

## FORM NO. 21

(See rule 114)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, *lackharod* BENCH

OA/TA/RA/CP/MA/PT 115/88 of 20.....

..... *K.N. Srivastava* ....., Applicant(S)

Versus

..... *U.O. F. Govt.* ....., Respondent(S)

## INDEX SHEET

Serial No.	DESCRIPTION OF DOCUMENTS	PAGE
1 -	Index sheet	A-1
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4 -	Copy of Petition/Annexure	A5 to A14
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9 -	Check list	A27 to A28
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Certified that the file is complete in all respects.

*file B/C be sealed and destroyed**[Signature]*Signature of S.O./*[Signature]*

Signature of Deal. Hand

(5)

Annexure - A

CAT- 02

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD  
CIRCUIT BENCH, LUCKNOW

## INDEX - SHEET

CAUSE TITLE

Registration OA-115 OF 1989 (L)

Name of the Parties

K.N. Srivastava

Versus

etc.

Union of India

Part A, B and C of W.C.

SL. NO.	DESCRIPTION OF DOCUMENTS	PAGE
A1	General Index	1
A2	Order sheet	2
A3	judgement dated 15-3-89	1
A4	Petition alongwith claim Exmes. dated 19-9-89	11
A5	Written Reply	5
A6	affidavit of Keshi Nath Srivastava	2
A7	Rejoinder affidavit	4
B1	Volatama- Power	1
B2	Notice	1

20-9-88

Hon. Mr. J. Missa, A.M.

(A2)

✓/2

No body appears for  
the ~~applicant~~ applicant  
the ~~defender~~. The  
case is adjourned.

BL

Mr.

A.M.

21-9-88

Hon. Mr. J. Missa, A.M.

Heard the learned  
Counsel for the applicant.  
Full papers regarding  
pension payment order  
has not been filed.

The learned Counsel for  
the applicant is allowed

to file pension payment  
order within two weeks.

Put up this case on  
6-10-88 for admission.

BL

A.M.

Mr.

Pr/  
2

OR

4. x. 88

No. Full papers regarding pension payment order have been filed <sup>by the Counsel</sup> for the applicant as directed by the court's vide order dated 21.9.88.

Submitted

Ans/  
4. x. 88

6.10.88

Hon. K. S. Puttaraswamy, V.C

Hon. A. John, A.M

Applicant by Sri B. Kumar  
Learned Counsel for the applicant files an affidavit  
along with a documents. Admit.  
Issue notice. One month C.A. 10 days thereafter  
for R.A. Call this case for 25.11.88 for hearing.

Sd/-  
V.C

Sd/-  
A.M

OR

Notices issued through Regd. Post. fixed  
25.11.88 for hearing.

Ans/  
13/2

25.11.1988

Hon. D. S. Misra, A.M  
Hon. G. S. Sharma, J.M

No one is present for the applicant  
Sri Siddhartha Varma, learned Counsel to the respondents  
requests to him to file reply. He is allowed to do  
so within a month. Reminder, if any, may be  
filed within 15 days. Let it be kept on an

24.2.1989

}

J.M

25.11.88

KVR

AM

Registered

O/C

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL AT ALLAHABAD  
CIRCUIT BENCH, GANDHI BHAWAN  
LUCKNOW

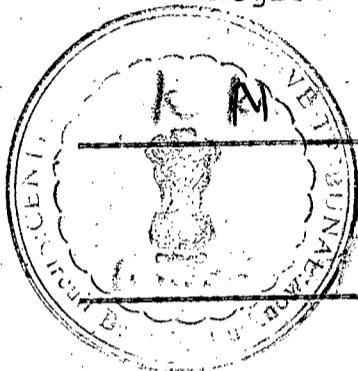
No. CAT/CB/LKO/

1017 to 1018

Dated : 16 3 89

OFFICE - MEMO

Registration No. O.A. 115  
T.A.



Applicant's

Versus

Respondent's

A copy of the Tribunal's Order/Judgement  
dated 16 3 89 in the abovenoted case is forwarded  
for necessary action.

For DEPUTY REGISTRAR (H)

Encl : Copy of Order/Judgement dated 16 3 89

(K. R. Banerjee) 6/3  
Private Secretary  
Central Administrative Tribunal  
ALLAHABAD

To.

Shri M. J. Singh

dinesh/

Received  
B. K. Singh  
16.3.89

Received  
S. S. S. 23/3/89

(AS)  
R/4

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD.  
CIRCUIT BENCH, LUCKNOW.

Original Application No. 115 of 1988 (L).

K.N. Srivastava

Applicant

...  
Vs.

Union of India & others

...  
Respondents.

\*\*\*\*

HON'BLE D.S. MISRA, A.M.

HON'BLE D.K. AGARWAL, J.M.

In this application under section 19 of the Administrative Tribunals Act XIII of 1985 the grievance of the applicant is that a sum of Rs.7,612.00 was deducted from the gratuity amount payable to him on his retirement from service on 31.1.1986. In the reply filed on behalf of the respondents, it is admitted that such a recovery was made but it is explained that it was done to recover shortage of stationary items as noted in the audit note dated 6.2.86. The respondents also admit that before making the recovery no opportunity was given to the applicant to show cause against the proposed recovery.

2. We have heard the learned counsel for the parties. In our opinion the failure of the respondents to give such an opportunity to the applicant is against the principles of natural justice. We accordingly allow the petition and direct the respondents to give an opportunity to the applicant in accordance with the prescribed procedure and pass suitable order within a period of three months from the date of receipt of a copy of this order. The petition is disposed of accordingly with costs on parties.

