

ANNEXURE - A

CAT

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

INDEX SHEET

CAUSE TITLE T.A. 899 of 1987 T

NAME OF THE PARTIES Ramchhawan Baral

Applicant

Versus

Union of India & others Respondent

Part A, B & C

S. No.	Description of documents	PAGE
1	General Index	A 1
2	Order sheet in order of <u>07-1-91</u>	A 2 TO A 5
3	Judgment	A 6 TO A 7
4	Petition	A 8 TO A 16
5	Affidavit	A 17 TO A 18
6	Annexure	A 19 TO A 24
7	Counter	A 25 TO A 45
8	Rejoinder	A 45 5 TO A 56
9	Power	A 57 TO A 58
10	<u>File B</u>	B 59 TO B 90
11	<u>File C</u>	C 99 TO C 117

Certified that no further action is required to ~~take~~ ^{regarding}
that the case is fit for ~~consideration~~ ^{consideration} ~~to the~~ ^{to the}
~~second~~ ^{second} ~~room~~ ^{room} (D)
decided circuit

~~Not for issue~~

Ch. C. M.

Rajesh
30-12-2011

S. O. (S)

File B/C destroyed on 09/5/2012

ORDER SHEET

IN THE HIGH COURT OF JUDICATURE AT ALLAHABAD

(C.P.)

No.

3389

of 1981

vs.

A2
9/1

Date	Note of progress of proceedings and routine orders	Dated of which case is adjourned
1	2	3
17-7-81	Hon. K.S. V.-J. Hon. R.C.D.S.	
	Notice on behalf of the opposite parties has been taken by the standing Counsel for the Central Govt. A. requisite has been made for that - Some time may be granted to obtain instructions - in this case list other petitions for orders on 27th July 1981. Sd. K.S.V. Sd. R.C.D.S.	
80	C.M. No. 5901 @ 21 for relief Relief.	17-7-81
	Hon. K.S. V.-J. Hon. R.C.D.S. For orders see my order of date passed on the 6th Petition.	
	Sd. K.S.V. Sd. R.C.D.S.	17-7-81

ORDER SHEET

IN THE HIGH COURT OF JUDICATURE AT ALLAHABAD

WP No. 3389

No. 3389 of 198

- vs.

Date	Note of progress of proceedings and routine orders	Dated of which case is adjourned
1	2	3
11-8-81	<p>Writ with C.M. No. 5901, 6838-81 for orders.</p> <p>Done R. M. T. S.</p> <p>Hon. S. C. M. J. Hon. K. M. Messa, J.</p> <p>Admit: interim order shall continue.</p> <p>BST 11-8-81.</p>	
19-10-81	<p>Fixed in Service report for orders.</p> <p>S.O. (cont.)</p> <p>Opposite party is represented by the Standing Counsel for the Central Government, vide Court's order dated 17-7-81.</p> <p>Proceed.</p> <p>SP</p>	19-10-81
		CLIA

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5.12.89 Hon Justice K. Nakk, V.C
Hon. K. J. Rahman, A.M.

On the request of Mr. A.V.
Srinivasarao, learned counsel for
the respondents, list this case
for hearing on 9.2.90.

Mr. A.V.
A.M. V.C.

9.2.90 No sitting adj to 26.3.90

26.3.90

No sitting adj to 1.6.90

26/3/90

1.6.90 Case not reached adjourned
to 26.3.90

Mr. A.V.

OR
Case is ready
for hearing.

26.7.90

No sitting adj to 26.7.90

26/6/90

26.10.90

No sitting adj to 7.12.90

D

7.12.90

No sitting adj to 7.1.91

7.1.91 Hon Mr. D.K. Jayaswal, J.M.

Hon Mr. K. Dayya, A.M.

None for Mr. K. Rahman for Petition.
In view of the endorsement made by Mr.
Learned Counsel for the petitioner on the SICK
of the petition, the petition has become infructuous.
The same is dismissed as infructuous
without any order as to costs.

D

J.M.

A.M.

(AT)

CENTRAL ADMINISTRATIVE TRIBUNAL

CIRCUIT BENCH, LUCKNOW.

T.A.NO.829/ of 87 (T)

(W.P.NO. 3389/1989)

Rameshwar Prasad ... Applicant.

Versus

Union of India & Others... Respondents.

07.1.1991
99xxxxxxxxxx

Hon'ble Mr. D.K.Agrawal, J.M.

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

None for ops. Shri A.Rahaman for Petitioner.

In view of the endorsement made by the learned
counsel for the petitioner on the back of the
petition, petition has become infructuous . The
same is dismissed as infructuous without any order
as to costs.

Sd/

Sd/

A.M.

J.M.

//True Copy //

✓
Check by

Sd/

(M.L. Khan)

Central Administrative Tribunal,
Circuit Bench,
LUCKNOW.

AO

Group A 13 (H)

5334

7864

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

Writ Petition No. 3389 of 1981

Ramashwar Prasad

--Petitioner

versus

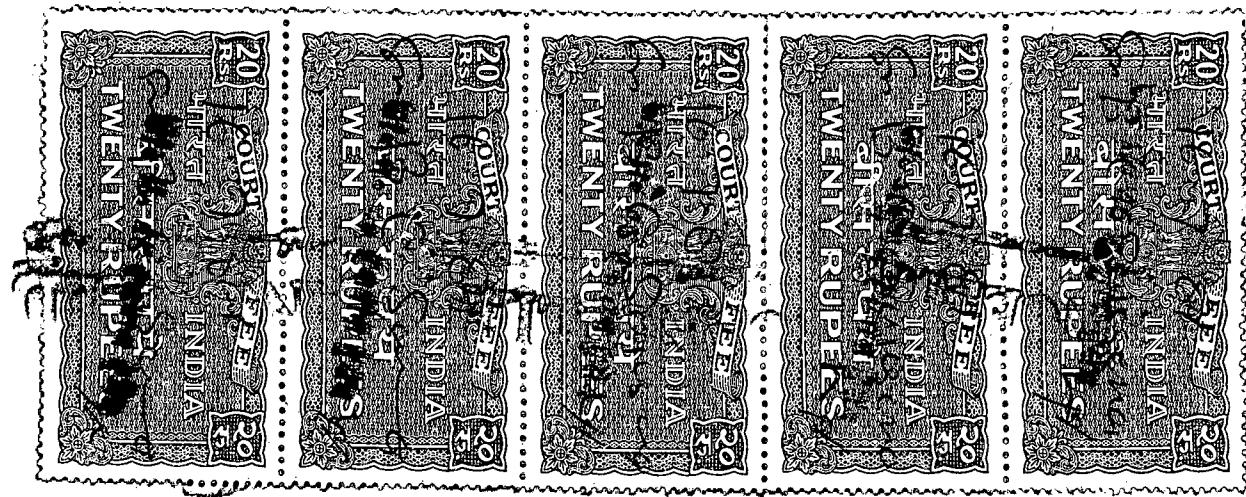
Union of India

--Opp-party

Index

Sl. Description of paper no.	Annex. page no.
1. Writ Petition	1 8
2. Affidavit in support of the petition Telegram	9 - 10
3. Letter dated 23.2.1976	1 11 - 12
4. Letter dated 9.4.1976	2 13
5. Letter dated 9.7.1981	3 14 - 15
6. Power	→ 16

B.C. Saksema
(B.C. Saksema)
Advocate
Counsel for the petitioner



58285000
or
1.67

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

Petition under Article 226 of the Constitution
of India

Writ Petition No. 33829 of 1981

Ramashwar Prasad, aged about 37 years, son of late
Sri Channoo Lal, resident of house no. 85/144,
Lachhmi Purwa, Kanpur-3

Petitioner

versus

The Union of India through the Director General,
Research, Designs and Standards Organisation,
Manak Nagar, Lucknow

Opp-party

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

Ramashwar Pr.



