

CENTRAL ADMINISTRATIVE TRIBUNAL  
LUCKNOW BENCH

Husain Mirza vs W/O Jile  
FORM OF INDEX

~~O.A.~~ / T.A. / R.A. / C.C.P. / No. 670/87  
WP 1134/80

PART - I

- |    |                  |    |                         |
|----|------------------|----|-------------------------|
| 1. | Index Papers     | :- | 1 - ✓                   |
| 2. | Order Sheet      | :- | 10 - 2 to 11 ✓          |
| 3. | Any other orders | :- | Nil                     |
| 4. | Judgement        | :- | Nil. Final order passed |
| 5. | S.L.P.           | :- | on order sheet          |

- (1) Petition & Annexure  
(2) Index sheet

3/12/88  
DY. Registrar

Supervising Officer

Dealing Clerk

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

- 1 - Index sheet - A12.  
2 - Petition / Annexure A13 to A27. Nil  
3 - Process A28  
4 - Notices A29 to A38  
5 - Two copy papers A39

Dealing Clerk

Ed (5)

V.K. Mishra



CENTRAL ADMINISTRATIVE TRIBUNAL  
Circuit Bench, Lucknow  
Opp. Residency, Gandhi Bhawan, Lucknow  
\*\*\*\*\*

## INDEX SHEET

CAUSE TITLE T.A. No. 670/87 of 19

W.P. No. 1134/80

NAME OF THE PARTIES \_\_\_\_\_

Husain Mirza

Applicant

Versus

U.O. 2. N. Railway &

Respondent

Part A, B & C

Sl. No.	Description of documents	PAGE
(1)	Order Sheet A1 - A20	Final order 4.4.91
(2)	Petition with Annexure A9 - A27	
(3)	Power A28	
(4)	File - B B29 - B55	
(5)	File - C C56 - C60	

Shakir

27/3/92



Annexure -B

CENTRAL ADMINISTRATIVE TRIBUNAL  
Circuit Bench, Lucknow  
Opp. Residency, Gandhi Bhawan, Lucknow  
\*\*\*\*\*

APPLICATION No. \_\_\_\_\_ of 19

TRANSFER APPLICATION No. \_\_\_\_\_ of 19

OLD WRIT PETITION No.: \_\_\_\_\_ of

CERTIFICATE

Certified that no further action is required to taken  
and that the case is fit for consignment to the record room (decided).

Dated :

COUNTER SIGNED :

Signature of the  
dealing Assistant

Section Officer/Court Officer

\*\*\*\*\*



A1

②

5/1

## ORDER SHEET

IN THE HIGH COURT OF JUDICATURE AT ALLAHABAD

W.P. No. 1134 of 1978  
Husain Mirza vs. Divisional Rail Manager N.R.

Date	Note of progress of proceedings and routine orders	Date to which case is adjourned
1	2	3
18-4-80	Hon. H.S.J. Hon. S.C. Mathur J. Issue notice Sd. H. Swaroop 18-4-80	
18-4-80	CM No 2493 (w) 80 Hon. H.S.J. Hon. S.C. Mathur J. Admit. Issue notice. Sd. H. Swaroop Sd. S.C. Mathur 18-4-80	
	ND 6011 No 1 to 4 only in RP Ker 0.10.80 with map No 2493 & 2500 for the 1st time 20/10	6/11/80 6/11/80
6-11-81	Service report in Vol 8 CM No 2493 (w) GD No 1 & 5 - Regd cover not retd back after 8 oc. (plan)	6/11/81 6/11/81

Sd. H. Swaroop  
Sd. S.C. Mathur



(3)

A2

2

Date	Note of progress of proceedings and routine orders	Date to which case is adjourned	
1	2	3	4
11-01	<p>J.R.</p> <p>Seen service report dated 6-11-01. Service on O.P. 1804 is deemed sufficient under Chapter VIII, rules of Rules of court - office to proceed.</p> <p><i>See</i> J.R. 9-11-01</p>	cl / As	
1-02	<p>C.M.R. 2493-80</p> <p>Hen Mathur, J.</p> <p>Apl. is rejected</p> <p><i>By</i> 11/11/82</p>	21	



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
CIRCUIT BENCH, LUCKNOW

ORDER SHEET

REGISTRATION No. 670 of 1987/11

APPELLANT  
APPLICANT

S. H. Muzga

VERSUS

DEFENDANT  
RESPONDENT

D. R. M. N. N.

Serial number of order and date	Brief Order, Mentioning Reference if necessary	How complied with and date of compliance
20 X. 07	<p>Hon. Mr. Dr. K. Agrawal, J.M. Hon. Mr. K. Obayya, A.M.</p> <p>None is present for the applicant, S. A. Bhargava, Counsel for the respondents is present. On the request of the learned Counsel for the respondents, the case is adjourned to 8-11-89 for order.</p> <p><i>[Signature]</i> A.M.</p> <p><i>[Signature]</i> J.M.</p>	<p>Case has been received from CAT, A.M. on 28.11.89.</p> <p>Case is admitted.</p> <p>No CA/RA filed.</p> <p>Notices issued from CAT, A.M.</p> <p>It was noted that this case is undisturbed on the date.</p> <p>Submitted for order.</p> <p>20/12</p>
8/11/89	<p>Hon' Mr. D.K. Agrawal, J.M. Hon' Mr. K. Obayya, A.M.</p> <p>The applicant is present in person. Mr. Arjun Bhargava counsel for the respondents is present, but, still not prepared <sup>with</sup> the case on account of his personal difficulty. The writ petition was filed in the year, 1980. There is no good reason to grant further indulgence to the Railway Administration. Therefore, list this case for hearing before a Single Judge Bench on <u>4-1-90</u>. If the respondents may so like, file counter reply within four weeks hereof to which the applicant may file rejoinder affidavit if any, within 2 weeks thereafter. In case the respondents are unable to file counter reply within the</p>	<p>Submitted for order.</p> <p>7/11</p>



(B<sup>2</sup>) stipulated time, they will forfeit the right to file their counter affidavit in this case.

A.M.

(sns)

J.M.

OK

No reply  
filed  
submitted  
for hearing

3/1/20

4-1-80

Case not reached. Put up  
banned.

B.O.C

5-1-80

Case not reached. Adj. to  
2.2.80 for hearing

B.O.C

2-2-90

Hon. Justice K. Nallu U.C.  
Hon. Mr. K.J. Ramani A.M.

On the request of both the  
parties case is adjourned to  
19.3.80  
D.M.

B.C.

19.3.1990

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

OK

No CA filed  
S R 4

No one appears for the applicant.  
Shri. A. Bhargava, <sup>time</sup> wants to file counter  
affidavit on behalf of the respondents.  
Allowed. Let, the counter affidavit be  
filed within 4 weeks, hereof, failing which  
he will forfeit the right to file the same.  
Rejoinder affidavit, if any, be filed within  
2 weeks, thereafter.

List it for hearing on 10.7.1990.

A.M.

J.M.

10-7-80 sd.

No reply adj. to 23/8/90



(6)

23-8-90

No Sittip Adi to 10-9-90

(18)

10-9-90

For Mr Justice K. Math, re  
 Hon Mr M. M. Singh AM

OR

No CA filed  
 S. P. H.

