

CENTRAL ADMINISTRATIVE TRIBUNAL
LUCKNOW BENCH LUCKNOW

ANNEXURE

INDEX SHEET
CAUSE TITLE C.P. NO. 62/82 OF

NAME OF THE PARTIES..... *Gaya Prasad*

.....Applicant

Versus

..... *Union of India*

.....Respondent

Part A, B & C

Sl. No.	Description of documents	Page
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CERTIFICATE

~~This file~~ Certified that no further action is required to be taken and that the case is fit for consignment
~~without loss~~ to the record room (decided)

Check on Dated 27-1-12

Check on Counter Signed.....

Rajendra
Section Officer / In charge

m
Signature of the
Dealing Assistant

Serial number of order and date	Brief Order, Mentioning Reference if necessary	How compl with and date of compliance
2/11/90	<p>No sitting Adj to 9/2/90</p> <p>This case has been received on transfer. Notice were issued to the Counsels by the Office at Allahabad. ... None ... present ... for the parties. Let notice be issued again to the parties as directed by Honorable Mr. D.K. Agarwal, J.J.</p>	<p>L</p> <p>2/11</p> <p>C.R. notes given 15/12/90</p>
(i) 90	<p>No sitting Adj to 11/4/90</p> <p>Shri B.K. Shukla files power ad request for 4 weeks to file Counter. Allowed. Let rebinders be filed within 2 weeks thereafter.</p>	<p>OR</p> <p>Case has been in 20.0.09 J.J. CAT, Allahad.</p> <p>Case admitted CA/RA not noticed. Notice of applicant not have been received with permissum.</p>
11/4/90	<p>Hon. Mr. P.S. Habib Mohammad, A.M. Hon. Mr. J.P. Sharma, J.M.</p> <p>list for <u>order/ hearing</u> on 8/8/90</p>	<p>CA/RA not noticed. Notice of applicant not have been received with permissum.</p>
8/8/90	<p>No sitting Adj to 20/9/90.</p>	<p>8/8/90</p>
9/90	<p>No sitting Adj to 30.9.90. (10)</p>	<p>8/8/90</p>
11/90	<p>Due to Holiday Adj to 30.11.90</p> <p>No sitting Adj to 8/1/91</p>	<p>8/8/90</p> <p>Due to Holiday Adj to 30.11.90</p> <p>No sitting Adj to 8/1/91</p>

finsh

N.C.A. dated 8/8/90

SIDE

GENERAL INDEX

(Chapter XLI, Rules 2, 9 and 15)

Writ Petition No. 62 of 1981.

number of case..... parties.....

institution..... Date of decision.....

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			
2	3	4	5	6	7	8	9
1	Gen. Index.	1	-	-			
2	Order sheet	1	-	-			
3	Pet. Annexures & Bifidavit	11	9	102	-		
4	Stay Power	1	3	5	-		
5	Copy of 114(6) of 87 for stay	1	3	5	-		
6	Power	2		10.00			
7	order sheet	1		-			
8							

I have this day of 1981, examined the record and compared the entries on this sheet with the papers on the record. I have made all necessary corrections and certify that the paper correspond with the general index, that they bear Court-fee stamps to the aggregate value of Rs. 10.00, that all orders have been carried out, and that the record is complete and correct up to the date of the certificate.

Munsarim

Clerk

2

TA 793/87

26-11-86

Hon Mr. V. K. Seth. A.M.
Hon Mr. D.C. Verma - PM

Show Amul Kumar for applicant.
Show B.R. Shukla for respondent.
Hear both arguments.
Oral elucidates separately.

JK

B

JM

JK

JM

2

A
2

CENTRAL ADMINISTRATIVE TRIBUNAL, LUCKNOW BENCH

Lucknow this the 26th day of Nov., 1996

T.A. no. 793/87

HON. MR. V.K. SETH, MEMBER(A)

HON. MR. D.C. VERMA, MEMBER(J)

1. Gaya Prasad aged about 21 years, son of Shri Devi resident of village Rampur Garhi, Post office Nigoh, District Lucknow.
2. Ram Sanehi, aged about 31 years, son of Sri Balak, resident of village Surajbali Khera, Post office Nigohan, District Lucknow.
3. Bhikha Lal aged about 23 years, son of Shri Jagannath resident of village Ranjit Khare, Post office Kankaha, District Lucknow.
4. Jag Mohan, aged about 27 years, son of Shri Nankau, resident of village Surajbali Khera Post office Kankaha, District Lucknow.
5. Kalloo, aged about 27 years, son of Shri Maiku, resident of village Madahpur, Post office, Dayalpur, District Lucknow.
6. Mahadeo, aged about 27 years, son of Shri Ram Dayal, resident of village Ranjit Khera, Post office Kankaha, District Lucknow.
7. Ram Prasad, aged about 23 years, son of Shri Ausan, village Daulatkhera, Post Office Kankaha, District Lucknow.
8. Satya Narain, aged about 20 years, son of Shri Maiku, resident of Rampur Gari Jamini, Post office Nigohan District Lucknow.
9. Mohan, aged about 27 years, son of Shri Dhingur, Resident of village Ranjit Khera, Post office Kankaha, District Lucknow.
10. Ram Khilawan, aged about 25 years, son of Shri Ghasitey, resident of village Fatte Khera, Post office Kankaha, District Lucknow.

V.F

11. Dwarika, aged about 26 years, son of Shri Pooran, resident of Fatte Khera, Post office Kankaha, District Lucknow.
12. Barati Lal, aged about 23 years, son of Shri Ram Aasrey, resident of village Ranjit Khera, Post office Kankaha, District Lucknow.
13. Poolranmasi aged about 29 years, son of Shri kashi, resident of village Matipur, post office Nigohar district Lucknow.
14. Rajaram, aged about 23 years, son of Shri Maiku lal resident of village Chotti Khera, Post office, Garhi District Lucknow.
15. Ram Kewal, aged about 23 years, son of Shri Fatte, resident of Chotti Khera, Post office, Garhi, district Lucknow
16. Shri Ram aged about 25 years, son of Shri Maiku, resident of Rampur Garhi Post office, Mirakh nagar, District Lucknow.

Applicants.

By Advocate Shri Anil Kumar.

versus

1. Union of India through the General Manager, Northern Railway Baroda House, New Delhi.
2. Divisional Railway Manager, Northern Railway, Lucknow.
3. The Assistant Engineer, II, Northern Railway, Charbagh, Lucknow.
4. The Permanent Way Inspector, Northern Railway Barabanki.

Respondents.

By Advocate Shri B.K. Shukla.

O R D E R (ORAL)

HON. MR. V.K. SETH, MEMBER(A)

The subject matter of the T.A. was initially agitated before the High Court where it was registered as Writ Petition No. 62/1981 and after the constitution of the Tribunal the writ petition has been transferred to the Tribunal and registered as T.A. no. 793/1987.

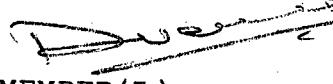
2. The applicants numbering 16 have prayed for issue of mandamus to the opposite parties to treat the petitioners as temporary railway servants continuing in service without break and to pay them salary and allowances and arrears arising therefrom. It is also prayed that the intervening period be treated to be in continuous service for the purposes of section 25-F of the Industrial Disputes Act and further a prayer has been made for quashing of the order of termination if existing after summoning the original records.

3. The respondents have resisted the claim of the applicants and pleadings have been exchanged. We have also heard the learned counsel for the two sides.

4. As Annexure to the O.A. the details of number of working days put in by each of the applicants have been mentioned. In the Counter reply it is inter alia stated by the respondents that the petitioners 1 to 13 were engaged against temporary sanction and the petitioners Nos. 14 to 16 are fraudulent persons and that they have never worked under the opposite party No. 4.

5. Since the dispute has been raised about the facts, we are of the considered view that this matter can be more appropriately, in the first instance, examined and decided by the appropriate forum constituted under the I.D. Act with reference to the record and other evidence that may be available with the two sides. We are fortified in our view, particularly because in terms of the provisions of section 28 of the A.T. of Act, the jurisdiction /the authority constituted under the I.D. Act has not been ousted. The applicants may, therefore, approach the respondents by making a representation in the matter for resolving the dispute in terms of provisions of I.D. Act, 1947. The representation in the matter shall be made by the applicants within two months from today. After receipt of the said representation, further action in terms of I.D. Act shall be initiated by the respondents within two months from the date of representation.

6. The O.A. stands disposed of in the above terms. No order as to costs.


MEMBER (J.)


MEMBER (A)

Lucknow; Dated:

Shakeel/

group 14 (a)

14

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

WRIT PETITION NUMBER

62 OF 1980.

5/1

Gaya Prasad and Others. . . .

Petitioners

Versus.

The Union of India and Others. . . .

Opposite Parties.

I N D E X.

Particulars.

Page Num

1. Writ Petition.

1 to 6

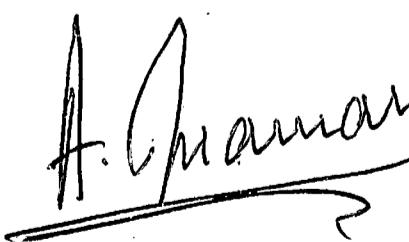
2. Affidavit.

7 to 8

3. Annexure No. 1 (Details of services
rendered by the Petitioners).

9 to 11

DATED: LUCKNOW.
JANUARY 2, 1981.


A. Chamar
Counsel for the

5/1/2412

A 3/1
X

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

WRIT PETITION NUMBER OF 1981.



1. Gaya Prasad, aged about 21 years, Son of Shri Devi;
Resident of Village - RAMPUR GARHI, Post Office - NIGOHA
District - Lucknow;
2. Ram Sanehi, aged about 31 years, Son of Shri Balak,
Resident of Village - Surajbali Khera, Post Office -
Nigohan, District - Lucknow;
3. Bhikha Lal, aged about 23 years, Son of Shri Jagannath
Resident of Village - Ranjit Khera, Post Office - KAN-
KAHA, District - Lucknow;
4. Jag Mohan, aged about 27 years, Son of Shri Nankau,
Resident of Village - Surajbali Khera, Post Office -
KANKAHA, District - Lucknow;
5. Kalloo, aged about 27 years, Son of Shri Maiku, Resi-
dent of Village - MADAHPUR, Post Office - Dayalpur,
District - Lucknow;
6. Mahadeo, aged about 27 years, Son of Shri Ram Dayal,
Resident of Village - Ranjit Khera, Post Office -
KANKAHA, District - Lucknow;
7. Ram Prasad, aged about 23 years, Son of Shri Ausan,
Village - DAULATKHERA, Post Office - KANKAHA, District
Lucknow;



8. Satya Narain, aged about 20 years, Son of Shri Maiku, Resident of Rampur Gari Jamini, Post Office - NIGOHAN, District - Lucknow;
9. Mohan, aged about 27 years, Son of Shri Dhingur, Resident of Village - Ranjit Khera, Post Office - KANKAHA, District - Lucknow;
10. Ram Khilawan, aged about 25 years, Son of Shri Ghastey, Resident of Village - FATTE KHERA, Post Office - KANKAHA, District - Lucknow;
11. Dwarika, aged about 26 years, Son of Shri Pooran, Resident of Fatte Khera, Post Office - Kankaha, District - Lucknow ;
12. Barati Lal, aged about 23 years, Son of Shri Ram Aasrey, Resident of Village - Ranjit Khera, Post Office - Kankaha, District - Lucknow;
13. Pooranmasi, aged about 29 years, Son of Shri Kashi, Resident of Village - MASTIPUR, Post Office - Nigoha, district - Lucknow;
14. Rajaram, aged about 23 years, Son of Shri Maiku Lal, Resident of Village - Chotti Khera, Post Office - GARHI, District - Lucknow;
15. Ram Kewal, aged about 23 years, Son of Shri Fatte, Resident of Chotti Khera, Post Office - Garhi, district - Lucknow; and 1
16. Shri Ram, aged about 25 years, Son of Shri Maiku, Resident of Village - Rampur Garhi, Post Office - Mirakh Nagar, District - Lucknow.

