

ANNEXURE

CENTRAL ADMINISTRATIVE TRIBUNAL
LUCKNOW BENCH LUCKNOW

INDEX SHEET

CAUSE TITLE T.A. 714.....OF1987.....

NAME OF THE PARTIES.....Gudi Lal.....
.....Applicant

Versus

.....Union of India & others.....Respondent

Part A,B & C

Sl. No.	Description of documents	Page
1	General Index	A-1
2	Order Sheet	A-2 A-25
3	Judgement 26-7-90	A-26 A-28
4	Petition	A-29 A-37
5	Annexure-	A-38 A-43
6	Affidavit	A-44 A-45
7	Supplement Affidavit	A-46 A-59
8	Application for an Ad-Intelegim order	A-60 A-75
9	Affidavit	A-76 A-77
10	Rejoinder	A-78 A-107
11	Application for Amendment	A-108 A-112
12	Affidavit	A-113 A-114
13	Additional Rejoinder Affidavit	A-115 A-119
14	Annexure	A-120 A-133
15	CERTIFICATE counter Affidavit	A-134 A-144
	Vakalatnam	A-145 A-148

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

Dated.....22/3/2011.....

File 13/c destroyed on 09-5-12

Counter Signed.....

Section Officer / In charge


 Signature of the
Dealing Assistant

GENERAL INDEX

(Chapter XLI, Rules 2, 9 and 15)

(A)

Nature and number of case..... W.P. No. 4977 - 82
 Name of parties..... Goel v. Goel vs. Union of India
 Date of institution..... 13-10-82. 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.			
1		W.P. with Annex 15 and affidavit		-	10/- 00			
2		Conv. 10546 (w) 082 f 84	1	-	5/-			
3		Power	1	-	5/-			
4		Conv. 13047 (w) 82 with Supplement affidavit	16	-	7/-			
5		Power	2	-	10/-			
6		Conv. 999 (w) 083 f. Amrit 6	1	-	5/-			
7		Conv. 402 (w) 085	16	-	5/-			
8		Affidavit	2	-	2/-			
9		Conv. 12721 (w) 084 with R.A. 31	31	-	7/-			
10		Conv. 9241 (w) 085	7	-	7/-			

I have this

day of

198

examined

I have 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

Date.....

Munsarim

Clerk

ORDER SHEET

IN THE HIGH COURT OF JUDICATURE AT ALLAHABAD

No. 1982

of 1982

Date	Note of progress of proceedings and routine orders	Dated of which case is adjourned
1	2	3
13/10/82	Hon. S. C. Mathur Hon. S. S. A. J.	
	<p>W.L. - Learned Counsel for the petitioner undertakes to serve the notice out of Court. The Office shall issue necessary notices fixing 6.11.82 for hearing. The notice shall specifically state that on that date the case shall be listed in Court before a Division Bench.</p>	
	Col. An. 105-66(4)-or	By
	Put up with the notice.	S.
	6.11.82 fixed for return date and for filing C.A in Civil No. 2 of 1982 1 to 3 by post Post.	S.
	By C.R. 6.11.82	By C.R. Received Dated 10/11/82 Served on O.D. No 1 to 3 - K.S. - 14/11/82

ORDER SHEET

IN THE HIGH COURT OF JUDICATURE AT ALLAHABAD

No. 4977

of 1982

Date Note of progress of proceedings and routine orders

Dated of
which
case is
adjourned

1

2

3

C.M.A.N. - 13047 C/82

161282

Sd/ KN. Misra,
Sd/ S. Ahmed,

Put up with record.

Sd/ KN. Misra
Sd/ S. Ahmed

16-12-82

Report

25-1-83

Opp. Ps are represented
by S. S. Sudharkar Varma.
Advised.

May Office proceed.

25-1-83

Yes

S.P.
25-1-83

25-2-83

J.T.C.

C.M. 13047(772)

C.L. 17

The O.C.S.

ORDER SHEET

IN THE HIGH COURT OF JUDICATURE AT ALLAHABAD

No. 16977

of 1982

vs.

(A6)

Date	Note of progress of proceedings and routine orders	Dated of which case is adjourned
1	2	3
	Fixed in CM. B.	cl 1 Am
	999(0) 13047(0) 02	Singh
A	25-10-83 Fixed in C.M. B. no 20	
	999(0) and 13047(0) 02	
	<u>Hosle S.C. Mather J.</u>	
	<p>The petitioner was aggrieved by order of revision passed against him. These orders were passed on 7-10-1982 and 19-10-82. By Court's order dated 11-11-82 operation of the revision orders was stayed. The petitioner's grievance is that in spite of the interim order passed by this Court, he is being treated as Guard-C in the scale of Rs. 330/- to Rs. 530/-.</p>	
	<p>On behalf of Sri opposite-party, Sri Siddhartha Verma has stated that orders have already been passed for compliance of this Court's order dated 11-11-82, and it has been provided that the petitioner will continue as Guard-B grade.</p>	
	<p>Sri Verma has placed copy of the order dated 17-12-82. In this order</p>	

Proceedings and routine orders	Date of which case is adjourned
2 mm 999-02 & 13047-82 for orders	3 10
Hon. S.C. Maitra, J S.D. 8/2/83 C	
20/11/83	A
2.12.83 Fixed in Cm. 999-82 and 13047-82 for orders. Hon. S.C. Maitra, J S.D. R.D.	P
9.12.83 Fixed — C	
16.12.83 Fixed — C Hon. S.C.M.J.	
Hon. S.C.M.J. No sitting on account of the sad demise of Sh. Laloo Singh. S.D. 15/2	4
C 16/12/83	
13.1.84 From Cm Draft the memorandum in LSSR	of 10 S

(AII)

Date	Note of progress of proceedings and routine orders	Date of which case is adjourned
1	2 18.1.05 <u>Final</u> <u>Cm. 402(7)S</u> K.M.H. 4-5 <u>By d</u> <u>(1)</u> <u>2 ton. marks ✓</u>	3
	<u>list in the next week</u> as proposed by Sri Shanna.	
	25.1.05 <u>Final C.M.</u> <u>402(7)S</u> <u>By d</u> <u>Not in order</u>	
25.1.05	<u>Cm. 402(7)S - Govt. Service</u> <u>from K.N.C.J.</u> Stand out at the <u>illness</u> <u>list</u> by M.P. Shanna. <u>list</u> in the <u>next</u> <u>week</u> .	
1.2.05	1.2.05 <u>Final</u> <u>Cm. 402(7)S</u> <u>2 ton. marks</u>	25.1.05

(413)

Date	Note of progress of proceedings and routine orders	Date of which case is adjourned
1	2	3
	<p>behaviour on the opposite party's case and also file. The same will be done within two weeks. Court adjourns to the amended petition may be filed within three weeks usually. Regular lists may be full within a week thereof. List itself.</p>	
	15/3/1985	
	18.10.85	
	29.10.85 (contd)	
	Correspondence	
	22/10/1985	
	18/10/85 CM An 405 (u) 85 2241 (u) 85 PO	
	the SCMS the GBSS	CMH
8-11-85	CM. 13/10/85 (u) 81 2241 (u) 81 for	

(A5)

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

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

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

17/9/87. DB

Applicant present in person.
Shri AK Jain appeared for the
resptt no. 1 to 3. None present for
the resptt. no. 4 and 5.

Put up with service report on

16/10/87.

Office report
As per postal
remained P-4
and P-5
'NOT MET'

DR (5)

Ans
16/10

16.10.87

Regr

Sir, A.C. have Adv. Present
on behalf of the Resptt. on the
request the case is adj. to 16.11.87
for reply.

Office report

Regr

fresh notice issued to Resptt 4 &
5 through DPM, as mentioned in
Application for 16.11.87 but no undelivered
copy cover have been return back.

Ans
12/11

(A12)

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

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

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

Registers

18/2/88.

Applicant - present in person.
Applied 26/2/88 as prayd.

26/2/88

Hon-S. Zahoor Hasan - V.
Hon - P-S. Misra - AM

Registers

Vakalatnama on behalf
of respondents No (4) has been
filed today and request for
filing court affidavit on his
behalf is made. He may do
so by 20/3/88. Restaurof
any may thereafter be filed
within ten days. Put up on
13/4/88 for hearing. Inform
the petitioner's counsel by
post.

✓

VE

Am.

SK

Office report

No Counter affidavit on behalf
of O.P. No. 4 has been filed. RT
also not filed.

JKS

114 PZ Lms - Regd. No. 323/5/88

10

B

T.A. 719/197

B D.R.

25.8.08

Counsel for both the parties
are present. One last opportunity
is granted for reply by 19.9.08

D.R.

Aug
25/08

19.9.08.

Despite several opportunity,
Counsel affidavit has not been
filed so far. He is given
one more opportunity to file
reply by 22.11.08.

If he fails to file reply
by ~~that~~ time, the case will be
listed before court for final
hearing on 23.11.08

See

22.11.08.

D.R.
No. reply filed. One
last opportunity is granted
for reply by 24.11.08.

If he fails to file
reply by this, the case will
be listed before court for
trial hearing on 25.11.08

25/11

D.R.

(P22)
T.A. 7/4/87 (T)

23/12/88

No sitting, Adjourned to 23/3/89.
for hearing.

form
23/12

27/3

OR
No supplementary counter affidavit has been filed
as directed by the court's vide order dt. 25-11-88
Submitted:

3
Jasish
27/3

28/3

Hon. Justice K. Nath, V.C
Hon. Mr. A. Johri, A.M

None is present for the parties.
The case is adjourned to 10-4-89 for
trial hearing.

3

A.M.

✓

V.C

9/4

OR
No counter affidavit has been filed
as directed by the court's vide order dt
25/11/89.
Submitted

3
Jasish
9/4

Hon' Mr. Ajay Johri, A.M.
Hon' Mr. D.K. Agrawal, J.M.

10/4/89 Opportunity was given to the respondents to file supplementary counter, but, no counter has been filed till today in spite of repeated opportunities having been given to them. A request has been received from the learned counsel for the respondents for adjournment of the case on account of his illness. The request made for is allowed. The case is adjourned to 25-4-89. In the meantime, respondents may file supplementary counter, if they want to do so. If no supplementary counter will be filed the case will be heard on the material, now available on the record.

✓
U.M.

3
A.M.

(sns)

7141/07 (1)

No. Sitt. 9. Adj. to 1490

24/7/09

14-9-09

24/7/09
20-9-09. Ad. 24/7/09
of Part 24/7/09. Ad. 24/7/09
of Part 24/7/09. Ad. 24/7/09

24/7

efo

28/9/09

Hon. Justice K. Rath, V.C.

Hon. K. Obayya, Am.

Car is ready to
be submitted to learned
27/9

Sum. Field Marshal V. Somaiya
files supplementary counts
on behalf of the opposite
parties to which the
appellant may file
supplementary rejoinder
and list for final
hearing on 22/11/89

Dr

VC

Am

Re.

Adj. to 31/1/90

No. Sitt. 10

23-11-09
22nd Wednesday
for election

31-1-90.

23-2-90

Adj. to

23/11/90

No. Supplementary RA
filed

Submitted for
leave h.

30/11

23/2/90

Hon. Justice K. Rath, V.C.

Hon. K. Obayya, Am.

On the request of the learned
Counsel for the parties list
the case for final hearing on 23/3/90.

Dr

VC

Am

23/2/90

(A25)

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

Shri M.P. Sharma, learned counsel for the applicant is said to be ill. Shri A.K. Gaur, learned counsel for the respondent is present. The case is adjourned to 24/7/1990.

D
A.M.

Jel
J.M.

or
S.P.M
20/7

24-7-90.

On the request of both the parties case is adj. to 26/7/90

Key B.O.C

Receiving
copy

To

Shri
27/7/90.
(Codicil)

Recd copy
of judgment
Shri
27/7/90.
B.G.A.

(A26)

CENTRAL ADMINISTRATIVE TRIBUNAL, CIRCUIT BENCH, LUCKNOW

Transfer Application No. 714 of 1987 (T)

— (Writ petition No. 4977/82 of
High Court of Judicature Al-
shabad, (Lucknow Bench),
Lucknow)

Godi Lal

.....

Applicant

Versus

Union of India & Others.....

Respondents

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

Hon'ble Mr. K. Obayya, A.M.

Writ petition No. 4977 of 1982 described above is before this Tribunal under Section 29 of the Administrative Tribunal Act, 1985, for quashing the order dated 07.10.1982 by which the applicant was reverted to the post of Guard grade 'C'.

2. Counter affidavit/Rejoinder affidavit have been exchanged and we have heard Shri M.P. Sharma, the learned counsel for the petitioner.

3. It is clear from the counter affidavit itself that the impugned order of reversion has been withdrawn. In ~~para~~ 12, 14 and 15 of the counter affidavit it is clearly indicated that by virtue of Annexure - SA-1 dated 19.10.1982 filed by the applicant and Annexures C-1 and Annexure C-II dated 17.12.82 filed with the counter affidavit, the original order of reversion has been cancelled and the petitioner has been appointed as Guard, Grad 'D'. Thus, so far this part of the controversy is concerned, it is settled in favour of the petitioner and it is held that the impugned order of reversion was invalid.

4. The question is as to what other benefits the petitioner is entitled for. Despite Annexure C-2

the petitioner has been promoted as Guard, Grade - 'C' in the pay scale of Rs. 330-560 and was placed in the order of seniority after Kheda Prasad vide seniority order dated 07.08.1982 (Annexure-3). Kheda Prasad was placed just above the petitioner at serial number 70(A). Mahip Ram was placed just below the applicant at serial number 71, while the petitioner himself was placed at serial No. 70(B). The background of this seniority list is the ultimate order dated 18.09.1982 (Annexure - SA2) filed alongwith the supplementary affidavit dated 14.12.1982. In para 6 of the supplementary affidavit the applicant has raised the grievance that on account of reversion order the petitioner was being treated as Guard, Grade 'C' in the pay scale of Rs. 330-560, while others who were promoted by the order dated 18.09.1982 (Annexure - SA2) were allowed to work as Guard, Grade - 'B' in the pay scale of Rs. 425-600. Annexure - SA2 is an order promoting 57 persons to the post of Guard, Grade 'B' in the pay scale of Rs. 425-600 in which the petitioner is placed at serial No. 53, where as Kheda Prasad is placed at serial No. 52 and Mahip Ram is placed at serial No. 54. In other words, both the senior and junior to the petitioner were posted and given benefits of the post of Guard, Grade 'B'. In the supplementary affidavit dated 27.09.1989, an explanation is sought to be made that there was an error in the placement of the applicant. We find no substance in this regard, and the true position appears from Annexures 2, 3 and SA2 read as a whole. The result of these documents is that the applicant must be given benefits of his promotion as Guard, Grade 'B' in the pay scale of Rs.425-600

in terms of the order Annexure - 2 which according to the petitioner was made effective from 01.06.1981 (although the order is dated 31.03.1981).

5. The petition is disposed of with the direction that the applicant/Godi Lal shall be treated to have continued to be promoted as Guard, Grade - 'D' in the pay scale of Rs. 425-600 w.e.f. 01.06.1981 and the respondents shall give him all the consequential benefits of his promotion.



(A.M.)



(V.C.)

Lucknow : Dated

July 26, 1990.

ES/

Group A14 (F)

8220

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

Lucknow Bench, Lucknow.

Writ Petition No.

U977 of 1982.

Godi Lal

.. Petitioner.

versus

Union of India and others.

.. Opp. Parties.

INDEX

Sl. no.	Particulars.	Page nos.
---------	--------------	-----------

1.	Writ Petition	1 - 7
2.	Annexure no. 1 - Copy of letter dated 21-9-1970	- 8 -
3.	Annexure no. 2 - Copy of letter dated 31-3-1981.	9 - 10
4.	Annexure no. 3 - Copy of order dated 7-8-1982.	11 - 12
5.	Annexure no. 4 - Copy of order passed on 7-10-1982.	- 13 -
6.	Affidavit	14 - 15
7.	POWER.	- 16 -
8.	Stay application.	- 17 -

Thanks

Lucknow, dated :

12-10-1982.

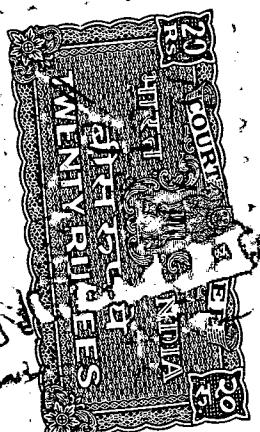
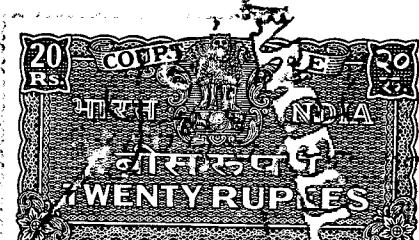
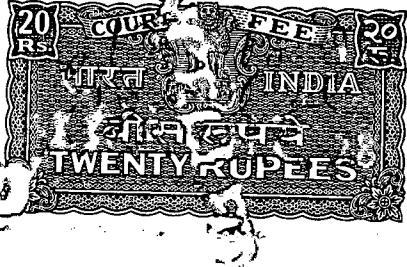
(Vinay Shankar)
Advocate,

Counsel for the petitioner.

(A29)

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

Writ Petition No. 4977 of 1982.



Godi Lal aged about 35 years, son of
Sri Chokhey Lal, Gaur, Northern Railway,
Charbagh, Lucknow, resident of B-Block,
Quartet No. 3668, near Tube Well No. 4,
Rajaji Puram colony, Ral Katora, Lucknow.

.. Petitioner.

Versus

1. Union of India, through the
General Manager, Northern Rail-
way, Baroda House, New Delhi.

2. Divisional Railway Manager,
Divisional Office, Northern
Railway, Hazratganj, Lucknow.

3. Divisional Personnel Officer,
Divisional Railway Managers
Office, Northern Railway,
Hazratganj, Lucknow.

4. Mohip Ram, Gaurd 'A'
Northern Ry, LCo. Division, ^{Opposite parties.}
Northern Ry, LCo. Division, having HQs at Varanasi,
as Represented by

5. C.N. Pathak, Gaurd 'A'
Northern Ry, Having Head quarters
at LCo, as Writ Petition under Article 226 of the
Refor no 5. constitution of India.

Qu. 153785 This humble petition on behalf of the petitioner
above named most respectfully sheweth :-

1. That the petitioner belongs to scheduled caste
and was appointed on 29-1-1976 as Assistant Guard

With retrospective date 1.1.1981 in the Pay Scale of Rs 425-600/- per Train and the Respondents no 1 to 3 were duly bound to pay the classifier salary to the petitioner similarly to those 57 persons who were similarly posted and appointed.

1-b — That however the Respondent no 2 allowed to pay Rs 425-600 to the petitioner w.e.f. 14.3.84. he Goods Clerk in Northern Railway, Lucknow Division through Railway Service Commission.

The Respondent no 4 is junior to the Petitioners as the Petitioners seniority fixed by the Deptt. of Sf no 70(b) and the seniority of the Respondent no 2 is fixed 20. That the Railway administration has laid down and fixed a specific percentage for promotion at Sf no 71.

1-c — That the Respondent no 4 is junior to the Petitioners as the Petitioners seniority fixed by the Deptt. of Sf no 70(b) and the seniority of the Respondent no 3 is also categories of Class III staff vide its letter required to follow no. 758-E/6-V-E-162 dated 21-9-1970 and a true copy of the said letter is filed herewith as Annexure no. 1 while making to this writ petition.

Promotion and appointment on the post of Guard

grade 'A' ³⁰ That as per quota fixed by the aforesaid

Special in scale of pay Rs 425/640 the petitioner along with some other persons was other persons was promoted to the post of Guard grade 'C' on 19-1-1978 by the order of opposite party no. 3 and was subsequently confirmed on the said post.

The petitioner has preferential right

to be promoted ^{4.}

in preference to respondent from Guard grade 'C' to Guard grade 'B' along with no 4 to 5 and 8 other persons on the basis of seniority vide order dated 31-3-1981 by opposite party no. 2. A

copy of the said letter of promotion is filed herewith as Annexure no. 2 to this petition.

5. That the petitioner was confirmed on the

date of the said post of Guard grade 'B' w.e.f. 31-5-1981 vide Respondent Divisional Railway Manager's letter No. 847 E 5/3/2

no 1 to 3 (Spl) dated 7-8-1982 and his seniority was also fixed

by the said letter. A true copy of the said letter is attached herewith as Annexure no. 3 to this petition.

