

CENTRAL ADMINISTRATIVE TRIBUNAL  
LUCKNOW BENCH, LUCKNOW

INDEX SHEET

CAUSE TITLE TA 1080/87  
W.C. No. 4273/82 OF .....

NAME OF THE PARTIES Sunder Lal Applicant

Versus

Union of India & Ors Respondent

Part A.

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CERTIFICATE

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

*This file received from record room without*  
*Barter*

Checked and Dated 30-9-11

Counter Signed.....

Section Officer/In charge

*M*  
Signature of the  
Dealing Assistant

Annexure - A  
CAT- 82  
CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD  
CIRCUIT BENCH, LUCKNOW  
\*\*\*\*\*

INDEX - SHEET

CAUSE TITLE 1080 OF 1907 (T)

Name of the Parties Sunder Lal

Versus

U.O.I.

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19/4/91



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD.BENCH: ALLAHAB  
CIRCUIT BENCH LUCKNOW.

W.A. NO. 1080/87 (T)  
( W.P.NO. 4273/82 )

Sunder lalk	.....	Applicant
	Versus	
Union of India	.....	Respondents

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

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

Dated: 23.7.90.

The case is called. No one is present for the applicant today also. The writ petition concerns the selection proceedings for the post of Extra Departmental Runner culminating in the appointment of respondent No. 4 and termination of petitioner ~~some~~ <sup>time</sup> in August 1981. The Bench which dismissed the case on 20.3.90 in default of the applicant observed that the applicant has lost interest in pursuing the matter. In the absence of the applicant today also the petition is dismissed in default.

Sd/-  
A.M.

Sd/-  
V. C.

// True Copy //

*L PKB*  
Deputy Secretary  
Central Administrative Tribunal  
Lucknow Bench,  
Lucknow

*By Post*  
*1999*  
*16/8*

*Recd*  
*J. S. Singh*  
*Ac*



20/3  
Colts Counsel  
& Partner.

Order Sheet

TA no. 1080 of 87 A-3

Sundar Lal :: 2 vs :: U O L

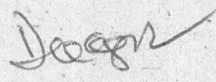
Serial Number of order and date	Brief Order, Mentioning Reference if necessary	How complied with and date of compliance
---------------------------------	--	--

20.3.1990

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

No one appears for the applicant, despite of the notice. Shri. D. Chandra, appears for the respondent Nos. 1 & 3. He files power today. It appears that the applicant has lost interest in pursuing the matter. The writ petition is dismissed without any order as to costs.

  
A.M.

  
J.M.

sd.

Hon'ble P.C Jain, A.M.  
Hon'ble T.P Sharma, J.M.

1 6/90

Sri S. Dixit, Advocate for the petitioner and Dr. D. Chandra counsel for the Union of India are present. Learned counsel for the applicant prays for one week's time to file an affidavit in support of M.P.No. 181/90. Writ ~~for~~ this case on 23-7-90 for direction in M.P. No. 181/90.

J.M.

Clerk  
A.M.

(SRS)

OK  
This Writ no 4273/82 received on transfer from Lucknow High Court along with other Writs (May 8)

On the date of transfer the case was not admitted.

Transfer notices issued by Altd office (or not received) but neither any reply nor any undelivered cover received back. Submitted for orders.

R  
5/11/89

or  
notice grieved  
28/7/90

OR  
Notices were issued on 20.2.90. Notices were sent. Conv. has been taken care of.  
S.P.O.

L  
19/1  
OR  
This case was dismissed for default on 20.2.90. He for the appeal has filed CM 101/90 for restoration.  
S.F.O.

29/3

OR  
No affidavit has been filed. Submitted to

Dinesh


order 23-7-90 in  
M.P. 101/90




28-7-1990:

Hon'ble Mr. Justice K. Nath, VC,  
Hon'ble Mr. K. Obayya, AM

The case is called. No one is present for the applicant today also. The writ petition concerns the selection proceedings for the post of Extra Departmental Runner culminating in the appointment of respondent no. 4 and termination of petitioner some time in August 1981. The Bench which dismissed the case on 20-3-1990 in default of the applicant observed that the applicant has ~~observed~~ lost interest in pursuing the matter. In the absence of the applicant today also the petition is dismissed in default.

  
(A.M.)

  
(V.C.)

ES/



A-4

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL, LUCKNOW

T.A. NO. 1080 of 1987

CM. An. No. 181/90 (L)

SUNDER LAL

Applicant

Vs.

UNION OF INDIA & others

Opposite Parties

APPLICATION FOR RESTORATION OF T.A. NO. 1080/87 UNDER RULE 15(2) OF THE CENTRAL ADMINISTRATIVE TRIBUNAL (procedure) RULES 1985

The Applicant begs to state as under:

1. That the above-said case was listed at serial no 12 on <sup>14</sup> March 20 : 1990 before the Division Bench.
2. That the counsel for the applicant, due to inadvertence, could not put his presence before the court when the case was called out.
3. That the court dismissed the said T.A. no. 1080/87 for default of the counsel for the applicant.
4. That the default of the applicant's counsel due to his non-appearance may be condoned.

Wherefore, it is prayed that the court may be pleased to condone the default of the counsel and restore the T.A. no. 1080/87 to its original number.

LUCKNOW

DATED 22.3.1990

Archilish Pandey  
Counsel for APPLICANT Adv. only

Noted for  
1-6-1990  
Archilish Pandey  
Adv.  
22.3.90

A-5

1/6

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL, LUCKNOW

T.A. NO. 1080 of 1987

C.M. Am. No. 181/90 (L)

SUNDER LAL

Applicant

Vs.

UNION OF INDIA & others

Opposite Parties

APPLICATION FOR RESTORATION OF T.A. NO. 1080/87 UNDER RULE  
15(2) OF THE CENTRAL ADMINISTRATIVE TRIBUNAL (procedure)  
RULES 1985

The Applicant begs to state as under:

1. That the above-said case was listed at serial no 12 on  
M<sup>th</sup> March 20 : 1990 before the Division Bench.
2. That the counsel for the applicant, due to inadvertence,  
could not put his presence before the court when the case  
was called out.
3. That the court dismissed the said T.A. no. 1080/87 for  
default of the counsel for the applicant.
4. That the default of the applicant's counsel due to his  
non-appearance may be condoned.

Wherefore, it is prayed that the court may be  
pleased to condone the default of the counsel and restore the  
T.A. no. 1080/87 to its original number.

LUCKNOW

DATED 22.3.1990

Architosh Pandey  
Counsel for APPLICANT *Advocate*

In The Honble High Court of C.A.T.

A 6

ब अदालत श्रीमान

MUNOW

महोदय

(वादी) अपीलान्त

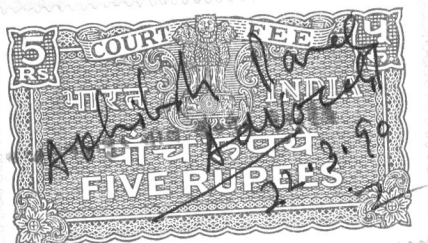
प्रतिवादी (रेस्पान्डेन्ट)

श्री

वकालतनामा

T.A.N. 1080/1987

Filed on 20-3-90



Sunder Lal

वादी (अपीलान्त)

बनाम

Union of India & others

प्रतिवादी (रेस्पान्डेन्ट)

नं० मुकद्दमा 1080 सन् १९८७

पेशी की तारीख 20-3-१९९० ई०

ऊपर मुकद्दमा में अपनी ओर से श्री

Sandeep Dixit Advocate

Akhilish Pandey Advocate

एडवोकेट/वकील

महोदय

को अपना वकील नियुक्त करके प्रतिज्ञा (इकरार) करता हूं और लिखे देता हूं कि इस मुकद्दमा में वकील महोदय स्वयं अथवा अन्य वकील द्वारा जो कुछ पैरवी व जबाबदेही व प्रश्नोत्तर करे या कोई कागज दाखिल करे या लौटावें या हमारी ओर से डिगरी जारी करावें और रुपया वसूल करें या सुलहानामा 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 हमारे विपक्षी (फरीकसानी) का दाखिल किया हुआ रुपया अपने या हमारे हस्ताक्षर युक्त (दस्तखतो) रसीद से लेवे या पंच नियुक्त कर वकील महोदय द्वारा की गई वह सब कार्यवाही हमको सर्वथा स्वीकार है और होगी इसलिए यह वकालतनामा लिख दिया कि प्रमाण रहे और समय पर काम आवे।

हस्ताक्षर

साक्षी गवाह

साक्षी [गवाह]

दिनांक

20

महीना

3

सन् १९९० ई०



CIVIL

SIDE

GENERAL INDEX

CRIMINAL

(Chapter XLI, Rules 2, 9 and 15)

Nature and number of case... *W.P. No. 4273-82*Name of parties... *Sunder Lal vs. Union of India & Ors.*Date of institution... *2-9-82*

Date of decision.....

File no.	Serial no. of paper	Description of paper	Number of sheets	Court-fee		Date of admission of paper to record	Condition of document	Remarks including date of destruction of paper, if any
				Number of stamps	Value			
1	2	3	4	5	6	7	8	9
					Rs. P.			
	1.	General Index	1					
	2.	order sheet	1					
	3.	Gravels with Annexure and affidavit	38	6	100 00			
				1	5 00			
	4.	Power	1	1	5 00			
	5.	Stay Application	2	2	5 00			
					115 00			

I have this

day of

198 ,

examined,

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

Date.....

Munsarim

Clerk

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

Writ Petition No. of 1982.

Sunder Lal. . . . . Petitioner.

