

CENTRAL ADMINISTRATIVE TRIBUNAL
LUCKNOW BENCH, LUCKNOW

INDEX SHEET

CAUSE TITLE TA. 817/87
W.P. No 17481 OF

NAME OF THE PARTIES Tej Bhadure Applicant

Versus

D.O.F. Gail Respondent

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CERTIFICATE

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

Checked on Dated 08-9-11

Counter Signed.....

Logu Kishan
Section Officer/In charge

Signature
Signature of the
Dealing Assistant

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

INDEX SHEET

CAUSE TITLE T. A. 817/87 of 19

NAME OF THE PARTIES

Applicant Sh. Tej Bahadur

Versus

Respondent Union of India

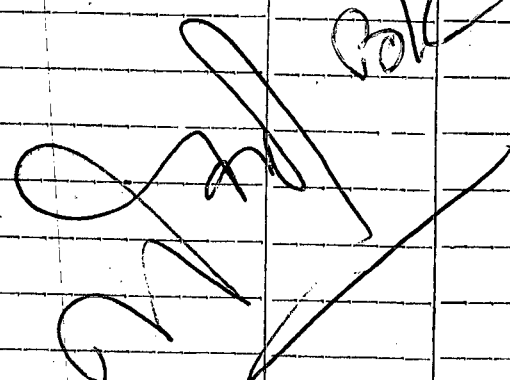
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25.11.91

8/4/87

Date	Note of progress of proceedings and routine orders	Dated of which case is adjourned	
1	2	3	
	30-7-01	P.O. B	
12.9.81	Wm for order. du K.N.S.S., du V.C.S. L.D. Juv. 8/8/81		
14.9.81	du K.N.S.S. du Sharma Admit. Issuance notice	R. H. H.	
	In view of office report dated 25-1-87 office to proceed.		
	<div data-bbox="831 1404 985 1499">K. H. H. 27/1/87</div> <div data-bbox="800 1499 1309 1880"></div>	Gok	

T.A 017/07(1)

Tej Bahadur - v - Govt

13/9/89

Hon. Justice K. Barth, VC.
Hon. K. D. Raman, AM.

An application for adjournment on the ground of illness has been received from the applicant's Counsel Shri A.K. Shukla.

No one is present for the opposite parties. This is the first date of hearing after the receipt of the case from Allahabad. Notices may be issued again from the office to opposite parties and list for orders on 20-10-89.

VC
AM

अ. नं.

पट्टे पर पाठिका
के. प. नं. 11-7-89
की जाति हुई है।

इसके अति शपथ पर भी
प्रत्युत्तर शपथ पर नहीं है
अतिशय श्लाघनीय है
जारी है।

शपथ आदेश के लिए
149

OR
notice issued
19/9/89

VC

Hon'ble Dr. Agrawal, Jm.
Hon'ble K. Nayyar, Jm.

OK
Notices were issued
on 19.9.89.
Notice of O.P. No
4 has been returned back.
Submitted for order
19/10

20/10/89

The applicant's counsel is present also
Hence is present. ~~for the respondent's~~

Adjourn this case on 29-11-89 for orders.

AM

Jm.

①
Tej Bahadur
6/3/90

29-11-89

(S48)
No sitting. Adj to 2-1-90.
Applicant is present

29/11/89
No reply filed
submitted for
order 11/4

In the Hon'ble High Court of Judicature at Allahabad
Sitting at Lucknow
W. P. No 177 of 1981 - A/S

Taj Bahadur - - - - - Petitioner

The Union of India & others - - - - - App. Petitioner

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Lucknow

9.1.81

12.1.81

(AP. Supl.)

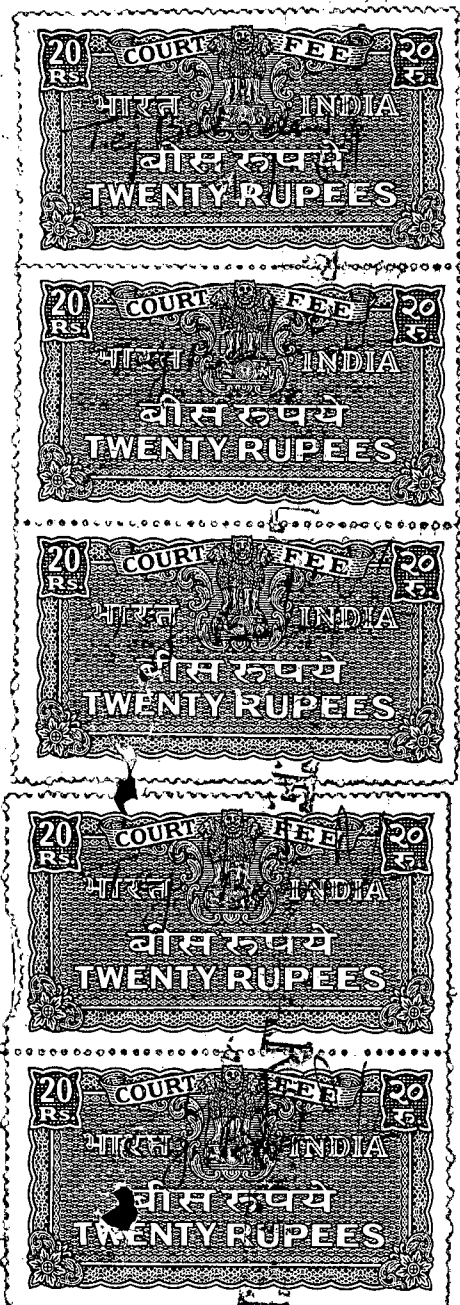
Adv.

287
12.1.81
Group A 14(b)

(2)

442

Gr. A 14 b



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

WRIT PETITION NO. 177 of 1980

Tej Bahadur aged about 52 years, Ex Issuer, S/O
Late Sri Darshan Singh, R/O Village Jethupur,
P.O. Gauriganj, District, Sultanpur.

..... Petitioner

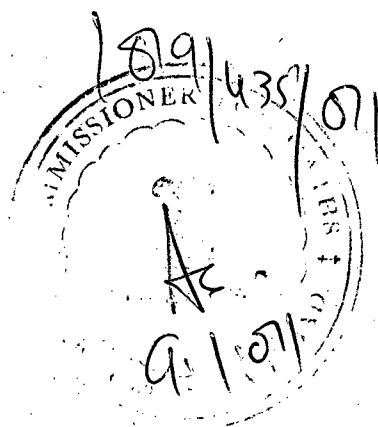
Versus

1. The Union of India through General Manager,
Northern Railway, Baroda House, New Delhi.
2. The District Controller of Stores, Alambagh,
Lucknow (Northern Railway).
3. Sri J.N. Verma, Enquiry Officer, C/O General
Manager, Northern Railways, Baroda House,
New Delhi.
4. The Deputy Controller of Stores, Northern
Railways, Baroda House, New Delhi.

PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA

The humble petitioner submits as under:-

1. That this petition is directed against
the order dated 12.11.72 passed by Opposite Party
Number-2 dismissing the petitioner from the post of
Store Issuer held by him in substantive capacity
in Stores Depot, Northern Railway, Alambagh, Lucknow.
A true copy of this order is annexed with this
petition as annexure Number- 1.



