

FORM NO. 21

(See rule 114)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, Lucknow BENCH

OA/FA/RA/CP/MA/PT 122/88 of 20.....

Amicus. of India Versus Respondent(S)

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Certified that the file is complete in all respects.

B.C. Filed Weeded discrep HW 197-672012

Signature of S.O.

Signature of Deal. Hand

A - ①

CENTRAL ADMINISTRATIVE TRIBUNAL  
LUCKNOW BENCH, MOTI MAHAL, LUCKNOW.

DATED: 25/1/94

CASE Title C. A. No. 122

19 88

Name of Parties.

Palakdhar Prasad Applicant

versus  
Union of India Respondents.

PART-A

<u>Sl. No.</u>	<u>Description of Documents</u>	<u>Page</u>
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BY THIS SIGNATURE I HEREBY CERTIFY THAT THE CASE IS FIT FOR CONSOLIDATION AND CONCILIATION.

Part - C C 163 - C 168

Certified that no further action is required. The case is fit for consignment to record room.

Section Officer

Court Officer

Incharge

*[Signature]*  
25/1/94

*[Signature]*  
Signature of Deal  
Assistant.

(RN)

Filed on 26.9.08

# CENTRAL ADMINISTRATIVE TRIBUNAL

Circuit ADDITIONAL BENCH,

23-A, Thornhill Road, Allahabad-211001  
Gandhi Bhawan 'Lucerne'



Registration No. OA 122. of 19808

APPLICANT (s) .... Palak Dhare .. Paseel .....

RESPONDENT(s) .... Union of India through the General

Parliament House New Delhi 800

## 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 *(Only two set applications are filed)* been filed ?
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*
5. Is the application accompanied by B. D /Postal-Order for Rs. 50/- *yes P.O NO DD 065109 dt 19-9-08*
6. Has the certified copy/copies of the order (s) *(Photostatic copy)* against which the application is made been filed ?
7. (a) Have the copies of the documents/relied upon by the applicant and mentioned in the application, been filed ? *yes*
- (b) Have the documents referred to in (a) above duly attested by a Gazetted Officer and numbered accordingly ? *(Photostatic copy is filed)*

Particulars to be ExaminedEndorsement 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* A1

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 ? *Nil*

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 ? *Nil*

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 ?

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 ? *Nil*

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

Let case be listed on 22.9.1988 *February 20/9/88*

(1)

5A.R.C. 122/1988

22.9.88 Hon. D.S. Mishra, A.M.  
Hon. G.S. Sharma, J.M.

On the segment of learned Counsel to the applicant, the case is adjourned to tomorrow. Put up tomorrow (i.e. on 23.9.88)

J.M.

22.9.88

Ley

A.M.

23.9.88 Hon. D.S. Mishra, A.M.  
Hon. G.S. Sharma, A.M.

Admit-

Issue Notice. One month for C.A. Rejoinder, if any may be filed within a fortnight thereafter.

There is also a prayer for interim relief. Issue notice to the respondents to show cause within 14 days, as to why the prayer for interim relief be not granted. The case now be listed for order on the matter of interim prayer on 6.10.88.

Sd/-

A.M.

Sd/-

A.M.

fris

O.R.

Notices issued to respondents No. 1 to 4 through Regd. Post. fixing 26.11.88 for hearing & 6.10.88 for interim order.

fris  
27/8

23.9.88

Hon. K.S. Puttaswamy, V.C.  
 Hon. A. John, A.M.

Applicant by Sri M.P. Sharma.

Int. N.P. Jain files her valve return on behalf of respondent no. 4. Sri A. Sharare takes notices for respondents. Sharare takes notices for respondents 1 to 3. Both the sides suggest that this case may be listed for final hearing on 25.10.88. Post this case on 25.10.88. Perhaps to be completed by that time.

33

A.M.

V.C.

(5)

13

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
CIRCUIT BENCH AT LUCKNOW.

\*\*\*

O.A./T.A. No. 122 1988 (C)

Palandhan Ad.

Applicant(s)

Versus

U.O. & Ors.

Respondent(s)

Sr. No.	Date	Orders
	25.X.88	<p>The respdt. counsel for V.D. Shukla, has filed an application along with Vaslatnama, requesting for rejection of injunction order on 25.X.88. List this case on 26. Put up on 26.II.89 for hearing.</p> <p style="text-align: right;">h</p>
	24/II/89	<p>Hon. D.S. Misra - Ady. Hon. A.S. Sharad - JM</p> <p>On the request of applicant's counsel, the case is adjourned to 25/II/89 for hearing.</p> <p style="text-align: right;">JM</p> <p style="text-align: right;">Ady.</p>

6

Hon' Mr. D.S. Mishra, A.M.  
 Hon' Mr. D.K. Agarwal, J.M.

A 4

30/3/89

None is present for the applicant. Shri A. Bhargava learned counsel for respondent nos. 1 to 3, requests for some more time to file reply. Shri V.D. Shukla learned counsel for respondent No. 4 also requests for time to file a detailed counter affidavit. The respondents may file counter reply within two weeks and the applicant may file rejoinder, if any, within 2 weeks thereafter. List for final hearing on 11-5-89.

H/

J.M.

A.M.

(sns)

OR Reply filed today  
on behalf of O.P.No.

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

11/5/89

The learned counsel for the parties are present. The applicant wants 3 weeks time to file rejoinder. He is allowed to do so. The respondent nos. 1, 2 and 3 have not filed their reply as yet, they may file their reply within one month. If a reply is filed by the respondent nos. 1, 2 & 3, the applicant may file rejoinder, if any, within 2 weeks thereafter. This case be listed for final hearing on 14-8-89.

OR

On compliance of  
Court's order at B-307,  
no reply have been filed  
by the O.P. No 1 to 3.

Reply filed by O.P. 4.  
Submitted for order

L/5

(sns)

A.M.

OR No reply filed by  
on behalf of O.P. No 1 to 3  
Submitted for ad

:: 2 ::

Serial Number of order and date	Brief Order, Mentioning Reference if necessary	How complied with and date of compliance
	<u>Hon' Mr. D.K. Agrawal, J.M.</u> <u>Hon' Mr. K. Obayya, A.M.</u>	A 5
9/11/89	Shri M.P. Sharma counsel for the applicant and Shri Arjun Bhargava counsel for the respondents are present. Respondents desire time to file counter reply. Counsel for the applicant has no objection. Let counter be filed within 3 weeks hereof to which the applicant may file rejoinder if any, within two weeks thereafter. List this case on <u>8-2-90</u> for hearing.	J.M.
	A.M.	
	(sns)	
8.2.90	Mr. Siting Adi. to 17.4.90	Neither CA on behalf of OP Nos 1 to 3 nor RA has been filed.
<u>17.4.1990</u>	<u>Hon. Mr. D.K. Agrawal, J.M.,</u> <u>Hon. Mr. P.S. Habib Mohammad, A.M.</u>	CA filed on behalf of OP No 4 S. P.O.
	No one for the applicant is present. Shri A. Bhargav, for respondents No.1,2 & 3 and Shri. V.D. Shukla, for Respondent No.4 are present. Counter By respondent No.4 has been filed. Respondents No. 1,2 & 3 have not yet filed the counter affidavit, despite notice. Let, counter, if any, be filed by respondents No 1,2, & 3 within 6 weeks, hereof, failing which they will forfeit the right to file the counter affidavit. In case counter is filed the rejoinder be filed within 3 weeks, thereafter.	12/4/90
	List it for hearing on 29.10.1990.	L 4/1
	This case is clubbed together with case No. 242/89.	J.M.
Dinesh sd.	A.M.	