System and give due promotion to the petitioner.

Replied and verified 15.3.85

6. That during the entire period of service the petitioner as Guard grade 'C' and Guard grade 'B', there is nothing against the petitioner and there was no complaint against the work and conduct of the petitioner from any corner of the administration and he has been carrying on his duties to entire satisfaction of his superiors.

7. That after the petitioner's confirmation many persons have been confirmed as Guard grade 'C' and thus the petitioner has become senior to them which is evident from Annexure no. 3 referred to above.

8. That the petitioner having fallen ill, proceeded on sick leave from 8-10-1982 and till today he is on sick list and is under the treatment of his doctor.

9. That while the petitioner was on sick bed, one of his friends came to see him at his residence on 11-10-1982 and informed him that in the duty rost against his name an order of reversion from the post of Guard grade 'B' to Guard grade 'C' has been mentioned v/s order passed by opposite party no. 3 dated 7-10-1982 and the petitioner was also handed over an unofficial copy of the said order by his ~~friend~~ friend. A true copy of the said order of reversion is filed herewith as Annexure no. 4 to this petition.

10. That the ~~an~~ aforesaid reversion order of the petitioner has been passed arbitrarily by the opposite party no. 3 without applying his mind.

11. That the petitioner has reason to believe that the aforesaid reversion order of the petitioner has been issued by opposite parties no. 2 and 3 at the instance and instigation of the top leaders of the Northern Railway ~~Members~~ ^{W/Mens} ~~Trade~~ Union as they bear a personal grudge with the petitioner.

12. That the petitioner having been confirmed in his present post of ~~most~~ Guard grade ' B ' as per annexure no. 3 referred to above and there being nothing against him, cannot be reverted without any reason and without complying with the rules laid down in Discipline and Appeal Rules, 1968.

13. That the said reversion order has been passed by way of punishment also ~~without~~ ^{against} with the provisions of Article 311 of the Constitution of India and thus the same is ~~purely~~ ^{W/Mens} innature and is not sustainable before law.

14. That there are many persons junior to the petitioner in the category in which the petitioner has been working but they have not been reverted and thus, there is a clear violation of Articles 14 and 16 of the Constitution of India.

15. That the order of reversion of the petitioner from grade ' B ' to grade ' C ' is arbitrary and has been passed in colourable exercise of power by the opposite parties no. 2 and 3.

God Sel
Ch. T. P. B. 2
16. That the petitioner has reason to believe that the reversion order ~~is~~ against him has been passed as a measure of punishment under the pressure of the Union leaders.

17. That by looking at the reversion order it becomes clear that the same is not normal but is very unnatural as opposite parties no. 2 and 3 have failed to give any reason for the reversion and thus the said order is bad in law.

18. That the petitioner is on sick leave and has neither been served with the reversion order nor he has been reverted from his ~~present~~ present grade 'B' till today but there is every likelihood that the reversion order may be given effect to on any date.

19. That the petitioner will suffer irreparable loss and injury which cannot be made good in the event of success of his writ petition if the impugned order is permitted to be given effect to.

20. That in the circumstances detailed above and having no other equally effective and speedy alternative remedy, the petitioner seeks to prefer this writ petition against the impugned order of reversion dated 7-10-1982 contained in Annexure no. 4,

Handwritten Note
on the following amongst other

Ansbut: Para 1, 6 & 11 of the Subsidiary affidavit may be read as a part of this Petition.

GROUND:

*Ansbut order
01-14-3*

A) Because the order of reversion has been passed by way of punishment and thus is against the provisions of Article 311 of the Constitution of India

B) Because as the petitioner has been confirmed in grade 'B' Guard, the petitioner cannot be reverted without any charge and reason and without initiating any enquiry against him.

to observe 40 Point Roster System (A37) while making promotion in the scale of Pay Rs 4256 and Rs 425-660 and Pay the arrears of salary & the Petitioners were traced 1.6.81 on the basis of 'A' on the basis of Annexure 2 of the Sufficiency affidavit.

Robert
and vide
writ 15/85

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

Lucknow, dated :

12-10-1982.

V. Shankar
(Vinay Shankar) ^{Adv}
Advocate,

Counsel for the petitioner.

Grant Q

Grant

⑥ in the scale of Pay Rs 425-660 in terms of order contained in Annexure 2 to the Sufficiency affidavit likewise 57 persons who are getting the benefits of the said order.

Ansad
vide
writ
15/85

In the Hon'ble High Court of Judicature at Allahabad,
Lucknow Bench, Lucknow.
Writ Petition No. of 1982.

Godi Lal

.. Petitioner.

versus

Union of India and others.

.. Opp. Parties.

Annexure no. 1.

General Manager (P), New Delhi letter No. 758 E/
6-V(Lib) dated 21-9-1970.

Reg: quota for promotion as Guards grade 'C'.

1. Direct recruit	22x1/8x% 22 $\frac{1}{3}$ %
2. T.N.Cs gr. 260-400 and officiating T.N.Cs grade 330-560.	31 %
3. Comml. Clerks	20 %
4. Yard staff	16 $\frac{2}{3}$ %
5. Brakesmen	10 %

Godi Lal



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

Writ Petition No. of 1982.

Godi Prasad .. Petitioner.

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

Annexure no. 2a

Northern Railway.

No. 757E5/3/3

Divl. Office
Lucknow.
March 31, 1981

Notice.

The following orders are hereby issued to take immediate effect.

1. S/Shri AK Mukerji, RC Shukla, KB Verma and Rama Nand guards Gr. B scale Rs. 330-560 (RS) under orders of transfer to FD on promotion as guards Gr. A scale Rs. 425-600 issued vide this office notice of even number dated 29-11-80, are hereby retained at LKO as guards grade 'A' against vacancy.

2. The following guards are hereby temporarily appointed to officiate as guards Gr. 'A' scale Rs. 425-600 and posted as indicated against each.

Name	From	To	Transferred From	To	Appointed to officiate in revised scale From	To
Shri CM Gupta " S. Chaturvedi	B	A	FD	FD	330-560	425-600
	B	A	LKO	LKO	"	"
" AV Khan	B	A	LKO	LKO	"	"
" Raghubir Chand	B	A	LKO	FD	"	"

3. The following guards are hereby temporarily appointed to officiate as guards grade 'B' scale

AHO

- 12 -

330-560 and posted as indicated against each :-

	Sri J.P. Sen	C	B	LKO	LKO	330-530	330-560
Sri S.N. Tripathi		C	B	SLN	SLN	"	"
Sri G.D. Ghosh	C	B	BSB	LKO	"	"	"
Sri GG Nigam	C	B	LKO	LKO	"	"	"
Sei SC Srivastava		C	B	LKO	LKO	"	"
Sri RS Tewari	C	B	LKO	LKO	"	"	"
Sri Balwant Singh		C	B	BSB	PBH	"	"
Sri Khedu Pd. (SC)	C	B	LKO	LKO	"	"	"
" Godi Lal (SC)	C	B	LKO	FD	"	"	"

The request of Shri Shiv Dularey, officiating Giard Gr. 'B' for transfer to LKO has been accepted and he is not entitled for any transfer allowance, passed and joining time.

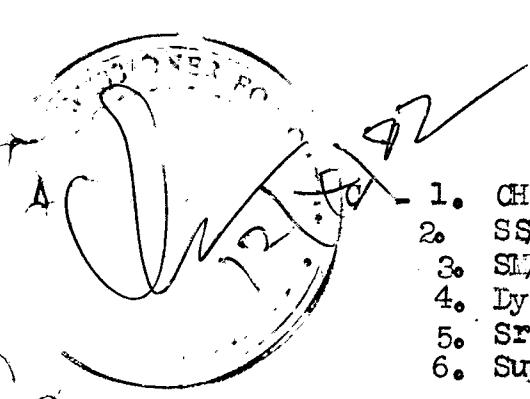
This issues with the approval of DPO.

Movements be advised promptly.

Sd/-

3-4-81.

for Div. Personnel Officer
Lucknow



- 1. CHC/LKO
- 2. SS/LKO BSB PBH
- 3. SL/ FD and SLN
- 4. Dy. Controller, Lobby, LKO, PBH, SLN, BSB
- 5. Sr. DAO/LKO
- 6. Supdt., (Pay Bill), LKO

Godal

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

Writ Petition No. of 1982.

Godi Lal

.. Petitioner.

versus

Union of India and others.

.. Opp. Parties.

Annexure no. 3.

Northern Rail way

No. 847E5/3/2(Spl. 4)

Divl. Office,
Lucknow, dt. 7.8.1982.

Notice

The seniority of Sri Khedu Prasad and Godi Lal Guards has been assigned in 'B' grade seniority list issued under this office Notice No. 847E5/3/A&B dated March 81 in the basis of revision of their seniority as Guard Gr. 'C' issued vide this office Notice No. 847E5/3/3 dated 6-6-81.

1. Sri Khedu Prasad is placed at Sl. 70(A) below Sri R.A. Misra II LKO.
2. Sri Godi Lal is placed at Sl. No. 70(B) below Sri Khedu Prasad item no. 1 above.
3. Sri Mahip Ram at Sl. no. 71 vice Sri K. Jhuri Ram who is placed at Sl. no. 60 (A) below Sri Brij Bahadur and over Sri Sita Ram I SLN.
4. Sri Rama Nand is placed over Sri S.P. Tewari Gd. Gd and below Sri O.P. Nagar.

Accordingly S/Sri Khedu Prasad and Godi Lal Guards Gr. B in scale Rs. 330-560 (RS) are confirmed provisionally w.e.f. 31-5-81 and therefore the dates of confirmation of S/Sri L. Toppo and J.P. Sen Guards Gr. B are altered as under:-

1. Sri L. Toppo Gd. B LKO	30-6-81
2. " J.P. Sen " "	31-12-81

AMZ

-12-

wide publicity may please be given to enable the affected guards to make representations, if any, within a period of 30 days from the date of issue.

Sd/-

for Divl. Railway Manager,
Lucknow-

Copies forwarded to :-

1. The Chief Controller Lucknow.
2. SS LKO PBH BSB FD SLN PRG ALD
3. SM REL JNU
4. Dy. Controller Lobby LKO PBH BSB SLN.


12/12/82

God Help

- B-4 (A43)

In the Hon'ble High Court of Judicature at Allahabad,
Lucknow Bench, Lucknow.
Writ Petition No. of 1982.

Godi Lal .. Petitioner.

versus

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

Annexure no. 4.

Northern Railway

No. 222-E-5/3 Pt. IIK Divl. Office,
Lucknow dt. 7-10-1982

Notice.

Sri Godi Lal, Guard grade 'B' scale Rs. 330-560
(RS) is reverted to grade 'C' in scale Rs. 330 - 530
(RS) with immediate effect. This may please be
enforced at once.

This has got the approval of A.D.R.M.

Divl. Personnel Officer,
Lucknow.

Copy to :-

1. CHC - LKO
2. ~~SS~~ SS/LKO
3. Dy. CHC, LKO
4. Sr. D.A.O. LKO
5. Supdt (Pay Bill)

File No 14565

(P)

- 14 -

(A44)

TR. Form No. 385
RECEIPT FOR PAYMENT TO GOVERNMENT
(Form No. I, Chapter III, Paragraph 26, Financial
Handbook Volume V, Part I)

036011

High Court of Judicature at
Allahabad (Lucknow Bench)

Receipt No.

Date 12.10.82

Place Department and office

Judicature at Allahabad,
Lucknow

1982

Received from

the sum of Rupees

2/- Two Rupees

0-30

on account of

Stamp and Registration Fees

Signature of Government Servant
granting the receipt.

Designation

.. Petitioner.

Versus

Union of India and others.

.. Opp. Parties.

1982

AFFIDAVIT
26
HIGH COURT
ALLAHABAD

Affidavit.

I, Godi Lal, aged about 35 years, son of Sri Chokhey Lal, Guard Northern Railway, Charbagh, Lucknow, resident of E-Block, quarter no. 3668, near tube-wall no. 4, Rajaji Puram colony, Tal Katora, Lucknow, do hereby solemnly affirm and state as under :-

1. That the deponent is himself the petitioner in the above noted writ petition and as such he is fully conversant with the facts of the case.
2. That paras- 1 to 20 _____ of the accompanying writ petition are true to my own knowledge and the contents of paras _____ are believed by me to be true on the basis of legal advice.
3. That Annexures no. 1 to 3 to the accompanying



Ans

- 13 -

writ petition have been compared with their originals and it is certified that they are true copies of their respective originals.

Lucknow, dated :

12-10-1982.

Godi Lal
Deponent.

Verification.

I, the above-named deponent, do hereby verify that the contents of paras 1 to 4 3 of this affidavit are true to my own knowledge, that no part of it is false and nothing material has been concealed, so help me God.

Lucknow, dated :

12-10-1982.

Godi Lal
Deponent.

I identify the deponent who has signed before me.

Thanks
Advocate.

Solemnly affirmed before me on 12/10/82
at 2.30 a.m./p.m. by Sri Godi Lal, the deponent,
who is identified by Sri *Vinay Shanker*
Advocate, High Court, Lucknow.

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

GAYA KRISHNA SRIVASTAVA
OATH COMMISSIONER
HIGH COURT, ALIABAD
LUCKNOW BENCH
No. Dt.
26/10/82
26/957

File

IN THE HON'BLE HIGH COURT OF JUDICATURE AT ALLAHABAD

LUCKNOW BENCH: LUCKNOW

SUPPLEMENTARY AFFIDAVIT IN RE
Writ Petition No. 4977 of 82.

1982

AFFIDAVIT
43/978
HIGH COURT
ALLAHABAD

Try. Form No. 385

RECEIPT FOR PAYMENT TO GOVERNMENT

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

106544

Receipt No.

Place

Date

Department and office

Received from
the sum of Rupees

on account of

Signature of Government Servant
granting the receipt.

Cashier or Accountant. Designation

Affidavit of Shri Godi Lal, aged
about 35 years, S/o Shri Chokhu Lal
Guard, Northern Rlys, Charbagh,
Lucknow.

I, the above named deponent do hereby
state on oath that the deponent is the petitioner
in the aforesaid Writ Petition and well acquainted
with the facts of the case.

1. That the respondents modified the order
dated 7.10.1982 (Ann. No. 4) vide their order No.
825E 5 (NRMU) dated 19.10.1982 cancelling thereby
the earlier order dated 7.10.1982 contained in
Ann. No. 4 ^{to the Petition} and passed a fresh order treating the
deponent as a Guard Grade C in the scale of
330-560. A true copy of order dt. 19.10.82

Godi Lal

PLR

- 2 -

is enclosed as Ann. No. SA-1.

2. That the order dt. 19.10.82 has come to the notice of the deponent only on 14.12.1982 and not before it, and this order also has not been served upon him.

3. That the deponent is being advised that the respondent's order dt. 7.10.82 which has been marked as Ann. 4 to the Writ Petition, merges into the order dt. 19.10.82 enclosed with this Affidavit as Ann. No. SA-1.

4. That the order dt. 19.10.82 is nothing but ~~passed~~ in colour of power vested with the authorities and also illegal in view to treat the deponent lower in rank from Guard Grade B ^{Guard} to Grade C which is unwarranted in law because the rank and pay of Guard Grade C is less to the rank of Grade B and, therefore, this order is nullity in law because once the deponent has been confirmed on the post of Grade B and, therefore, ^{from} he cannot in any case be reverted to his rank of Grade Grade B to Grade C.

5. That the Respondent has restructured the scale of pay of Guard Grade B vide Railway Board Circular dated 17.7.81 by fixing the pay scale to ~~Guard~~ Grade B as Rs. 425-600 and on the

Good till

....

A/S

basis of that of restructure dt. 17.7.81 the respondents were further pleased to pass an order dt. 18.9.82 posting the deponent as Guard Grade B having HQrs at Varanasi under Lucknow Division. It is further stated that under the Divisional Railway Manager letter dated 18.9.82 the posting of the petitioner as Guard Grade B was made in the scale of Rs. 425-600 in para B of the order dt. 18.9.82. A true copy of Divisional Railway Manager order dt. 18.9.82 is enclosed as Ann. No. SA-2.

6. That as apparent from the order dt. 18.9.82 contained in Ann. No. SA-2 in its sub-clause B.57 persons were allowed and posted as Guard Grade "B" in the scale of pay 425-600 and all the persons named in Ann. No. SA-2 are still allowed to continue as Guard Grade B in the pay scale 425-600 but any how vide order dt. 7.10.82 as well as b'y the order dt. 19.10.82 contained in Ann. No. SA-1 to the writ Petition as well as Ann. No. SA-1 to this affidavit the respondents are deliberately by making hostile discrimination in the matter of appointment and posting as per order dt. 18.9.82, ^{and} they are at present treating the deponent as Guard ^{"C"} in the pay scale 330560. It is further submitted that this action of the Respondents amount to violation of articles 14 and 16 of the Constitution of India because

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because the other persons in similar situation
having ^{having} ~~poor~~ ^{good} record & that good record of the Defendants
and position in the order dt. 18.9.82 are being
allowed to continue on the post of Guard Grade 3
in the Pay scale of Rs. 425-600 and all the benefits
of pay scale of Rs. 425-600 among other allowances
are being paid and given to these persons mentioned
in Ann. No. SA -2 to this Affidavit.

7. That the deportment belongs to Scheduled Caste and under the Scheduled Caste Brochure passed by the Government of India, Ministry of Railways Railway Board, New-Delhi in second edition of 1966 at page 24 chapter 9 sub-point 5 it is clearly provided:

3. Similarly in the case of reversion the Scheduled Caste/ Schedule Tribe employees shall not be referred and shall be retained in preference to 'Others' till they form such prescribed percentage among the total number of employees promoted on or after the date of introduction of reservation in posts filled by promotion, viz:

Class of Service Date

(1) Selection posts -

Date

Class III 4th Jan. 1957

Class II, Class I,
Jr. Scale & Sr. scale ... 20th July, 1978

(ii) Seniority-cum-suitability
All classes 27th Nov. 1972

(iii) Competitive Examination limited to Departmental candidates April 59.

(iv) Length of service ... 27th Nov., 1972.

(A50)

And, now under the aforesaid provisions the deponent ~~petitioner~~ being a scheduled caste candidate has right to retain his post under the adopted policy of the Railways- Board and on this basis also the order dt. 7.10.82 as well as the order dt. 19.10.82 is illegal and contrary to the protection guaranteed to the deponent being a scheduled caste candidate.

8. That under the Brochure of Reservation for S.C. & S.T. candidates under the Railway service passed by the Government of India and adopted by Railway Board in 2nd edition ¹⁹⁶⁶ ~~vide~~ its 2nd ~~para~~ Appendix and Particularly Appendix 1A branch at page 4 and 5 the deponent, being a scheduled caste candidate under the terms of Model Roster for the posts filled by the direction recruitment on all India basis, is required to be given the benefit as per the Roster of Schedule Caste mentioned at Sl.1, Sl. 8, Sl.14, ~~8~~ Sl.22 and so on ^{so} forth as per Appendix 1A. A true copy of Appendix 1A is enclosed as Ann. SA 3 to this affidavit.

S/ 14.12.82

9. That under the Roster duly adopted by the Railway Board as enclosed with this Affidavit as Ann. No. SA-3 the deponent is also entitled to get all benefits accrued to him on its basis and it is obligatory and mandatory for the Railway Board as well as other Respondents to follow

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- 6 -

appropriate that Roster and give the benefits in terms of the Roster to the deponent in the matter of his promotion and appointment and particularly for the retention on the post of Guard Grade B in the pay scale 425-600 but the respondents failed to obey the adopted policy by the Railway Board and they are bent upon to dis-obey the same in future also in view to harm and injur the promotional avenues of the deponent on higher posts from Guard Grade B and onward as well as for retention of the deponent on his post of Grade Grade B also. This amounts to clear denial of protection guaranteed in favour of the deponent and also in violation of article 16 of the Constitution of India in which the guarantee for reservation to the Scheduled Caste is mandatory and allowed.

S
14/12/52

10. That the Railway Board fixed the seniority of the ^{Defendant} Board at Sl. 70B vide order as per Ann. 3 to the Writ Petition.

Good

11. That as the deponent has right to hold his ^{existing} post being confirmed as Guard Grade B and, therefore, it would be in the interest of justice to direct the Respondents to allow the deponent to continue on his post of Guard Grade B in the scale of Rs. 425-600 similarly to those who have been appointed and are being benefit

(A52)

9

- 7 -

in the pay scale of Rs. 425-600 as per
Divisional Railway Manager order dt. 18.9.1982.
enclosed with this Supp. Affidavit as Ann. No.
S-A2 by staying the order dt. 7.10.82 and
19.10.82, respectively.