Tej Bahadur

2
8/10
5/11

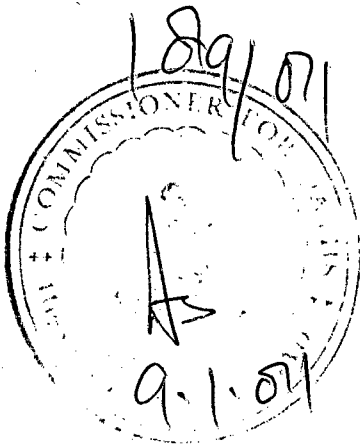
(2)

2. That by means of memorandum dated 6.9.71 purporting to be a charge sheet under rule 9 of Railway Servants (Discipline and Appeal Rules) 1968 the Opposite Party Number 2 directed the petitioner to submit written statement of his defence within 10 days from the date of receipt of the aforesaid memorandum. A true copy of this Memorandum is annexed with this petition as ANNEXURE NUMBER-2.

3. That by means of aforesaid Memorandum contained in Annexure Number 2 the petitioner was charged that he was absent from duties without any intimation since 7.12.70 to 6.9.71 (till the date of issue of aforesaid memorandum contained in ANNEXURE NUMBER 2.

4. That by means of order dated 23.11.71 the Opposite Party Number 2 appointed Sri J.N. Verma (Opposite Party Number 3) as enquiry officer to enquire into the charges contained in aforesaid memorandum (ANNEXURE NUMBER-2).

5. That the petitioner submitted his reply of the charges contained in ANNEXURE NUMBER-2 by Registered post stating inter-alia therein by that the petitioner was not absent from duties without intimation; that he had sent applications for leave supported with medical certificates on the ground of illness of his wife; that there was none to look after her and small children; that due to heavy rains the



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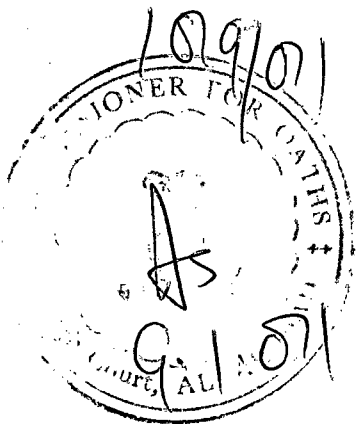
3
3/8

(3)

petitioner's house had fell down; that the circumstances surrounding the petitioner made him upset and there was no need for holding any enquiry in the matter and had further prayed for that the leave may be granted upto 30.9.71. A true copy of this reply is annexed with this petition as ANNEXURE NUMBER: 3.

6: That on 3.7.72, the petitioner in his statement before the Opposite Party Number 3 had stated inter-alia therein that the charges levelled against the petitioner were not substantiated against him; that the petitioner has sent an application for leave w.e.f. 7.12.70 to 24.2.71 on the ground of his wife's illness duly supported by a medical certificate under certificate of posting; that another application duly supported by medical certificate was sent by the petitioner under registered cover for leave w.e.f. 25.2.71 to 3.4.71; that the last application for leave w.e.f. 4.4.71 to 30.9.71 on the same ground duly supported by medical certificate was sent under registered cover on 20.9.71, that the first application was lost by the office and that the petitioner be ^{4/2}exonerated from the aforesaid charges and be paid salary for the entire period. A true copy of this statement as recorded by the Opposite Party Number 3 is annexed with this petition as ANNEXURE NUMBER:4.

7: That on 3.7.72, the Opposite Party Number:3 had also cross examined the petitioner that when did he submit the medical certificate dated 20.9.71 and 4.4.71. The petitioner in his reply had



T. S. Subash

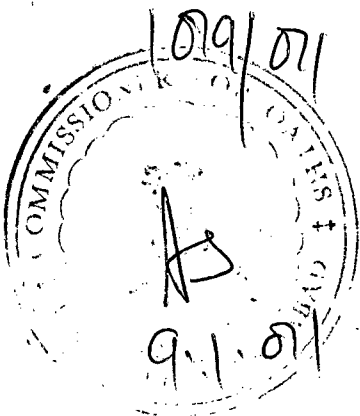
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(4)

stated that medical certificate dated 1.4.71 containing recommendation for leave of the petitioner w.e.f. 25.2.71 to 3.4.71 was sent by registered post and medical certificate dated 20.9.71 containing recommendation for leave w.e.f. 4.4.71 to 30.9.71 was sent by him under registered post from his residence on 20.9.71. A true copy of the cross examination made by Opposite Party Number 3 is annexed with this petition as ANNEXURE NUMBER :5.

8: That the petitioner in support of the written statement of the defence produced there copies of leave applications containing request for leave w.e.f. 7.12.70 to 24.2.71, 25.2.71 to 3.4.71 and 4.4.71 to 30.9.71. The petitioner had also in support of the same produced the duplicate copies of the medical certificate of the aforesaid period of illness of his wife and postal receipts.

9: That aforesaid copies of the applications and medical certificates were produced by the petitioner on the direction of Opposite Party Number 3 as the same were lost by the office though in fact the same were received by the Office.

10: That last application for leave w.e.f. 4.4.71 to 30.9.71 on the ground of illness of his wife along with the reply of memorandum contained in annexure Number 2 was sent by the petitioner under registered post.



K. S. Balakrishnan

(5)

11: That the petitioner was asked to show cause by means of notice dated 7.10.72 against the proposed penalty of removal from service. Since this notice served upon the petitioner is not available, the petitioner is not in a position to file the copy of the same.

12: That the petitioner replied to the show cause notice referred to in preceeding para stating inter-alia therein that the charges levelled against him were not sunstantiated; that office has lost the leave applications of the petitioner, that the petitioner in support of his claim has produced receipts of post office and duplicate copies of leave applications and medical certificates for illness of his wife, that petitioner be exonerated from the charge.

13: That by means of order contained in annexure number 1 to this petition, the opposite party number 2 removed the petitioner from service.

14: That aggrieved with the order contained in annexure Number 1 to this petition served on the petitioner in the last week of November, 1972 filed an appeal as provided for in Rule 83 of Northern Railways Discipline and

Appeal Rules for Non Gazetted Railways

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As
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Sri Bahadur

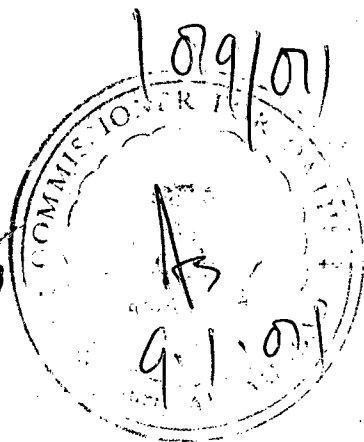
(6)

before Deputy Controller of Stores, Baroda House, New Delhi by means of memo of appeal dated 20.12.72. A true copy of this appeal is annexed with the petition as ANNEXURE NUMBER: 6.

15: That by means of memo of appeal contained in annexure No.6 to this petition, the petitioner had stated inter-alia therein that the petitioner had applied for leave on the ground of illness of his wife; that the office has wrongly reported that petitioner was absent ~~without~~ any intimation and that he has prayed for affording an opportunity of personal hearing deciding his appeal.

16: That Opposite Party Number 4 has yet not afforded opportunity of personal hearing as provided for in Rule 93 of aforesaid Rules though specifically prayed for in his appeal contained in annexure number 6.

17: That the petitioner has been running from pillar to post for redressal of his grievances and decision of his appeal, but in vain. The petitioner has also met Controller of Stores, Northern Railway, Baroda House, New Delhi in the month of November, 1973 and explained him the position that the charges levelled against the petitioner contained in Annexure Number 2 were not substantiated and prayed for reinstatement of the petitioner on his post. The petitioner also submitted representation



P. Bahadur

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^{2a}
in this respect to the Controller of Stores, Northern
Railway, Baroda House New Delhi. A true copy of this
representation is annexed with the petition as
ANNEXURE NUMBER:7.

