

Central Administrative Tribunal  
Lucknow Bench

Cause Title TA 70 of 1992 (T)

Name of the Parties <sup>in</sup> CA 1083 of 87 (Ald) Jai Raj Kishore Applicant

Versus

~~W.D.C.~~ D.L.C. (Ald) Respondents.

Part A. B.C.

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B - File.

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C - File

~~C1 - C6~~

Dt 18/7/14 File B/C beside of court destroyed.

Raj

SO(5)

Appointed on Compassionate Ground. (R)

# CENTRAL ADMINISTRATIVE TRIBUNAL ADDITIONAL BENCH,

23-A, Thornhill Road, Allahabad-211001

Registration No. 1083 of 1987

APPLICANT (s) Jai Raj Kishore

RESPONDENT(s) Divisional Personnel officer, N. Rly, Allahabad

+ Another

## Particulars to be examined

## Endorsement as to result of Examination

1. Is the appeal competent?
2. (a) Is the application in the prescribed form?  
(b) Is the application in paper book form?  
(c) Have six complete sets of the application been filed?
3. (a) Is the appeal in time?  
(b) If not, by how many days it is beyond time?  
(c) Has sufficient case for not making the application in time, been filed?
4. Has the document of authorisation, Vakalat-nama been filed?  
Is the application accompanied by B. D./Postal-Order for Rs. 50/-
6. Has the certified copy/copies of the order (s) against which the application is made been filed?
7. (a) Have the copies of the documents/relied upon by the applicant and mentioned in the application, been filed?  
(b) Have the documents referred to in (a) above duly attested by a Gazetted Officer and numbered accordingly?

~~Not Applicable~~

YB

YB

YB, 6 Dec filed

YB

—

—

YB

YB

YB

YB

YB

Particulars to be Examined-Endorsement as to result of Examination

- (c) Are the documents referred to in (a) above neatly typed in double space ?
8. Has the index of documents been filed and paging done properly ?
9. Have the chronological details of representation made and the outcome of such representations been indicated in the application ?
10. Is the matter raised in the application pending before any Court of law or any other Bench of Tribunal ?
11. Are the application/duplicate copy/spare copies signed ?
12. Are extra copies of the application with Annexures filed ?
- (a) Identical with the original ?
- (b) Defective ?
- (c) Wanting in Annexures
- Nos...../Pages Nos..... ?
13. Have file size envelopes bearing full addresses, of the respondents been filed ?
14. Are the given addresses, the registered addresses ?
15. Do the names of the parties stated in the copies tally with those indicated in the application ?
16. Are the translations certified to be true or supported by an Affidavit affirming that they are true ?
5. Are the facts of the case mentioned in item No. 6 of the application ?
- (a) Concise ?
- (b) Under distinct heads ?
- (c) Numbered consecutively ?
- (d) Typed in double space on one side of the paper ?
18. Have the particulars for interim order prayed for indicated with reasons ?

YS

books index not filed, Paging done

YS

No

only 1st copy signed.

YS

YS

—

—

No

YS

YS

N.A.

YS

YS

YS

YS

YS

YS

19. Whether all the remedies have been exhausted.

If approved the case may be listed on 9.12.8)

Submitted by  
Chandras

19/11/8)

9/12/87

Hon. D.S. Misra - Am.  
Hon. G.S. Sharma - Jm

(AB)

①

on the request  
of learned counsel for  
the applicant, the case  
is adjourned to 11/1/88  
for admission.

B.R.

SH

②

11.1.88. No entry due to admission of G.S. Sharma  
at 16.2.88.

16/2/88

③

Hon. S. Zaher Hasan - Jm  
Hon. D.S. Misra - Am

None is present  
for the parties. The  
case is adjourned to  
26/4/88 for admission.

Ve

Am.

SH

26-4-88

④

Hon. D.S. Misra - Am  
Hon. G.S. Sharma - Jm

On the request of  
learned Counsel for the  
applicant, the case is  
adjourned to 18-7-88 for  
admission.

Am

Jm

O.A. 1083/87

(AU)

(10) 2.1.89 Hon. G.S. Sharma - J.M.  
Hon. K.J. Ramani - Am.

None is present for the applicant. The case is adjourned to 4.1.89.

ht Am. } J.M.

(11) 4.1.89 Hon. G.S. Sharma - J.M.  
Hon. K.J. Ramani - Am.

None is present for the applicant, none was even present <sup>on</sup> the last date.

The case is dismissed in default of the applicant.

ht Am. } J.M.

Dismissed  
by 10/89

(A9)

11-4-89.

Hon. Justice K. Nath, VC.  
Hon. D. S. Misra, Jm.

(15)

The learned counsel for the applicant says that the wife of the applicant for whose employment relief has been sought, would like to be impleaded as an applicant in the case. He may make an application for amendment accordingly. He will also consider the necessity of impleading Union of Indus & D.R.M. as opposite parties in the case. The case be listed for further orders on 28-4-89.

✓

Jm.

VC.

Nz

28/4/89.

Hon. Justice K. Nath, VC.  
Hon. Ajay Joshi, Jm.

We have heard the learned counsel for the applicant. The amendment

Note - For order dt 28-4-89  
please see back of  
petition.

(16)

Amendments have been effected in all the four copies which were filed for O/S and two more amended copies have been supplied for new order forms. Court copies also amended by

1-5-89

Amendment incorporated  
incorporated  
checked me  
malya  
2/5/89

MA. 1083/87

(15)

14.8.89

DR

On the Request of Sri L.P. Agarwal  
(19) Counsel for the Respondents, Reply may  
be filed by 6.9.89

DR  
DR

6.9.89

(20)

On the Request of the  
Counsel for the Respondents  
Reply may be filed by  
29.9.89

DR  
Regr

O.R.

No reply has been  
filed so far in the  
office - Submitted

DR  
27.9.89

29.9.89

(21)

DR

On the Request, Reply  
may be filed by 2.11.89

2.11.89

(22)

DR

Sri L.P. Agarwal Present  
for the Respondents. Reply may  
be filed by 20.12.89

DR  
DR

DR  
DR

Order Sheet-

CA 1083/87

05.7.90. Honble K. Nath, v.c.

(27)

OR.

This case has been received in the section today

at 12.30PM from Hon'ble Court. Cause

list of 12.07.90 has already been prepared, right now.

Case is submitted for orders on Expt. Appl No 893/90 in CA No 1083/87.

Case is submitted through Suppl. Cause list.

SO. 11/7

Aux 6/7

On the request of counsel for the applicant case is adjn to 12.7.90 for orders on expedite appn.

ve

12.7.90. Honble K. Nath, v.c.

On the adjournment application received from the counsel for the applicant case is adjn to 26.7.90 for orders on expedite appn.

ve

26/7/90. No sitting adjn to 9/8/90 for order.

Amil ce

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

9/8/99

Shri G. Nath, counsel for the applicant is present. List this case for hearing on 7-11-90.

V.C.

(sns)

7-11-90 - No sitting. Adjourned to 22-2-91 for hearing.

ful



## ORDER SHEET

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

O A 1003/87 AHABAD.

NO.

OF 19

J.R. Kishore &amp; Co. vs. M.D. &amp; Co.

Sl.No. 1	Date 2	Office Report 3	Orders 4
18-7-91		Available bench is busy in disposing admission and order cases of CT No 1. Adjourned to 22-10-91 for hearing.	Sush em
	Dt. 22.10.91		<p>Hon'ble Mr. D.K. Agrawal, J.M. Hon'ble Mr. K. Chayya, A.M.</p> <p>Shri Giridhar Nath learned counsel for the applicant requests for adjournment. It has been stated by learned counsel for the applicant that he has obtained consent of the counsel for the opposite parties for adjournment. Allowed. List this case for hearing on 13.12.1991.</p> <p>Rejoinder-affidavit may be taken on record.</p> <p>(RKA)</p>

PANKAJ/

P.T.O.

13-12-91

no sitting. Adjourned to 17.3.92 for hearing.