1. That the petitioner was initially working in the Drawing Section of the Divisional Superintendent's Office, Western Railway, Kota as a Tracer having been appointed on 20.12.1972.

RAO

-2-

2. That by means of letter no. Recrt/Rlys. Class III Tech(SC/ST) 75 dated 15.12.1975ⁿ which was circulated along with General Manager (E) CCG's letter of Western Railways letter no. EP2250/29 dated 31.12.1975 applications were invited from Scheduled and Scheduled Tribe candidates for recruitment to the post of Tracer in the then scale of Rs. 260-430 (RS) in the Research, Design and Standards Organisation (to be hereinafter called the R.D.S.O.). The petitioner in response to the said letter submitted his candidature by means of an application on 20.1.1976 to the opposite-party through proper channel.

3. That in response to the petitioner's said application he was called to appear at a selection for the post of Tracer in the R.D.S.O. ^{By means of} a letter bearing no. Recrt/ Rlys/Tracer/SC/ST/75 dated 23.2.1976 issued for and on behalf of the opposite-party and addressed to the Divisional Superintendent, Western Railway, Kota it was requested that the petitioner be directed to appear at the selection for the said post. The said letter was also followed by a telegram dated 23.2.1976 issued for and on behalf of the opposite-party. A true copy of the said telegram is being annexed as Annexure no.1 to this petition.

Rameshwar fd.



4. That the petitioner appeared at the said selection and was selected for appointment as Tracer in the R.D.S.O., Lucknow.

5. That the petitioner was relieved of his duties in the Drawing Office of the Divisional Superintendent Western Railway, Kota on 13.4.1976 to join his new appointment. The factum of the petitioner having been selected for appointment as Tracer in the R.D.S.O., Lucknow appears to have been communicated to the Divisional Superintendent, Western Railway, Kota by means of RDSO, Lucknow's letter no. E II/RT/ Tracers/CD dated 30.3.1976 copy of which was not furnished to the petitioner but finds reference in letter no. E/D/(iii)/⁹⁹¹ dated 9.4.1976 a true copy of which is being annexed as Annexure no. 2 to this petition.

6. That the petitioner joined his new appointment as Tracer in the Civil Design Directorate of the RDSO, Lucknow on 20.4.1976. The petitioner is being assigned seniority in the cadre of Tracers in the Civil Design Directorate of the RDSO from 20.4.1976 since his appointment on the said post in the RDSO was a fresh appointment and the earlier period of service rendered by the petitioner on the same post of Tracer of an identical grade but in the Western Railway was not of any consequence.

7. That the RDSO is an attached office of the Railway Board and is as such distinct and separate from various Indian Railways which are called the Indian Zonal Railways. The opposite-party is the head of office of the RDSO and has been delegated the powers of a General Manager of the Indian Zonal

Rameshwar fd.



Railways .

8. That the RDSO is a distinct and separate railway establishment than the other Indian Railways. The opposite-party has administrative control over the staff working and appointed in the RDSO. The General Manager of the Western Railway has administrative control over the staff employed and working in the Western Railway.

9. That sanction of posts in various Directorates of the RDSO is quite distinct and separate.

10. That the petitioner after his selection on the post of Tracer in the RDSO, Lucknow and being given such appointment ceased to be an employee of the Western Railway and became an employee of the RDSO which is a separate railway establishment.

11. That the petitioner on 13.7.1981 was served with a copy of letter bearing no. A/EP-3139 dated 9.7.1981 issued under the signature of one Sri B.R. Sharma on behalf of the opposite-party and addressed to the Divisional Railway Manager (E), Western Railway, Kota. The said letter as a perusal of the same would show purports to relieve the petitioner from his duties in the RDSO on the afternoon of 20.7.1981 with instructions to report to the Divisional Railway Manager (E), Western Railway, Kota. It appears that the Divisional Railway Manager, Western Railway, Kota had sent a

Rameshwar d.



bearing no. E/D/1146/9 dated 29.5.1981. The petitioner has not been served with a copy of that letter. The petitioner has also not been served with a copy of any order transferring him to the Western Railway, Kota by opposite-party after receipt of the letter dated 9.7.1981. A copy of the said letter dated 9.7.1981 as served on the petitioner is being annexed as Annexure no.3 to this petition.

12. That the petitioner after receipt of the said letter dated 9.7.1981 had verbally asked Sri B.R. Sharma to furnish him a copy of the order of transfer, if any, as also copy of the said letter dated 29.5.1981 which was sent to the opposite-party by the Divisional Railway Manager (E) Western Railway, Kota. The petitioner was told that copies of the said documents cannot be given to him since they are confidential.

13. That rule 146 of the Railway Establishment Code Volume I which provides for transfer of railway servants reads as follows:-

" Ordinarily railway servant shall be employed throughout his service on the railway or railway establishment to which he is posted on first appointment and shall have no claim as of right for transfer to another railway or railway establishment. In the exigencies of service, however, it shall be open to the President to

Rameshwar Pd.



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- 5 -

to transfer the railway servant to any other department or railway or railway establishment including a project in or out of India. In regard to non-gazetted railway servants, the power of the President under this rule in respect of transfer within India may be exercised by an agent or by a lower authority to whom the agent may re-delegate his power."

14. That as stated in the earlier paragraphs the RDSO is a separate railway establishment than the Indian Zonal Railways as the Western Railway is. In the R.D.S.O. the posts are filled up either by direct recruitment or by transfer of persons from the Indian Zonal Railways. To the petitioners best knowledge there has been no transfer of an incumbent for a post in the R.D.S.O. to any Indian Zonal Railway so far. Such officers or staff who are drafted to work in the RDSO and who are employees of any of the Indian Zonal Railways is treated as on deputation and is transferred back to his parent zonal railway. An employee selected and appointed for a post in the R.D.S.O. has to continue in the RDSO and there has been no transfer of such a person to any Indian Zonal Railway.

Rameshwar I d.



15. That in the circumstances detailed above and having no other equally effective and speedy alternative remedy the petitioner seeks to prefer this writ petition and sets forth the following amongst others,

GROUNDS:

(a) That the petitioner upon his having been selected for appointment on the post of Tracer in the RDSO ceased to be an employee of the Western Railway.

(b) Because the Western Railway being a different railway establishment than the RDSO, the petitioner's transfer to the Western Railway is clearly without authority of law and contrary to the spirit and letter of the provisions contained in rule 146 of the Indail Railway Establishment Code Volume I.