18: That again on 12.6.76, the petitioner sent representation to the General Manager, Northern Railway, Baroda House, New Delhi, praying for the reinstatement of the petitioner in the service. Further on 14.4.80, the petitioner sent a representation to Hon'ble Minister of Railways, Railway Ministry, New Delhi praying for setting aside of order contained in ANNEXURE 1 to this petition.

19: That the petitioner pointed out in his representation ~~contained in~~ ^{2 2} ~~an~~ ^{Falgun 2000} ~~annexure number~~ ² that Sri Satya Dev Shukla who was removed on the same charges have been taken back in service though the charges levelled against him were proved. In the same representation it was further pointed out by the petitioner that Sri Kedar Nath Shukla Khalasi remained absent from duties for more than 10 months in a year but no action was taken against him.

20: That no decision till now has been communicated to the petitioner on his appeal contained in annexure No.6 to this petition by the opposite parties. Efforts of the petitioner and his representation in this respect remained in vain.

10/9/81
COMMISSIONER
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9-1-81

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21: That rule 28 of aforesaid rule reproduced below provides for removal from services of a Railway Government Servant on the ground of absence or over staying sanctioned leave without sufficient cause.

RULE: 28 Removal from Services

(a) A Railway servant shall be liable to be removed from service in the following circumstances; viz:-

- i) inefficiency; or
- ii) committing any offence for which he may be dismissed under rule 17; or
- iii) repeating minor offences; or
- iv) absenting himself or over staying sanctioned leave without sufficient cause, or
- v) incivility to the public.

22: That the petitioner was not charged that he was absent or over staying sanctioned leave without sufficient cause.

23: That the petitioner is advised to state that removal from services of a non-gazetted Railway Servant can not be made on the ground of absence from duties unless he is charged of absenting himself or over staying sanctioned leave without sufficient cause.

Tripal

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24: That the petitioner is advised to state that petitioner was not charged within meaning of Rule 28 of aforesaid Rules that he absented himself without sufficient cause.

25: That Rule 42(a) of the aforesaid Rules provides for constitution of a departmental enquiry committee normally consisting of two or three gazetted officers. However it further provides for no objection to a single officer being nominated to hold the departmental enquiry.

26: That Rule 49(a) of the aforesaid Rules further provides that enquiry Officers shall record in the presence of the delinquent official, all evidence in support of the charge. Further Rule 49(c) of the aforesaid rules provides for that in case witnesses were unable to read and write English, must be explained to them in the languages understood by them and the Chairman of enquiry Committee will certify on each of such person's statements that this has been done.

27: That Rule 43(a) of the aforesaid Rules provides for application of principles of natural justice.

Tei Bahadur

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(10)

28: That no evidence what soever was recorded by enquiry officer in support of the charges lavelled against the petitioner. No enquiry was made by the Enquiry Officer as to how the leave application of the petitioner were misplaced by the office though reference of receipt of the same find place in the official records.

29: That no evidence was produced before the Enquiry Officer that the petitioner was absent without any sufficient cause. Enquiry Officer further did not examine any official in this respect from the office.

30: That the Enquiry Officer only examined the petitioner and cross examined him by putting questions to him. Except this no other enquiry was made into the matter by Enquiry Officer.

31: That the Enquiry Officer recorded the statement of the petitioner in English but same ^{was} not explained to him in the language understood by him. No certificate as required by Rule 49(c) of the aforesaid Rules was given by the Enquiry Officer.

32: That the petitioner was not supplied with the copy of enquiry report and conclusion arrived at by opposite party number 2 alongwith show cause notice as provided for in Rule 21(g) of the

K. P. Sahasrabudhe

(11)

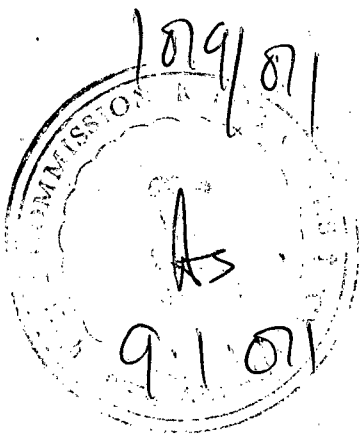
aforesaid rules. Non supply of the aforesaid documents caused ~~material~~² prejudices² to the petitioner in matter of his defence in as much as the petitioner was ~~materially~~² prejudiced in replying to the show cause notice.

33: That the petitioner was not supplied with the copies of the documents relied upon by the opposite parties cited in office memorandum contained in annexure number. 2.. In absence of such documents the petitioner was materially prejudiced in the matter of his defence.

34: That Enquiry Officer in fact did not record the actual statement of the petitioner and further his actual reply of the questions put by the Enquiry Officer.

35: That the petitioner has been highly prejudiced and deprived in the matter of his defence due to the illegal procedure adopted by opposite Party number 2 and 3 in the matter of enquiry etc.

36: That non supply of conclusions arrived at by opposite party number 2 the petitioner has been greatly prejudiced in the matter of giving reply to the show cause notice. In fact the petitioner could not know the reasons which prompted the opposite party number 2 to come to the conclusion that the penalty of removal be awarded to the petitioner.



Kei Bahadur

(12)

37: That the petitioner has not been afforded reasonable opportunity of being heard in the matter of his defence as provided in the aforesaid rules.

38: That the petitioner was not absent from duties without sufficient cause and in fact the petitioner had sent leave applications by registered post as also by under certificate of posting which were misplaced by the office of the opposite party number 2 and no enquiry in this respect was made by the Enquiry Officer.

39: That order contained in annexure number 1 is a non speaking order, illegal, arbitrary, malafide, against the principles of natural justice, violative of the Rules contained in aforesaid Rules and has been passed without complying with the requirements contained in Art. 311 of the constitution of India.

40: That the petitioner has no other efficacious alternative remedy except to file this petition on following amongst other grounds.

(A) Because order contained in Annexure number 1 is a non speaking order, illegal, arbitrary, malafide, violative of principles of natural justice, violative of Art. 311 of the constitution of India and violative of provisions contained in Northern Railway(Disciplinary and Appeal) Rules for non

Per Bahadur

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(13)

gazetted Railway Servants.

(B) Because the petitioner was not supplied with the copy of enquiry report and conclusions arrived at by the opposite party number 2 as provided for in Rule 21(c) of the aforesaid Rules which have naturally prejudiced the petitioner in the matter of his defence.

(c) Because there was no evidence available either before opposite party number 2 or before opposite party number 3 to come to the conclusion that the petitioner absented himself without sufficient cause. Further there was no evidence to come to the conclusion that petitioner was absent from duties without sufficient cause.

(B) Because the petitioner has sent leave applications which were misplaced by the office of opposite party number 2.

(E) Because charge levelled against the petitioner that he was absent from duties without intimation was not proved and on the other hand it was proved that the petitioner has sent his leave application which were misplaced by the office.

(F) Because petitioner was not supplied with the copies of documents cited in the charge sheet which has naturally prejudiced the petitioner in the matter of his defence.

Tej Bahadur

X/10
X/10

(14)

(G) Because no charge within the meaning of Rule 28 of the aforesaid Rules was levelled against the petitioner that he absented himself without sufficient cause. In absence of such charge order contained in annexure number 1 is wholly illegal.

(H) Because no evidence in support of the charge levelled against the petitioner was recorded by the Enquiry Officer as provided for in Rule 4(a) of the aforesaid Rules.

(I) Because Enquiry Officer did not explained and read out the statement of the petitioner and his reply in the language understood by him and no certificate was given by the Enquiry Officer as provided for in Rule 49(c) of the aforesaid Rules.

(J) Because in fact the Enquiry Officer did not record the actual statement and reply of the petitioner.

(K) Because Enquiry Officer in fact did not make an enquiry except recording the statement of the petitioner and cross examining him.