12. that the deponent also certify the contents
of Para 1 to 3 of Stay Application enclosed with S-A
as correct to his best knowledge. Good and
True knowledge. DE PONENT

Verification

That the deponent verifies the contents of para
No. 2, 4, 6, 7, to 9, 11 of this Affidavit as
true to his known knowledge and those of paras
15, 16, to 18 are believed by him correct
on the basis of records and those of paras 19 to 21
22 to 24 are correct from the information
received from the office of Opposite Parties
and those of paras 3, 8, para 10 to 12 are
believed to be correct on the basis of legal
advice given.

Good and

Good and

DEPONENT.

I know the deponent who has signed in
my presence.


(M.P. Sharma),
Advocate,
7, Annexe, Near GPO, Lucknow

(AGS)

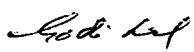
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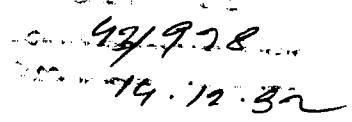
- 8 -

Solemnly affixed before me on 14.12.82 at 11.35 A.M.
by the deponent Shri Gadi Lal who is
identified by Shri M.P. Sharma, Advocate, High Court,
Lucknow Bench, Lucknow and I have satisfied
myself by examining the deponent and he understood
all the contents of affidavit which have been read
and explained by me.


14.12.82


OATH COMMISSIONER


Gadi Lal


921928
14.12.82

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

Godi Lal Versus Union of India.
Annexure No. S-1

Northern Railway

NO. 825 R5/3/NRMU

Divl. Office,
Lucknow dt. 19, 10. 82.

Notice

Reversion orders of Shri Godi Lal, Guard
Grade B Lucknow from Gr. 330-560 (RS) to Gr. C
Rs. 330-530 (RS) issued vide this Office letter No.
222 E5/3 Pt. II, dated 7.10.82 are hereby cancelled.
He is allowed to work as Guard Gr. C in scale of
Rs. 330-560 (RS) at Lucknow. B

His seniority has been reviewed and he has been placed below Shri RS Tiwari

The above has the approval of ADRM/LKO

Advise management

Sd/ Illegible,
Divl. Personnel Officer,
Lucknow

Copy to:

Copy to:
1. SS/LKO
2. CRC/ Lko. 3. Sr. DAO/LKO. 4. Supdt Pay Bills
5. Divl. Secy NRMU in ref. to his letter No. NRMU/56/536
dt. 7.10.82 with the remarks that Shri Godi Lal was
appointed as AGC on 29.1.76 and not on 29.7.76 and was
promoted as Guard Gr. C as 19.1.78 on adhoc arrangement

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

Amera - S-2

God i Lal

Versus

Union of India.

Northern Railway.

No. 22275/3-Pt. II

Divl. Office,
Lucknow dt. 18.9.82.

Notice :

A) The following promotions and postings orders of Guard Gr/ B scale 425-600 to Grade A scale 425-640 (R S) are hereby issued for immediate compliance

Not application

B) The following passenger train Guards Gr. B in scale of Rs. 425-600 are posted at the stations as indicated against each for immediate compliance.

<u>Sl. No.</u>	<u>Name</u>	<u>Pr sent HQ</u>	<u>Pos ted at HQrs</u>
1.	RA Misra	SLN	SLN
2.	HB Singh	LKO	LKO
3.	RT Pandey	SLN	SLN
4.	JS Chaturvedi	BSB	BSB
5.	Joginder Singh II	LKO	Lko
6.	Sudama Prasad	FD	FD
7.	PP Srivastava	BSB	BSB
8.	DN Srivastava	PBH	PBH
9.	Mahabir Pd.	LKO	LKO
10.	RK Sharma	LKO	LKO
11.	Anis Ahmad	"	"
12.	RS Pandey	"	"
13.	SP Agnihotri	"	"

(A54) 13

14.	MP Misra	LKO	LKO
15.	Raghbir Singh	"	"
16.	KK Puri		
17.	ON Pathak		
18.	HM Misra	BSB	BSB
19.	MR Yadav	SLN	SLN
20.	DS Verma	ALD	ALD
21.	DR Dutta	#	"
22.	RS Ojha	PBH	PBH
23.	Basudeo	LKO	LKO
24.	RM Gupta	FD	FD
25.	HN Pd.	LKO	LKO
26.	BD Singh I	FD	FD
27.	Pyara Singh I OS Lahiri	LKO	LKO
28.	JN Pandey	LKO	LKO
29.	JN Pandey	FD	FD
30.	Mohd. Murtaza	PBH	PBH
31.	MP Pandey	"	"
32.	DN Singh	FD	FD
33.	BD Chaturvedi	PBH FD	PBH FD
34.	PN Singh	LKO	LKO
35.	KN Srivastava	ALD	FD
36.	Madhukar Singh	FD	FD
37.	Ram Milan	FD	FD
38.	RD Misra	LKO	LKO
39.	SN Pandey II	LKO	LKO
40.	CM Misra	FD	FD
41.	L. Toppoo	LKO	LKO
42.	RNL Srivastava	FD	BSB
43.	MS Sonkar	LKO	LKO
44.	Brij Bahadur	LKO	LKO

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- 3 -

45.	JHUri Ram	LKO	LKO
46.	Sita Ram I	SLN	SLN
47.	KP Pathak	SLN	LR SLN
48.	SD Diwedi	FD	LR FD
49.	Kedar Nath	BSB	LR BSB
50.	AR Khan	LKO	LR LKO
51.	RA Misra	LKO	LR LKO
52.	Khedu Pd.	LKO	LR LKO
53.	Godi Lal	LKO	LR BSB
54.	Mahin Ram	LKO	LR BSB
55.	AF Khan	LKO	LR BSB
56.	RK Srivastava	FD	LR SIN
57.	RD Singh	FD	LR BSB

C. The following Grade B Guards scale

Rs. 425-600 (RS) will work as parcel delivery
Vanguards with their respective HQrs:

1. SP Chaubey FD
2. HN Pd. LKO
3. GN Saxena "
4. OP Nagar "
5. Rama Nand "
6. SP Tiwari FD

Note: 1 The promotions of S/Shri Ram Milan, MS
Sonkar, As Gr. A in scale of Rs. 425-640 (RS) and
posting of Shri Khedu Pd. and Shri Godi Lal Guards
Gr. B scale Rs. 425-600 are provisional and subject
to their seniority decision.

This has the approval of ADRM/LKO.

Sd/ Illegible,
for Divl. Rly. Manager, Lko.
Copy forwarded:

1. OMC/ LKO, 2. SS LKO FBH ALD BSB FD & SLN
3. Sr. DAO/LKO 4. Supdt. Pay Bill, LKO

ASJ

15

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

GODI LAL

VERSUS

UNION OF INDIA

Annexure No. S-3

APPENDIX 1-A

Model Roster for posts filled by Direct Recruitment
on all India basis by open competition (Item (i)(a),
para 1, Chapter VI)

Points in the Roster	Whether Unreserved or reserved	Points in the Roster	Whether Unreserved or reserved
✓ 1. Scheduled Caste	21. Unreserved.		
2. Unreserved	✓ 22. Scheduled Caste		
3. Unreserved	23. Unreserved		
4. Scheduled Tribe	24. "		
5. Unreserved	25. "		
6. "	26. "		
7. "	27. "		
✓ 8. Scheduled Caste	✓ 28. Scheduled caste		
9. Unreserved	29. Unreserved		
10. "	30. "		
11. "	✓ 31. Scheduled caste		
12. "	32. Unreserved		
13. "	33. "		
✓ 14. Scheduled Caste	34. "		
15. Unreserved	35. "		
16. Unreserved	✓ 36. Scheduled caste		
✓ 17. Scheduled caste tribe	37. Unreserved		
18. Unreserved	38. Unreserved		
19. Unreserved	39. "		
20. Unreserved	40. "		

14.12.92

GODI LAL

Note: If there are only two vacancies to be filled in a particular year, not more than one may be treated as reserved and if there be only one vacancy, it should be treated as unreserved. If on this account, a reserved point is treated as unreserved, the reservation may be carried forward to the subsequent three recruitment years.

(Vide Rly. Board's letter No. E(SCR)70 CM15/10 dt. 29th April, 1970).

This Roster vide Rly. Board's letter No. E(SCT)63CM 15/16 dated 28th Nov., 1964 is applicable to promotion vacancies also.

14.12.65

14.12.65

14.12.65

14.12.65

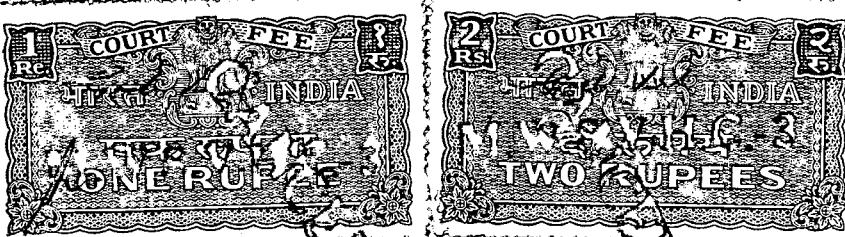
14.12.65

IN THE HON'BLE HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW BENCH, L U C K N O W.

C.M. Application No. 402(0) of 1985

In re:

W.P. No. 4977 of 1982



Godi Lal, aged about 37-1/2 years, a/o

Sri Chokhey Lal, Guard, Northern Railway,

Charbagh, Lucknow, R/o E-2004, Avas Vikas

Colony, Talkatora, Rajajipuram, Lucknow ... Petitioner

Versus

1. Union of India, through the General Manager, Northern Railway, Baroda House, New Delhi.

2. Divisional Railway Manager, Divisional Railway Office, Northern Railway, Hazratganj, Lucknow.

3. Divisional Personnel Officer, Divisional Railway Manager's Office, Northern Railway, Hazratganj, Lucknow.

... Opp. Parties

APPLICATION FOR AN AD-INTERIM ORDER

The humble application of the applicant-petitioner most humbly showeth as under :-

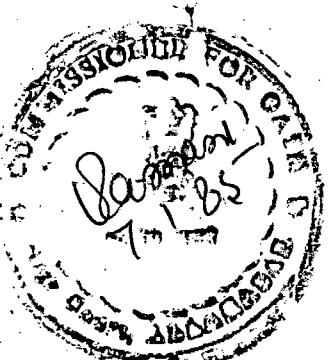
1. That the aforesaid Writ Petition has been filed by the petitioner on the ground that the petitioner is a Scheduled Caste candidate, and under the 40-Point Roster as circulated vide Railway Board's letter No.E(SCT) 70 CM 15/10 dated 29th April, 1970 read with Railway Board's letter



No. E (SCT) 63 CM-15/16 dated 28th November, 1964, which is applicable in — the matter of promotion in favour of the Scheduled Caste employees in the promotional vacancies in different grades as well as under different restructuring of scales of pays to the Guards under Grade 'A', A Spl. scale Rs. 425-600 (RS) and Rs. 425-640 (RS) among other grades.

It is further submitted that the scale of pay pertaining to the guards grade 'A' Spl. A, B, C of the Northern Railway has been restructured vide Railway Board's letter dated 17.7.81 and under paragraph II.3. No. 7.8.9. There is a provision under the aforesaid Board's letter that at the time of restructuring the scale in accordance with the percentage ~~xxx~~ allowed by the Railway Board in different grades, the Railway Administration should provide benefit of reservation to the Scheduled Caste candidates under the existing Railway Board's circular which includes 40-Point Roster as circulated by the Railway Board on 28.11.64. A true copy of restructuring order dated 17.7.81 in time scale of the guards of the Northern Railway and 40-point Roster adopted and circulated by the Railway Board are enclosed herewith as Annexures No. 1 & 2 respectively.

2. That the Divisional Railway Manager, Northern Railway, Lucknow, was pleased to determine the seniority of the petitioner in Guard Grade 'B' at serial no. 70(B) vide its ^{21.8.81} order dated 7.8.1982, which has been made absolute vide order dated 10.9.82 as no representation was obtained against the fixed seniority of the petitioner. A true copy of the D.R.M./Lucknow order dated 7.8.82 and 10.9.82 is enclosed herewith as Annexure No. 3 & 4.



3. That the D.R.M., Lucknow passed an order of promotion on 18.9.82, which is enclosed with supplementary affidavit filed by the petitioner as Annexure No. SA-2 and in that promotion order the name of the petitioner was placed at serial no.53 in scale of pay Rs.425-600 (RS) Guard Grade 'B' of Passenger Train and the name of Sri Mahip Ram is placed at the said promotion order at serial no.54 below the name of the petitioner.

4. That Sri Mahip Ram is junior Guard to the petitioner. His seniority is fixed at serial no.71.

5. That the D.R.M., Lucknow is in process to issue a promotion order to Sri Mahip Ram in scale of pay Rs.425-640 (RS) in Spl. 'A' Grade, Northern Railway on Mail and Express Train, and within 2 or 3 days the order is likely to be passed and released to this effect.

6. That the D.R.M., Northern Railway, Lucknow is not considering the rightful claim of the petitioner for promotion in scale of pay Rs.425-640 (RS) for Guard Grade 'A' Spl., particularly when the petitioner is senior to Sri Mahip Ram, who is a Scheduled Caste candidate also. Sri Mahip Ram is also junior to the petitioner and further the petitioner is working in scale of pay Rs.425-600 (RS) and fully eligible to be promoted ^{and also} as first to be appointed in scale of pay Rs.425-640 (RS) as Guard Grade 'A' Spl., under the restructured scale aforesaid, which is due and fallen vacant at present to be filled by way of promotion of Scheduled Caste candidate.

7. That the D.R.M. and other respondents are not acting in accordance with the provision of Article 14 and 16 of the Constitution of India and also they are not following the reservation quota/40-point Roster



P63

available to the petitioner being a Scheduled Caste candidate and their aforesaid inaction in not acting fairly towards the petitioner is causing civil consequences to the petitioner and also his immediate future chance of promotion is being jeopardised for an indefinite period in future.

8. That the respondents are ^{acting} hostile and behaving in a very hostile manner simply because the petitioner filed the aforesaid writ petition and there is no other ground to debar the petitioner from his due immediate promotion on the post of Guard Grade 'A' Spl.

9. That the work and conduct of the petitioner is good and he has right to be considered for the appointment and promotion as Guard Grade 'A' Spl. under the respondents.

10. That the balance of convenience is in favour of the petitioner on the facts set out hereinabove.

11. That it would be in the interest of justice to restrain the respondents particularly to the D.R.M., Lucknow from promoting anyone else including Sri Mahip Ram unless the said authority may consider the candidature of the petitioner for the promotion and appointment of the petitioner as Guard Grade 'A' Spl. in pay scale of Rs. 425-640 (RS), which is fallen due at present, on the basis of Restructuring order dt 18.9.82 of Time scale.

WHEREFORE, it is prayed that a suitable order or direction may be given to the respondents, particularly D.R.M., Northern Railway, Hazratganj, Lucknow, to consider the candidature of the petitioner for promotion and appointment as Guard Grade 'A' Spl. in scale of pay Rs. 425-640 (RS) in the Northern Railway and further be pleased to give suitable directions to them not to issue



(5)

any order of promotion or appointment on the said post unless they may consider the candidature of the petitioner on the said post.


(M.P. SHARMA)
Advocate
Counsel for the Petitioner

Lucknow : Dated

January 7, 1985



God Se

(A65) 6

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

C.M. Application No. of 85

In re:

Writ Pet. No.4977 of 1982

Godi Lal Versus Union of India and others

ANNEXURE NO. 1

HQRS Office
Baroda House,
New Delhi.

No.561E/255-98/Genl(PC) Pt III.

Dated: 25.7.1981

The Divisional Rly. Manager,
Northern Railway,
DLI, FZR, MB LKO, ALD, BKN & JU.

The F.A. & C.A.O., Baroda House, New Delhi.

The S.P.O. (T&C), Baroda House, New Delhi.

The S.P.O. (M)

Sub:- Restructuring of the cadre of running staff

A copy of the Railway Board's letter No.PC III/79/PS-3/17 dated 17.7.81 is forwarded for necessary action and guidance.

Godi Lal
It is requested that immediate steps may be taken to ensure early implementation of Railway Board's orders keeping in view of the instructions mentioned therein.

A report of the progress made in implementing the upgradation orders of the cadre of running staff may please be sent to this office by 15th September, 1981 for further transmission to Railway Board.

Sd/- H.L. Bhatia

DAV as above

for General Manager

contd.. 2

(2)

Feb

Copy forwarded for information to :-

1. The General Secy., NRMUA 12 Chelmsford Road, New Delhi.
2. The Genl. Secy., NRMU/66/2 Panchkum Road, New Delhi.

Copy of Railway Board's letter No.PO III/79/PS/3/17 dated 17.7.81 from Jt. Director, Estt (P&A) to the General Managers, All India Railways and copy to others etc.

Subject : As above.

The Minister of Railways have been considering the question of restructuring the cadre of running staff with a view to improving the avenue of promotion available for them at present.

They have now decided in consultation with the N.F.I.R. & A.I.R.F. that the cadre of running staff should be restructured on the following basis with effect from 1.6.1981.

XXXXXXX

I. Loco Running Staff :

<u>Sl. No.</u>	<u>Category</u>	<u>Scale of Pay</u>	<u>Remarks</u>
1.	Passenger Drivers Grade A Spl.	550-750	To be attached to superfast Mail Express Trains (as per the existing position).
2.	Passenger Drivers Grade A	550-700	For all other passenger services irrespective of distance (the passenger trains other than superfast, Mail, Express and long distance in scale Rs.425-640 will be upgraded to the scale of Rs.550-700 (RS).
3.	Goods Drivers Grade B	425-640	Goods driver Grade 'B' & 'C' as indicated herein will be distributed in the proportion of 40:60 <i>illegal</i>
4.	Goods Drivers Grade C	330-560	and 60% in 330-560 in addition of 10% posts in scale of 330-560 will be in the scale of selection gr. 425-640.

contd..3

(A67)

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N.B: Goods drivers at present in the scale of 425-640 working trains on Ghat / Graded sections will be continue to be in this grade and will not be upgraded to Rs.550-700.

5. Foreman 'A'/DSL Assistants/Asstt. Electric Drivers 290-350 No change. In addition to the existing Fireman A etc. all Firemen B working on Goods and Passenger trains will also be upgraded to this scale of 290-350.

6. Firemen B 260-350

II. Traffic Running Staff :

7. Passenger Guards Grade A 425-640 To be attached to all Superfast Mail and Express Trains.

8. Passenger Guards Grade B 425-600 For Passengers trains irrespective of the distance (the existing Passenger Service Guards in scale of 330-560 will be upgraded to this scale.

9. Goods Guards Grade C 330-560 330-530 The Guards working Goods Trains will be distributed in the proportion of 40:60, 40% of the posts being in the scale of 330-560 and 60% of the posts in scale Rs.330-530 respectively.

2. The Ministry of Railways desire that upgradation of posts of Loco and Traffic Running Staff as per the above restructuring should be immediately taken in hand and promotion of eligible staff ordered in accordance with the prescribed procedure. The arrears of pay and allowances due to the staff on this account should be paid w.e.f. 1.6.81 as early as possible.

3. A report on the action taken may please be sent to this office by 15.9.1981.

4. Hindi version will follow.

(TRUE COPY)



(A/C) 9

IN THE HON'BLE HIGH COURT OF JUDICATURE AT ALLAHABAD

LUCKNOW BENCH, LUCKNOW.

C.M. Appln. No. of 1985
In re:

W.P. No. 4977 of 1982

Godi Lal

Versus

Union of India & Others

ANNEXURE NO. 2

Northern Railway

No. 561-E/255-98 Genl/(PC) DI III

HQ. Rs. Office
Baroda House NDLS

The Divisional Rly. Manager,
DLI, FZR, Lko, MB, ALD, BKN & JU.

Dated 28.8.1981

The Divl. Accounts Officer,
DLI, CZR, LKO, MB, ALD, BKN & JU.

The F.A. & C.A.O.)

The SPO (T&C)) Baroda House, New Delhi.

The SPO (M))

Sub:- Restructuring of the cadre of Running Staff.