(c) Because there is no exigency of service so as to warrant the petitioner's transfer from the RDSO to, a different railway establishment, to the Western Railway.

(d) Because the order of transfer of the petitioner to the Western Railway is clearly arbitrary, capricious and without jurisdiction.

Wherefore, it is respectfully prayed that this Hon'ble Court be pleased to call from the opposite-party to produce copy of the letter E/D/1146/9 dated 29.5.1981 addressed by the Divisional Railway Manager, Western Railway Kota as also a copy of order of transfer, if any, which the opposite-party may have passed and

(i) issue a writ of certiorari or a writ, order or

direction in the nature of certiorari to quash the said letter and order as also quash the direction to relieve the petitioner from his duties in the R.D.S.O. on the post of Tracer as given in letter dated 9.7.1981 contained in annexure 3 to the writ petition.

(ii) issue a writ of mandamus or a writ, order or direction in the nature of mandamus commanding the opposite-party to refrain from acting in furtherance of the impugned order and interfering with the petitioners right to continue on the post of Tracer in the Civil Design Directorate of the RDSO., Lucknow.

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

Dated Lucknow
16.7.1981

B.C. Sakseন
(B.C. Sakseন
Advocate
Counsel for the petitioner



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

Affidavit

in

Petition under article 226 of the Constitution of
India

Writ Petition No. of 1981

Rameshwar Prasad

--Petitioner

versus

The Union of India

--Opp-party

I, Rameshwar Prasad, aged about 37 years, son of late Sri Channoo Lal, resident of house no. 85/144, Lachhmi Purwa, Kanpur-3, do hereby solemnly take oath and affirm as under:-

1. That the deponent is the petitioner in the above-noted writ petition and is fully acquainted with the facts of the case.
2. That contents of paras 1 to 14 of the accompanying petition are true to my own knowledge.
3. That annexures 1 and 2 have been compared and are certified to be true copies.

Dated Lucknow
16.7.1981

Rameshwar Prasad

Deponent



-2-

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

Deponent

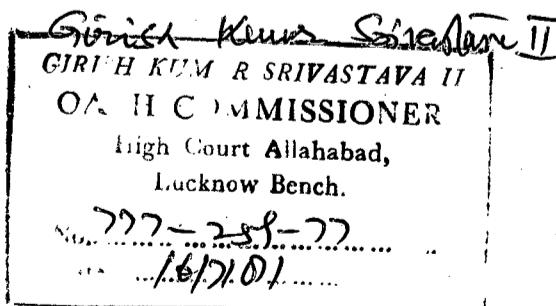
Dated Lucknow

16.8.1981

I identify the deponent who has signed in my presence. *RK Srivastava*

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

Solemnly affirmed before me on 16-7-81 at 9:20 a.m. by Sri Ramashwar Prasad the deponent who is identified by Sri clerk to Sri R. K. Srivastava C/o Sri B. C. Saksena Advocate, High Court, Allahabad. I have satisfied myself by examining the deponent that he understands the contents of the affidavit which has been read out and explained by me.



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

Writ Petition No. of 1981

Rameshwar Prasad

—Petitioner

versus

Union of India

--Opp-party

Annexure no.1

XR Message.

Divisional Superintendent,
Western Railway,
Kota.

No. Rectt/Rlys/Tracer/SC/ST/76 Direct

RAJESHWAR PRASAD TRACER TO ATTEND TEST ON 17TH
MARCH 76 AND INTERVIEW ON 18TH MARCH 76 FOR THE
POST OF TRACER IN RDSO. ARRANGED EXCLUSIVELY FOR
RESERVED COMMUNITY CANDIDATES (.) CALL LETTER (S)
FOLLOWS.

RAIL MANAK

Not to be telegraphed:

Sd/ Naunil Lal
For Director General
RDSP/ Manak Nagar, Lucknow 226011
-2-1976.

Ramoshwar Pd.
Government of India Ministry of Railways
Research Designs and Standards Organisation

Registered A.D.

Manaknagar, Lucknow- 226011
No. Rectt./Rlys/Tracer/SC/ST/75 dated 23.2.1976

Copy together with call letter no. Rectt./Rlys.



A20

12

-2-

/Tracer/SC/ST/75 dated 23.2.1976 forwarded by post to

1. General Manager, Western Railway, Churchgate, Bombay.
2. D.S. W.Railway, Kota.

The issue of railway pass/passes to the candidate (s) to cover his/their journey up to Lucknow and back may please be regulated in terms of para 309-RI

(ii) Sh. Ramesh Prasad, Tracer Drawing Section, D.S.'s office, Kota- 2

(Naunit Lal)

For Director General

DA/ One call letter.

Rameshwar Rd.



(A2)

13

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

Writ Petition No. of 1981

Rameshwar Prasad

--Petitioner

versus

Union of India &c

--Opp-party

Annexure no.2

Western Railway

No. E/D/(iii)/991 Divisional Office, Kota
Dated 9.4.1976

Sub:- Recruitment to the post of Tracer Scale Rs.260-
430, RDSO Office, Lucknow

Ref: RDSO/Lucknow's no. E 11/RT/Tracer/CD dated
30.3.1976.

Shri Rameshwar Prasad Tracer scale Rs. 250/430 (R)
D.S. Office, W.Railway, Kota having been selected
for appointment as Tracer scale Rs. 260/430 (R) in
RDSO, Lucknow is relieved of his duties from
this office with effect from 9.4.1976 A.M. to enable
him to join the new appointment.

Sd. illegible
for D.S.(E) Kota

Copy forwarded for information and necessary action to
1. The Director, General, RDSO, Nanak Nagar, Lucknow
U.P.
2. The Sr. DMO KTT. CDM CC (PB), DS Office, Kota,
Individual P and M files.



A22

to the Hon'ble High Court of Judicature At 14
Allahabad Lucknow Bench Lucknow
WP No of 1981

Rameshwar Prasad - Petitioner

vs

Union of India - - - opp. Party

Annexure No 3

Rameshwar Prasad



भारत रेलमानक-लखनऊ

Telegrams : 'RAILMANAK' LUCKNOW



टैलीफोन
Telephones [50567 & 50017]

A23

15

भारत सरकार-रेल मंत्रालय

अनुसंधान अभिकल्प और मानक संगठन

Government of India—Ministry of Railways

RESEARCH DESIGNS & STANDARDS ORGANISATION

Confidential

पत्र संख्या

A/EP-8139

Our Reference

लखनऊ-226011-दिनांक

9.7.81

LUCKNOW-226011-Dated

The Divisional Railway Manager(E),
Western Railway, Kota.

Sub: Transfer of Rameshwar Prasad, Tracer(B&G) Rs.260-430RS.

Ref's Your letter No.E/D/1146/9 dt.29.5.81.

Sh. Rameshwar Prasad, Tracer/B&G, scale Rs.260-430RS
in the Civil Design Dte is relieved of his duties in this office
on the afternoon of 20.7.81 with instructions to report to you.