29.10.90

No sitting Adi 4.12.90.

4.12.90

No sitting Adi to 5.2.91.

122-082

8

19.9.91

D.R.

PK

Applicant is absent  
Only O.P. No. 4 is  
present. Applicant  
to supply copy of  
Annexure to O.P. No. 4  
by 28/11/91.

28.11.91

D.R.

✓

O.P. No. 4 is present.  
No appears for the  
applicant. Applicant  
to supply copy of  
Annexure to O.P. No. 4  
by 14/12/92.

14.2.92

D.R.

Applicant is absent.  
He did not serv the  
Annexure's copy to  
O.P. No. 4 so far.  
case is listed on  
14/12/92. O.P. is  
present.

(3)

(9)

CENTRAL ADMINISTRATIVE TRIBUNAL

LUCKNOW BENCH, LUCKNOW

ORIGINAL APPLICATION NO. 122 of 1988

2. ORIGINAL APPLICATION NO. 242 of 1989

A 7

Palak Dhari

Applicant

versus

Union of India & others

Respondents

HON. MR. JUSTICE U.C. SRIVASTAVA, V.C.

HON. MR. V.K. SETH, ADMN. MEMBER.

(HON. MR. JUSTICE U.C. SRIVASTAVA, V.C.)

As the common question of law and fact is involved in the above two applications, filed by one applicant, both are being decided by a common judgment.

2. The applicant in O.A. NO. 122 of 1988 the applicant has prayed that the order contained in Annexure No. 1 to the application and the applicant be allowed to appear in the ~~possibility to the post of Mistri in the pay scale~~ the suitability test held for the recruitment and promotion to the post of Mistri in the scale of Rs 1400-2300.

3. In the other case No. 242 of 1989 has prayed that the Annexure No. 1 to the O.A. be quashed and claimed seniority over respondent No. 4.

3. The applicant started his service career in the year 1960 and after intervening promotions he was promoted as Wireman Grade I vide order dated 20.12.79. A seniority list was circulated in which the applicant was placed at

serial no. 45 and the respondent no. 4 was placed at serial no. 55. The applicant joined on the post of Wireman grade I on 1.11.1980 while the respondent No. 4 in the year 1984 and as such, according to the applicant he was senior to the respondent no. 4 in Wireman grade I. The post of Mistri is to be filled on the basis of seniority as per Railway Board circular dated 18.7.1973. Respondent No. 4 was called for suitability test for the post of Mistri and the candidature of the applicant, though, according to him, he was senior, was not called for the test and his claim for the post of Mistri was totally ignored and thus the respondent no. 4 was considered for appointment while the applicant was deprived of the same.

4. According to the applicant the order of appointment of respondent was to be issued when he filed the present original application and apprehending that he will not be called for suitability test, he approached the authorities, and having no redressal of his grievance he approached the Tribunal and filed the present application. According to the applicant no objections were invited. The respondent no. 4 who has put in appearance, has come out with the case that the application is barred by time as pasting was done on the notice board in the year 1984 and the objections were invited but no objections were filed. According to him he also passed the test on 11.6.79 for the same grade and post i.e. in the scale of Rs 3330-560 and the applicant was working as Wireman grade I since 1.11.1980. According to the respondent No. 4 his name was at serial no. 79 and the applicant's

name was placed at serial no. 65 in the old seniority list and he is seniority to the applicant and applicant is junior to him. In the seniority list circulated vide letter dated 26.12.90 the respondent no. 4 was at serial mp-17 of seniority list of wireman grade II in the scale of Rs 330-480 and the applicant stands at serial no. 27 of the said list and in the list of wireman grade I scale Rs 330-560 respondent no. 4 stands at serial no. 15 and the applicant no. stands at serial no. 28. As a matter of fact the respondent no. 4 appeared for trade test of wireman grade III on 19.10.1968 and the applicant being electric Khalasi was not allowed to appear in the test in 1968 being junior to him and the result was declared on 16.10.70 and the respondent failed in that test and after expiry of six months he again became eligible for trade test but he was not considered, though his juniors were considered. He contended that he is much senior to the applicant.

5. From the facts it is clear that the applicant was promoted before respondent no. 4, it may be that after intervening promotions given to respondent no. 4 earlier, the applicant got promotion in the year 1980 and the respondent no. 4 in the year 1984 but the benefit of restructuring was given to him and he was given and he was not born in the cadre in the year 1978 and because of restructuring he may be given various other benefits and this benefit cannot affect other persons ~~xxxexxxxxxxjk~~ and when the respondent no. 4 was promoted as wireman grade I he was already working as Wireman grade I.

A9

6. Accordingly, the applicant was senior in the cadre of wireman grade to the respondent no. 4. On behalf of the respondent it has been contended that he was not permitted to appear in the trade test earlier. Let it be so, the respondent should have agitated the matter and intervening benefits were given to him prior to the benefits given to the applicant. The applicant was senior to respondent No. 4, his name shall be interpolated above the name of respondent no. 4. Whether the applicant is entitled to any benefit or not is to be decided by the department as the applicant has retired from service.

7. The applications stand disposed of as above with no order as to costs.



ADMMN. MEMBER



VICE CHAIRMAN

LUCKNOW DATED : 20.4.93

Shakeel/

filed today  
JUN 3  
2019

## IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

CIRCUIT BENCH : LUCKNOW.

Application Under Section 19 of the Administrative  
Tribunals Act, 1985.

C.A. 1224/88(2)

PALAKDHARI PRASAD

.....

APPLICANT

VERSUS

UNION OF INDIA &amp; OTHERS

.....

RESPONDENTS

## I N D E X

Sl. No. .... Particulars

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3. Annexure No.2 (True copy of Railway Board's Circular dated 18.7.1973) 11-12
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5. Annexure No.4 (True copy of applicant's representation dated 23.6.1988) 14
6. Annexure No.5 (True copy of applicant's representation dated 5.9.1988) 15
7. Vakalatnama 16

( M.P. SHARMA )

Advocate

Counsel for the Applicant.

Dated 14/9/88

7-9

Palak Dhari Prasad

Note to self  
Date 29/6/88  
Planned review

(14)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
CIRCUIT BENCH : LUCKNOW.

A 11

Application under Section 19 of the Administrative  
Tribunals Act, 1985.

PALAKDHARI PRASAD ..... APPLICANT.  
VERSUS  
UNION OF INDIA & OTHERS ..... RESPONDENTS.

DETAILS OF APPLICATION

1. Particulars of the applicant :

(i) Name of the applicant : Palakdhari Prasad  
(ii) Name of Father/Husband : Budhu Prasad  
(iii) Designation and office : Wireman Grade I,  
in which employed Northern Railway,  
Charbagh, Lucknow.  
(iv) Office address : Northern Railway,  
Charbagh, Lucknow.  
(v) Address for service of all notices : SEFO, Northern Railway,  
Charbagh, Lucknow.