5/9/90

Applicant in person

Shri Arjun Bhargava, for  
 respondents, says that no counter  
 could be filed because records are  
 not traceable. He, however, reports  
 that the applicant may be directed  
 to produce the original of the Scholar  
 Register & Transfer certificate.

(Ann-3). The applicant says that  
 the original is with his counsel Mr  
 S. C. Mishra. We think that both  
 the parties are required to produce  
 respective documents. The applicant  
 is directed to produce the original  
 of Ann-3 on the next date.

The respondents are directed to file  
 counter, in particular to indicate the  
 result of Ann-4 and in case they are  
 not able to trace ~~Ann-4~~ out the record  
 to indicate in the counter what steps have  
 been taken in that regard if that record  
 got lost. Service record of the applicant, and  
 in particular, to that dated 27-8-78  
 referred to in Ann-2 shall also be  
 filed by the respondents. List for final  
 hearing on 23-11-90. Copy of the  
 order is given to counsel for  
 respondents within 2 days.

M. M. H.

J

b

m

10


Recd  
 S. C. Mishra  
 S. A. Mishra




(7)

29.11.90No sitting day to 10.12.90  
for hearing10/12/90Hon. Mr. Justice K. Pathak, C.  
Hon. Mr. K. Obayya, Am.

The applicant Hussain Mirza is present in person. Shri Arjun Bhargava for the respondents. Shri Bhargava says that the Service record has not yet been found. The applicant says that the original of the Transfer Certificate, Annexure-3 is with his lawyer, Shri Satish Chandra Misra who is busy in the High Court. The case may be taken up tomorrow at 11.00 A.M. when the applicant must cause to produce the original of the Annexure-3.

  
Am.

  
V.C.




(8)

11/12/90

Hon. Mr. Justice K. Path, re.  
Hon. Mr. K. Obayya, An.

The learned counsel for the applicant produces the original of Annexure-3; Annexure-3 is found to be in accordance with the original. The original is retained by the <sup>applicant's</sup> ~~respondents'~~ counsel. Shri Arjun Bhargava requests for time to have the documents verified and to file a reply. The respondents have had all the time from 1980. Shri Bhargava says that the service record is misplaced. No counter affidavit has yet been filed stating that the service record is misplaced. Be that as it may, last opportunity is given to respondents to file a counter affidavit and the case be listed for final hearing on 01/19. The respondents shall pay Rs. 100/- as cost for this adjournment.

  
Arj.



V.C.

OR

8.1.91 Hon. Mr. D.K. Agrawal, JN.  
Hon. Mr. K. Obayya, AN

No CA filed.

S.F.N

Petitioner in person shows Arjun Bhargava to O/o has requested for adjournment. This is a writ petition of the year 1980. Counter is not on record. Work for hearing / expedite

25/12/90

170



Q

contd -

hearing on 9-4-91. In case the  
Court is not brought on record  
within 4 weeks hereof the  
shall forfeit their right to  
file the same. The do shall also  
produce the service record of the  
applicant - on the date of  
hearing.

AM

De  
Jm.

9.4.91 -

No sitting adj to 30.5.91.

30.5.91

No sitting adj to 23.7.91

23.7.91

No sitting adj to 24.9.91

24.9.91

No sitting adj to 4.11.91

4-11-91 Hon m Justice V C. Somashekara, VC  
Hon m K. Bagesh, AM

learned Counsel for  
the applicant says that  
the applicant has died  
on 26-4-91. Application,  
accordingly abates.

OR

No CA filed  
S.F / Ex parte hear

2  
30/11

AM

VC

Dep Com

24/12/91



A12

2  
1

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

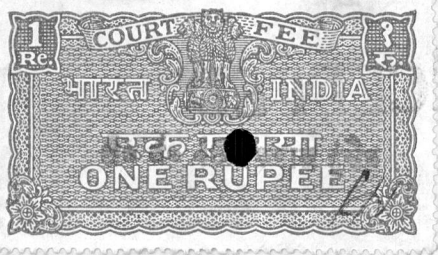
Lucknow Bench, Lucknow.

Civil Misc. An. No. 2493 of 1980

(10)

Inre:

Writ Petition No. 1134 of 1980



Husain Mirza son of Mohd. Nawab, aged about 55 years,  
resident of Bazar Khala, Imam Ka Chabutra, H.No. 108  
Lucknow.

..... Applicant.

Versus

1. Divisional Rail Manager, Northern Railway,  
Mahatma Gandhi Marg, Hazratganj, Lucknow.
2. Divisional Superintendent, Northern Railway,  
Mahatma Gandhi Marg, Hazratganj, Lucknow.
3. Personnel Assistant, Northern Railway, Mahatma  
Gandhi Marg, Hazratganj, Lucknow.
4. Assistant Mechanical Engineer (Loco), Northern  
Railway, Lucknow.

..... Opposite Parties.

Application for stay Interim Relief

In view of the facts and circumstances stated in the accompanying writ petition it is most respectfully prayed that the further operation and further implementation of the impugned order No. 816/1-5/Husain Mirza, dated 29.9.79 contained in Annexure No.2 be stayed and the Opposite Parties be further directed to permit the petitioner to rejoin his services and continue his job which he was doing prior to his pre-mature retirement until the decision of the writ petition and opposite parties be also directed to give him the arrears of his salary since the date of his being illegally retired on the basis of the impugned order, till now.

Lucknow:Dated:

April 10, 1980

( S.C. Misra )

Advocate

Counsel for the applicant.

28/5/80  
18/4/80



(10)

Hon S.C. Mathur, J.

12 ✓  
The petition in which this application for interim relief has been made is directed against an order of retirement dated 29-9-79 contained in Annexure 2 to the writ petition. This document indicates that the petitioner was retired with effect from 30-9-79. No interim order was passed in favour of the petitioner with the consequence that the petitioner is already enjoying his retirement and now only six months are left for the petitioner to retire even according to the age given by him. In the circumstances no case for interim order has been made out.

The application is rejected.

Hon. H.S.J.  
Hon. S.C. Mathur, J.

Justice Wode

18.6.1980  
Civ

2

kel

N

11-1-82.

A13 2045 25/1

In the Hon'ble High Court of Judicature at Allahabad,  
Lucknow Bench, Lucknow. (11)

Writ Petition No. 1184 of 1980

Writ Petition under Article 226  
of the Constitution of India.

Husain Mirza aged about 55 years, son of Mohammad  
Nawab, resident of Bazar Khala, Imam Ka Chabutra,  
House No. 105, Lucknow.

..... Petitioner

Versus

- ✓ 1. Divisional Rail Manager, Northern Railway,  
Mahatma Gandhi Marg, Hazratganj, Lucknow.
2. Divisional Superintendent, Northern Railway,  
Mahatma Gandhi Marg, Hazratganj, Lucknow.
3. Personnel Assistant Officer, Northern Railway,  
Mahatma Gandhi Marg, Hazratganj, Lucknow.
4. Assistant Mechanical Engineer (Loco), Northern  
Railway, Lucknow.