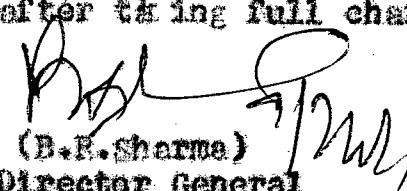
DA/H11

—
(B.R.Sharma)
for Director General

Copy to: 1) The Chief Personnel Officer, Western Railway,
Churchgate, Bombay-20.

✓ 2) Sh. Rameshwar Prasad, Tracer(B&G), Civil Design Dte
RDSO/Lucknow.

3) JDS/B&G, RDSO/Lucknow. Sh. Rameshwar Prasad may
be relieved on 20.7.81 after taking full charge
of Govt. material.


(B.R. Sharma)
for Director General

DA/H11

Rameshwar Prasad.



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

LUCKNOW BENCH, LUCKNOW.

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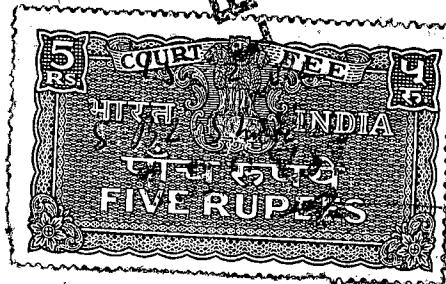
C.H. APPLICATION NO. 1673(C)

OF 1982.

in re:

Writ Petition No. 3389

OF 1981



Ramashwar Basad.

....PETITIONER

Union of India & others

....OPP. PARTIES.

APPLICATION FOR CONDONATION OF DELAY IN FILING THE
COUNTER AFFIDAVIT ON BEHALF OF THE OPPOSITE PARTIES.

The humble petition of the opposite parties most respectfully humbly prays:-

1. That in the above noted case the counter-affidavit on behalf of the opposite parties could not be filed as the draft counter-affidavit had to be sent to the Ministry concerned for vetting.
2. That delay in the circumstances is not deliberate and is excusable.

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

lucknow, dated
16-2-82

H. S. Basad
Counsel for the opp. parties.

A26

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

Counter affidavit

in re:

Writ Petition No. 3389 of 1981.

Rameshwar Prasad... Petitioner

Versus

Union of India and others... Oppo. Parties

A F F I D A V I T.

I, B.R. Sharma, aged about 56 years, son of
Late Shri Pt. Shri Ram —, Dy. Director (E-II)
in the office of D.G., R.D.S.O., Manaknagar, Lucknow
do hereby solemnly affirm and state on oath as under:-

1. That the deponent is the Dy. Director (E-II)
in the office of the opposite party No. 1 and is duly
authorised to file this counter affidavit on behalf of
the opposite party — and he is well conversant
with the facts of the case deposed to below.

2. That the opposite party has received the copy
of the aforesaid writ petition and the deponent has
gone through the same and perused the concerned records
of the case and is replying the contents of the writ

A22

petition parawise as under.

3. That the contents of paragraphs 1 to 4 of the aforesaid writ petition are not denied.

4. That the contents of paragraph 5 of the aforesaid writ petition are not denied except that the ~~✓~~ appointment letter bearing No. EII/RT/Tracer/CD was ~~dated~~ dated 31.3.76 and not 30.3.76.

5. That the contents of paragraph 6 of the aforesaid writ petition are not denied. It may be mentioned that on appointment in the Research Designs & Standards Organisation on transfer from W.Railway, Kota only seniority of the petitioner in the cadre of tracer in the wing of Civil Designs Directorate, Research Designs & Standard Organisation, Lucknow, counts from 20.4.76, the 2 cadres being different from each other. For the purpose of fixation of his pay as Tracer in Research Designs & Standards Organisation and also for other purposes viz. eligibility for issue of passes, leave and all other benefits, the petitioner's service on the W.Railway before his joining Research Designs & Standards Organisation has

R.K.H.

to the petitioner and others is the order transferring the petitioner back to W.Railway i.e. his parent Railway.

9. That the contents of paragraphs 12 of the writ petition are denied.

10. That the contents of paragraph 13 of the aforesaid writ petition are not denied.

11. That the contents of paragraph 14 of the aforesaid writ petition are not denied. It is admitted that Research Designs & Standards Organisation is a separate Establishment vis-a-vis zonal Railways. It may be stated that transfer of officers and staff from Railways to Research Designs & Standards Organisation and vice versa is a normal phenomenon. The employees drafted from the Railways can be reverted back to their parent Railways as and when their services are no longer required in the Research Designs & Standards Organisation. It is denied that there has been no transfer of any employee drafted to Research Designs & Standards Organisation from Railways, back to his parent Railway.

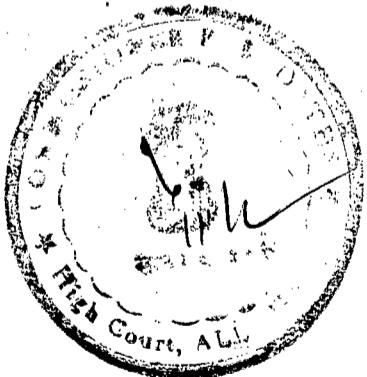
Dhruv

ADDITIONAL PARAGRAPHS

12. That it is submitted that after his appointment as Tracer in Research Designs & Standards Organisation, the petitioner did not cease to be an employee of the W.Railway. A copy of the Research Designs & Standards Organisation letter No.A/EP-3139 dated 12.5.81 and a copy of DRM(E), W.Railway, Kota's letter No.E/D/1140/9 dated 29.5.81 (Annexures 2 and 3 to this counter affidavit) establish that the petitioner continues to be a Western Railway employee.

13. That so long as the petitioner holds an administrative lien on the Western Railway, Research Designs & Standards Organisation administration has a right to revert him back to his parent Railway.

14. That a copy of Divisional Railway Manager, Western Railway Kota's letter No.E/D/1140/9 dated 29.5.81 is enclosed as Annexure No.2 to this counter affidavit. As mentioned in paragraph 8 above, letter No A /EP-3139 dated 9.7.81 (Annexure No.3 to the writ petition) is the order transferring the petitioner back to Western Railway Kota, his parent Railway. The transfer order is regular and in accordance with



rules.

15. That the writ petition is without substance and is liable to be dismissed with costs.

Lucknow: Dated the,
11-2-1982.

B.R. Sharma
DEONENT.

VERIFICATION

I, B.R. Sharma, the deponent above named, do hereby verify that the contents of paragraphs 1 to 11 of this counter affidavit are true to my own knowledge while the contents of paragraphs 12, 13, 14 + 15 are true on the basis of the records and those of paragraphs are believed by the deponent to be true on the basis of the advise rendered by the counsel. No part of it is false and nothing material has been concealed. So help me God.

Dated: Lucknow the,
11-2-1982.

B.R. Sharma
DEONENT.

I identify the deponent who has signed before me.

Nirankar Prasad
(Nirankar Prasad)
Clerk to Shri B.L.Shukla, Advocate.