Versus

Union of India and others. . . . . Opp. parties

I N D E X

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4.	Annexure No. 2 - True copy of the discharge letter of the petitioner.	24
5.	Annexure No. 3 - True copy of the <del>instructions dated</del> representation of the petitioner.	25 - 26
6.	Annexure No. 3-A - True copy of the instructions dated 3.3.1980 issued by the Asstt. Post Master General.	27 - 33
7.	Annexure No. 4 - True photostat copy of the service conditions of E.D. Agents at a glance mentioned in tabular form.	34
8.	Power. . . . .	35

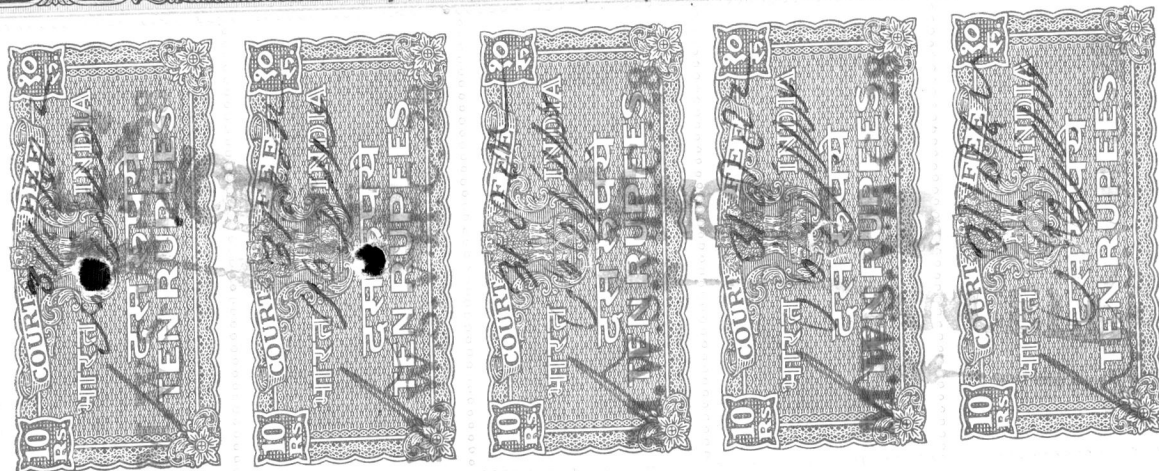
Lucknow, dated

31.8 1982.

Advocate,  
Counsel for the petitioner.

# INDIA COURT FEE

2A  
2 50 Rs.



*In the High Court of Judicature at Allahabad  
Union of India  
vs  
Sundar Lal*

*WP No 4273 of 1981*



*Sundar Lal*

*Plaintiff*

*Union of India*  
*vs*

*Oppos*

*ALL*



A-9

2A  
3

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

Writ Petition No. 4273 of 1982.

8/10

Sunder Lal, aged about 32 years, son  
of Shambhoo, resident of Bhadwara,  
Post Bulbul Newaz, Pargana and Tahsil  
Nanpara, District Bahraich.

..... Petitioner.

Versus

1. Union of India through the Post Master General, Post and Telegraph Department, Lucknow.
2. Inspector Madhyawarti (Central) Circle, Post and Telegraph Department, Bahraich.
3. Luxman Singh, Inspector Post and Telegraph Department, now posted at Head Post Office, Sitapur.
4. Lalji, son of not known, resident of Aswa Mohammadpur, Pargana and Tahsil Nanpara, District Bahraich.

..... Opposite parties.



23 of 2011

Writ Petition under Article 226 of the  
Constitution of India

Need duplicate on behalf  
of op. nos 1 & 2 for  
31-8-1982

Buyes Kumar  
Advocate  
Standing Counsel  
Central Govt  
31.8.82

MEMO  
Compressed Rs 50.00  
Five Adhesive Rs 50.00  
Total Rs 100.00

Correct but final Court fee paper  
will be made on receipt of lower  
Court record.

In time up to

Papers filed. Copy of P. O.  
should also be filed.

H. B. Bouch.

Writ of Mandamus

Q. L. S.  
31/8/82

Hon. Mr. J. S.

Hon. Mr. Deshpande

Put up tomorrow

1. 9. 82

Hon. Mr. K. J. S.  
Hon. Mr. Deshpande

For notice to O. N. S. 3 & 4

From 30. 9. 82. Leave and  
for O. N. S. 1 and 2. Prays for withdrawal

has to obtain  
mean time

2/9/82

- : 2 : -

The humble petitioner abovenamed most respectfully begs to submit as under:-

1. That originally the uncle of the petitioner Ram Bharosey was appointed and posted as Extra Departmental <sup>Revenue</sup> ~~Delivery Agent~~ and posted in the Post Office Matera and he used to carry on the postal Dak and other important material from Post Office Matera to Aswa Mohammadpur and vice-versa and he worked and discharged the functions for more than 25 years as such.

2. That Ram Bharosey son of Jodha, the uncle of the petitioner had applied for leave and in his place the petitioner was appointed as substitute and approved on the aforesaid post of Extra Departmental <sup>Revenue</sup> ~~Delivery Agent~~ on compassionate ground for the purposes of carrying the Dak etc. and accordingly the petitioner used to discharge the duties of Ram Bharosey his uncle diligently and to the entire satisfaction of the superior officials.

3. That the petitioner is being paid Rs.145/- per month from 3.9.1980 and the aforesaid salary was continuously paid till 25.5.1982.

4. That the petitioner ~~is being paid~~ was selected and appointed on the aforesaid post in July, 1981 and thereafter he had been asked to deposit a sum of Rs.1,300/- the security as per rules, by Sri Luxman Singh, Inspector for the



सुदर लाल



post of Extra Departmental Runner and accordingly the petitioner had deposited with the aforesaid Inspector a sum of Rs.1,300/- as per direction of the aforesaid Inspector in the month of August, 1981. The aforesaid amount was paid to Sri Luxman Singh, Inspector in presence of Sri Kameshwar Pandey, son of Ballabha Saran Pandey, Extra Departmental Delivery Agent of Matera, Radhey Shyam son of Ram Darshan an employee of the Post Office and posted in the Post Office Matera as he also used to carry the Dak from Matera to Aswa Molbi and vice-versa and also in presence of Sri Mishri Lal Overseer (Madhyawarti) of the Post Office.

5. That since August, 1981 i.e. from the date of payment of the aforesaid security the petitioner was ceased to be the substitute of Ram Bharose son of Josha and appointed as Extra Departmental Runner and he worked on the aforesaid post and discharged the functions as such to the entire satisfaction of the superior authorities.

6. That Sri Luxman Singh, Inspector had forced and induced Ram Bharosey to resign from the post as his nephew i.e. the petitioner had already been provisionally appointed and now he would appoint the petitioner on the regular vacancy, accordingly on the aforesaid inducement Ram Bharosey had resign from the post of Extra Departmental Runner. A true copy of the aforesaid resignation's acceptance letter is being filed herewith as Annexure No. 1 to the writ petition, but simultaneously the petitioner had also been discharged from the post of Extra Departmental Runner. A true copy of the letter of discharge of the petitioner is being filed herewith as Annexure No. 2 to the writ Petition. In place of the petitioner the opposite party No. 4 had been deputed to work and discharge the functions of Runner but neither any selection had held nor Annexures No. 1 and 2 had been given to Ram Bharosey or the petitioner but the petitioner some how or the others obtained the copies of the same for the purposes of the present writ petition.

7. That the opposite party No. 4 has neither been selected nor any selection had been ~~held~~



27-2-87

- : 4 : -

held but the opposite party No. 3 had illegally deputed him as Extra Departmental ~~Deputy~~ <sup>Receiver</sup> Agent in place of the petitioner. A/13

8. That on coming to know about the illegal acts of the opposite parties No. 2 to 3 the petitioner had made a complaint to the higher authorities but no heed had been paid and thereafter the petitioner had made several complaints to the Post Master General, Lucknow to the effect that the petitioner has been working and discharging the functions on the aforesaid post for the last two years and he had also deposited a sum of Rs.1,300/- towards the security to Sri Luxman Singh Inspector with the assurance that the aforesaid amount would be returned to him on ~~xxxx~~ furnishing the security from the society and he had been asked to work and discharge the functions of the aforesaid post and on the aforesaid place and an appointment order would be given to him later on but all of a sudden another person had been deputed and the petitioner had been asked not to work as such with immediate effect. It was also stated therein that Ram Bharosey was working on the aforesaid post but he was asked to resign from the aforesaid post with the assurance that the petitioner would be appointed in his place. Besides the above it was also stated therein that Sri Luxman Singh had taken a sum of Rs.3,000/- from the opposite party No. 4 for deputing him in place of the petitioner. A true copy of one of such representation made by the petitioner to various



23022

- : 5 : -

authorities including the Post Master General, Lucknow is being filed herewith as Annexure No. 2 to the writ petition. First of all the representation/ complaint was sent through the registered post with acknowledgement due on 2.6.1982 to the Post Master General and on 12.6.1982 to the Hon'ble Minister concerned and the aforesaid representation was also forwarded to several other authorities of the department and thereafter the reminders had been sent to them but no heed had been paid and thereafter the petitioner has sent several representations to the authorities concerned.

9. That the provisions of Rule 3 of the Service Rules for P&T Extra-Departmental Staff Section I (hereinafter referred to as Service Rules) provide for about the appointing authority of the Extra Departmental Staff which is as follows:

"3. Appointing Authority:

- (1) The appointing authority in respect of each category of employees shall be as shown in the Schedule annexed to these rules.
- (2) If any doubt arises as to who is the appropriate appointing authority in any case, the matter shall be referred to the Government, whose decision thereon shall be final."

10. That Rule 5 of the aforesaid Service



23.2.2011



- : 6 : -

Rules provides for the mode of leave to the Extra Departmental Agent and such employees will be entitled to such leave as may be determined by the Government from time to time provided that where an fails to resume duty on the expiry of the maximum period of leave admissible and granted to him or where such an employee who is granted leave for a period less than the maximum period admissible to him under these rules, remains absent from duty for any period which together with the leave granted exceeds the limit upto which he could have been granted such leave, he shall, unless the Government, in view of the exceptional circumstances of the case otherwise decides, be removed from service after following the procedure laid down in Rule 8.