In continuation of this office letter of even No. dated 25.7.81 a copy of Rly. Board's letter N o. PCIII/79/P-S-3/17 dated 21.8.81 is sent herewith for information and necessary action.

Godi Lal
D. A./as above

H.L. Bhatia,
G.M. (P)

Copy to :-

The General Secretary URMU 166/2 Panch-kuin Road, NDLS.

The General Secretary NRMU 12, Chelmsford Road, NDLS.

रेलवे बोर्ड के पत्र संख्या पीसी 111-76। पी० एस०-३।१७ दिनांक २१-८-८१ की प्रतिलिपि सूचना एवं आवश्यक कार्यवाही हेतु मेजी जा रही है इसमें लिखित रेलवे बोर्ड के पत्र दिनांक १७-७-८१ की प्रतिलिपि हस कायालिय के सम संरचना घन्त दिनांक २५-७-८१ के अन्तर्गत मेजी जा चुकी है।

Copy of Rly. Board's letter referred as above.

contd..2

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(169)

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Subject: As above,

Reference Railway Ministry's letter of even
No. dated 17.7.81 on the above subject.

The designation of Traffic running staff as
appearing against S.No.7, 8 and 9 of Para 1 thereof
may be recast as under :

7. Passenger Guard Gr. A. Spl.	Rs. 425-640
8. Passenger Guard Gr. A.	Rs. 425-600
9. Goods Guard Gr. B.	Rs. 330-560
10. Goods Guard Gr. C.	Rs. 330-530

Designation mentioned in Annexure 'A' of Board's
letter No.E (P&A) II-80/RS-10 dated 17.7.81 will also
stand changed as above.

M. S. RAAT
27.8.81

(TRUE COPY)



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IN THE HON'BLE HIGH COURT OF JUDICATURE AT ALLAHABAD

LUCKNOW BENCH, LUCKNOW.

C.M. Application No. of 1985.

In re:

Writ Petition 4977 of 82

Godi Lal Versus Union of India & Others.

ANNEXURE NO. 2 A

APPENDIX I-A

Model Roster for posts filled by Direct
Recruitment on All India basis by open
competition (Item(i)(a), para 1, Chapter VI)

Point in the Roster	Whether unreserved or reserved	Point in reserved or Roster reserved	Whether unreserved
1	Scheduled Caste.	21	Unreserved.
2	Unreserved.	22	Scheduled Caste.
3	Unreserved.	23	Unreserved
4	Scheduled Tribe	24	Unreserved
5	Unreserved	25	Unreserved
6	Unreserved	26	Unreserved
7	Unreserved	27	Unreserved
8	Scheduled Caste	28	Scheduled Caste
9	Unreserved	29	Unreserved
10	Unreserved	30	Unreserved
11	Unreserved	31	Scheduled Tribe
12	Unreserved	32	Unreserved
13	Unreserved	33	Unreserved
14	Scheduled Caste	34	Unreserved
15	Unreserved	35	Unreserved

contd...

Point in the Roster	Whether unreserved or reserved	Point in the Roster	Whether unreserved or reserved
16	Unreserved	36	Scheduled Caste.
17	Scheduled Tribe	37	Unreserved
18	Unreserved	38	Unreserved
19	Unreserved	39	Unreserved
20	Unreserved	40	Unreserved

Note - If there are only two vacancies to be filled in a particular year, not more than one may be treated as reserved and if there be only one vacancy, it should be treated as unreserved. If on this account a reserved point is treated as unreserved, the reservation may be carried forward to the subsequent three recruitment years.

(Vide Railway Board's letter No. E(SCT) 70 CM/15/10
dated 29th April 1970)

This Roster vide Railway Boards' letter No. E(SCT) 63 CM/15/16 dated 28th November 1964 is applicable to promotion vacancies also.

Godi hal

TRUE COPY



A72 13

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

C.M. Application No. of 1985
In re:

Writ Pet. 4977 of 82

Godi Lal Vs. Union of India and others

ANNEXURE NO. 3

NORTHERN RAILWAY

No.847E5/3/2(Spl.)

Divl. Office,
Lucknow Dt. 7.8.82

Notice :

The seniority Sri Khedu Prasad and Godi Lal Guards has been assigned in 'B' grade seniority list issued under this office Notice No.847E5/3/A & B dated March 81 on the basis of revision of their seniority as Guard Gr. 'C' issued vide this office Notice No.847E5/3/3 dated 6.6.81.

1. Sri Khedu Prasad is placed at sl.no.70(A) below Sri R.A. Misra II LKO.

2. Sri Godi Lal is placed at sl.no.70(B) below Sri Khedu Prasad item no.I above.

3. Sri Mahip Ram at sl.no.71 vice Sri Jhuri Ram who is placed at sl.no.60(A) below Sri Brij Bahadur and over Sri Sita Ram I SLN.

4. Sri Rama Nan-d is placed over Sri S.P. Tewari Gd. GD and below Sri O.P. Nagar.

Accordingly S/Shri Khedu Prasad and Godi Lal Guards Gr. B in scale Rs.330-560 (RS) are confirmed provisionally w.e.f. 31.5.81 and therefore the dates of confirmation of S/Sri L. Toppo and J.P. Sen Guards Gr. B are altered as under :-



(2)

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1. Sri L. Toppoo Gde B LKO	30.6.81
2. Sri J.P. Sen " "	31.12.81

Wide publicity may please be given to enable the affected guards to make representations, if any, within a period of 30 days from the date of issue.

for Divl. Railway Manager,
Lucknow.

Sd/- Illegible

Copy forwarded to :-

1. The Chief Controller, Lucknow.
2. SS LKO PBH BSB FD SLN PRG ALD.
3. SM RBL JNU.
4. Dy. Controller Lobby LKO PBH, BSB, SLN

Handed over

(TRUE COPY)



(APM) 15

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

C.M. Application No. of 1985
In re:
Writ Petition 4977 of 82

Godi Lal Versus Union of India & Others

ANNEXURE NO. 4

Northern Railway

No. 847E5/3/3

Divl. Office,
Lucknow dt. 10.9.82

The Divl. Secretary,
Northern RailWaymen's Union,
LUCKNOW.

Dear Sir,

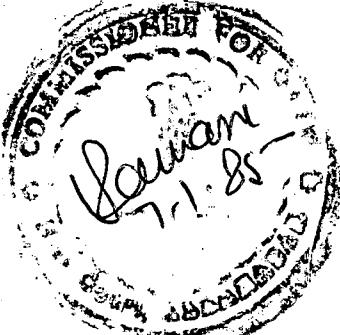
Reg:- Wrong assignment of seniority to
S/Shri Ram Milan, M.S. Sonkar, Khedu Pd.
and Godi Lal, Guards Lucknow Division

Ref:- Your letter No. NRMU/56/512 dt 2nd Sep '82

In ref. to the decisions in the latest PNM meeting held on 18/19.8.82, the case has been re-examined by the ADRM and the DRM and the following points are clarified:-

1. That revision of seniority of Sri Sonkar and others in no way violates the decision of the DRM given in the 39th PNM as referred to by you, as these employee have only superceded such employees of other trades who were promoted on adhoc basis. Date of entry into the cadre of guards has to be taken on the basis of regular appointment as guard and not appointment on adhoc basis.

2. That the decision to revise the seniority of Sri Ram Milan, M.S. Sonkar and others was taken vide this office letter of even No. dated 6.6.81 and as per this office records, no representations were received from the affected guards as referred to in your letter.



contd..2

(2)

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3. That adhoc promotees cannot claim seniority over regular promotee guards who were promoted late due to administrative error.

4. That promotions made in connection with the re-structuring of the guards cadre and consequential promotions were cancelled on your representations vide this office letter No. 757E5/3/3 dated 20.3.82 but all 915E5/3/3 other promotions made earlier unconnected with the restructuring were not disturbed.

5. That this is not correct that Sri Ramanand was reverted on account of revision of seniority of Sri Ram Milan and M.S. Sonkar, but he was reverted on account of revision of seniority of Sri Jhuri Ram who stands senior to Sri Rama Nand. The case of Shri Sheo Dularay for revision of his seniority was not yet finalised because of a reference made to SM/BBK for clarifications as to why was he not ~~not~~ spared for training when booked on 30.5.76 for Chandausi. The reply has not been received and the case is under examination.

6. That the reply of your last para may please be seen in para 1 of this letter.

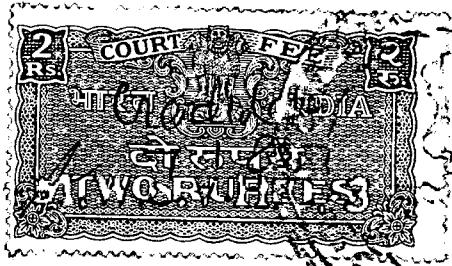
This has got the approval of DRM/LKO.

Yours faithfully,

Sd/-

(S.N. Misra)
for Divl. Railway Manager,
Lucknow.

Ram Lal (TRUE COPY)



1984
AFFIDAVIT
100/1999
HIGH COURT
ALLAHABAD

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

Civil Misc. Writ Petition No

of 19

Godi LalPETITIONER

.....OPPOSITE PARTIES

AFFIDAVIT OF Godi Lal

AGED 37 YEARS, S/o SHRI Motchey Lal

R/o E/2004 Rajaji Parasnath
Chucre

P/o

I, the above named deponent do hereby state on oath as under:-

- 1- That the above deponent is one of the petitioner/opp. party and is well acquainted with the facts of the case/and he has also been authorised by the petitioner O.P. No to swrn on his behalf.
- 2- That the deponent verifies the contents of para No .../... to .../...
of this writ petition/counter-affidavit/Rejoinder-affidavit as true to his own knowledge and these of paras ... to .../...
are believed by him correct on the basis of records and those of paras ... to .../...
to .../... are correct from the information received from the office of opposite parties ... to .../... and those of paras ... to .../... are believed to be correct on the basis of legal advice given.

7.1.85-Dated:



Godi Lal
DEPONENT

APP

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I, the above named deponent do hereby verify that the contents of para No to are correct to the best of his knowledge and nothing material parts have been concealed. So help me God

Signed and verified at this day) ... -1 : 85 ...
at Lucknow

Rodi Lal

DEPONENT

I know the deponent who has signed in my presence

M P Sharma
(M P SHARMA),

Advocate,

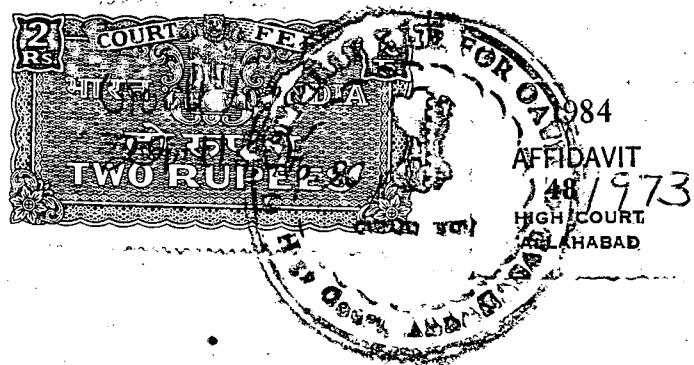
7, Annex, Near G. P. O

Lucknow

Solemnly affixed before me on 7.1.85 at 11.45 A.M AM/PM by the deponent
Shri ... *Rodi Lal* who is identified by Shri M. P.
Sharma, Advocate, High Court, Lucknow Bench Lucknow and I have satisfied
myself by examining the deponent and he understood all the contents of affidavit
which has been read and explained by me.

Veena Ramani
OATH COMMISSIONER
High Court, Allahabad
Lecture Bench
Co. 100/999
Co. 7.1.85





In the Hon'ble High Court of Judicature at Allahabad

Lucknow Bench : Lucknow

C.M.W.P. NO. 4977 of 1982

Godi Lal ... Petitioner

Versus

Union of India & Others Opposite Parties

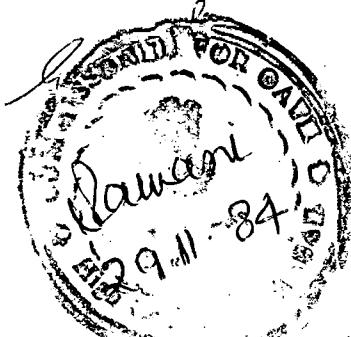
Rejoinder-Affidavit of Godi Lal

aged about 37 years, S/O Shri

Chokhey Lal E-2004, Rajaji
puram, Lucknow

I, the above named deponent do hereby
state on oath as under :

1. That the contents of paragraphs 1 and 2 of the Counter-Affidavit need no comments.
2. That the contents of para 3 of the Counter-Affidavit are in correct and denied. In fact, the promotion of the deponent was made temporarily on the post of Guard Grade 'C' vide order dt. 19.1.1978 against the substantive vacancy against



R/T

93

S/C quota to complete short fall of 20% commercial quota adopted by the Rly. administration.

In the appointment order dt. 19.1.1978, 14 persons were appointed as Guard Grade 'C' with a stipulation that persons named at Sl.No.5 to 14 are being appointed in local adhoc arrangement and they are likely to be reverted on availability of qualified and eligible persons from other categories being excess to TNC's quota. It is specifically submitted that in the aforesaid order dated 19.1.1978 the name of the deponent was placed at Sl.No.4 and his nature of appointment was specified as S/C candidate appointed to officiate in scale 290-530 and, therefore, it is totally incorrect to say that the deponent was appointed on adhoc basis, the post on which the deponent was appointed is still continuing. A true copy of appointment order dated 19.1.1978 is enclosed as Ann. No.1 to this Rejoinder-Affidavit.

It is further submitted that there was no bar for appointment as Guard Grade 'C' before completion of 5 years as said and no rule has been cited by the respondent to support this plea. Assuming for the sake of argument, although not admitted, the basic and initial defect, if any, in the appointment of the deponent that cannot be challenged after a lapse of 6-1/2 years and the department is estopped to raise this point for the first time in this writ petition. Now the respondents are stopped to raise this plea at this stage.



It is further submitted that even if there

100

and
was any instruction or circular pertaining, prescribing
5 years, the same has been relaxed in the case
of the deponent as the Rly. administration
after full notice of it's law issued appointment
order in favour of the deponent without any rider
or condition and, therefore, on this account also
the respondents are debarred to take any plea
against the deponent.

That Shri P.K.Srivastava, M.Oraon, R.G.
Tiwari, M.J.Francis, R.R.Pandey, RS Pandey, Mahangoo
Ram and Laxman Topo besides other 8 9 persons have al-
so been appointed as Guard grade 'C' without completin
5 years service in eligible category and they have
been allowed by the Rly. Administration with the
benefit of continuity of service, seniority and
promotion etc. Now these persons are working
as Guard 'B', 'A' & 'A' Special in Lucknow Division.

3. That the contents of para 4 of the
counter-affidavit need no comments.

4. That the contents of para 5 are incorrect
and denied. It is submitted that the department is
required to maintain seniority list pertaining to
the deponent on the basis of scheduled caste candidat
working as Guard grade 'C' by counting continuous
service as Guard 'C'. The deponent joined as Guard 'C'
on the date of appointment order dt. 19.1.1978
and then on the post of Guard Grade 'B' on which post
the deponent was promoted on 31.3.81 and later on
continued as Guard Grade 'B' from 31.5.81 vide order
contained in Annexure No.3 to the writ petition



(A81)

It is further submitted that the alleged Union cannot challenge the seniority list and place assigned therein to the deponent because to challenge a seniority of a person like the deponent, is an individual right to an ^{an individual employee} employee, if so advised he may make a proper representation but no individual aggrieved, against the placement of the deponent's name in the seniority list has challenged the seniority of the deponent till this day of filing this rejoinder-affidavit, therefore the alleged union cannot challenge the seniority on behalf of the others and moreover no opportunity was given to the deponent before disturbing the seniority of the deponent. To change the seniority position of the deponent behind his back and also without giving a show-cause notice the said action of the Respondant's entails civil consequences to the deponent and is also in violation of principle of natural justice.

It is further submitted that the alleged reversion order is punitive and was passed in violation of article 14, 169, 311 of the constitution of India and also against the principle of natural justice.

It is also submitted that the alleged order dt. 30.11.82 and 17.12.82 have never been served upon the deponent and the Hon'ble this Court has never given a direction to the Respondents to change the seniority position of the deponent behind his back. In fact, the Hon'ble this Court.



A82

- 5 -

Vide order dt. 11.11.82 and 14.3.83 stayed the operation of impugned order of reversion.

It is further submitted that how and by what means the department has changed the seniority, It has not specifically been disclosed in para under reply and no reasons has been assigned to support the plea of changing the seniority by the Respondents. Therefore, being vague pleading it is of no help to the department.

5. That the contents of para 6 of the counter-affidavit need no comments.

6. That the contents of para 7 are incorrect and denied. It is totally incorrect to say that the deponent is junior most as said. The fact is that the name of the deponent finds place below the name of Shri Khedu Prasad and Shri Khedu Prasad is also confirmed and ^{continuously} ~~enjoying~~ the benefit of higher scale Rs.425-600 since 1.6.1981.

It is further submitted that no opportunity has been given to the deponent while disturbing the seniority of the deponent by treating him as junior

7. That the contents of para 8 need no comment

8. That in reply to paragraph 9 of the counter-affidavit it is submitted that the alleged

Contd:6/-



reversion order was disclosed to the deponent by the department and the same has been merged in the order dt. 19.10.1982.

9. That the contents of para 10 of the counter-affidavit are incorrect and denied. The alleged order dt. 7.10.1982 and 19.10.82 are punitive, arbitrary, in violation of principle of natural justice and also against the provisions of article 14 & 16 and 311 of the constt.of India.

10. That in reply to para 11 of the Counter-Affidavit it is submitted that the department has itself admitted that due to representation of the Trade Union, the reversion order was passed they show that without giving an opportunity, the authorities acted on the sole representation and influence caused by the Union and no other ground has been stated to support the reversion orders.

11. That in reply to paragraphs 12 and 13 of the Counter-Affidavit it is submitted that the department was bound to allow the deponent in the pay scale of 425-600 as claimed in the petition and not in the pay scale 330-560, to this extent the order dated 19.10.82 is illegal, in violation of principle of natural justice and against the principle and provisions of article 14 & 16 & 311 of the Constitution of India. The contents of paras 12 to 17 of the petition are reiterated.

lod. for



12. That in reply to para 14 of the Counter-Affidavit it is submitted that on the basis of Hon'ble High Court order the ^{Department} ~~deponent~~ was required to post the deponent in scale 425-600 from 1.6.81 as claimed in the writ petition particularly as per order dt. 18.9.82.

13. That in reply to paragraph 15 of the counter affidavit it is submitted that the writ petition is not become infructuous but is living.

14. That the contents of para 16 & 17 of the counteraffidavit need no comments.

15. That in reply to para 18 of the counter-affidavit it is submitted that the order dated 19.10.82 was illegally issued.

16. That the contents of paragraph 19 need no comments.

17. That the contents of paragraph 20 of the counter-affidavit are incorrect and denied. In fact, the alleged order was issued in colourable exercise of power and also on the basis of influence caused by the Unions.

It is further submitted that the department was required to post ^{and pay} the deponent in pay scale 425-600 as claimed by the deponent.

18. That the contents of paragraph 21 of the

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counter-affidavit need no comments.

19. That in reply to paragraph 22 of the counter-affidavit it is submitted that it is totally incorrect to say that the deponent's name was erroneously allowed. In fact the deponent like Shri Khedu Pd. and other was placed and allowed scale of Rs.425-600 rightly and it is further submitted that before passing the order impugned and also before disturbing the seniority the department was required to give an opportunity to the deponent.

It is further submitted that no reason or formula has been given on the basis of which the department has disturbed the seniority of the deponent. The deponent was similarly situated and placed like others as per order dt. 18.9.82 and other persons are being continuously allowed to work as Guard grade 'B' , now redesignated as Guard Grade 'A' in scale of Rs.425-600.

God Jul
That the persons who have been appointed under order dated 18.9.82 are still continuing to pay scale 425-600 with slightly saying and treating them as Guard grade 'A', notionally without passing a fresh order as the scale of Guard 'B' scale 425-600 under order dt. 18.9.82 was notionally converted as Guard grade 'A' Rs.425-600.

20. That in reply to paragraph 23 of the



(A/C)

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counter-affidavit it is submitted that the deponent being scheduled caste candidate has right to be considered on each occasion for the appointment of the higher post on the basis of 40 point roster system available to the schedule caste candidate and before affecting the seniority of the deponent, on the basis of representation of the Union, he was also required to be given an opportunity but no opportunity was given ^{to} ~~him~~ him. The deponent was eligible to ^W ~~and qualified~~ his post, as he belongs to the scheduled cast_c candidate.