Solemnly affirmed before me on this 12th day of February 1982 at 4.30 a.m./p.m., by Shri B.R. Sharma, the deponent who is identified by Shri Nirankar Prasad, Clerk to Shri B.L.Shukla, Advocate, High Court Allahabad, Lucknow Bench, Lucknow.

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

V. K. PANDEY
OATH COMMISSIONER
High Court, Allahabad
Lucknow Bench
No. 311-PL
Date: 11-2-1982

A32

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

Writ Petition No. 3389 of 1981.

Rameshwar Prasad... Petitioner

Versus

Union of India and others... Oppo. Parties.

ANNEXURE NO. A-1

COPY

Copy of Railway Board's letter No.E(NG)60RRI/5
dated 7.2.61 addressed to DG/RDSO/LKO and copy to
others

Sub:- Direct recruitment for Railways through
UPSC/Railways Service Commission-serving
railway employees.

In partial modification of the instructions
contained in Board's letters No.E51-RC2-34 dated
19.11.41 and No. E54RRI/14/3 dated 8.10.64, the Board
have decided that when a Railway servant, whether
permanent or temporary is permitted to apply either
through the UPSC or otherwise for recruitment to
another post on the same or another Railway, and on
selection is appointed to the new post, no break of
service being involved, his past service should count
for all purposes (including leave, pension, provident
fund, passes, increments etc) except seniority. A temp-
orary Railway servant will, however, forego his
confirmation in his previous post from the date he
relinquishes charge of that post subject to the

following:-

- i) in the case of temporary Asstt. Officer the provision of paras 2 & 3 of Railway Board's letter No.E(GR)54RC2-14 pt.1(3) dated 17.10.58 will continue to apply.
- ii) in cases where the new appointments are on probation the temporary railway servants should retain their right of confirmation in their previous posts till they acquire a lien in their new appointments.

This has the sanction of the President.
Please acknowledge receipt.

sd/-P.B.Jain
Asstt. Director (Estt)
Railway Board.

True Copy

P.B.Jain



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7/10

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

Writ Petition No. 3389 of 1981.

Rameshwar Prasad... Petitioner.

Versus

Union of India and others... Oppo. Parties.

COPY

ANNEXURE NO.- 2

RDSO/Lucknow

CONFIDENTIAL

A/EP-3139

Dated 12-5-81.

The Divl. Railway Manager,
W.Railway, Kota.

Sub:- Rameshwar Prasad, Tracer scale Rs.260-430 (RS)
of B&S Wing.

Ref:- Your letter No.E/9/(iii)961, dt. 6-4-81.

On transfer from your Railway, Shri Rameshwar
Prasad, Tracer, B&S was appointed in the Organisation
wef. 20.4.76. It is proposed to return him back to
his parent Railway. Arrangements to accommodate him
may please be made and this office advised to enable
Shri Prasad being relieved from this office.

DA: Nil

sd/- 12-5-81
(B.R.Sharma)

for Director Stds. (Civil)

Copy to CPO/W.Railway, Churchgate, Bombay. This
has reference to this office letter No.Rectt/Rlys/
Tracer/SC/ST/75, dated 23.2.76.

DA: Nil

sd/-
(B.R.Sharma)
for Director General

A35

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

Writ Petition No.3389 of 1981

Rameshwar Prasad... Petitioner

Versus

Union of India and others... Oppo. Parties.

COPY

ANNEXURE NO. 3

WESTERN RAILWAY

No.E/D/1140/9

Divisional Office, Kota,
Dated: 29-5-1981.

The Director General,
Research Designs & Standards Organisation,
Ministry of Railways,
Lucknow-226011.

Sub:-Shri Rameshwar Prasad, Tracer Scale Rs.260-430(R)
of B&S Wing.

Ref:- Your letter No.A/EP-3139 dated 12-5-81.

S hri Rameshwar Prasad, Tracer will be accommodated on this division. Kindly arrange to relieve him early.

sd/
for DRM(E)Kota.

Copy to CPO/CCG with ref. to Director General, RDSO/LKO's letter No.A/EP-3139, dated 12.5.81.



True Copy

A36

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

Counter affidavit

in re:

Writ Petition No. 3389 of 1981.

Rameshwar Prasad... Petitioner

Versus

Union of India and others... Oppo. Parties

A F F I D A V I T.

I, B.R.Sharma, aged about 56 years, son of
Late Shri Pt Shri Ram, , Dy Director E-II
in the office of D.G., R.D.S.O., Manaknagar, Lucknow
do hereby solemnly affirm and state on oath as under:-

1. That the deponent is the Director (E-II, D)
in the office of the opposite party No.1 and is duly
authorised to file this counter affidavit on behalf of
the opposite party No. and he is well conversant
with the facts of the case deposed to below.

2. That the opposite party has received the copy
of the aforesaid writ petition and the deponent has
gone through the same and perused the concerned records
of the case and is replying the contents of the writ

petition parawise as under.

3. That the contents of paragraphs 1 to 4 of the aforesaid writ petition are not denied.
4. That the contents of paragraph 5 of the aforesaid writ petition are not denied except that the appointment letter bearing No. EII/RT/Tracer/CD was dated dated 31.3.76 and not 30.3.76.
5. That the contents of paragraph 6 of the aforesaid writ petition are not denied. It may be mentioned that on appointment in the Research Designs & Standards Organisation on transfer from W.Railway, kota only seniority of the petitioner in the cadre of tracer on the wing of Civil Designs Directorate, Research Designs & Standard Organisation, Lucknow, counts from 20.4.76, the 2 cadres being different from each other. For the purpose of fixation of his pay as Tracer in Research Designs & Standards Organisation and also for other purposes viz. eligibility for issue of passes, leave and all other benefits, the petitioner's service on the W.Railway before his joining Research Designs & Standards Organisation has

been counted.

6. That the contents of paragraphs 7, 8 & 9 of the aforesaid writ petition are not denied.

7. That the contents of paragraph 10 of the aforesaid writ petition are denied and it is submitted that even after his appointment in Research Designs & Standards Organisation, the petitioner has retained an administrative lien on the post of Tracer held by him on the W.Railway by virtue of the fact that before his transfer to Research Designs & Standards Organisation Lucknow he had put in more than 3 years service on that Railway and, therefore, in terms of the general orders of the Railway Board (Annexure-I to this Counter Affidavit) his administrative lien had to be retained on Railway till his permanently absorbed in Research Designs & Standards Organisation. It may be added that he has not been absorbed permanently in Research Designs & Standards Organisation so far.

8. That the contents of paragraph 11 of the aforesaid writ petition are not denied. It is further submitted that the letter No.A/EP-3139 dated 9.7.81, addressed to DRM(E), W.Railway kota and copy endorsed

-5-4-

to the petitioner and others is the order transferring the petitioner back to W.Railway i.e. his parent Railway.

9. That the contents of paragraphs 12 of the writ petition are denied.

10. That the contents of paragraph 13 of the aforesaid writ petition are not denied.

11. That the contents of paragraph 14 of the aforesaid writ petition are not denied. It is admitted that Research Designs & Standards Organisation is a separate Establishment vis-a-vis a zonal Railways. It may be stated that transfer of officers and staff from Railways to Research Designs & Standards Organisation and vice versa is a normal phenomenon. The employees drafted from the Railways can be reverted back to their parent Railways as and when their services are no longer required in the Research Designs & Standards Organisation. It is denied that there has been no transfer of any employee drafted to Research Designs & Standards Organisation from Railways, back to his parent Railway.