..... Petitioners.

Versus.

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

2. The Divisional Railway Manager, Northern Railway,
Lucknow;

3. The Assistant Engineer II, Northern Railway, Charbagh,
Lucknow;

4. The Permanent Way Inspector, Northern Railway, Barabanki
..... Opposite Parties.

WRI T PETITION UNDER ARTICLE 226
OF THE CONSTITUTION OF INDIA.

The above named Petitioners most respectfully
submit as under :-

1. That all the Petitioners were working as Gang men
(Casual Labourers) in the Northern Railway, under the
Opposite Party Number 4.

2. That the Petitioners were working on the open
permanent lines on regular posts and not upon any project
or not upon any short term or fixed term work.

3. That all the Petitioners worked as Casual Labourers
from August to ~~November~~ December, 1980 having
different dates, their details of the duty are given
in Annexure Number 1 to this Writ Petition.

4. That all the Petitioners were asked by the Opposite
Party number 4, not to come on duty after performing
their duties on 14th December, 1980 and in this manner
they were ousted from the service.

5. That no reason of their termination was disclosed
to them nor they were paid any compensation nor they
were given any notice or salary in lieu of the notice and



nor any order of termination. ~~xxxxxxxxxx~~

6. That the work assigned to the Petitioners was on permanent open lines and the work still continue to exist as it can't be over.
7. That all the Petitioners have completed 120 days or more in service and thus have completed four months and have acquired the temporary status in view of the provisions of para 4501 of the Railway Establishment Manual, originally the period was, ~~one year~~ of six months but subsequently the same was amended and in accordance with the recommendations of the Railway Labour Tribunal the requisite period for the attainment of temporary status was reduced to four months vide Railway Board's letter dated 12th July, 1973.
8. That the Petitioners work is not over, the posts and the vacancies still continue and the Petitioners could not be ousted from the services as under sub-Sectio 4 of para 162, the Petitioners have prior claim or their regular absorption and in order to defeat their such claim they have been ousted from the services.
9. That under para number 511 of the Railway Establishment Manual, the casual labourer when acquires the temporary status are entitled to all rights, privileges admissible to temporary railway servants as laid down in Chapter XXIII of the Railway Establishment Manual.
10. That under para 2302 (Chapter XXIII) of the Railway Establishment Manual, a temporary Railway Serva is liable to 14 days notice for the termination of the services or salary in lieu of the notice. None of



1973/2/14

PK

Petitioners were given 14 days notice nor they were offered the payment of salary for the 14 days in lieu of the notice, as such the ouster of the services ~~for~~ of the Petitioners was wholly illegal.

11. That the ouster of the Petitioners from the service is wholly illegal and unwarranted as neither the Petitioners were given any notice of termination of 14 days nor they were paid salary in lieu of the notice, as the language of para 2303 (2) of the Railway Establishment Manual stands, the payment of salary at the time of the termination is necessary to waive off the 14 days notice.

12. That in this manner the Petitioners have been ousted from their services in a most malafide and arbitrary manner.

13. That in the circumstances of the present case the Petitioners have no any other equally effective remedy but to evoke the jurisdiction of this Hon'ble High Court among others on the following -

G R O U N D S :-

(a) Because, the Petitioners are the temporary railway servants within the meaning of the provisions of the Railway Establishment Manual referred above, and they could not be ousted from the service in this manner.

(b) Because, the services of the Petitioners could not be terminated without the compliance of the requirements for such termination contained in para 2302 of the Railway Establishment Manual.

(c) Because, the termination of the services of the Petitioners is wholly arbitrary and malafide, and amounts to the punishment in utter violation of the provisions of Article 311 of the Constitution of India.

(d) Because, the termination of the services of the Petitioners is wholly arbitrary and violative of the provisions of Article 14 and 16 of the Constitution of India, the Fundamental Rights.

THEREFORE, it is most humbly prayed that this Hon'ble High Court may be pleased to issue :-

(i) A Writ, Order or Command in the nature of Mandamus, commanding the Opposite Parties to treat the Petitioners as Temporary Railway Servants, continuing in service without any break and to pay them all salary, allowances and arrears arising thereof. The intervening period be treated to be in continuous service for the purposes of Section 25 F of the Industrial Dispute Act.

(ii) A Writ, Order or Directions in the nature of Certiorari, quashing any order of termination if exists, after summoning their originals from the records of the Opposite Parties.

(iii) Any other order deemed proper.

(iv) To waive off the notice to the standing counsel.

(v) To allow the Writ Petition with costs.

DATE D: LUCKNOW:
JANUARY 2, 1980.

A. Marwari
Counsel for the Petitioners.

There is no defect
in this writ Petition

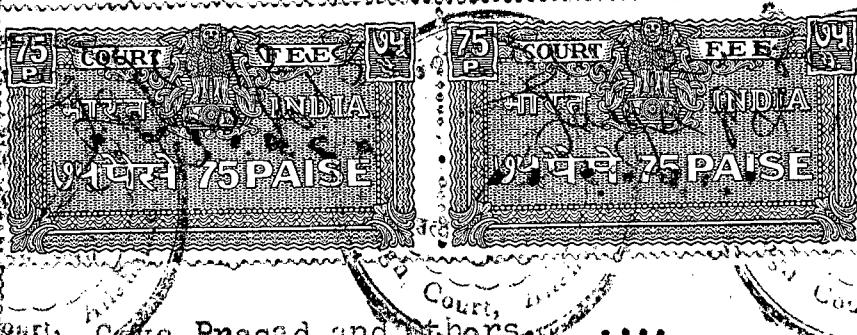
A. Marwari

7 : -

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

WRIT PETITION NUMBER

OF 1980



Petitioners.

Versus.

The (State) Union of India and Others. Opposite Parties.

A F F I D A V I T.

I, Gaya Prasad, aged about 21 years, Son of Shri Devi, Resident of Village - RAMPUR GARHI, Post Office - NIGOHAN, District - Lucknow, states on oath as under :-

1. That the deponent is the Petitioner number 1 in the above mentioned Writ Petition and is also doing 'Pairvi' on behalf of the other Petitioners, as such he is fully conversant with the facts and the circumstances stated in the said writ petition.

2. That the contents of paragraph number 1 to 12 of the Writ Petition are true to my own knowledge.

3. That the deponent, himself, has compared the Annexure Number 1 to , either with the copies maintained by the Petitioners, or served upon them, or as could be fethched by them and they are their true copies.

DATED: LUCKNOW:
JANUARY 31, 1980.
Dee.

(Gaya Prasad)
Deponent.

8

VERIFICATION.

I, the above named deponent do hereby verify that the contents of paragraph number 1, 2 and 3 of this affidavit are true to my own knowledge. Nothing in it is wrong and nothing material has been concealed, so help me GOD.

DATED: LUCKNOW:

~~January~~ 31, 1982
Dec

July 24/82
(Gaya Prasad)
Deponent.

I know the deponent, identify him, who has signed before me.

DATED: LUCKNOW:

~~January~~ 31, 1982
Dec

D. N. Tewari
Clerk to Shri Abdul Mannan, Advocate
Counsel for the Petitioners.

31/12/82
Solemnly affirmed before me on this the 31th day of December, 1982, at 11.00 a.m./p.m., by Shri Gaya Prasad, the deponent, who has been identified by the Clerk to Shri Abdul Mannan, Advocate, Allahabad High Court, Lucknow Bench, Lucknow.

July 24/82
I have satisfied myself by examining the deponent that he fully understands the contents of this affidavit, which has been read out and explained by me.

K. K. Connor
OATH COMMISSIONER

High Court, Allahabad

Lucknow Bench

No. 38/392

Date 31.12.82

9 : -

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

WRIT PETITION NUMBER OF 1981.

Gaya Prasad and Others. Petitioners.
Versus.

The Union of India and Others. ... Opposite Parties.

ANNEXURE NUMBER 1.

RECORD OF SERVICE OF THE CASUAL LABOURS (PETITIONERS).

Sl. No.	Names/ Petitioners.	Gangman Designation	Period From	To	No. of days./ Grand total.
1.	2.	3.	4.	5.	6.
1.	Gaya Prasad.	Gangman.	01.08.80 16.08.80 05.09.80 15.10.80 15.11.80	14.08.80 19.09.80 14.10.80 14.11.80 14.12.80	14 days 30 , 30 , 31 , 30 , <u>135</u> ..
2.	Ram Sanehi.	,	01.08.80 17.08.80 15.09.80 15.10.80 15.11.80	14.08.80 14.09.80 14.10.80 14.11.80 14.12.80	14 , 29 , 30 , 31 , <u>133</u> ,
3.	Bhikha Lal.	,	01.08.80 17.08.80 15.09.80 15.10.80 15.11.80	14.08.80 14.09.80 14.10.80 14.11.80 14.12.80	14 , 29 , 30 , 31 , <u>134</u> ,

- : 10 : -

1.	2.	3.	4.	5.	6.	
4.	Jagmohan.	Gangman.	01.08.80 17.08.80 15.09.80 15.10.80 15.11.80	14.08.80 14.09.80 14.10.80 14.11.80 14.12.80	14 29 30 31 30	days ,, ,, ,, ,, <u>134</u> ,,
5.	Kalloo.	,	01.08.80 17.08.80 15.09.80 15.10.80 15.11.80	14.08.80 14.09.80 14.10.80 14.11.80 14.12.80	14 29 30 31 30	,, ,, ,, ,, <u>134</u> ,,
6.	Mahadeo.	,	01.08.80 16.08.80 15.09.80 15.10.80 15.11.80	14.08.80 14.09.80 14.10.80 14.11.80 14.12.80	14 30 29 31 30	,, ,, ,, ,, <u>134</u> ,,
7.	Ram Prasad.	,	01.08.80 16.08.80 15.09.80 15.10.80 15.11.80	14.08.80 14.09.80 14.10.80 14.11.80 14.12.80	14 30 30 31 30	days ,, ,, ,, ,, <u>135</u> ,,
8.	Satya Narain.	,	01.08.80 16.08.80 15.09.80 15.10.80 15.11.80	14.08.80 14.09.80 14.10.80 14.11.80 14.12.80	14 30 30 31 30	,, ,, ,, ,, <u>135</u> ,,
9.	Mohan.	,	01.08.80 16.08.80 15.09.80 15.10.80 15.11.80	14.08.80 14.09.80 14.10.80 14.11.80 14.12.80	14 30 30 31 30	,, ,, ,, ,, <u>135</u> ,,
10.	Ram Khilawan.	,	01.08.80 17.08.80 15.09.80 15.10.80 15.11.80	14.08.80 14.09.80 14.10.80 14.11.80 14.12.80	14 28 30 31 30	,, ,, ,, ,, <u>133</u> ,,