*DK* *Agarwal*  
MEMBER (J)

*Sharma*  
MEMBER (A)

Dt. 15.3.1989.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD  
(ADDITIONAL BENCH LUCKNOW)

AMX

filed today  
Jish  
29/9/88

KASHI NATH SRIVASTAVA ..... APPLICANT

Vs.

THE UNION OF INDIA & OTHERS ..... RESPONDENTS

I N D E X

S.NO.	DESCRIPTION OF DOCUMENTS RELIED UPON	Page No.
1 -	Application	1 to 5
2 -	Annexure no 1 Letter dated 11-6-1987	6 to 8
3-	Annexure no 2 Notice dated 28.5.88	9
4-	Affidavit	10
5-	Power	11

*B.Kumar Adm*  
(B. Kumar)  
Advocate  
Counsel for the Applicant

For use in Tribunal's office

Date of filing

or  
Date of receipt by post

Registration No.

Signature of Registrar

(132)

B6

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD  
( ADDITIONAL BENCH )

(Application U/s 19 of the Administrative  
Tribunal Act, 1985).

KASHI NATH SRIVASTAVA ..... Applicant.

Vs.

1. The Union of India through the  
General Manager, Northern Railway,  
New Delhi.
2. The Divisional Railway Manager,  
Northern Railway, Lucknow.
3. The Divisional Audit Officer,  
Northern Railway, Lucknow.

..... Respondents.

DETAILS OF APPLICATION

1. Particulars of applicant:

(i) Name of the applicant- Kashi Nath Srivastava

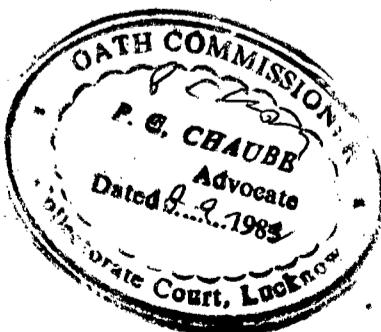
(ii) Name of the Father- Late Sri C. D. Lal

(iii) Designation and office  
in which employed-

Ex. Superintendent  
Store Section  
D.R.M. office N.Rly.  
Lucknow.

*Kashi Nath Srivastava*

...2....



( 2 )

(iv) Office address

Since retired, hence no question arises to hold the office.

(v) Address of service  
of all notices-

551-K-100, Bhilwana  
Chandar Nagar, A-lambagh,  
Lucknow.

2. PARTICULARS OF THE RESPONDENTS:-

(1) General Manager, N. Rly.  
New Delhi.

(2) D.R.M., N. Rly., Lucknow.

(3) Divisional Audit Officer,  
N.Rly., Lucknow.

3. PARTICULARS OF ORDERS AGAINST  
WHICH APPLICATION IS MADE:-

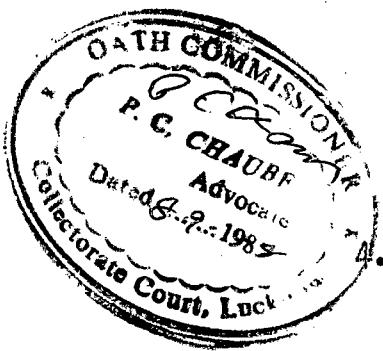
No orders were issued.

The applicant retired on 31.1.86 and when payments of gratuity and funds were made, Rs. 7612/- were recovered from the applicant.

JURISDICTION OF THE TRIBUNAL:-

The applicant declares that the subject matter of the order against which he wants redressal is within the jurisdiction of this Tribunal.

Kashi Nath Srivastava



5. LIMITATION:-

The applicant further declares that the application is within the limitation prescribed in Section 21 of the Administrative Tribunal Act, 1985.

6. FACTS OF THE CASE:-

(1)

That the applicant retired on 31.1.86.

(2)

That when payment of gratuity was made, the respondent no. 2 and 3 recovered as a sum of Rs. 7612/- from the gratuity of the applicant.

(3)

That the applicant made a representation on 11.6.87, but that representation could <sup>as yet</sup> not be disposed of. The same is being filed as Annexure no. 1 to this application.

(4)

That when the representation contained in Annexure no. 1 of the application could not be disposed off, the applicant gave a notice U/s 80 C.P.C. on 28.5.88. A true copy of the said notice is being filed as Annexure no. 2 to this application.

... 4 ...



Kashi Nath Srivastav

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6. RELIEFS SOUGHT:-

(1) Representation made vide Annexure no.1 of the notice.

(2) Notice U/s 80 C.P.C. was also sent, but the action was not taken either to dispose off the representation or the notice U/s 80 C.P.C.

8. INTERIM ORDER IF PRAYED  
FOR:-

No interim order prayed for.

9. DETAILS OF REMEDIES

EXHAUSTED:-

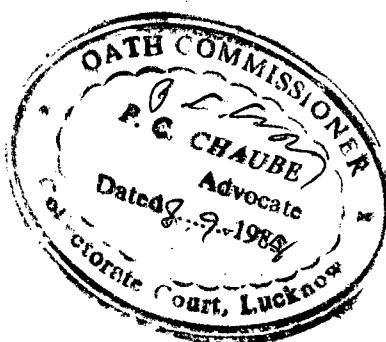
The applicant declares that he has availed all the remedies available to him under the relevant Rules.