11. That Rule 5(1) of the aforesaid Service Rules provides the period of leave and work being carried out by a substitute who should be person approved by the authority competent to sanction leave to him and such approval should be obtained in writing. The allowance normally payable to an Extra Departmental staff shall, during leave, be paid to the approved substitute provided and Extra Departmental Agent should be permitted ~~to~~ leave of absence for more than 90 days at a stretch which may be extended upto 180 days in exceptional circumstances by the Divisional Superintendent of Post Offices. The leave of absence in excess of 180 days may be granted by the Head of Circle only in case where



21/5/72

- : 7 : -

the necessity for leave arises due to Extra Departmental Staff officiating in a departmental post and the aforesaid leave is to be sanctioned by the appointing authority.

12. That the provisions of Rule 5(2)3. provides the mode of approval of the substitute in place of Extra Departmental Staff proceeding on leave, and provisions of Rule 5(2)4. provide the mode of arrangement in the place of an Extra Departmental Staff appointed to a regular departmental post and in the instant case Ram Bharosey was Extra Departmental ~~Deputy Agent~~ <sup>Receiver</sup> on a regular Departmental post.

13. That the provisions of Rule 5(2)8 provides for provisional appointment of the substitute till absorption of Extra Departmental Staff in regular departmental post, which is as follows:

"8. Provisional appointment of substitute till absorption of ED Agent in regular departmental post -

In para 4 above it was made clear that if an ED Agent is appointed against a regular post (departmental) such as Postman, Packer, etc. and the vacancy is of a short duration, he may provide his own substitute subject to the same conditions as in the case ED Agent proceeding on leave. If, however, an ED Agent is appointed to a regular departmental post for an indefinite period and there is no likelihood of his returning as ED Agent,



23/12/19

- : 8 : -

then the appointing authority should make arrangements to fill up the post of ED Agent in the normal manner by calling for applications. When appointment of ED Agent are made in such cases, it has to be made clear that the arrangement will continue only so long as the person originally working as ED Agent and now working as Packer, Postman, etc. is not regularly appointed to the departmental post and when he is regularly appointed as Packer, etc. the position will be reviewed. In case the original ED Agent has to revert back for want of vacancy in the departmental post, he will automatically set back to his job as ED Agent and his previous service as ED Agent will be taken into account for considering his title to ex-gratia gratuity after condoning his absence for the period he worked as Group 'D' OR Postman, etc. The provisions of para 1(5) that if an ED Agent remains on leave for more than 180 days at a stretch he shall cease to be an ED Agent, are not applicable in such cases."



14. That provision of Rule 6 of the Service Rules provides the method of termination ~~xxxx~~ of service of the employees from their respective posts and the Schedule of appointing authorities attached to Rule 5 is as under:

23/8/71



- : 9 : -

POST OFFICES

<u>Category of post.</u>	<u>Appointing Authority</u>
1. Extra Departmental Sub-Post Master.	Senior Superintendent or Superintendent of Post Office.
2. Extra Departmental Branch Post Master.	
3. Extra Departmental Messenger.	Deputy Presidency Postmaster;
4. Extra Departmental Delivery Agent.	Gazetted Postmaster including a Gazetted Sub-Postmaster
5. Extra Departmental Main Carrier or Runner.	Incharge of a Town Sub-Office;
6. Extra Departmental Packer	Postmaster in Higher or Lower
7. Extra Departmental Stamp Vendor.	Selection Grade (in his own Office) except a Postmaster
8. Extra Departmental Chowkidar.	Incharge of a Town Sub-Office;
9. Extra Departmental Mail Peon.	Inspector of Post Office (in
10. Extra Departmental Letter Box Peon.	all other offices).

15. That Section II of the aforesaid Service Rules deals the method of recruitment and Rule (1) thereof provides the instructions regarding selection of E.D. Agent which runs as follows:-

"(1) Instructions regarding selection - The question of consolidating various instructions issued from time to time governing the appointment and other service conditions of E.D. Agent has been engaging the attention of this Directorate. After careful examination of all aspects of employment of E.D. Staff, it has been decided to observe the following instructions scrupulously while making the selection of ED Agents."

- : 10 : -

16. That sub-rule 1 of Rule (1) of the aforesaid Service Rules provides for the age limit for appointment of Extra Departmental Agent and the minimum age limit for employment as Extra Departmental Agent will be 18 years and maximum age upto which an Extra Departmental Agent can be retained in service will be 65 years and the Director General, Posts and Telegraphs may consider relaxation of this age limit in exceptional cases. The instructions issued on 3.3.1980 by the Assistant Post Master General regarding the selection and appointment procedure for various Extra Departmental Staff is being filed herewith as Annexure No. 3-A to the writ petition.

17. That Section II of Service Rules provides the method of recruitment <sup>by</sup> and Rule (1) the instructions have been laid down regarding selection procedure and sub-rule 2 provides the educational qualification of various posts of Extra Departmental staff and as per aforesaid rules there is no prescribed qualification except that the applicants should have sufficient working knowledge of the regional language and simple <sup>✓</sup> arithmetic so as to be able to discharge their duties satisfactorily and the instructions dated 3.3.1981 issued by the Assistant Post Master General also provide the same qualification <sup>of</sup> and methods of recruitment of Extra Departmental Agent and in the <sup>✓</sup> instant case the petitioner having sufficient working knowledge and continued to work and discharge the functions of Runner since 1.1.1980 to 25th May, 1982 for about 2½ years

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and the salary had also been paid to him from 3.9.80 to 25.5.1982 vide pay roll No. 87.88 and as such in any case he acquired the status of the regular employees. Moreover the petitioner had also deposited a sum of Rs.1,300/- as security amount as per direction of Sri Luxman Singh the then Inspector, although as per sub-rule 5 of Rule (1) he was required to deposit a sum of Rs.1,000/- only and this also shows that the petitioner had acquired the ~~top~~ status of the regular employees.

17(a) That the petitioner is residing in the neighbouring village of the post office Matera whereas the opposite party No. 4 is residing at too distance place from Matera and as per instructions issued by the Assistant Post Master General and the Services Rules the persons who is residing either at the same place where the post office is situated from where the Dak is to be carried or in the neighbouring village could only be eligible for the appointment as Extra Departmental Runner and as such the alleged selection and appointment of opposite party No. 4 is contrary to provisions of the Service Rules and instructions issued by the authorities concerned.

18. That Rule (8) of the Service Rules provides that the appointment order should indicate that the extra Departmental Agent will be governed by P&T Extra Departmental Agent (Conduct Service) Rules, 1964 and Rule (9) provides for the provisional appointment of the Extra Departmental Agent which runs as follows:



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"(9) Provisional Appointment of ED Agents -K  
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1. It has come to the notice of this office that provisional appointments made to ED posts are being allowed to continue for indefinite periods and when regular appointments are made, the provisional appoint-  
~~xmant~~ ex persons do not readily hand over the charge. The following instructions are issued in this regard:

- (i) As far as possible, provisional appointments should be avoided. Provisional appointments should not be made to fill the vacancies caused by the retirement of ED Agents. In such cases, the appointing authority should take action well in time before the retirement of the incumbent ED Agent, to select a suitable successor.
- (ii) Wherever possible, provisional appointments should be made only for specific periods. The appointed person should be given understand that the appointment will be terminated on expiry of the specified period and that he will have no claim for regular appointment. Where a new post office is opened or where a new post is created or where an ED Agent dies while in service resigns from his post and it is not possible to make regular appointment immediately, a provisional appointment should be made for a specific period. The offer for appointment should be in the form annexed (Annexure A).

- (iii) Where an ED Agent is put off duty pending



7/3/2017

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departmental or judicial proceedings against him and it is not possible to ascertain the period by which the departmental/judicial proceedings are likely to be finalised, a provisional appointment may be made, in the form annexed (Annexure B). It should be made clear to the provisionally appointed person that if ever it is decided to reinstate the previous incumbent the provisional appointment will be terminated and that he shall have no claim to any appointment.

Even in the cases where an appointment is made to fill the vacancy caused by the dismissal/removal of an ED Agent and the dismissed/removed employee has not exhausted all channels of appeals the appointment should only be provisional. The offer for appointment should be in the form annexed (Annexure B).

2. Efforts should be made to give alternative employment to ED Agents who are appointed provisionally and subsequently discharged from service due to administrative reasons, if at the time of discharge they had put in not less than three years' service. In such cases their name should be included in the waiting list of ED Agents discharged from service, prescribed to D.G., P. & T. Letter No. 43-4/77-Pen. dated 23.2.1979.

3. These instructions may be brought to the notice of appointing authorities. (D.G., P. & T. letter No. 43-4-77-Pen dated the 18th May, 1979)."



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19. That Rule (10) of the aforesaid Section II of Service Rules provide that whenever it is proposed to appoint an ED Agent due publicity should be given to this fact. This may be done by displaying a notice giving particulars of the appointment to be made and the allowances and other conditions attached to it at the concerned post office, the police station, the panchayat office and any other public place considered suitable. (D.G., P.& T. letter No. 43-40/65-Pen dated 19th January, 1968) and Rule (10)2 provides that it has been decided that in future, a copy of the notice referred to should be sent to the District Silders, Sailers and Airmen's Board also to keep them informed of the ~~prop~~ prospective appointments, so that they may sponsor suitable disabled ex-servicemen, if available, in terms of the instructions on the subject. (P.M.G., Madras letter No. STB/68-16/70 dated the 18th March, 1972). In the instant case no such publicity was made for the appointment of the opposite party No. 4 and neither any notice had been issued nor sent to the post office concerned, police station, panchayat office or any public places considered suitable and also to the District Silders and Airmen's Board nor any information was received by any of the department concerned about the vacancy for the post of Extra Departmental <sup>✓</sup> ~~Delivery Agent~~ <sup>✓</sup> ~~Runner~~ and as such the proceedings for appointment of the opposite party No. 4 is vitiated.

