placed in earlier positions in the merit list. As regards petitioner No.1 he was appointed by the Dy. Director, Coding and Punching Cell, Varanasi and his appointment was made admittedly on 23.11.1970, i.e. after finalisation of the merit list on 8.11.1970 and issue of offer letter dated 12.11.1970 as such he has rightly been placed in the seniority list after the candidates included in the merit lists 'A', 'B' and 'C'.

10. That after filing <sup>2 of 2</sup> the writ petition described above in the Hon'ble High Court of Judicature at Allahabad, Lucknow Bench, Lucknow, notices were issued to the respondents (including the deponent) and received by the deponent.



11. That on receipt of the notice, the deponent and few others arranged for necessary finances and contacted Sri Shridhar Misra, Advocate and engaged him to conduct the case.

12. That the deponent signed the Vakalatnama in favour of the Counsel Sri Shridhar Misra, Advocate who assured the deponent that the counter affidavit will be prepared and the deponent will be called upon to swear the same, as and when required.

13. That during the year 1987, the writ

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petition was transferred to the Central Administrative Tribunal, Allahabad U/S 29 of the Central Administrative Tribunals Act. 1985 and registered as T.A.No. 656 of 1987. A notice was received by the deponent on 30.9.1988 from Central Administrative Tribunal, Allahabad that the case has been transferred from Hon'ble High Court of Judicature at Allahabad, Lucknow Bench, Lucknow to Central Administrative Tribunal, Allahabad, and the Tribunal fixed 3.10.1988 for hearing of the matter.

14. That on receipt of notice, the deponent contacted his counsel and informed him about the transfer of the writ petition. The counsel assured that he would make arrangements for conducting the case at Tribunal at Allahabad. The deponent bonafide believed that the Counsel would do his best to contest the matter and protect the deponent's interest. Thereafter, he has not heard anything from the Counsel.

15. That on 2.4.1990, the deponent heard rumours in the Office that writ petition has been allowed by the Hon'ble Tribunal at its Circuit Bench Lucknow. This took the deponent and other opposite parties by surprise, as the deponent had no notice about the transfer of the case from Allahabad to Circuit Bench, Lucknow. The deponent has come to know, which he bonafide believes to be true, that the petitioners had moved application for transfer of the case from Allahabad to Lucknow though no notice was received by the deponent of the said application for transfer of the case nor any notice was received from this Hon'ble Tribunal about date fixed in the case. On enquiry from office, it revealed that the application has been heard and decided ex-parte in the absence of the opp. parties No. 4 to 35 on 23.3.1990

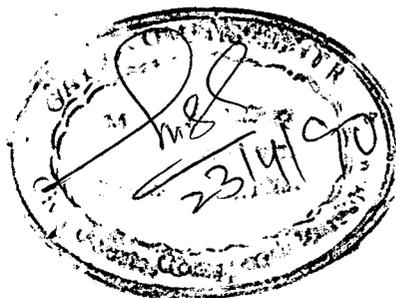


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16. That on coming to know of the facts of the case, the deponent made efforts to contact his counsel Sri Shridhar Misra, Advocate to ascertain the true facts and reasons for non-appearance in the case. To the misfortune of the deponent, he came to know that the said Sri Shridhar Misra, Advocate has expired on 7.12.1988.

17. That in these circumstances, the deponent could not appear in the case. The deponent had bonafide belief that the counsel, who was already paid his fees and had been given instructions in the matter, would be representing the deponent, but now it transpired that the counsel had neither filed his Vakalatnama nor ever appeared in the case. Moreover, the deponent had no notice of the transfer of the case from Allahabad to Lucknow.



18. That in view of the above, the correct facts could not be placed before this Hon'ble Tribunal and this Hon'ble Tribunal decided the application in the absence of the deponent and 31 other opposite parties.

19. That it will be expedient in the interest of justice that the deponent is allowed an opportunity of contesting the case and place the correct material facts before this Hon'ble Tribunal.