21. That the contents of para 24 of the counter-affidavit need no comments.

22. That the contents of paragraph 25 of the counter-affidavit are in correct and denied. The department has not adopted 40 point Roster System available to the deponent particularly at the time of passing the impugned order. It is submitted that if the department has adopted 40 Point Roster System in that event the deponent's name could have been placed below Shri K.K.Puri and above Shri C.N.Pathak at Sl.No.17 in the order dt.

18.9.82.

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23. That in reply to para 26 of the counter-affidavit it is submitted that before changing the seniority of the deponent an opportunity was required to be given.

24. That the contents of para 27 of the counter-



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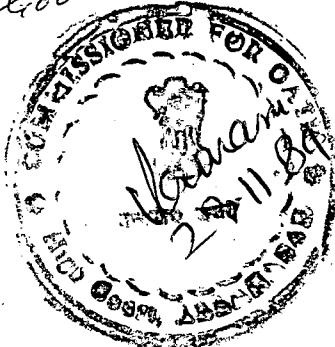
11

affidavit are incorrect and denied. The confirmation of the deponent was rightly made and there was no ground for the department to revoke the same.

It is further submitted that as per order dt. 13.9.82 the persons, who have been appointed vide order dt. 18.9.82 in Grade Rs.425-600 are notionally allowed to work as Guard Grade 'A' in scale 425-600 without revoking the order dt. 18.9.1982 and similarly the deponent was required to be allowed in scale 425-600 as per order dt. 18.9.82 and also as Guard Grade A notionally similarly to those 57 persons.

The deponent subsequently has been allowed 425-600 w.e.f. 14.3.84 as Guard Grade 'A' but the department has not paid salary to the deponent between 1.6.81 to 4.4.84 with increments to this effect. The deponent is entitled to claim arrear of salary and continuity in scale of pay Rs.425-600 and seniority in scale of pay 425-600 similarly to those persons who are and were similarly situate and placed like the deponent. ^{Having less qualified} The deponent has also right to claim benefit of 40 point Roster System at the time of posting in scale of pay 425-600. The deponent had never absented himself on duty as claimed by the department but always remained present in the office of the Divisional Rly Manager and station Supdt. N.Rly. Charbagh, a detail of his presence and efforts are given in Paragraph 26 to 30 in fra.

God Jul



25. That the deponent vide order dated 18.9.82 passed by the Respondent No.2 was promoted in the pay scale 425-600 as Guard grade B passenger train similarly to those 57 persons and vide orders dt. 7.10.82 and 19.10.1982 he was reverted. Against both the

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the orders the deponent filed aforesaid Writ Petition and on 11.11.1982 this Hon'ble Court has granted stay order which was later on confirmed.

26. That the deponent resumed his duties on 26.11.1982 on the basis of stay order granted by this Hon'ble Court on 11.11.1982 and submitted to the Respondents a copy of the stay order and the Respondents have allowed the deponent duty in between 26.11.82 and 1.12.1982 at Charbagh Rly. Station but have not paid a single paise as duty pay in the pay scale 425-600 although the deponent was entitled to get his salary in the pay scale 425-600 in terms of promotion order dt. 18.9.1982.

27. That w.e.f. 2.12.1982 to 17.3.1983 the deponent was sick and applied for medical leave and on 18.3.1983 he resumed his duties under the Station Superintendent, Northern Rlys, Charbagh, Lucknow and he was waiting for duty between 18 and 19 March 1982 but no duty was allotted to him. However, on 20.3.83 to 26.3.1983 he was allotted duty in passenger train but he was not paid salary in the pay scale 425-600.

28. That again on 26.3.1983 the Station Superintendent, Northern Rlys, Charbagh, Lucknow returned the deponent to the Divisional Rly. Manager with the remark that the Divisional Rly. Manager has not clarified the deponent's status and, therefore



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the deponent resumed in the office of the Divisional Rly. Manager on 28.3.1983 and remained there upto 12.4.1983 and in the eve of 12.4.1983 the Divisional Rly. Manager again directed the petitioner to see the Station Superintendent, Charbagh R.R., Lucknow for further posting where the deponent resumed his duties on 13.4.1983 and the said Station Superintendent allotted the duty in passenger train upto 21.4.1983 and from 22.4.1983 to 28.4.1983 no duty was allotted to the deponent and from 29.4.1983 to 2.5.1983 the deponent fell ill and applied sick leave to the Station Superintendent and on 3.5.1983 he resumed his duties and report to the Staion Superintendant, Charbagh, Luckjow w.e.f. 3.5.1983 but no duty was allotted to the deponent and as the deponent was not allotted duty as per this Hon'ble Court order stated hereinabove, therefore having noalternative he made presentations to the Divisonal Rly.

Manager and the Station Superintendent, Northern Rlys, Charbagh, Lucknow on 5.5.83, 4.6.1983, 21.6.83, 2.7.83
6.12.83 *VL* 28.11.1983, *19.12.1983* and 3.1.1984 in which the deponent written to the said authorities that the deponent is attending the office and also in physical touch with them and always intending to resume his duties and he personally approached their office but he is not being allotted duty. Therefore, he is forced to move a Contempt Application and accordingly he moved a contempt Application No.1015 of 1983 which was rejected at first instance and against that *re*jection the deponent filed an appeal to the Bench of this



(A.P.D.) 14

H on'ble Court which was also rejected on the ground that it is not maintainable. A true copy each of deponent's letter dt. 5.5.1983, ^{6.12.83} 4.6.1983, 21.6.83, 2.7.83, 28.11.1983, ^{are} ¹¹ 19.12.1983 and 3.1.1984 ^{are} ¹¹ enclosed as Annexure No.2,3,4,5,6,7& ¹² 9 respectively to this Rejoinder-Affidavit.

29. That, however, w.e.f. 20.12.1983 the Divisional Rly. Manager was allowed the deponent to work as Guard in pay scale 330-560 instead 425-600 in clear defiance of this Hon'ble Court order as well as contrary to the promotional order dated 18.9.1982 and he has also paid salary to the deponent of pay scale 330-560 upto 4.4.1984 and w.e.f. 5.4.1984 the said Divisional Rly. Manager allowed to the deponent the pay scale of 425-600 ^{5.4.84} ¹¹ and now the deponent with effect from ~~14.3.1984~~ is being paid scale of 425-600.

30. That the Divisional Rly. Manager is duty bound to allow the deponent the pay scale 425-600 w.e.f. 1.6.1981 to 4.4.1983 similarly to those 56 persons who have been promoted vide order dt. 18.9.1982 and also the said Respondents are duty bound to pay arrear to salary to the deponent alongwith 18% interest as the Respondents have deliberately flouted the orders of this Hon'ble Court and to their own order dt. 18.9.1982 by giving the ¹¹ benefit of the order dt. 18.9.1982 to other 56 persons who were similarly placed



and situate and have been promoted in the same condition of service as the promotion was given to the deponent vide order dt. 18.9.1982.

31. That the Respondents are also duty bound to pay salary to the deponent w.e.f. 24.4.1983 to 19.12.1983 alongwith mileage 120 Km. per day as part of pay as the deponent attended the offices of the Respondents for they have deliberately not allowed the deponent to resume duty and it was not the fault of the deponent as he has repeatedly requested the Department and the Respondents to allow him duty but the Respondents clearly disobeyed the orders of this Hon'ble Court and, therefore, the deponent is not required to suffer for the lapses and default of the Respondents.

The Writ Petition is maintainable with cost in favour of the deponent.

God. seal.
D E P O N E N T

Verification

That the deponent verifies the contents
of para No. 1, 2, 3, 4, 5, 6, 8, 10, 11, 14, 15 of this
Rejoinder-Affidavit as true to his own knowledge
and those of paras 6, 12, 13, 16, 25, 26 are
believed by him correct on the basis of records
and those of paras 7, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29 are

correct from the information received the office
of Opposite Parties and those 8f paras 7, 15, 16, 20, 21, 22, 23,
to 24, 29, 30, 31 are believed to be correct on the
basis of legal advice given.

God Lall
DE P O N E N T

I know the deponent who has signed
in my presence.

M P Sharma
(M.P. Sharma)
Advocate,
High Court, Lucknow

29.11.84 at 10.30
Solemnly affixed before me on 29.11.84 /AM/PM
by the deponent Shri Godi Lall, who is indentified by
Shri M.P.Sharma Advocate, High Court, Lucknow
Bench, Lucknow and I have satisfied myself by
examining the deponent and he understood all the
contents of affidavit which has been read and explained
by me.



Veena Rani
OATH COMMISSIONER
High Court, Allahabad
Lucknow Bench
No. 48/923
Date 29.11.84

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

C.M. W.P. No.4977 of 1982

Godi Lal Versus Union of India and others

ANNEXURE NO. 1

NORTHERN RAILWAY

No.757E5/3/2

Divisional Supdt.'s Office,
Lucknow, Dated: 19.1.1978

NOTICE

The following staff are hereby temporarily appointed to officiate as Guard Grade 'A' scale Rs.425-600 (RS) in temporary adhoc arrangement and posted as indicated against each :-

S. No.	Name	Design./Grade	Transferred		Appointed to officia e in R/scala	
			From	To	From	To
1.	Sri D.N. Agarwal	B	A	Lko	Lko	330-560 425-600
2.	" Shiv Ram (SC)	B	A	FD	Lko	" "
N.B. Shri N.M. Nandy, offtg. Guard Grade 'A' scale Rs.425-600 (RS) BSB being surplus at BSB is reverted to his substantive post of Guard grade 'B' scale Rs.330-560 (RS) and posted at Varanasi.						
(B) The following staff are hereby temporarily appointed to officiate as Guard Grade 'B' Rs.330-560 (RS) and posted as indicated against each :-						
1.	Sri R.N. Gupta	C	B	PBH	FD	290-530 330-560
2.	" R.D. Misra	C	B	LKO	Lko	" "
3.	" Vidya Sagar	C	B	LKO	Lko	" "
4.	" Sita Ram I	C	B	SLN	SLN	" "
5.	" K.P. Pathak	C	B	SLN	FD	" "

The request of Shri A. Rattan, Offtg. Guard 'B', Lucknow for reversion to his substantive post of Guard Grade 'C' vide his application dated 7.1.78 has been accepted.

contd..

and posted at RBL. He is warned that he is debarred for promotion for a period of one year and any one promoted during this period will rank senior to him.

(C) The following staff are hereby temporarily appointed to officiate as Guard Grade 'C' scale Rs.290-530 (RS) in adhoc arrangement and are posted as indicated against each :-

Sl. No.	Name	Design.	Transferred		Appointed to officiate in	
			From	To	From	To
1.	Sri Naushad Ali	AGC	LKO	RBL	260-430	290-530
2.	" K.S. Lal	ABC	VYN	PBH	"	"
3.	" Khedu Pd. (SC)	AGC	LKO	LKO	"	"
4.	" Godi Lal (SC)	AGC	LKO	PBH	"	"
5.	" Raja Ram Chaurasiya	TNC	PBH	PBH	260-400	"
6.	" G.D. Jha	TNC	LKO	RBL	"	"
7.	" V.K. Saxena	TNC	LKO	SLN	"	"
8.	" V.B. Pradhan	TNC	LKO	LKO	"	"
9.	" Ram Das Prajapathi	TNC	LKO	SLN	"	"
10.	" R.D. Pande	TNC	LKO	RBL	"	"
11.	" K.N. Srivastava	TNC	LKO	SLN	"	"
12.	" Ram Kumar Tandon	TNC	BSB	SLN	"	"
13.	" Ram Raj	S/J	BBK	SLN	"	"
14.	" R.C. Singh	S/J	BSB	PBH	"	"

God lal
The request of Shri M.I. Kidwai, Guard Gr. 'C' SLN for transfer to PD is accepted as requested by him. He is not entitled for any transfer allowance, pass and joining etc.

Promotion of item 5 to 12 of (C) above is purely temporary in local adhoc arrangement and they are likely to be reverted on availability of qualified eligible

(3)

19
AGS

persons from other categories being excess to TNC's quota.

This issues with the approval of Sr. D.P.O./
Lucknow.

Sd/- Raghoo Ram

For Sr. Divl. Personnel Officer,
Lucknow.

Godベル
Copy to :-

1. The Chief Controller, Lucknow.
2. The Station Superintendent, Lucknow and Varanasi.
3. The Stn. Master, FD.SLN.PHH.RBL and VYN.
4. The Chief Yard Master, LKO.
5. The Goods Superintendent, Lucknow.
6. The Divl. Optg. Supdt. in office.
7. The Asstt. Supdt. (P.B.) in Office.
8. The Sr. D.A.O./Lucknow.
9. The dealer E5/4 and E6/6 in office.
10. The Divl. Secy. URMU, Near Guard's R/Room, Charbagh, Lucknow.
11. The Divl. President, URMU/Lucknow.

(TRUE COPY)



(A/C) 20

IN THE HON'BLE HIGH COURT OF JUDICATURE AT ALLAHABAD

LUCKNOW BENCH, LUCKNOW.

C.M. W.P. No. 4977 of 1982

Godi Lal

Versus

Union of India and other

ANNEXURE NO. 2

To

The Divisional Railway Manager,
Northern Railway,
LUCKNOW.

Subject- CONTEMPT APPLICATION UNDER THE
CONTEMPT OF COURT ACT

Godi Lal Sir,

In reference to my letter dated 16.11.82, 17.12.82
16.3.83, 17.3.83 and 24.4.83, I have to submit that no
order for my posting as passenger train Guard 'B' in scale
Rs.425-600 (RS) has been ordered to me in spite of the
Hon'ble High Court order dated 11.11.82 and 14.3.83 and,
therefore, my learned counsel, Shri M.P. Sharma, Advocate,
filed a contempt application against Railway administration
on 4.5.83, copy enclosed. Please make defence accordingly

Encl - as above

Yours faithfully,

Sd/- Godi Lal
5.5.83
Guard/Lucknow

(TRUE COPY)



(A.P.) 21

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

C.M. W.P. No. 4977 of 1982

Godi Lal

Versus

Union of India and others

ANNEXURE NO. 3

To

The Divisional Railway Manager,
Northern Railway,
LUCKNOW.

Subject- My posting as Guard Grade 'B' in scale of pay Rs.425-600 as per appointment order No.222 E5/3 Pt II dated 18.9.82 and also disposal of my representation dated 16.11.82, 16.3.83, 17.3.83, 26.4.84.

Sir,

God Lal
I have the honour to draw your kind attention towards my representation dated 16.11.82, 16.3.83, 17.3.83 and 26.4.83 and also the Hon'ble High Court order dated 11.11.82 and 14.3.83 and request you that you may kindly pass an appropriate order posting me as Guard Grade 'B' in scale of pay Rs.425-600 on the basis of appointment order No.222 E5/3-PT II dated 18.9.82 under which 57 persons have been promoted on 18.9.82 and all the persons are still working as Guard 'B' in scale of pay Rs.425-600. A photostat copy of promotion order dated 18.9.82 is enclosed.


Sir, in view of Hon'ble High Court order dated 11.11.82 and 14.3.83 my present status as Guard 'B' in scale of pay Rs.425-600 cannot be disturbed.

Station Superintendent wrongly pressed me to work as Guard in scale of 330-560 which I have protested on 3.5.83 with a prayer that action is wrong and I may be posted in scale of pay Rs.425-600. As Station Superintendent is not posting me in scale of pay Rs.425-600 in spite of my approach physically since 3.5.83. I am ~~pressing~~ presenting myself before your honour for orders.

(2)

Wherefore, it is prayed that you may kindly dispose off my earlier representation including this one by posting me in scale of pay Rs.425-600 for which I shall always remain grateful to you.

Encl - one

Yours faithfully,

Sd/- Godi Lal
4.6.83
Guard / Lko

Copy to Station Superintendent for information and necessary action.

(TRUE COPY)



(A99) 23

IN THE HON'BLE HIGH COURT OF JUDICATURE AT ALLAHABAD

LUCKNOW BENCH, LUCKNOW

C.M. W.P. No. 4977 of 1982

Godi Lal

Versus

Union of India & others

ANNEXURE NO. 4

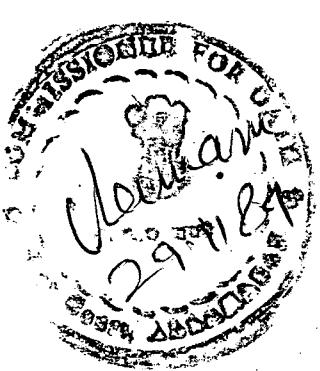
To

The Divisional Railway Manager,
Northern Railway,
Lucknow.

Subject- My posting as Guard Grade 'B' in scale of pay Rs.425-600 as per appointment order No.222 E5/3 PT II dated 18.9.82 and also disposal of my representation dated 16.11.82, 17.12.82, 16.3.83, 17.3.83, 26.4.83 and 4.6.83

Sir,

Godi Lal
I would like to draw your kind attention towards my letter and representation dated 16.11.82, 17.12.82, 16.3.83, 17.3.83, 26.4.83 and 4.6.83, in which I have requested that you may kindly decide my posting in scale of pay Rs.425-600 as Guard (B) Passenger Train as my posting in scale of pay Rs.330-560 has been stayed by the Hon'ble High Court on 11.11.82 and 14.3.83.


It is further brought to your good notice that in spite of stay order granted in my favour, the Station Superintendent, Northern Railway, Charbagh, Lucknow, is insisting me to do duty in scale of pay Rs.330-560 and I protested the same with intimation to your good office. I am approaching the Station Superintendent, Lucknow, and your good office daily but I am not being permitted to resume my duty as Guard 'B' Passenger Train in scale of pay Rs.425-600.

I request once again kindly decide my representation immediately and pay salary to me since 24.4.83 and upto d

contd..2

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It is further requested that please give me direction for my present posting.

Yours faithfully,

Sd/- Godi Lal
21.6.83
Guard/Lko.

Dated: 21.6.83

Copy forwarded to Station Superintendent for information and necessary action.

(TRUE COPY)



(AP) 25

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

C.M. W.P. No. 4977 of 1982

Godi Lal Versus Union of India and others

ANNEXURE NO. 5

To

The Divisional Railway Manager,
Northern Railway,
LUCKNOW.

Sir,

I would like to draw your kind attention towards my letters and representations dated 16.11.82, 17.12.82, 16.3.84, 17.3.83, 26.4.83, 4.6.83 and 21.6.83 in which I have requested that you may kindly decide my posting in scale of pay Rs.425-600 as Guard Grade 'B' Passenger Train as my posting in scale of pay Rs.330-560 has been stayed by the Hon'ble High Court on 11.11.82 and 14.3.83.

Sir, in view of Hon'ble High Court order dated 11.11.82 and 14.3.83, my present status as Guard 'B' in scale of pay Rs.425-600 cannot be disturbed.

I again once more request you to kindly decide my representation immediately and pay salary to me since 24.4.83 and upto date.

Wherefore, it is prayed that you may kindly dispose of my earlier representation including this one by posting me in scale of pay Rs.425-600.

Yours faithfully,

Sd/- Godi Lal/2.7.83
Guard, Lucknow.

Dated: 2.7.1983

Copy to Station Superintendent, Lucknow, for information and necessary action please.

(TRUE COPY)

(Ato)

26

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

C.M. W.P. NO. 4977 OF 1982

Godi Lal Versus Union of India and others

ANNEXURE NO. 6

To

The Divisional Railway Manager,
Northern Railway,
Hazratganj,
LUCKNOW.

Sir,

On 26.11.1983 my writ petition No. 4977/82 was listed in the Hon'ble High Court and in the court on the suggestion made by my learned counsel and Shri Siddharth Verma, Counsel for the Railway Administration, it was mutually agreed as directed by my counsel to approach you again for my posting as Guard Grade 'B' scale Rs. 425-600 as passenger train now recast as told by learned Railway Counsel in the court as Guard Grade 'A' on the basis of my promotion and posting order No. 222E-5/3-PT II dated 18.9.1982. Accordingly I approach your goodself for the purpose in continuation of my joining reports and letters dated 16.11.82, 17.12.82, 16.3.83, 17.3.83, 26.4.83, 4.6.83 and 2.7.83.

I shall be obliged.