20. That Rule (14) of Section II of the aforesaid Service Rules provides the provision



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of alternative appointments to the ED Agents whose services are terminated on upgrading of offices which is as follows:

"(14) Provision of alternative appointments to ED Agents whose services are terminated on upgrading of offices:

1. It has been decided that the ED Agents, whose services are to be dispensed with on departmentalisation of their office, may be provided for in other available extra-departmental posts if they are suitable and willing.
2. The matter has been examined and it has further been decided that if at the time of departmentalisation of a particular office, it is not possible to provide the discharged ED Agent in a vacancy in the vicinity/neighbourhood of his residence, his name may be kept on the waiting list and he be offered the vacancy that may become vacant subsequently in the vicinity/neighbourhood of the place of his residence. If, however, the discharged ED Agent refuses to avail himself of this opportunity, no preference for further vacancies may be given to such an agent.
3. That it may also be mentioned in this connection that while the policy should be to provide discharged ED Agents with an alternative employment near their original

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office, it should be ascertained from them if they would be prepared to accept a job at some distance from their place of residence rather than waiting for the vacancy to occur near their home station."

A true copy of the Service Conditions of ED Agents at a glance mentioned in the tabular form is being filed herewith as Annexure No. 2 to the writ petition.

21. That in the above circumstances the opposite parties No. 1 and 2 are not permitting the petitioner to work and discharge the functions of Extra Departmental <sup>✓ Receiver</sup> ~~Delivery Agent~~ and the salary to the petitioner had also not been paid since the month of June, 1982 till today and in case the opposite parties are not restrained from interfering in the working and discharging the functions of the aforesaid post by the petitioner and they are not directed to pay the salary to him, the petitioner would suffer irreparable loss and injury as there is no other source of his income and thus the opposite parties deserves to be restrained from interfering in the functioning and discharging the duties of the petitioner and they also deserve to be directed to continue to pay the salary to the petitioner as per rule.

22. That being aggrieved and having no other effective, efficacious, alternate and speedy legal remedy the petitioner begs to prefer the present writ petition on the following amongst other:

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- : G R O U N D S : -

- (a) That the petitioner has worked and discharged the duties and functions of Extra Departmental Runner for the last about 2 years and 5 months <sup>with no break</sup> and as such he has acquired the status of Regular employee, thus the actions of the opposite parties No. 2 and 3 are contrary to the provisions of law.
- (b) That the termination of the service of petitioner from the post of Extra Departmental Runner and appointment of the opposite party No. 4 is arbitrary and malafide.
- (c) That no selection for the post of Extra Departmental Runner had taken place as provided in the aforesaid Service Rules and the instructions contained in Annexure No. 3-A to the writ petition and as such the appointment of the opposite party No. 4 is illegal.
- (d) That in any case the selection for the post of Extra Departmental Runner had not been published and notified and the copy of the notification for filling up the alleged vacancy of the post of Runner had not been sent and attached at the concerned post office, police station, the panchayat office and any other public place and also sent to the District Solders, Sailers and Airmen's Board and as such



the alleged selection ~~xxxxxxxxxx~~ for the post of Extra Departmental Runner and the appointment of the opposite party No. 4 is illegal and contrary to the provisions of law.

- (e) That no such notification was issued for filling up the post of Extra Departmental Runner and as such the entire selection proceedings, if any, are vitiated.
- (f) That the petitioner is residing in the neighbouring village of Matera from where the Dak are being carried at various places and on the other hand the opposite party No. 4 is residing at too distances place from Matera and thus he was illigible for the post of Extra Departmental Runner and as such the entire proceeding for the selection and appointment of the opposite party No. 4 is invalid.
- (g) That neither any show cause notice had been issued to the petitioner nor any inquiry had been contemplated and as such the termination of the service of the petitioner is illegal and invalid.
- (h) That no opportunity of hearing had been afforded to the petitioner before the termination of his service although ~~he~~ in any case he had acquired the status of regular employee and thus the termination of the service of the petitioner is in violation of the principles

of natural justice.

- (i) That the termination of the service of the petitioner from the post of Extra Departmental Runner is contrary to the provisions of service Rules and the instructions contained therein.
- (j) That the petitioner is having sufficient working knowledge and has worked as such on the post of Extra Departmental Runner for the last 2 years and 5 months whereas the opposite party No. 4 has no knowledge and thus the petitioner should have been regularly appointed but in not doing so the opposite parties No. 2 and 3 acted contrary to the provisions of law.
- (k) That the actions of the opposite parties No. 2 and 3 are based on malafide in appointing the opposite party No. 4.
- (l) That the petitioner had deposited the security money as required under the Service Rules and as such he should have been treated as regular employee of the department and in not do so the opposite parties No. 2 and 3 have acted illegally and contrary to the provisions of law.

Wherefore, it is respectfully prayed that this Hon'ble Court may be pleased:


- i) to issue a writ , order or direction in the nature of certiorari quashing the entire selection proceedings, if any, for the post of Extra Departmental Runner and the appointment of the opposite party No. 4 and the termination of the services of the petitioner as Extra Departmental Runner after calling for the entire records of the aforesaid alleged selection proceedings and the termination of the services of the petitioner.
- ii) to issue a writ, order or direction in the nature of quo-warranto directing the opposite parties No. 1 and 2 to restrain the opposite party No. 4 from working and discharging the functions ~~of the~~ ~~of the~~ of the Extra Departmental Runner.
- iii) to issue a writ, order or direction in the nature of mandamus directing the opposite parties No. 1 and 2 to decide the representation of the petitioner as contained in Annexure No. 3.
- iv) to issue such other writ, order or direction as deemed just and proper in the circumstances of the case and to which the petitioner is found entitled to.
- v) to award the cost of the writ petition in favour of the petitioner.

2302C-1101




v1) to waive off the statutory period of notice to the Standing Counsel for the Central Government as the matter is urgent in nature.

Lucknow, dated  
31.8-1982.

  
Advocate,  
Counsel for the petitioner

Certified that there is no defect in filing the aforesaid writ petition.

  
Advocate,  
Counsel for the petitioner.

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In the High Court of Judicature at Madras

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Samir Lal

Petitioner

vs

Union of India & Co

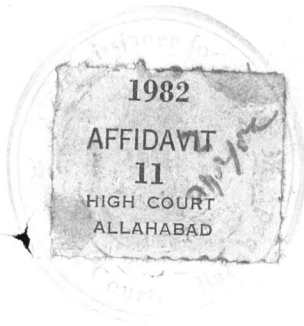
Opposite



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

Writ Petition No. of 1982.



Sunder Lal. . . . . Petitioners

Versus

Union of India and others. . . . . Opp. parties

AFFIDAVIT

I, Sunder Lal, aged about 32 years, son of Shambhoo, resident of Bhadwara, Post Bulbul Newaz, Pargana and Tahsil Nanpara, District Bahraich, do hereby solemnly affirm and state as under:

1. That the deponent is the petitioner in the abovenoted writ petition and as such he is fully conversant with the facts deposed to hereinafter.
2. That the contents of paragraphs 1 to 21 of ~~this affidavit~~ the accompanying writ petition are true to my own knowledge.

3/8/82

Lucknow, dated

Deponent.

7-8-1982.

I, the deponent abovenamed do hereby verify that the contents of paragraphs 1 and 2 of





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this affidavit are true to my own knowledge no part  
 of it is affidavit are true to my own knowledge, no  
 part of it is false and nothing material has been  
 concealed, so help me God.

Lucknow, dated




21-5-1982.

29/5/82

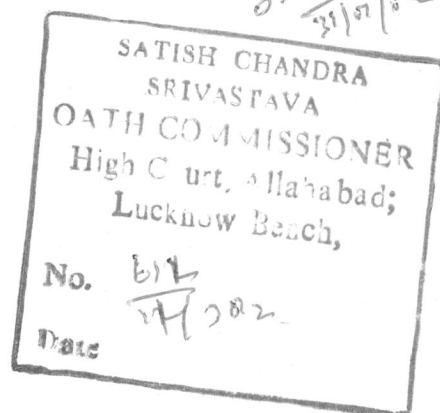
Deponent.

I, after perusal of records identify the deponent  
 abovenamed who has signed this affidavit before me.

  
 Advocate.

Solemnly affirmed before me on 21-5-82  
 at 8 W A.M./P.M. by   
 the deponent who has been identified by  
 Sri   
 Clerk to Sri   
 Advocate High Court, Allahabad.