(L) Because the Enquiry has not been conducted in accordance with the provisions laid down in Rule 49 of the aforesaid Rules as such the enquiry is vitiated.

Tei Dohadur

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(15)

(M) Because the petitioner has been highly prejudiced and deprived in the matter of his defence due to illegal procedure of the enquiry.

(N) Because the petitioner had not been afforded with reasonable opportunity of being heard.

It is, therefore, prayed that this Hon'ble Court may kindly be pleased to issue a writ in the nature of ~~Certiorari~~...quashing the order contained in annexure number 1 to this petition removing the petitioner from service and further to issue a writ in the nature of ~~mandamus~~...commanding the opposite parties to treat the petitioner in continuous service and to pay his entire salary etc and further to issue any other writ, order or directive deemed fit and proper in the circumstances of the case and to allow this petition with cost.

(A. P. Singh)
ADVOCATE
COUNSEL FOR PETITIONER

LUCKNOW

DATED ~~January~~ 9, 1980.

Certified that this petition contains no defects. Court fee paid is sufficient.

(A. P. SINGH)
ADVOCATE
COUNSEL FOR PETITIONER

LUCKNOW

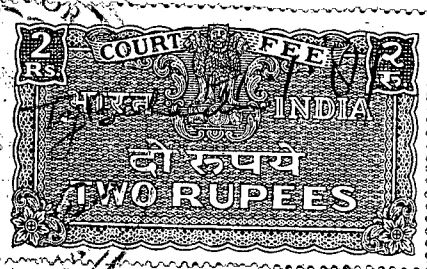
DATED LUCKNOW ~~Jan.~~ 9, 1980.

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

WRIT PETITION NO.

OF 1980

1980
AFFIDAVIT
89/4357
HIGH COURT
ALLAHABAD



Tej Bahadur

Petitioner

Vs.

The Union of India
& others.

Opp. Parties.

AFFIDAVIT IN SUPPORT OF PETITION

I, Tej Bahadur aged about 52 years Ex-Issuer
S/o Late Sri Darshan Singh r/o Village Jethupur
P.O. Gauriganj, District Sultanpur do hereby solemnly
affirm as under:-

1. That the deponent is the petitioner in this
Petition and as such fully conversant with the
facts of the case deposed to in this affidavit.

2. That contents of accompanying Petition from
para 1 to 20, 29, 30, 31, 32, 33, 34, 37, 38 are true to my
personal knowledge, those of paras 28, 22 to
are believed by me to be true on basis of records
and those of paras 21, 23, 24 to 27, 39, 40 are

Tej Bahadur

(2)

believed by me to be true on the basis of
legal advice ^a and ^{one of para 35+36 are believed}
^a by me to be true ^a

3. That annexures 1 to 7 are true copies of their
respective originals and that the deponent
has compared these from their respective
originals.

Lucknow.

Dated. 9.1/1980

Tej Bahadur
DEPONENT.

I the above named deponent do hereby
verify that the contents of this affidavit
from p-ara 1 to ^a 3 are true to my personal knowledge
No, Part of it is false or concealed. So help me
God.

Lucknow.

Dated. 9.1/1980

Tej Bahadur
DEPONENT.

I identify the deponent who has signed before

me.

A. P. Singh
OATH COMMISSIONER
High Court, Allahabad,
Lucknow Bench.

189/235/071
Date: 9.1.80

Solemnly affirmed by Tej
Bahadur on 2.35 p.m. 9.1.80
am./p.m. who is identified by Sri
A.P. Singh Advocate, High Court
I am satisfied myself by examining the
deponent that he understands the contents of
this affidavit which have been read over and explained
by me to him.

Oath Commissioner

18
ANNEXURE NUMBER: 1.

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

Writ Petition No.....of 1980

Tej Bahadur aged about 52 years, ex.IssuerPetitioner

Versus

The Union of India through General
Manager Northern Railway, Baroda House
New Delhi and others

... Opp. Parties

NORTHERN RAILWAY

Notice of Imposition of penalty under Discipline and
Appeal Rules for Non Gazetted Staff (Rule 9 & 10 of
R.S. D & A Rules 1968.

Office of the District Controller of
Stores, N. Rly, Alambagh, Lucknow.
Dated 12.11.72

No. E/S/595

Shri Tej Bahadur
Store Issuer
Stores Depot/AMV./Lucknow

Ref: Your reply to the show cause notice No.E/5/595
Dated 7.10.72(copy enclosed).

You are hereby informed that in
accordance with the orders passed by the undersigned
the following penalty has been awarded to you.
Removal from service w.e.from 12.11.1972.
You are required to acknowledge receipt
of this Notice on the form attached herewith.

Sd/- S.N.Pandey
Distt. Controller of Stores,
Alambagh, Lucknow.

Copy to-

1: D.S.U/AMV(2) A.S.K. D ward Am.

3. H.C./Bills/AMV(4)H.C./Settlement/Service Book for
information and necessary action.

If the notice can not be delivered to the accused
employee through the normal channels, it should be
sent to him through the post office in registered
acknowledgement due cover at his home address or last
known address.



A. K. Singh
OATH COMMISSIONER
High Court, Allahabad,
Lucknow Bench.

No. 109/435/01

Date 9.11.72

...

ANNEXURE NO. " 2 "

IN THE HON^{BLE} HIGH COURT OF JUDICATURE AT ALLAHABAD
SITTING AT LUCKNOW.

Writ Petition No.....of 1980

Tej Bahadur aged about 52 years, ex.
Issuer. Petitioner
Versus

The Union of Indiathrough General
Manager Northern Railway, Bareda House,
New Delhi and others. Opp. Parties

STANDARD FORM NO.5.STANDARD FORM OF CHARGE SHEET

RULE 9 of the Railway Servants Discipline
and Appeal Rules, 1968.

No. E/S/595 (Name of Railway Administration)

D.COS Office/AMV

(Place of issue)Lucknew dated 6.9.71

MEMORANDUM

The undersigned propose(s) to held an inquiry against Shri Tej Najadur Village Jethupur P.O. Gauriganj, District Sultanpur U.P. under Rule 9 of the Railway Servants (Discipline and Appeal) Rules, 1968. The substance of the imputations of misconduct of misbehaviour in respect of which the inquiry is proposed to be held is set out in the enclosed statement of Articles of charge Annexure-I).

A statement of the imputations of misconduct or mis-behaviour in support of each article of charge is enclosed Annexure II). A list of documents by which and a list of witnesses by whom, the articles of charge are proposed to be sustained are also enclosed (Annexure III & IV).

2. Sri Tej Bahadur is hereby informed that if he so desires, he can inspect and take extracts from the documents mentioned in the enclosed list of documents which are in the possession of Railway Administration but not mentioned in the enclosed list of documents (Annexure III). he should give a notice to that effect

Tej Bahadur



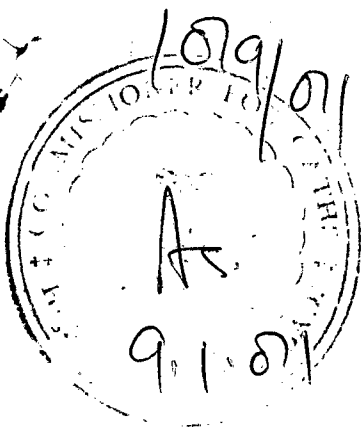
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to the undersigned within ten days of the receipt at this memorandums, indicating the relevance of the documents required by him for inspection. The disciplinary authority may refuse permission to inspect all or any such documents as are, in its opinion, not relevant to the case or it would be against the public interest or security of the State to allow access thereto. He should complete inspection of additional documents within five days of their being made available. He will be permitted to take extracts from such of the additional documents as he is permitted to inspect.