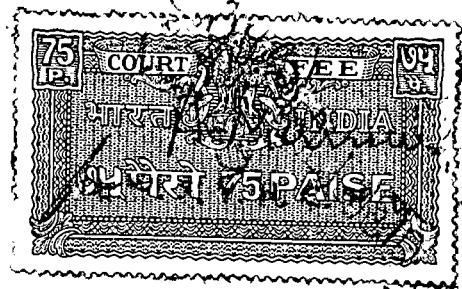
11.	Dwarika.	Gangman.	01.08.80	14.08.80	14	days	
			17.08.80	14.09.80	28	,	
			15.09.80	14.10.80	30	,	
			15.10.80	14.11.80	31	,	
			15.11.80	14.12.80	30	,	
					<u>133</u>	,	
12.	Barati Lal.	,	01.08.80	14.08.80	14	,	
			16.08.80	14.09.80	30	,	
			15.09.80	14.10.80	29	,	
			15.10.80	14.11.80	31	,	
			15.11.80	14.12.80	30	,	
					<u>134</u>	,	
13.	Pooranmasi.	,	01.08.80	14.08.80	14	,	
			17.08.80	14.09.80	28	,	
			15.09.80	14.10.80	30	,	
			15.10.80	14.11.80	31	,	
			15.11.80	14.12.80	30	,	
					<u>133</u>	,	
14.	Raja Ram.	,	01.08.80	14.08.80	14	,	
			16.08.80	14.09.80	30	,	
			15.09.80	14.10.80	30	,	
			15.10.80	14.11.80	31	,	
			15.11.80	14.12.80	30	,	
					<u>135</u>	,	
15.	Ram Kewal.	,	01.08.80	14.08.80	14	,	
			16.08.80	14.09.80	30	,	
			15.09.80	14.10.80	30	,	
			15.10.80	14.11.80	31	,	
			15.11.80	14.12.80	30	,	
					<u>135</u>	,	
16.	Shri Ram.	,	01.08.80	14.08.80	14	days	
			16.08.80	14.09.80	30	,	
			15.09.80	14.10.80	30	,	
			15.11.80	14.11.80	31	,	
			15.11.80	14.12.80	30	,	
					<u>135</u>	,	

ब अदालत श्रीमान

High Court Lucknow महोदय

(वादी) अपोलान्ट श्री
प्रतिवादी (रेस्पान्डेन्ट)

कावकालतनामा



B/1

A/18

Jaya Prasad

वादी (अपोलान्ट)

बनाम

The Union of India & Ors.

प्रतिवादी (रेस्पान्डेन्ट)

नं० मुकदमा

सन १९

पेशी की ता०

१९

ई०

A. M. Mansoor

ऊपर मुकदमा में अपनी ओर से श्री

एडवोकेट

महोदय

वकील

को अपना वकील नियुक्त करके प्रतिज्ञा (इकरार) करता है और लिखे देता है कि इस मुकदमा में वकील महोदय स्वयं अथवा अन्य वकील द्वारा जो कुछ पैरवी वा जवाबदेही व प्रश्नोत्तर करें या कोई कागज दाखिल करें या लौटावें या हमारी ओर से डिगरी जारी करावें और रूपया वसूल करें या सुलहनामा या इकबाल दावा तथा अपील व निगरानी हमारी ओर से हमारे या अपने हस्ताक्षर से दाखिल करें और तसदीक करें या मुकदमा उठावें या कोई रूपया जमा करें या हमारी विपक्षी (फरीकसानी) का दाखिल किया हुआ रूपया अपने या हमारे हस्ताक्षर युक्त (दस्तखती) रसीद से लेवे या या पंच नियुक्त-कर वकील महोदय द्वारा की गई वह सब कार्यवाही हमको सर्वथा स्वीकार है और होगी इसलिए यह वकालतनामा लिख दिया कि प्रमाण रहे और समय पर काम आवे।

३ उम्मीद

५

साक्षी (गवाह)

८.१.०८ २००८

दिनांक

१०

Ram Sambhu & Co.

१ हस्ताक्षर ग्राहकस्त्र

२ श्रीराम

३ पुनक्षेत्र

४ साक्षी (गवाह)

५

६ महीना - मुहर्रम

७

८ सन १९८

९ ई०

१०

११ - Barat

१२

१३ - Mohan & Sonika

6. Satya Mohan, aged about 20 years, Son of Shri Mohan, Resident of Bumper Gari Jainti, Post Office - BISHNUPUR, District - Lucknow;

7. Mohan, aged about 27 years, Son of Shri Bhagirat, Resident of Village - Bajia Bhera, Post Office - BISHNUPUR, District - Lucknow;

8. Ram Bhiloma, aged about 25 years, Son of Shri Bhiloma, Resident of Village - BAJIA BHILMA, Post Office - BANJARA, District - Lucknow;

9. Dwarika, aged about 26 years, Son of Shri Purna, Resident of Patti Bhera, Post Office - Kankha, District - Lucknow;

10. Boroti Lal, aged about 23 years, Son of Shri Ram Aswari, Resident of Village - Bajia Bhera, Post Office - Kankha, District - Lucknow;

11. Purnamani, aged about 29 years, Son of Shri Radhi, Resident of Village - BASTI BHIL, Post Office - Bishnupur, District - Lucknow;

12. Rajaram, aged about 23 years, Son of Shri Radhi Lal, Resident of Village - Chandi Bhera, Post Office - GANJ, District - Lucknow;

13. Ram Ram, aged about 23 years, Son of Shri Purna, Resident of Chandi Bhera, Post Office - GANJ, District - Lucknow; and

14. Shri Ram, aged about 25 years, Son of Shri Radhi, Resident of Village - Bumper Garki, Post Office - Bishnupur, District - Lucknow.

.....

Postmaster

Taruna

To The Union of India, through the General Manager,
Northern Railway, Bureau House, New Delhi;

200-1000000-1968-03-07-1968, 3-10-1968

Attala County, MS.

State - General Aviation Application No.

110012000

Exhibit 1

Attala County, MS.

02 1968.

State - General Aviation ... Petitioners/ Applicants

Verne

Palmer of Attala and others ...

Opposite Parties

STATEMENT OF THE CASE

By: George Palmer (Attala) - While the most
pertinent exhibits are set out in

1. The State Application - which has been filed
on July 22, 1968, in the County Court of the
State of Mississippi for service. They have over, by
of course.

2. The \$1,000.00 bond money paid and cash
and the bonds are now recorded in the title section
of the State of Mississippi, the condition of the record of
the application is that it is likely to stand, without
any further action on the part of the State for the
function.

3. The, MS.

Johnson Corp. Petitioners/
Opposite Parties

IN THE HON'BLE HIGH COURT OF JUDICATURE, AT CALCUTTA
BEGAN BAZAR, CALCUTTA.

W.P. PETITION NUMBER OF 1981.

Days Pressed and Others *** Petitioners
Forces *** Petitioners
The Union of India and Others *** Opposite Parties

LEADS

<u>Petitioners</u>	<u>Page Numbers</u>
1. Main Petition	1 to 6
2. Affidavits	7 to 8
3. Annexure No. 1 (Details of services rendered by the Petitioners).	9 to 11

RECORDED

DATED 20TH
JANUARY, 1981.

Counsel for the Petitioners

TO THE BOMBAY HIGH COURT OF JUSTICE, AT ALLAHABAD
LUCKNOW DIVISION, LUCKNOW.

WITH PETITION NUMBER

OF 1931.

1. Gaya Prasad, aged about 21 years, Son of Shri Devi, Resident of Village - RINGER GAON, Post Office - RINGER District - Lucknow;
2. Ram Prasad, aged about 31 years, Son of Shri Balak, Resident of Village - Surajballi Sheri, Post Office - BIGANJ, District - Lucknow;
3. Bhikha Lal, aged about 23 years, Son of Shri Jagannath Resident of Village - RENTHAL Sheri, Post Office - KANNA, District - Lucknow;
4. Jag Kishan, aged about 27 years, Son of Shri Kishan, Resident of Village - Surajballi Sheri, Post Office - KANNA, District - Lucknow;
5. Kallan, aged about 27 years, Son of Shri Kishan, Resident of Village - KADAMUR, Post Office - Rayalpur, District - Lucknow;
6. Bahadur, aged about 27 years, Son of Shri Ram Piyal, Resident of Village - RENTHAL Sheri, Post Office - KANNA, District - Lucknow;
7. Ram Prasad, aged about 23 years, Son of Shri Angan, Village - BULATHEA, Post Office - KANNA, District Lucknow;

FOR ANY ORDER OF TERMINATION OF EMPLOYMENT

6. That the work assigned to the Petitioners was on permanent open lines and the work still continues to exist as it can't be over.
7. That all the Petitioners have completed 120 days or more in service and they have completed four months and have acquired the temporary status in view of the provisions of para 4501 of the Railway Establishment Manual, originally the period was, however, of six months but subsequently the same was extended and in accordance with the recommendations of the Railway Labour Tribunal the requisite period for the attainment of temporary status was revised to four months vide Railway Board's Letter dated 12th July, 1972.
8. That the Petitioners work is not over, the posts and the vacancies still continue and the Petitioners could not be ousted from the services as under sub-section 4 of para 162, the Petitioners have prior claim on their regular absorption and in order to defeat their such claim they have been ousted from the services.
9. That under para number 511 of the Railway Establishment Manual, the casual labourer when acquires the temporary status are entitled to all rights, privileges admissible to temporary railway servants as laid down in Chapter XXXII of the Railway Establishment Manual.
10. That under para 2303 (Chapter XXXII) of the Railway Establishment Manual, a temporary railway servant is liable to 14 days notice for the termination of the services or salary in lieu of the notice. None of the

Petitioners were given 16 days notice and they were offered the payment of salary for the 16 days in lieu of the notice, as such the notice of the services due of the Petitioners was wholly illegal.

11o That the notice of the Petitioners from the service is wholly illegal and unconstitutional as neither the Petitioners were given any notice of termination of 16 days nor they were paid salary in lieu of the notice, as the language of para 2303 (2) of the Railway Establishment Manual stands, the payment of salary at the time of the termination is necessary to waive off the 16 days notice.

12o That in this manner the Petitioners have been ousted from their services in a most malefic and arbitrary manner.

13o That in the circumstances of the present case the Petitioners have no any other equally effective remedy to evoke the jurisdiction of this Hon'ble High Court among others on the following -

REASONS

(a) Because, the Petitioners are the temporary railway servants within the meaning of the provisions of the Railway Establishment Manual referred above, and they could not be ousted from the service in this manner.

(b) Because, the services of the Petitioners could not be terminated without the compliance of the requirements for such termination contained in para 2303 of the Railway Establishment Manual.

(c) Because, the termination of the services of the Petitioners is wholly arbitrary and unfair, and amounts to the punishment in utter violation of the provisions of Article 311 of the Constitution of India.

(d) Because, the termination of the services of the Petitioners is wholly arbitrary and violative of the provisions of Article 14 and 16 of the Constitution of India, the Fundamental Rights.

THEREFORE, it is most humbly prayed that this Hon'ble High Court may be pleased to issue :-

(i) A Writ, Order or Command in the nature of Mandamus, commanding the Opposite Parties to treat the Petitioners as Temporary Railway Servants, continuing in service without any break and to pay them full salary, allowances and arrears existing thereto. The intervening period be treated to be in continuous service for the purposes of Section 25 P of the Industrial Dispute Act.