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20. That under the circumstances, the ex-parte judgment and order dated 23.3.1990 is liable to be set aside and during the pendency of this application the operation of the judgment and order dated 23.3.1990 is liable to be suspended.

21. That the deponent has not avoided to attend the hearing of the case deliberately and his prayer to set aside the ex-parte judgment and order dated 23.3.1990 is bonafide.



Lucknow:

Dated: April 23<sup>rd</sup>, 1990.

*G. Vignay*

Deponent

VERIFICATION

I, the above named deponent do hereby verify that the contents of paras 1 to 21 of this affidavit are true to my personal knowledge.

No part of it is false and nothing has been concealed. So help me God.

Lucknow:

Dated: April 23<sup>rd</sup>, 1990.

*G. Vignay*

Deponent

I identify the deponent who has signed before me on the basis of the documents produced before me.

*R.C. Singh*  
Advocate.

88/17  
11:25 AM U.G. Shingran  
Identified by  
Shri  
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of this aff  
explained by m.  
*R.C. Singh*  
Advocate  
*M.S. Gafar*  
23/4/90  
Dist Commr  
Dist Court

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD  
CIRCUIT BENCH, LUCKNOW

T.A. No. 656/87

(Writ Petition No.384 of 1980)

Nankoo Singh & others ...Applicants.

versus

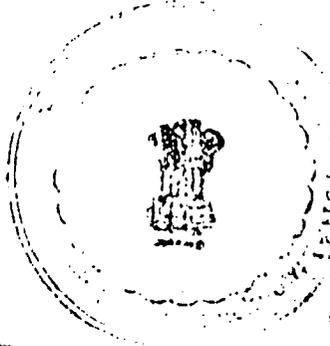
Union of India & others ...Respondents.

Hon. Mr. D.K.Agrawal, JUDL. MEMBER.

Hon. MR. K. Obayya, Adm. Member.

(K..Obayya,ADM.MEMBER)

Writ Petition No. 384 of 1980 filed in the High Court of Judicature at Allahabad, Lucknow Bench, Lucknow has been received in this Tribunal on transfer under section 29 of the Administrative Tribunals Act, 1985 for disposal and numbered as T.A.656/87(T), as indicated above. The petitioners, numbering 4 are employed in the Census Department and their prayer is that the final Seniority List circulated by Deputy Director of Census Operation, U.P. by letter dated 24.9.79. (Annexure 7) be quashed and a revised seniority list be prepared assigning proper seniority to the petitioners.



2. The petitioners were appointed as Computers in the Census Department during the year 1970. There were five Census cells, each under the Administrative Control of a Deputy Director, Census Operation. These cells were located at Lucknow, Meerut, Varanasi, Kanpur and Gorakhpur. According to the petitioners, there was a seniority list of Computers

*Attested*  
*N.C. Singh*  
*Adv.*

D.M.B.

separately for each cell. Subsequently, the census cells functioning at Varanasi, Gorakhpur and Meerut were closed and staff working in these units was transferred to Lucknow and Kanpur. After the merger of these cells, a combined seniority list was prepared in 1975 and the petitioners allege that this was not notified. The final seniority list was, however, circulated by letter dated 24.9.1979 of the Director, Census Operations, U.P., Lucknow indicating the seniority position of the Computers as on 1.10.1978. Aggrieved by this, the petitioners submitted representations to the authorities, which was rejected.