3. Shri Tej Nahadur is informed that request for access to documents made at later stages of the inquiry will not be entertained unless sufficient cause is shewn for the delay in making the request within the time limit specified above and the circumstances shewn clearly that the request could not have been made at an earlier stage. No request for access to additional documents will be entertained after the completion of the inquiry unless sufficient cause is shown for not making the request before the completion of the inquiry.

4. Sri Tej Bahadur is further informed that he may if he so desires, take the assistance of any other railway servant and official of a Railway Trade Union (who satisfies the requirements of rule 9(9) of the Railway servant (Discipline and Appeal), Rules 1968 and note 1 and / or note 2 there under as the case may



Tej Bahadur

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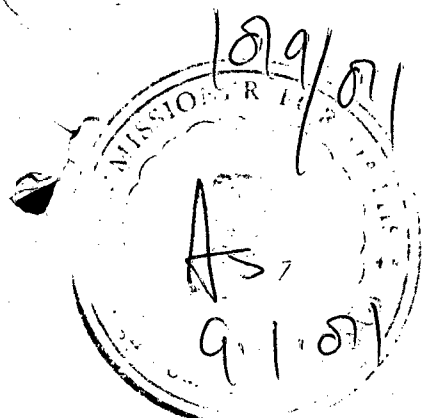
be) for inspecting the documents and assisting him in presenting his case before the Inquiry authority in the event of an oral inquiry being held. For this purpose, he should nominate one or more persons in order of preference. Before nominating the assisting railway servant (s) or Railway Trade Union Official(s) Shri Tej Bahadur should obtain an undertaking from the nominee(s) that he(they) is /are willing to assist him during the disciplinary proceedings. The undertaking should also contain the particulars of other case(s), if any, in which the nominees(s) had already undertaken to assist and the undertaking should be furnished to the undersigned Railway alongwith the nomination.

5. Sri Tej Bahadur is hereby directed to submit to the undersigned (through...Railway) a written statement of his defence (which should reach the said General Manager) within ten days of receipt of this Memorandum, if ~~any~~ he does not require to inspect any documents for the preparation of his defence, and within ten days after completion of inspection of documents if he desires to inspect documents, and also:

- (a) to state whether he wishes to be heard in person, and
- (b) to furnish the names and addresses of the witnesses if any, whom he wishes to call in support of his defence, and
- (c) to furnish a list of documents, if any, which he wishes to produce in support of his defence.

6. Sri Tej Bahadur is informed that an inquiry will be held only in respect of those articles of charge as are not admitted. He should, therefore, specifically admit or deny each article of charge.

Tej Bahadur



(4)

7: Sri Tej Bahadur is further informed that if he does not submit his written statement of defence within the period specified in para-5 or does not appear in person before the inquiring authority or otherwise fails or refuses to comply with the provisions of rule 9 of the Railway servants (disciplinary and Appealing Rules, 1968 or the orders/directions issued in pursuance of the said rules, the inquiring authority may hold the inquiry ex-parte.

8: The attention of Shri Tej Bahadur is invited to rule 20 of the Railway Services (conduct) Rules, 1966 under which no railway servant shall bring or attempt to bring any political or other influence to bear upon any superior authority to further his interests in respect of matters pertaining to his service under Government. If any representation is received on his behalf from another person in respect of any matter dealt within these proceedings, it will be presumed that Shri Tej Bahadur is aware of such representation and that it has been made at his instance and action will be taken against him for violation of Rule 20 of the Railway services (conduct) Rules, 1966.

9: The receipt of this Memorandum may be acknowledged.

(By order and in the name of the President)

Sd/-Illigible
Name and Designation
of competent authority.

Encls:

To: Sri Tej Bahadur,
Store Issuer (Designation)
AMV Depot (Place etc.)

GAUTH COMMISSIONER
High Court, Allahabad,
Lucknow Bench.

No...

Date...

Tej Bahadur

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

Writ Petition No..... of 1980

Tej Bahadur aged about 52 years..... Petitioner
Versus

The Union of India through
General Manager, Norther Railways
New Delhi.

..... OPP. Parties.

LIST OF STAFF OF AMV DEPOT WHO ARE ON UNAUTHORISED ABSEN-
CE FROM THE DATE NOTED AGAINST EACH.

1: Shri Narbans Singh SDC	12.12.67
2: Shri Shamsher Bahadur Spg.	3.8.70
3: Shri Tej Bahadur S.I.	7.12.70
4: Shri S.P. Shukla S.I.	24.2.71

List of staff of Alambagh Depot who are habitual in
Lucknow (no. of days).

Shri S.K. Pandey

1968	1969	1970	1971
Nil	63	126	53

Sri Prem Narain Clerk 31	Nil	19	18 (4(UAA)
Shri Avadh Saran Nil	Nil	21	23
Mohd Hasan 18	27	27	2 12 days UAA
Jai Ram Peon 86	60	118	1
Ram Bharesey Peon 53	36	70	
Puni Lal S/Wali 26	103	29	8
D.P. Pandey 22	16	39	13

(7) Statement of allegations against Shri Tej Bahadur
AMV depot.

Sri Tej Bahadur Store Issuer/AMV depot is
absent from duty without intimation since 7.12.70. He
has failed to submit any application for his absence
from duty ~~xxxxxxxxxx~~ resulting in loss to administrati-
on's work. He is therefore charged for unauthorised
absence from duty since 7.12.70.

Sd/- Harnam Singh.
ACOS/II/AMV
Lucknow.

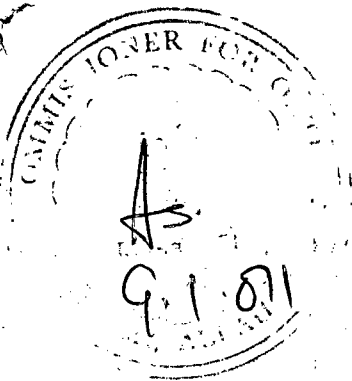
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Annexure II

Sd/- Harnam Singh
ACOS/ AMV/Lucknow

LIST OF DOCUMENTS RELIED UPON

- Sd/- Harnam Singh
ACOS/AMV/Lucknow.



No. 1079/435/81
Date 9/1/81

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ANNEXURE NO.3

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

Writ Petition No.....of 1980

Tej Bahadur aged about 52 years,
ex. Issuer. Petitioner

Versus

The Union of India through General,
Manager, Northern Railway, Bareda House,
New Delhi and others. Opp. Party

To,

The District Controllr of Stores,
N.Rly. AMV, Lucknow.

Reply to the Charge sheet No. E/S/595 dated 6.9.71, Lucknow.

Most humbly and respect fully I beg to say the following
few lines for your kind consideration.

Para 1: That my wife was seriously ill and her mind was
upset. There was no one to look after her and
small children in her long illness.

2: That I gave a letter of information along with
a medical certificate so it can not be said that
I was absent from duty without any intimation.
It was all due to my adverse circumstances.

3: There was a great rain fall in my village. My
house fell down in flood. I am in a sorry
plight now.

4: I am now free to join my duty and you need not
take trouble to hold any inquiry about me.

5: I always enjoyed your good will and kindness
and still hope to enjoy it. Please be kind to
my poor and sad family. I will come very soon
to serve you again.

For this act of kindness I ever pray for your
long life and prosperity. Please grant me leave for my
absence till 30.9.71.

Yours obediently
Sd/- Tej Bahadur S.I.
AMV, Lucknow V. Jethupur,
P.O. Gauriganj, Sultanpur, U.P.



A. Srivastava
COMMISSIONER
High Court, Allahabad,
Lucknow Bench.
19.9.71/435/071
9.10.71

ANNEXURE NO. 4.