ADDITIONAL PARAGRAPHS

12. That it is submitted that after his appointment as Tracer in Research Designs & Standards Organisation, the petitioner did not cease to be an employee of the W.Railway. A copy of the Research Designs & Standards Organisation letter No.A/EP-3139 dated 12.5.81 and a copy of DRM(E), W.Railway, Kota's letter No.E/D/1140/9 dated 29.5.81 (Annexures 2 and 3 to this counter affidavit) establish that the petitioner continues to be a Western Railway employee.

13. That so long as the petitioner holds an administrative lien on the Western Railway, Research Designs & Standards Organisation administration has a right to revert him back to his parent Railway.

14. That a copy of Divisional Railway Manager, Western Railway Kota's letter No.E/D/1140/9 dated 29.5.81 is enclosed as Annexure No.2 to this counter affidavit. As mentioned in paragraph 8 above, letter No A /EP-3139 dated 9.7.81 (Annexure No.3 to the writ petition) is the order transferring the petitioner back to Western Railway Kota, his parent Railway. The transfer order is regular and in accordance with

A.U.I

rules.

16. That the writ petition is without substance and is liable to be dismissed with costs.

Lucknow: Dated the,
11-2 , 1982.

DEPONENT.

VERIFICATION

I, B.R.Sharma, the deponent above named, do hereby verify that the contents of paragraphs 1 to 15 of this counter affidavit are true to my own knowledge while the contents of paragraphs 16 to 19 are true on the basis of the records and those of paragraphs 20 to 23 are believed by the deponent to be true on the basis of the advise rendered by the counsel. No part of it is false and nothing material has been concealed. So help me God.

Dated: Lucknow the,
, 1982.

DEPONENT.

I identify the deponent who has signed before me.

(Nirankar Prasad)
Clerk to Shri B.L.Shukla, Advocate.

Solemnly affirmed before me on this day of , 1982 at a.m./p.m., by Shri B.R.Sharma, the deponent who is identified by Shri Nirankar Prasad, clerk to Shri B.L.Shukla, Advocate, High Court Allahabad, Lucknow Bench, Lucknow.

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

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

Writ Petition No. 3389 of 1981.

Rameshwar Prasad...Petitioner

Versus

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

ANNEXURE NO. A-1

COPY

Copy of Railway Board's letter No.E(NG)60RRI/5 dated 7.2.61 addressed to DG/RDSO-LKO and copy to others

Sub:- Direct recruitment for Railways through UPSC/Railways Service Commission-serving railway employees.

In partial modification of the instructions contained in Board's letters No.E51-RC2-34 dated 19.11.41 and No. E54RRI/14/3 dated 8.10.64, the Board have decided that when a Railway servant, whether permanent or temporary is permitted to apply either through the UPSC or otherwise for recruitment to another post on the same or another Railway, and on selection is appointed to the new post, no break of service being involved, his past service should count for all purposes (including leave, pension, provident fund, passes, increments etc) except seniority. A temporary Railway servant will, however, forego his confirmation in his previous post from the date he relinquishes charge of that post subject to the

following:-

- i) in the case of temporary Asstt. Officer the provision of paras 2 & 3 of Railway Board's Letter No. E(GR)54RC2-14 pt.1(3) dated 17.10.58 will continue to apply.
- ii) in cases where the new appointments are on probation the temporary railway servants should retain their right of confirmation in their previous posts till they acquire a lien in their new appointments.

This has the sanction of the President.
Please acknowledge receipt.

sd/-P.B.Jain
Asstt. Director (Estt)
Railway Board.

True Copy

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

Writ Petition No. 3389 of 1981.

Rameshwar Prasad... Petitioner.

Versus

Union of India and others... Oppo. Parties.

COPY

ANNEXURE NO.- 2

RDSO/Lucknow

CONFIDENTIAL

A/EP-3139

Dated 12-5-81.

The Divi. Railway Manager,
W.Railway, Kota.

Sub:-Rameshwar Prasad, Tracer scale Rs.260-430 (RS)
of B&S Wing.

Ref:- Your letter No.E/9/(iii)961, dt. 6-4-81.

On transfer from your Railway, Shri Rameshwar
Prasad, Tracer, B&S was appointed in the Organisation
wef. 20-4-76. It is proposed to return him back to
his parent Railway. Arrangements to accommodate him
may please be made and this office advised to enable
Shri Prasad being relieved from this office.

DA: NIL

SD/- 12-5-81

(B.R.Sharma)

for Director Stds. (Civil)

Copy to CPO/W.Railway, Churchgate, Bombay. This
has reference to this office letter No.Rectt/Rlys/
Tracer/SC/ST/75, dated 23.2.76.

DA: NIL

SD/-
(B.R.Sharma)
for Director General

AN6

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

Writ Petition No.3389 of 1981

Rameshwar Prasad... Petitioner

Versus

Union of India and others... Oppo. Parties.

COPY

ANNEXURE NO. 3

WESTERN RAILWAY

No. E/D/1140/9

Divisional Office, Kota,
Dated: 22-5-1981.

The Director General,
Research Designs & Standards Organisation,
Ministry of Railways,
Lucknow-226011.

Sub:- Shri Rameshwar Prasad, Tracer Scale Rs.260-430(R)
of B&S Wing.

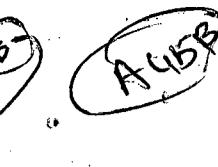
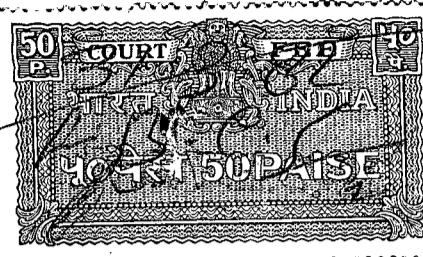
Ref:- Your letter No.A/EP-3139 dated 12-5-81.

S hri Rameshwar Prasad, Tracer will be accommodated on this division. Kindly arrange to relieve him early.

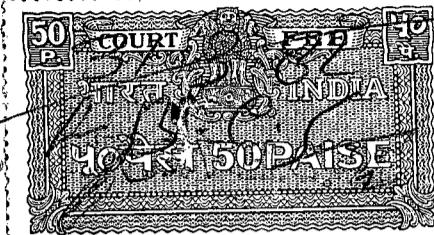
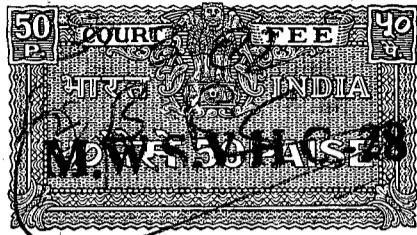
sd/
for DRM(S)Kota.

Copy to GPO/CIG with ref. to Director General, RD&S/ LKO's letter No.A/EP-3139, dated 12.5.81.