(ii) A Writ, Order or Directions in the nature of Certiorari, quashing any order of termination if exists, after examining their originals from the records of the Opposite Parties.

(iii) Any other order deemed proper.

(iv) To waive off the notice to the standing counsel.

(v) To allow the writ Petition with costs.

DATED: LUCKNOW,
JANUARY , 1955.

Counsel for the Petitioners

- 7 -

IN THE SUPREME HIGH COURT OF JUDICATURE, AT ALLAHABAD
UDAYA BHAWAN, LUCKNOW.

WITNESS PLEA/100 PETITION NUMBER

OF 1981.

Gaya Prasad and Others.

Petitioners.

versus

State (State)Union of India and Others. Opposite Parties.

AFFIDAVIT.

I, Gaya Prasad, aged about 21 years, son of Shri Devi, Resident of Village - RAJNUR GAON, Post Office - RAJNUR, District - Lucknow, do take an oath as under :-

1. That the deponent is the Petitioner number 1 in the above mentioned writ Petition and is also doing "Pirvi" on behalf of the other Petitioners, as such he is fully conversant with the facts and the circumstances stated in the said writ petition.

2. That the contents of paragraph number 1 to 6 of the Writ Petition are true to my own knowledge.

3. That the deponent, himself, has copied the Annexure Number 1 to , either with the copies maintained by the Petitioners, or served upon them, or as could be fetched by them and they are their true copies.

DATED AT LUCKNOW
JANUARY , 1981.

(Gaya Prasad)
Deponent.

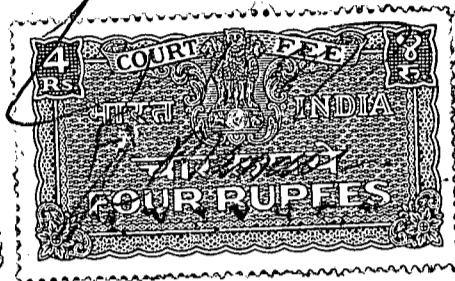
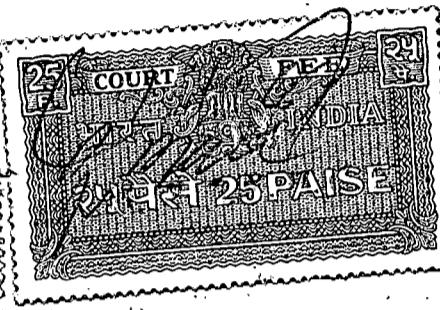
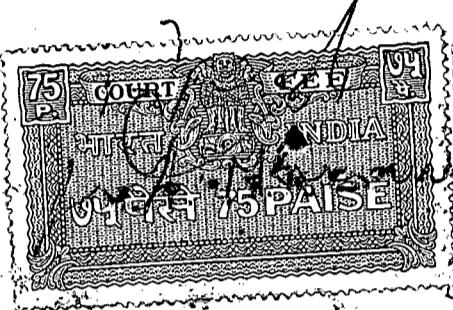
11. Overdue		00000000	01-08-60	14-08-60	14-08-60	14-08-60
			17-08-60	14-09-60	28	00
			15-09-60	14-10-60	30	00
			15-10-60	14-31-60	31	00
			15-11-60	14-12-60	30	00
					131	00
12. Due 08-60 But not late		00	01-08-60	14-08-60	14-08-60	14-08-60
			16-08-60	14-09-60	30	00
			15-09-60	14-10-60	29	00
			15-10-60	14-11-60	31	00
			15-11-60	14-12-60	30	00
					132	00
13. Paid on time		00	01-08-60	14-08-60	14-08-60	14-08-60
			17-08-60	14-09-60	28	00
			15-09-60	14-10-60	30	00
			15-10-60	14-31-60	31	00
			15-11-60	14-12-60	30	00
					133	00
14. Paid late		00	01-08-60	14-08-60	14-08-60	14-08-60
			16-08-60	14-09-60	30	00
			15-09-60	14-10-60	29	00
			15-10-60	14-31-60	31	00
			15-11-60	14-12-60	30	00
					134	00
15. Due 08-60		00	01-08-60	14-08-60	14-08-60	14-08-60
			16-08-60	14-09-60	30	00
			15-09-60	14-10-60	30	00
			15-10-60	14-31-60	31	00
			15-11-60	14-12-60	30	00
					135	00
16. Due 08-60		00	01-08-60	14-08-60	14-08-60	14-08-60
			16-08-60	14-09-60	30	00
			15-09-60	14-10-60	30	00
			15-11-60	14-31-60	31	00
			15-11-60	14-12-60	30	00
					136	00

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

Civil Miscellaneous Application No. 116 (W) of 1981:

In Re :

WRIT PETITION NO. 62 OF 1981.



Gaya Prasad and Others. . . . Petitioners/ Applicants.

Versus.

Union of India and Others. . . . Opposite Parties.

AN APPLICATION FOR THE INTERIM RELIEF.

The above named Petitioners - Applicants most respectfully submit as under :-

1. That the Petitioners - Applicants have filed the above mentioned Writ Petition, challenging their illegal ouster from the service. They have every hope of success.

THEREFORE, it is most humbly prayed that ~~these~~ for the reasons already disclosed in the Writ Petition and the affidavit, the termination of the services of the Petitioners/ Applicants may kindly be stayed, pending the disposal of the Writ Petition in the interest of justice.

DATED: LUCKNOW:
JANUARY 2, 1981.

A. Channan
Counsel for the Petitioners/
Applicants.

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

Civil Miscellaneous Application No.

(W) of 1981.

In Re :

Writ Petition No.

OF 1981.

Gaya Prasad and Others. . . . Petitioners/ Applicants.

Versus.

Union of India and Others. . . .

Opposite Parties.

AN APPLICATION FOR THE INTERIM RELIEF.

The above named Petitioners - Applicants most respectfully submit as under :-

1. That the Petitioners - Applicants have filed the above mentioned Writ Petition, challenging their illegal ouster from the service. They have every hope of success.

THEFORE, it is most humbly prayed that since for the reasons already disclosed in the Writ Petition and the affidavit, the termination of the services of the Petitioners/ Applicants may kindly be stayed, pending the disposal of the Writ Petition in the interest of justice.

DATED: LUCKNOW,
JANUARY , 1981.

Counsel for the Petitioners
Applicants.



N.R.

VAKALATNAMA

G.V. 3.

W.P. NO 62

Before

In the Court of High Court of Judicature At Lucknow
W.P. NO 62 of 51

Graya Roast.
Union of India

Plaintiff
Defendant
Defendant
Plaintiff

Versus

Claimant
Appellant
Petitioner
Respondent

The President of India do hereby appoint and authorise Shri... *Ramkrishna Dutt*
Advocate D. Bhatta Adv.

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 m^oys 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/apposite 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.

SI
9/2/41
The President hereby agrees to ratify all acts done by the aforesaid
Shri.....
in pursuance of this authority.

IN WITNESS WHEREOF these presents are duly executed for and on behalf of the President of India this the..... day of 19 ..

Dated..... 197 ..

Accepted
John W. B.

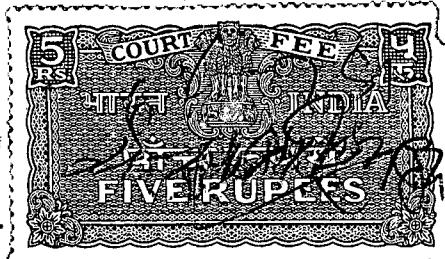
.....
Designation of the Executing Officer

R.P.P. Delhi—19/9—1/153—7500 F

D. Bhatta
Adv

54 ज्ञान विद्या अकादमी





N.R.

VAKALATNAMA

G.V. 3.

Before
In the Court of

6/2
W.P. No. 62 of 81
In the Hon. High Court of Judicature at Allahabad
(Lucknow Bench) 1/20

Sri Raja Basad Plaintiff

Defendant

Claimant

Defendant

Appellant

Plaintiff

Petitioner

Versus

Respondent

Union of India vs.

The President of India do hereby appoint and authorise Shri S. Saghir Ahmed
Advocate

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/apposite 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 S. Saghir Ahmed
in pursuance of this authority.

IN WITNESS WHEREOF these presents are duly executed for and on behalf of the President of India this the day of 19

Dated

6.7.1981 Accepted
S. Saghir Ahmed

Signature
Designation of the Executing Officer

हार्ट कोर्ट फ्लाहाबाद

(अध्याय १२, निर्प १ आैर १७)

Dr 1415 N. 1450
3

दिवानी विभाग

प्रकीर्ण (मुत्तफरिक) प्राचीना-पत्र सं - ११६ - - सन १६८१ - - दि

Mr. P. सं. 62 सन् १९८१ में

Gaya Parbat Hrs.

प्रति
The Union of India to
the Divisional Railway
Manager, N. R. Lucknow.

पुस्तिकादी के वाक

बूँदि के पर लिखे प्रार्थना ने इस स्वायत्तेज में उपरोक्त सुन्दर में के सम्बन्ध में लिखे प्रार्थना पत्र दिया है कहते हैं कि आप दिनांक १७/११ मार्च सन १९ को या उससे पहले उपस्थित होकर बतलाये कि प्रार्थना पत्र दियों ने स्वीकार कर लिया जाय। उक्त प्रार्थना पत्र की सुन्दर है उसके बाद नियमानुसार विज्ञापित किसी आर दिन होगा।

उपर तिले दिनांक पर या उसके पहले स्वरूप
त पुरा जो आपकी ओर दे कर स करने के
लिए जो उस प्रार्थना पत्र का सुनवाहूँ छार

रा दिये गए व्यपक पर्याक्रमी एक पुतिलिपि होती

य की मोहर हे आज दिनांक 13/5/01
ती लिया गया ।

संक्षिप्त

P. B. Johnson

हिन्दी रजिस्ट्रार

सूचना द्वारा नामांकय नि. १६५२ के नियमावली के अध्याय ३५, नियम २ के अधीन प्राप्त तरिका नामा दिया गया।

तलवाना पाने वाले तलवी के हस्ताचार

हाई कोर्ट हालाहाल

(अध्याय १२, नियम १ और ७)

दिवानी विभाग

प्रक्रिया (मुतफ रिक) प्रार्थना-पत्र सं० - सन १६ - १८८२

सं० - सन १६ - १८८२ है

१८८२

प्रार्थना

प्रति

प्रार्थना

प्रसिद्धादी रै लाल

दूसि ऊपर लिखे प्रार्थना में हरन्यायालय में उपरोक्त तुकदर्ये के खबाय

दिला है तरः आपको आदेश दिया जाता है कि आप दिनांक १७/८/८१ पार पत्र द्वयों न स्वीकार कर लिया जाय। उक्त प्रार्थना पत्र की सुनवाई उसके बाद नियमानुसार दिजापित किसी आर दिन होगी।

विदित हो कि यदि आप ऊपर लिखे दिनांक पर या उसके पहले दूसरे दिन इच्छाकृत या ऐसे व्यक्ति पुरा जो आपकी ओर से काम करे तो उस दृष्टिकोण की सुनवाई करा

प्रार्थना पत्र और प्रार्थना कारा दिये गए हैं पर को इस प्रतिलिपि को के साथ लानी है।