10. MATTER NOT PENDING IN

ANY OTHER COURT:-

The applicant further declares that the matter regarding which his application has been made is not pending before any court of law or any other authority or any other Bench of the Tribunal.

*Kashi Nath Srivastav*



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( 5 )

DD 823905

11. Particulars of Bank  
Draft/Po stal Order  
in respect of the  
application.

Postal Order No. 4

Dated 6.9.88

Amount:Rs. 50/-

G.P.O. LUCKNOW

NAME OF ISSUING POST OFFICE  
POSTO

12. Details of Index

At the First Page.

13. List of enclosures

Annexure no. 1 -Representa-  
tion.

Annexure no. 2 Legal Notice  
U/s 80 C.P.C.

#### VERIFICATION

I, Kashi Nath Srivastava( name of the applicant), S/o  
p. Late Sri C. D. Lal..... age 60 yrs, working as Ex.  
Superintendent, Store Section D.R.M. Office, N.Railway,  
Lucknow, resident of 551-K/100, Bhilwana Chandra Nagar  
Alambagh, Lucknow, do hereby verify that the contents  
from 1 to 13 are true to my personal knowledge and belief  
and that I have not suppressed any material facts.

Place..... Lucknow

Kashi Nath Srivastava  
Signature of the appnt

Date. 8.9.88...

I identify the deponent/applicant,  
who has signed before me.

B. Kumar Ad.  
( B. Kumar) ADVOCATE  
COUNSEL FOR THE APPLICANT.



P. Singh

AM  
1/2

8

To,

Sri E. A. Khan,  
Divl. Rly Manager,  
N. Rly,  
LUCKNOW.

Sir,

Re:- Recovery of the cost of stationary items amounting to Rs. 7612/- from the gratuity of the undersigned.

I was dealing with Guard's equipment, correspondence on supply of K.Oil to stations and revision of K.Oil scales to station and arrangement of store for Melas on the division. Sri Trilok Singh after working on stationery seat for more than 16 years became A.S. Store, Sri A.K.Rastogi Sr. Clerk was attached to him. The then Sr. D.S.O. Sri Baldev Singh asked me, that since Sri A. K. Rastogi, Sr. Clerk is already working on Stationery seat with Sri Trilok Singh, now became A.S.Store, to look after the stationery table in addition to my own work. As Sri Rastogi was already dealing with stationery and no additional work was envolved on me, I accepted it. Sri Rastogi was fully aware as to which items were kept where. As an old co-worker of Sri Trilok Singh I had made request to him to look after the seat as usual with Rastogi and he did so upto the date of his retirement i.e. 30-6-84. The keys of the Godown as well as almirahs were between these two persons and never with me and I was a nominal care taker of the seat.

So far taking the supply of the stationery items from Shakurbasti dept was concerned Sri Rastogi was bring from there. He was returning with stationery supply by 120 Dn. Gomti Express arriving Lucknow about 22/30 hrs in the night and was keeping the supply at his residence and charging T.A. by 30Dn the next day. I never saw him when he brought the supply from his residence to office. Under rule it is very objectionable to keep Govt Store at the residence. He was maintaining account of receipts and issues, for example old ledger and issue statements from & prior to June 1984, may kindly be perused in deep.

Sri Trilok Singh retired on 30-6-84, upto that date he was looking after the stationery seat and Sri Rastogi was the dealer as is evident from the note of Sri Baldev Singh the then Sr. D.S.O. dated 18-6-84 as under:-

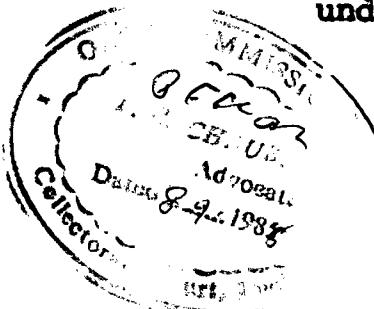
" No. Sr.D.S.O/Misc/84.

It is understood that due to dual control of stationery there is too much confusion regarding withdrawal, issues, and storage of stationery items. In order to prevent any untowards incidence it is necessary that Sri A.K.Rastogi dealer take over charge independently and he will be wholly and solely responsible for receipt, issues and storage of Stationery.

Sd/- (Baldev Singh)  
Sr.D.S.O. 18-6-84.

contd. 2.

Kash Nath  
EWS/W



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49

-3-

for refund of Rs. 7612/- baselessly recovered from my gratuity and inform me on the address given below:-

Thanking you in anticipation.

Yours Faithfully,

K.N. Srivastava  
( KASHI NATH SRIVASTAVA )

Ex. Supdt. Store Section  
D.R.M. Office,  
N.Rly, Lucknow.

Home Address:-

551-K/100  
Bhilawan,  
Chander Nagar,  
Alambagh, Lucknow.

Copy to :- Sri G.P. Agrawal,  
Divl. Audit Officer,  
N.Rly, Lucknow.

for information and necessary action at his level.

Kashi Nath Srivastava

sd/-



9  
X  
10  
3

From: B.Kumar Advocate,  
C/o Sri A.P.Kopar Advocate  
414/103 Sri Mal Khan, Chowk, Lucknow.

To,

1. The Secretary to Govt.  
Rly. Department,  
Government of India Central Secretariat,  
New Delhi.
2. Sri E.A.Khan,  
The Divisional Railway Manager,  
Northern Railways,  
Lucknow Region, Lucknow.
3. Divisional Audit Officer,  
N.Rly. Lucknow.