(14)

CENTRAL ADMINISTRATIVE TRIBUNAL, CIRCUIT BENCH LUCKNOW.

T.A. No. 70/92

Registration O.A. No. 1083 of 1987

Sri Jai Raj Kishore ... .. Applicant.

Versus

The Divisional Personnel Officer,  
Northern Railway, Allahabad and others ... Respondents.

Hon'ble Mr. Justice U.C. Srivastava, V.C.  
Hon'ble Mr. A.B. Gorthi, Member (A)

( By Hon. Mr. A.B. Gorthi, Member (A) )


Sri Jai Raj Kishore and his wife Smt. Savitri Devi have jointly filed this application aggrieved by order dated 16.4.1987 passed by the respondent no. 2 refusing to give employment to Smt. Savitri Devi on compassionate ground. The applicant Sri Jai Raj Kishore joined the Railway Protection Force on 16.9.1967 and discharged his duties satisfactorily till 25.8.1981. His services were terminated on the ground that he was declared medically unfit and his medical category was lowered on account of his deteriorating eye sight. The respondents, however, wrote to the applicant that he should send a letter from his wife expressing her willingness to accept the employment, which was sent. After some correspondence vide letter dated 16.4.1987, the respondents have rejected the request of Smt. Savitri Devi for appointment on compassionate ground on the ground that the matter became 5 years old, therefore, cannot be considered.

2. Without disputed the essential facts of the case, the respondents, in their counter affidavit, have reiterated that Smt. Savitri Devi was refused the appointment on compassionate ground and she was above 40 years of age at the relevant time.

3: We are of the view that keeping in view of the fact that Sri Jai Raj Kishore was discharged from duty on 25.8.1981 and that the delay in considering the request of Smt. Savitri Devi for appointment on compassionate ground was mainly due to failure of the respondents to act promptly in the matter, the respondents cannot be allowed to take the plea that the applicant came late<sup>and</sup> that as she had crossed above 40 years of age, her request for appointment cannot be conceded. The cases for appointment on compassionate ground are required to be dealt with promptly and sympathetically. The failure of the respondents to do so would negative the very concept of giving appointment on compassionate ground.

4. In these circumstances, we quash the order passed by the respondent no.2 dated 16.4.1987 (Annexure-A 7). The respondents are directed to reconsider the case of the applicant no. 2 for suitable appointment on compassionate ground giving her relaxation of age as per extant instructions within a period of 3 months from the date of communication of this judgment. The application is disposed of with the above directions. Parties to bear their own costs.

  
Member (A)

  
Vice-Chairman

Dated: 27.5.1992

(n.u.)

Reg. No. 1083 of 1987  
Central Administrative Tribunal

Additional Bench

ALLAHABAD, PATNA, JABALPUR

Date of Filing... 11/11/87 ... OR

Date of Receipt by Post

*[Signature]*  
Deputy Registrar.

A/19

IN THE HON'BLE ADMINISTRATIVE TRIBUNAL AT ALLAHABAD.

I N D E X

DIST-BARABANKI

IN

PETITION NO. OF 1987.

(Under section.19 of the Administrative Tribunal(Act1985)

BETWEEN

Sri Jai Raj Kishore, Rakshak/Allahabad

Coy 46 in RPF) (discharged) resident of

village Damodarpur, Post Jahangirabad Raj,

District : Barabanki.

*Smt. Santha Devi W/o Jai Raj Kishore*  
A N D

Petitioner No. 1  
*Petitioner No 2*

1. The Divisional Personnel Officer,

Northern Railway, Allahabad.

*Resp't No 1*

2. The Commandant Railway Protection

*Resp't No 2*

Force, Northern Railway, Allahabad

3. *Union of India*  
4. *Divisional Regional Manager N.R.P.*

*Resp't No 3*  
Respondents.  
*Resp't No 4*

Sl.No. Particulars. Page No.

- |    |  |         |
|----|--|---------|
| 1. | Petition   | 1 - 14  |
| 2. | Annexure Nos. 1 to 7.  | 15 - 26 |
| 3. | Vakalatnama  | 27      |
| 4. | Crossed Indian Postal Order<br>No. DD 533275 dt. 16.10.87 for Rs.50/-. | 2       |

*NN-10*  
Dated: October , 1987.

*[Signature]*  
Advocate

Counsel for the Petitioner

(PH)

OF 1987.

DIST. BARABANKI

(Under Section 19 of the Administrative Tribunal (Act 1985))

Date of Filing :

Registration No.:

Signature  
REGISTRAR.

In the Central Administrative  
Tribunal Additional Bench at  
Allahabad.

~~BETWEEN~~

Sri Jai Raj Kishore, Rakshak /

Allahabad Coy 46 in R.P.F.)

(discharged) resident of

village Damodarpur, Post

Jahangirabad Raj.

District Barabanki.

Sint-Sintu den 10. Jangy kintore

AND:

Petitioner No 1  
Petitioner No 2

## 1. The Divisional Personnel

Officer, North Railway,

Allahabad.

Respondent No.1

## 2. The Commandant Railway

Protection Force, Northern Railway,  
Allahabad.

Respondent No. 2

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### Details of the Petition.

0

(R) (i) Name of the Petitioner : Sri Jai Raj Kishore.

(ii) Name of Father : Sri Nand Kishore.

(iii) Designation and Office. : ~~Water Gaterer~~ in the Rakshak / RPF (Discharged) D.P.M. Office at Allahabad.

(iv) Office Address. : ~~BPF~~ Office, Allahabad.

(v) Address for service : Shri Jai Raj Kishore  
of all notices. Village -Damodarpur

Post - Jahangirabad Raj,

(b) Name and Address of the respondent - District - Barabanki.  
Smt. Sarbajit Devi, Jangipasha  
Address as of Jangipasha.

2. Particulars of the respondents.

## 2. Particulars of the respondents.

(i) Name and designation of the respondents.

(a) The Divisional Personnel

Officer DRM Office,

Northern Railway,

Allahabad. १२/११/२५

जिंदा राज १७२५

AKB

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(b) The Commandant RPF

Northern Railway,

(c) Allahabad

(ii) Office address of the : As given in 2(i) (a) &

Respondent : 2(i) (b).

(iii) Address for service : As given in 2(i) (a) and  
of all notices. 2(i) (b).

3. Particulars of the order against which

the petition is made. :

(i) Order : Order contained in  
Annexure No. 7 contained  
in document No. 220-E/RPF/  
Anu/31/86 dated 16.4.1987.

(ii) Date : 16.4.1987.

(iii) Passed by. : The Commandant RPF

Northern Railway,

Allahabad.

(iv) Subject in brief. : Refusing to consider the  
appointment of the  
petitioner<sup>is wife</sup> on the ground  
of the lapse of a period  
of five years.

6/21/87

AM

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4. Jurisdiction of the Tribunal.

: The petitioner declares that the subject matter of the order against which he wants redressal is with in the jurisdiction of the Tribunal.

5. Limitation :

The petitioner further declares that the petition is with in the limitation prescribed in Section 21 of the Administrative Tribunal Act, 1985.

6. Facts of the Case :

(A) That the petitioner served the Northern Railway as Rakshak / Allahabad Coy 46 in Railway Protection Force from 16.9.67 to 25.8.1981 and discharged his duties to the satisfaction of his superior officers.

(B) That the petitioner was laid up with fever and on 29.5.1981 ~~he~~ was admitted in the Railway Hospital in the ~~case~~ of Dr. K.G. Misra who was incharge of the indoor patents. That The petitioner was cured and at the time when he was being relieved from the hospital after

MA 27.1.1982



AIS

- 5 -

his treatment of fever, Dr. Barni who was incharge of outdoor patients pointed out redress in his eyes and referred him to Dr. N.K. Bhatnagar ( eye specialist ) for treatment. Dr. Bhatnagar kept the petitioner as an outdoor patient for treatment.

(C) That the petitioner's eye sight deteriorated very fastly by the treatment of the Railway Hospital and ultimately on 25.8.1981 Dr. N.K. Bhatnagar declared him medically unfit for any Railway work.