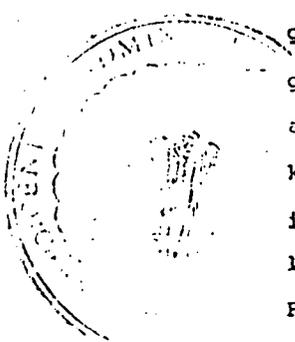
3. In the counter affidavit filed by the respondents, it is denied that there was a separate list for each cell. According to them, it was only a gradation list for facility of reference in establishment work and such list was not notified. However, they agreed that the combined seniority list indicating tentative seniority position of Computers, as on 1.1.1975 was drawn up and circulated among the staff members and objections were also invited. The objections received were considered and settled. The petitioners have not made any representation against this list. The final list could not be notified at that time as one of the Computers, namely Shri K.K.Verma filed Writ Petition in the High Court at Allahabad and obtained Stay. The Writ Petition was finally dismissed in the year 1982. Thereafter, the seniority list as on 1.10.1978 was notified and this list is the same as the tentative list circulated on 1.1.1975. The respondents further contend that the integrated seniority list was prepared following principles laid down by the Deputy

Attested  
N.C. Singh  
Dir.

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Registrar General (Census) in his letter dated February 10, 1975 (Annexure 4).

4. We have heard the learned counsel for the parties and also seen the record. The learned counsel for the applicant assailed the seniority list on the ground that no uniform criteria has been followed in drawing up the seniority list, and that date of appointment has been followed as the criteria in fixing the seniority of candidates from 1 to 34 and 66 onwards. In between candidates selected on the basis of merit list A.B.C. figure. We have called for the relevant record and verified how this merit list was prepared. From the record it is seen that the interviews were held in the month of September, 1970 and based on their qualifications and performance at the interview the candidates were graded as ABC. There appears to be nothing wrong in such gradation. Since the number of vacancies was more, to absorb all the candidates in the merit list, it is not known why this merit position was not indicated while issuing the appointment orders. In as much as the merit list does not reflect <sup>in its order of</sup> any appointment orders issued. Further, if there was gradation list prepared for each cell, why that gradation list was disturbed while drawing up a combined seniority list of different units, after their merger into two surviving units <sup>at</sup> Lucknow and Kanpur. The principle laid down indicates that the criteria to be followed in the matter of interse seniority of Computers is (1) the date on which they were appointed/promoted to the grade and (2) in respect of such officials who had been appointed/promoted as a result of selection by a Board from lower grade or as a result of direct recruitment from Employment Exchange the interse position



Attested  
 E.C. Singh  
 Adv.

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will be indicated by selection board or Recruitment Board. The record shows no such interse position was indicated by any Board.

5. Having regard to the facts and circumstances of the case, we are of the view that the final Seniority List of Computers circulated on 24.9.1979 (Annexure-7) does not follow the uniform criteria and also the rationale for following different criteria has also not been explained in as much as the merit list A, B and C was only for the purpose of selection for appointment to the post which fact is confirmed by the fact that in issuing the appointment letters this list was not followed. We consider that in the interest of Justice this list cannot be sustained and as such it is quashed.

6. In the counter. ( para 13) the respondents have mentioned that the petitioners have not exhausted available channels for redressal of their grievance by a representation. We direct that interse seniority of computers be drawn in consultation with the Registrar General of India (Respondent No.2) taking into consideration the representation of the petitioners which were rejected earlier in reference No. AE/11-1/78/ DEO-UP/A-3001 dated 24.9.1979 and also Annexure-5 in conformity with the seniority rules, by a speaking order meeting the points raised in the representation of the petitioner.

7. The T.A./Writ Petition is disposed of as above. No order as to costs.

(K. OBAYYA)  
ADM. MEMBER

13.3.90  
(D.K. AGRAWAL)  
JUDL. MEMBER

Recd. No. 123/1970

e.T.C.

Attested  
Deputy Registrar 23.3.90  
Central Administrative Tribunal  
Lucknow Bench,  
Lucknow

Attested  
K. Obayya  
Adv.