Dear Sir,

Under instructions and on behalf of my client  
Sri Keshi Nath Srivastava, Beta. Supdt. Store Section  
DRM office, N.Rly Lucknow Division Lucknow, R/o  
554-K/100, Bhalawal-Chander Nagar Alambagh, Lucknow, I  
hereby serve upon you the following notice:-

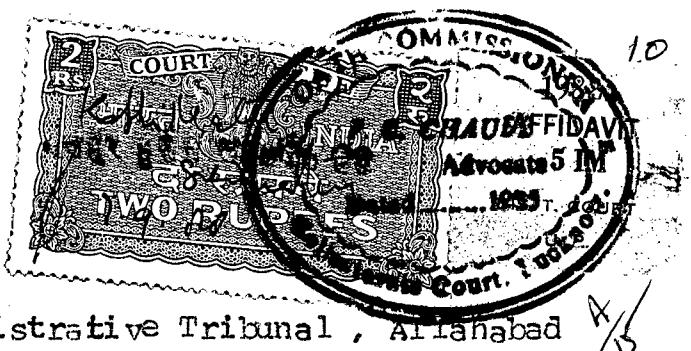
1. That my client abovementioned retired from his  
above mentioned post on 31.1.1986.
2. That at the time of payment of his gratuity  
a sum of Rs.7612/- (Rs. Seven thousand six hundred and twelve only) was illegally deducted from the amount  
payable to him but inspite of repeated request on  
reasons for the deduction have been disclosed to him  
but my client came to know through some other sources  
that the recovery of the said amount was done on  
amount of some shortages in the stocks of stationery  
then my client sent a letter to you dated 11.6.87  
for refund of his recovered money of gratuity amount  
But on reasons and/or details of the recovery have  
been yet communicated to him, nor refund his recovered  
money, so you have violated of his fundamental rights.
3. That the aforesaid recovery was illegally made  
from my client's gratuity without any notice to him and  
without resorting to the procedure prescribed under  
law and order.

You are, therefore, called upon through this  
notice to pay the above said amount of Rs.7612/- which  
has been illegally deducted from my client's amount  
of gratuity, to him, within 60 days from the date  
of receipt of this notice, failing which my client  
shall be constrained to seek his redress through  
the courts of law entirely at your risk and responsibility  
as to expenses and costs, which please note.

Yours faithfully,

Advocate.

28/7/88



In the Central Administrative Tribunal, Allahabad

Additional Bench, Lucknow

Application No. - - - - - /88

Kashi Nath Srivastava

... Applicant

versus

The Union of India and others

... Respondents

**Affidavit**

I, Kashi Nath Srivastava, aged about 60 years son of Shri C.D. Lal resident of 551 -K-/100 Bhilawan Chandra Nagar P.S. Alambagh, Lucknow do hereby solemnly affirm and state on oath as under : -

- 1: That the deponent is the applicant in the above noted C.P. and as such is fully conversant with the facts of the case and with those deposed hereinafter.
- 2: That the contents of para 1 to 13 of the enclosed application are true to my personal knowledge.
- 3: That the Annexure No. 1 to 2 are the true Photo copies of the original ones and have been duly compared by me.

*Kashi Nath Srivastava*

Lucknow  
Dt. 8 Sep. 1988

Deponent

**Verification**  
= = = = =

I, the above named deponent do hereby verify that the contents of paras 1 to 3 of this affidavit are true to my knowledge. Signed and verified this 8 day of Sep. 1988 within court compound at Lucknow

Lucknow  
Dt. 8 Sep. 1988

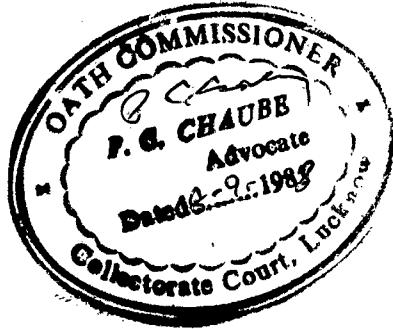
Deponent.

*Kashi Nath Srivastava*

I identify the deponent  
who has signed before  
me.

*B. Kumar*  
S. G. Ad. Ad.

*B. Kumar*  
S. G. Ad. Ad.



AS  
16

Before the Central Administrative Tribunal,  
Circuit Bench, Lucknow.

O. A. No. 126 of 1988.

Sri K.N. Srivastava. -----Petitioner

Versus

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

Written Reply on behalf of Respondents.

I, K N Srivastava aged about 52 yrs

years, son of Sri Asstt Personnel officer  
presently working as in the Office of the Divisional Railway Manager,  
Northern Railway, Lucknow, do hereby solemnly  
state as under :-

1. That I am presently working as  
in the Office of the Divisional Railway Manager,  
Northern Railway, Lucknow, and is looking after  
the above mentioned case on behalf of the  
answering opposite parties and am duly authorised  
and competent to file this reply on behalf of  
the opposite parties. I have read and understood  
the contents of the above mentioned claim petition.

2. That the contents of paragraphs 1 to 5 of  
the claim petition need no comments from the  
answering opposite parties.