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

Writ Petition No.....of 1980

Tej Bahadur aged about 52 years,
Ex Issuer. Petitioner

Versus

The Union of India through General
Manager Northern Railway, Baroda House,
New Delhi and others. Opp. Parties.

STATEMENT OF SHRI TEJ BAHADUR S.I. IN TERMS OF MEMORANDUM
No. E/S/595 dt. 6.9.71 in incorporating the following
charges and allegations.

List of charges.

Sri Tej Bahadur S/Issuer/ADV. depot is charged for
unauthorised absence from duty w.e.f. 7.12.70 to date.
Statement of allegations against shri Tej Bahadur, S.I./
AMV. depot

Shri Tej Bahadur Stores issuer/AMV Depot is absent from
duty without intimation since 7.12.70. He has failed to
submit any application for his absence from duty resulting
in loss to administration's work.

He is therefore charged for unauthorised absence from
duty since 7.12.70.

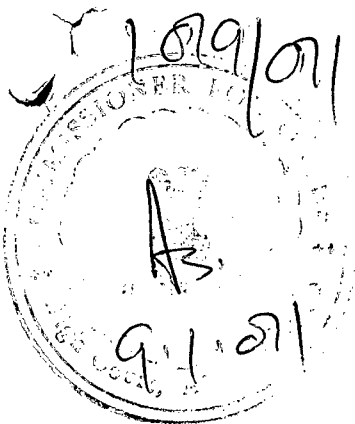
I deny the charges as intimation of absence was duly
sent to office.

Sd/-Illgible
(Tej Bahadur) S.I.

STATEMENT OF SHRI TEJ BAHADUR. S.I. AMV DEPOT.

I am charged as alleged that I did not
intimate the cause of my absence to the office. In
this connection I may humbly add that I applied from
my native place for condoning my leave on account
of very serious illness of my wife. One application
was received in the section and is registered at

Tej Bahadur



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Sl.No. 364 & was recd. by Estt. Section on 10.4.71.
One application was sent prior to this under registered cover which is not traceable here but receipt No.1015 from the Post Office is produced in support of my evidence. Similarly an application sent in the year, 1970 during the Dec. 70 is not traceable. It will therefore be seen that the allegations levied against me is not substantiated by facts. However I beg that I may be absolved from the charges as I have already suffered as my wages have not been paid for the entire period, and I had to undergo heavy expenditure to arrange medical aid for my ailing wife.

Sd/- Tej Bahadur. S.I.



A. Srivastava
JATH COMMISSIONER,
High Court, Allahabad,
Lucknow Bench.
No. 1019/435/71
Date 9.4.71

ANNEXURE NO.5.

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

Tej Bahadur aged about 52 years
EX. Issuer. Petitioner
Versus
The Union of India through General
Manager Northern Railway, Baroda House
New Delhi and others. Opp. Parties.

EXAMINATION BY THE ENQUIRY OFFICER

Q.1 You have submitted a P.M.C. dated 20.9.71
and another P.M.C. (Duplicate copy) dt. 1.4.71, can you
say when did you submit the same ?

A.1 Certificate dt. 1.4.71 was sent by post
since it was not traceable a duplicate copy was presented
by me. Certificate dt. 20.3.71 was also sent from
my residence on 20.9.71.

Q.2 You were sent several letters to attend
the enquiry which were received by you but you failed
to attend and ultimately Sr. L.W.I. was sent to hand
over the letter to attend the enquiry on 6.6.72 and
that too you did not attend. How did you explain ?

A.2 I could not attend the enquiry as I was
sick which fact must have been incorporated by the S.L.W.
I. and on 6.6.72 I approached D.M.O. but could not get
the fitness certificate, hence my absence on the date
of enquiry.

Sd/- Tej Bahadur. SI

D.C. E.O.

Tej Bahadur



Tej Bahadur
JATH COMMISSIONER
High Court, Allahabad,
Lucknow Bench.
No. 109/4357/01
Date 9.1.71

Annexure (B)

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

Writ Petition No.....of 1980

Tej Bahadur Versus
Union of India through General
Manager, Northern Railway Opp. Parties
& others.

To: The Deputy Controller of Stores,
N.Rly. Baroda House,
New Delhi

Sir,

I beg to leave to prefer my appeal against the orders of the Distt. Controller of Stores, N. Rly Alambagh, Lucknow removing me from service on the allegation of absence from duty without intimation. The charges and allegations reads as under:-

Charge which forms Annexure I, accompanied with the Memorandum reads as under:

"Shri Tej Bahadur Stores issuer/AMV Depot is charged for un authorised absence from duty w.e.f. 7.12.70 to date"

Allegation which appears on Annexure II, accompanied with the Memorandum reads as under to support the above charge.

" Shri Tej Bahadur Stores Issuer/AMV depot is absence from duty without intimation since 7.12.70. He has failed to submit any application for his absence from duty resulting in loss to administration's work. He is therefore charged for unauthorised absence from duty since 7.12.70

GROUND FOR APPEAL

The charge based on above allegations have not been substantiated before the enquiry officer from the record cited annexure III of the Memorandum. In this connection I will request your honour to kindly take note of para 4 of the findings submitted by the enquiry Officer. Which goes upheld my defence that the leave application was received in the office and was misplaced by the Establishment Section. Hence the very allegation that I failed to submit any application is baseless. As such I would have been absolved of the charge and allegations. I further content that the Memorandum, as such, was issued to me on a wrong report submitted by the Establishment Section, which had lost or misplaced my application. Had this fact, been known prior to the issue of memorandum the authority concerned might have not signed or given his consent for the issue of a memorandum accompanied by the allegation which is not based on facts.

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K. P. Mahesh

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APPEAL

I would therefore request your honour to kindly - the punishment which is too harsh in the present economic crises and also is not legally justified in view of unfounded allegations as explained above and save service to 29 years which I have earned with devotion to duty.

I further request that I may kindly be given a chance for hearing alongwith my defence helper M.M.L. Sahani Ward Keeper under D.C.O.S./AMV before deciding the appeal.

Thanking you

dated 20.12.72

Sd/-Tej Bahadur

Yours faithfully,

As per signature
CAT
H
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As
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Tej Bahadur

ANNEXURE NO. 7.

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

Writ Petition No..... of 1980

Tej Bahadur aged about 52 years
Ex. Issuer. Petitioner

Versus

The Union of India through General
Manager Northern Railway, Baroda House
New Delhi and others. Opp..Parties.

To,

The controller of Stores,
Northern Railway,
Baroda House,
New Delhi.

Through: Proper Channel.

Sir,

With due reference I beg to submit
the review appeal for favour of kind perusal and
sumpathetic orders.

That I have been removed from service
by DC.O.S./N.Rly Alambagh Lucknow vide his punish-
ment notice No. 2/6/595 of 12.11.72 due to long
absence.

That I submitted leave application
supported with Medical Certificates to DCOs/
Alambagh, Lucknow for the period of my absence but
to my utter surprise and dismay I was given to
understand that none of my applications have
been received in the office and I have been made ~~xxx~~
victim for not submitting the leave applications and
have been awarded this severe punishment.

That if your honour kindly go
through the enquiry papers you will find that most
of the applications have been received and the
charges against me without investigating into the

Tej Bahadur



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facts in detail.

That I have been interview with DCOS and Rly. COS number of times and explained the charges of my long absence and convinced that in view of my wife's unbalanced mind and mindness it was not possible for me to attend office as I was the only male member to look after the family affairs.