Yours faithfully,

Sd/- Godi Lal/28.11
Guard 'B' Passenger T
Rs. 425-600

Dated: 28.11.1983

Copy to :-

Mr. Siddharth Verma, Learned Advocate of Railway Administration, engaged in the Writ Petition No. 4977/82 for information, record and kind necessary action.

Sd/- Godi Lal

(TRUE COPY)



A103
27

IN THE HON'BLE HIGH COURT OF JUDICATURE AT ALLAHABAD

LUCKNOW BENCH, LUCKNOW.

C.M. W.P. No. 4977 of 1982

Godi Lal

Versus

Union of India and others

ANNEXURE NO. 7

To

Shri S. Dharni,
Divisional Railway Manager,
Northern Railway,
Hazratganj,
LUCKNOW.

Dated: 6.12.83

Respected Sir,

This is in continuation of my letter dated 28.11.83, addressed to you (which was in continuation of my earlier letters as follows) :-

1. Letter dated 16.11.82.
2. Letter dated 17.12.83.
3. Letter dated 16.3.83.
4. Letter dated 17.3.83.
5. Letter dated 26.4.83.
6. Letter dated 4.6.83.
7. Letter dated 2.7.83.

Godi Lal

I have to submit that on 7.10.82 and 19.10.82 I was working as Guard 'B' of Passenger Train, but vide your letter No. 222E5/3 PT II dated 7.10.82 and letter No. 825E5/3 (NRMU) dated 19.10.82 your office has reverted me as Guard Grade 'C' of Goods Train, against which I filed a writ petition No. 4977/82 and on 11.11.82 and 14.3.83 reversion orders have been stayed by the Hon'ble High Court.

At the time of your reversion order of date 7.10.82 and 19.10.82 I was duly promoted and posted in 425-600 as Guard 'B' Passenger Train along with 56 other persons who have been enjoying the benefits of 425-600 pay scale without

contd..2

(2)

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any further reversion or promotion order but your office is not allowing me to work as Guard Grade 'B' passenger train in the aforesaid scale and status.

Although I have already joined on 16.11.82 my duties on the basis of Hon'ble Court order dated 11.1.82, and 14.3.83, but no formal order of posting is being given to me in spite of my best efforts.

Sir, I am petty official suffering badly and action of the Railway administration is not disposing my joining reports as stated above is injuring to me and I request you personally to order my posting as Guard Grade 'B' of passenger train as aforesaid. I am attending your office daily.

Yours faithfully,

Sd/- Godi Lal
6.12
Guard / Lko

Dated: 6.12.1983

(TRUE COPY)



A16 29

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

C.M. W.P. No. 4977 of 1982

Godi Lal

Versus

Union of India and others

ANNEXURE NO. 8

To

Shri S.P. Jain,
Divisional Railway Manager,
Northern Railway,
LUCKNOW.

Respected Sir;

This is in reference to my letter dated 28.11.83
in which I have prayed by presenting myself before
Mr. S. Dhani, Acting D.R.M., Northern Railway, Lucknow,
on 7.12.83. I again request your goodself to give me
a posting order as Guard 'B' of Passenger Train. I am
continuously awaiting my posting since 16.11.82 but no
order for my posting is being passed.

I will be obliged for immediate order please.

Yours faithfully,

Sd/- Godi Lal
19.11.83
Guard/Lucknow.

Dated: 19.12.1983

(TRUE COPY)



30/Ado

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

C.M. W.P. No.4977 of 1982

Godi Lal

Versus

Union of India and others

ANNEXURE NO. 9

To

The Divisional Railway Manager,
Northern Railway,
LUCKNOW.

Through - Proper Channel

Respected Sir,

In view to honour your kind direction under your letter No.E/5/3/4977 dated 20.12.83 as suggested, I presented myself to Deputy Chief Controller/Lobby Northern Railway, Charbagh, Lucknow, on 20.12.83. I made it strong protest to address your honour that on 7.10.82 and 19.10.82 I was working in grade 'B' Guard passenger train in scale Rs.425-600 but the Deputy Chief Controller wrongly posted and allotted duty to me as Goods Train Guard and not as Passenger Train Guard on 23.12.83. For this posting I humbly but strongly protest and request your goodself to kindly reinstate me as Guard Grade 'B' in scale Rs.425-600 for Passenger Train as per order No.222E-5/3 Pt. II dated 18.9.82 similarly to those 56 persons who are being allowed by you the scale of pay Rs.425-600 continuously since 18.9.82 and much before it till this date without any interruption. I may also like to submit that your office wrongly addressed me as absent from duty for the first time under your letter in reference while the fact is I am on duty as represented by me on 3.5.83, 4.6.83, 21.6.83 and 2.7.83, 28.11.83, 6.12.83, 7.12.83 and 19.12.83 and, therefore, I request that you may kindly to direct your office not to blame me but to correct their own fault as they have slept over my all the

contd..2

(2)

31
plot

letters pertaining to my joining and attendance in your office under the order of the Hon'ble High Court. No verbal orders, if any, has been given to me as alleged in your kind letter dated 20.12.83.

Therefore, I request that the deliberated mistake in my present posting on Goods Train may kindly be withdrawn and my correct posting order on Passenger Train may be passed as Guard Grade 'B' in scale 425-600 as intimated and recast as Guard Grade 'A' since 18.9.82. I shall be obliged.

God Lal

Yours faithfully,

Lucknow :

Sd/- Godi Lal
Guard / Lucknow

Dated: 3.1.1984

(TRUE COPY)



IN THE HON'BLE HIGH COURT OF JUDICATURE AT ALLAHABAD

LUCKNOW BENCH : LUCKNOW.

C.M. Application No.

2241 (u) of 1985



223
IN RE WRIT PETITION NO. 4977 of 1982

Godi Lal Petitioner

Vs.

Union of India & Others Respondents.

APPLICATION FOR AMENDMENT

The humble application of the applicant petitioner most humbly showeth as under :-

1. That in the above noted Writ petition the petitioner claimed that being Scheduled Caste senior candidate and having been appointed vide order dated 18.9.1982 Annexure No.2 to the supplementary Affidavit filed in the aforesaid

Writ Petition the petitioner was appointed as Guard Grade 'B' in the Passenger Train in the scale of pay Rs. 425-600.

2. That he also claimed that as per model Roster for filling the post for promotion on higher post like Guard Grade 'A' Special in scale of pay Rs. 425-640 the Union of India and other authorities are required to follow the 40 Point Roster System as per Annexure No. 3 annexed with the supplementary Affidavit.

3. That now the petitioner is working in the scale of pay Rs. 425-600 as Guard Grade 'A' Passenger Train.

4. That one Shri Mahip Ram is junior to the petitioner in the Scheduled Caste seniority list but he is being promoted and appointed as Guard Grade 'A' Special in the scale of pay Rs. 425-640, therefore it would be in the interest of justice to allow the following amendments in the petition :-

A. That in the title column of the Respondent the following may kindly be allowed to be impleaded

Mahip Ram,
Guard Grade 'A',
Northern Railway,
Lucknow Division, having
headquarters at Varanasi
as Respondent No. 4

(All)

}

C.N. Pathak,
Guard Grade 'A',
Northern Railway, having
headquarters at Lucknow
as Respondent No. 5

B. That after paragraph 1 the following
paragraphs may kindly be allowed to be added :-

1 a) That as is apparent vide order dated 18.9.1982 the petitioner was posted with retrospective date, i.e. 1.6.1981 in the scale of pay Rs. 425-600 as Guard Passenger Train and the Respondent Nos. 1 to 3 were bound to pay the arrears of salary to the petitioner similarly to those 57 persons who were also similarly posted and appointed.

1 b) That however the Respondent No.2 allowed the scale of pay Rs. 425-600 to the petitioner with effect from 14.3.1984.

1 c) That the Respondent No.4 is junior to the petitioner as the petitioner's seniority is fixed by the Department at Sl.No. 70(b) and the seniority of the Respondent No.4 was fixed at Sl.No. 71.

1 d) That the Respondent Nos. 1 to 3 are also required to follow 40 Point Roster while making promotion and appointment on the post of Guard Grade 'A' Special in scale of pay Rs. 425-640 and if they apply the said Roster the petitioner has preferential right to be promoted in preference to Respondent Nos. 4 and 5 and it is the duty of the Respondent Nos. 1 to 3 to apply 40 Point Roster System and give due promotion to the petitioner.

C. That in Ground paragraph 'N' the following paragraphs may kindly be allowed to be added :-

O) Because the Respondent Nos. 1 to 3 are bound to observe the 40 Point Roster System while making promotion for the post of Guard Grade 'A' Special in the scale of pay Rs.425-600 and allow the benefit of the same to the petitioner.

P) Because the petitioner being senior and having the benefit of 40 Point Roster System available to the Scheduled Caste candidates he has preferential right to be promoted in the scale of pay Rs. 625-640 in preference to the Respondent Nos. 4 and 5.

Q) Because the Respondent Nos. 1 to 3 are bound to pay the arrears of salary to the petitioner with effect from 1.6.1981 in the scale of pay Rs. 425-600 in terms of order contained in Annexure No.2 to the supplemental Affidavit likewise 57 persons who are getting the benefit of the said order.

D. In the Prayer column under Prayer No.2 after the word 'Grade C' in the last line the following may kindly be allowed to be added :-

"with a direction to the Respondent Nos. 1 to 3 to observe 40 Point Roster System while making promotion in the scale of pay Rs. 425-600 and Rs. 425-640 and pay the arrears of salary to the petitioner with effect from 1.6.1981 on the post of Guard Grade 'A' on the basis of Annexure

AI/2

- : 5 : -

No. 2 of the supplementary Affidavit.

Wherefore it is prayed that this Hon'ble Court be pleased to allow the aforesaid amendment in the petition.


(M.P. Sharma)
Advocate
for the Petitioner.

Ar 26/2/05
27/2/05

(A13) 6

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

C.M. Application No.

of 1985



IN RE WRIT PETITION NO. 4977 OF 1982

Godi Lal

..... PETITIONER

Vs.

Union of India & Others OPPOSITE PARTIES.

AFFIDAVIT OF GODI LAL, AGED 38 YEARS,

s/o SHRI Chetley Lal

R/o E-2004 Avas vilas Colony,

P/o Tal Kalra Lucknow

I, the above named deponent do hereby state on oath
as under :-

1. That the above deponent is one of the petitioner/
Opp. party and is well acquainted with the facts of
the case/and he has also been authorised by the
petitioner O.P.No. to swear on his behalf.
2. That the deponent verify the contents of para
No. 164, 43, 44, 45 to 48 of this
Amendment Application as true to his own knowledge
and these of paras to
are believed by him correct on the basis of records
and those of paras to
are correct from the information received from the
office of opposite parties to
and those of paras 4A, 4-13, Part-I to 1(d), 4C are
believed to be correct on the basis of legal advice
given.

Dated : 20-2-85

Godi Lal
DEPONENT

Chand
20/2/85

(AM)

7

I, the above named deponent do hereby verify
that the contents of para No.
to ~~9~~ ² ... are correct to the best of
his knowledge and nothing material parts have been
concealed. So help me God.

Signed and verified at this day 20/2/85 ...
... ... at Lucknow.

Godikar
DEPONENT

I know the deponent who has signed in my presence.

M. P. Sharma

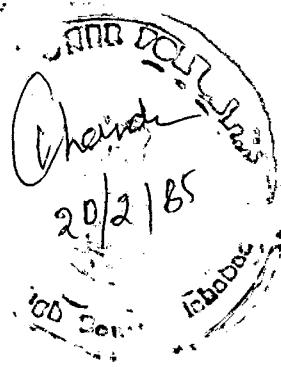
(M.P. SHARMA)
Advocate,

7, Annexe, Near G.P.O.
Lucknow.

Solemnly affixed before me on 20/2/85 ...
... dd. ... AM/PM by the deponent Shri *Godikar*
... M.P. Sharma who is identified by Shri M.P. Sharma,
Advocate, High Court, Lucknow Bench Lucknow and I have
satisfied myself by examining the deponent and he
understood all the contents of affidavit which has
been read and explained by me.

Chand

OATH COMMISSIONER



Chand

MISSIONER
Lucknow Bench
KNOW

20/2/85
20/2/85

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
CIRCUIT BENCH, LUCKNOW.

AIS

T.A. NO. 714 of 1987 (T)



Godi Lal

.....Petitioner

VERSUS

Union of India and others

....Opps Parties.

additional Rejoinder Affidavit of Godi Lal
aged about 42 years s/o Shri Chokhey Lal R/o
s/o Shri Rajendra Singh Village Bhaptamau,
Alamnagar, Lucknow.

I, the above named deponent do hereby state on oath as under :-

1. That the deponent has perused the additional counter affidavit filed by the opposite parties and understand the contents thereof and making reply as under.

2. That para 1 needs no comments.

3. That in reply to paragraph 3 it is submitted that being Scheduled Caste candidate, the deponent was promoted as Guard grade 'C' in pay scale Rs. 290-530 w.e.f. 19.1.1978 against the substantive vacancy and he resumed on the said post. His seniority was determined on 6.6.81 against which no one either Scheduled Caste or General candidate have raised any objection and therefore vide order dated 10.9.82 the competent authority, clearly finalised the seniority of the deponent in Guard 'C' cadre, and

contd.....2

Godi Lal

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the same is now stands final and continuing.

It is further submitted that in the Agenda dated 12.5.83 at S.NO. 34 as proposed agenda No. 834/417(IX) 51 St. DPO II SB I-II and 587/284(c), the seniority of the deponent as 46th/DPO-I RSM (V)

determined vide letter No. 8478/5/3 dated 6.6.81 was treated as final. A photostat copy of letter dated 6.6.81, 10.9.82 and agenda dated 12.5.83 is enclosed herewith as annexure No.1, 2 and 3 respectively to this effect.

It is further submitted that the alleged Union has illegally represented without any authority against the deponent which has no locus standi to make any representation particularly when no employee who is or was working in Guard Grade 'C' or Guard Gr. 'B' have challenged the seniority of the deponent either in department or in court of law within stipulated period, therefore, the seniority already determined in favour of the deponent in the year 1981 and 1982 is final and binding to all concerned including the Department.

It is further submitted that the Railway Board and the competent authority had power to relax the provision of any source of recruitment and at the time of petitioner's appointment, promotion, they have exercised their power of relaxation. Moreover, initial defect if any cannot be raised by the Department after a lapse of 14 years of the promotion given to the deponent. The Department is now stopped and aquisced the matter. It is further submitted that even upto 1990, the seniority of the deponent has not been disturbed or changed by the department and further no

God. C.R.

contd.....3



AIR

opportunity was given to the deponent against the alleged representation of the Union till date. That it is incorrect to say that any interpolation is including the name of deponent in grade B-Grade Guard was made as claimed by the department, ^{The deponent had} also not had been interpolated ^{as} disclosed in the Counter Affidavit.

It is specifically submitted that on 31.5.81, the deponent was made confirmed on the post of Guard Grade 'B' in scale Rs.330-560 which stands as it is; therefore his reversion orders was passed on illegal ground against the provision of Art. 311 of the Constitution of India.

4. That in reply to paragraph 4 of the counter affidavit it is submitted that the deponent was required to be posted as Guard Grade 'A' in scale of Rs. 3 425-600 w.e.f. 1.6.81 and not from 1.3.84/ 5.4.84 particularly when one Shri Mahip Ram who is junior to the deponent has been allowed by the Department on guard grade 'A' in scale of pay Rs.425-600 since 1.6.81 and he is continuing till to day with further promotion as guard grade 'A' Spl. in scale of pay Rs. 1400-2600 since 10.7- 1986, therefore the deponent is also entitled to be promoted besides Guard Grade 'A' w.e.f. 1.6.81 to be promoted as Guard Grade 'A' Spl. w.e.f. 10.7-1986 when Shri Mahip Ram was promoted as Guard Grade 'A' Spl. and also on earlier dates in accordance with roster for Scheduled Caste and Scheduled Tribes, if applied for by the Department on due dates i.e. in the year 1981 to 1985. Shri C.N. Pathak was illegally promoted as Guard Grade 'A' special on 1.3.85 who was junior to the deponent. A photostat copy of the promotion order of Shri C.N. Pathak is enclosed herewith as Annexure No. 445 to this affidavit.

God. Lnd

contd....4

5. That in reply to para 5 and 6 there is no law
for to declare automatically ~~wrong~~ ^{as wrong} of the seniority
of the deponent which became final already.

It is further submitted that opposite party
No. 4 and 5 have not challenged the seniority of the
deponent till to day and they are junior to the
deponent.

6. That in reply to paragraphs 7, 8 and 9 it is
submitted that, there is no question to challenge
the seniority of the deponent already finalised and
the alleged presumption for legalised seniority of
the deponent is contrary to law and also against the
principle of natural justice.

It is further submitted that following guards
who were also not completed 2 years service in the
lower grade, they have been promoted as guard Grade
in scale of pay Rs. 330-560 (RS) as well as at the
time of restructuring on 1.6.81 in scale of pay
Rs. 425-600 (RS).

21.2.90

Name	Letter No.	Date
1. S/S Laxman Topo	757E-5/3/3	29.11.80
2. " Shive Dularay	-do-	-do-
3. " Kedar Nath	-do-	8.1.80
4. " A.R. Khan	-do-	-do-
5. " R.A. Misra	-do-	-do-
6. " R.K. Srivastava	-do-	-do-
7. " R.D. Singh II	-do-	-do-
8. " Jhuri Ram	-do-	-do-
9. " Mahip Ram	-do-	-do-
10. " M.S. Sonker	-do-	-do-
11. " Khedu Prasad	-do-	31.3.81

Gopal Lal

That some surplus guards working as Guard Grade 'B' was allowed relaxation by the General Manager vide Order dated 3.5.82 in response to letter dated 31.3.82 (82) of the A.D.R.M. - Lucknow. This shows that there is no restriction of 2 years as claimed by the Department. A true copy of the order dated 3.5.82/3/302 are enclosed herewith as Annexure B.7

Lucknow

Dated: 16.2.1990.

Godselal
Counsel for the Petitioner.

Defn't

Verification

I, the above named deponent do hereby verify that the contents of paragraph 1 to 6 are correct to the best of my knowledge.

Signed and verified at 21-2⁹⁰ this day
at Lucknow.

Lucknow:

Dated:

Godselal
(Deponent)

09/11
Solemnly affirmed before me in office today
at....for paragraph 1 to 6
who is identified by Sh....M.P. Sharma, Ado-
Clerk to Sh....
I have read the above statement and
deponent has signed the same in my presence
and I am satisfied that the same is true and
exactly true. I do solemnly declare this
day of 16.2.1990.

Y
Commissioner of Affidavit
Civil Court, Lucknow.

I know the deponent who
has signed in my presence
and I am satisfied that the same is true and
exactly true. I do solemnly declare this
day of 16.2.1990.

In The Hon'ble Central Administrative Tribunal
Circuit Bench, Lucknow

Northern Railway.

6
D.O. 847 E/5/3/3.

Divl. Office,
Lucknow. Dt. 6.6.1981.

The Chief Controller Lucknow.
The Station Supdt. LKO B.B & PRD
The Station Master FD SLNRL & PYG
The Dy. Controller, Lobby, LKO.

Reg:- Assignment of seniority in Guard Gr. 'C'.

The representation dt. 11.11.80 of S/Sri Ram Milan, M. S. Sonker, Khedu Pd. and Godi Lal Guard from the category of Commercial Clerks have been considered. It has been decided to assign seniority as Guard 'C' to S/Shri Ram Milan and M.S. Sonker above these TNCs numbering 13 who were promoted as Guard Grade 'C' on adhoc basis over and above their quota. Similarly S/Shri Khedu Pd. and Godi Lal are also assigned seniority above 4 TNCs who were similarly promoted as Guard Gr. 'C' on adhoc basis over and above their quota.

The proposed seniority is as under:-

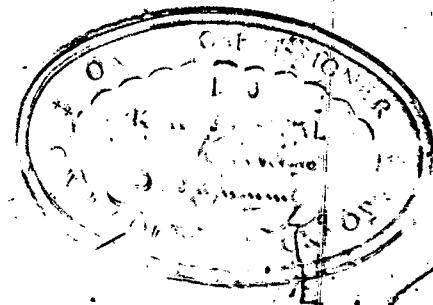
S/ Shri

1. Ram Milan	S/C
2. M. S. Sonker	S/C
3. Satya Narain	S/C
4. K.P. Verma,	
5. M.M. Dwivedi	
6. S.D. Singh	
7. Lalji Lal Srivastava	
8. M.J. Francis	
9. Sheo Ram	S/C
10. J.P. Srivastava	
11. R.R. Pando	
12. Sri Ram	S/C
13. Jagdish Tewari	
14. Samarjit Ram	S/C
15. Mohd. Suleman	
16. Khedu Pd.	S/C
17. PRAMOD Godi Lal	S/C
18. S. Saxena	
19. G.C. Saxena	
20. A.M. Kumar	
21. Q.A.H. Kidwai and son.	