True Copy



4



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

Application for condonation of delay in
filing rejoinder-affidavit

3053
3053/Dr
3053
C.M. Application no. 30086

1982

In re:

Writ Petition no. 3389 of 1981

Ramoshwar Prasad

--Petitioner-
applicant

versus

The Union of India through the
Director General, R.D.S.O., Lucknow

--Opp- party

This application on behalf of the applicant
above named most respectfully showeth:-

1. That a copy of the counter-affidavit was served
on the applicants counsel who on its receipt informed
the petitioner about the same and the necessity to
file a rejoinder-affidavit.

2. That in order to meet the allegations contained
in the counter-affidavit, it was necessary to
verify them and to procure some documents so that
effective reply could be given to those allegations.
This has taken some; hence the rejoinder-affidavit
could not be filed in time.

3. That the delay in filing the rejoinder-affidavit has not occasioned any adjournment of the hearing of the petition.

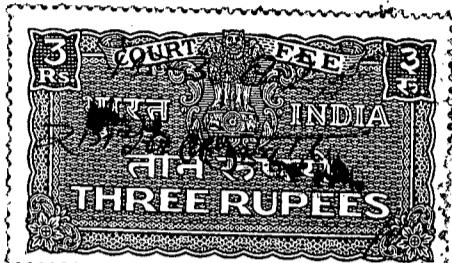
Wherefore, it is respectfully prayed that this Hon'ble Court be pleased to condone the delay in filing the rejoinder-affidavit and direct that the same which accompanies this application be brought on record.

Dated Lucknow
29.3.1982

B.C.Saksena
(B.C.Saksena)
Advocate
Counsel for the applicant

IN THE HON'BLE HIGH COURT OF JUDICATURE AT ALLAHABAD

(LUCKNOW BENCH) LUCKNOW.



Rejoinder Affidavit



in re:

Writ Petition No. 3389 of 1981.

Rameshwar Prasad

Petitioner.

Versus

The Union of India through the
Director General, R.D.S.O. Lucknow

Opp-Party.

9
27/1/82 4/1/82
I, Rameshwar Prasad, aged about 38 years,
son of late Sri Channoo Lal, resident of house No.85/144,
Lachhmi Purwa, Kanpur-3, do hereby solemnly affirm and
state on oath as under:-

1. That I am petitioner in the above noted writ petition and I am fully acquainted with the facts of the case. I have perused the counter-affidavit filed on behalf of the opposite-party and the contents of the counter-affidavit have also been read out and explained to me by my counsel.

2. That the contents of paras 1, 2 and 3 of the

counter-affidavit do not call for any reply.

3. That with regards to the contents of para 4 of the counter-affidavit, it is stated that a perusal of Annexure No.2 to the writ petition would show that the date of the letter has been shown as 30-3-1976 and not 31-3-1976. The assertions made in para 5 of the writ petition being based on the said particulars are herein again reiterated.

4. That the contents of para 5 of the counter-affidavit do not in any manner controvert the specific assertions made in para 6 of the writ petition. Nevertheless the said assertions are herein again reiterated. It is stated that admittedly the petitioner earlier being in service rendered on the post of Tracer in an identical grade on the Western Railway for purposes of assignment of seniority has not been counted.

5. That the contents of para 6 of the counter-affidavit do not call for any reply as the assertions made in paras 7,8 and 9 of the writ petition have been stated to be not denied.

6. That the contents of para 7 of the counter-affidavit are denied and the assertions made in para 10 of the writ-petition are reiterated. It is stated that Annexure No.A-1 to the counter-affidavit has no applicability to the present case. The petitioner was not subjected to a selection for the post of Tracer in the R.D.S.O., through UPSC/Railways

Service Commission. He was only subjected to a test held in the office of the opposite-party. This can be gathered from a perusal of a true copy of the letter bearing No. Rectt/Rlys/Tracer/SC/ST/ 75 dated 23.2.1976 issued by the opposite-party which is being enclosed as Annexure No.4 to this rejoinder-affidavit. The petitioner's new appointment in the R.D.S.O. on the post of Trayer was also not on probation. Thus the petitioner did not retain any administrative ^{line} on the post of Tracer held by him on the Western Railway. No element of transfer was involved and it is, therefore, wholly wrong to say that the petitioner had been transferred to the R.D.S.O. The opposite-parties perhaps due to the mistaken notion which they entertained and reference to which has been made in paragraph-7 of the counter-affidavit have so far not taken any steps to confirm the petitioner on the post of Tracer in the R.D.S.O.

7. That the contents of para 8 of the counter-affidavit do not call for any reply as the assertions made in para 11 of the writ petition have not been controverted.

8. That the bald denial contained in para 9 of the specific assertions made in para 12 of the writ petition is no denial in the eye of law. Nevertheless the said assertions are herein

ABC

- 4 -

again reiterated.

9. That the contents of para 10 do not call for any reply.

10. That the contents of para 11 do not in any manner controvert the specific assertions made in para 14 of the writ petition. Nevertheless the said assertions are herein again reiterated. It is pointed out that the opposite-party has not controverted the specific assertions made in last part of para 14 of the writ petition that an employee selected and appointed for a post in the R.D.S.O. has to continue in the RDSO and there has been no transfer of such a person to any Indian Zonal Railway. The denial in the last part of para 11 of the counter-affidavit is, therefore, wholly meaningless.

11. That the plea in para 12 is legally untenable and is, therefore, denied. It is stated that the petitioner on his having been selected for fresh appointment on an identical post of Tracer in the R.D.S.O. had ceased to be an employee of the Western Railway. Annexures Nos A-2 and A-3 to the counter-affidavit do not establish that the petitioner continues to be ~~an~~ a Western Railway employee. It is stated that Annexure No. A-2 proceeds on the wrong assumption that the petitioner had been transferred from the Western Railway to the R.D.S.O. The premise being factually incorrect the orders therein are wholly illegal.

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12. That the plea in para 13 is wholly baseless and legally untenable. The petitioner held no administrative lien on the Western Railway. He was only a temporary employee in the Western Railway and was appointed afresh in the R.D.S.O. against the temporary post.

13. That the pleas in paras 14 and 15 are also legally untenable and therefore, denied.

Lucknow/Dated

March 15, 1982

Rameshwar Prasad

Deponent

Verification

Rameshwar Prasad
I, Rameshwar Prasad, the deponent, named above, do hereby solemnly verify that the contents of paras 1 to 13 of this rejoinder -affidavit are true to my personal knowledge.

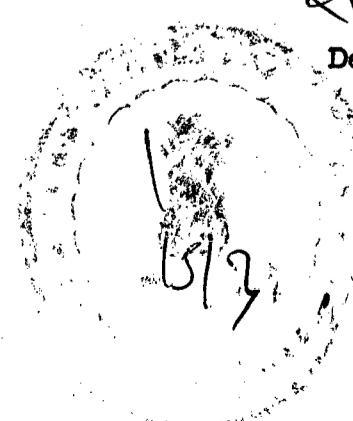
Nothing has been concealed or is untrue, so help me God.