*K N Srivastava*  
K N Srivastava

3. That the contents of paragraph 6(1) of the claim petition are admitted with a clarification that the applicant retired from service on 31.1.1986 on completion of age of superannuation.
4. That the contents of paragraph 6(2) of the claim petition are admitted to the extent that Rs. 7,612/- was deducted from the Gratuity amount of the applicant on account of shortage of stationary items by the Controlling Officer of the applicant in pursuance of the relevant orders, true photostat copies of which are annexed herewith as Annexures No.1 & 2.
5. That the contents of paragraphs 6(3) of the claim petitions are denied. It is most respectfully submitted that the applicant did not make any representation to the Competent Authority for redressal of his alleged grievances and as such this claim petition is premature.
6. That the contents of paragraph 6(4) are denied. It is specifically stated that no notice under Section 80 of the Code of Civil Procedure was served on any of the answering respondents/ opposite parties.
7. That the contents of paragraphs 7 to 13 of the claim petition do not need any comment from the answering respondents/opposite parties.
8. That the undersigned, on the basis of legal

~~AS  
3~~

18

advise respectfully submits that the present claim petition filed by the applicant is devoid of merit and the applicant is not entitled to the reliefs claimed by him and this claim petition is liable to be dismissed with costs.

Lucknow, dated,  
15.2.89

JW

Sub. to the Compt. of P. & T. 1989

Verification.

I, J. N. Srivastava do hereby verify that the contents of paragraph 1 are true to my own knowledge and those of paragraphs to 7 are based on office records and the same are believed to be true. The contents of paragraph 8 are believed to be true.

Lucknow, dated,  
15.2.89

JW

Sub. to the Compt. of P. & T. 1989

AS  
U

Before the Central Administrative Tribunal,  
Circuit Bench, Lucknow.

B/9

O.A. No. 126 of 1988.

Sri K.N. Srivastava.

-----Petitioner

Vs.

Union of India and others.

-----Respondents.

Annexure No. 1

Annexure

N.Rly.LKO P-7386

No. 3964/AU/LKO/2-3/1986/1403/86

22

Supdt (By Bill)

Dt officed

N.Rly.LKO

Dt 17.3.86

Sub:- Shortage of stationery at the time  
of Handing over the charges

Reg:- Audit Note PII/1103/05-86 D-16-2-86

Your attention is invited to the above cited Audit objection copy enclosed for ready reference and it is desired that shortage of stationery at the time of handing over the charge amounting Rs 7612/- may be recovered & intimate to 'E' Audit & enable to reply to Audit officer/LKO

This may please be treated as most urgent.

Copy to Settlement section

for information &

recarragation

pls.

22nd  
JULY  
1986  
for DPO

THIS OFFICE USES  
A4 SIZE PAPER  
AND PENS

~~AS/5~~

Before the Central Administrative Tribunal,  
Circuit Bench, Lucknow.

3/20

O.A. No. 126 of 1983.

Sri K.N. Srivastava.

-----Petitioner

Vs.

Union of India and others.

-----Respondents.

Annexure No. 2

Ref 17386 Annexure No. 2

(AUDIT NOTE PART II)

Sub:- Shortage of Stationery at the time of Handing over the Charge.

....

Stationery items were in the charge of Sri Kashi Nath Srivastava/Head Clerk (Stores) As per order of Sr.DSO/N.Rly./LKD Sri Srivastava handed over the charge to Sri A.K. Rastogi on 19/6/84. The charge of stationery was taken in the presence of AS (Stores) Sri Tirlok Singh and the shortage difference between book balance and ground balance of stationery as per enclosed list amounting to Rs.7,612/04 appox. was noticed. More than 1½ Yrs. have passed but no action appears to have been taken to recover the cost of stationery found short from Sri Kashi Nath Srivastava. Since Sri Kashi Nath Srivastava is due to retire in near future immediate action may please be taken to recover the cost of stationery under advice to audit.

1. Register ruled 1 Qrs.	28 Nos. @ 2/- each.	56/-
2. Register ruled 2 "	33 " @ 3/75 "	123/75
3. Register ruled 3 "	05 " @ 9/50 "	47/50
4. Shorthand Note Book.	02 " @ 3/- "	06/-
5. Eraser (Rubber)	29 " @ -/45 "	13/05
6. Ink B/B Registration.	10 Bottle @ 19/- "	190/-
7. Ink Fagenta for R/S	71 Nos. @ 4/-	284/-
8. Ink F/Ben B/Block (Chelpark)	01 " @ 4/00	4/-
9. Tags of Cotton.	9941 Nos. @ 2/25 per 100	223/-
10. Ball Pen Officer & Staff.	164 Nos. @ 1/80 each	246/-
11. Rubber Stamp.	35 " @ 2/50 each.	87/-
12. Scissor Stationery.	01 " @ 19/-	19/-
13. Tape cotton white.	59 Rolls. @ 24/62 P.Rolls.	1452/58
14. Paper carbon pencil DFC.	7 R 1½ Qrs. 308/68.	2171/29
15. Refill for Ball Pen.	599 nos. @ -/23 paise.	137/77
16. Ink duplicating Black	117 " @ 21/80 per tube.	2550/60
		7,612/04.

No. LKD/2-3/AN-Pt. I/403/85-86/2080 Dated: Lucknow 6/2/1986.

Forwarded to the Sr.DAO/ Sr.D.P.O./ D.R.M. (Stores)  
Settlement Section/N.Rly./LKD for information and necessary  
action.

Ons  
Sd/- G.P. Agrawal  
Divisional Audit Officer,  
N.Rly. Lucknow.