50/59/90  
29/90

Before - the Central Administrative Tribunal  
ब अदालत श्रीमान्

Circuit Bench, Lucknow

महोदय

[वादी अपीलान्त]

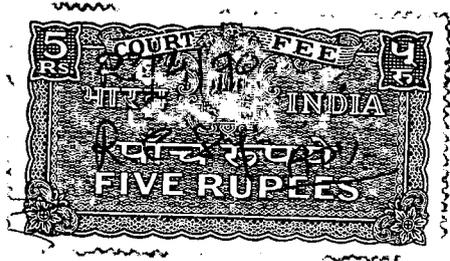
प्रतिवादी [रिस्पॉण्डेंट]

Recall Appn.No.

श्री... U.G. Jhingran... का

वकालतनामा

of 1990 in re: T.A. No. 656 of 1987



वादी (अपीलान्त)

U.G. Jhingran  
In re:

Nankoo Singh and others बनाम

प्रतिवादी (रिस्पॉण्डेंट)

Union of India and others

नं० मुकद्दमा

सन्

पेशी की ता०

१६ ई०

ऊपर लिखे मुकद्दमा में अपनी ओर से श्री... R.C. Singh Advocate (Regn. No. 2388/1987)

वकील

महोदय

एडवोकेट

नाम अदालत	:	:	:
मुकद्दमा नं०	:	:	:
नाम फरीकन	:	:	:

को अपना वकील नियुक्त करके प्रतिज्ञा ( इकरार ) करता हूं और लिखे देता हूं इस मुकद्दमा में वकील महोदय स्वयं अथवा अन्य वकील द्वारा जो कुछ पैरवी व जवाब देही व प्रश्नोत्तर करे या कोई कागज दाखिल करे या लौटावे या हमारी ओर से डिगरी जारी करावे और रुपया वसूल करे या सुलहनामा व इकबाल दावा तथा अपील निगरानी हमारी ओर से हमारी या अपने हस्ताक्षर से दाखिल करे और तसदीक करे मुकद्दमा उठावे या कोई रुपया जमा करे या हारी विपक्षी ( फरीकसानी ) का दाखिल किया हुआ रुपया अपने या हमारे हस्ताक्षर युक्त ( दस्तखती ) रसीद से लेवे या पंच नियुक्त करे—वकील महोदय द्वारा की गई वह सब कार्यवाही हमको सर्वथा स्वीकार है और होगा मैं यह भी स्वीकार करता हूं कि मैं हर पेशी पर स्वयं या किसी अपने परोकार को भेजता रहूंगा अगर मुकद्दमा अदम पैरवी में एक तरफ मेरे खिलाफ फैसला हो जाता है उसकी जिम्मेदारी मेरे वकील पर नहीं होगी इसलिए यह वकालतनामा लिख दिया प्रमाण रहे और समय पर काम आवे ।

हस्ताक्षर... (UDIT GOPAL JHINGRAN)

साक्षी (गवाह) ... साक्षी (गवाह) ...

दनांक ... 23rd ... महीना April ... सन् १९९० ई०

स्वीकृत

R.C. Singh

614  
011  
2

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
Circuit Bench, Lucknow.

No. CAT/AKO/Jud/ 4910 date the .....

T.A.No. 656/87 of 1990 (T)

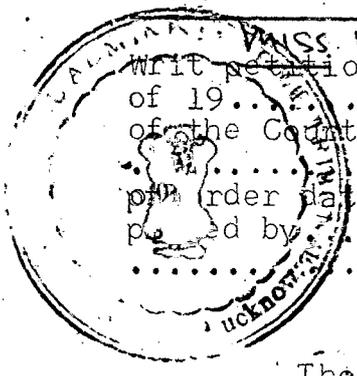
Nankoo Singh.....Applicants.

Varsus.

Union of India.....Respondents.

To Sd/- L. P. Sukla  
C-700 Mahanagar  
Lucknow

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



Writ petition No. 263/90  
of 19.....  
of the Court of H.C. Lko.....  
arising out of  
order dated.....  
passed by.....in  
.....

The Tribunal has fixed date of 28-6-90.....order  
hearing of the matter.  
if no appearance is made on your behalf by our some one duly authorised to Act and Plead on your behalf.