(D) That on the medical report of Dr. N.K. Bhatnagar the petitioner was discharged from the service without any notice or opportunity to explain his position, with effect from 26.8.1981, vide order No. 65 of 18.9.1981 which was issued on the basis of the order dated 7.9.1981 signed for Sri R.K. Ahuja, Security Officer, Allahabad. The Copy of the order is Annexed with this petition as Annexure No. I.

G212610724

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(E) That after being declared as a hopeless case in Railway hospital, the petitioner immediately started treatment of State Institute of Ophthalmology at M.D. Eye Hospital at Allahabad from 26.8.1981 where he was cured and ultimately Dr. S.K. Sachan of State Institute of M.L.N. Medical College, Allahabad gave him a certificate that he could move around and perform his duties which did not require specified visual standards. Copy of the certificate is annexed as Annexure No. 2.

(F) That in the light of the above mentioned improvement in his eye sight, the petitioner tried through various Railway Authorities to reassess his fitness for service but his efforts were all invain and he was directed to collect all his due amounts. It is pointed out that the petitioner lost his service due to negligent treatment of doctors in Railway Hospital so he deserves to be recompensated.

6/20/81 10/24

(P17)

- 7 -

- (G) That the petitioner was the only earning member of his family and his discharge from the service put him in great calamity and distress and when he found that ~~great~~ his own absorption in service is not given any consideration, he availed a provision of Railway Rules and gave an application in 1984 that his wife may *kindly* be provided suitable employment in Railways on compassionate ground.
- (H) That the petitioner received a letter No. RPF/A-II/JK/85 dated 24.12.85 from Assistant Commandant RPF Northern Railway, Allahabad directing the petitioner to send a letter of his wife expressing her willingness to accept employment, which was sent. Copy of letter is annexed herewith as Annexure No. 3 to this petition.
- (I) That in pursuance of the abovementioned correspondence the wife of the petitioner (Smt. Savitri Devi) received letters from Assistant Personnel Officer and Commandant RPF, both, to appear at interview for selection and appointment.
- (N722) (577) 211

- 8 -

- (J) That it appears that there was some confusion between the two offices ( Office of DPO and the Office of Commandant RPF ) of the Northern Railways which ultimately resulted in the negation of employment to the petitioner's wife.
- (K) That the petitioner's wife received letter No.220-E/RPF/Anu/31/86 dated 18.4.86 from the office of Assistant Commandant RPF Northern Railway, Allahabad, intimating her that she should send the discharge notice and unfit certificate of her deceased husband to enable the office to forward the matter of her employment to DRM office. The copy is annexed as Annexure No. 4 to this petition.
- (L) That it is relevant to mention here that although the petitioner is alive but all the letters received from the office of the Commandant RPF, Allahabad always mentioned his wife as widow of her deceased husband.
- (M) That it appears from letter No.CS/DPO/AA/Class IV/W/ 448 dated 14.7.86 issued from the office of

ଜୟ ଶାନ୍ତି ୧୦/୧୨

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- 9 -

DRM, Allahabad that petitioner's wife was called for interview on 3.7.86 but she could not appear on that date. The said letter is annexed herewith as Annexure No. 5.

(N) That the petitioner's wife was again called for interview on 29.9.1986 on which date the interview was postponed to 30.9.1986. On 30.9.1986, the petitioner's wife appeared in the interview and was declared selected for employment as Water Caterer. It is noteworthy that the interview letter issued to her was <sup>(retained in the office)</sup> collected and she was made to sign the Register to record her presence . She was further informed that her appointment would follow in due course .

(O) That although the petitioner's wife was already selected and assured employment yet she continued to receive letters from the office of Commandant RPF , Allahabad to appear for interview . One of such letters dated 31.12.1986 is annexed herewith as Annexure

No. 6.

गिरफ्तारी

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- (P) That the petitioner's wife abruptly received letter No. 220-E/RPF/Anu/31/86 dated 16.4.87 from the Commandant RPF, Allahabad intimating her that she ~~can~~ not be employed because her case has become five years old. The copy of the said letter is annexed herewith as Annexure No. 7 .
- (Q) That it is noteworthy to mention that the petitioner had applied for the employment of his wife very much within five years of his discharge and even the interview letters were issued considering all the attending facts and circumstances.
- (R) That the petitioner's wife succeeded<sup>ed</sup> in interview on 30.9.1986 and no<sup>new</sup> factor has intervened since then.
- (S) That it is learnt that now there does not exist any bar of five years for the appointment on compassionate grounds and the said order mentioned in the said letter is devoid of any substance.

जायरा (न) रिरे

(T) That the delay in the appointment of the

petitioner's wife has been mainly due

to the fault of the office for which she

should not be made to suffer.

(U) That the petitioner has been described as a

deceased person, his wife has been denied

employment and his request to ascertain

his fitness for work has been ignored for

which the respondents are responsible and

the petitioner deserves to be redressed and

suitably compensated.

7. Relief sought.

In view of the facts mentioned in para 6

of this petition -

(a)

The order dated 16.4.87 contained in the

document annexed as Annexure No.7 with this

petition be quashed and the wife of the

petitioner be retained in the employment

for which she was interviewed and selected.

(b)

The Commandant RPF Northern Railway be

directed to rectify its documents and

correspondences with all the concerned

(G12121410)2

departments and authorities, where ever he

has described the petitioner as the

deceased person and take steps to register <sup>deceased</sup>

and provide the petitioner with the appointment

which has been affected by the fault of the

respondents.

(c) Award suitable damages and costs to the

petitioner.

8. Interim order if prayed for :

The respondent Nos. 1 and 2 be directed

to supply the copy of the relevant Rules and

extracts <sup>to be known</sup> and make all the relevant documents

available for personal in the Hon'ble Tribunal.

9. Details of the remedies exhausted:

The petitioner declares that he has

availed of all the remedies available to be him.

(a) The mercy appeal was sent by registered

post to the Minister of Railways, New

Delhi on 29.5.1987 which was not <sup>received</sup>

acknowledged.

(b)

The petitioner sent a notice under

6/2/87 (a)

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Section 80 C.P.C. to the Commandant RPF,  
Northern Railway and the DRM Northern  
Railway, Allahabad.

10. Matter not pending with any other Court etc. :

The petitioner further declares that the  
matter regarding which this application has been  
made, is not pending before any Court of law or  
any other authority or any other Bench of the Tribunal.

11. Particulars of Bank Draft / Postal order in  
respect of the petition fee ; Crossed Indian  
Postal Order payable to the Registrar.

- (1) Number of Indian Postal Order: DD 533275  
5
- (2) Name of issuing Post Office : C.P.O. Allahabad.
- (3) Date of issue of Postal Order: 16.10.87.

12. Details of Index :

- (1) Petition.
- (2) Annexures Nos. 1 to 7
- (3) Vakalatnama
- (4) Crossed Indian Postal Order for Rs.50/-

No. DD 533275 issued on 16.10.1987.  
5

13. List of Enclosures:

- (1) Annexure Nos. 1 to 7.

(2) 22 KAT 431

A24

- 14 -

(2) Vakalatnama.

(3) Indian Postal Order.

Verification :

I, Jai Raj Kishore, aged about 35 years, resident of village Damodarpur, Post Jahangirabad Raj, District Barabanki do hereby verify that the contents from paragraph Nos. 1 to 13 are true to my personal knowledge & belief and that I have not suppressed any material fact.

PLACE : ALLAHABAD.

SIGNATURE OF THE PETITIONER.

*Girish Nath Advait*  
(Petitioner's Counsel)  
10-11-87

*Girish Nath Advait*

IN THE HON'BLE ADMINISTRATIVE TRIBUNAL AT ALLAHABAD.

ANNEXURE NO. 1

IN

PETITION NO. OF 1987.

DISTRICT : BARABANKI.

Sri Jai Raj Kishore - - - - - Petitioner.

Versus.

The Divisional Personnel Officer,  
North Railway , Allahabad. - - - Respondents.