KP/

Ad. onate

AB  
2  
P/2

Final Pension  
PENSION PAYMENT AUTHORITY LETTER  
Sanction of Final Pension

Gen-243

The copy to be registered Sanctioned Provision of Pension  
and PPO of Date no. 07/06/1982  
No. PPO/13/07861933/5704/NR/420 Dated..... 11/82

Treasury Officer/Dy. Director/Manager State Bank of India  
Bank Branch (Branch  
H.D.E. Lucknow

Sub. — Payment of Pension to Shri/Smt. Kashi Nath Srivastava  
Ex..... Smt. Kashi Nath Srivastava DRM Northern Railway, Lucknow  
X. Srivastava.

In terms of Railway Board's letter No. 75AG-11/71/15 dated 19-7-1976 superannuation/Retiring pension papers of Shri 63/- Ex 56/- for payment of pension @ Rs. 71.9/- PPI 11/11, plus relief Rs. 1.02.06 per month w.e.f. 01.02.82 are enclosed. The pension is required to be disbursed through State Bank of India, Chaudhary Najar Alam Bagh Delhi in

The debit on this account may be raised against the FA & CAO/Books, Northern Railway, Baroda House, New Delhi.

No pension has been commuted.

In the event of death of the pensioner family pension @ Rs. 95.2/- plus relief Rs. 3.111. (1.35/1) Total Rs. .... per month is payable to Smt. Kashi Nath Srivastava upto 1.1.1983 and after that @ Rs. 126/- plus relief Rs. 1.71.50. Total Rs. 257/- w.e.f. 2-1-1983 till her death or remarriage which ever is earlier.

Enclosures: 1. Pension Payment Order.  
2. Specimen Signatures.  
3. Joint Photograph.  
4. Annexure I

FA & CAO/Sr. DAO/DAO/WAO  
Northern Railway

The payment of DCRG of Rs. .... has been arranged vide AB No. .... dated ..... and CO 7 No. .... dated .....

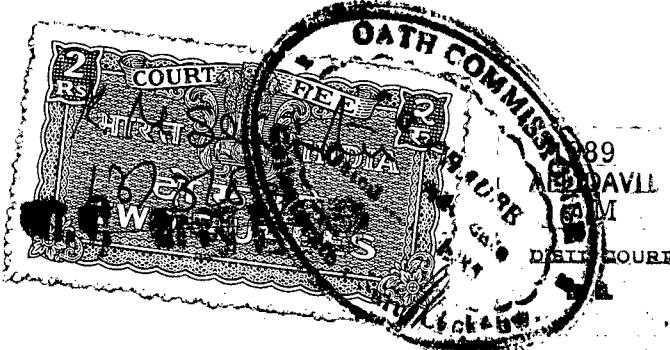
The payment of DCRG Will be arranged on receipt of NO. DEMAND CERTIFICATE. The payment of this amount will be made in cash/by cheque (in presence of Gazetted Officer) at .....

Copy for information to :—

1. Sh. Kashi Nath Srivastava
2. Dr. Smt. Kashi Nath Srivastava (Teacher)
3. Balwaidya Mandir, CB, Lucknow

DRM/SC/NR/112/L1/CD

FA & CAO/Sr. DAO/DAO/WAO  
Northern Railway



BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL CIRCUIT  
BENCH LUCKNOW

APPLICATION NO. 115/ 1988

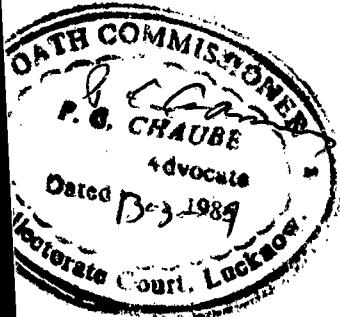
K.N. Srivastava . . . . . Petitioner

vs

The Union of India and others..... Respondents

Rejoinder affidavit of Sri Kashi Nath  
Srivastava aged about 60 years S/O  
Late Sri C.B. Lal R/O 551-K/100 Bhilwan  
Chandra Nagar P.O. Alambagh Lucknow

1. I, the above named deponent do hereby swear and solemnly affirm on oath as under.
2. That the deponent is the petitioner in the above noted case and has gone carefully through the counter affidavit submitted by the opposite parties and have to lay down the reply of each and every paragraph as under.
3. That paragraph 1 of the counter affidavit needs no comments.
4. That paragraph 2 of the counter affidavit also does not need reply.
5. That paragraph 3 of the counter affidavit needs no comments.
6. That in reply to paragraph 4 of the counter affidavit, it is to state that the orders contained in Annexure NO.1 & 2 of the counter affidavit were never given to the deponent / petitioner and that was issued after the retirement of the petitioner and the same is not in the knowledge of the petitioner. Besides that the order contained in Annexure NO.1 of the counter affidavit has not been issued by the competent authority. The order contained in Annexure NO.1 of the counter affidavit is against law and is



Kashin Nath  
Srivastava

(2)

without jurisdiction.

7. That paragraph 5 of the counter affidavit is totally denied. The petitioner made a representation after the deduction of the amount from 'gratuity' which would be evident from Annexure NO.1 of the application.

8. That in reply to paragraph 6 of the counter affidavit, it is to state that the notice U/S 80 CPC was given to the opposite parties. The acknowledgement receipt is being filed as Annexure NO.R-1 & R-2 to this affidavit. The contention of the opposite parties are totally false and is against the facts.

9. That paragraph 7 of the counter affidavit needs no comments.

10. That paragraph 8 of the counter affidavit is false and misconceived.

11. That annexures which are enclosed with this affidavit are true and verified copies of the originals.

Dated 13.3.89  
Place: - Lucknow

Kashi Nath Sinhal  
Deponent

Verification.