..... Opposite Parties.

The humble petitioner named above begs to state  
as under:-

1. That the present Writ Petition is being filed  
against the pre-mature retirement being made of the  
petitioner, vide ~~xxx~~ order dated 9.10.79.
2. That the petitioner worked in East India Railway



1/10/80



11

MEMO.

one impressed C.P.L. of No 8012  
five adhesive C.P.L. of No 8012  
Total 10012 - 10012

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

In time up to

Papers filed. Copy of P  
should also be filed  
Single - Bench

11 quinquies as projected.

12 Brands  
10/4/1908

Hon: H.S.J.

Hon: S.C. Mathur, J.

Admit: One  
notice.

18/4/1908  
Cry

L.H.

A9

(A/12)

CIVIL  
SIDE  
CRIMINAL

## GENERAL INDEX

(Chapter XLI, Rules 2, 9 and 15) A11,

Nature and number of case W.P. 1134 of 80Name of parties Husain Nozga vs. Divisional Jail Manager H.R. Hko nos.Date of institution 18-4-80

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
A	1	General Index	1		Rs. P.			
	2.	C.M. No. 2493(W)-80		1-	500			
A	3	Ground Petition	15-	7	102			
		as affidavit						
A	3	ordersheet	1					
B	4	Power	1	2	5-			
B	5	<del>C.M. No. 2493</del>	<del>2</del>	<del>2</del>	<del>5-</del>			
		(b) 80						
	5-	order sheet	1-	-	-			
	6.	Brief Copy	1-	-	-			

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 \_\_\_\_\_



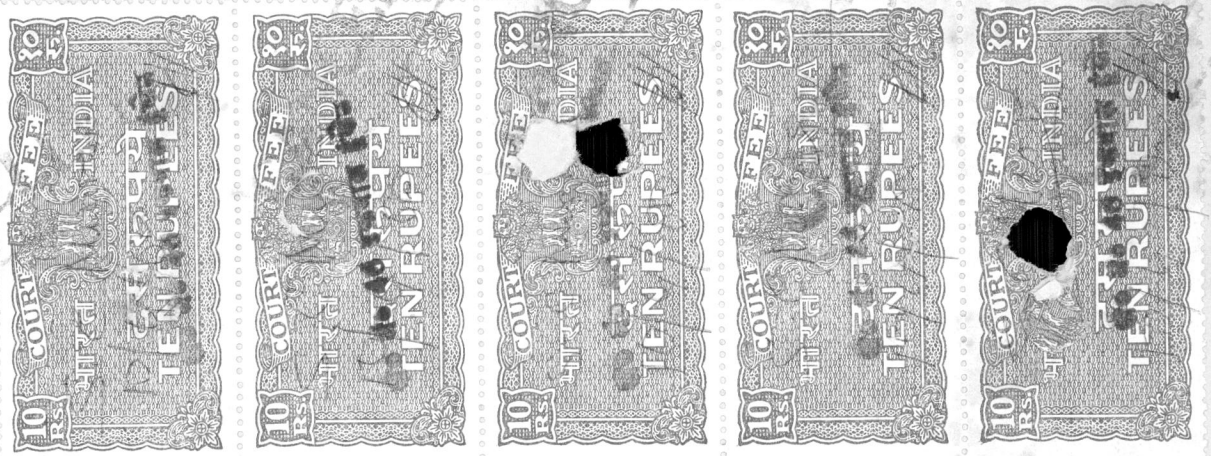
I have this \_\_\_\_\_ day of \_\_\_\_\_ 197\_\_\_\_\_, examined the record and compared the entries on this sheet with the papers on the record. I have made all necessary corrections and certify that the paper correspond with the general index, that they bear court-fee stamps of the aggregate value 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.

**Clerk.**



# INDIA COURT FEE

50Rs.



2902 The Honble Hgh Court of Judicature at Allahabad (Lucknow Bench)

Lucknow  
Vol. No 1134/1800

Husain Muzza H. Jellie

Deansonal Road Manager, N. Railway  
Lucknow Station

Opposite gate

curry



कम नम्बर 289 दिनांक 10.4.80  
नाम वास्तव, सकुन्त 3-8-11-80  
स्वीकार स्तम्भ Advoceat  
हस्त 155 मूल्य Rs. 50/2  
तमिः नमः इकवान हुमैन,  
रक्त नियाया तय, लखनऊ

AN

Genl. 13 (1)

114

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

Writ Petition No. 1184 of 1980.

Husain Mirza

.... Petitioner

Versus

Divisional Rail Manager  
N.R. Lucknow and others

..... Opposite Parties.

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6.	Annexure No. 4 Representation of Petitioner	12 - 13
7.	Affidavit	14 - 15
8.	Vakalatnama	16

Lucknow:Dated:

April 18, 1980

( S.C. Misra )

Advocate

Counsel for the petitioner.

حسین میرزا



as Weigh-man since 1944-47. Thereafter the petitioner was re-employed on 20.8.63 on the post of call-man in the grade of Rs.70-85. A true copy of the appointment letter issued to the petitioner is being annexed herewith as Annexure No.1 to this Writ Petition.

3. That since 1963 the petitioner worked efficiently and without any break and was therefore automatically confirmed after 3 years on his regular service. Since then his Provident Funds was also deducted from his pay. The petitioner was getting Rs.217/- at the time of his pre-mature retirement.

4. That the petitioner was suddenly handed over a letter dated 9.10.79 by which he was informed that he has been ~~retired~~<sup>retired</sup> from his services w.e.f. 30.9.79. The original letter received by the petitioner dated 9.10.79 is annexed herewith as Annexure No. 2 to this Writ Petition.

5. That the age of the retirement of the petitioner was 58 years while by the impugned ~~order~~<sup>about</sup> the petitioner has been pre-mature retired at the age of <sup>about</sup> 55 years only, as the date of birth of the petitioner is 1.7.1924. According to which the petitioner had attained the age of <sup>about</sup> 55 years only on the date when he was retired.

6. That at the time of his re-appointment on 20.8.63 the petitioner had furnished his Transfer certificate of Industrial Basic School, Lucknow, to the Opposite Parties which is in the records of <sup>his</sup> service file.



1/205



7. That the said Transfer Certificate shows the date of birth of the petitioner as 1.7.1924.

8. That the petitioner has obtained a copy of the said Transfer Certificate from the said School which has been issued to him on 21.8.79. The <sup>✓ Photostat copy of</sup> ~~original~~ certificate received by the petitioner from the said school is being annexed herewith as Annexure No. 3 to this Writ Petition.

9. That the petitioner was pressed to receive the above said impugned order of pre-mature retirement, <sup>✓</sup> as the same was passed without even considering the file of the petitioner's service record, which contain the said transfer certificate and which shows the petitioner's age and date of birth of 1.7.1924.

10. That the impugned order dated 9.10.79 clearly shows that the name of the petitioner was not published in the retirement list of the year 1979 and inspite of that the petitioner was suddenly retired on 9.10.79 w.e.f. 30.9.79, which is clearly illegal and void order taking away the right of the petitioner to work in his post <sup>✓</sup> at least about 3 more years.