-----  
Divl. Order No. 65 of 18.9.81.

After being declared Medically unfit for all  
coligious for further railway service by Assistant  
Divisional Medical Officer N. Railway, Allahabad we  
from 25.8.81 Sri Jai Raj Kishore s/o Sri Nand Kishore  
Rashak RPF / Allahabad Coy No. 46 discharged from service  
we from 26.8.81.

Sd/- For R.K.Ahuja,

Security Officer

Allahabad.

*Amal Kumar  
Adwal*

*गजराज अहिर*

A28

IN THE HON'BLE ADMINISTRATIVE TRIBUNAL AT ALLAHABAD.

ANNEXURE NO. 2

IN

PETITION NO. OF 1987.

DISTRICT : BARABANKI.

Sri Jai Raj Kishore - - - - - Petitioner.

Versus.

The Divisional Personnel Officer,

North Railway, Allahabad. - - - Respondents.

STATE INSTITUTE OF OPHTHALMOLOGY  
AT  
M.D.EYE HOSPITAL, ALLAHABAD.  
DATED 22.12.1982.

This is to certify that Sri Jai Raj Kishore whose signature is attested below has been under treatment of this hospital since 26.8.81 for Chronic Bilateral Uveitis (Anterior & Posterior). He has also been operated for Cataract in right eye on 11.10.82. At present his condition is established and he does not require any further treatment. He is having vision in Right eye 6/60(with+10 DPT) and in left eye 6/60(unaided). He can move around and perform duties which do not require specified visual standards.

Jai Raj Kishore

Signature  
Attested.

Sd/-S.K.Sachan.

Dr. S.K. Sachan  
Lecturer,

State Institute of Ophthalmology  
M.L.N. Medical College

Sd/-S.K.Sachan

Dr. S.K. Sachan.  
Lecturer.

State Institute of Ophthalmology  
M.L.N. Medical College.  
Allahabad.

G/22/81/10/211

इन दि हाई हानेबुल एडमिनिस्ट्रेटिव ट्रिबूनल ऐट इलाहाबाद ।

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एनेक्जर नं० ॥ 3 ॥

इन

सिविल मिस० रिट पिटीशन नं० - - - - - आफ 1987.

॥ जिला :: बाराबंकी ॥

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जय राज किशोर - - - - - पिटीशनर ।

बनाम

दि डिवीजन परनसल खाफीसर

एण्ड अदर्स - - - - - रेस्प० ।

XX

द्वारा पत्रालय

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पत्रांक आर पी एफ / ए सेकेण्ड / मै० कि० / 85 दिनांक  
24-5-85

जैराज किशोर पुत्र श्री नाथ किशोर

ग्राम - दामोदर पुर

पत्रालय - जहाँगीरा बाद ॥ बी ए डी ॥ राज

जिला - बाराबंकी ।

विषय :- नौकरी हेतु प्रार्थना पत्र

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आपको सूचित कि जाता है कि आप अपनी

पत्नी से एक अर्जी लिखवाकर भेजें कि वह नौकरी करने को

17/5/85

-25

इच्छुक या करना चाहती है जिससे अधिकतम कार्यवाही  
अविलम्ब हो सकें ।

ह0/ अपठनीय

॥ सील ॥

असिस्टेंट कमान्डेन्ट

रे0सु0बल उत्तर पेलवे

इलाहाबाद ।

॥ सत्य प्रतिलिपि ॥

*Gurdeep Singh*  
Advocate

नम्र प्रतिक्रिया

इन दि हानेबुल एडमिनिस्ट्रेटिव ट्रिबूनल ऐट इलाहाबाद ।

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एनेक्जर नं० ४

इन

सिविल मिस० रिट पिटीशन नं० - - - - - आक 1987

॥ जिला :: बाराबंकी ॥

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जैराज किशोर 5- - - - - पिटीशनर ।

बनाम

दि डिवीजन परनसल आफिसर

एण्ड अदर्स - - - - - रैस्पोंडेन्टस ।

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नं० 220-इ/आर पी एफ/एवीयू/31/86 दि०: 18-4-86

सहायक कमाण्डेण्ट / रे०सु०ब०

उत्तर रेवले इलाहाबाद ।

विषय :- श्रीमती सावित्री देवी की अनुकम्पा के आधार

पर नियुक्ति के सम्बन्ध में :-

सीनियर डी०वी०ओ० के पत्र दिनांक 10-4-86 के संदर्भ

में आपसे कहना है कि श्री स्वर्गीय जय राज किशोर का मेडिकली

अनफिट सर्टीफिकेट एवं डिस्चार्ज नोटिस संलग्न करने की कृपा

जयराज किशोर

-2-

करे ताकि मामले में पूर्ण रूप से विचार करके मामला मण्डल  
रेल प्रबन्धक के पास प्रेषित किया जा सके ।

/ हस्ताक्षर /

कमान्डेण्ट / रे० सु० ब०

इ ला हा बा द ।

॥ सील ॥

असि० कमान्डेण्ट रे० सु० ब०

उत्तर रेलवे ,

इलाहाबाद ।

॥ सत्य प्रतिलिपि ॥

जायर नि २१

Quicker with  
Advent



इन दि हानेबुल एडमिनिस्ट्रेटिव ट्रिबूनल ऐट इलाहाबाद ।

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एनेक्जरनं० ॥ 5 ॥

इन

सिविल मिस० रिट पिटीशन नं० - - - - - आफ 1987.

॥ जिला :: बाराबंकी ॥

=====

जै राज किशोर - - - - - पिटीशनर ।

बनाम

दि डिवीजन परसनल आफिसर

एण्ड अदर्स - - - - -

रेस्पोडेन्टस ।

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उत्तर रेलवे

पञ्च कि सी एस०/की०सी०ओ०/अ०आ०/श्रेणी - फोर्थ/डब्लू/448

दिनांक : 14-7-1986

कार्यालय मण्डल रेल प्रब०

उ०रे०, इलाहाबाद ।

डी०श्रीमती सावित्री देवी

पु०/पत्नी श्री जय किशोर

पता :- गाँव दौमोपुर

ठाकसर - जहाँगीरा बाद

जिला - बाराबंकी ।

विषय :- अनुकम्पा आधार पर नियुक्ति

जयराज मिश्र

-2-

इस कार्यालय के सम सख्यक पत्रांक दि० 23-6-86 द्वारा  
आपको साक्षात्कार हेतु सम कार्यालय में दिनांक 3-7-86  
को बुलाया गया था किन्तु, आप अनुपस्थित रही।  
स्पष्टीकरण करें।

ह० / अपठनीय

कृते सचिव रेल प्रबन्धक  
इलाहाबाद।

॥ सत्य प्रतिलिपि ॥

जि० २१०६१६२१

Gurukul Nish  
Advocate

1833

इन दि हानेबुल एड० ट्रिबूनल ऐट इलाहाबाद ।

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एनेक्जर नं० ॥ 6 ॥

इन

सिविल मिस्० रिट पिटीशन नं० ----- आफ 1987.

॥ जिला बाराबंकी ॥

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जै राज किशोर ----- पिटीशनर ।

बनाम

दि डिवीजन परसनल आफिसर

एण्ड अदर्स --- ----- रेसोडेन्ट ।

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नं० 220 इ/आरप्ररी०एफ/86 /8826

दि० 31-12-86.