The matter will be heard and decided in your absence. Given under my hand seal of the Tribunal this ....  
...31 day of .....S.....1990.

[Signature]  
DEPUTY REGISTRAR

Bhartiya

Encl. copy of Petition with court's order dated on 26-4-90 passed there

253  
26/5

CENTRAL ADMINISTRATIVE TRIBUNAL

CIRCUIT BENCH LUCKNOW

Misc. (Recall) Appl. No. 263/90 (L)

In

T.A. NO. 656 of 1987

Nankoo Singh and others ..... Applicant.  
Versus  
Union of India & Others ..... Respondents.

26.4.1990

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

Hon'ble Mr. K. Chayya, A.M.

Request has been made on behalf of Shri R.C. Singh, Counsel for the respondent, who has filed Civil Misc. Appl. No. 163 of 1990 (L) & 273 of 1990 (L) to 278 of 1990 (L) for setting aside the order dated 23.3.1990 under Rule - 16 of Central Administrative Tribunal's (Procedure) Rules, 1987. The adjournment is allowed being on personal ground of the ~~counsel~~ <sup>Counsel</sup>. However, let notice be sent to the counsel for the petitioner, as well as, to the counsel for the respondent, meanwhile.

List it for orders on 28.6.1990.

Sd/-

A.M.

Sd/-

J.M.

Checked  
Sd/P  
5/6/90

rm/

// True Copy //

*[Signature]*  
Deputy Registrar  
Central Administrative Tribunal  
Lucknow Bench,  
Lucknow

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
Circuit Bench, Lucknow.

No. CAT/AKO/Jud/ 4802 - 4805 date the 9.7.90.  
T.A.No. 656/87(I) of 1990 (T)

Nanku Singh and others ..... Applicants.

Varsus.

Union of Indigam and others ..... Respondents.

- (i) To Anadi Asthana S/o S/o R.C. Asthana C/O Director of Census works 25 Newal Kishor Road Hazratganj Lucknow
- (ii) Sanjam Dubey S/o Shikur Ad Dubey C/O Director of Census works 25, Newal Kishor Road Hazratganj Lucknow

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

Writ petition No. miss appl. no 203/90 of 19..... of the Court of H.C. LKO ..... arising out of an order dated ..... passed by ..... in .....  
 The Tribunal has fixed date of 9.8.90. The hearing of the matter. if no appearance is made on your behalf by our some one duly authorised to Act and Plea on your behalf.

The matter will be heard and decided in your absence. Given under my hand seal of the Tribunal this 9/7/90 day of ..... 1990.

*[Signature]*  
DEPUTY REGISTRAR

Bhartiya

- (iii) Raman Lal S/o. S/o Raja Ram C/O Director of Census works, 25 Newal Kishor Road Hazratganj Lucknow
- (iv) Nanku Singh Statistical Assistant C/O Director of Census works 25 Newal Kishor Road Hazratganj Lucknow

Encl. copy of petition with court's order etc.  
On 28.6.90

CENTRAL ADMINISTRATIVE TRIBUNAL

CIRCUIT BENCH LUCKNOW

T.A.NO.656 OF 1987(T)

Nankoo Singh & Others ..... Applicants  
Versus  
Union Of India & Others ..... Respondents.

28.06.1990.

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

Hon'ble Mr. K.Obayya, A.M.

Before action can be taken on this application for setting aside the Judgement in T.A.656/87(T) it is necessary to issue notice to the petitioner in that Case. Orders were passed on 26.4.1990 to issue notice to the counsel. There is an endorsement on the back of the application itself that the counsel for the petitioner declined to accept notices. Notice <sup>must</sup> ~~be~~ <sup>be</sup> sent to the petitioner of T.A.656/87 in person. The petitioner has not given enough particulars of the petitioner of that Case in this restoration application. The particulars may be furnished within 2 weeks, after <sup>which</sup> notice shall be issued by name to each of the petitioner in T.A. 656/87(T) in person. Dr. Linesh Chandra is present for Union of India and accepts notices. List ~~66~~ for order on 9.8.1990.