2. Particulars of the respondent:

(i) Name and/or designation of the respondent ) 1. Union of India,  
 ) Through the General  
 ) Manager, Northern  
 (ii) Office address of the respondent ) Railway, Baroda  
 ) House, New Delhi.  
 )  
 (iii) Address for service of all notices ) 2. Divisional Railway  
 ) Manager, Northern  
 ) Railway, Hazratganj,  
 ) Lucknow.  
 )  
 ) 3. Divisional Personnel  
 ) Manager, D.R.M.  
 ) Office, Northern  
 ) Railway, Hazratganj,  
 ) Lucknow.  
 )  
 ) 4. Raj Kumar, Wireman  
 ) Grade I, under Sr.  
 ) Electrical Foreman,  
 ) Northern Railway,  
 ) Charbagh, Lucknow.

Palak Dhari Pd

.....2.....

A/2

3. Particulars of the order against application is made :

The application is against the following order :

Order dated 26.8.1988 passed by the Assistant Personnel Officer, Northern Railway, ~~Government~~ Lucknow.

(contained in Annexure No.1 to this application).

Subject in brief :

Suitability test for the post of Mistri.

4. Jurisdiction of the Tribunal :

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

5. Limitation :

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

6. Facts of the case :

The facts of the case are given below :-

(A) That the Applicant was appointed as Khalasi on 23.5.1960.

(B) That the Applicant was promoted as Basic Trademan Wireman with effect from 20.12.1969.

(C) That the applicant was again ~~not~~ promoted as Wireman with effect from May, 1973.

(D) That again the Applicant was promoted as Wireman Grade II with effect from 11.6.1979.

(E) That the Applicant was again promoted as Wireman Grade I ~~with effect~~ vide Order dated 20.12.1979 and he joined on 1.11.1980. Since then he is working as Wireman Grade I under the Respondents No. 1 to 3.

...3...

Palak Phari Pd

(F) That the Respondents No.1 to 3 circulated a seniority list for the post of Applicant in which the name of the applicant is placed at serial no. 45 and the name of Shri Raj Kumar the respondent no.4 was placed at serial no. 55.

(G) That Shri Raj Kumar the respondent no.4 is junior to the applicant.

(H) That the work and conduct of the petitioner on the post of Wireman Grade I was always goods and on other posts also he worked honestly and his work always remained good.

(I) That the Respondent No.4 is junior to the petitioner-applicant. His bio-data is given herein under :-

Raj Kumar, Respondent No. 4

- a) Joined on 18.12.1963 as Wireman
- b) Joined in the year 1966 as Pump Engine Driver
- c) Joined in the year 1976 in Meter Reading Wireman in Grade III
- d) Joined in 1979 in Grade II as Wireman
- e) In the middle of 1984 he was promoted as Grade I Wireman and he is working as such at present.

(J) That the post of Mistri is to be filled on the basis of seniority amongst the eligible candidates as per Railway Board's circular dated 18.7.1973. A true copy of the Railway Board's Circular dated 18.7.1973 is enclosed herewith as Annexure No.2 to this Application.

(K) That, however, vide Annexure No.1 to this Application the Respondents No.1 to 3 have called Shri Raj Kumar the respondent no.4 for suitability test for recruitment/promotion on the post of Mistri.

(L) That the candidature of the applicant was not considered as and when the Annexure No. 1 was passed and issued and the right of consideration for Suitability Test for the post of Mistri was totally ignored although the Applicant was senior to the Respondent No.4, therefore it was the duty of the Respondents No. 1 to 3 to call for suitability test to the applicant in preference and in priority to Respondent No.4 but they have not called the applicant for the said suitability test.

(M) That non-consideration and also for not calling the applicant for suitability test by the Respondent no.1 to 3 including its subordinate officers amounts to hostile discrimination with the applicant who is senior to the Respondent No.4, therefore, the order contained in Annexure No.1 dated 26.8.1988 is discriminatory and in violation of Articles 14 and 16 of the Constitution of India.

(N) That right to be considered for promotion and appointment by appearing in the suitability test is the fundamental right of the applicant being senior one but he has not been called as indicated in Annexure No.1 to this application, therefore, the right to be considered for his promotional post of Mistri has been greatly prejudiced and the applicant is aggrieved against the order dated 26.8.1988 contained in Annexure No. 1.

(O) That by virtue of this suitability test which has already been held by the Respondents No.1 to 3 and its subordinate officers, the junior Respondent no.4 was allowed to be considered for appointment on the post of Mistri while the applicant was senior

deprived of his right to appear in the suitability test.

(P) That the suitability test has been held and Raj Kumar the respondent no.4 being junior to the Applicant appeared in the said suitability test and the result is awaited and it is likely that the appointment order may be issued within a week or two in the month of September, 1988.

(Q) That if the Respondents No.1 to 3 and its subordinate officers issue the appointment/promotion order in favour of the Respondent No.4 on the basis of suitability test as indicated in Annexure No.1 in that event the promotional avenue of the petitioner shall be marred for indefinite period and he shall lose his seniority and promotion on due dates.

(R) That apprehending that the applicant shall not be called for suitability test, the applicant applied to the Sr. Divisional Electrical Engineer, Northern Railway, Lucknow through its letter dated 17.3.1988 and also to the Divisional Railway Manager, Northern Railway, Hazratganj, Lucknow on 23.6.1988 and also on 5.9.1988 making a protest against the call letter given to the respondent no.4 but his representations are pending disposal since 17.3.1988. A true copy of the Applicant's Representations dated 17.3.1988, 23.6.1988 and 5.9.1988 are enclosed herewith as Annexure Nos. 3, 4 and 5 respectively to this application.

(S) That the Respondents no.1 to 3 had ignored that the seniority is the main criteria for promotion and suitability test as indicated in Annexure No.2, therefore, the suitability test held on the basis of Annexure No.1 is violative of Board's Circular and

the criteria laid down for filling the post of Mistri.

7. Relief(s) sought

In view of the facts mentioned in para 6 above, the applicant prays for the following relief(s) :-

That this Hon'ble Tribunal be pleased to quash the order contained in Annexure No.1 to this Application or any other order passed in favour of the Respondent No.4 by way of issuing any appointment or promotion order by the Respondents no.1 to 3 or its any subordinate officer with the direction to the Respondents no.1 to 3 to consider the candidature of the applicant and allow the applicant to appear in the suitability test held for the recruitment and promotion on the post of Mistri in scale of pay

Rs. 1400 - 2300.

G R O U N D S

1. Because the post of Mistri is to be filled on the basis of seniority amongst the eligible candidates as per Railway Board's Circular dated 18.7.1973.

2. Because non-consideration and also for not calling the applicant for suitability test by the Respondents no.1 to 3 includings its subordinate officers amounts to hostile discrimination with the applicant who is senior to the Respondent no.4, therefore, the order contained in Annexure No.1 dated 26.8.1988 is discriminatory and in violation of Articles 14 and 16 of the Constitution of India.

3. That right to be considered for promotion

Fakir Phani Jogi

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and appointment by appearing in the suitability test is the fundamental right of the applicant being senior one but he has not been called, therefore, the right to be considered for his promotional post of Mistri has been greatly prejudiced.

4. Because the applicant was deprived of his right to appear in the suitability test for appointment and promotion on the post of Mistri while the Respondent no. 4 being junior to the applicant was allowed to appear in the suitability test to be considered for appointment and promotion on the post of Mistri.

5. Because if the Respondents no. 1 to 3 and its subordinate officers issue the appointment/promotion order in favour of the Respondent no. 4 in that event the promotional avenue of the applicant shall be marred for indefinite period and he shall lose his seniority and promotion on due dates.