11. That all the other retirement of other workers who were similarly placed to the position of the petitioner for the last several years have <sup>✓</sup> been made at the age of 58 years only, while the petitioner was retired at the age of 55 years which is descriminatry under Article 14 of the Constitution of India.



1/5-5



12. That at the time of the petitioner's pre-mature retirement, the petitioner was working with entire satisfaction of his immediate superiors and was clearly fit to serve the department for another 3 years i.e. till the age of 58 years, but inspite of that he was ~~was~~ illegally retired from his services without giving him any letter in connection of his retirement and without publishing his name in retirement list of the year 1979.

13. That the petitioner came to know about his retirement orders having been passed by the letter dated 9.10.79 addressed to him which reveal that the petitioner was retired by Opposite Party No. vide letter No. 816/1-5/Husain Mirza dated 29.9.79. A copy of which has not been served to the petitioner as yet and the same being illegal, deserves to be quashed.

14. That the petitioner who is a very poor man and having family of consisting of 8 members met the opposite parties several times after passing of the impugned retirement order and also gave them written representations, requesting ~~with~~ that his case be considered and he be given justice by re-calling the impugned retirement order ~~xxxx~~ and permitting him to continue his services till the age of 58 years but unfortunately no heed has been paid to the various representations and requests made by the petitioner to the opposite parties and it has become very difficult for the petitioner to pull on his family in these hard days. The copy of the last representation made by the petitioner to the Opposite Party No. 1 on 25.2.80 is being annexed herewith as Annexure No. 4.



1/10/84



15. That some delay has been caused in filing the present writ petition, as the petitioner was hoping that some result will come out, out of his representations and requests made to the Opposite Parties and when he finally lost all the hopes from that then he with great difficulties collected money for getting file the present writ petition<sup>filed</sup> and having been able to arrange the same he is fiiling the present writ petition at the very earliest opportunity available to him.

16. That aggrieved of the above said order and having no other alternative and efficacious remedy the petitioner is filing the present writ petition amongst others on the following grounds:-

GROUNDS

I. Because the impugned order dated 9.10.79 clearly shows that the name of the petitioner was not published in the retirement list of the year 1979 and inspite of that the petitioner was suddenly retired on 9.10.79 w.e.f. 30.9.79, which is clearly illegal and void order taking away the right of the petitioner to work in his post for at least about 3 more years.

II. Because all the other retirement of other workers who were similarly placed to the position of the petitioner for the last several years have<sup>I been</sup> made at the age of 58 years only, while the petitioner was retired at the age of 55 years which is descriminatry under Article 14<sup>I and 16</sup> of the Constitution of India.

III. Because at the time of the petitioner's pre-mature retirement, the petitioner was working with entire



satisfaction of his immediate superiors and was clearly fit to serve the department for another 3 years, i.e. till the age of 58 years, but inspite of that he was illegally retired from his services without giving him any <sup>order</sup> letter in connection of his retirement and without publishing his name in retirement list of the year 1979.

IV. Because the impugned order of retiring the petitioner early at the age of 55 years is illegal, arbitray and malafide and the same is against all the principles of natural justices.

V. Because the impugned order of retirement is violation of Article 14, 16 and 19 of the Constitution of India.

Wherefore, the petitioner prays for the following reliefs:-

(a) To issue a writ, director or order in the nature of certiorari quashing the impugned order No. 816/1-5/Hussain Mirza dated 29.9.79 after calling the same from Opposite Parties and to quash the letter dated 9.10.79 contained in Annexure No. 2, issued by the opposite party no. 4 to the petitioner.

(b) To issue a writ, diction or order in the nature of Mandamus directing the Opposite Parties to treat the petitioner to be in service since before 30.9.79 continuously and to give the petitioner arrears of his salary with allowances from the date of his pre-mature retirement till the date of the decision of the Writ Petition, i.e. during which period ~~xxxx~~ he was not permitted to work.

1/5-

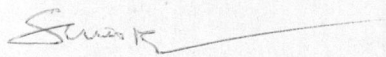


(c) To issue a writ, direction or orders in the nature of Mandamus directing the Opposite Parties to stay the effect of the impugned order of retirement and permit the petitioner to continue in his job which he was doing before the impugned order have been passed.

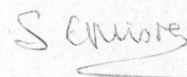
(d) Any such other orders as this Hon'ble Court deem just and proper in the facts and circumstances of the case in favour of the petitioner.

(e) Cost of the petition be allowed to the petitioner against the opposite parties.

Lucknow:Dated:  
April 18, 1980.

  
( S.C. Misra )  
Advocate  
Counsel for the petitioner.

There is no defect in the writ petition.



حسین میرزا



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

Writ Petition No. of 1980.

Husain Mirza .... Petitioner

Versus

~~Divisi~~  
Divisional Rail Manager, N.R.,  
Lucknow and others. .... Opp. Parties.

Annexure No. 1

NORTHERN RAILWAY

No.558/Pak/Confdl/157

Divisional Supdt's Office,  
Lucknow, the 20.8.63.

Sri Husain Mirza,  
Imam Rasool Agha Baqar,  
Tarkari Mandi, Chowk,  
Lucknow.

Reg: Absorption of Pakistan Opting Staff

I am prepared to re-appoint you temporarily as  
callman in grade 70-85. If you fail to turn up within a  
month's time from this date of issue of this letter/ you  
will forfeit your claim for re-appointment on this Railway.

You will be required to take oath of allegiance to  
the INDIAN DOMINION in the form prescribed below:

"I do swear/solemnly affirm that I  
will be faithful and bear true allegiance to India and to  
the Constitution of India as by Law established and that  
I will loyally carry out the duties of my office, so  
help me God."

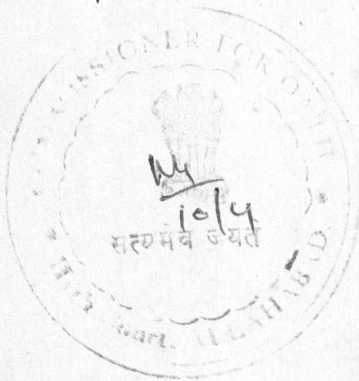
NOTE- Conscientious objectors to oath taking may strike  
out the word 'Swear' from the above declaration.

Sd/- Illegible  
Asstt. Personnel Officer, Lucknow.

I willingly agree to accept the job offered and solemnly  
declare that I shall remain loyal to the Govt. of India.

Sd/- Illegible ( In urdu )  
30.8.63.

True copy.



1/305-



A21

9

(22)

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

Writ Petition No. of 1980.

Husain Mirza

.... Petitioner

Versus

Divisional Rail Manager,  
N.R. Lucknow and others.

..... Opposite Parties.

Annexure No. 2

Northern Railway

No. E.C. 11/41/79

Office of the  
AMR (2) / 100  
Dt. 9-10-79.

To,

Shri Husain Mirza,  
Callman, T.No. 855.

This is to inform you that  
the name of employee was not  
published in the Retirement List  
of the employee of Lucknow Division  
for the year 1979.

On receipt of the T.P. Sheet  
No. 016/1-5/Hazratnagar dt. 22-9-79 on  
30-9-79 Shri Husain Mirza, Callman  
T.No. 855 has been retired with  
effect from 30-9-79 AN.