Checked  
S.P.  
2/7/90

Sd/-  
A.M.

Sd/-  
V.C.

// True Copy //

S.S/  
S.P.O.No.  
4.12. 259810  
S/

AKS  
2/7/90  
Deputy Registrar  
Central Administrative Tribunal  
Lucknow Bench,  
Lucknow

Received  
K. Singh  
2/7/90

ब अदालत श्रीमान् Consist. Aims. Tribuna. d. Delhi / Allahabad. महोदय  
Consist. Bench, Lucknow

[ वादी ] अपीलान्ट श्री \_\_\_\_\_ का **वकालतनामा**  
प्रतिवादी [रिस्पॉण्डेंट]



वादी (अपीलान्ट)

Nanku Singh & Others बनाम Munir & Indira & Others प्रतिवादी (रिस्पॉण्डेंट)  
नं० मुकद्दमा 656 - 87 सन 1980 पेशी की ता० १९ ई०

ऊपर लिखे मुकद्दमा में अपनी ओर से श्री

*Handwritten signature and date: 22/2/80*

Dr. Dinesh Chandra Adh. Chahal वकील महोदय  
Lucknow, High Court, Lucknow Bench एडवोकेट

नाम अदालत  
मुकद्दमा नं०  
नाम फरीकेन

को अपना वकील नियुक्त करके प्रतिज्ञा ( इकरार ) करता हूं और लिखे देता हूं इस मुकद्दमा में वकील महोदय स्वयं अथवा अन्य वकील द्वारा जो कुछ पैरवी व जवाब देही व प्रश्नोत्तर करें या कोई कागज दाखिल करें या लौटावें या हमारी ओर से डिगरी जारी करावे और रुपया वसूल करें या सुलहनामा व इकवाल दावा तथा अपील निगरानी हमारी ओर से हमारी या अपने हस्ताक्षर से दाखिल करें और तसदीक करें ~~मुकद्दमा उठावें~~ या कोई रुपया जमा करें या हमारी विपक्षी (फरीकसानी) का दाखिल किया हुआ रुपया अपने या हमारे हस्ताक्षर युक्त (दस्तावेज) रसीद से लेवे या पंच नियुक्त करें - वही ~~कार्य~~ की गई वह सब कार्यवाही हमको सर्वथा स्वीकार है और होगा ~~करना~~ भी स्वीकार करता हूं कि मैं हर पेशी पर स्वयं या किसी अपने पैरोकार को भेजता रहूंगा अगर मुकद्दमा अदम पैरवी में एक तरफा मेरे खिलाफ फैसला हो जाता है उसकी जिम्मेदारी मेरे वकील पर नहीं होगी इसलिए यह वकालतनामा लिख दिया प्रमाण रहे और समय पर कास आवे ।

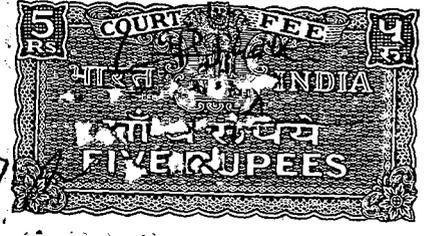
साक्षी (गवाह) Dr. Dinesh Chandra Adh. Chahal हस्ताक्षर  
Dr. DINESH CHANDRA Adh. Chahal साक्षी (गवाह)  
दिनांक \_\_\_\_\_ सन १९ \_\_\_\_\_ ई०

स्वीकृत

22  
 filed today  
 28/12/24  
 S.No 22

In the Court of Administrative Tribunal  
 व अदालत श्रीमान

वादी (मुद्दे) का वकालतनामा  
 प्रतिवादी (मुशाबेह)



Registration No  
 T.A No 656 of 1987

Nankoo Singh & Others  
 vs  
 Union of India & others

वादी (मुद्दे)