नाम - श्रीमती सावित्री देवी

विधवा - स्व० जैराज किशोर

ग्राम - दामोदर पुर

जिला - बाराबंकी ।

विषय :- श्रीमती सावित्री देवी की अनुकम्पा के

आधार पर नियुक्ति ।

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आपका ध्यान इस कार्यालय के सम संख्यक पत्र दिनांक

-2-

20-10-86 एवं 27-11-86 की ओर आकर्षित किया जाता है

जिसके द्वारा आपको सूचित किया गया था कि आपको मण्डल

रेल प्रबन्धक द्वारा अनेक बार साक्षात्कार हेतु बुलाया गया किन्तु

आप साक्षात्कार हेतु उपस्थित नहीं हुई न ही आपने कोई जवाब

दिया आपको पुनः सूचित किया जाता है कि साक्षात्कार हेतु

उपस्थित हो अन्यथा जवाब दें। ताकि आपका केस बन्द कर दिया

जाय।

ह0/ अपठनीय

-सील-

कमाण्डेण्ट

रेलवे प्रोजेक्शन अफ़ इलाहाबाद।

प्रतिलिपि:- श्री डी पी ओ को इस कार्यालय के समसूचक पत्र  
27-11-86 के संदर्भ में :-

॥ सत्य प्रतिलिपि ॥  
जयशंकर लाल

Gundham Prasad  
Advocate

इन दि हानेबूल छुमिनिस्ट्रेटिव ट्रिबूनल ऐट इलाहाबाद ।

इन दि हानेबूल छुमिनिस्ट्रेटिव ट्रिबूनल ऐट इलाहाबाद ।

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एनेक्जर नं० १७१

इन

सिविल मिस० रिट पिटीशन नं० - - - - - आफ 1987.

जैराज किशोर --- पिटीशनर । ॥ जिला :: बाराबंकी ॥  
बनाम

दि छिवीजन परसलन आफीसर -- रेस्पोंडेंट ---  
आफीसर एण्ड अदर्स

नं०-220=ई/रे.सु.व./अनु०/31/86 दि०: 16-4-87

श्रीमती सावित्री देवी विधवा

स्व० जयराम किशोर ,

ग्राम - दामोदरपुर ,

जिला - बाराबंकी ।

विषय :- श्रीमती सावित्री देवी की अनुकम्पा के आधार

पर नियुक्ति के सम्बन्ध में :-

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उपरोक्त मामले में आपको सूचित करना है

कि आपका केस पाँच वर्ष पुराना होने के कारण टाइम वार्ड

हो चुका है अतः नियमानुसार-कूल आपकी नियुक्ति करना सम्भव

नहीं है ।

ह०/ अपठनीय

कमाण्डेण्ट / र० सु० ब० / उ० रे०

इलाहाबाद ।

जयराम किशोर

136

-2-

प्रतिलिपि :- महानिरीक्षक रेलवे सुरक्षा बल बड़ौदा हाऊस

नयी दिल्ली को इस कार्यालय के सम संख्यक पत्र

दिनांक 11-3-87 के क्रम में मं० रे० प्र०/उ० रे०/इलाहाबाद

के पत्र संख्या सी० ए० स्०/डी पी ओ / क्लास । /

डब्लू X 448 दिनांक 31-3-87 की प्रति के साथ सेवा

में सूचनार्थ प्रेषित है ।

कमाण्डेंट/रे० सु० ब०

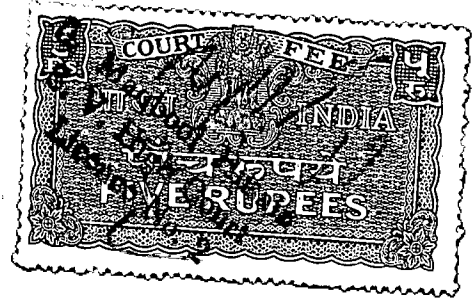
उ० रे०

इलाहाबाद ।

॥ सत्य प्रतिलिपि ॥

गवर्नर

Amol Kumar  
Amol



INTHE HONBLE ADMINISTRATIVE TRIBUNAL AT  
अभिभाषक पत्र (वकालतनामा)

ALLAHABAD

हाईकोर्ट आफ जूरीकेचर, इलाहाबाद

ज०

सन् १९७०

Shri Jaijay Krishore

वादी प्रतिवादी

अपीलान्ट

बनाम

The Divisional Personnel Officer Northern Railway  
and another

रेस्पान्डेन्ट

मैं/हम कि

जयराज ठाकुर s/o श्री नन्दकिशोर

साहिब प्रान्त दामोदरपुर पोस्ट - जलौरी कादराज

जिला - बाराबंकी

उपरोक्त प्रकरण में/हम अपनी ओर के पक्ष समर्थन के हेतु

श्री गिरधर नाथ सुन्दरकर २४७ गुहागिरा इलाहाबाद

को कानूनी निश्चित शुल्क (मेहनताना) नियत करके अपना अभिभाषक वकील (वकील) नियत करता हूँ/करते हैं। वह स्वीकार करता है/करते हैं कि उक्त सज्जन हमारी ओर से वाद-पत्र (अजीदावा), प्रतिवाद-पत्र (बयान तहरीरी), वाद स्वीकार पत्र, विवाद पत्र पुनरवलोकन एवं पुनर्निर्णय प्रार्थना पत्र (दरखास्त) शापथिक कथन (हलफनामा) प्रवचन पत्र (दरखास्त इजराय) मूजवात अपील, निगरानी इत्यादि हर प्रकार के अन्य प्रार्थना वादि एवं लेखादि की प्रतिलिपियां अपने हस्ताक्षर करके न्यायालय में प्रस्तुत करें अथवा किसी पत्र पर आवश्यकतानुसार शापथिक पुष्टीकरण करें और आवश्यक सवाल जवाब करें और लेखादि की प्रतिलिपियां एवं हमारे प्रायधन को अपने हस्ताक्षरी पावती देकर प्राप्त करें हमारी ओर से किसी को यध्य पत्र तथा साक्षी (गवाह) माने और उससे सम्बन्धित प्रार्थना-पत्र प्रस्तुत करें तथा उसका समर्थन करें तथा तसदीक करें, वाद-पत्र उठावे, छोड़े अथवा समझौता करें तथा मुलहनामा दाखिल करें तथा उसके सम्बन्ध में प्रार्थना पत्र पर दाखिल करके उसका समर्थन करें अर्थात् प्रकरण में सम्बन्ध रखने वाली कुल कार्यवाही डिप्री भर पाई होने के समय तक स्वतः या संयुक्त करें। आवश्यकता होने पर किसी अन्य वकील महोदय को वकील करें।

उक्त सभी कार्यवाही जो उक्त सज्जन करेंगे प्रत्येक दशा में अपने किये की भांति हमको/मुझको स्वतः स्वीकार होगी अगर मैं/हम कानूनी/निश्चित शुल्क उक्त सज्जन को न दे दे तो उनका अधिकार होगा कि वह हमारी ओर से मुकदमा की गैरवी न करें। उपरोक्त दशा में सज्जन का कोई उत्तरदायित्व न रहेगा।

अतएव यह अभिभाषक पत्र लिख दिया कि प्रमाण रूप से समय पर काम आये।

वकालतनामा मन्जूर है

तिथि

माह

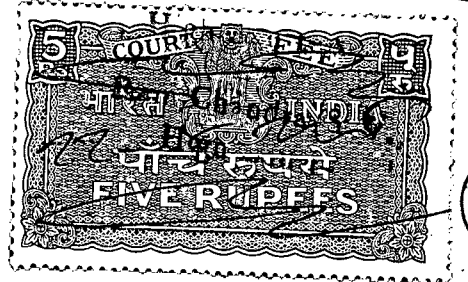
सं०

हस्ताक्षर

हस्ताक्षर

मादी

साक्षी



CENTRAL ADMINISTRATIVE TRIBUNAL AT ALLAHABAD

अभिभाषक पत्र (वेकालतनामा)