Asstt. Mech. (Loco)

M. S. LUCKNOW

Asstt. Mech. Engineer (C)

N.R. - Lucknow

1/7/5

1/7/5





A22

10

(23)

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

Writ Petition No. of 1980.

Hussain Mirza

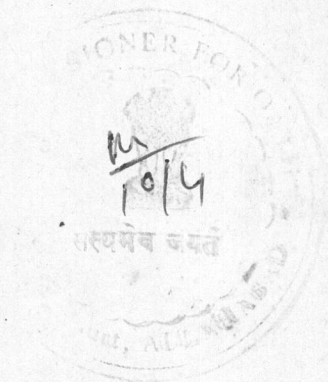
.... Petitioner

Versus

Divisional Rail Manager,  
N.R. Lucknow and others.

..... Opposite Parties.

Annexure No. 3



حسین میرزا



# इण्डस्ट्रियल बेसिक स्कूल, लखनऊ

S. Register No. १२३

## स्कांलर रजिस्टर तथा टी० सी० फार्म Scholar's Register & Transfer Certificate

प्रवेश फाइल सं०.....

विश्रुत फाइल सं०.....

टी० सी० फाइल सं०.....

Admission File No.....

Withdrawal File No.....

T. C. File No.....

छात्र का नाम तथा धर्म Name of the Scholar with Caste If Hindu, otherwise religion		संरक्षक का नाम व्यवसाय तथा पता Name occupation and address of parent or guardian		छात्र को जन्म तिथि Date of Birth	अन्तिम संस्थान जहाँ कि विद्यार्थी ने इसके पहले शिक्षा पाई हो	
हुसेन मिर्जा (मुस्लिम)		श्री मो० नालाक आगा वाकर का ब्रह्म ब्राह्म, सक्की मंडी चौक, लखनऊ		१-६-१९२४	X	
कक्षा Class	प्रवेश तिथि Date of Admission	उत्तीर्ण तिथि Date of Promotion	त्याग तिथि Date of Removal	बलग होने का कारण Cause of removal i. e. Non payment of dues removal of family, expulsion, etc.	वर्ष Year	चरित्र और कार्य Conduct and work
K. G.						
1	I					
2	II					
3	III	१३ ५ ३४	३० ५ ३५		१९३४- ३५	अच्छा एवं सन्तोष उत्तीर्ण
4	IV	१ ५ ३५	३० ५ ३६	३० ६ ३६	१९३५- ३६	अच्छा एवं सन्तोष उत्तीर्ण
5	V					
6	VI					
7	VII					
8	VIII					
9	IX					
10	X					
11	XI					
12	XII					

यह प्रमाणित किया जाता है कि उपर्युक्त छात्र लेखा पत्रक शिक्षा विभाग के विधानानुसार त्याग तिथि तक यथोचित लिखा गया है।  
 Certified that above Scholar's Register has been posted up to date scholar's leaving as required by the

Department Rules.

टिप्पणी : यदि छात्र कक्षा में प्रथम पांच छात्रों में योगदानानुसार हो तो कार्य कोष्ठ में विवरण दे देना चाहिए। कक्षा IX से कक्षा XII के बीच अगर विद्यार्थी संस्था छोड़ता है तो उसकी उपस्थिति भी इस आदेश पत्र में अंकित कर देना चाहिए।

प्रधानाचार्य



A24  
12 12 (55)

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

Writ Petition No.        of 1980.

Husain Mirza                                .....        Petitioner

Versus

Divisional Rail Manager  
N.R. and others.                                .....        Opposite Parties.

Annexure No. 4

The Divl. Rail Manager,  
Northern Railway,  
Lucknow.

Through Proper Channel

Ref: Retirement

Sir,

I beg to say that I was re-appointed on the N.Railway on and from ~~xxx~~ 1.9.1963 and I was 39 years of age at the time of my Re-appointment.

That I have come to know through your letter No. EG/1/Pt II/79 dt 9.10.79 which clearly shows that my name was not published in the Retirement list for the last year of 1979.

That my date of birth is 1.7.1924 which shows that I have been retired from the Railway Services only in the age of 55 years two months and 29 days.

That all the Retirements which have been effected since last over three years are in the age of the 58 years but unfortunately I have been deprived off with the same benefit of 3 years after completing the age of 55 years.

That after completing the age of 55 years, I was working with the entire satisfaction of my immediate superiors and could served the department only a period

1/10/80



of two months and twenty nine days I was retired from y  
my service without giving me any letter in connection of  
my retirement.

That on 9.10.79 a copy of letter No. EG/I/Pt-II/79  
Dt. 9.10.79 was issued to me, by which it came to my  
knowledge that I have been retired vide your letter  
No. 816/1-5/Husain Mirza dated 29.9.79 received by  
LF/ Lko dated 30.9.79.

Sir, I am a poor man having a family consisting  
of 8 members and it seems to be very difficult for me  
to pullon my family in these critical days.

I am not too old enough and could work without  
any brake upto a period of three years hence ~~an~~ request  
you to kindly allow me an extention of three years more  
in service to enable me to pullon my family and to  
Retire in the age of 58 years just like others.

I hope that your honour may not disappoint me  
and would not deprive me with the boon asked for.

For Which I shall be grateful.

Faithfully yours

Husain Mirza

Ex.call man 855  
R/o 105, Imam Ka Chabutra,  
Asharfabad, Lucknow.

Dated: Lucknow.

25.2.1980.

True copy.

WY  
10/4

1/10/80



A26  
14  
14  
(26)

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

Lucknow Bench, Lucknow.

Writ Petition No.        of 1980.

1980  
AFFIDAVIT  
63  
HIGH COURT  
ALLAHABAD



Husain Mirza

... Petitioner

Versus

Divisional Rail Manager,

N.R. Lucknow and others.

... Opposite Parties.

Affidavit

I, Husain Mirza aged about 55 years, son of  
Mohammad Nawab, resident of Imam Ka Chabutra, House  
No. 105, Lucknow, do hereby solemnly affirm and  
state as under:-

1. That the deponent is the petitioner in the above  
noted case and is well conversant with the facts of  
the case.

2. That the contents of paras 1 to 15 of the  
accompanying writ petition are true to my own knowledge.

1/10/80



3. Annexures 1 and 4 ~~are~~ of the accompanying writ  
petition are true copies and they have been duly  
compared with their originals.

Lucknow:Dated:

April 10, 1980.

*[Signature]*

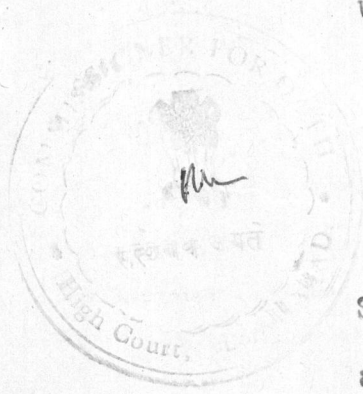
I, the above-named deponent  
do hereby verify that the contents  
of paras 1 to 3 of this affidavit  
are true to my own own knowledge  
and no part of it is false and no-  
thing material has been concealed,  
so help me God.