प्रतिवादी (मुशाबेह)

नं० मुकद्दमा सन् १६ पेशी की ता० १६ ई०

उपर लिखे मुकद्दमा में अपनी ओर से

Sr L.P. Shukla Advocate

एडवोकेट महोदय  
 वकील

C-700 Sector C Malangpur  
 Lucknow

नाम अदालत  
 नं० मुकद्दमा  
 नाम फरीकन

को अपना वकील नियुक्त करके प्रतिज्ञा (इकरार) करता हूँ और लिखे देता हूँ इस मुकद्दमा में वकील महोदय स्वयं अथवा अन्य वकील द्वारा जो कुछ पैरवी व जवाबदेही व प्रश्नोत्तर करें या अन्य कोई कागज दाखिल करें या खीटावें या हमारी ओर से जारी करावें और रुपया वसूल करें या सुलहनामा या दावा तथा अपील व निगरानी हमारी ओर से हमारे या हस्ताक्षर से दाखिल करें और तसदीक करें या मुकद्दमा उठावें या कोई रुपया जमा करें या हमारी या विपक्ष (फरीकसानी) का दाखिल किया रुपया अपने या हमारे हस्ताक्षर-युक्त (दस्तखती) रसीद से लेवें या पंथ नियुक्त करे - वकील महोदय द्वारा की गई वह कार्यवाही हमको सर्वथा स्वीकार है और होगी मैं यह भी स्वीकार करता हूँ कि मैं हर पेशी स्वयं या किसी अपने पैरोकार को भेजता रहूंगा अगर मुकद्दमा अदम पैरवी में एक तरफ मेरे खिलाफ फैसला हो जाता है उसकी जिम्मे- न होगी। इसलिए यह वकालतनामा है और समय पर काम आवे।

Accepted  
 V.K. Singh

T.A. 656-87

C620

*Handwritten notes:*  
9/12/87  
22/2/89

To,

THE DEPUTY REGISTRAR  
Central Administrative Tribunal  
ALLAHABAD BENCH  
23-A THORNHILL ROAD  
ALLAHABAD.

Sub: Transfer of Writ Petition No. 384 from  
Allahabad to Lucknow.

Sir,

with due respect we beg to state that  
our case writ petition No. 384 of 1980 of the  
Judicature of High Court Lucknow Bench transferred  
to Tribunal T.A. No. 656 of 1987 (T) Nankoo Singh  
& others Vs Union of India & others may please  
transfer to Lucknow bench at Lucknow because  
all parties stationed at Lucknow. Our date of  
hearing date is fixed on 3.10.1988.

Kindly Transfer our case to Lucknow  
as earlist as possible so we may not suffer.  
with Thanks.

Your's faithfully,

(Petitioners)

1. NANKOO SINGH
2. ANADT. AG. SANA
3. R.L.
4. SHRI RAM DUBEY.

So (T)

for n.a

*Handwritten signature and date:*  
03/10/88

*Handwritten notes:*  
Notices issued to the  
Parties fixing 22.2.89  
to Circuit Bench Lko.  
SKS  
7.2.89

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH  
23-A, THOPHILL ROAD, ALLAHABAD-211001

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No. CAT/A11d/32736 to 42 Dated 05

Transfer Application No. 656 of 1987 (T)

Nankoo Singh & others APPLICANT(S)

Versus

Union of India & others. RESPONDENT(S)

① Nankoo Singh, S/o Sri Sheo Shanker Singh  
No. 40 Tika Ram Mahlan, Darshangany  
Aliganj, Lucknow.

WHEREAS the marginally noted cases has  
has been transferred by High Court  
provision of the Administrative Tribunal Act  
of 1985) (No. 13) registered in this Tribunal as above.

Writ petition 384 of  
1980 of the Court of High  
Court arising out of  
order dated \_\_\_\_\_  
passed by \_\_\_\_\_  
by \_\_\_\_\_

The Tribunal has fixed  
date of 3-10-88 1988  
the hearing of the mat-  
ter.