This should be given wide publicity amongst the staff to represent if any and if no representation is received within 15 days from the date of issue of this order, the revised seniority will be treated as final.

A copy of this order may be placed on the notice board for information of staff concerned.

Attested
by
Dated 6/6/81
+ 270/1/82
DIVL. PERSONNEL OFFICER
LUCKNOW.



In The Hon'ble Central Administrative Tribunal
Circuit Bench, Lucknow.

(A12)

Northern Railway

No. 847E5/3/3

Divl. Office,
Lucknow dt. 10.9.82.

The Civil. Secretary,
Northern Railwaymen's Union,
Lucknow.

Dear Sir,

Re:- Wrong assignment of seniority to S/Shri RamMilan, M.S. Sonkar, Khedu P.s. & Godi Lal, Guards Lucknow Division.

Ref:- Your letter No. NRMU/50/512 dated 2nd Sept. '82.

In ref. to the decisions in the latest FNM meeting held on 18/19.8.82 the case has been re-examined by the ADRM and the DNM and the following points are clarified:-

1. That the revision of seniority of Sri Sonkar and others in no way violates the decision of the DNM given in the 39th FNM referred to by you, as these employees have only superceded such employees of other trades who were promoted on adhoc basis. Date of entry into the cadre of guards has to be taken on the basis of regular appointment as guard and not appointment on adhoc basis.
2. That the decision to revise the seniority of Sri RamMilan, M.S. Sonkar and others was taken vide this office letter of even No. dated 6.5.81 and as per this office records, no representations were received from the affected guards as referred to in your letter.
3. That adhoc promoted can not claim seniority over regular promoted guards who were promoted late due to administrative error.
4. That promotions made in connection with the re-structuring of the unit's cadre and consequential promotions were cancelled on your representations vide this office letter No. 75E5/3/3 dated 20.3.82 but all other promotions made earlier unconnected with the re-structuring were not disturbed.
5. That this is not correct that Sri Ramanand was reverted on account of revision of seniority of Sri RamMilan & M.S. Sonkar, but he was reverted on account of revision of seniority of Sri Jhuri Ram who stands senior to Sri Ramanand. The case of Shri Sheo Dularey for revision of his seniority, was not yet finalised because of a reference made to GM/DBK for clarifications as to why was he

n.t.o.



AP22

2.

not enroled for training when booked on 30.5.76 for
Chandauli. The reply booklets to be received and the case
is under examination.

6. That the reply of your last para may please be seen
in para 1 of this letter.

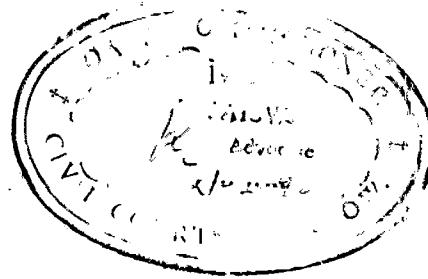
This has got the approval of DRM/LKO.

Yours faithfully,

(S.H. Misra)
For Civil. Railway Manager,
Lucknow.

J.12/9

Control



AGENDA FOR IMPLEMENTATION MEETING WITH NRMU TO BE HELD ON 13-5-83 (13-5-83)

300 No. &

Br. Head- ings

Position Last obtained

Present Position.

EP. I & I
206/29th/46th
226/390/I
236/343(11) 47th
237/343(11)
JUL ASSES

Confirmation &
Seniority lists

The Target date for issue of the balance seniority list and confirmation could not be maintained and fresh date has been fixed for 30th April 1983. Out of 454,80 seniority lists given to Union (REVIEW)

2040/166-42nd
EPO-II SE-II

strong promotion
of staff under
CTXR/BSB

The Seniority list of class IV staff of C&W will be issued by 30.4.83

Seniority list of class
IV staff of C&W being
typed/ cyclostyled.

ESR(C)

Partitioning of Bungalow of Sr. Subordinates

A sum of Rs.1.81 Lacs has been asked for through August Review 82-83.

~~1987/284(C)~~
~~1987/284(T)~~
R. S. E. (V)

Assignment of ..
wrong seniority
to Sri Ram Milar

They have been promoted against S/C quota, naturally they are at the bottom.

& Others in the
cadre of Guards
Gr. 'C'

In respect of those who have been promoted before completion of 5 years they have been assigned seniority from the date they have completed 5 years in eligible grades.

GOVT. COMMISSIONER
OKLAHOMA
1900

ority from the date they have completed 5 years in eligible ^{Seniority} list will be corrected.

It was agreed that the Hon'y Secy. of PBH & FD institutes will be (REVIEW)

卷之三

called in office personally to dissuade them from holding early

REVIEWS

Letter" have been issued to
president of I.Y. Institute
PB&F to conduct the election.
vide this office letter No. 443
Institut. I.Y.) at 2.4.83
2.5.83.

C. M. T. A.

THE HISTORY OF THE SOCIETY OF JESUIT MISSIONARIES OF BRAZIL

卷之三

for reconditioning by districts and
will be locally prepared. The
books so made available shall be
with cut required columns and
supplied to the Filters.

823/403(v) Issue of Charge
523358F.Dmesheet undiscriminately:

Union pointed out that notice were not served to the affected persons before assignment of seniority to Sri Sonkar which is incorrect. It was further desired that the affected persons should be given notice and their representation should be disposed of before making the seniority final.

BY 30.6.83 during water facility by way of Kachha well or hand pump shall be arranged at all the gate and gete lodges. For fetching water in block sec. there is existing practice that the gengma is disputed for this purpose & the same should

Existing water supply are satisfactory.
1) Drinking water can be provided in various ways
11) Arrangements for water supply at East & West Ghat being done in 2nd week
111) Drinking water at a short distance in various places.

Regarding supply of
stationery has been
the printed Job Books
available by the
printed Job Books
not supplied by
arrangements are to
supply these loca

In this connection a
has already been given to
affected persons via ~~the~~ ~~the~~
No. 847E/5/3B&.5.6.81
since no ~~representatives~~ ~~representatives~~
received from the affected
persons the chance in
position of these ~~persons~~ ~~persons~~
been treated as final. ~~as~~

A 125

Acc no 11

ପରିବାର ଏବାବେ

દા ન૰૦ ૭૫૭/૪/૩/૪૮૮ એ/૧૮૩

મણદુલ ફાર્માલય

ଶ୍ରୀମଦ୍ ପିତାମହ 23.2.08

T-3-85

सूचिका

- 1- ਹੀ ਹਰ ਸ਼ਬਦ ਵਿੰਦ ਵਾਡ ਕੇਤ ਦ ਲਈ ਹੋ ਵਾਡ-ਹੋਈ-ਦ ਬੇਤਖਮਾਂਦ ਦਾ 425-640 ਮੈਂ ਹਾਂਡੋਂਟਾਂ ਦੇ ਹਵਾਈ ਫੋਟੋ ਇਕੀਫਾਰ ਕਿਵਾਂ ਕਾਤਾ ਕੇ । ਹੀ ਵਿੰਦ ਵਿੰਦ ਦੀ 12.84 ਦੇ 5 ਮਾਤਬ ਦੇ ਤਿਥੇ ਹਾਂਡੋਂਟਾਂ ਦੇ ਬੰਬਿਤ 100 ਹੋ ਵਾਤੇ ਕੇ 100 ਲੀਂਵ ਦੀ ਕੀ ਫੰਨਿਆਰੀ ਵਾਡ ਹੋਰੀਲ -ਦ ਮੈਂ ਹਾਂਡੋਂਟਾਂ ਕੀਂਦੇ, ਕੇ ਹੀ ਵਿੰਦ ਕੀ ਵਾਲੇ
- 2- ਹਥੀ ਲਾਈਟ ਵਾਡ -ਦ ਬੇਤਖਮਾਂਦ 20 428-300 | 60 | ਹਵਾਈ ਲਾਡ ਵਾਡ ਹੋਰੀਲ -ਦ ਬੇਤਖਮਾਂਦ 20 428- 040 | 1420ਥਾਪਿਂ | ਮੈਂ ਹਵਾਈ ਹਵਾਈ 8 ਹਾਂਡੋਂਟਾਂ ਦੀਂਦੇ ਹਾਂਡੇ ਹੈ। ਪਾਣੀ ਤਿੰਨੀ ਹੋਰੀਲ ਹਾਂਡੀ ਵਾਸ ਦੇ ਵਾਧੇ ਵਿੰਨਿਆਰੀ

શાસ્ત્ર	સ્વરૂપ	બાધેની કાર્ય	બાધેની કાર્ય
૧- પોતાની વિધિ	પાર્શ્વ - વ/સાધારણ	પાર્શ્વ રોગાન - વ/સાધારણ	
૨- ખીંચાની કુણા	૦ / ફિયાબાદ	૦ / અનુભૂતિ કાંકાણાંની	
૩- ઉંબાની વિધિ	૦ / સાધારણ	૦ / સાધારણ	
૪- એ કાંદું પાણ	૦ / પ્રાણાની લખાણ	૦ / પરદાયાણી લખાણ	
૫- પાર્શ્વ દીઠાની	૦ / મુખાંતું	૦ / બારાણાંથી	
૬- પોતાની વિધિ	૦ / બારાણાંથી	૦ / બારાણાંથી	
૭- બોગંદું રીંદું	૦ / નાના	૦ / પરદાયાણી	
૮- પુણાની રોગાન	૦ / ફિયાબાદ	૦ / પ્રાણાની નારાજાની	
૯- પ્રાણ કાંદીની રોગાન	૦ / સાધારણ	૦ / રોગાન	
૧૦- એવીં રીંદું	૦ / ૦	૦ / ૦	
૧૧- પોતાની રોગાન	૦ / ૦	૦ / ૦	
૧૨- પાંચાની રોગાન	૦ / ૦	૦ / ૦	
૧૩- પુણ પોતાની રોગાન	૦ / ૦	૦ / ૦	

ੴ॥੦੦॥ ਹਰੀਅਖਾਂ ਕੇ ਰਾਮੇਂ ਪਾਹ ਬਾਹ ਕੇ ਰੇ ਪਾਰੇਂਦ ਕਿਵਾਹੇਂ ਕੇ
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ਕੇ ਪਿਆ ਰੂਪਾਂ ਕੁਝੇ ਕੇ ਹੇਠ ਪੈਲੇਕੀ/ਅਨੇਤੀ ਕਹਾਂਦਿ ਕਿ ਕਿਵਾਹੇਂ ਕੇ
ਕੋਂ ਕੇ ੫੧੬ ਕੇ ਕੇ ਹੁਣ ਕੇ ਅਵਿਆਂ ਕੇ ਸੂਰੀਆਂ ਕੇ । ਕੇਂਦ ਪਾਰੇਂਦ ਪਾਹੀ

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ਕੋਈ ਨਹੀਂ ਕਰ ਸਕੀਦਾ ਹੈ ਪਾਤਾਲਾਂਦਾ ਏ ਕਲੁਹ ਅਤੇ ਕੀ ਜੀ ਜਾਗ
ਵਾਲਾ ਸੀ ਜੋ ਕੁਝ ਕਰ ਸਕੇ । 20.3.95 ਨੂੰ ਕੀ ਆਇਆ ਹੈ ਕਿ ਜਾਗ
ਕਾ ਲਾਲ ਲਾ ਕੰਪਾਵਾ ਏ ਕੁਝ ਕੁਝ ਕਰ ਸਕੇ ਜਾਂਦੇ ਹਨ ਕਿ ਜਾਗ ਕਿਸੇ ਦ
ਲੋਕ ਦੀ ਅਕਾਲੀਦੀ ਦੇ ਤੌਰ 'ਤੇ ਕਿਵੇਂ ਕਰ ਸਕਦੇ ਹਨ ਕਿ ਜਾਗ ਕਿਸੇ ਦੀ
ਲੋਕ ਦੀ ਅਕਾਲੀਦੀ ਦੇ ਤੌਰ 'ਤੇ ਕਿਵੇਂ ਕਰ ਸਕਦੇ ਹਨ ਕਿ ਜਾਗ ਕਿਸੇ ਦੀ

५० अक्टूबर, १९८५
महाराष्ट्र राज्य विधान सभा
प्रतिवेदन
प्रतिवेदन

ESTATE -

God's Law



IN THE HON'BLE CENTRAL ADMINISTRATIVE TRIBUNAL
CIRCUIT BENCH : LUCKNOW

15
ADM
ANNEXURE NO. 6

NORTHERN RAILWAY

Adol. D.R.M.
N.Rly LKO
D.O.No.915E5/3/3

31st March, 1982

Dear Shri Bhandari,
sub:- Restructuring of the guards' cadre
On this Division SQT & ASQT services which were being manned by Guard Grade 'B' in scale Rs 330-560(RS) have recently been abolished in terms of para 3.19 of Rly Board's letter No.E(P&A)II-80/RS-10 dated 17-7-81. It has been decided that all SQT & ASQT services should be discontinued however it has to be ensured that the staff who are confirmed in their posts are protected. There were 38 Guards Grade 'B' working on these services facing reversions. If such of the Guard Grade 'B' who have been confirmed are to be protected would be so large that it may not be possible to absorb such a large number, number of Guard by enlarging the links. It would therefore, be necessary that while we may protect such guard as far as their grades are concerned but they will have to work or perform on Goods services. It may please be confirmed that the protection of Guard of the SQT &ASQT services is only to the extent of protecting their grades and not that they should only work on passenger trains.

Goods

21-2-82

In terms of Rly Board's letter No.PC-III/79-PS-3/17 dated 17-7-81 passenger guard grade 'B' working on passenger train irrespective of the distance who were in grade 'B' 330-560 (RS) have now

contd..2

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A130

been allotted Grade of Rs 425-600 (RS). It is felt that since the spirit of Board's letter giving protection to the confirmed guard working on SQT and ASQT is to protect them at par with Guard Grade 'B' working on passenger services with the revision of grade of guard grade 'B' to Rs 425-600 (RS). The protected SQT & ASQT guard shall also be given this grade, this may please be examined and necessary directions issued.

In the terms of Rly Board letter No. PC-III/79/ PS-3/17 dated 17-7-81 the existing passenger services guard in scale Rs 330-560 (RS) have now been allotted grade of Rs 425-600 (RS) since this is replacement of grade of the passenger Guard Grade 'B' from 330-560 (RS) to Rs 425-600 (RS) it is felt that this grade would be allotted to all Guards Grade 'B' working on passenger link without following normal rules for promotion and application of reservation for scheduled caste/scheduled Tribes. It is clarified here that while ordering promotion of Goods Guard Grade 'C' in scale Rs 330-530 (RS) to passenger Guard 'B' grade Rs 330-560 (RS) the normal procedure for promotion and application of reservation rules were followed. If now with the revision of grade of guards grade posts have to be filled through normal act of promotion, it would imply application of reservation twice for the same service which does not appear to be in order Rly Board's letter No. 81/E(SCT)/15/93 dated 16-1-82 has however clarified that the rules in respect of reservation are applicable to all vacancies irrespective of the background of the occurrence whether they are by recruitment or otherwise on account of cadre restructuring, this case was therefore discussed by the undersigned with Dy C.P.O. (T&C) & SPO (RP) Jointly

Godwin



in Head Quarters' Office and later I had discussions on the same subject with (C.P.T.S) and all held the view that since this is a case of replacement of grade of Guard Grade 'B' of passenger service reservation rules shall not be applied in this case as it has already been applied while ordering the promotions from Guard's Grade 'C' to Guards Grade 'B'.

In view of the considered opinion given by Depu C.P.O(T&C) And S.P.O.(R.P) on this subject during my discussion with them we are going ahead with fixing the existing guards grade 'B' working on passenger services on the revised grade for these services without further applying reservation rules.

It is requested that the above points may kindly be got examined and necessary directions given on this subject.

With regards,

Sd/- Illegible

ADM

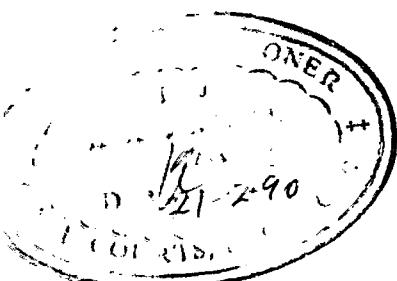
N.R.LKO

Sod. C.R.

Shri M.S.Bhandari CPO(IR)
NR Head Qr Office Baroda House
NDLS

C/o Shri V.K. Sinha CPTS

C/- Shri Deo Raj Dy C.P.O. (T&C)
N.R. Hd. Qr. Office,
Baroda House NDLS



18
A182

IN THE HON'BLE CENTRAL ADMINISTRATIVE TRIBUNAL
CIRCUIT BENCH : LUCKNOW

ANNE XURE NO.7

NORTHERN RAILWAY

Hd. Qr. Office Baroda House
New Delhi.

No. 758-E/6-VIII-98-81(EiB)

Dated: 3-5-1982

The Divisional Railway Manager,
Northern Railway,
LUCKNOW.

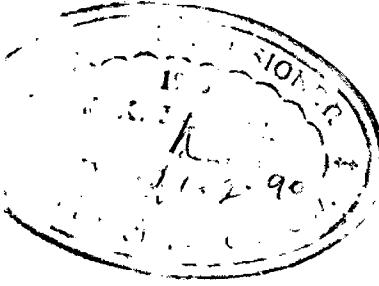
Subject: Restructuring of the Guards' Cadre

Reference: A.D.R.M./LKO's D.O.No.915-E-5/3/3
dated 31-3-82

=====

In terms of Railway Board's letter No.E(P&A) II-80/RS-10 dated 17-7-81 circulated under ~~order of~~ this office letter No.830-E/0/22-IV(Eib) dated 27-8-81 (PS 7867/A) read with Rly Board's letter No.PC-III/79/PS-3/17 dated 17-7-81 circulated under this office letter No.561-E/225-98/Genl/(PC)Pt.III dated 25-7-81 such of Guards (B) who were working against sanctions for SQT/ASQT services and were confirmed shall be at par with passenger Train Guard 'B' as far as their grades are concerned. In other words they will be given revised scale of Rs 425-600 (RS as personal to them. They will be absorbed in future vacancies of Guard 'B'. This protection would not imply that they will be utilised only on passenger services.

contd..2



A/34

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

Writ Pet. No. 4977 of 1982.

...

Reconstituted
Per 27/4/89 Ad to the older

Sri Godi Lal Petitioner

Versus

Union of India & others. Opp-parties.

Counter Affidavit on behalf of opp-parties.

I, Raghu Ram aged about years, s/o Sri Kuber Ram, presently working as Divisional Personnel Officer, in the office of Divisional Railway Manager, Northern Railway do hereby affirm and state on oath as under:-

- That the deponent is presently working as Divisional Personnel Officer in the office of Divisional Railway Manager, Northern Railway, Lucknow, and is well conversant with the facts deposed hereunder. The deponent has been authorised by the opp-parties in the above mentioned writ petition to file this affidavit on their behalf.
- That the contents of paragraphs 1 and 2 of the writ petition are admitted.

Contd./2-

M. P. Sharma
Advocate.

MP

(2)

3. That the contents of paragraph 3 of the writ petition as stated, are not admitted. It is most respectfully submitted that as per extent rules, only those staff who have completed five years' of service in the eligible category are considered for promotion as Guard Grade 'C', subject to their passing the Medical Examination in A-2 and promotional course in P-3 from Zonal Training School Chandausi. The petitioner, on the occurrence of vacancy was promoted to officiate as Guard Grade 'C' purely on temporary and ad hoc basis. The staff promoted on ad hoc basis have no lien, whatever, on the post to which they have been put to officiate and they are liable to be reverted to their substantive post to give room to the staff who have been brought on the panel after selection, or who have been otherwise considered suitable for regular promotion. In the case of petitioner, he had not completed five years' of service in the eligible category, and therefore, was not entitled for regular promotion from the date of ad hoc promotion. It is denied that he was confirmed on the said post of Guard Grade 'C'.