I identify the deponent  
who has signed before me.

*[Signature]*

Deponent

Advocate.



Solemnly affirmed before me on April 10, 1980  
at 8.30 a.m./p.m. by Sri Husain Mirza, the deponent  
that he understands the contents of this affidavit  
which has been read out and explained by me.

*M. L. Yadav*

M L YADAV  
OATH COMMISSIONER  
High Court, Allahabad,  
Lucknow Bench.  
No. 63/325  
Date 10.4.80



Lt. Honble Hyl Comr of Industries at Allahabad  
(Subtype at Lucknow) A28

ब अदालत श्रीमान

महोदय

बादी अपीलान्त

का

वकालतनामा

प्रतिवादी रेस्पान्डेन्ट



20/10/1928  
10/11/1928

Hussain Majeed

District Rail Manager  
P. R. Lucknow & Others

बनाम

बादी (मुद्ई)

प्रतिवादी (मुद्आलेह)

न० मुकद्दमा

सन १९

पेशी की ता०

१९

ई०

ऊपर लिखे मुकद्दमा में अपनी ओर से श्री

Satish Chandra Mookherjee Adv

एडवोकेट

महोदय

वकील

नाम अदालत

न० मुकद्दमा

नाम फरिक्ते

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 जवाबदेही व प्रश्नोत्तर करें या अन्य कोई कागज दाखिल करें या लौटावें या हमारी ओर से डिगरी जारी करावें और रुपया वसूल करें या सुलहनामा या इकबाल दावा तथा अपील व निगरानी हमारी ओर से हमारे या अपने हस्ताक्षर से दाखिल करें और दस्तदीक करें या मुकद्दमा उठावें या कोई रुपया जमा करें या हमारी या विपक्ष (फरीकसानी) का दाखिल किया हुआ रुपया अपने या हमारे हस्ताक्षर युक्त (दस्तखति) रसीद से लेवें या पंच नियुक्त करें—वकील महोदय द्वारा की गई वह सब कार्यवाही हमको स्वयं स्वीकार है और होगी मैं यह 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 कि प्रमाण रहे और समय पर काम आवे।

हस्ताक्षर

साक्षी [गवाह]

साक्षी [गवाह]

दिनांक

महीना

सन् १९

आर० बी० सिन्हा

नं, दार : कलेक्ट्री लखनऊ

Accepted  
Sd/-  
Adv



दीवानी विभाग

हाई कोर्ट इलाहाबाद

N  
704

B46

A  
29

(अध्याय १२, नियम १ और ७)

प्रकीर्ण (मुतफरि) प्रार्थना पत्र सं० - - - - - सन् १६ ई०

--- W.P.N. सं० --- 34 --- सन् १६ ई० में

--- हरर मित्र --- प्राणी

प्रति  
--- दिवजगल रेल मैनजर साहेब रेलवे ---  
प्रत्यक्ष

दिवजगल रेल मैनजर साहेब रेलवे  
साहेबाना गाँधी जी हरर गाँधी

चूँकि ऊपर लिखे प्राणी ने इस न्यायालय में उपर्युक्त त मुकदमे के सम्बन्ध में --- के बाद  
के --- --- --- लिए प्रार्थना पत्र दिया है अतः आपका आदेश दिया जाता है कि  
आप दिनांक --- मास --- --- सन् १६ ई० का या उससे पहले उपरिष्ठत हाँकर 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, जाँ आपकी आँर से कार्य करने के लिये कानूनन अधिकृत  
हो, --- न होंगे तो उस प्रार्थना पत्र की सुनवाई और निर्णय आपकी अनुपस्थिति  
में हो

प्राणी द्वारा दिये गये शपथ पत्र की एक प्रतिलिपि इसी के साथ

लगी --- न्यायालय की माँहर से आज दिनांक --- मास --- सन् १६ ई०

काँ --- के एडवोकेट

P. R. Bhatnagar

डिप्टी रजिस्ट्रार  
इलाहाबाद, लखनऊ

के नियमावली के अध्याय ३७, नियम ३ के अधीन

तेलवाना गाँधी वाल के वल के हस्ताक्षर





B48

703

A/31

3/9/80

वाकाना विभाग

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

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

W.P.N. सं० - - - 11-34 - - - सन १९८० ई० में

हुशैन मिर्जा

प्रति

डिवेजनल इल नैनेपुर नसिर रेलवे लार्क  
डिवेजनल कुवश्टेन्डन नसिर रेलवे प्रत्यधी  
सहायता कांची नगी हायवे गे प लार्क

प्रत्यधी के नाम

चूंकि ऊपर लिखे प्राधी ने इस न्यायालय में उपर्युक्त मुकदमें के सम्बन्ध में

ले लिखे प्रार्थना-पत्र दिया है, अतः आपको सूचित

दिया जाता है कि आप दिनांक - - - ८ - - मास - 10 - - सन 80 को या उससे

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

उक्त प्रार्थना-पत्र की सुनवाई उसके बाद नियमावली के अनुसार 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 लिए कानूनन

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

क्रमांक/No.

703

078

Amount of Stamps (in figures) Rs. 3.00 P. 35

Received a Registered Insured Date 2-8-80

पानेवाले का नाम Address to मयनगढ़

बीमे का रकम (अंकों में) (शब्दों में) Insured or Rs. (in figures) (In words)

बीमा शुल्क रु० पै० वजन (शब्दों में) Insurance fee Rs. P. Weight (in words)

भेजनेवाले का नाम व पता Name and address of sender

डाकघर निर्देशिका में दी गई शर्तों के अधीन जारी की गई Issued subject to terms and conditions in P. O. guide

पानेवाले अधिकारी के हस्ताक्षर Signature of Receiver Office

तेलिलिपि उसी के साथ

28 - मास 80

रजिस्ट्रार

विद। लखनऊ

सूचना - इस न्यायालय की १९५२ की नियमावली के अध्याय ३६, नियम २ के अधीन प्राप्त तत्त्वाना मिल गया। तत्त्वाना पाने वाले क्लर्क के हस्ताक्षर



न्यायाधीश विभाग

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

प्रकीर्णक (मुतफरिफ) प्रार्थना-पत्र संख्या - - - - -

सन १६ ई०

W.P.V.