Lucknow/Dated

March 15, 1982.

Rameshwar Prasad

Deponent



452

4/4

I identify the deponent who has verified
and signed before me.

Lucknow/Dated

March 15, 1982.

Rakesh Kumar Srivastava
Clerk/Advocate. S. B. C. Srivastava
Advocate

Solemnly affirmed before me on 15.3.82
at 11.30 a.m./p.m. by Sri Rameshwar Prasad,
the deponent who has been identified by Sri R. C. Srivastava
Clerk B. C. S. Clerk/Advocate, High Court,
(Lucknow Bench) Lucknow.

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

21/3/82
V. K. PANDEY
OATH SWEEPER
High Court, Lucknow
Lucknow Bench
No. 415. A.
Date. 15.3.82

IN THE HON'BLE HIGH COURT OF JUDICATURE AT ALLAHABAD

ASB

8/9

(LUCKNOW BENCH) LUCKNOW.

Rejoinder-affidavit

Inre:

Writ Petition No.3389 of 1981

Rameshwar Prasad v.

The Union of India
through the Director
General, R.D.S.O. Lucknow.

ANNEXURE NO.4.

REGISTERED A.D.

App. No. 7

Roll No. 4

GOVERNMENT OF INDIA-MINISTRY OF RAILWAYS
RESEARCH DESIGNS AND STANDARDS ORGANIZATION.

Manaknagar, Lucknow-226011.

No. Rectt/Rlys/Tracer/SC/ST/75 Dated 23-2-1976.

NSAC YHT
The Divisional Superintendent.

Western Railway,

Kota-2

Sub: Recruitment to the post of Tracer
Scale Rs.260-430(RS) to be filled from
amongst Sch.Caste/Tribe Candidates to
be held on 17-3-76 at 10.30 hrs. and
interview on 18-3-76.

Ref: Your letter/endorsement No. _____

dated _____.

.....

It is requested that Shri Rameshwar Prasad of your office/Railway may be directed to appear for the post of Tracer, Scale Rs.260-430 (RS) and should report at this Room No.29 of Administrative Building-I, Manak Nagar(Alambagh), Lucknow at 10.30 hrs. on 17-3-1976 for test and for interview on 18-3-1976 as per programme given on the reverse.

2. He should bring his certificates and testimonials etc.in original in support of his academic and technical qualifications, experience and proof of age and produce them both on the day of test and interview. He should also bring for the test Slide Rules Log Tables and Pencils etc.except paper which will be supplied by this office. Candidates failing to produce his original certificates on 17-3-76 will not be allowed in the test.

3. The candidate should bring with him a certificate on the prescribed form to the effect that he belongs to reserved community i.e. Scheduled Caste or Scheduled Tribe.

4. As his application was not sent through his department, he should bring with him a " NO OBJECTION" certificate from his office failing which he will not be allowed to appear in the test.

5. No travelling allowance, daily allowance or any other incidental charges will be paid by this office in connection with the test and interview.

A55
8/11

6. He will have to make his own arrangements for boarding and lodging in Lucknow for the period of his stay in connection with the test and interview which may last for about 3 days.

7. The call for the test and interview for the above mentioned post does not involve any commitment on the part of this office in respect of conditions regarding pay etc. that may have been stipulated in his application.

8. The Service Register and Confidential Reports on him may please be sent to this office so as to reach the undersigned by 8-3-1976 at the latest and these will be returned soon after the test is over. Please also confirm that no SPE/Vigilance case is pending against him.

9. This office will not be responsible for any delay in transit of the communication despatched in this connection. In case he fails for any reason to attend the aforesaid selection on the appointed date and time, no supplementary selection will be held thereafter.

Sd/-

(M.P.Srivastava)
For Director General

DA/Nil.

Copy for information and necessary action to:-

1. Shri Rameshwar Pd., Tracer, Drawing Section,
Divisional Supdt.'s Office, Western Railway, Kota-2, in
reference to his application.

- 4 -

- 2 -

(A56)

4/2

2. The GM(P)/ G.P.O. Western Railway, Churchgate, Bombay
with reference to para 8 above.

Sd/-

(M.P. Srivastava)

For Director General.

TENTATIVE PROGRAMME

Date: 17-3-1976

1.	Candidates should report at Auditorium/RDSO Manak Nagar, Lucknow/Room No.29, Recruitment Section	10.00 hrs.
2.	Verification of particulars with original certificates	<u>10.00 hrs.</u>
3.	Candidates should report at Examination Hall	<u>10.30 hrs.</u>
4.	Written Test	<u>10.30 hrs.</u>

Date: 18-3-1976

Candidates should report in Auditorium, RDSO,
Manak Nagar, Lucknow/Room No.29 Recruitment
Section (for declaration of the result of
written test and time of interview)

10.30 hrs.

N.B.: If necessary, interview will continue on 19-3-1976.

2/1976/4/11

TRUE COPY

1513

In the Hon'ble High Court of Judicature at Allahabad
No. 4

ब अदालत श्रीमान

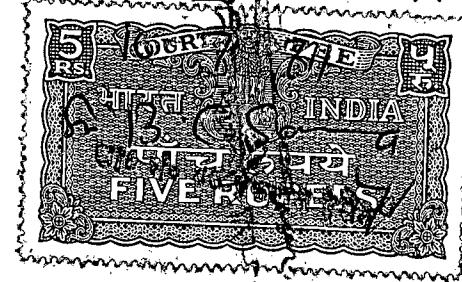
Lucknow Bench LKO

महोदय

वादी (मुद्दे)
प्रतिवादी (मुद्दालेह)

का वकीलतनामा

34/1



ref. P. 61
16/1

Rameshwar Prasad

वादी (मुद्दे)

बनाम

Union of India

प्रतिवादी (मुद्दालेह)

लिंगं० मुकद्दमा सन् १९४१ पेशी की ता० १६ ई०
ऊपर लिखे मुकद्दमा में अपनी ओर से श्री

Mr. B. C. Saksena Advocate एडवोकेट

महोदय
वकील

को अपना वकील नियुक्त करके प्रतिज्ञा [इकरार] करता हूँ और
लिखे देता हूँ इस मुकद्दमा में वकील महोदय स्वयं अथवा अन्य
वकील द्वारा जो कुछ पैरवी व जवाबदेही व प्रश्नोत्तर करें या अन्य
कोई कागज दाखिल करें या लौटावें या हमारी ओर से डिगरी
जारी करावें और रुपया 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 मुकद्दमा उठावें
या कोई रुपया जमा करें या हमारी या विपक्षी [फरीकसानी] का
दाखिल किया रुपया अपने या हमारे हस्ताक्षर-युवत [दरतखती]
रसीद से लेवें या पंच नियुक्त करें - वकील महोदय द्वारा की
गई वह कार्यवाही हमको सर्वथा स्वीकार है और होगी इसलिए
यह वकालतनामा लिख दिया कि प्रमाण रहे और समय पर
काम आवे।

Accepted
By
Saksena
Hastakshar
Rameshwar Prasad

साक्षी (गवाह)

साक्षी (गवाह)

दिनांक

महीना

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