6. Because the Respondents no. 1 to 3 have ignored that the seniority is the main criteria for promotion and suitability test as indicated in Annexure No. 2, therefore, the suitability test held on the basis of Annexure No. 1 is violative of Board's circular and the criteria laid down for filling the post of Mistri.

8. Interim order, if prayed for :

Pending final decision on the application, the applicant seeks issue of the following interim order :-

It is respectfully prayed that this Hon'ble

Palak Dhari Jd

....8....

Tribunal be pleased to restrain the Respondents no. 1 to 3 and its subordinate officers, if any, from enforcing the order dated 26.8.1988 contained in Annexure no. 1 to this application and also from passing any further order of appointment or promotion in favour of the Respondent no. 4 on the post of Mistri on the basis of Annexure No. 1.

9. Details of remedies exhausted :

The applicant declares that he has availed of all the remedies available to him under the relevant service rules, etc.

The applicant has filed representations on 17.3.1988, 23.6.1988 and 5.9.1988 although there was no statutory provision about the same but the same are still pending.

10. Matter not pending with any other court, etc :

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

11. Particulars of Bank Draft/Postal Order in respect of the Application Fee :

1. Name of the Bank on which drawn

2. Demand Draft No.

OR

....90....

Palak Dhami Jd

1. Number of Indian Postal Order(s) DD 065109 A 69  
5

2. Name of the issuing Post Office High Court Post Office Lucknow

3. Date of issue of Postal Order(s) 19. 9. 88

4. Post Office at which payable GPO Allahabad

12. Details of Index :

An index in duplicate containing the details of the documents to be relied upon is enclosed.

13. List of enclosures :

As per Index enclosed.

In verification :

I Palakdhari Prasad, S/o Shri Budhu Prasad, age 54 years, working as Wireman Grade I, resident of SEFO, Northern Railway, Charbagh, 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.

Date : 19-9-1988.

Palakdhari Prasad  
Signature of the  
Applicant

To

M. J. W. Ad  
The Registrar,  
Central Administrative Tribunal,

OFFICE  
Northern Railways

NO. 784 E/2-6/8/00.

Re EIS (A) / UCO.  
EIS (P) / 1383  
EFO / TS/AMR / 1600  
EFO / SEN

Off. office  
LUCKNOW  
21/6/88

A 20

Sub: Suitability test for the post of Mistry  
G.P. 1600-2300 (P.S.).

Ref: This office letter of even no. dt 14/6/88.

In continuation of the above referred letter, the following staff may be directed to this office on 29/6/88 at 10 AM in connection with above subject. If any staff is not willing to appear in the test, his written refusal must be sent to this office immediately.

NAME OF STAFF

DESP. / 1500

1. Dr. Om Prakash	L/man I / TS/AMR / 1600
2. * PATELWAN P.D.	PGD I / EFO/SEN
3. " Inder Singh	PGD I / P / BES at M.G.B. Muzaffarpur
4. Maikoo Lal (S.G.)	PGD I / TS/CB / 1600 <sup>concerned as S.P.C.P.M.T.O.</sup>
5. " Raj Kumar	W/fman I / TS/CB / 1600 <sup>Manager S.P.C.P.M.T.O.</sup>

This is to be treated as most urgent.

Assistant Personnel Officer  
LUCKNOW

Copy to Dr. O.P. UCO with this remark that please convey the telephonic message to all concerned staff to attend the office at 10 AM on 29/6/88 regarding the suitability test for the post of Mistry.

1 - 27/6/88 at 11.30 AM. and 11.45 AM. 17/6/88 (M.J.S.L. 1022)

2 - 3, 8 & 5 P.M. 17/6/88 at 11.30 PM. 17/6/88 at 11.45 PM.

Palak Bharat P.D.

1. 8  
2. NV  
3. 98

Northern Railway

129  
Headquarters Office  
Baroda House  
New Delhi.

No. 754-E/77-21 (EIIa)

July 18, 1973.

The Divisional Suptd.,  
Northern Railway,  
Bikaner.

Allo No 2

Sub: Procedure for promotion of Artisans  
Electrical Staff.

11  
Ref: Your Office D.O. letter No. 203-E/41/  
4621/P.I. dated 25.5.1973.-  
This Office circular-letter No. 754-E/  
77-12/EIIA dated 4.6.73.

For all classes of Artisan Electrical staff,  
it is clarified that below mentioned basic procedure  
has to be followed in promotion from skilled to  
higher grades:

1) For purpose of filling up posts of H.S.  
Gr.II, 130-212, the skilled staff in  
scale Rs.110-180(AS) should be trade tested  
in order of seniority and posts filled up  
in accordance with the extant orders. For  
the category of ACCI, a detailed procedure  
has been laid down vide Headquarters Office  
letter No. 732-E/49/2(EIIa) dated 15.9.71.  
This should be followed.

Similar procedure should be followed for  
filling posts of Mistries Gr.130-212 (AS)  
in case such posts still exist on your  
Division.

2) For purpose of further advancement of  
staff in scale Rs.130-212(AS) there are  
two channels, one leading to the category  
of artisan supervisors like Mistries/  
Electricians carrying scale Rs.150-240(AS)  
and other viz H.S. These two avenues  
are parallel; thus staff from Gr.130-212  
can opt for one of these two but not for  
both.

For filling up posts in Gr. 150-240(AS) or  
Rs.175-240(AS), staff of Gr.130-212(AS) should be  
taken in order of seniority; allowed to exercise  
option and thereafter trade tested for purpose of  
promotion to the higher grade post. For the purpose  
of Electrician Gr.150-240, an elaborate procedure has  
been prescribed vide Hd.Offs. Office letter No. 754-E/  
77-11(EIIa) dated 15.6.1965. This procedure applies  
equally to Mistries Gr.150-240 on power or AC side  
etc.

Further

Palak Bhawan

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Further it would be clear that those once promoted to Gr. 150-240 cannot seek advancement to Gr. 175-240 and conversely those promoted to Gr. 175-240 cannot seek advancement to Gr. 150-240.

iii) For further advancement to the scale Rs. 205-280 (AS), staff of Gr. 175-240 and 150-240 (AS) will be treated on par i.e. eligibility for promotion to Scale 205-280 will be on the basis of length of service in higher Gr. 175-240 or 150-240 (AS).

The above instructions will apply equally to all promotion groups of artisan electrical staff.

For the sake of clarity, the channel of promotion chart to be followed, shown in the enclosed 'tree' form.

Please acknowledge.

Encl: appended below.

R. J. J. H.  
for General Manager.

AEIC/TXR (Elec.)  
205-280

H.S. Gr. I  
175-240

Mechanic/Electrician  
150-240

H.S. Gr. II (Mech Gr. III)  
130-212

Skilled  
110-180.

Copy for information to the Divisional Supt. e.,  
Northern Railway, Delhi, Rangoon, Lucknow, Allahabad,  
Mysore, Jodhpur, and Firozpur. & W.E.R./W.D.R./E.R.D.

Palak Sharif

✓  
F.S.R. ✓  
✓

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Govt. of India  
Central Railway  
Bikaner

Acc no 3

~~14/10/1953 Bikaner~~

Det. Application for the ticket to  
Bikaner. Gr. Rd. 14447901 on 10/11/1953  
Notification Bikaner.

.....

Respectfully I beg to state that the ticket  
Date for the post of Bikaner (Road 14447901) is being  
held under your kind control.