If no appearance is  
MADE ON YOUR behalf by  
your some one duly auth-  
orised to

and pled on your behalf, the matter will be heard  
and decided in your absence.

Given under my hand seal of the Tribunal.  
this \_\_\_\_\_ day of 1-9-88 1988

② Anadi Asthana, S/o Sri R.C. Asthana  
Ram Mandir Lane, Husaingany  
Lucknow. DEPUTY REGISTRAR

③ Sri Ram Dube, S/o Sri Thakur Prasad Dube  
R/o 533/219, Mahabirji Ka Purwa Aliganj, Lucknow

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH  
23-A, THORNHILL ROAD, ALLAHABAD-211004

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No. CAT/Alld/32743 to 73 Dated \_\_\_\_\_

Transfer Application No. 656 of 1987 (T)

Nankoo Singh & others APPLICANT(S)

Versus

Union of India & others RESPONDENTS

④

Misza  
Khuorram

⑤ Vinodh Kumar Sinha

⑥ Kamal Deo Pandey

⑦ Anil Saxena

⑧ Balbir Singh

WHEREAS the marginally noted cases has  
has been transferred by High Court Lko under the  
provision of the Administrative Tribunal 1 Act (No. 13  
of 1985) and registered in this Tribunal as above

Writ petition 384 of  
1980 of the Court of High  
Court Lko arising out of  
order dated \_\_\_\_\_

passed by \_\_\_\_\_  
in \_\_\_\_\_

The Tribunal has fixed  
date of 3-10-1988  
the hearing of the mat-  
er.

If no appearance is  
MADE ON YOUR behalf by  
your some one duly auth-  
orised to

and pled on your behalf, the matter will be heard  
and decided in your absence.

Given under my hand seal of the Tribunal  
this \_\_\_\_\_ day of 1-9-1988

- ⑨ Laxmi Kant Asthana
- ⑩ Karam Hasain
- ⑪ Shyamal Kumar Bamerjee
- ⑫ Abdul Rafiq
- ⑬ Nirmal<sup>AS</sup> Singh
- ⑭ Smt. Ranjana Chadha

[Signature]  
DEPUTY REGISTRAR

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH  
23-A, THORNHILL ROAD, ALLAHABAD-211001

(623)

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\*

No. CAT/A11d/3273 d)

Dated 19/9

Transfer Application No. 656 of 1987 (T)

Nankoo Singh & others APPLICANT(S)

Versus

Union of India & others RESPONDENTS

3) Sri Ram Dube, S/o Sri Thakur  
Prasad Dube, R/o 539/49 Mahabir  
Ji Ka Ruma Aliqanj, Lucknow.

WHEREAS the marginally noted cases has  
has been transferred by High Court Lko. under the  
provision of the Administrative Tribunal Act, 1985  
(of 1985) and registered in this Tribunal

Writ petition 384 of  
1987 of the Court of High  
Court Lko. arising out of  
order dated \_\_\_\_\_

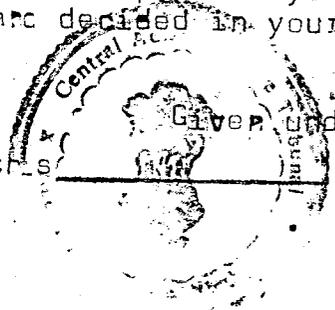
The Tribunal has fixed  
date of 3-10-1988  
the hearing of the matt-  
er.

passed by \_\_\_\_\_  
in \_\_\_\_\_

If no appearance is  
MADE ON YOUR behalf by  
your some one duly auth-  
orised to

and pled on your behalf, the matter will be heard  
and decided in your absence.

Given under my hand seal of the Tribunal  
this \_\_\_\_\_ day of 19-9-1988



*[Signature]*  
DEPUTY REGISTRAR