मेरे हरतानार और न्यायालय की मोहर है आज दिनांक १३/८/८१ साल - सन १६ जो जारी किया गया।

रिक्ति के स्वाक्षर के संदर्भ में

रिक्ति:

डिप्टी रजिस्ट्रार

हालाहाल, लखनऊ

प्राप्त हरन्यायालय की १६/८/८१ की नियमावती के अध्याय ३६, नियम २ के अधीन प्राप्त तलवाना मिल गया।

तलवाना पाने वाले व्यक्ति के हरतानार

हाई कोर्ट हस्ताहाबाद
(अध्याय १२, नियम १ और ६)

Dr (N) 1450/4

दिवानी विभाग

प्रक्षेप (मुतफ रिक) प्रार्थना पत्र सं ११४ - सन १९८१ -

W.P. सं ६२ - सन १९८१ ई० में

Gaya Prasad - vs - प्रार्थी

प्रति
Union of India vs - प्रार्थना
the Union of India
Through The General
Manager, N.R., Baroda House
New Delhi प्रसिद्धि के लिए

बृंदा ऊपर लिखे प्रार्थी ने हस्ताक्षय में उपरोक्त मुद्राओं के सम्बन्ध में

1450 स्टैम्प/No. 0656

लगाए गए टिकटों का मूल्य रु. 3.25
Amount of Stamps affixed Rs. 3.25
एक रजिस्ट्री बीमा* प्राप्त किया तौराख-माह
Received a Registered Insured Date-stamp
पानेवाल का नाम
Addressed to The Union of India
बीमा की रकम (अंकों में) N.R.
Insured for Rs. (In figures) ३००
बीमा शुल्क रु. Weight (in words)
Insurance fee Rs. Weight (in words)
पानेवाल का नाम व पता
Name and address of sender
हाईकोर्ट दिवानी में दी गई
प्रार्थना दिवानी में दी गई
Issue subject to terms and
conditions in P. O. guide
प्राप्तवाले अधिकारी के हस्ताक्षर
Signature of Receiving Officer

लिए प्रार्थना कर

9/7/81 पर
बतायें जिस प्रार्थना
मुद्राओं उपर लिए

था उसके बहुत दूर
र है आप करने के
पत्र की सुनवाई चाही

एक प्रतितिपि हो

दिनांक 13/5/81

लिखित: -

डिस्ट्री रजिस्ट्रार

हस्ताहाबाद, लखनऊ

प्रार्थना हस्ताक्षय की १९८५२ को नियमावली के अध्याय ३७, नियम २ के अधीन
प्राप्त तहवाना प्रिय गया।

तहवाना पाने वाले जल्दी के हस्ताक्षर

हाई कोर्ट इलाहाबाद

(अध्याय १२, नियम १ आरे ६)

दिवानी विभाग

प्रकीर्ण (मुतफरिक) प्राथ्मा-पत्र सं १०८८८ वसन् १४ अक्टूबर

१०० रुपये - सन् १९४८

四〇

24

प्रति

ପ୍ରକାଶନୀ

प्रतिवादी के नाम

बुंदि ऊपर लिंग प्राणी में उत्तम स्थाया सब में उपरी तत्त्व उक्तमें के सम्बन्ध में
दिया है तरः आपको आदेश दिया जाता है कि आप दिनांक १८/१८/१८ पारे
पत्र बयों न स्वीकार कर लिया ज्ञाय । उक्त प्रार्थना पत्र की शुद्धारे उक्त दिन
स्थिपानुसार विज्ञापित विली आर दिन होगी ।

विदित हो कि यदि आप ऊपर तिर्यक दिनांक पर या उसके पहले दिन
ज्ञानवा किसी रुद्धि देते हों तो व्यक्ति गुरु जो आपकी ओर देखा जाए कर्त्ता
तिर्यक नन्तर ब्रह्मिक हो, उपरित्त व उसके द्वारा उस गुरुपर पक्ष की खुम्काड़ द्वारा
निषिद्ध आपको ब्रह्मपरित्त में हो जाएगे ।

प्रार्थना पत्र और प्रार्थी द्वारा दिये गए अपने पक्ष की इन वृत्तिलिपि नहीं के साथ लागती है।

मेरे हातादार और न्यायालय की मोहर है श्राज दिनांक 13/5/81
पार्ट - 2 - इन १०० - दो जारी गिया गया ।

तिर्यः -

हिन्दी रजिस्टर

ਇਤਾਹਾਕਾਨ, ਲੁਧਿਆਣਾ

सूचना इस व्यापार द्वारा १८५२ के नियमावली के अन्तर्गत ३७, नियम २ के अधीन प्राप्त तत्वाना भिन्न रहा।

तलवाना पाने वाले उल्के के हस्तानार

(अध्याय १२, नियम १ और ६)

Dr
145-3 N
1450
2

दिवानी विधान

पुलियां (मुतफ रिक) डार्ना-पत्र सं- 114 सन १९८१ -

W.P. सं- 62 सन १९८१ दृष्टि अंक ४५

Gaya Prasad दर्ना

Union of India & Ors. प्रति
The Assistant Engineer, प्रत्यार्थी
II, Northern Railway,
Charbagh, Lucknow प्रतिवादी के लिए

दृष्टि ऊपर लिखे प्रार्थी ने हस्ताक्षयालय में उपरी वत मुकदमे के सचिन्य में

दिया है वह: आपको आदेह दिया जाता है कि आप दिनांक १४ अक्टूबर १९८१ को या उस पहले उपस्थित होकर बतलायें कि प्रार्थी दृष्टि ऊपर लिए उसके लिए प्रार्थना पत्र

1450 अंक/No. 655

लगाए गए डाक टिकटों का मूल्य रु.	3	पं. 25	प्राप्त किया तारीख-माह Date-stamp
Amount of Stamps affixed	Rs.	P.	
एक रजिस्टरी बोने	
Received a Registered Insurance Policy बोने का नाम	A E II		
पानवाले का नाम			
Addressed to			
बोने की रकम (अंकों में) N.R. (बड़ी से)			
Insured for Rs. (in figures) Lucknow (In words)			
दीपा शत्रु रु.	वजन (बड़ी से)	
Insurance fee Rs.	P.	Weight (in words)	
भजनवाले का नाम व पता			
Name and address of sender			
डाकधर मिट्टेजिका में दी गई			
संकेत के अधीन जारी की गई			
Issued subject to terms and conditions in P. O. guide			

पानवाले अधिकारी के हस्ताक्षर
Signature of Receiving Officer



दिल्ली रजिस्ट्रार
हस्ताक्षर, लखनऊ

इसना दर्ना अधिकारी की १९८१ के नियमावली के अध्याय ३६, नियम २ के अन्तर्गत
प्राप्त दर्नाना प्रिय गदा।

तलवाना पाने वाले दर्ना के हस्ताक्षर

(अध्याय १२, नियम १ अ० ५)

दिवानी विभाग

प्रक्षीण (मुतफ रिक्त) प्रार्थना-पत्र सं० १६ सन १६ ई० मे

सं० १६ सन १६ ई० मे

ई० मे

१६

प्रति

प्रत्यक्षी

प्रिवादी के बाब

यूहि ऊपर लिखे प्रार्थी ने इस च्यायालय में उपरोक्त मुकदमे के सच्चाय में दिया है कि आपको आदेश दिया जाता है कि आप दिनांक १७/१०/१९४८ माह सन १६ को या उसे पहले उपस्थित होकर बताई जिस प्रार्थना पत्र द्वारा न खीकार बार लिया जाय। उक्त प्रार्थना पत्र की दृढ़दाह उसके बाब नियमानुसार दिजापित फिरी आर दिन होगी।

विदित हो दियुहि आप ऊपर तिरु-दिनांक पर या उसके पहले द्वय इन्द्रियों से इन्द्रियालय के लिये विद्युत या इस त्वयित द्वारा जो आपकी ओर से काम करने वाले इन्द्रियों द्वारा उपस्थित होने वाले हों उस प्रार्थना पत्र का सुनवाई आर नियमित ब्रापकी अनुपस्थित में हो जाएगी।

प्रार्थना पत्र और प्रार्थी द्वारा दिये गए अपेक्षित या की इस प्रतिलिपि द्वारा के साथ जारी है।

मेरे हृत्याकाल और च्यायालय की सीहर है आज दिनांक १३/५/४८।

भारत राज्य विधायक सभा के द्वारा दिया गया।

रिक्त:



डिप्टी रजिस्ट्रार

इलेक्ट्रॉनिक, लॉन्ग्स

मुकदमा इस च्यायालय मि १६५२ को नियमावली के अध्याय १२, नियम २ के अधीन प्राप्त तबाना मिल गया।

तबाना पाने वाले अलौकिके हस्ताक्षार

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

4
Pt
1450
145
1

दिवानी विभाग

प्रक्षिण (मुतफ रिक) प्रार्थना-पत्र सं- 114 - सन १६.८१

W.L. No. 62 सन १६.८१ हो में

xx

Gaya Pd. Post

Union of India for
the Permanent way Inspe-
ctor, N.R. Barabanki
Distt. Barabanki

प्रतिवाद के बाद

नुंगा ऊपर लिखे प्रार्थने में हस्ताक्षर के उपरी वर्त सुन्दरी के सम्बन्ध में

दिवा-
नी पत्र
पत्र
पत्र

1450

क्रमांक No.

654

लगाए गए डाक टिकटों का मूल्य रु. 3. 25

Amount of Stamps affixed Rs.

3. 25

P.

तारीख-मोहर
प्राप्त किया। Date-stamp

एक रजिस्ट्री बीमा*

Received a Registered Insurance

पानेवाले का नाम

Addressed to

बीमे की रकम (रुपयों में)

Insured for Rs. (in figures)

बीमा शहर में

Insurance fee Rs.

भेजनेवाले का नाम व पता

Name and address of sender

डाक घर निदानपुर में दी गई

शर्तों के अधीन जारी की गई

Issued subject to terms and

conditions in P.O. guide

The Permanent Way
Inspector N.R.
Barabanki

वजन (शब्दों में)

Weight (in words)

P.

हार्फ कॉर्ट हलाहलाह
(अध्याय १२, नियम १ और ७)

दिवानी विभाग

प्रकीर्ण (मुतफ रिक्ट) प्रार्थना पत्र सं० १६ सन् १६ ई० में

सं० १६ सन् १६ ई० में

प्रति

प्रत्याखी

प्रतिक्रिया है आदि

युनिक पर लिखे प्रार्थना में हलाहलाह व्यायालय में उपरीकृत सुनियर्स के हलाहलाह में
दिया है कि आपको आदेश दिया जाता है कि आप दिनांक १७/११ सन् १६ को या उससे पहले उपस्थित होकर बोलाये कि आपको
पत्र दियों न स्वीकार कर लिया जाय। उक्त प्रार्थना पत्र को सुनवाई उपरीकृत
नियमानुसार विज्ञापित किसी आर दिन होगा।

दिवित ल्लै कि यदि आप ऊपर तिर्यक दिनांक पर या उसके पहले रद्द
किया जाय तो यह व्यक्ति आपको आर हो कर बोल दें। उपरीकृत ल्लै कि आपको आर
सिएप्पी श्रीपको अनुपस्थित में हो जायें।

प्रार्थना पत्र और प्रार्थना द्वारा दिये गए रूप से को एक प्रतिलिपि होने
के लाल लालो है।

मेरे हलाहलाह और व्यायालय की मोहर है आज दिनांक १३/५/८१
मार्च सन् १६ जो जारी किया गया।

रिक्ट: रजिस्ट्रार के रजिस्ट्रेट

रजिस्ट्री रजिस्ट्रार

हलाहलाह, तहकुल

सूचना इस व्यायालय की १६५२ की नियावती के अध्याय १२, नियम २ के अधीन
प्राप्त तहकुला किया गया।

तहकुला पाने वाले व्यक्ति के हस्तानार

ORDER SHEET

IN THE HIGH COURT OF JUDICATURE AT ALLAHABAD

No. ~~62~~ 62 of 1981

vs.