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



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इन दी आनरेबुल हाई कोर्ट आफ जूडीकेचर एट इलाहाबाद ।

॥ लखनऊ बेंच ॥ लखनऊ

रिट पिटीशन नम्बर

आफ 1982

8/34

सुन्दर लाल

पिटीशनर

बनाम

यूनियन आफ इंडिया आदि

आपोजिट पारटीज

अनेग्जर नम्बर ।

भारतीय डाक-तार विभाग

श्री राम भरोसे  
इ० डी० आर० अख्ता मो० पुर  
नि० ग्रा० भदवारा,  
पो० बुल बुल नेवाज, बहराइच ।

ए/ आख्या मो० पुर बहराइच 19.5.82

आप दिनांक 1.1.81 से लगातार अपनी ड्यूटी से अनुपस्थिति रहे हैं और आपके स्थान पर श्री सुन्दर लाल इ० डी० रनर ~~अख्ता मो० पुर~~ के पद से पर कार्य करते रहे हैं ।

दिनांक 13.4.82 को दिया इ० डी० रनर अख्ता मो० पुर के पद से त्याग पत्र स्वीकार किया जाता है ।

लक्ष्मण सिंह

उप आण्ड्रीय डाक निरीक्षक

बहराइच सं० य०



सुन्दर लाल

सत्य प्रतिलिपि

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इन दी आनरेबुल हाई कोर्ट आफ जूडीकेचर एट इलाहाबाद ।

॥ लखनऊ बेंच ॥ लखनऊ ।

रिट पिटीशन नम्बर

आफ 1982

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सुन्दर लाल

पिटीशनर

बनाम

यूनियन आफ इंडिया आदि

आपोजिट पारटीज

अनेग्जर नम्बर 2

भारतीय डाक तार विभाग

ए/ज्ञापन अलवा मो० पुर बहराइच 19.5.82

श्री राम भरोसे डी० रनर का त्याग पत्र स्वीकार कर लिए जाने के कारण उनके स्थानापन्न श्री सुन्दर लाल को तुरन्त कार्य मकत किए जाने का आदेश दिया जाता है ।

शाखा डाकपाल अलवा मोहम्मद पुर उक्त पद पर नियुक्ति होने तक अपने उत्तरदायित्व पर किसी व्यक्ति को लगाकर सूचित करें ।

चार्ज रिपोर्ट भेजें ।

प्रार्थी

लक्ष्मण सिंह

उप प्रखण्डीय डाक निरीक्षक

बहराइच मध्य

प्रतिलिपि :-

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शाखा डाकपाल करेरा को सूचित

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शाखा डाक पाल अलवा मो० पुर ।

सत्य प्रतिलिपि



सुन्दर लाल



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इन दी आनरेबुल हाई कोर्ट आफ जूडीकेचर एट इलाहाबाद ।

॥ लखनऊ बेन्च ॥ लखनऊ ।

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रिट पिटीशन नम्बर

आफ 1982

सुन्दर लाल

पिटीशनर

बनाम

यूनियन आफ इड़िया आदि

आपोजिट पारटीज

अनेग्जर नम्बर 3

श्रीमान पोस्ट मास्टर जनरल, लखनऊ ।

सेवा में,

सविनय निवेदन हैं कि प्रार्थी गत 2 वर्षों से ब डो डी0 आर0

असवा मोहम्मद पुर बी0 ओ0 के पद पर लगातार कार्य करता चला आ रहा

था । प्रार्थी की नियुक्ति जुलाई 1981 में हो गई थी और इसके ~~समय~~

पश्चात इस सम्बन्ध में श्री लक्ष्मण सिंह निरीक्षक डाक विभाग बहराइच ~~महोदय~~

ने मु0 1300/- तेरह सौ रुपया मा ~~मा~~ जमानत का धन बता करके लिया और कहा

कि सोसायटी की पक्की जमानत हो जाने पर तुम्हारा यह धन मु0 1300/=

तुम्हें वापस कर दिया जावेगा जो अभी तक वापस नहीं किया गया । प्रार्थी

को अन्धकार में रखाकर निरीक्षक महोदय ने प्रार्थी के दसों उंगलियों के निशान

ऊचाई एवं शरीर में कोई अन्य निशान भी लेकर अपने पास रख लिया और कहते

रहें कि कार्य सरकारी करते रहिए। और यदि कोई शिकायत किसी अधिकारी

से की तो तुम्हारी नियुक्ति रद्द कर दी जायेगी लेकिन दो वर्षों से अधिक कार्य

कर लेने के ~~बाद~~ बाद अचानक निरीक्षक महोदय ने एक रजिस्ट्री बी0पी0एम0 असवा

मोहम्मदपुर को भेजकर मुझे कार्य से अविलम्ब हटा देने को आदेश दिया और मुझे



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दिनांक 25.5.82 को बाद दोपहर कार्य से मुक्त कर दिया गया ।

मेरे चाचा राम भरोसे जो इ0 डी0 आर के पद पर असा मोहम्मदपुर में कार्य करते थे उनको यह बाश्वासन देकर कि मैं तुम्हारे भतीजे सुन्दर लाल को तुम्हारे स्थान पर नियुक्ति कर दूंगा और इसी शर्त पर उनसे त्यागपत्र भी ले लिया उनकी सेवाओं पर भी विचार न ही किया और उनके हाथ से नौकरी भी ले ली और उन्हें कार्य मुक्त कर दिया । और प्रार्थी को भी बिना कारण उक्त पद से हटा दिया ।

अतः श्रीमान जी से प्रार्थना है कि 2 वर्षों से अधिक कार्य कर लेने के बाद हमसे कौन सी कमी आ जाने से हमें सेवा से मुक्त कर दिया गया इसके सम्बन्ध में जानकारी दिलवाया जाये ।

कृपा करके मेरा धन मु0 1300/= स्पर्षी अवलम्ब वापस कराया जाए एवं अनिमित्त नियुक्ति जो डाक निरीक्षक महोदय ॥ मध्यवर्ती ॥ बहराइन श्री लक्ष्मण सिंह ने मु0 3000/= रिश्त लेकर की गयी है जाँच कराके निरस्त कराई जायें ।



विभाग में कार्यरत जिन व्यक्तियों के सम्बन्ध मुझे जमानत का पैसा बताकर मु0 1300/= स्पर्षा लिया गया जो यहाँ से कोर्ट तक गवाही देने को तैयार है मुझे श्री लक्ष्मण सिंह डाक निरीक्षक से पैसा दिलवाया जाये प्रार्थी एक निस्हाय गरीब हरिजन व्यक्ति है ।

अतः श्रीमान जी से प्रार्थना है कि प्रार्थी को न्याय दिलवाया जा जाए । महान कृपा होगी ।

प्रार्थी

सुन्दर लाल पुत्र शम्भू

इ0 डी0 आर0 असा, मोहम्मदपुर

बहराइन

14-6-82

सुन्दर लाल

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

....

Writ Petition No. .... of 1982

Sunder Lal ... .. Petitioner.

Versus

Union of India and others ... .. Opposite Parties.

Annexure No. 3-A

Copy of letter no.43-84/80-Pen dated 30-1-1981  
from Director General Posts and Telegraphs, New Delhi  
addressed to All Kheads of Postal Circles.

.....

Sub:- Service Conditions of Extra Departmental Agents.

The question of consolidating various  
instructions issued from time to time governing the appoin-  
tment and other service conditions of Extra Departmental  
Agents has been engaging the attention of this Directorate.  
After careful examination of all aspect of employment of E.D.  
Staff, it has been decided to observe the following  
instructions scrupulously while making selection of Extra  
Departmental Agents.

1. Age:

The minimum age limit for employment as  
E.D.A. will be 18 years and maximum age upto which on



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-2-

E.D.A. can be retained in service will be 65 years. The Director General, Posts and Telegraphs may consider relaxation of this age limit in exceptional cases.

A/08

2. Educational qualification:

ED Sub Postmasters, ED Branch Postmasters & ED Delivery Agents Vill Standard (matriculation or equivalent may be preferred.

ED Stamp Vendors VI standard (VIII Standard may be preferred.

All other categories of EDAS. should have sufficient working knowledge of the regional language and simple arithmetic so as to be able to discharge their duties satisfactorily. Categories such as ED messengers should also have enough working knowledge of English.

3. Income and Ownership of Property

The person who takes over the agency (EDSPM/EDBPM) must be one who has in adequate means of livelihood.

The person selected for the post of EDSPM/EDBPM must be able to offer office space to serve as the agency premises for postal operations. The rent upto Rs.10/- payable heretofore under ~~the~~ this Directorate letter no.



230425/11/1



A-39

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8/40

14-15/62-~~ED~~ dated 21.1.63 will cease to be payable with immediate effect. The premises must be such as will serve as a small postal office with provision for installation of even a POC (Business premises, such as shops etc., may be preferred).

4. (1) The Extra Departmental Branch Postmaster EDSFMs must be a ~~per~~ permanent resident of the village where the post office is located. He should be able to attend to the post office work as required of him keeping in view of the time of receipt, despatch and delivery of mails which need not be adopted to suit his convenience or his main avocation.

(ii) ED Mail Carriers, Runners and Mail Peons should reside in the station of the main post office or stage where from mails originate/terminate i.e. they should be permanent residents of the delivery jurisdiction of the post office.

(iii) E.D. A of other categories may as far as possible reside in or near the place of their work. (letter no.5-9-/72-ED Cell, dated 18.8.73 and 43-312/78 Pen dated 20-1-79 stand modified to this extent).

5. Security

EDAs of all categories except EDDAs should furnish security of Rs.1,000/- subject to the condition that the amount of security should be increased/decreased so as to



23042-1101

A-110

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-4-

X/11

be equal to the amount of cash and valuables that is authorised to be entrusted to them under the orders of Divisional Superintendent or the Head of the Circle as the case may be. In the case of EDAs who have furnished security in the form of security bond, the above decision may be given effect to on the expiry of the current term of the bond (letter No.15-1/72 Ed Coll, dated 18.8.73 stands superceded).

6. Preferential Categories

The last orders issued in this connection under letter no.43-191/79 Pen dated 22.6.79 fixing the four preferential categories according to the earlier orders issued vide this Directorate later no.43-14/72 Pen dated 2.3.72, no.43-246/77-Pen dated 8.3.78 to Scheduled caste and Scheduled Tribes candidates and no.43-231/78-Pen dated 17-2-79 (regarding Ex-Army Postal service Personnel), No.43-312/78-Pen dated 20-1-79 (regarding Backward classes and weaker sections of society) and to the educated unemployed persons, it is clarified that the above preference should be subject to first and foremost that the candidate selected should have an adequate means of livelihood, which though already prescribed, seems to have been ignored for time past especially in view those preferential categories being introduced in the above orders The criterion to judge "adequate means of livelihood" should be that in case he loses his main source of income, he should be ~~adjudged~~ adjudged as incurring a disqualification to continue as EDBPM/EDSPM.