For the above I offer myself as a candidate  
to one of them.

I am writing to Central Doctor G.A. under D.R.Y.  
Station one place long.

1. My date of appointment to ~~Central Doctor G.A.~~ is 19  
My Date is Rs. 900/- 11/11/1953

Kindly give me a chance for the above post  
Bikaner.

Thanking you

Date 17/3/53

Yours faithfully

Palak Sharif Pd

(Signature)

Central Doctor G.A.  
Bikaner City Road/BD.

Station

Palak Sharif Pd

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माननीय सेन्ट्रल सडमिनिस्ट्रेटिव ट्रिब्युनल सरकिट बैच लखनऊ

A 24

पलकधारी बनाम यूनियन आफ हंडिया

सेवा में,

श्रीमान् उ०८० मण्डल प्रबंधक  
हजरतगंज, लखनऊ।

Ae wo 4

महोदय,

विषय :- सीनियारटी की घफले बाजी उच्च पदों पर  
जूनियर कर्मचारी का पदासीन होना।

आपके पत्र सूचना के अनुसार ज्ञात हुआ है कि जूनियर कर्मचारी श्री राज कुमार जो कि श्री आ०८० के० मिश्र के साथ ग्रेड -१ ट्रेड ट्रेस्ट पास किये आज उनकी सीनियारटी टाप पर है जब कि यह कर्मचारी कहीं कर्मचारियों से जूनियर है। एस० पी० ए० पद से वायर मैन में आये उस समय उनकी सिनियारटी वाटम होनी चाहिये। हम प्राथीं वायर मैन में ही कार्य करता आ रहा हूँ यह दोनों हमसे जूनियर है।

अतः आपसे प्रार्थना है कि हमें ठीक कराने की आज्ञा प्रदान करने की कृपा करें।

## कर्मचारी विवरण

पलकधारी	राजकुमार	कुन्तु राम
भर्ती नं० २३-५-१६६०	०८ १२१ १६६३	१६५६
बी०टी० १६६६	एस०पी०१०१६६६	१६६६
स्कॉल्ड	१६७३	१६७३
ग्रेड 11	१६७६	१६७६
ग्रेड 1	२०१२१ १६७६	१६७६

अतः श्रीमान् जी से प्रार्थना है कि प्राथीं को १६७६ के अपग्रेडिंग का पेसा तथा सीनियारटी प्राथीं को मिलना चाहिये क्योंकि सभी ट्रेस्टों में ये लोग जूनियर थे।

प्राथीं,

M 23.6.89

(पलक धारी प्रसाद)

पलकधारी धारी वायर मैन ग्रेड ।

PMO Divisional Railway Manager  
Northern Railway, Lucknow.

915

**Sub:** Assignment of incorrect sonority and ignoring in the selection of Mistry.

Most respectfully, I beg to draw your kind attention towards my representation dated 23.6.1988, wherein I had represented against assignment of incorrect seniority to Shri Raj Kumar over me without showing any cause and without giving me any opportunity to represent. I have all along been senior to Shri Raj Kumar right from my initial appointment as Khalasi to promotion in different grades as per particulars given in my representation dated 23.6.88 but no decision thereon has so far been communicated.

On the otherhand, it is learnt that recently Shri Raj Kumar has also been called for selection of Mistry and I have been ignored although I had submitted my written request for the post of Mistry on 17.3.88.

Under these circumstances, it is most humbly prayed that my representation may be considered and decision communicated and till such time, the result of Shri Raj Kumar be pended to avoid complication at subsequent stage.

Thanking you,

Dated: 5.9.1988.

copy to S&DEE/NR/LKO  
copy to S&DPO/NR/LKO

Yours faithfully,  
Palak Dhari Rd

{Palak Dhari Prasad}

HS. Wireman Gr. I,

under SEFO/Charbagh Station,  
Lucknow.

Palak Bharif, I.

2c  
iii

प्रायालत श्रीमान्

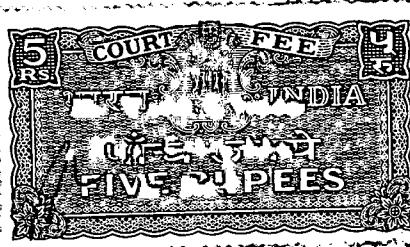
[ गावी ] अधीक्षाल

प्रतिपापी [ रेप्पारेन्ट ]

क्र. नं. 11111 ( नं. 11111 ) तिथि 12/12/19

क्रमांक 11

वकीलत नामा



प्री (अधीक्षाल)

प्रसिपावी (रेप्पारेन्ट)

नं० मुकद्दमा

सन्

पेशी फी रु०

१५ ६०

ठपर सिखे मुकद्दमा में अपनी ओर से श्री

नाम अदाकरत  
मुकद्दमा नं० 11111  
नाम करिकूल

जो अपना वकील नियुक्त करने प्रतिज्ञा ( इपरार ) करता है और लिखे देता है इस मुकद्दमा में वकील महोदय स्वयं अथवा अन्य वकील द्वारा जो कुछ प्रेरणी व जपाव देही व प्रश्नोत्तर करें या कोई जागज पालिय फरें या लौटावें या हमारी ओर से उग्री दारी करावे और उपया वसूल परें या सुलहनामा व इकदाल दावा सथा अपील निगरानी हमारी ओर से हमारी या अपने हस्ताक्षर से पालिय करें और तसदीक फरें मुकद्दमा उठावें या कोई उपया दावा फरें या हमारी विषयी ( फरीकसाली ) का वालिय किया हुआ उपया अपने या हमारे हस्ताक्षर युधल ( दस्तखती ) रसीद से लेवे या पंच नियुक्त करें—वकील महोदय हारा की जई बूझ सव लायवाही हमको सर्वथा स्वीकार है और होगा ये यह भी स्थीकार करता है कि मैं हर पेशी पर स्वयं या किसी अपै प्रेरोकार को भेजता रहूँगा अगर मुकद्दमा अदम प्रेरणी में एक सरक्का मेरे प्लियल फैसला पूरा जाता है उसकी विमेदारी मेरे वकील पर नहीं होगी इसलिए यह प्रायालतमामा लिख दिया प्रमाण रहे और समय पर जाम आये।

हस्ताक्षर प्रतिक्रिया की प्रक्रिया

साक्षी ( पराह )

साक्षी ( पराह )

प्रियाप

प्रहीना

सन् १५ ६०

स्वीकृत

Accepted  
by  
Pratikrishi  
Pratikrishi  
Accepted  
by  
Pratikrishi

Accepted  
by  
Pratikrishi

In the Central Administrative Tribunal, Lucknow ~~Circuit~~  
Circuit Bench, Lucknow

JPJ

Palak Dhari Prasad ... Applicant

Vs.