Date	Note of progress of proceedings and routine orders	Dated of which case is adjourned
1	2	3
5-1-81.	<p>W.L.O. K.S.V., T.</p> <p>How. U.C.S., T.</p> <p>Admit.</p> <p>Issue notice.</p>	SD-K.S.V.
		SD U.C.S.
		5-1-81.
-Do-	C.M.A. 114(w)-81 (5 Long)	
	I.N.	
	<p>If the petitioner's services have already been not terminated it shall not be terminated till further order.</p>	SD-K.S.V.
		SD U.C.S.
9.7.81	Fixed with C.M. Am No. 114/81	7/20
	for attendance.	O.9/1/81
		D 13/5

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

T. A. No.: 793 of 1987

Gaya Prasad & others ... Petitioners

Vs.

Union of India & others ... Opp. Parties

COUNTER REPLY ON BEHALF OF THE
OPPOSITE PARTIES.

I, R. P. Misra working as
Ass'tt Engineer II .. Chancery
resident
of Lucknow.

do hereby solemnly affirm and state as under:-

1. That I am working as Ass'tt. Engineer II. N. Rly.
D.R.M. Office, Northern Railway, Lucknow. I have
been duly authorised on behalf of the Opposite

2/12/81
ASSISTANT ENGINEER, II
N Rly., LUCKNOW

Parties to file the instant reply on their behalf. I have gone through the contents of the petition and have perused the official record of the case and as such I am fully conversant with the facts and circumstances mentioned hereinafter:

2. That the contents of Para-1 of the writ petition are admitted to the extent that the petitioner no. 1 to 13 were engaged as casual labourers. It is further submitted that the petitioner no. 14 to 16 are fraudulent persons and they have never worked under the Opposite Party No. 4. The petitioners No. 14 to 16 are required to give strict proof regarding their engagement under the Opposite Party No.4.

3. That the contents of Para-2 of the writ petition are wrong, hence denied. In reply thereto it is stated that the petitioners no. 1 to 13 were engaged against the temporary sanction for completing the work as labouer was required for high bank settlement due to heavy rain in the section of permanent Way Inspector, Barabahki on the forced circumstances and after the completion of the work and also the expiry of the

✓ 2/11
ASSISTANT ENGINEER, II
N Rly., LUCKNOW

A/27

temporary sanction, their services were automatically ceased. It is further submitted that they were never engaged against the regular post and under the Railway Establishment Code Vol. II.

The petitioners are not covered under the definition of Railway Servant and as such they have no legal right to claim any relief under the Article 226 of the Constitution of India or before this Hon'ble Tribunal.

4. That the contents of Para-3 of the writ petition are not admitted as alleged, hence denied. In reply thereto it is stated that the petitioners no. 1 to 13 had been engaged against the temporary sanction received from time to time to ~~him~~ meet the exigencies of the services during emergency with a view to maintain the safety of the track. The details of the sanction are as under :

- (i) 213/DRM/AEN-II/LKO/80-81 dt. 21.7.80 for 30 days.
- (ii) 248/DRM/AEN-II/LKO/80-81 dt. 14.8.80 for 30 days.
- (iii) 291/DRM/AEN-II/LKO/80-81 dt. 15.9.80 for 30 days.
- (iv) 321/DRM/AEN-II/LKO/80-81 dt. 14.10.80 for 30 days.
- (v) 361/DRM/AEN-II/LKO/80-81 dt. 14.11.80 for 30 days.

The rest of the petitioners no. 14 to 16 are fraudulent persons and they had not worked at all


ASSISTANT ENGINEER. II
N Rly., LUCKNOW

as per the office record.

5. That in reply to Para-4 of the writ petition it is stated that the petitioners were engaged for a fixed period on ELA (Essential Labour Acquisition) basis and when the period expired, the contract of their engagement as Casual Labour stands ceased. It is further clarified that such Casual Labourers are engaged with full knowledge that the engagement would be ceased on the date when the sanction expired. Accordingly, the engagement of the petitioners no. 1 to 13, on expiry of sanction, stood ceased automatically as such no notice was required to be given to them.

6. That the contents of Para-5 of the writ petition are wrong, hence denied in view of the facts mentioned in the foregoing paras of this counter reply.

7. That the contents of Para-6 of the writ petition are wrong, hence denied. In reply thereto it is stated that the petitioners were never engaged on permanent open line. The work and sanction for which the petitioners no. 1 to 13 were engaged, already finished and expired. The petitioners are required to give strict proof of the allegation made in para

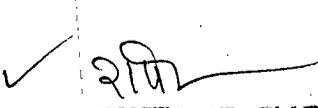
✓ 
ASSISTANT ENGINEER, II
N. Rly., LUCKNOW

under reply.

8. That the contents of Para-7 of the writ petition are wrong, hence denied. In reply thereto it is stated that the engagement of the petitioners was on contract basis for a certain period for which the sanction was accorded by the Competent Authority, the question of acquiring the temporary status after completing 120 days does not arise. In view of this, the averments made in para 7 of the Writ Petition are misleading.

9. That the contents of Para-8 of the writ petition are wrong, hence denied. In reply thereto it is stated that the petitioners have not given the full particulars of the Casual Labourers who are said to have been engaged in their places. The allegations made in para under reply are false, frivolous and concocted. It is further submitted that this Hon'ble Tribunal may direct the petitioners to submit the details of such Casual Labourers who are junior to such labourers but had been engaged in their places so as to enable the answering opposite parties to give specific comments on the point.

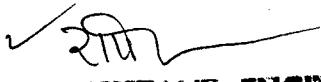
10. That in reply to Para-9 of the writ petition


ASSISTANT ENGINEER, II
N Ry.. LUCKNOW

it is stated that the provisions of the Railway Establishment Manual referred to in the para under reply are not applicable in the instant case as the petitioners' engagement as Casual Labourers was purely on contract basis for which the sanction was accorded by the Competent Authority time to time. The petitioners have not come with clean hands before this Hon'ble Tribunal as they have deliberately concealed the actual facts to mislead the Hon'ble Court.

11. That in view of the submissions made in foregoing paras of this counter reply, the averments of the para under reply i.e. of Para-10 of the writ p-ettition are denied as those are not correct. The rule related in para under reply is not applicable in the case of the petitioners.

12. That the contents of Para-11 of the writ petition are baseless, false and misleading and, hence denied. In reply thereto it is stated that the petitioners have put a misleading picture before this Hon'ble Court with wrong facts and non-applicable rules just to cover up their case in field of eligibility for which they are not at all entitled because their engagement was for


ASSISTANT ENGINEER. !!
N Rly., LUCKNOW

P/MY

MURARAJ ENGINEER

VERIFICATIONI R. P. Misra, do

hereby verify that the contents of paras _____
of the instant reply are based on personal knowledge
and belief and those of paras 1 to 16 are
based on knowledge derived from the perusal of
records of the instant case kept within the official
custody of the answering opposite parties, nothing
material has been concealed and nothing stated
therein are false.

Verified on 4th the day of

Oct. 1991, at Lucknow.

21/10
ASSISTANT ENGINEER, II
(N. R. J. LUCKNOW.

Through
TK Shukla
Rly. Advocate

IN THE HON'BLE CENTRAL ADMINISTRATIVE TRIBUNAL,
LUCKNOW BENCH, LUCKNOW.

T.A. No. 793 OF 1987

GAYA PRASAD

... APPLICANT

VERSUS

UNION OF INDIA & OTHERS

... RESPONDENTS

REJOINDER TO THE COUNTER REPLY
ON BEHALF OF THE RESPONDENTS

I, Gaya Prasad, aged about 32 years, S/o Shri Debi, R/o Village Rampur Gaddi, Post - Nigowan, District Lucknow, states as under:-

1. That the Deponent is the Applicant No. 1 in the above Transferred Application and is doing parvy on behalf of the Applicants Nos. 2 to 6 and 8 to 16 except Applicants Nos. 10 & 11. The Applicant No. 7 is already working under Permanent Way Inspector, Lucknow. As such, the Deponent is fully conversant with the facts and circumstances of the Case. The contents of the Counter Reply have been explained to the Deponent and as such, the Deponent states hereinafter. ...1.

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2. That the contents of Paragraph 1 of the Counter Reply need no comments.

3. That the contents of Paragraph 2 of the Counter Reply are vehemently denied and the contents of Paragraph 1 of the Transferred Application are reiterated as correct. All the applicants have worked under Respondent No. 4 including Applicants No. 14 & 16. The Hon'ble Tribunal may be pleased to direct the Respondents to produce the complete record pertaining to the engagement under Respondent No. 4, from 01st August 1980 to 14th December 1980 so as to substantiate the facts before this Hon'ble Tribunal that the Applicants Nos. 14 to 16 have never worked. The Respondent No. 4 issued Service Cards to the Applicants. The Service Cards of Applicants Nos. 15 & 16 have been misplaced. However, copy of the Service Card of the Applicant No. 14 is being annexed as ANNEXURE No. R-1 to this Rejoinder.

4. That the contents of Paragraph 3 of the Counter Reply are vehemently denied and the contents of Paragraph 2 of the Transferred Application are reiterated as correct. It is

...3.

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stated that the Applicants were engaged on regular posts and not on any Project or any short term or fixed term work. The Respondents are stating false stories so as to mislead this Hon'ble Tribunal. The Applicants' are covered under the Railway Servants. The Applicants have attained legal status as such, the Applicants are entitled for the relief of reinstatement in service with full back wages.

5. That the contents of Paragraph 4 of the Counter Reply are vehemently denied and the contents of Paragraph 3 of the Transferred Application are reiterated as correct. The Applicants were engaged against permanent, sanctioned work on a regular post. The Respondents may be put to strict proof so as to demonstrate before this Hon'ble Tribunal that the Applicants Nos. 14 to 16 are fraudulent persons.
6. That the contents of Paragraph 5 of the Counter Reply are denied and the contents of Paragraph 7 of the Transferred Application are reiterated as correct. The Applicants were never engaged for a fixed period. In fact,

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the Applicants were engaged on regular posts against permanent work under Respondent No. 4. The engagement of the Applicants after 14th December 1980 was done arbitrarily and illegally, in utter violation of the provisions of the Indian Railway Establishment Manual as well as the Industrial Tribunal Act, 1947.

7. That the contents of Paragraph 6 of the Counter Reply are denied and the contents of Paragraph 5 of the Transferred Application are reiterated as correct.
8. That the contents of Paragraph 7 of the Counter Reply are denied and the contents of Paragraph 6 of the Transferred Application are reiterated as correct. All the Applicants have worked and were engaged on permanent Open Line. The Permanent Open Line on which the Applicants were engaged is still in existence. The Respondents to give strict proof of the allegation that the Applicants have not worked on any Permanent Open Line. All the Applicants have worked, even much prior to 01st August 1980 under various Permanent Way

...5.