हार्डकोर्ट आफ जूडीकेचर, इलाहाबाद

ज०. Petition No 1083 of 1987 सन् १६

Jairaj Kishore

वादी प्रतिवादी

अपीलान्ट

बनाम

Divisional Personal Officer and others

वादी प्रतिवादी

रेस्पान्डेंट

मैं/हम कि सावित्री देवी पत्नी श्री जयराज किशोर

साकिन ग्राम दामोदरपुर, पोस्ट जहाँगीराबाद राज

जिला - बाराबंकी

उपरोक्त प्रकरण में/हम अपनी ओर के पक्ष समर्थन के हेतु

गिरधर नाथ

एडवोकेट हार्डकोर्ट इलाहाबाद

मुनी निश्चित शुल्क (मेहनताना) नियत करके अपना अभिभाषक वकील (वकील) नियत करता है। वह स्वीकार करता है/करते हैं कि उक्त सज्जन हमारी ओर से वाद-पत्र (अजीदावा), प्रतिवाद-पत्र (दखलनामा), वाद स्वीकार पत्र, विवाद पत्र पुनर्विलोकन एवं पुनर्निर्णय प्रार्थना पत्र (दरखास्त) एवं अन्य कथन (हलफनामा) प्रवर्तन पत्र (दरखास्त इजराय) मूजवात अपील, निगरानी इत्यादि प्रकार के अन्य प्रार्थना व्रदि एवं लेखादि की प्रतिलिपियां अपने हस्ताक्षर करके न्यायालय में प्रस्तुत करें अथवा किसी पत्र पर आवश्यकतानुसार शापथिक पुष्टीकरण करें और आवश्यक सवाल जवाब करें और लेखादि की प्रतिलिपियां एवं हमारे प्रायधन को अपने हस्ताक्षरी पावती देकर प्राप्त करें हमारी ओर से किसी को यध्य पत्र तथा साक्षी (गवाह) माने और उससे सम्बन्धित प्रार्थना-पत्र प्रस्तुत करें तथा उसका समर्थन करें तथा तसदीक करें, वाद-पत्र उठावे, छोड़े अथवा समझौता करें तथा मुलहनामा दाखिल करें तथा उसके सम्बन्ध में प्रार्थना पत्र पर दाखिल करके उसका समर्थन करें अथवा प्रकरण में सम्बन्ध रखने वाली कुल कार्यवाही डिग्री भर पाई होने के समय तक स्वतः या संयुक्त करें। आवश्यकता होने पर किसी अन्य वकील महोदय को वकील करें।

उक्त सभी कार्यवाही जो उक्त सज्जन करेंगे प्रत्येक दशा में अपने किये की भांति हमको/हमको संबंध स्वीकार होगी अगर मैं/हम कानूनी/निश्चित शुल्क उक्त सज्जन को न दें तो उनका अधिकार होगा कि वह हमारी ओर से मुकदमा की तैरवी न करें। उपरोक्त दशा में सज्जन का कोई उत्तरदायित्व न रहेगा।

अतएव यह अभिभाषक पत्र लिख दिया कि प्रमाण रूप से समय पर काम आये।

वेकालतनामा मन्जूर है

तिथि

माह

सं०

5/12/87



के समक्ष  
के न्यायालय में

Central Administrative Tribunal, AP

Reg. No. 1303/87

1083/87

Jai Kishore Raw

Vs.

U.O.P.

वादी  
प्रतिवादी

प्रतिवादी  
वादी

बनाम

दावेदार  
अपीलार्थी  
अर्जीदार  
प्रत्यार्थी

G. P. Aroor, Advocate

भारत के राष्ट्रपति इसके द्वारा श्री

की उपर्युक्त वाद/अपील/कार्यवाही में भारत संघ की ओर से उपसंजात होने, कार्य करने, आवेदन करने, अभिवचन करने और आगे कार्यवाही करने के लिए दस्तावेज दाखिल करने और वापस लेने, न्यायालय की आदेशिका स्वीकार करने काउंसेल, अधिवक्ता या प्लीडर नियुक्त करने और उन्हें अनुदेश देने, रुपया वापस लेने और उसका निक्षेप करने तथा उपर्युक्त वाद/अपील/कार्यवाही में भारत सरकार का साधारण प्रतिनिधित्व करने और भारत संघ के लिए इस प्रकार उपसंजात होने, कार्य करने, आवेदन करने, अभिवचन करने और आगे कार्यवाही करने की आनुषंगिक सभी बातें करने के लिए नियुक्त और प्राधिकृत करते हैं। किन्तु यह इस शर्त के अधीन रहते हुए होगा कि जब तक भारत सरकार के समुचित प्राधिकारी से उस निमित्त पहले ही स्पष्ट प्राधिकार प्राप्त नहीं कर लिया गया है, तब तक उक्त काउंसेल, अधिवक्ता/प्लीडर या उसके द्वारा नियुक्त काउंसेल/अधिवक्ता/प्लीडर सभी या किसी प्रतिवादी/प्रत्यार्थी/अपीलार्थी/वादी/विरोधी पक्षकार के विरुद्ध उस वाद/अपील/दावा/प्रतिरक्षा/कार्यवाही को पूर्णतः या भागतः न तो वापस लेगा, न उसका अधित्यजन करेगा, न ऐसा कोई कारर करेगा या समझौता करेगा जिसके द्वारा वाद/अपील/कार्यवाही पूर्णतः या भागतः समायोजित की जाये और न उससे उद्भूत या उससे विवाद-ग्रस्त सभी या किसी विषय को मध्यस्थ को निर्देशित करेगा, परन्तु आपवादिक परिस्थितियों में जब भारत सरकार के समुचित प्राधिकारी से परामर्श करने के लिए पर्याप्त समय नहीं है और वाद में समझौता करने में लोप करना निश्चित रूप से भारत सरकार के हित के प्रतिकूल होगा तो उक्त प्लीडर/अधिवक्ता/काउंसेल ऐसा कोई कारर या समझौता कर सकेगा जिसके द्वारा उक्त वाद/अपील/कार्यवाही पूर्णतः या भागतः समायोजित हो जाएं और ऐसे प्रत्येक मामले में उक्त काउंसेल/अधिवक्ता/प्लीडर कारर या समझौता करने के विशेष कारण बताते हुए उक्त अधिकारी को तत्काल संसूचित करेगा।

G. P. Aroor, Advocate

राष्ट्रपति इस प्राधिकार के अनुक्रम में श्री

द्वारा किए गए सभी कार्यों का अनुसमर्थन करने को सहमत हैं।

इसके सक्षयस्वरूप भारत के राष्ट्रपति के लिए और उनकी ओर से इस विलेख की आज तारीख को सम्यक रूप से निष्पादित किया जाता है।

1833

इन दि हानेबुल एड० ट्रिबूनल ऐट इलाहाबाद ।

.....

एनेक्जर नं० ॥ 6 ॥

इन

सिविल मिस्० रिट पिटीशन नं० ----- आफ 1987.

॥ जिला बाराबंकी ॥

=====

जै राज किशोर ----- पिटीशनर ।

बनाम

दि डिवीजन परसनल आफिसर

एण्ड अदर्स --- ----- रेस्पोंडेन्ट ।

XX

नं० 220 इ/आर प्री० एफ/86 /8826

दि० 31-12-86.

नाम - श्रीमती सावित्री देवी

विधवा - स्व० जैराज किशोर

ग्राम - दामोदर पुर

जिला - बाराबंकी ।

विषय :- श्रीमती सावित्री देवी की अनुकम्पा के  
आधार पर नियुक्ति ।

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आपका ध्यान इस कार्यालय के सम् संख्या पत्र दिनांक

FO 6705/90  
Date

(Ave)

(Expedite Application NO 893/90)

IN THE HON'BLE CENTRAL ADMINISTRATIVE TRIBUNAL AT  
ALLAHABAD.

MISC. APPLICATION NO. 893 OF 1990.

(Under Section 22(2) of Administrative Tribunal Act,  
1985 and Section 151 C.P.C. )

(For expeditious disposal of Petition No. 1083 of 1987,  
District Barabanki )

IN

Petition No. 1083 of 1987.

Jairaj Kishore and another. - - Petitioners.

Versus.

D.P.O. Northern Railway and

others. - - - Respondents.

To

The humble applicant Most Respectfully

Showeth as follows under :

1. That the abovementioned petition was filed on 10th November, 1987 in this Hon'ble Tribunal at Allahabad and several opportunities were given to the counsel for the respondents to file Counter affidavit but nothing has been filed on behalf of any of the respondents.