Union of India & others ... Respondents

Registration Case No. 122/88

F.F. 25/10/1988

The respondent No. 4 respectfully begs to submit :-

1. That the respondent No. 4 who was working as Highly Skilled wireman, grade-I at ELS Charbagh, Lucknow in grade 1320-2040 (RS) has been promoted as Mistry in grade 1400-2300 (RS) and posted at ELS/LA/Lucknow against the existing vacancy by the competent authority vide letter No.754E/2-6 dated 5-10-88 (copy enclosed as Annex.No.1)
2. That the respondent No. 4 reported for duty to the Electrical Supdt (EAS) N.Rly CB/LKO on 13/10/88 FN. A copy of endorsement dt.13/10/88 by ELS,LA/LKO on Annex.1 is annexed as Annexure No.1 above.
3. That the Electrical Supdt LA N.Rly CB/LKO area posted/deputed him to work under SEFO/CB Area, Lucknow by his letter No.2/Staff/ELS (LA)LKO/88 dated 14-10-88 (copy enclosed as Annexure No.2).
4. That the respondent No. 4 has been continuously working as Mistry grade 1400-2300 (RS) since 13/10/1988.
5. That the application for injunction is not maintainable and is liable to be rejected. Therefore it is prayed that the application for injunction be rejected.

25/10/1988

Respondent No. 4

Shukla  
(V.D. Shukla)

Counsel for the respondent No. 4.

## NORTHERN RAILWAY

No. 7548/2-6.

Divisional Office,  
Lucknow.

Dt. 5-10-88. (A20)

## NOTICE

The following promotion and posting orders are hereby issued with immediate effect:

- (1) Sri Daya Kumar Rao/Asstt/Ex/CS/Lko gr. B, 1320-2040 (H/S) promoted as Assttry Gr. B, 1400-2300 (H/S) and posted under DSO/Ex/Lko, against existing vacancy.
- (2) Sri G. P. Rath, L/Mail/Ex/CS/Lko Grade B, 1320-2040 (H/S) promoted as Assttry Gr. B, 1400-2300 (H/S) and posted under DSO/Ex/CS/Lko against existing vacancy.
- (3) Sri Inder Singh Rana/CS/Ex/B grade B, 1320-2040 (H/S) promoted as Assttry Gr. B, 1400-2300 (H/S) and posted under DSO/Ex/Lko against existing vacancy.

With the approval of competent authority.

*M. S. S.*  
Assistant Personnel Officer  
Lucknow.

## Copy to

- (1) Ex. 308/Lko.
- (2) DSO/Ex/Lko.
- (3) Ex. 1320.
- (4) DSO/Ex/CS/Lko.
- (5) Ex. 1400/Lko.
- (6) Div. 100/N&W/DRIS.

pls  
He may be deputed  
to work under SFC/CS  
against existing vacancy.

Ex. 308/  
Ex. 1320  
Ex. 1400

True Copy:

A. S. S.

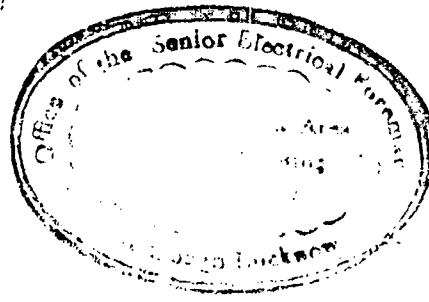
*Ishika**V. D. S. - UKLA*

M. S. S., Asstt. D.P.O.,  
A. S. S.  
24/23, Kali Bari, Lucknow,  
U.P. 226004.

Annexure No. 2

A 29

उत्तर रेलवे  
NORTHERN RAILWAY



NO. 2/Staff/ELS(LAS)/LKO/88  
Dated 14.10.1988

To SEFO/CB Area/LKO.

Reg:- Promotion of Sri Raj Kumar HSWM Gr.I  
as Mistry Gr. Rs 1100-2300 (RPS)

— XXX —

Sri Raj Kumar HSWM Gr.I/in Scale  
Rs 1320-2040 (RPS) has been promoted as  
Mistry Gr. Rs 1100-2300 (RPS) as per ADO/LKO  
Notice NO. 754-E/2-6 Dated 05-10-88 (item 1)  
He is posted / deputed to work under  
you against the existing Vacancy of Mistry.  
This has the approval of competent authority.

C/- ADO/LKO for information  
in reference to his Notice.

NO. 754/E/2-6 D/ 5-10-88

~~RECORDED~~  
S. RLY. 1000  
14.10.88  
S. RLY. 1000  
S. RLY. 1000

True Copy

Attest

V. D. *Shukla*  
M. S. S. S. M. P. A.  
A. S. A. P. E.

CA

A30

In the Central Administrative Tribunal Allahabad  
Bench Lucknow.

OA 122 of 1988

Palak Dhari Prasad

Applicant

Versus

Union of India and others

Respondents.

Reply on behalf of Union of India Respondent no. 1 to 3

Para 1: Need no reply.

Para 2: Needs no reply.

Para 3: Needs no reply.

Para 4: Needs no reply.

Para 5: Needs no reply.

ET  
J20/11

Para 6(A): That the contents of paragraph 6(a) of the application are not denied.

Para 6(B): That in reply to the contents of paragraph 6(B) of the application, the promotion of the Tradesman wireman applicant to Basic ~~Examiner~~ is not denied but was w.e.f. 13.12.1969 and not 20.12.1969.

Para 6(C): That the contents of paragraph 6(C) of the application are not denied to the extent that he was promoted as skilled w/men Grade 110-120 w.e.f. 2.8.1973 and not from May 1973.

Para 6(D): That in reply to the contents of paragraph 6(D) of the application, it is not denied that the applicant was promoted as wireman/II against upgrading w.e.f. 1.8.1978.

Para 6(E): That with reference to the contents of paragraph 6(E) of the application, it is not denied that the applicant was promoted as w/men I w.e.f. 1.11.1980 and working under HLS (LA) LKO.

Para 6(F): That in reply to the contents of paragraph 6(F) of the application, it is not denied that the seniority list was circulated. Later on with the decision in URMU PNM respondent No. 4 stands above serial no. 45A above shri Haseen Alam in S/ List of w/men. In this way respondent no. 4 has become senior than applicant.

Para 6(G): That the contents of paragraph 6(G) are denied. As already stated above in para 6(F) the respondent no. 4 has become senior to the applicant.

Para 6(H): That the contents of paragraph are not relevant for the decision of the case.

Para 6(I): That in reply to the contents of paragraph 6(I) of the application the correct factual position of respondent No. 4 ~~is~~ is as under:-

- (a) Respondent No. 4 appointed as Khallasi on and w.e.f. 8.12.'63.
- (b) Promoted as S.P.A. w.e.f. 11.4.66 and confirmed as SPA in 1966
- (c) Promoted as w/man w.e.f. 23.10.'76.
- (d) Promoted as w/man II w.e.f. 1.8.'78 against upgraded post.
- (e) Denied. Respondent no. 4 was deemed to have been promoted as W/man I w.e.f. 1.8.'78 in upgrading and posted under ELS (LA) Lko after assigning his seniority above shri Haseen Alam at sl. No. 45-A.



A 32

- 3 -

Para 6(J): That the contents of paragraph 6(J) of the application are not admitted in the way as stated. It is submitted that before issuing the present channel Annexure 2 was operating. As per channel contained in Annexure No. 2 only Artisan Grade II were eligible to opt for the post of mistry and as per present channel which is issued by Head Quarter office, New Delhi on 14.7.88 only Grade I artisans of Power Group will be eligible such as w/man I, SBA-L/ManI & KD-1 and etc. and staff may be called on basis of combined seniority and ever from above categories/who/will stand senior may be called for suitability test for the post of mistry.