I, the above named deponent do hereby verify that the contents of this affidavit from paragraph 1 to 11 are true to my personal knowledge and belief and no facts have been concealed so help me GOD.

Kashi Nath Sinhal  
Deponent

Dated 13.3.89  
Place: - Lucknow  
P.M. 16 PM  
M. 10 100000  
who is identified by Shri...  
Clerk to Shri...  
I have satisfied myself by examining the  
deponent that he understands the contents of  
this affidavit which has been read out and  
related to him for Rs. 1/- 1.50

I, identify the deponent  
who has signed before me.

B. K. Ray  
Advocate

B. C. CHAUBE  
Advocate  
Gallantry Court

13-3-89

K. N. Srinivasan

Union of India

ANNEXURE NO - R - 1

No. 0865 Stamps affixed except in case of uninsured letters of not more than the initial weight prescribed in the Post and Telegraph Guide on which no acknowledgment is due. R.P. 51(a) 6/10

Received a V.P. registered\* addressed to S. H. N. K. Date-stamp

Signature of receiving officer. the word, Insured before it when necessary To be filled in only when the article is to be insured otherwise to be crossed out by means of two diagonal lines. Insured for Rs. (in figures) 6/10

Insurance fee Rs. (in words) weight rates Grams

No. 0866 Stamps affixed except in case of uninsured letters of not more than the initial weight prescribed in the Post and Telegraph Guide on which no acknowledgment is due. R.P. 51(a) 6/10

Received a V.P. registered\* addressed to The Secretary Date-stamp

Signature of receiving officer. the word, Insured before it when necessary To be filled in only when the article is to be insured otherwise to be crossed out by means of two diagonal lines. Insured for Rs. (in figures) 6/10

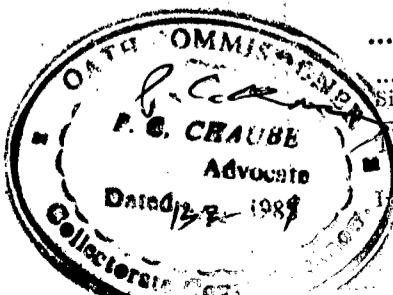
Insurance fee Rs. (in words) weight rates Grams

No. 0867 Stamps affixed except in case of uninsured letters of not more than the initial weight prescribed in the Post and Telegraph Guide on which no acknowledgment is due. R.P. 51(a) 6/10

Received a V.P. registered\* addressed to Date-stamp

Signature of receiving officer the word, Insured before it when necessary To be filled in only when the article is to be insured otherwise to be crossed out by means of two diagonal lines. Insured for Rs. (in figures) 6/10

weight rates



Kashinath Swaraj

K. N. Srinivasan vs. Union of India

Annexure No - R - 2

प्राप्ति स्वीकृति (रसीद) ACKNOWLEDGMENT

\*एक रजिस्टर्ड वीमा पत्र/पोस्टकार्ड/पैकेट/पासल प्राप्त हुआ क्रमांक/No.

\*Received a Registered Letter/Postcard/Packet/Parcel

पाने वाले का नाम  
Addressed to (name)

Divisional Audit Officer  
Northern Railway  
Lucknow

वीमे का मल्य (रुपयों में)

†Insured for Rupees

वितरण की तारीख/Date of delivery.....198

\*अनावश्यक को काट दिया जाए।

\*Score out the matter not required.

केवल वीमा वस्तुओं के लिए

†For Insured articles only

पाने वाले के हस्ताक्षर/Signature of addressee

Do. Name

21/88

प्राप्ति स्वीकृति (रसीद) ACKNOWLEDGMENT

\*एक रजिस्टर्ड वीमा पत्र/पोस्टकार्ड/पैकेट/पासल प्राप्त हुआ

क्रमांक/No.

\*Received a Registered Letter/Postcard/Packet/Parcel

पाने वाले का नाम

Addressed to (name)

SO. 25/24/1  
D. B. D. Central Secretariat  
New Delhi

वीमे का मल्य (रुपयों में)

†Insured for Rupees

वितरण की तारीख/Date of delivery.....198

\*अनावश्यक को काट दिया जाए।

\*Score out the matter not required.

केवल वीमा वस्तुओं के लिए

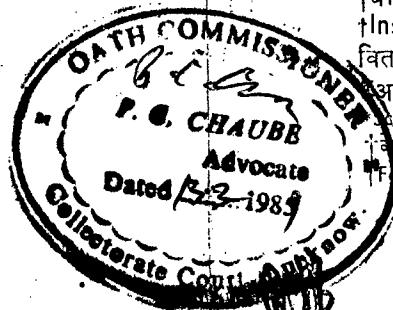
†For Insured articles only

प्राप्ति किया  
RECEIVED

पाने वाले के हस्ताक्षर/Signature of addressee

कृते गांधी, ईलाम बोर्ड

18th Secretary, Ballalay



Kashinath Srinivasan

Filed on  
Jan 3 1979

# CENTRAL ADMINISTRATIVE TRIBUNAL

Circuit ADDITIONAL BENCH,

23-A, Thornhill Road, Allahabad-211001  
Gandhi Bhawan, U.P.