सं० - - - - -

१३५

सन १६८०

ई० में

प्राथी

प्रति

प्रत्यथी

प्रत्यथी के नाम

चूंकि ऊपर लिखे प्राथी ने इस न्यायालय में उपर्युक्त मुकदमें के सम्बन्ध में  
ले लिये प्रार्थना-पत्र दिया है, अतः आपको सूचित  
दिया जाता है कि आप दिनांक - - - - - मास - - - - - सन १० 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 लिए कायूनन  
अधिकृत हो, उपस्थित न होंगे तो उक्त प्रार्थना पत्र को सुनवाई और निर्णय आपकी  
अनुपस्थिति में हो जायेंगे।

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

मेरे हस्ताक्षर और न्यायालय की मोहर से आज दिनांक - - - - - मास

सन १६

को जारी किया गया।

तिथि - - - - -

डिप्टी रजिस्ट्रार

इलाहाबाद। लखनऊ

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

तत्वाना पाने वाले क्लर्क के हस्ताक्षर

आवासी विभाग

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

प्रकीर्णक (मुतफरिफ) प्रार्थना-पत्र संख्या - - - - - सन १९ ८०

W.P.M. सं० - - - - - 1134 सन १९ ८० ई० में

हुशैब मिजा

विजयल रेल मैनेजर मादिन रेलवे

कॉन्स्टेबल नून सिनल इंजीनियर (लोको)

मादिन रेलवे लाहौर

प्रत्यक्षी के नाम

चूंकि ऊपर लिखे प्रार्थी ने इस न्यायालय में उपर्युक्त मुकदमें के सम्बन्ध में  
ले लिये प्रार्थना-पत्र दिया है, अतः आपको सूचित  
दिया जाता है कि आप दिनांक - 8 - मास - 10 - सन 80 को या उसके  
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

शर्तों के अधीन जारी की गई  
Issued subject to terms and  
conditions in P. O. guide

पानेवाले अधिकारी के हस्ताक्षर  
Signature of Receiver

निर्णय आपकी -

उपि उसी के साथ

726 क्रमांक/No. 083

लगाए गए डाक टिकटों का मूल्य रु० 3...पै० 25  
Amount of Stamps affixed

एक रजिस्ट्री बीमा\* 300 रु० 19  
Received a Registered Insurance Policy

पानेवाले का नाम  
Addressed to

बीमा की रकम (अंकों में) (शब्दों में)  
Insured for Rs. (in figures) (in words)

बीमा शुल्क रु० पै० वजन (शब्दों में)  
Insurance fee Rs. P. Weight (in words)

भेजनेवाले का नाम व पता  
Name and address of sender

डाकघर निर्देशिका में दी गई  
Issued subject to terms and  
conditions in P. O. guide

पानेवाले अधिकारी के हस्ताक्षर  
Signature of Receiving Officer

जस्ट्रार

लखनऊ

सूचना - इस न्यायालय को १९५२ की नियमावली के बख्शाय ३६, नियम २ के बाधो न  
प्राप्त तत्त्वाना मिल गया।

तत्त्वाना पाने वाले क्लर्क के हस्ताक्षर



न्यायाधीश विभाग

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

प्रतीपत्र (पुनर्जाति) प्रार्थना-पत्र संख्या

२५९३(७)-१०

सन १६

६०

सं०-

११३५

सन १६

४०

६० में

इशारा मिला

प्राप्त

विषयगत प्रति रेल मैनजर नादिन रेलवे

प्रत्यक्ष

आपका हस्ताक्षर सुनिश्चित उपाय (लोका)

नादिन रेलवे एरवगार

प्रत्यक्ष के नाम

चूंकि ऊपर लिखे प्राप्ति में इस न्यायालय में उपर्युक्त मुकदमें के सम्बन्ध में  
 ले लिये प्रार्थना-पत्र दिया है, अतः आपको सूचित  
 किया जाता है कि आप दिनांक - ८ - मास - १० - सन १६ को या उसके  
 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 लिए कानूनन  
 अधिकृत हो, उपस्थित न हों तो उक्त प्रार्थना पत्र को सुनवाई और निर्णय आपकी  
 अनुपस्थिति में हो जायेंगे।  
 प्रार्थना पत्र और प्राप्ति द्वारा दिए गए शपथ-पत्र की एक-एक प्रतिलिपि उसी के साथ  
 लगी है।

मेरे हस्ताक्षर और न्यायालय की मोहर सेवाज दिनांक - २१ - मास १६

को जारी किया गया।

सन १६ १४  
 के एडवोकेट



तिथि - - - - -

डिप्टी रजिस्ट्रार  
इलाहाबाद। लखनऊ

सूचना - इस न्यायालय को १६५२ की नियमवली के अध्याय ३६, नियम २ के बाधोन  
 प्राप्त तत्त्वाना मिल गया।

तत्त्वाना पाने वाले क्लर्क के हस्ताक्षर

3/9/80

N 725 852 35

आवासीय विभाग

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

प्रकीर्णक (मुतफरिफ) प्रार्थना-पत्र संख्या - - - - - सं १६ ६०

W.P.N. - सं - 1134 - सं १६ ८० ६० में

हुशैन मिजा

प्रति

डिविजनल इल मैनेजर चांदन इलवे

प्राथी

प्रत्यक्षा

प्रखण्डल जरीस्टेन्ट चांदन इलवे

महात्मा गांधी जोगि टावर वार्ड

न्यायी के नाम

चूंकि ऊपर लिखे प्राथी ने इस न्यायालय में उपर्युक्त मुकदमें के सम्बन्ध में

ले लिये प्रार्थना-पत्र दिया है, अतः आपको सूचित  
दिया जाता है कि आप दिनांक - १ - मास - १० - सं - १६ को या उसके  
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  
एक एडवोकेट या ऐसे व्यक्ति द्वारा, जो आपकी ओर से कार्य करने के लिए कानूनन  
हो, उपस्थित न होंगे तो उक्त प्रार्थना पत्र को सुनवाई और निर्णय आपको  
में हो जायेंगे।

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

आप और न्यायालय की मोहर सेवाज दिनांक - २० - मास ८०

को भेजा गया।



P. R. D. Singh

डिप्टी रजिस्ट्रार

इलाहाबाद। लखनऊ

मिल गी १६५२ को नियमावली के अध्याय ३६, नियम २ के अधीन

तत्कालीन पाने वाले क्लर्क के हस्ताक्षर



वीराना विभाग

हाई कोर्ट इलाहाबाद

(अध्याय १२, नियम १ और ७)

प्रकीर्णक (मुतफरिफ) प्रार्थना-पत्र संख्या -

2493(4)-20

सन १६

६०

W.P.N.

सं०

1134

सन १६

८०

६० में

प्राथी

हुशैरा मिजा

प्रति

विशेषज्ञ-इल-मैन-जर-सोदरा-प्रत्यक्षी

प्रजापाल जरीगटेन्ट सोदरा इलव

साहाय्य-गार्द-मिजा-हजरत-वज

प्रत्यक्षी के नाम

चूंकि ऊपर लिखे प्राथी ने इस न्यायालय में उपर्युक्त मुकदमें के सम्बन्ध में

ले लिये प्रार्थना-पत्र दिया है, अतः आपको सूचित

दिया जाता है कि आप दिनांक - ८ - मास - १० - सन १६ को या उसके

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 लिए कानूनन

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

अनुपस्थिति में हो जायेंगे।

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

ली है।

मेरे हस्ताक्षर और न्यायालय की मोहर से आज दिनांक - २८ - मास १६

सन १६

को जारी किया गया।

११ मास १६ - के एडवोकेट

तिथि -

P. R. D. B. S. S.

डिप्टी रजिस्ट्रार

इलाहाबाद। लखनऊ

सूचना - इस न्यायालय को १६५२ की नियमावली के अध्याय ३६, नियम २ के अधीन

प्राप्त तत्वाना मिल गया।

तत्वाना पाने वाले क्लर्क के हस्ताक्षर

07 B54  
FC  
IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH  
23-A, Thornhill Road, Allahabad-211 001

\*\*\*\*

No. CAT/Alld/Jud/1003/35 Dated the 8/11/80

T.A.No. 670 of 1987. (T)

Husim Mirza Applicant's

Versus

D.R.M. N. Railway & others Respondent(s)

Husim Mirza, S/o Mohd. Nawab.  
To S/o Bazar Khala, Imam ka Chakutra,  
H. No. 105 Lucknow.