Para 6(K): That in reply to the contents of paragraph 6(K) of the application it is submitted that respondent no. 4 was called for suitability test vide Letter No. 754 E/2-6 dt. 26.8.86 on the basis of his seniority as per URAU's PNM decision above suri Haseen Alam who is already working as mistry. After assigning the seniority, he gave his option for the post of mistry in 1986. According to old channel case was decided by administration in favour of respondent No. 4 but the applicant did not give his option for the post of mistry and as such the applicant is not eligible for the post of mistry. In this way the name of respondent no. 4 was included in the list according to old channel and remaining 4 persons name were included in list according to present channel by combined seniority in Power Group's Grade I artisans because except respondent

AM

- 4 -

remaining persons were entertained by present channel which was issued on 14.7.'88. In this connection copy of channel enclosed herewith for perusal as Annexure No. CA-1.

**Para 6(L):** That in reply to the contents of paragraph 6(L) of the application, it is submitted that the applicant was not eligible on the basis of combined seniority of Power Group because he was junior to those persons whose names were mentioned in the list vide letter No. 754 E/2-6 dt. 26-8.'88. Applicant did not give his option for the post of Mistri before issuance of the present channel. Had he given such consent he have also been entertained for this opportunity, which he cannot be given because the list of remaining persons was prepared after issuing the present channel.

**Para 6(M):** That in reply to the contents of paragraph 6(M), it is submitted that he could not be considered for promotion because he failed to give the option for the post of Mistri prior to issued of new channel. Now the promotion are governed by the present channel and considering the present channel and promotion thereunder, there is no violation of Article 14 or 16 of the Constitution of India, because the name of remaining four persons except the applicant respondent 4 was included on the basis of combined seniority of Power Group.

**Para 6(N):** That the applicant being junior to the persons whose names are shown in Letter No. 754-E/2-6 dated 26.8.'88 except respondent no.4 because of respondent no. 4 option in 1986 and promotion given thereafter could not be considered in the present channel. The



- 5 -

applicant can make no complaint in the circumstances of the case, which has arisen on account of his non giving of the consent to the post of Mistri in the old channel and which promotion can only be considered in the new channel.

in reply to  
Para 6(O): That the contents of paragraph 6(O) it is not denied that respondent no. 4 was promoted as a Mistri on his giving option for the post of Mistri in 1986, while the applicant failed to give the option. Hence he cannot be considered in the present channel of promotion on combined seniority and he could be considered when his turn comes and not before when seniors are there to be promoted. The allegation of he being deprived are vehemently denied.

Para 6(P): That in reply to the contents of paragraph 6, it is submitted that ground for inclusion of name of respondent is already explained in reply, above.

Para 6(Q): That in reply to the contents of paragraph 6(Q), it is submitted that there will be no effect on applicant's seniority because he will be called on the basis of combined seniority according to the present channel.

Para 6(R): Denied. The said representation has not been received by the administration.

Para 6(S): That in reply to the contents of paragraph 6(S), it is submitted that criteria for suitability test for the post of mistri has been changed after issuing the present channel on 14.7.88 from Head Quarter Office New Dehi.

AS 5-

- 6 -

Para 7: Denied. The applicant is not entitled to any relief.  
none of the ground is tenable under law.

Para 8: Since the application itself is liable to be  
dismissed, the applicant is not entitled to any  
interim relief.

Para 9: Needs no reply.

Para 10: Needs no reply.

Para 11: Needs no reply

Para 12: Needs no reply.

Para 13: Needs no reply.

Lucknow

dated:

  
Respondent 1 to 3

Verification.

I, working as  
in the office of D.R.M. Northern Railway duly competent  
and authorised do hereby verify that the contents of paras  
1 to 13 of his reply are true to my belief based on  
information derived from record and legal advice.

Signed and verified this day of November 1992 at  
Lucknow.



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD

LUCKNOW CIRCUIT BENCH : LUCKNOW

A36

CA

Palakdhari

...

Applicant

Versus

Union of India & others ...

Respondents

Registration No. 122/1988

F.F. 30/3/89 11/5/89

Counter reply on behalf of respondent No.4 against  
the application dated 19/9/1988 of the applicant

Kutuban record

103/5/89

The respondent No.4 begs to submit :-

1. That the contents of para 1 of the application need no comments.
2. That the contents of para 2 need no remarks.
3. That the contents of para 3 need no remarks.
4. That the contents of para 4 require no comments.
5. That the contents of para 5 need no comments.
6. (A) That the contents of sub-para (A) to para 6 are admitted. The applicant was appointed as Khalasi in scale Rs 70-85(A.S) on 23-5-60.
- (B) That the contents of para 6(B) of the application are not admitted. He was promoted as B.T. Wireman in the semi-skilled

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category in scale Rs 75-110(A.S) with effect from 13-12-1969 and not from 20-12-1969 in scale Rs 75-110(A.S) as alleged.

(C) That the contents of para 6(c) are wrong and denied. He was promoted as Skilled Wireman in scale Rs 110-180(A.S) with effect from 2-7-73 and not from May 1973 as alleged. Letter No. 293E/2-6/Wireman dated 2/7/73 showing his date of promotion is annexed as Annexure X to this counter.

(D) That the contents of para 6(D) need no remarks.

(E) That the contents of sub-para (E) to para 6 need no remarks.

(F) That the contents of sub-para (F) to para 6 of the application are quite wrong and denied. The name of the respondent No.4 stands at S.No. 45-A below S.No.45 Sri Mohd Kazim and above S.No. No.46, Sri Haseen Alam in the seniority list of Wireman scale Rs 110-180(A.S) subsequently revised to scale Rs 260-400(RS) and that of the applicant Sri Palakdhari Prasad at S.No. 65 below S.No.64, Sri Jurakhan Lal and above S.No.66, Sri Kunnu Ram in the seniority list. The name of the respondent No.4 was at S.No. 79 and that of the applicant at S.No.65 on the previous seniority list (copy enclosed as Annexure No.I). But on representations made by the respondent No.4 the said seniority list was provisionally revised vide Divl.Railway Manager's letter No.847E/2-6 dated 26-4-84 by the competent authority (copy annexed as



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annexure No.II) to the counter, representations if any, were invited from staff so adversely affected by the revision of seniority of the respondent No.4 within 15 days from the date of its issue. Only Sri Sajid Ali and Kalloo Lal submitted their representations against this revised seniority assigned to respondent No.4. Their representations were thoroughly examined by the competent authority and were ultimately turned down having found no substance in them. Sri Palak-dhari, the applicant, made no representation against the assigning of the revised seniority to the respondent No.4. The revised seniority of respondent No.4 was, therefore, finally confirmed and a final confirmation letter No.293/E/2-6/Wireman dated 13-2-86 (copy enclosed as annexure No.III) was circulated to all concerned for necessary information and guidance. Since the applicant made no representation against assigning of the revised seniority position to the respondent No.4 he is now estopped to assert and claim that he is senior to the respondent No.4. He is much junior to him as the position on the revised seniority list of the respondent No.4 is <sup>now</sup> ~~same~~ at S.No.45-A whereas the applicant stands at S.No.65 of the said list.

(G) That the assertion made in para (G) to para 6 are quite wrong and denied. The respondent No.4 is very much senior to the applicant.

(H) That the contents of para (H) are wrong and denied. The applicant is put to <sup>strict</sup> ~~trial~~ proof of it.

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(I) That the contents of para (I), so far as the seniority of the respondent No.4 is concerned, are quite wrong and denied. He is very much senior to the applicant. As regards bio-data of the respondent No.4 he has to submit as under ;-

(a) The respondent No.4 was appointed as Khalasi on 8-12-1963 in scale Rs 70-85(A.S.) and not on 18-12-1963 as alleged.