ACM

- 2 -

2. That in the light of the abovementioned facts the petition is ripe for disposal but it is understood that the petitioner will have to wait for many further more years if his petition is left on its fate to come on the list for hearing in normal course.

3. That although the petitioner is alive and in a fit state of health but in records and correspondence he is described as a dead person and that fact also forms one of the grounds in the petition. Indefinite delay in the disposal of the petition is likely to bring in material charges about the facts described in the petition.

4. That there is no legal impediment standing in the way of the immediate or early disposal of the petition.

5. That there is no interim order in favour of the petitioners and delay in the disposal of the petition will amount to denial of justice and may defeat the very purpose for which the instant petition has been filed.

6. That the petitioner will suffer mentally and physically both so long as the petition will

442

- 3 -

remain hanging for disposal but the respondents will not be affected in any way if it is decided at an early date.

7. That in the light of the facts stated above it is expedient in the interest of justice, equity and good conscience that the abovementioned petition be ordered to be listed for disposal at an early date.

P R A Y E R

It is, therefore, most respectfully prayed that the Hon<sup>ble</sup> Members of the Tribunal may graciously be pleased to order that the abovementioned petition be listed for hearing and disposal at an early date so that justice be done.



( GIRIDHAR NATH )  
ADVOCATE  
COUNSEL FOR THE PETITIONERS.

Dated: May 2 | .1990.

A13

HON'BLE CENTRAL ADMINISTRATIVE TRIBUNAL AT ALLAHABAD.

REJOINDER

IN

Petition No. 1083 of 1987

DISTRICT: BARABANKI.

Shri Jairaj Kishore. - - Petitioner.

Versus.

The D.P.O. Northern Railway and

others. - - Respondents.

Parawise reply of the petitioner to counter received on behalf of the respondents as as under :

1. That the contents of the paragraph tilted as 'Brief facts' of the counter are incorrect and misleading. The dates of appointment and the discharge of the petitioner are 16.9.1967 and 26.8.1981 respectively and not as averred in the counter. It is very vehemently controverted that the application of Smt. Savitri Devi ( Petitioner No.2) who is wife of petitioner No.1 was rejected on the ground of her being aged 40 years . Moreover, there is no provision refusing appointment ( on compassionate ground ) on such considerations . In reply the averments made in paragraph Nos. 6(A) , 6(E) , 6 (H) , 6 (I) , 6(F) and 6 (Q) are reaffirmed.

Received &  
G.P.O. 1083  
Shankar  
22/10/91

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- 2 -

2. That in reply to the contents of paragraph No.1 of the counter, the averments made in paragraphs Nos. 1 to 5 of the petition are reaffirmed.

3. That in reply to the contents of paragraphs 2 and 3 of the counter, the contents of paragraph Nos. 6(A) and 6 (B) of the petition are reaffirmed.

4. That in reply to the contents of paragraph No. 4 of the counter, the contents of paragraph Nos. 6(C), 6 (D), 6 (E) and 6 (F) of the petition are reaffirmed.

5. That in reply to the contents of paragraph No.5 of the counter, the contents of paragraphs Nos. 6 (G), 6 (H), 6 (I), 6 (J), 6 (K), 6 (L), 6 (M), 6 (N), 6 (O), 6 (P), 6 (Q), 6 (R), 6 (S), 6 (T), and 6 (U) of the petition are reaffirmed. It is further pointed out that the averments made in paragraph No.5 of the counter are incorrect, against the record and are not in accordance with. The documents supplied to the petitioner which has already been filed with the petition as Annexures.

6. That the contents of paragraph No. 6 of the counter are vehemently controverted and in reply the

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Aus

- 3 -

contents of paragraph No. 7 of the petition are reaffirmed . It is further stated that the petitioners are entitled to special costs by way of special relief for suffering mental and physical torture as the respondents have described petitioner No.1 as a dead person while he is very much alive to day also.

7. That in reply to the contents of paragraph No. 7 of the counter, the contents of paragraphs 8, 9, 10 , 11, 12 and 13 of the petition are reaffirmed.

8. That the contents of paragraph No. 8 of the counter are incorrect and misleading. This Hon'ble Tribunal is competent to quash , illegal, improper and inequities orders falling in its jurisdiction and thereby provide relief to petitioner .

9. That the contents of paragraph No. 9 of the counter are unintelligible and as such it can not be replied.

10. That the contents of paragraph No.10 of the counter are incorrect . The administration has acted, without jurisdiction, in excess of jurisdiction, in illegal exercise of jurisdiction and has further abstained to discharge its function in accordance with justice, equity and good conscience in causing injury

- 20/10/2024



A46

- 4 -

to the applicants and depriving them to which each of them was entitled and thus the petitioners are entitled to relief by this Hon'ble Tribunal.

11. That the contents of paragraph No. 11 of the counter are denied and in reply it is stated that the petition is bound to be allowed with costs.

I (Jairaj Kishore) do hereby verify that the contents of paragraph Nos. 1 to 11 of the Rejoinder are based on the record supplied to him and to his beliefs.

GTZKSKZK

(117)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD.

Restoration Application No.49 of 1989

IN

O.A.No.1083 of 1987.

Jai Raj Kishore ... Applicant.

Vs.

Divisional Personal Officer,  
Northern Rly.& others .... Respondents

Hon'ble G.S.Sharma, J.M.  
Hon'ble K.J.Raman, A.M.

This application has been moved for restoration of O.A.No.1083 of 1987, which was dismissed in default of the applicant on 4.1.89. The learned counsel contends that on account of his inability the case could not be prosecuted on the last date and he had sought adjournment by sending a slip to the Registrar. The record, however, shows that the applicant was absent even on last several dates. However, in the interest of justice, the last opportunity <sup>is</sup> be given to the applicant and the case is restored to its original number.

  
MEMBER (A).

  
MEMBER (J).

Dated:27.1.1989.

ha

ORDER SHEET

Restoration 43/89

O.A. Registration No. 1083 of 1987

(Auo)

Appellant  
Applicant

Versus

Respondent

Serial number of order and date	Brief Order, mentioning reference, if necessary	How complied with and date of compliance
23-1-89	<p><u>O.P.</u> Misc Restoration 43/89 filed D.R.T. has ordered for listing this case on 27-1-89. Submitted.</p> <p align="right"><u>Sharma</u> 23-1-89</p>	
27.1.89	<p>Hon. G.S. Sharma, J.M. Hon. K.J. Raman, AM</p> <p><del>This application has moved for restoration of O.A. No. 10 03/87 which is dismissed on 14.1.89. The learned counsel contends that on account of his inability that the case should not be prosecuted on the last date and he sought by willing to the restore, but the record shows that the applicant was absent being on last several dates. But in the interest of justice, the last opportunity be given to the applicant and the case is restored to its original number.</del></p>	

ht

AM.

J.M.

THE CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD.

MISC. APPLICATION FOR RESTORATION NO. 49 OF 1989.

IN

Registration O.A.No.1083 of 1987.

Shri Jai Roy Kishore. - - Applicant.

Versus.

Divisional Personal Officer Northern

Railway and others. - - - Respondents.

The humble petitioner Most Respectfully Showeth as under:

That the abovementioned O.A.No.1083 of 1987, Shri Jai Roy Kishore Vs. D.P.O.N.Rly.& others was fixed on 2nd Jan., 1989 but the petitioner's counsel Sri Girdhar Nath, Advocate had to leave for Delhi on 29th December, 1988 for a personal work and he came back and attended the Court on 5th Jan.1989.

That Shri Girdhar Nath, Advocate had given an application to the Registrar (J) before leaving Allahabad and had requested him to inform the concerned Hon'ble Members on 2nd January, 89 so that some longer date may be fixed in the case.

That Shri Girdhar Nath, Advocate has enquired through the enquiry register about the next date fixed in the above-mentioned case but nothing could be intimated to him till 12th January, 1989 and all of a sudden Shri Girdhar Nath, Advocate was intimated on 12th January, 1989 through a registered letter that the case was dismissed in default on 4th January, 1989.