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In other words, there must be absolute insistence on the adequate source of income of the EDBPM/EDSPM and the allowing for his work as EDBPM/EDSPM must be just supplementary to his income. To ensure this condition the candidate must be ~~able~~ able to offer office space to serve as the agency premises for postal operations as well as a public call office (there being now no provision for paying any amount as rent for the premises) and as such business premises such as shops etc. Must be preferred, regardless of the various categories of preference mentioned above.

The preference earlier given to backward classes and weaker section of a society stipulated under this Directorate to letter no. 34 43-312 /78 Pen dated 20-1-79 should be dispensed with as no such categories have been defined on an All India Basis.

For the B.L. posts other than those of EDBPM/EDSPMs preferences to scheduled caste/tribe candidates may still be given in order to ensure the minimum fixed percentage on laid down for group 'C' and 'D' cadres in these communities in respect of employment of E.D. staff of those categories as laid down in letter no. 43-117/80-Pen dated 8.10.80.

7. Hind version will follow.

Sd/-  
(S.P. Rai)  
Director (ETP)



23-4-81

A-45

## ORDER SHEET

IN THE HIGH COURT OF JUDICATURE AT ALLAHABAD

A/L3

W.P. No. 4273 of 1982  
 Sunder Lal vs. Union of India & ors.

Date	Note of progress of proceedings and routine orders	Dated of which case is adjourned
1	2	3
1.9.02	Hon. K.N. Goyal, J. Hon. R.C.D. Sharma, J.  Put up tomorrow	
	1.9.02	
2.9.02	Hon. K.N. Goyal, J. Hon. R.C.D. Sharma, J.  Issue notice to O.P.s 3 & 4. Fixing 30.9.02. Learned Counsel for O.P.s 1 and 2 prays for and is allowed. Time to obtain instruction in the mean time	
	Sd/- K.N. Goyal Sd/- R.C.D. Sharma 2.9.02	
2.9.02	C.M. Application No. 8855(10)-02  Hon. K.N. Goyal, J. Hon. R.C.D. Sharma, J. Put up with writ Petition	
	Sd/- K.N. Goyal Sd/- R.C.D. Sharma 2.9.02	

 Read by  
 21/5/82



A-46-

Date	Note of progress of proceedings and routine orders	Dated which case is adjourned
1	2	3
	<p>30-9-82 fixed for attendance and for filing of A. in U2 on Cal No 8855 (U2) - 82</p> <p>H. J. to Cal No 3 and 4 by H. J.</p> <p>30.9.82</p>	<p>Ry el</p> <p>G. J. 2471</p>
20/9/82	<p>Hobbes v. Hobbes</p> <p>The learned counsel for the opposite parties prays for and is allowed for four weeks time to file a counter affidavit.</p> <p>30.9.1982</p>	
22.X.83	<p>Service report in WJEMMA. 8855 @ 82 of U2. Represented by CSC of 324. Not received since 8.9.82</p>	
24.X.83	<p>Alleged</p> <p>Notice on behalf of obs 1+2 has been accepted by Shri Brijesh Kumar standing Counsel for obs 1 and 2. Service on obs 3 and 4</p>	<p>Submitted</p> <p>20/10/83</p>

PSUP—A.P. 30 Uch Nyalaya—25-1-82—(3516)—1982—50,000 (E)

deemed sufficient under Ch. VIII rule 12 of Rules of Court  
 Order to proceed.

Ry

24.X.83

# ORDER SHEET

IN THE HIGH COURT OF JUDICATURE AT ALLAHABAD

No. 4273 of 1982  
vs. \_\_\_\_\_

A-47

A/431

Date	Note of progress of proceedings and routine orders	Date to which case is adjourned
1	2	3
13.1.84	Fixed with CN 8855 (W) 2 Hon. K.N. Singh J. Hon. R.A.M. P.O. on the illness slip. fo	fo
8.2.84	Fixed with CN 8855 (W) 2 Hon. D.N. Jha J. Hon. S.S.A. J. fo	fo
11.7.84	Wait with CN 8855 (W) 2 fo Hon. R.N.M. J. Hon. S.S.A. J. List again showing the name of Sri H.N. Tila hri, Standing Counsel for Central Government, List in the next week. fo	fo

11.2.84  
1285

fo

~~A-45~~

2

A-40

Date	Note of progress of proceedings and routine orders	Date to which case is adjourned	
1	19.7.84 2 fo	3	4

# ORDER SHEET

IN THE HIGH COURT

JUDICATURE AT ALLAHABAD

No.

4273

of 1982

25.

A/S

Date	Note of progress of proceedings and routine orders	Date of which case is adjourned
1	2	3
11.10.84	Fixed for order Hon. K. N. G. J. Hon. B. K. J.	
17.10.84	Hon. K. N. G. J. Hon. B. K. J.	
23.10.84	Hon. K. N. G. J. Hon. B. K. J.	
1.11.84	Wait for order	
5.11.84	Hon. K. N. G. J. Hon. B. K. J. Hon. B. Kumer J. List before a bench of which I am not a member. Hon. K. N. Goyal J. I agree.	
		5.11.84
		5.11.84



A-50

Date	Note of progress of proceedings and routine orders	Date to which case is adjourned	
1	2	3	
	<p>Hon. K.M. Goyal J.</p> <p>Hon. B. Kumar J.</p> <p>List before the other bench in the next week for orders.</p>		
	<p>me</p> <p>5.11.84</p>		
	<p>16.11.84</p>		
	<p>3</p>		
	<p>Prinl</p> <p>27.11.84 B.6</p>		7
	<p>4/11/84</p>		
	<p>4/11/84</p> <p>4/11/84</p>		
	<p>50</p>		
	<p>AK</p>		
	<p>21.11.84 writ for orders</p>		
	<p>28.11.84</p> <p>He-V.C.S. &amp;</p> <p>He-SCN &amp;</p> <p>learned counsel for the petitioner refers to Rule 6 which has been referred to in paragraph 19 of the writ petition</p>		

A-51

W. P.

No.

4273

of 1982

vs.

Date	Note of progress of proceedings and routine orders	Date of which case is adjourned
1	2	3
	but this Rule is neither available with the petitioner's counsel nor with the learned counsel for the Central government. List in the next week.	
		28-11-1944.
	5.12.44	
5.12.44	Mon. K.N.G. 9 Mon. B.K. 9	
12/12/44	Mon. K.N.G. 9 Mon. B.K. 9	
1.1.45	Write for order Mon. S.S.H. 5 Mon. B.K. 5	



No. STA/-67/80/81/10 Dated at Lucknow, the 19.2.1981.

Copy forwarded for information, guidance and necessary

action to:-

1. The Director Postal Services Lucknow/Kanpur/  
Dehradun/Varanasi Regions and Director Postal Services  
(H.Q.) C.O.
2. All SSPOs/SSRMS/SPOs/ SRMs in U.P. Circle.
3. The Postmasters Lucknow/Kanpur.
4. The Supdt. P.S.D. Aligarh /Lucknow/Varanasi /  
Saharanpur Bareilly.
5. All officers/ASPOs/I, is in Circle Office.
6. The A.O.ICO(SB) Lucknow/Agra/Varanasi/Dehradun.
7. All the postmasters in H.P.Os in U.P. Circle.
8. VID/RECTT.Planning sections, C.C.

All the recruiting units should take a complete  
note of the orders above and comply with those before making  
any appointment in E.D.cadre hence forward.

All the communications referred to in D.G's  
letter under circulation were endorsed vide this office  
endst. Nos. STA/- 67/Corr/73/5 dated 10-10-73, STA A-6773  
-74/5 dated 30-1-79, STA/A-67/79/5 dated 21.1.79, STA/A-67/71/5



23-42-11/1



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dated 11-3-72, STA/A-67/73-74/5 dated 18.4.78, STA/A-67/79/5  
dated 9.3.79 and STA/A-67/80/10 dated 3.1.80.

The receipt of this letter may please to acknowledge.

(R.P.SINGH)

Asstt. Postmaster General (Staff)

Endt. No.A.Rlg. dt.at Sul. the 3.3.81

Copy forwarded for information as necessary action.

1. SPM M.Khanna/Kanpur/Amethi
2. P.M.Sul.
3. As Pos.(S) Sul.
4. I.Pos. West/East/Amethi/North(Sul)
5. Spare.

Superintendent Post Offices

Sultanpur.



27042-1111

A-44

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3834

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

Writ Petition No. of 1982.

Sunder Lal.

...

Petitioner.

Versus

Union of India and others.

...

Opp. parties.

ANNEXURE No. 2

**Appointment and Service Condition of E.D. Agents at a Glance**  
(Effective from 30-1-1981)

Sl. No.	Category	Age limit	Educational qualification	Property qualification	Residential qualification	Remarks
1.	E.D. S.M.P.  D.G. can consider relaxation of age limit in exceptional cases	Min-18 Y Max-65 Y	VIII Std (Matriculation or equivalent preferred)	Must have adequate means of livelihood. Must be able to offer office space as will serve as a small PO with provision for installation of even P.C.G.	Permanent resident of the village where the PO is located. Should be able to attend the PO work as required of him keeping in view time of receipt and despatch and delivery of mails which need not be adapted to suit his convenience or his main avocation.	Preferential order 1. SC/ST 2. Ex Servicemen army postal service personnel. 3. Educated unemployed persons.  -do-  Preference to SC/ST to be given in order to ensure the minimum fixed percentage as laid down for Group 'C' & 'D' cadre in these communities in respect of ED staff of these categories.
2.	ED B.P.M.	-do-	-do-	-do-	As far as possible to reside in or near the place of their work.	
3.	ED Agents	-do-	-do-	-do-	EDMCs, Runner, Mail Peon should be permanent residents of delivery jurisdiction of the PO. EDAs of other categories as far as possible to reside in or near the place of their work.	
4.	ED Stamp Vendor	-do-	VI Std (VIII Std preferred)			
5.	All other categories of ED Agents	-do-	Should have sufficient working knowledge of regional language and simple Arithmetic. Categories such as ED Mgrs. should have enough working knowledge of English.			