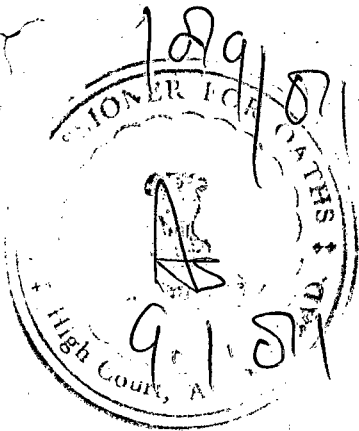
That I have been always on honest worker and performed my duties to the best satisfaction of my superiors and there is no complaint from any one regarding my work.

That I am a refugee and originally appointed in North Estarn Railway, Lahore and due to partition of India I migrated to India as a destitute and hadto leave behind all my property and belonging there.

That with great difficult I could cross the borders with my family and settled at Lucknow with your kindness and have been pulling on under great strain.

That I have put in morethan twenty nine years of service in the Railways and have always been in the good looks of my officers. I have always been performing my duties with devotion and had always been level to the Government.

That I have devoted best part of my life in the service of the Railway administration and have reached a matured age. It is difficult to get a job elsewhere at this old age and I would.



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therefore, request your honour to review my case in light of the facts above mentioned and give me a chance under you to serve for the rest of my life.

That the punishemtn inflicted on me is very harsh and painfull and I am starving with my family in these hard days of economic crisis and spiralling prices of essential commodities.

That I would request your honour once more with folded hands to reconsider my case sympathetically and issue necessary orders for my reinstatement else there would not be any alternative for me and my family to embrace pathetic death slowly.

Thaning you for your kind consideration and sympathetic orders. For this act of kindness I pray God for your long life and prosperity.

Yours faithfully,

Sd/- Tej Bahadur
27.11.73

Ex- Store Issuer
Office of the District Controller
of Stores N. Rly Alambagh Lucknow.

A. S. S. S. S. S.
High Court, Allahabad
Lucknow Bench.
10/12/73
Date 9.12.73

Tej Bahadur

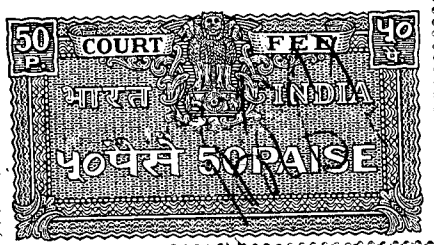
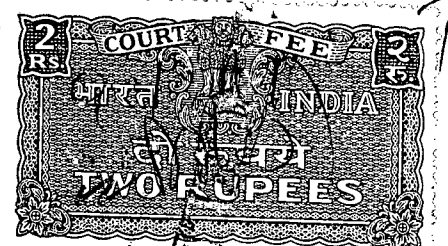
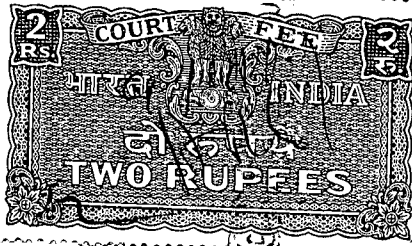
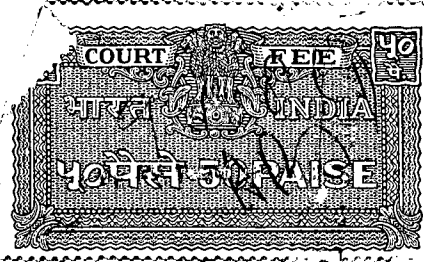
ब अदालत श्रीमान

Before the Hon'ble High Court of Judicature
At Allahabad

वादी अपीलान्त

वकालतनामा

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Tej Bahadur

Union of India of Khera

प्रतिवादी (मुद्दाअलेह)

न० मुकद्दमा सन १९

पेशी को ता० १९ ई०

A. P. Singh Adv.

ऊपर लिखे मुकद्दमा में अपनी ओर से श्री

S. K. CHANDHARY ADV.

M. K. SHUKLA एडवोकेट

महोदय

वकील

नाम अदालत
न० मुकद्दमा
नाम फारिकन

को अपना वकील नियुक्त करके प्रतिज्ञा (इकरार) करता हूं और लिखे देता हूं इस मुकद्दमा में वकील महोदय स्वयं अथवा अन्य वकील द्वारा जो कुछ पैरवी व जवाबदेही व प्रश्नोत्तर करें या अन्य कोई कागज दाखिल करें या लौटावें या हमारी ओर से डिगरी जारी करावें और रुपया वसूल करें या मुलहनामा या इकबाल दावा तथा अपील व निगरानी हमारी ओर से हमारे या अपने हस्ताक्षर से दाखिल करें और दसदीक करें या मुकद्दमा उठावें या कोई रुपया जमा करें या हमारी या विपक्ष (फरीकसानी) का दाखिल किया हुआ रुपया अपने या हमारे हस्ताक्षर युक्त (दस्तखति) रसीद से लेवें या पंच नियुक्त करें—वकील महोदय द्वारा की गई वह सब कार्यवाही हमको स्वयं स्वीकार है और होगी में यह भी स्वीकार करता हूं कि मैं हर पेशी पर स्वयं या किसी अपने पैरोकार को भेजता रहूंगा अगर मुकद्दमा अदम पैरवी में एक तरफा मेरे खिलाफ फैसला हो जाता है उसकी जिम्मेदारी मेरे वकील पर नहीं होगी। इसलिए यह वकालतनामा लिख दिया कि प्रमाण रहे और समय पर काम आवे।

हस्ताक्षर

Tej Bahadur

साक्षी [गवाह]

साक्षी [गवाह]

दिनांक

महीना

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आर० बी० सिन्हा

लै, द : कलेक्टरी लखनऊ

Accepted
Sachdev
9.1.81

Accepted
M. K. Shukla
9.1.81

SPECIAL POWER OF ATTORNEY

In the.....Court of Central Administrative Tribunal,
Circuit Bench, Lucknow.

No. CAT/IKO/JUD/GB/1837 dated 18-9-89.

Tej Bahadur

Plaintiff
Appellant
Petitioner

VERSUS

Union of India & Others.

Defendant
Respondant
Opposite Party

KNOW ALL MEN by these present that I, Indar Swaroop, CMM(M)
Northern Railway, New Delhi do hereby appoint and authorise Sarvshri S. S. D. Vams
S. S. D. Vams to appear, plead, and act for me jointly or
severally in the above noted case and to take such steps and proceedings as may be necessary for
the prosecution or defence of the said matter, as the case may be and for the purpose to make
sign, verify and present all necessary complaints, petitions, written statements and other documents
to compromise the suit, admit the claims and to lodge and deposit money in court and to
receive payment from the court of money deposited and to file and withdraw documents from
court and GENERALLY to set in the premises and in all proceedings arising thereout whether
by way of execution, appeal or otherwise or in any manner connected therewith as effectually
all intents and purposes as I could act if personally present. I hereby agree to ratify and
confirm whatever shall be lawfully done by virtue of these presents.

IN WITNESS whereof I hereinto set my hand this.....
of.....19 ..

(INDER SWAROOP)

मुख्य सामग्री प्रबन्धक
Chief Material Northern Railway
उत्तर रेल : Northern Railway
बडौदा हाउस Baroda House
नई दिल्ली New Delhi.