Registration No. 115 of 1980(1)

1/1

APPLICANT (s) ..... R. N. Srivastava

RESPONDENT (s) ..... R. D. D. Sons

## Particulars to be examined

## Endorsement as to result of Examination

1. Is the appeal competent ? *yes.*
2. (a) Is the application in the prescribed form ? *yes.*  
(b) Is the application in paper book form ? *yes.*  
(c) Have six complete sets of the application been filed ? *2 Two set only.*
3. (a) Is the appeal in time ? *yes.*  
(b) If not, by how many days it is beyond time ?  
(c) Has sufficient cause for not making the application in time, been filed ? *-*
4. Has the document of authorisation/Vakalat-nama been filed ? *yes. ~~Paro DD 023905 dt 6-9-80~~*
5. Is the application accompanied by B. D./Postal-Order for Rs. 50/- *yes Po No ~~DD~~ 023905 dt 6-9-80*
6. Has the certified copy/copies of the order (s) against which the application is made been filed ? *No.*
7. (a) Have the copies of the documents/relied upon by the applicant and mentioned in the application, been filed ? *yes.*  
(b) Have the documents referred to in (a) above duly attested by a Gazetted Officer and numbered accordingly ? *yes (By advocate)*

**Particulars to be Examined****Endorsement as to result of Examination**

(c) Are the documents referred to in (a) above neatly typed in double space ? *yes*

8. Has the index of documents been filed and paging done properly ? *yes*

9. Have the chronological details of representation made and the outcome of such representations been indicated in the application ? *yes*

10. Is the matter raised in the application pending before any Court of law or any other Bench of Tribunal ? *No*

11. Are the application/duplicate copy/spare copies signed ? *yes*

12. Are extra copies of the application with Annexures filed ? *No*

(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 ? *No*

14. Are the given addresses, the registered addresses ? *yes*

15. Do the names of the parties stated in the copies tally with those indicated in the application ? *NA*

16. Are the translations certified to be true or supported by an Affidavit affirming that they are true ? *NA*

17. Are the facts of the case mentioned in item No. 6 of the application ? *yes*

(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 ? *No*

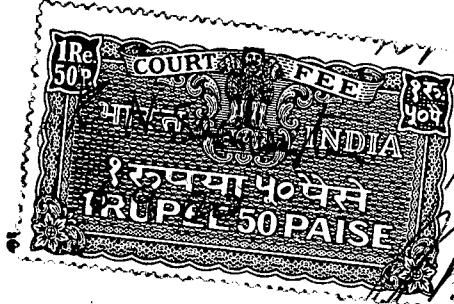
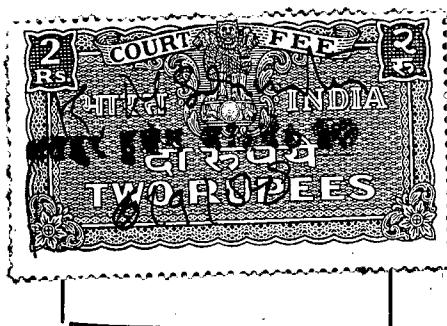
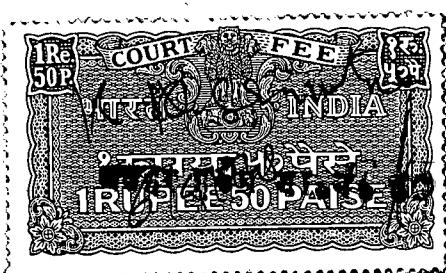
19. Whether all the remedies have been exhausted. *yes*

Let case be listed on 20.9.88  
 General  
 19.9.88

ब अदालत श्रीमान् With Central Administrative Tribunal Allahabad  
 [वादी अपीलान्ट] Bench Lucknow — महोदय  
 श्री प्रतिवादी [रेस्पांडेन्ट] Kashi Nath Seinastan का

वकालतनामा

(B1)



Kashi Nath Seinastan — Applicant

बनाम

प्रतिवादी (रेस्पांडेन्ट)

The Union of India & others — Respondent

नं० मुकदमा

सन्

पेशी की ता०

१६ ई०

ऊपर लिखे मुकदमा में अपनी ओर से श्री

Shri A. P. Seinastan Advocate

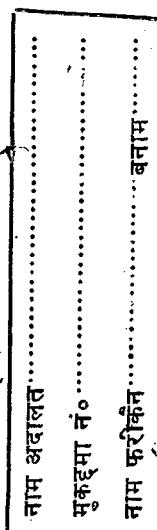
Shri A. P. Kapoor Advocate

वकील

Shri B. Kumar Advocate

महोदय

114/108 Sarai Mali Khan Chowk, Lucknow-3 एडवोकेट



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

Kashi Nath Seinastan  
हस्ताक्षर

साक्षी (गवाह)

साक्षी (गवाह)

दिनांक

महीना

सन् १६ ई०

स्वीकृत

Accepted

Advocate Accepted

B. Kumar

Registered

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL AT ALLAHABAD  
CIRCUIT BENCH, GANDHI BHAWAN  
LUCKNOW

\*\*\*

No. CAT/CB/LKO/ 304 to 306 Dated : 11/11/88

Registration No. 126 of 1988

~~A. K. N.~~ Applicant

Versus

W.O. & G.O.

Respondent's

To

- ① ~~Central Administrative Tribunal~~
- ② ~~Central Statistical Bureau~~
- ③ ~~Central Bureau of Economic Intelligence~~
- ④ ~~Central Statistical Office, Lucknow~~

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 the  
Tribunal has fixed 25 day of 11 1988 for

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

Given under my hand and the seal of the Tribunal  
this 11 day of X 1988.

For DEPUTY REGISTRAR

dinesh/