3/4/81



A-53

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ब अदालत श्रीमान होद महेदय महोदय  
(17/10/11)

वादी (मुद्दै)  
प्रतिवादी (मुद्दालेह)

का वकालत



Qw:  
3/52  
31/8

अमर लाल

वादी (मुद्दै)

बनाम

मुनिमन लाल प्रतिवादी (मुद्दालेह)

नं० मुकद्दमा सन् १६ पेशी की ता० १६ ई०  
ऊपर लिखे मुकद्दमा में अपनी ओर से श्री

एडवोकेट

मुकद्दमा २० जाल २०११ वकील महोदय

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

हस्ताक्षर मुकद्दम लाल

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

दिनांक ..... महीना

नाम अदालत

नं० मुकद्दमा

नाम फरीकित

A-54  $\frac{2B}{1}$

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

Civil Misc. An. No.

88556  
(W) of 1982.

In re:

Writ Petition No.

4273 of 1982.



Sunder Lal, aged about 32 years, son  
of Shembhoo, resident of Bhadwara,  
Post Bulbul Newaz, Pargana and Tahsil  
Nanpara, District Bahraich.

..... Petitioner.

Versus

1. Union of India through the Post Master General,  
Posts and Telegraphs Department, Lucknow.
2. Inspector Madhawarti (Central) Circle, Posts  
and Telegraphs Department, Bahraich.
3. Luxman Singh, Inspector, Posts and Telegraphs  
Department, now posted at Head Post Office,  
Sitapur.
4. Lalji, Son of not known, resident of Aswa  
Mohammadpur, Pargana and Tahsil Nanpara,  
District Bahraich.

..... Opposite  
parties.

Application for Interim Relief

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A-55

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The humble petitioner abovenamed most respectfully begs to submit as under:-

8/51

That in view of facts and circumstances stated in the accompanying writ petition duly supported by an affidavit, it is respectfully prayed that this Hon'ble Court may be pleased to restrain the opposite parties not to interfere in the working and discharging the functions of the petitioner as Extra Departmental ~~Runner~~ ~~Delivery Agent~~ and they be further directed to continue to pay the salary to the petitioner as per rule during the pendency of the aforesaid writ petition. Such other order as deemed just and proper in the circumstances of the case be also passed.

Lucknow, dated  
31.8.1982.

  
Advocate,  
Counsel for the petitioner.

8/5.

प्रकीर्णक (मुतफरिफ) प्राथना सं ..... सं। २८ सं  
 ..... *bp* ..... सं. *4273* सं। २८ *४२* ..... सं. में  
 ..... *second lab* ..... प्राथनी

..... Union of India with .....  
 ..... Laxman Singh. Inspector  
 ..... Post and Telegraphs Department now residing at  
 ..... Head office. Alapat. ....

चूँकि ऊपर लिखे प्रार्थना ने इस स्यायालय में उपयुक्त लिखे सुकदमों के संबंध में.....  
 .....के लिए प्रार्थना पत्र दिया है, अतः आपको आदेश दिया जाता है  
 कि आप दिनांक... 30... 7 माह सन् 198 ई० 82.....को या उससे पहले  
 उपस्थित हो कर कारण बतलायें कि प्रार्थना पत्र क्यों न स्वीकार कर लिया जाय। उक्त  
 प्रार्थना पत्र की सुनवाई उसके बाद नियमानुसार विज्ञापित किसी और दिन होगी।

विदित हो कि यदि आप ऊपर लिखे दिनांक पर या उससे पहले स्वयं अथवा किसी एडवोकेट या ऐसे व्यक्ति द्वारा, जो आपकी ओर से कार्य करने के लिए कानूनन अधिकृत हो, उपस्थित न होंगे तो उस प्रार्थना पत्र की सुनवाई और निर्णय आपकी अनुपस्थिति में हो जायेगा ।

मेरे हस्ताक्षर और चायालय की मोहर से आज दिनांक ०१..... माह ०२.....  
सन्..... ०१..... को जारी किया गया ।  
.....के एडवोकेट  
तिथि:.....

डिप्टी रजिस्ट्रार  
इलाहाबाद/लखनऊ

सूचना : इस न्यायालय की 1952 की नियमावली के अध्याय 37 नियम 2 के आधीन प्राप्त तत्त्वाना मिल गया ।

तलवाना प्राप्त करने वाले क्लर्क के हस्ताक्षर



:- हाई कोर्ट इलाहाबाद, लखनऊ बेंच लखनऊ  
(अध्याय 12, नियम 1 और 7)

दीवानी विभाग

प्रकीर्णक (मुतफर्रक) प्रार्थना सं. .... सन् 1982 ई०

..... W.P. .... सं. 4293 सन् 1982 ई० में

..... Surody Lal ..... प्राथी

प्रति

..... Union of India & Mr. .... प्रत्यक्षी

..... Lalji .....

..... R/o. Ashoka Mehulpur Pargana & Tahsil

..... Rampura Distt. Bahraich

चूँकि उपर लिखे प्राथी ने इस न्यायालय में उपर्युक्त लिखे मुकदमे के संबंध में .....

..... के लिए प्रार्थना पत्र दिया है, अतः आपको आदेश दिया जाता है

कि आप दिनांक 30.7.82 माह सन् 1982 ई० ..... को या उससे पहले

उपस्थित हो कर कारण बतलायें कि प्रार्थना पत्र्यों न स्वीकार कर लिया जाय। उक्त

प्रार्थना पत्र की सुनवाई उसके बाद नियमानुसार विज्ञापित किसी और दिन होगी।

विदित हो कि यदि आप उपर लिखे दिनांक पर या उससे पहले स्वयं अथवा किसी

एडवोकेट या ऐसे व्यक्ति द्वारा, जो आपकी ओर से कार्य करने के लिए कानूनन अधिकृत

हैं, उपस्थित न होंगे तो उस प्रार्थना पत्र की सुनवाई और निर्णय आपकी अनुपस्थिति में हो

जायेगा।

मेरे हस्ताक्षर और न्यायालय की मोहर से आज दिनांक 01.8.82 माह 8.8.82

सन् 1982 ई० को जारी किया गया।

..... वे: एडवोकेट

तिथि: .....

डिप्टी रजिस्ट्रार

इलाहाबाद/लखनऊ

सूचना: इस न्यायालय की 1952 की नियमावली के अध्याय 37 नियम 2 के आधीन प्राप्त तलवाना मिल गया।

तलवाना प्राप्त करने वाले क्लर्क के हस्ताक्षर

र. टी. सी. / 23:

A-59

M

:- हाई कोर्ट इलाहाबाद, लखनऊ बेंच लखनऊ  
(अध्याय 12, नियम 1 और 7)

दीवानी विभाग

प्रकीर्णक (मुतफर्रक) प्रार्थना सं० ..... सन् 198 ..... ई०  
..... सं० 11273 सन् 198 82 ..... ई० में  
..... Sunder Lal ..... प्राथी

प्रति

..... Union of India & Mos ..... प्रत्यधी  
..... Lal ji. R/o. Aswa Mohalpur  
..... Pargana & Tehsil Hanpara  
..... Dist. Bahraich ..... प्रत्यधी

चूंकि ऊपर लिखे प्राथी ने इस न्यायालय में उपपुस्त लिखे मुकदमें के संबंध में .....  
..... के लिए प्रार्थना पत्र दिया है, अतः आपको आदेश दिया जाता है  
कि आप दिनांक 30-7-1982 ई० ..... को या उससे पहले  
उपस्थित हो कर कारण बतलायें कि प्रार्थना पत्र क्यों न स्वीकार कर लिया जाय। उक्त  
प्रार्थना पत्र की सुनवाई उसके बाद नियमानुसार विज्ञापित किसी और दिन होगी।

विदित हो कि यदि आप ऊपर लिखे दिनांक पर या उससे पहले स्वयं अथवा किसी  
एडवोकेट या ऐसे व्यक्ति द्वारा, जो आपकी ओर से कार्य करने के लिए कानूनन अधिकृत  
हो, उपस्थित न हों तो उस प्रार्थना पत्र की सुनवाई और निर्णय आपकी अनुपस्थिति में हो  
जायेगा।

मेरे हस्ताक्षर और न्यायालय की मोहर से आज दिनांक 8-8-1982 माह 8-8-1982  
सन् 8-8-1982 को जारी किया गया।

..... के एडवोकेट

तिथि: .....

डिप्टी रजिस्ट्रार

इलाहाबाद/लखनऊ

सूचना: इस न्यायालय की 1952 की नियमावली के अध्याय 37 नियम 2 के आधीन प्राप्त  
तलवाना मिल गया।

तलवाना प्राप्त करने वाले क्लर्क के हस्ताक्षर

स. टी. सी./23:



SRV  
(3)

Memo

A-60

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

1/50

Filed to dep.  
18/11/84

.....No 4237 of 1982

.....Sunder Lal.....Petitioner,

versus

.....Union of Inds.....Opposite Parties.

REGISTRAR,

I AM appearing as the Central Government  
Standing Counsel, on behalf of Applicant/  
Respondent/Opposite Parties.....1982

Dated.....18/11.....19.84

Hari Nath Tilkari  
Central Government  
Standing Counsel.

A-66

BEFORE THE CENTRAL ADMINISTRIAL TRIBUNAL,  
LUCKNOW.

37

M. P. No. 479/90 (C)

T. A. NO. 1080 OF 1987.

Central Administrative Tribunal  
Circuit Bench, Lucknow

Date of Filing 8/8/90

Date of Receipt by Post...