① Divisional Rail Manager, Northern  
Railway Mahatma Gandhi Marg—

Whereas the marginally noted cases has been  
transferred by High Court-Lko. under the provision  
of the Administrative Tribunal Act (No.13 of 1985)  
and registered in this Tribunal as above.

Writ Petition No. 1134  
of 1980.

of the Court of High  
Court-Lko arising out

of Order dated \_\_\_\_\_  
passed by \_\_\_\_\_ in

The Tribunal has fixed date  
of 20-10-1988. The

hearing of the matter at Gandhi Bhawan  
Lucknow (Opp Shaheed Smarak)

If no appearance is  
made on your behalf by your  
some one duly authorised to  
Act 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 \_\_\_\_\_ 198 .

— Harpatgani Lucknow.

② Divisional Superintendent  
Northern Railway Mahatma

Gandhi Marg, Harpatgani Lucknow.

DEPUTY REGISTRAR

③ Personnel Assistant, Northern Railway  
Mahatma, Gandhi Marg Harpatgani Lucknow.



④ Assistant Mechanical Engineer  
(Loco), Northern Railway Lucknow.

7

व अदालत श्रीमान *Pauline Amestradier Tribu de*  
*Circuit Baudoine* महादय  
॥ वादी ॥ अभीलान्त श्री

प्रतिवादी ॥ रेस्पान्डेन्ट ॥

*Monsieur Muzs*  
बनाम

*Monsieur d'Amore*

वादी ॥ अभीलान्त ॥

प्रतिवादी ॥ रेस्पान्डेन्ट ॥

मुकदमा सं० *670/87 (T)*

उमर मुकदमा में अपनी और से श्री

*Arjun Bhargava*

अवतार

*Az*

महादय

वकील

को अपना वकील नियुक्त करके ॥ इकरार ॥ करता हूँ और लिख देता हूँ कि इस मुकदमे में वकील महोदय स्वयं अथवा अन्य वकील द्वारा जो कुछ पेशवा व जवाब देही व प्रश्नोत्तर करे या कोई कागज दाखिल करें या लांटाते या हजारी और से डिगरी जारी करावें और खया वसूल करें या सुलहनामा या इकबाल दावा तथा अपील व निगरानी हमारी ओर से हमारे या अपने हस्ताक्षर से दाखिल करें और तसदीक करें या मुकदमा उठावें या कोई खया जहाँ करे या हमारी विपक्षी ॥ परीकसानी ॥ का दाखिल किया हुआ खया अपने या हमारे हस्ताक्षर युक्त ॥ दस्तखती ॥ रसीद से लेवे या पंच नियुक्त करें वकील महोदय द्वारा की गई वह सब कार्यवाही हमको स्वयं स्वीकार है और होगी इस लिये यह वकालतनामा लिख दिया कि प्रमाण रहे और समय पर काम आवें ।

हस्ताक्षर

*Arjun*

साक्षी ॥ गवाह ॥

साक्षी ॥ गवाह ॥

दिनांक

सहीना

193

ई०

नाम अदालत  
नं० मुकदमा  
नाम परीकस

*Accepted*  
*Arjun*  
*M*



C 56

A  
39

CENTRAL ADMINISTRATIVE TRIBUNAL

CIRCUIT BENCH, LUCKNOW

T.A.NO.670 of 1987(T)  
(W.P.NO.1134 of 1980)

Musain Mirza	.....	Applicant
	V ersus	
Union of India	.....	Respondents.

10.09.1990.

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

Hon'ble Mr. M.M. Singh, A.M.

Applicant in person.

Shri Arjun Bhargawa for respondents, says that no counter could be filed because records are not traceable. He, however requests that the applicant may be directed to produce the original of the scholar register & Transfer certificate.(Ann. 3). The applicant says that the original is with his counsel Shri S.C. Mishra. We think that both the parties are <sup>required</sup> to produce respective documents. The applicant is directed to produce the original of Ann. 3 on the next date. The respondents are directed to file counter in particular to indicate the result of Ann.-4 and in case they are not able to trace out the record to indicate in the counter what steps have been taken in that regard if that record got lost. Service record of the applicant, and in particular, top sheet dated 27.09.1979 referred to in Ann. - 2 shall also be filed by the respondents. List for final hearing on 29.11.1990. Copy of the order be given to counsel for respondents within 2 days.



*Checked by  
L  
12/9/90*

Sd/-

A.M.

Sd/-

V.C.

// True Copy //

Ms/

*Md 12/9/90*  
(Mohd. Umar Khan)  
Court Officer,  
Central Administrative Tribunal,  
Circuit Bench,  
LUCKNOW.

cb7 (90)

CENTRAL ADMINISTRATIVE TRIBUNAL  
LUCKNOW BENCH : LUCKNOW.

D.A. No. 670/87(T)

Husain Mirza ... Applicant.  
Versus.

Union of India & Ors.... Respondents.

Date : 4.11.91.

Hon. Mr. Justice U.C. Srivastava, V.C.

Hon. Mr. ~~XXXXXX~~ A.B. Gorthi, A.M.

Learned counsel for the applicant says  
that the applicant has died on 26.4.91 . Application,  
accordingly abates.



checked  
over  
2/12

A.M.  
Sd/-

V.C.  
Sd/-

M.P.

// True copy //

*[Signature]*  
Deputy Registrar  
Central Administrative Tribunal  
Lucknow Bench,  
Lucknow



C50  
(41)

CENTRAL ADMINISTRATIVE TRIBUNAL  
LUCKNOW BENCH : LUCKNOW.

B.A. No. 670/87(T)

Husain Mirza

...

Applicant.

Versus.

Union of India & Ors....

Respondents.

Date : 4.11.91.

Hon. Mr. Justice U.C. Srivastava, V.C.

Hon. Mr. ~~K. D. Singh~~ A.B. Gorthi, A.M.

2

Learned counsel for the applicant says

that the applicant has died on 26.4.91 . Application,

accordingly abates.

A.M.

V.C.

Sd/-

Sd/-

// True copy //

M.P.

C59 (42)

CENTRAL ADMINISTRATIVE TRIBUNAL  
LUCKNOW BENCH : LUCKNOW.

D.A. No. 670/87(T)

Husain Mirza

...

Applicant.

Versus.

Union of India & Ors....

Respondents.

Date : 4.11.91.

Hon. Mr. Justice U.C. Srivastava, V.C.

Hon. Mr. ~~XXXXXX~~ A.B. Gorthi, A.M.

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Learned counsel for the applicant says

that the applicant has died on 26.4.91 . Application,  
accordingly abates.

A.M.

Sd/-

V.C.

Sd/-

// True copy //

M.P.