In the Central Administrative Tribunal
बत्रदालत श्रीमान Gandhi Bhawan Uo



वादी (मुद्दे)

मुद्दे (मुद्दा)

का

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T.A. No 817

7 1987

Tej Bahadur

वादी (मुद्दे)

4.0.9

बनाम

प्रतिवादी (मुद्दा)

A.K. Sharma P.K. Srivastava एडवोकेट

महोदय

DR ANI Laxmi Bhai Bhai Uo Adv वकील
को अपना वकील नियुक्त करके (इकरार) करता हूँ और लिख 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 लौटावे या हमारी ओर से डिगरी जारी करावे और रुपया वसूल करें या सुलहनामा या इकबाल दावा तथा अपील व निगरानी हमारी ओर से हमारे या अपने हस्ताक्षर से दाखिल करें और तस्दीक करें या मुकद्दमा उठावे या कोई रुपया जमा करें या हमारी या विपक्ष (फरीकसानी) का दाखिल किया रुपया अपने या हमारे हस्ताक्षर-युक्त (दस्तखती) रसीद से लेवे या पंच नियुक्त करें। वकील महोदय द्वारा की गई वह कार्यवाही हमको सर्वथा स्वीकार है और होगी। मैं यह भी स्वीकार करता हूँ कि मैं हर पेशी स्वयं या किसी अपने पैरोकार को भेजता रहूँगा। अगर मुकद्दमा अदम पैरवी में एक तरफा मेरे खिलाफ फैसला हो जाता है उसकी जिम्मेदारी मेरे वकील पर न होगी। इसलिए यह वकालतनामा लिख दिया कि प्रमाण रहे और समय पर काम आने।

हस्ताक्षर

Tej Bahadur

साक्षी (गवाह)

साक्षी (गवाह)

दिनांक

महीना

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Court No. 1.

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD.

CIRCUIT BENCH AT LUCKNOW.

Registration (T.A.) No. 817 of 1987

(Civil Misc. Writ Petition No. 177 of 1981 of the High Court of Judicature at Allahabad, Lucknow Bench, Lucknow.)

Tej Bahadur Petitioner.

Versus

Union of India & others Respondents.

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

Hon'ble K.J. Raman, A.M.

(Delivered by Hon. K. Nath, V.C.)

The petition, described above, is before us under Section 29 of the Administrative Tribunals Act, 1985 for quashing the punishment order dated 12.11.1972 (Annexure 'I' to the petition) whereby the petitioner was removed from service after holding a disciplinary enquiry.

2. It is not necessary to go into the other details of the case except to mention that, according to the petitioner, he had filed an appeal dated 20.12.1972 (Annexure '6' to the petition) to the Deputy Controller of Stores, Northern Railway, Baroda House, New Delhi, but the appeal has remained undecided.

3. The petition was admitted on 14.9.1981 and notices were issued from the Hon'ble High Court, but no counter affidavit was filed till the case was transferred to this Tribunal.

4. On 2.1.1990, appearance was made before this Tribunal by the learned counsel for the respondents, who demanded a copy of the petition. Sri A.K. Shukla, learned

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-: 2 :-

counsel for the applicant, says that the copy of the petition was delivered to the respondents' counsel, Sri S.S.D. Verma, on that very date. No one is present on behalf of the respondents today. We are of the opinion that it would be enough, for the purposes of this case, to direct respondent no.4 to decide the appeal (contained in Annexure '6' to the petition).

5. This petition, therefore, is disposed of with the direction to respondent no.4 to decide the petitioner's appeal (contained in Annexure '6' to the petition) dated 20.12.1972, if filed with the respondents, within a period of three months from the date of receipt of a certified copy of this judgment, if the appeal has not already been decided.

A copy of this judgment may be given to the learned counsel for the petitioner-applicant within 24 hours.



MEMBER (A).



VICE-CHAIRMAN.

Dated: February 28, 1990.

PG.



2 the Hon'ble High Court of Judicature at
Allahabad B. B. Ho
v. P. no of 1981

W. P. No 177 of 1981

Taj Bahadur — — — — — Petitioner

vs.

The Union & of India & others — — — — — Opp. parties.
Filed on 12.1.81

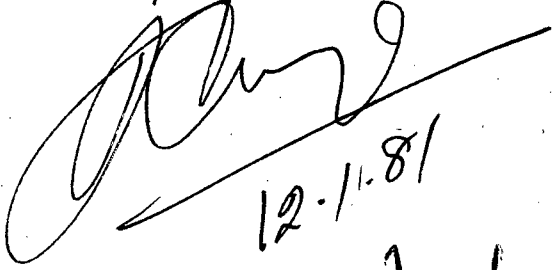
In the above noted petition filed on
12.1.81 the Hon'ble Court has directed
me to take steps on behalf the
Court today for ^{the purpose of} ~~the purpose of~~ service on
the Opp. parties. The Hon'ble Court further has
ordered that the Opp. should show cause
within three weeks why the petition
be not admitted. After expiry of
the said period the petition shall
be listed for orders.

Done
12.1.81

(A. P. Singh)
Advocate

Counsel for Petitioner

cc'd copies for OPs 1 to

4.

12.1.81

(L. R. Acharya)
Advocate.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD
CIRCUIT BENCH, LUCKNOW

Gandhi Bhawan, Opp. Residency
Lucknow -

No. CAT/LKO/Jud/CB/

Dated the

T.A.No. of 111 198 (T)

APPLICANT'S

Versus

RESPONDENT'S

To

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. 122/1

of 198

of the Court of

arising out

of Order dated

passed by

The Tribunal has fixed date of

20/11/1985. 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

11 day of 11 1989.

Rinesh/

DEPUTY REGISTRAR

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH

23-A, Thornhill Road, Allahabad- 211 001

No. CAT/A11d/Jud/

Dated the _____

T.A. No. 817.....19 87

~~TEJ~~ BAHADUR

APPLICANT'S

VERSUS

U O I

RESPONDENT'S

1- To

Tej Bahadur, S/o. Late Sri
Dorshan Singh R/o village
Jethupur P.O. Gauriganj- District
Sutanpur

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

Writ Petition 117/81 \$
of 198 . \$
of the Court of Hugh Court \$
LKO arising out of order \$
dated _____ \$
passed by _____ in \$
_____ \$

The Tribunal has fixed
date of 13-9- 1989 for
hearing of the matter in
Circuit Bench, C.A.T.,
Gandhi Bhawan, Lucknow.

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

4th day of July 1989.

Amit/

Maharaj
DEPUTY REGISTRAR

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD
CIRCUIT BENCH, LUCKNOW

Gandhi Bhawan, Opp. Residency
Lucknow -

No. CAT/LKO/Jud/CB/ 1038

Dated the : 18/7/89

T.A.No. of 217 198 7

Faj Mahomed AFFLEGANT'S

Versus

Union of India RESPONDENT'S

③ To The Dy. Cont.oller of Stores, Allahabad
P.O. No. (44)

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. 177/84
of 198

of the Court of High Court
arising out

of Order dated 1/8/84

passed by 1/8/84

The Tribunal has fixed date of
20/8/89 1989 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

18 day of 2 1989.

dinesh/

DEPUTY REGISTRAR

④ In Rly Baroda House near Delhi

⑤ The Dy. Cont.oller of Stores, Rly
Baroda House Near Delhi

In The Hon'ble Court of Central Ad-
ministration Tribunal - Lucknow ^{2/29/1}
RA 817/87 ^{4/9}

Teg Bahadur Singh ——— petitioner
vs
The Union of India ——— op Party

The opposite party (The Union of India) respectfully

- (1) That the opposite party proposes to file the Counter affidavit but is unable to file the same due to non availability of the duplicate of the petition.
- (2) That the copy of the petition seems not to have been received in the office of the answering opposite party.
- (3) That the Cause & interest of the answering opposite party will be highly prejudiced in case time and opportunity to the answering opposite party is not given to file CA..
- (4) That the answering opposite party needs a month's time to file CA. on receiving the copy of the petition wherefore it is prayed that -

the answering opposite party (Union of India) be allowed a month's time to file CA. on receiving the copy of the Petition

S S Dhar
Counsel for
Union of
India