Deputy Registrar

8/8/90

Part 2  
Put up before  
the main bench  
on the date  
fixed 8/8/90

Sunder Lal

-- Applicant

- Versus -

Union of India and others

-- Opposite-parties.

APPLICATION FOR RESTORATION OF T.A. NO.1080 UNDER  
RULE 15 (2) OF THE CENTRAL ADMINISTRATIVE TRIBUNAL  
(PROCEDURE) RULE 1985.

Filed today  
8/8/90

The applicant begs to state as under:-

1). That the aforesaid case was listed at  
serial No.12 on March 10, 1990 before the Division  
Bench.

on  
2). That/the date the aforesaid case was  
dismissed for default.

3). That applicant filed the restoration  
application in which he was directed to file

E-67

2.

an affidavit and as the counsel could not inform  
the applicant same could not be filed. N/38

5). That in the interest of justice  
same may be restored.

P R A Y E R.

WHEREFORE, it is, most respectfully prayed  
that in the interest of justice the aforesaid case  
may be restored to its original no and affidavit  
may be taken on the record.

*Sandeep Dixit*  
(SANDEEP DIXIT)

Advocate,  
Counsel for the applicant.

Lucknow dated:  
~~July~~ 9, 1990.  
*Aug 8*

E-68

14/59

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL,  
LUCKNOW

SUNDER LAL

...

APPLICANT

VERSUS

UNION OF INDIA & OTHERS

...

OPPOSITE PARTIES

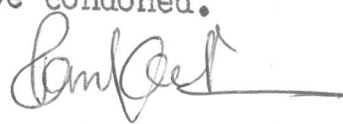
AFFIDAVIT IN SUPPORT OF THE APPLICATION

I, Ram Kumar Tripathi, aged about 30 years, son of Shri Sukh Dev Prasad Tripathi, the deponent, do hereby state on oath as under:-

1. That the deponent is the clerk of the counsel and is conversant with the facts of the application.
2. That the above-said case was listed at serial no. 12 on March 10, 1990 before the Division Bench.
3. That the counsel for the applicant, due to inadvertance, <sup>of Clerk</sup> could not put his presence before the court when the case was called out.
4. That the court dismissed the said T.A.No. 1080 of 1987 for default of the counsel for the applicant.
5. That the default of the applicant's counsel due to his non-appearance may be condoned.

LUCKNOW

DATED 23.7.1990.

  
DEPONENT



E-65  
d/c

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
Circuit Bench, Lucknow.

No. CAT/AKO/Jud/ 3709 to 3715 date the 19-2-90  
T.A.No. 1080/87 of 1990 (T)

Sunder Lal ..... Applicants.

Varsus.

Union of India & others ..... Respondents.

- ① To, Sunder Lal s/o Shambhoo R/o Bhadanara  
Post Bulbul Nemaq, Pargana and Tahsil  
Nanpara. District Bahraich.
- ② U.O. 1. Through The Post Master General  
Post and Telegraph Department Lucknow.

Whereas the marginally noted cases has been transferred  
by H.C. LKO ..... under the provision of the Admini-  
strative Tribunal Act 13 of 1985 and registered in this Tri-  
bunal as above.

Writ petition No. 4273/82  
of 19.....  
of the Court of H.C. LKO.....  
..... arising out of  
an order dated.....  
passed by..... in  
.....

The Tribunal has fixed date  
of 20-3-1990. The  
hearing of the matter.  
if no appearance is made  
on your behalf by our some one  
duly authorised to Act and Plead  
on your behalf.

The matter will be heard and decided in your  
absence. Given under my hand seal of the Tribunal this ....  
19th day of February 1990.

8  
DEPUTY REGISTRAR

Bhartiya

- ③ Inspector Madhyamarti (Central) Circle  
Post and Telegraph Department, Bahraich
- ④ Luxaman Singh. Inspector Post and Telegraph  
Department Now posted at Head Post  
Office Sitapur.
- ⑤ Lailji. s/o R/o Asma Mahanimadpur, Pargana  
and Tahsil Nanpara District Bahraich.
- ⑥ Sri A.R Khan High Court Lucknow.

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CENTRAL ADMINISTRATIVE TRIBUNAL  
CIRCUIT BENCH LUCKNOW

T.A. NO. 1080 of 1987 (T)  
(W.P. NO. 4273 of 1982)

A/  
61

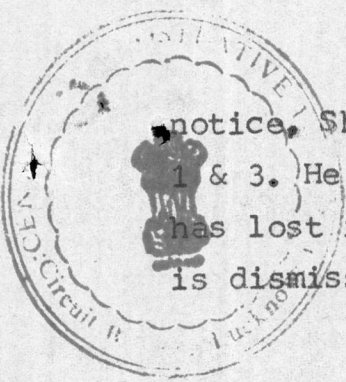
Sunder Lal .....  
Versus  
Union of India & Others .....

Applicant.  
  
Respondents.

20.03.1990.

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

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



No one appears for the applicant, despite notice. Shri D. Chandra, appears for the respondent Nos. 1 & 3. He files power today. It appears that the applicant has lost interest in persuing the matter. The writ petition is dismissed without any order as to costs.

checked  
Sd/-  
22/3/90

Sd/-  
A.M.

Sd/-  
J.M.

// True Copy //

Ms/

*[Signature]*  
Deputy Registrar  
Central Administrative Tribunal  
Lucknow Bench  
Lucknow



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CENTRAL ADMINISTRATIVE TRIBUNAL  
CIRCUIT BENCH LUCKNOW

T.A. NO. 1080 of 1987 (T)  
(W.P. NO. 4273 of 1982)

A  
Tg

Sunder Lal .....  
Versus  
Union of India & Others .....

Applicant.

Respondents.

20.03.1990.

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

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

No one appears for the applicant, despite notice. Shri D. Chandra, appears for the respondent Nos. 1 & 3. He files power today. It appears that the applicant has lost interest in persuing the matter. The writ petition is dismissed without any order as to costs.

checked  
Sd/-  
22/3/90

Sd/-  
A.M.

Sd/-  
J.M.

// True Copy //

*Sd/- 22/3/90*  
Deputy Registrar  
Central Administrative Tribunal  
Lucknow Bench  
Lucknow

Ms/

A-63

CENTRAL ADMINISTRATIVE TRIBUNAL  
CIRCUIT BENCH LUCKNOW

T.A. NO. 1080 of 1987 (T)  
(W.P. NO. 4273 of 1982)

X  
1/3

Sunder Lal ..... Applicant.  
Versus  
Union of India & Others ..... Respondents.

20.03.1990.

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

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



No one appears for the applicant, despite notice. Shri D. Chandra, appears for the respondent Nos. 1 & 3. He files power today. It appears that the applicant has lost interest in persuing the matter. The writ petition is dismissed without any order as to costs.

checked  
F.S.D.  
22/3/90

Sd/-  
A.M.

Sd/-  
J.M.

// True Copy //

Ms/

*A. S. D. N. 22/3/90*  
Deputy Registrar  
Central Administrative Tribunal  
Lucknow Bench,  
Lucknow



# VAKALATNAMA

Under Central Adjudicating Tribunal  
In the Hon'ble High Court of Judicature at Allahabad

At

Lucknow Bench (Civil)

Case No. T.A. 1080/87 (W.P. 4273/87)

Sunder Lal

Pf./Appl./Petitioner/Complainant

Verses

Harish Chandra Singh

Defent./Respt./Accused

KNOW ALL to whom these presents shall come that I/We Harish Chandra Singh

the above-named Harish Chandra Singh do hereby appoint

Dr. Omesh Chandra Advocate, Addl. Secy. Genl. Secy. Genl.

Lucknow High Court, Lucknow Bench

(hereinafter called the advocate/s) to be my/our Advocate in the above-noted case and authorised him :—

To act, appear and plead in the above-noted case in this Court or in any other Court in which the same may be tried or heard and also in the appellate Court including High Court subject to payment of fees separately for each Court by me/us.

To sign, file, verify and present pleadings, appeals, cross-objections or petitions for executions, review, revision, withdrawal, compromise or other petitions or affidavits or other documents as may be deemed necessary or proper for the prosecution of the said case in all its stages.

To file and take back documents, to admit &/or deny the documents of opposite parties.

To withdraw or compromise the said case or submit to arbitration any differences or disputes that may arise touching or in any manner relating to the said case.

To take execution proceedings.

To deposit, draw and receive moneys, cheques, cash and grant receipts thereof and to do all other acts and things which may be necessary to be done for the progress and in the course of the prosecution of the said cause,

To appoint and instruct any other Legal Practitioner authorising him to exercise the power and authority/herby conferred upon the Advocate whenever he may think fit to do so & to sign the power of attorney on our behalf.

And I/we the undersigned do hereby agree to ratify and confirm all acts done by the Advocate or his substitute in the matter as my/our own acts, as if done by me/us to all hearings & will inform the Advocate for appearances when the case is called.

And I/we undersigned do hereby agree not to hold the advocate or his substitute responsible for the result of the said case. The adjournment costs whenever ordered by the Court shall be of the Advocate which he shall receive and retain for himself.

And I/we the undersigned do hereby agree that in the event of the whole or part of the fee agreed by me/us to be paid to the advocate remaining unpaid he shall be entitled to withdraw from the prosecution of the said case untill the same is paid up. The fee settled is only for the above case and above Court I/we hereby agree that once the fees is paid. I/we will not be entitled for the refund of the same in any case whatsoever.

IN WITNESS WHEREOF I/we do hereunto set my/our hand to these presents the contents of which have been understood by me/us on this.....day of.....19

Accepted subject to the terms of fees.

Client

Client

D. Chandra 20/3/80  
Advocate

X For Referrals No 103

(HARISH CHANDRA SINGH)  
Asstt. Director Postal Services  
LUCKNOW-220007