4. That the contents of paragraph 4 of the writ petition are admitted.

5. That the contents of paragraph 5 of the writ petition, as stated are not admitted. It is most respectfully submitted that the confirmation of the petitioner as alleged is not disputed except

M. P. Sharma
Advocate.

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Contd.../3.

(3)

that his confirmation was provisional subject to revision of seniority on appeals from the affected staff. On a representation from a recognised Union, the seniority position of the petitioner was examined and it was found that wrong seniority has been assigned to him. According to his seniority he was not due his promotion and hence, he was revertd from Guard 'B' Scale Rs.330-560(RS) to Guard Grade 'C' Scale Rs.330-530(RS) vide notice No.222 E5/3/Pt.II dated 7.10.1982. Subsequently, on rechecking the position of the petitioner amongst the Scheduled Caste candidates, it was observed that though he could have got his promotion to Guard Grade 'B' in Scale Rs.330-560(RS) in March, 1981, he was not entitled to seniority over his seniors who were promoted earlier to him. Therefore, his reversion order dated 7.10.1982 was cancelled and he was allowed to continue as Guard 'C' in the scale Rs.330-560(RS). Apart from this the position was further clarified vide this office notice No.E5/3.WP-4977 dated 30.11.82 and Notice of even Number dated 17.12.82 stating therein that the petitioner is to Guard Grade 'B' in scale Rs.330-560(RS) in which he was previously posted. These Notice s are annexed herewith as Annexure-C-1 and C-II respectively.

6. That the paragraph 6 of the writ petition need no comment.

Contd.../4.

M. P. Sharma
Advocate,

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(5)

petition, it is submitted that the contents of paragraph are denied, to the extent that the impugned reversion order was issued at the instance and instigation of the N.R.M.U. The deponent has no knowledge as to whether the N.R.M.U. people bear any personal grudge against the petitioner, hence the allegations regarding the same are also denied.

✓ 12. That in reply to the contents of paragraphs 12, 13 and 14 of the writ petition, it is most respectfully submitted that as explained in the foregoing paragraphs, the impugned reversion order has already been cancelled vide Notice dated 19.10.1982 and the petitioner has been allowed to work as Guard Grade 'B' in Scale Rs.330-560, the grade, in which he was posted prior to passing of the reversion order.

13. That the contents of paragraphs 15, 16 & 17 are denied in view of the submissions already made in the foregoing paragraphs.

✓ 14. That in reply to paragraph 18 of the writ petition, it is most respectfully submitted that the impugned order of reversion as given in Annexure-4 to this writ petition has already been cancelled vide Notice dated 19.10.1982, and also, this Hon'ble Court had stayed the reversion of petitioner on 11.11.1982, in compliance of which orders given in Annexure C-1 and C-II of this counter affidavit have been passed and the

Contd.../6.

M. P. Sharma
Advocate,

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petitioner has been posted as Guard Grade 'B' in scale in which he was working before passing of the impugned reversion order.

15. That in view of the submissions already made in the foregoing paragraphs, the contents of paragraphs 19 and 20 of the writ petition are denied. It is most respectfully submitted that the writ petition has become infructuous as the impugned reversion order has already been cancelled vide notice dated 19.10.1982, and is liable to be dismissed.

16. That the deponent has read and understood the contents of the supplementary affidavit, paragraphs 1 to 11 of which have been allowed to be incorporated in the writ petition vide this Hon'ble Court's order dated 14.3.83. The reply of paragraphs 1 to 12 of the supplementary affidavit is being given in the paragraphs of this counter affidavit hereinafter.

17. That the contents of paragraph 1 of the supplementary affidavit are correct and the same are admitted.

18. That the contents of paragraph 2 of the supplementary affidavit, as stated, are denied. It is clarified that the said orders dated 19.10.82 were issued under clear acknowledgement of C.R. Section.

Confd.../7.

M P. Sharma
Advocate.

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(7)

19. That the contents of paragraph 3 of the supplementary affidavit need no comment.

20. That the contents of paragraph 4 of the supplementary affidavit are denied. It is strongly denied that the orders as given in the Annexes SA-1 were passed in the colourful exercise of the powers vested in the competent issuing authority and/or were illegal.

In this connection it is also pointed out that his reversion was re-examined by the competent authority at a later date and he was allowed to work as Guard Grade 'B' Scale Rs.330-560 (RS).

21. That the contents of paragraph 5 of the supplementary affidavit are not denied. It is however, clarified that the name of the petitioner, Sri Godi Lal was incorporated in the restructuring of the Guards issued vide letter No.815-E/5/3 dated 18.8.82 on the basis of confirmation of Sri Godi Lal issued vide letter No.847-E/5/2(Spl.)

22. That the contents of paragraph 6 of the supplementary affidavit, as stated, are strongly denied. It is, however, correct that orders vide letter No.222-E/5/3/ii dated 18.9.82 were issued, but on representation of a Union, his case was re-examined and it was found that Sri Godi Lal was erroneously allowed higher seniority in the seniority list of Guard Grade 'C'. Since the petitioner was appointed Goods Clerk on 29.1.76

M. P. Sharma
Advocate.

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and was eligible for promotion as Guard Grade C only after completion of 5 years service in the substantive grade, so his promotion as Guard Grade C was legalised only on 29.1.81 and as such he could not be given allowed seniority as was done vide letter No.847-E/5/3 dated 6.6.81. On this ground, the interpolation of his name in Guard Grade 'B' on the basis of seniority list dated 6.6.81 found to be incorrect and accordingly, he was reverted. The allegation that other persons were not reverted while the petitioner was reverted is incorrect, as there was no lacuna in the cases of other persons and therefore they were allowed protection of grade.

As a result of stay order granted by this Hon'ble Court on 11.11.82, the petitioner was allowed to work as Guard Grade 'B' till final decision of this writ petition. The grades of Guards after restructuring vide Head Quarters' letter No.561-E/255-98/Genl/PE/Pt.III dated 23.8.81 are as under:-

- A) Passenger Guard Grade 'A' Special Rs.425-640 (RS)
- B) Passenger Guard Grade 'A' Rs.425-600 (RS)
- C) Goods Guard Grade 'B' Rs.330-560 (RS)
- D) Goods Guard Grade 'C' Rs.330-530 (RS)

23. That the contents of paragraph 7 of the supplementary affidavit are admitted only to the extent that the petitioner belongs to the Scheduled Caste Cadre. But merely belonging to Scheduled

Contd.,,/9

M. P. Sharma
Advocate.

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(9)

Caste does not confer him any right to enjoy any promotion against rules. Although, the petitioner was wrongly promoted as Guard Grade 'C' in the year 1978, when he was clearly ineligible for such promotion as Guard Grade 'G', yet he was allowed to work as Guard Grade 'C' and his appointment was regularized as Guard Grade 'C' with effect from 29.1.81. The seniority of the petitioner was examined on the representations or recognized unions and other affected staff and his promotion as Guard Grade 'B' was also allowed by giving him seniority below all the Guards Grade 'B' who were promoted earlier to him and thereby he was not entitled to protection of Grade.

24. That the contents of paragraph 8 of the supplementary affidavit are admitted.

25. That the contents of paragraph 9 of the supplementary affidavit, as stated, are not admitted. It is most respectfully submitted that the promotions are being made strictly in conformity with the roster provided for Scheduled Caste/ Scheduled Tribe candidates by Railway Board from time to time and there is no deviation or exception to it.

26. That the contents of the paragraph 10 of the supplementary affidavit are admitted so far as the fixation of seniority of the petitioner vide Annexure No.3 of the writ petition is concerned.

Contd.../10.

M. P. Sharma
Advocate

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However, it is clarified that the seniority allowed to the petitioner vide Annexure No.3 of the writ petition was subject to the decision on the representation of the affected persons. In the light of representations made by affected persons, the seniority allowed to the petitioner was subsequently corrected by issuing his reversion orders. So any claim made on the basis of this seniority does not stand.

27. That the contents of paragraph 11 of the supplementary affidavit, as stated, are denied. It is most respectfully stated that the petitioner's confirmation as Guard Grade 'B' was wrong and he should have been deconfirmed, which however, was not done. This point has been explained in the paragraph 7 of this affidavit also. This point is under consideration of the competent authority.

In compliance of the orders of this Hon'ble Court dated 11.11.82, the petitioner has been placed as Guard Grade 'B' Scale Rs.330-560 (RS). The existing scales of Guards in various grades after restructuring have been given in the paragraph 22 of this affidavit. There exists no scale such as Guard Grade 'B' in Scale Rs.425-600 (RS). So far as the case of other Guards, who have been mentioned in the Annexure No.SA-2 of the supplementary affidavit is concerned, they are presently working as Guard Grade 'A' in scale Rs.425-600 (RS) in view of their seniority.

M. P. Sharma
Advocate.

Contd.,,/11.

It is most respectfully stated that the petitioner, on the basis of his own seniority, had become eligible to be posted as Guard Grade 'A' in Scale Rs.425-600 (RS) some time back, but since he was continuing to be on unauthorized absence, orders for his posting as Guard Grade 'A' in scale Rs.425-600 (RS) could not be issued.

28. That the contents of paragraph 12 of the supplementary affidavit need no comment.

Lucknow: dated.

Deponent.

Verification.

I, the deponent above named do hereby verify that the contents of paragraphs 1 and 16 of this affidavit are true to my personal knowledge and those of paragraphs 2 to 15 and 17 to 28 are based on record available to the deponent and the same are believed to be true. That no part of this affidavit is false and nothing material has been concealed so help me God.

Lucknow, dated.

Deponent.

I identify the deponent who has signed before me.

Advocate.

Solemnly affirmed before me on
at a.m./P.M. by
the deponent who is identified by
Sri
Advocate High Court, Allahabad.

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

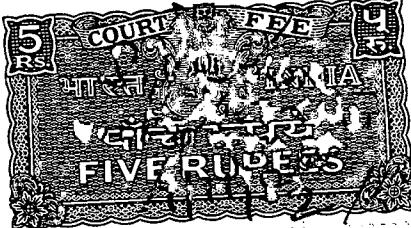
M. P. Sharma

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N.R.

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VAKALATNAMA



4/18

Before In the Hon'ble High Court of Judicature at Allahabad
 In the Court of Sicknow Bench, Lucknow
 Writ Petition No. 4977 of 1982

Sri Godi Lal

Plaintiff
Defendant

Claimant
Appellant
Petitioner

Versus

Union of India and others Defendant
Plaintiff

Respondent
dp

The President of India do hereby appoint and authorise Shri. Siddharth Verma, Advocate
C-16, K-Road, Mahanagar Extension, Lucknow

to appear, act, apply, plead in and prosecute the above described suit/appeal/proceedings on behalf of the Union of India to file and take back documents, to accept processes of the Court, to appoint and instruct Counsel, Advocate or Pleader, to withdraw and deposit moneys and generally to represent the Union of India in the above described suit/appeal/proceedings and to do all things incidental to such appearing, acting, applying Pleading and prosecuting for the Union of India SUBJECT NEVERTHELESS to the condition that unless express authority in that behalf has previously been obtained from the appropriate Officer of the Government of India, the said Counsel/Advocate/Pleader or any Counsel, Advocate or Pleader appointed by him shall not withdraw or withdraw from or abandon wholly or partly the suit/appeal/claim/defence/proceedings against all or any defendants/respondents/appellant/plaintiff/opposite parties or enter into any agreement, settlement, or compromise whereby the suit/appeal/proceeding is/are wholly or partly adjusted or refer all or any matter or matters arising or in dispute therein to arbitration PROVIDED THAT in exceptional circumstances when there is not sufficient time to consult such appropriate Officer of the Government of India and an omission to settle or compromise would be definitely prejudicial to the interest of the Government of India and said Pleader/Advocate of Counsel may enter into any agreement, settlement or compromise whereby the suit/appeal/proceeding is/are wholly or partly adjusted and in every such case the said Counsel/Advocate/Pleader shall record and communicate forthwith to the said officer the special reasons for entering into the agreement, settlement or compromise.

The President hereby agrees to ratify all acts done by the aforesaid Shri. Siddharth Verma, Advocate
 in pursuance of this authority.

IN WITNESS WHEREOF these presents are duly executed for and on behalf of the President of India this the..... 9/11/1982

3/12

Dated.. 9/11/1982 ..198 ..

ACCEPTED

Sherma

J. J. Dhingra

Designation of the Executive Officer

(SIDDHARTH VERMA)

ADVOCATE

अपर मुख्य फायरिंग परिषदारी

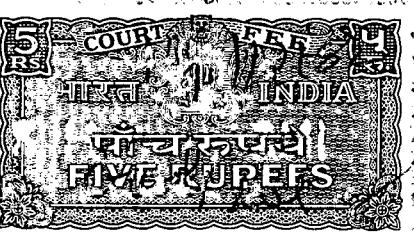
प्रधान फायरिंग

वयी रिष्ट्री

A.M.

High Court of Madras
व धालत श्रीमान्
at M. L. Lohia महोदय
Muthuvelu Bench मुथुवेलु

वादी (मुद्दे)
प्रतिवादी (मुदालेह)
का वक्तालतनामा
W. P. W. 4977/1982



Goddal

वादी (मुद्दे)

बनाम

Union of India 10/- प्रतिवादी (मुदालेह)

लं० मुकदमा सन् १९ पेशी की ता० १९ ई०
अपर लिखे मुकदमा में अपनी ओर से श्री M. P. Shourmu

Advocate

एडवोकेट

महोदय

वकील

को अपना वकील नियुक्त करके प्रतिज्ञा (इकरार) करता हूँ और
लिखे देता हूँ इस मुष्टदमा में वकील महोदय इवं अथवा अन्य
वकील द्वारा जो कुछ दैवी व जावाबदेही व प्रश्नोत्तर करें या अन्य
कोई कागज दाखिल करें या लौटावें या हमारी ओर से दिगरी
जारी करावें और रूपया दूल्ह करें या हुलहनामा या इवाल
दावा तथा अपील व निगरानी हमारी हमारे हमारे या अपने
हस्ताक्षर से दाखिल करें और तसदीक करें या दुवदमा दटावें
या कोई रूपया जमा करें या हमारी या विपक्ष (फरीकसानी) का
दाखिल किया रूपया अपने या हमारे हस्ताक्षर-युवत (दरतरुती)
रसीद से लंबें या पंच नियुवत करें - वकील महोदय द्वारा की
गई कह कार्यवाही हमको सर्वथा स्वीकार है और होगी मैं यह
भी स्वीकार करता हूँ कि मैं हर पेशी स्वयं या किसी अपने पैरो-
कार को भेजता रहूँगा अगर मुकदमा अदाम पैरवी में एक तरफ़ा
मेरे खिलाफ़ पैसला हो जाता है उसकी जिम्मेदारी मेरी वकील
पर न होगी। इसलिए यह वकालतनामा लिख दिया कि अमाला
रहे और समय पर काम आवे।

God. sub
हस्ताक्षर

साच्ची (गवाह) साच्ची (गवाह)

दिनांक १५.१२.८२ महीना

ब्र अदालत श्रीमान

AIU
Hon'ble High Court of
Lucknow Bench
लखनऊ

वादी अमीतानन्द

Lucknow

वकालतनामा

प्रतिवादी रेस्वान्डेन्ट



10325
11/12

Sodhi Lal

वादी (मुद्रित)

बनाम

Union of India & others v/s
प्रतिवादी (मुहांअलेह)

न० मुकद्दमा सन् १६ पेशी की ता० १६ ई०

ऊपर लिखे मुकद्दमा में अपनी ओर से श्री विनय शंकर श्रीवास्तव एडवोकेट

टो-४१/बी, हैदर कैनाल कालोनी, चारबाग, लखनऊ महोदय

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 लौटावें या हमारी ओर से डिगरी जारी करावें और रूपया बसूल करें या सुलहनामा व इकबाल दावा तथा अपील व निगरानी हमारी ओर से हमारे या अपने हस्ताक्षर से दाखिल करें और तसदीक करें या मुकद्दमा उठावें या कोई रूपया जमा करें या हमारी या विषय (फरीकसानी) का दाखिल किया हुआ रूपया अपने या हमारे हस्ताक्षर युक्त (दस्तखत) रसीद से लेवें या पंच नियुक्त करें—वकील महोदय द्वारा कोई वह सब कार्यव

हमको सर्वथा स्वीकार है और होगी मैं यह भी स्वीकार करता हूँ कि मैं

स्वीकार किबा

पेशी पर स्वयं या किसी अपने पैरोकार को भेजता रहूँगा अगर मुक

Accepted

अदम पैरवी में एक तरफा मेरे खिलाफ फैसला हो जाता है त

जिसमेदारी मेरे वकील पर नहीं होगी। इसलिए यह वकाल

दिया कि प्रमाण रहे और समय पर काम आवे।

हस्ताक्षर २०११/११/१

साक्षी (गवाह)

साक्षी (गवाह)

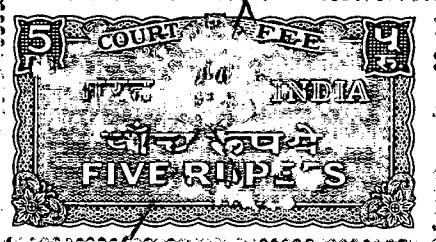
दिनांक

१२

महीना

८

सन् १९६२



टिकट इसी के ऊपर सटा बैंजिये

न्यायालय *Central Administrative Tribunal*
विवादाभियोग सं. *TA-714 of 1987* सन १९८८

वादी *Godrej Hall*
प्राधी *Union of India and others*
अधिलान

प्रतिवादी

विपक्षी

हस्तांकण्ठ

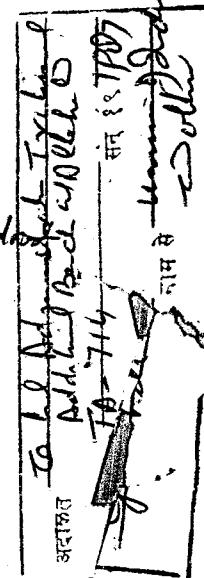
मिस्ट्रिक्स के *Mobile Ram Guard A.N.R. Vare*

मालिया गांग

हस्तांकण्ठ

हमको उपरोक्त अभियोगवाद * नालिया नम्बरो अधीक्षा
जवाब दाना निगरानी

दरबारी राजा हस्तांकण्ठ विवाद में पुनर्विवाद दाखिल करना व पैरवी करना
दरबारी नजरीब खानी जवाबदी आवश्यक है, अतएव अपनी स्वेच्छा और प्रसन्नता से पूरा और निश्चित हुआ
प्रारम्भिक देवे की प्रतिज्ञा करके श्रीयते *Advocate of the Plaintiff* द्वारा *Advocate of the Defendant*
मिस्ट्रिक्स के *Mobile Ram Guard A.N.R. Vare* को



एडवोकेट वकील नियुक्त करके प्रतिज्ञा करते हैं और जिउ देते हैं छि वकील साहब
मुख्यालय इस अभियोगविवाद में प्रारम्भिक न्यायालय से हाईकोर्ट तक जो पैरवी प्रयत्न
दरबारी दरबारी लिखकर या मौखिक करें और जो आवश्यक पत्र और दावाखेज
दाखिल करें या वाएम ले ले यो जो प्रार्थना-पत्र संविधि-पत्र अपने
दस्तखत दाखिल करके प्रमाणित करें प्रमाण पत्र साक्षी व सुधूर मालिया
व दस्तखत गरदारी इत्यादि की गुजरावें या प्रमाणित करें या हमको मिलने
वाला नगद रूपया हमारी ओर से रसीद लिलकर और अपना हस्ताक्षर दबाकर
प्राप्त करे व जूना करें, रकम व तल्याना कीमत अमीन या दमरे प्रकार का
रूपया इस अभियोग विवाद के प्रति प्राप्त करें, प्राप्तगी की रसीद दें तात्पर्य
वह है कि जो कुछ प्रश्नोन्नर तर्क प्रयत्न आदि का व पैरवी करने के

सभी कार्य वकील साहब का हमको हर प्रकार से स्वीकार व मंजूर है व होगा
मुख्यालय

और उनके द्वाग मैं इस स्वीकृत कार्यों के समान वाध्य हुँगा व होगे इस का
वकालन रखना नामा लिख दिया कि बत्त पर काम आवे तथा प्रमाण रहे।

उखने की तिथि 16/11/1987 महीना Nov सन 1987

टोट—जिस कार्य के लिए एडवोकेट, वकील या मुख्यालय नियत कू ल लिखकर शेष असम्बद्ध शब्द काट देना चाहिए।