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Inspectors of the Northern Railway at various places, such as Lucknow, Bachrawan, etc.

9. That the contents of Paragraph 8 of the Counter Reply are denied and the contents of Paragraph 7 of the Transferred Application are reiterated as correct. The engagement of the Applicants was never on contract basis for a fixed period, but in fact, on Permanent Open Line. The Applicants attained temporary status after completing 120 days of service.
10. That the contents of Paragraph 9 of the Counter Reply are denied and the contents of Paragraph 8 of the Transferred Application are reiterated as correct. The Respondents have ousted the Applicants after 14th December 1980 in order to defeat their claim of absorption into service. The Respondents have ample of work for engagement of the Applicants as the Railway is a very large Organisation. Several persons have been engaged after 14th December 1980 which shall be evident from the records of the Respondents as it cannot be pleaded under any stretch of imagination that no engagement has been made in the Indian

...6.

5/14/212

Railways, thereafter. The Applicants are ready to work anywhere in the Indian Railway establishment as Casual Workers as they have already attained the temporary status and they are entitled for regularisation and absorption.

11. That the contents of Paragraph 10 of the Counter Reply are vehemently denied and the contents of Paragraph 9 of the Transferred Application are reiterated as correct. The Applicants have never worked on contract basis. The Respondents are misleading the Hon'ble Tribunal so that the Applicants may not be granted any relief. In fact, all the other persons have been absorbed in the Indian Railways, who were working under Respondent No. 4 from 01st August 1980 to 14th December 1980; except the Applicants.
12. That the contents of Paragraph 11 of the Counter Reply are denied and the contents of Paragraph 10 of the Transferred Application are reiterated as correct.

13. That the contents of Paragraph 12 of the Counter Reply are denied and the contents of Paragraph 11 of the Transferred Application are reiterated as correct. The Applicants are poor labourers and they have crossed the age of 30 years and are not eligible for any other employment anywhereelse. As such, the Applicants have no other hope of employment, except under the Respondents.

14. That the contents of Paragraphs 13 & 14 of the Counter Reply are denied and the contents of Paragraph 12 & 13 of the Transferred Application are reiterated as correct. The Applicants ousted on 14th December 1980 due to malafide reasons as all the other persons who were working alongwith the Applicants as casual labourers have already been engaged and appointed under the Respondents, on date, in regular pay scale. The Applicants Transferred Application is entitled to be allowed with direction to the Respondents to treat the Applicants as Temporary Railway Servants, continuing in service without any break and to pay salary and allowances and arrears arising thereof, after quashing the Termination Order,

if any, w.e.f. 15th December 1980. The Transferred Application is full of merits and deserves to be allowed with costs to the Applicants.

रामेश्वर

Place : Lucknow.

DEPONENT

Dated : OCT 1992

VERIFICATION

I, the deponent above named, verify that the contents of Paragraphs 1 to 14 of this Rejoinder are true and correct to my own knowledge derived from personal information and records. The legal parts of the Paras are based on legal advice received which is believed by me to be true and correct.

रामेश्वर

Verified this, the

day of October

1992, at Lucknow.

रामेश्वर

DEPONENT

Before the Honorable Central Administrative Tribunal, Lucknow.

TA No. - 793/87 (T)

Graya Bawali and others

Applicants

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

✓/16

प्रमाणितपत्र पर भूमि के बाला बोर।
Particulars to be filled in
first appointment, etc.

कार्ड
(यथीतर
द्वारा प्र
Photo
(Attest
Sub)

90393

पुरा नाम.....
पूरा नाम.....

प्राप्ति किया जाता चाहिए।
This card should invariably be produced at the time of
every fresh appointment.

इस कार्ड के बिना, इस
पात्र पर कोई विवार नहीं।
No claim for permanent absorption will be entertained
without this card.

रेल बोरा में रहने के समर्थन में किसी भाव्य साधा पर कोई वित्त का नाम.....
ध्यान नहीं दिया जायेगा।

Any other form of evidence in support of his employment
will not be taken cognisance of.

इस कार्ड के दृश्योग किए जाने पर कामचारी को सम्बद्धित जाति का सदस्य है यथवा नहीं।
प्रकार की रेल सेवा के लिये अधोम घोषित किया जायेगा।

Any misuse of this card shall render its owner liable for punishment
being disqualified from Railway service of all kinds.

Signature & Designation
Subordinate Inspector
Northern Railway
LUCKNOW 517

1215

Before The Hon'ble Central Administrative Tribunal, Lucknow.

TA 110. 2 793/87 (T)

2. Graya bawed and others --- --- --- --- --- Applicants
union of India and others --- --- --- --- --- Respondents.

Before the Honorable Central Administrative Tribunal: Lucknow.

TAN 793/87 (T)

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

✓✓✓

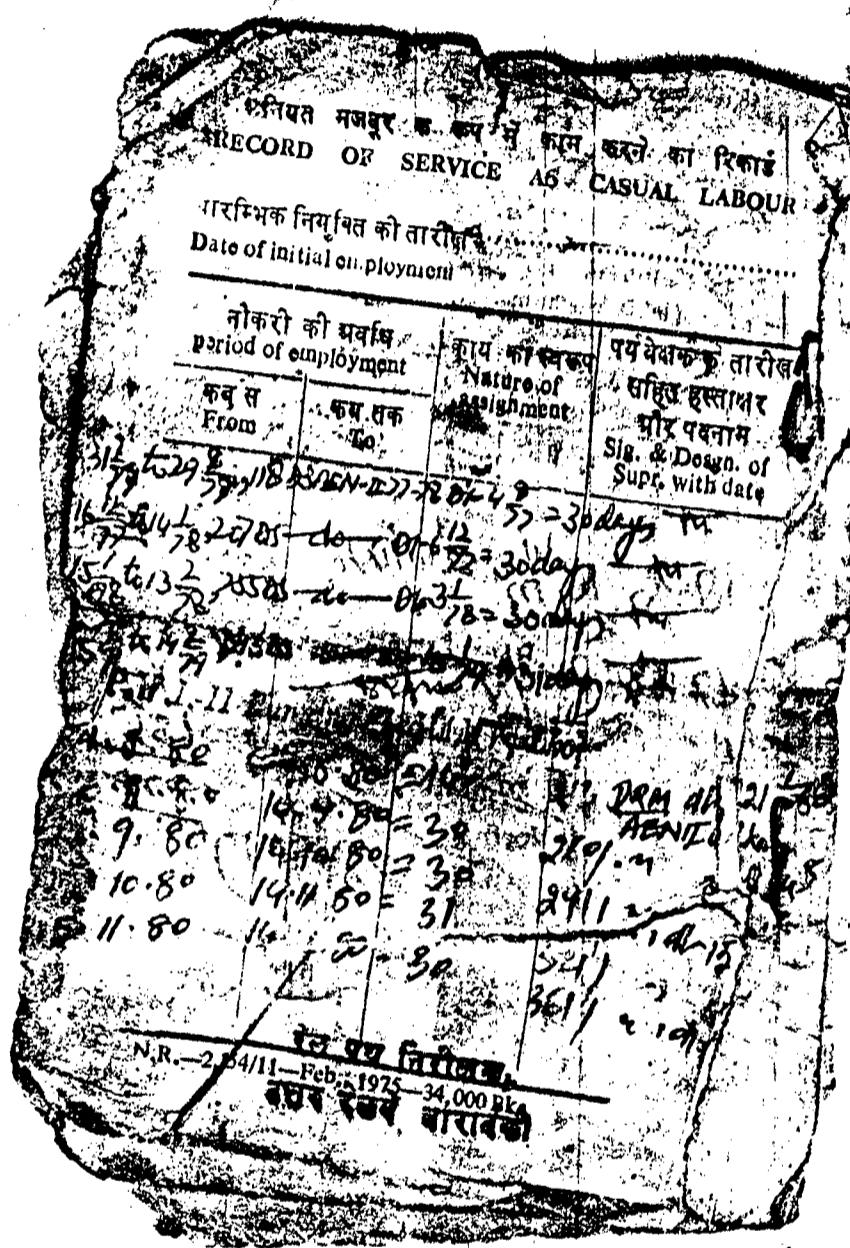
Before the Honourable Central Administrative Tribunal, Lucknow.

TAN. - 793/87 (T)

Graya Bawali and others - - - - - Applicants

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

1/19



रामपट्टी

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD
CIRCUIT BENCH, LUCKNOW

57
***** Gandhi Bhawan, Opp. Residency
Lucknow -

29/11/80 No. CAT/LKO/Jud/CB/ 262 Dated the : 15/12

T.A.No. of 793 1987 (T)

Gaya Parasai.

AFFILIANT'S

Versus

union of Gondia.

RESPONDENT'S

(4) To Jag Mohan Sto. Han kau R/o village
- Surajbali Khar. P.O. Kankaha
Lucknow

Whereas the marginally noted cases has been transferred by
High Court Under the provision of the Administrative
Tribunal Act 13 of 1985 and registered in this Tribunal as above.

Writ Petition No. 62401
of 198
of the Court of Jt. C. Lko
arising out,

of Order dated _____
passed by _____

The Tribunal has fixed date of
9.2.90 198. The hearing
of the matter.

If no appearance is made
on your behalf by your some
one duly authorised to Act
and plead on your behalf

the matter will be heard and decided in your absence.

Given under my hand seal of the Tribunal this

30 day of 11 1989.

Dinesh/

g DEPUTY REGISTRAR

(5) Kallor Sto. Maka R/o Village: madah-
pur P.O. Dayerpur, Lucknow

29
IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD
CIRCUIT BENCH, LUCKNOW

Gandhi Bhawan, Opp. Residency
Lucknow

No. CAT/LKO/Jud/CB/ 2631 Dated the : 15/12

T.A.No. of 793 197(T)

Graya Prasad

APPLICANT'S

Versus

Union of India

RESPONDENT'S

14 To Rajaram S/o Manku Lal S/o village
Chatti Khera P. O. Garhi Lucknow

Whereas the marginally noted cases has been transferred by
H. C. Lko Under the provision of the Administrative
Tribunal Act 13 of 1935 and registered in this Tribunal as above.

Writ Petition No. 62/81
of 198

of the Court of H. C. Lko

arising out
of Order dated
passed

The Tribunal has fixed date of
9.2.90 198. The hearing
of the matter.

If no appearance is made
on your behalf by your some
one duly authorised to Act
and plead on your behalf

the matter will be heard and decided in your absence.

Given under my hand seal of the Tribunal this
3rd day of 11 1989.

Dinesh

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD
CIRCUIT BENCH, LUCKNOW

Gandhi Bhawan, Opp. Residency
Lucknow

No. CAT/LKO/Jud/CB/ 2632

Dated the 15/12/1989

T.A.No. of 198 (T)

APPLICANT'S

Govt. of Bihar

RESPONDENT'S

To Ch. H. Khan, Vice-Chairman, J.A.C.

H. C. 6781

Whereas the marginally noted cases has been transferred by
Under the provision of the Administrative
Tribunal Act 13 of 1985 and registered in this Tribunal as above.

Writ Petition No.

of 198 H. C. 6781

of the Court of Ch. H. Khan, Vice-Chairman, J.A.C.

arising out of Order dated 10/12/1989

passed by Ch. H. Khan, Vice-Chairman, J.A.C.