That in the light of the abovementioned facts it is quite evident that the abovementioned dismissal in default has been done in the circumstances beyond the control of the petitioner and his counsel which deserves to be set aside otherwise petitioner will suffer irreparably.

Received  
on 17-1-89  
SM

499

list case  
before  
Bench for 27-1-89  
16/1/89

Put up before  
Bench concerned  
on 27-1-89.

DR(S)

16-1-89

150

- 2 -

P R A Y E R

It is, therefore, most respectfully prayed that the Hon'ble Members may kindly set aside their orders dated 4th January, 1989 and restore the petition to its original number for hearing so that justice may be done.

*Girdhar Nath*

( GIRDHAR NATH )  
ADVOCATE

COUNSEL FOR THE PETITIONER.

Dated: Jan. 16, 1989.

6 OF THE ADMINISTRATIVE TRIBUNAL ALLAHABAD

Misc App<sup>n</sup> No  
in

21988

Dist Barabanki

Petition No 1088 of 1987

Jaiy Kishore v 3 D PO N.R. & others

SL-6

To  
The Honble Members of the Tribunal

The humble applicant most respectfully  
sheweth as under :-

That the above mentioned case is listed to-day  
but the applicant who is counsel for the petitioner has  
to appear in his personal case in another court  
and is thus unable to attend and argue the above  
mentioned petition in this Honble Tribunal.

That in the light of the above mentioned facts & considering  
it is expedient in the interest of justice that the above mentioned  
petition be adjourned to-day and some other date be being  
fixed.

Prayer

It is therefore most respectfully prayed that the  
above mentioned petition be kindly adjourned to-day and some  
other date be kindly fixed in it and justice be done.

Prakash Nath  
26-4-88 Advocate-  
(Counsel for the petitioner)

Registered A/D

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH

23-A, Thornhill Road, Allahabad- 211 001  
\*\*\*\*\*

(Registration No. 1083 of 1907

No.CAT/A11d/Jud/

Dated \_\_\_\_\_

Jai Pray Kishore and others APPLICANT(s)

Versus

D.P.O. Northern Rly Aed RESPONDENT(s)  
and others

- (1) The D.P.O. Northern Rly Aed.
- (2) The Commandant Railway Protection Force  
N.R. Aed.
- (3) Division Regional Manager of Northern Rly  
- way

Please take notice that the applicant above named  
has presented an application a copy whereof is enclosed  
herewith which has been registered in this Tribunal and  
has fixed 22 day of May 1907 to show cause  
~~for as to why the petition may not~~  
~~be admitted~~

If, no appearance is made on your behalf, your  
pleader or by some one duly authorised to act and plead  
on your behalf in the said application, it will be heard  
and decided in your absence.

Given under my hand and the seal of the Tribunal  
this 3 day of 5 1907

Amit/

FOR Deputy Registrar(Jud)

Shri K

O/C

754 to 755

(C)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
LUCKNOW BENCH : LUCKNOW  
Opp. Residency Gandhi Bhavan, Lucknow.

No. CAT/CE/1KO/JUDL/ TA.70/92 T.L.

2/4/92

Date :

REGISTRATION NO 1083/87 OF 1991/92 (L)

Jai Raj Kishore & others Applicant.

VERSUS

D.P.O., Northern Rly. Alkhabad & others Respondents.

① S. Jai Raj Kishore, Village - Damodarapur, Post - Jahangirabad, Distt - Barabanki.

② S. G. P. Agrawal, C.A.T., BAR Association,  
23 - A, Thornhill Road,  
Alkhabad.



Please take notice that the applicant above named has presented application a copy \_\_\_\_\_ thereof is enclosed herewith which has been registered in this Tribunal and the hearing has been fixed \_\_\_\_\_ 27 \_\_\_\_\_ day of May, 1992 for hearing.

If, no appearance is made on your behalf, your pleader of, by some one duly authorised to Act and plead on your behalf in the said application, it will be heard and decided in your absence. Given under my hand and the seal of the Tribunal this 01 day of April 1992

For Deputy Registrar.

OK

M. Panda./

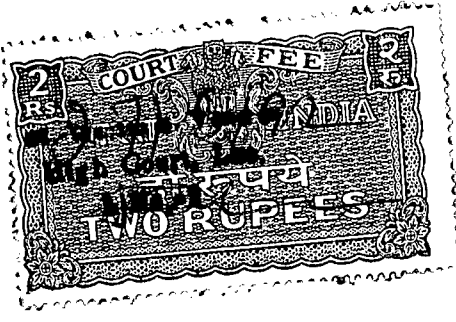
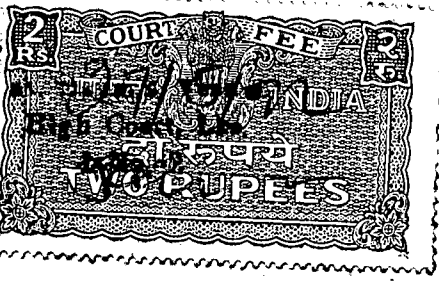


Before the <sup>Control</sup> Administrative Tribunal महोदय  
बअदालत श्रीमान

वादी (मुद्दै) Jai Raj Kishore  
प्रतिवादी (मुद्दालेह)

का वकालतनामा

2



Jai Raj Kishore 2 others — Petitioner  
वादी (मुद्दै)

D. V. Northam Railway 2 others — Respondent  
प्रतिवादी (मुद्दालेह)

नं० मुकद्दमा 1083/87 पेशी की ता० ई० 27/5/92  
सन १६ ऊपर लिखे मुकद्दमा में  
अपनी ओर से श्री विनय शंकर, एडवोकेट (रजि. सं. यू. पी. १६१३/७६)

१६४, अमीनाबाद रोड़, गनेशनगंज, लखनऊ महोदय को अपना वकील नियुक्त करके प्रतिज्ञा (इकराना) 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 लौटावे या हमारी ओर से डिगरी जारी करावें और रुपया वसूल करें या मुलहनामा या इकबाल दावा अपील अथवा निगरानी हमारी ओर से हमारे या अपने हस्ताक्षर से दाखिल करें और तस्दीक करें या मुकद्दमा उठावे या कोई रुपया जमा करें या हमारी वा बिपक्ष (फिरकसानी) का दाखिल किया रुपया अपने या हमारे हस्ताक्षर-युक्त (दस्तखती) रसीद से लेवें या पंच नियुक्त करें। वकील महोदय द्वारा की गई कार्यवाही हमको सर्वथा स्वीकार है और होगी मैं यह भी स्वीकार करता हूं कि मैं हर पेशी 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 न होगी। इसलिए यह वकालतनामा लिख दिया कि प्रमाण रहे और समय पर काम आवे।

नाम वअदालत  
नं० मुकद्दमा  
नाम वकील

Accepted  
[Signature]  
Advocate

साक्षी (गवाह) ..... साक्षी (गवाह) .....

दिनांक ..... 27/5/92 ..... महीना .....

हस्ताक्षर [Signature] 27/5/92  
[Signature]

10/4/91  
Remanded on 2/4/91  
2/4/91

C3  
K 223  
4-4-91

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD

2213

NOTICE OF MOTION

Case No. 556/91

Misc Petition No 1083 of 1987 of

in O.A./T.A. of

Jaijay Kishore and another Applicant/appallant.

Varsus

N. Rly and another Respondents/Defantial

Take notice that the court will be moved by the order signed on 4-4-91 the day of 1990 at 10.30 O'clock in the forenoon or so soon these after the noticed on their occassion can be heard.

the object of the motion is hereby indicated by

A copy of the Application is enclosed herewith. The further notice that meanwhile this court has been pleased to pass that following orders

Dated this the 22- day of March 1991

Received by  
Kishore  
2-4-91

Signature  
Gudhar Nath

Advocate of petitioner

Applicant/Appallant

or

Petition/Defandent in not

Advocate on record for the opposite party  
Respondent/Defendant.

See  
This case has  
been sent court  
No II on 7-11-90  
for F.H.  
S.L.S.  
2-4-91