The Tribunal has fixed date of

1989. The hearing

of the matter.

If no appearance is made
on your behalf by your solicitor
one duly authorised to Act
and plead on your behalf

the matter will be heard and decided in your absence.

Given under my hand seal of the Tribunal this

day of 1989.

Dinesh

DEPUTY REGISTRAR

Ch. H. Khan, Vice-Chairman, J.A.C.

Ch. H. Khan, Vice-Chairman, J.A.C.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD
CIRCUIT BENCH, LUCKNOW

Gandhi Bhawan, Opp. Residency
Lucknow -

No. CAT/LKO/Jud/CB/2618 dated the 10/2/98 (15/2)

T.A.No. of 10/2/98 (T)

Govt. of India

AFFICANT'S

Versus

Pravin Kumar

RESPONDENT'S

To

Pravin Kumar, a citizen of India, residing at 10, Sector 1, Sector 10, Lucknow, Uttar Pradesh, India.

Whereas the marginally noted cases has been transferred by
W.C. No. 1000 Under the provision of the Administrative
Tribunal Act 13 of 1985 and registered in this Tribunal as above.

Writ Petition No. 6/1989
of 1989
of the Court of High Court
arising out
of Order dated
passed by

The Tribunal has fixed date of
10/2/98. The hearing
of the matter.

If no appearance is made
on your behalf by your some
one duly authorised to Act
and plead on your behalf

the matter will be heard and decided in your absence.

Given under my hand seal of the Tribunal this

10 day of 10 1998.

Dinesh/

Y.B.
REPUTY REGISTRAR

D-77-9

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
23-A, Thorntree-Road, Allahabad-211 001

155

TA** 793/87

No.CAT/Alld/Jud/ 40222

1315

Yaya Prasad & Ors

APPLICANT'S

VERSUS
Union of India & Ors

RESPONDENT'S

- ① Shri A Mannan, Advocate, Lucknow High Court, Lucknow
- ② Robin Mitra, Advocate, Lucknow High Court, Lucknow
- ③ D Bhatia, Advocate, Lucknow High Court, Lucknow

Whereas the marginally noted cases has been transferred by Lucknow High Court Under Section the provision of the Administrative Tribunal Act XIII of 1985 and registered in this Tribunal as above,

Writ Petition No. _____
of 198. _____
of the Court of _____
arising out of order _____
dated _____
passed by _____ in _____

The Tribunal has fixed date
of 21-11-89 1989, _____
hearing of the matter _____
of _____ (Opp. Shaded Smear) _____
if no appearance is made
on your behalf by your some
one duly authorised to Act and
plead on your behalf

the matter will be heard and decided in your absence.

Given under my hand seal of the Tribunal this
day of _____ 1989.

dinesh/


DEPUTY REGISTRAR

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
23-A Thorntree Road, Allahabad-211 001

TA 793/87 23
No.CAT/Alld/3rd/ 1021 7315
Recd the

Gaya Prasadoss.

APPLICANT'S

VERSUS
Union of India less

RESPONDENTS

① Shri A Mennan, Advocate, Lucknow High Court, Lucknow
② Shri Robin Mitra, Advocate, Lucknow High Court, Lucknow
③ " D. Bhatta, " " " " " "

Whereas the marginally noted cases has been transferred by Lucknow High Court Under Section the provision of the Administrative Tribunal Act XIII of 1983 and registered in this tribunal as above;

Writ Petition No. 62
of 1981
of the Court of Lucknow High
Court arising out of order
dated _____
passed by _____

The Tribunal has fixed date "s
of 21-11-89 1989, The
hearing of the matter at Lalit Bhawan
(Lucknow, Opp. Shaheed Smarak)
If no appearance is made

the matter will be heard and decided in your absence.

dinesh/

DEPUTY REGISTRAR

In the Hon'ble ~~High Court of~~ Central Administrative Tribunal

ब अदालत श्रीमान

[वादी] अपीलान्ट

प्रतिवादी [रेस्पान्डेन्ट]

at Allahabad Sitting at Lucknow

महोदय

का वकालतनामा

T.A.N. 793/87(T).

(टिकट)

वादी (अपीलान्ट)

Gaya Brassed Calli

मुकदमा नं०

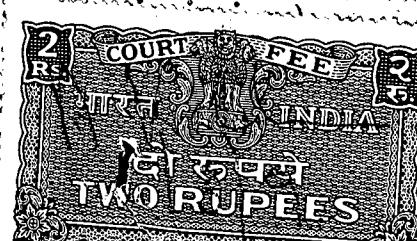
सन्

बनाम

पेशी की ता०

प्रतिवादी (रेस्पान्डेन्ट)

१९ ई०



में अपनी ओर से श्री

Asit Kumar Chaturvedi

Bashir Building, Panday, Lucknow

ना वकील नियुक्त करके प्रतिज्ञा (इकरार) करता हूँ और लिखे

कि इस मुकदमा में वकील महोदय स्वयं अथवा अन्य वकील ने कुछ पैरवी व जबाबदेही व प्रश्नोत्तर करें या कोई कागज दाखिल लौटावें या हमारी ओर से डिगरी जारी करावें और रूपया बसूल

सुलहनामा व इकबाल दावा तथा अपील निगरानी हमारी ओर

रे या अपने हस्ताक्षर से दाखिल करें और तसदीक करें या मुकदमा

या कोई रूपया जमा करें या हमारी या विपक्षी (फरीकासनी) का

किया हुआ रूपया अपने या हमारे हस्ताक्षर युक्त (दस्तखती) लेवें या पंच नियुक्त करें—वकील महोदय द्वारा की गई वह

सब कार्यताही हमको सर्वथा स्वीकार है और होगी मैं यह भी स्वीकार

करता हूँ कि हर पेशी पर स्वयं या किसी अपने पैरोकार को भेजता रहूँगा

अगर मुकदमा अदम पैरवी में एक तरफ मेरे लिखाफ लेंगा हो

जाता है उसकी जिम्मेदारी मेरे वकील पर नहीं होगी इसलिए यह

वकालतनामा लिख दिया प्रमाण रहे और समय पर काम आवे।

दूरनवासी

श्रीराम

ग्रीरपाटा

ग्रामपाटा

रामसन्दू

जग्मोहन



LT1 Ram Kishan Barati Lal. Mohan

साक्षी (गवाह)



LT1

मोहन



साक्षी

दिनांक 31/9/1987 महीना

५४

In the Hon'ble Central Administrative Tribunal
Circuit Bench Lucknow

ब अदालत श्री मान

वादी मुद्रदारी

प्रतिवादी मुद्रालय का वकालतनामा

GAYA PRASAD बनाम UNION OF INDS. वादी मुद्रदारी
T.A. No. 793 ध. 87 प्रतिवादी मुद्रालय
नं० मुकदमा सन १९८७ पेशी की तारिख १२. २. १९९० ई०
उपर लिखे मुकदमा में अपनी ओर से श्री

Bojesh Kumar Shukla
Rly. Advocate - Lucknow
वकील

एडवोकेट
महोदय

को अपना वकील नियुक्त करके प्रतिज्ञा इकरार करता हूँ। लिखें देता हूँ। इस मुकदमा में वकील महोदय स्वयं अथवा अन्य वकील द्वारा जो कुछ पैरवी व जवाज देही व प्रश्न करेगा अन्य कोई कागज दाखिल करें या लौटा दें हमारी ओर ते डिक्री जारी करावें और स्पष्ट वसूल करेगा सुलहनामा इकबाल दावा अपील व निगरानी हमारी ओर से हमारें या अपने हस्ताक्षर से दाखिल करें और तकदी करे या मुकदमा उठायें या कोर्ट में जमा करें या हमारी या विष्फ फरीक्सानी का दाखिल किया स्पष्ट अपनें या हमारे हस्ताक्षर युक्त दस्तखती। रसीद से लेदेगा पंच नियुक्त करें वकील महोदय द्वारा की गई वह कार्यवाही हमको सर्वथा स्वीकार है और होगी मैं भी यह कहता हूँ। कि मैं हर पेशी स्वयं या किसी अपने फैरोकार को भेजता रहूँगा अगर मुकदमा अदम पैरवी में एक तरफा मेरे खिलाफ फैसला हो जाता है उसकी जिम्मेदारी मेरी वकील पर न होगी। इसलिये यह वकालतनामा लिख दिया कि प्रमाण रहें और समय पर काग आवें।

साक्षी गवाह। हस्ताक्षर ✓

दिनांक महीना

साक्षी गवाह
नाम अदालते
नं० मुकदमा T.A. No. 793 ध. 87

नाम फरीकन
Signature of the witness
Name of the Court
Case No. T.A. No. 793 ध. 87

Accepted
By Advocate
My Advocate

ब अदालत श्री मात्र

Before Cst | Lucknow
Circuit Bench

9

159

वादी

मुद्रित

Lucknow

प्रतिवादी दूषदालय का वकालतनामा

0.A NO 410 of 1990 C.L) 0.011.4.3.91

Gayabased V. Union of India
लालूपुर वादी मुद्रित प्रतिवादी दूषदालय

नं० मुकदमा तन 19 पेशी की तारीख 19 ई०

अपर लिखे मुकदमा में अपनी ओर से भी

वादी मुद्रित

प्रतिवादी दूषदालय

Shri Brijesh Kumar Shukla महोदय
एडवकेट

वकील

को अपना वकील नियुक्त करके प्रतिज्ञा दूषकरारू करता है। लिखे हैं देताहुँ। इस मुकदमा में वकील महोदय स्वयं अथवा अन्य वकील द्वारा जो कुछ प्रेरवीव जवाब देही व प्राप्त करेगा अन्य कोई कागज दाखिल करें या लौटा है द्वारी ओर से डिक्री जारी करावें और रूपया वकूल करेगा। इलट्टमा इकलाल दावा अपील व निगरानी द्वारी ओर से द्वारें या अपने इस्ताश्वर से दाखिल करें और तसदीक करे या मुकदमा उठायें या कोर्ट में जमा करें या द्वारी या चिपक्ष पर्याकासानी का दाखिल किया रूपया अपने या द्वारे इस्ताश्वर द्वारा को गई वह कार्यवाडी द्वारा सर्वथा स्वीकार है और दोगों में भी यह कहता है। कि वै हर पेशी स्वयं या किसी अपने फेरोकार को भेजता रहूँगा अगर मुकदमा अदम प्रेरवी में एक तरफा मेरे खिलाफ फेरता हो जाता है उसको जिम्मेदारी मेरी वकील पर न होगी।

इतनिये यह वकालतनामा लिख दिया कि प्रमाण रहें और समय पर काया आवें।

ताकी दृगवाड़ी

दिनांक 15 नवंबर

इस्ताश्वर

साक्षी दृगवाड़ी

नाम अदालत

नं० मुकदमा

नाम फरीकन

Accepted
T.S. Shukla
Advocate

In the Court of Central Administrative Tribunal
Circuit Bench Lucknow.

O.A No. 410 of 90

Gaya Prasad ————— Applicant
Vs.

8/60

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

Sir,

I beg to say that the case O.A No 410 is listed on 16-5-91. In this case the Counter Affidavit is not ready. So 3 months time may be given for Counter Affidavit.

Thanking you.

Yours sincerely

B. K. Shukla
(B. K. Shukla)
Counsel for App. Party

Ans 15 6/8/91

Shukla

16/5/91