(b) He was promoted as S.P.A. with effect from 11-4-66 as semi-skilled and confirmed as such in 1968 in scale Rs 75-110(A.S.). The applicant was working simply as Khalasi at that time in scale Rs 70-85(A.S.). Divisional Personnel Officer, N.Rly Lucknow letter No. 16/10/70 dated 16/10/70 is enclosed as annexure No. VIII)

(c) The respondent No.4 was promoted as Wireman grade-III in scale Rs 110-180(A.S.) with effect from 16-10-1970.

(d) He was promoted as Wireman grade-II with effect from 1-8-78 in scale Rs 330-480(A.S.) and not in 1979 as alleged. Promotion letter No. 759E/2-6/ Power/up-grading dated 11-6-79 is enclosed as annexure No. IV to this counter.

(e) The contents of sub-para (e) to (I) are quite wrong and denied. The respondent No.4 was deemed to ~~the~~ be promoted as Wireman grade-I with effect from 1-8-78 in upgrading and posted under ELS(LA) Lucknow ~~of the~~ <sup>after</sup> assigning his seniority above

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Sri Haseen Alam at S.No.45A in the seniority list as detailed in para 6(F) above. A true copy of the change memo dated 20-3-86 from the Divisional Railway Manager, Northern Railway, Lucknow to the ELS/LKO showing his promotion as Wireman grade-I in scale Rs 380-560 (R.S.) with effect from 1-8-78 is enclosed as Annexure No.V to this counter and his posting orders against this grade I at ELS(LA)LKO vide Divl. Railway Manager's order No.754E/2-6 dated 5-10-86 (copy enclosed as Annexure No.VI). He joined this post and is ~~denied~~ <sup>deemed</sup> to be working in this grade since 1-8-78 continuously without any break.

(J) That the contents of sub-para (J) to para 6 need no comments.

(K) That the assertion made in para (K) are quite wrong and are emphatically denied. Two conditions are laid down in para 1(ii) to letter No. 754-E/77-III(E.ii.E) dated 18-7-1973 (annexure No.2 of the applicant) for promotion to the post of Mistry : (1) staff of grade 130-212(A.S) should be taken in order of seniority (2). They must have exercised option to their advancement of promotion to scale Rs 150-240(A.S.) either as Mistry or Highly Skilled grade I, one of these two but not for both. As the applicant did not fulfil these conditions i.e. he was neither senior enough nor ever exercised any option for his promotion to the channel of promotion to the Mistry side he was not eligible to be called for the requisite trade test and accordingly he was correctly not called for the trade test for his promotion to the post of Mistry. On the other hand

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the respondent No.4 was called for the trade test for his promotion to the post of Mistry as he was a very senior person and he had also opted for his channel of promotion to the Mistry side. A true copy of the Electrical Supdt./LKO's letter No.2/SK-H/ELS(LA)/83 dated 12-5-83 showing that he exercised his option for his promotion to the Mistry side is enclosed as annexure No.VII to this counter reply. The respondent No.4 having fulfilled the requisite condition of the letter dated 18-7-73 above applied to the DRM/LKO vide his application dated 25-7-86 (copy enclosed as annexure No.IX to this counter) to be considered for the post of Mistry grade Rs 380-560 (RS)

(L) That the contents of para (L) are quite wrong and denied. The applicant is neither senior to the respondent No.4, his position on seniority list being 65 as against that of the respondent No.4 who stands at S.No.45-A on the said list, nor did he ever exercise his option for his promotion to the Mistry side, so he was correctly not called for the requisite trade test by the respondents No.1 to 3

(M) That the contents of para (M) are emphatically denied. In view of the remarks detailed in sub-para (k) to para 6 above the order dated 26-8-1988 (annexure 1 of the applicant) are neither discriminatory nor violative of Article 14 and 16 of the Constitution of India. It is perfectly according to rules laid down in general Manager's letter No.754-Ei-77-II (ETTE) dated 18-7-1973 (annexure No.2 of the applicant) and also legally and constitutionally valid.

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(N) That the assertions made in para (N) of the application are quite wrong and denied. In view of remarks detailed in sub-para (K) to para 6 above the applicant neither had any right to be considered for a suitability trade test nor for promotion as Mistry. The applicant is put to no cause of prejudice against him. The order dated 26-8-1988 contained in annexure No.1 of the applicant are quite legal and valid order.

(O) That the contents of para (O) of the application are quite wrong and denied. In view of remarks detailed in sub-para (K) to para 6 of this counter the applicant has not at all been deprived of any right to appear in suitability test. Actually no right accrued to him for the said test.

(P) That the contents of para (P) of the application are wrong and denied. The respondent No.4 having been declared suitable in the trade test was selected for the post of Mistry and he has also been promoted as such by an order No.754-E/2-6 dated 5-10-88 of the Divisional Railway Manager, Northern Railway Lucknow. A true copy of the said order is annexed as Annexure No.VI along with this counter reply. He was posted under ELS(LA) LKO and he has continuously been working as Mistry since 13-10-1988.

(Q) That the contents of para (Q) are denied. In view of the reply under sub-para (P) and (K) of para 6 of this counter the applicant acquires no right for his promotion as Mistry.

(R) That the assertions made by the applicant in

para (R) are denied except that of his admission in para 1 of his annexure No.4 of the application

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(S) That the contents of para (S) of the application are wrong and denied. The suitability test was held perfectly according to the conditions laid down in General Manager, Northern Railway New Delhi's letter dated 18-7-1973 (Annexure No.2) of the applicant.

7. That the reliefs prayed for by the applicant are liable to be rejected on the details of counter replies contained in sub-paras A to S of para 6 of the respondent No.4.

As regards counter replies to the grounds of the applicant the respondent No.4 has to submit :-

1. The post of Mistry is to be filled not only on the basis of seniority amongst the eligible candidates but also on the basis of option exercised for promotion as Mistry. The applicant having not fulfilled these two conditions was not eligible to be considered.

2. The orders dated 26-8-1988 are not at all discriminatory and do not hit at Art 14 and 16 of the constitution of India.

3. The applicant being junior to the respondent No.4 had no right to be considered for the trade test as neither he is senior to the respondent No.4 nor had opted for the post of Mistry so no prejudice is actually caused to him.



4. The applicant was neither senior to the respondent No.4 nor opted for promotion to the post of Mistry so he was not eligible to be considered for promotion as such. He was correctly not called for trade test.

5. The respondent No.4 stands already promoted as Mistry with effect from 13-10-1988 on the basis of his suitability and merit. The applicant may seek his promotion on his due turn according to rules.

6. The suitability test is perfectly legal and valid according to a instruction laid down in annexure No.2 of the applicant.

(8) That the relief prayed for <sup>in</sup> para (8) is liable to be rejected as respondent No.4 having <sup>found</sup> ~~informed~~ suitable in the trade test and merit has already stands promoted as Mistry by an order dated 5-10-88 (Annexure No.VI to <sup>the</sup> ~~their~~ counter reply) and he has also been continuously working as Mistry since 13-10-1980 the prayer for an interim order gets infructuous.

(9) That the contents of para 9 need no comments.

(10) That the contents of para 10 need no remarks.

(11) That the contents of para 11 need no comments.

(12) That the para 12 needs no remarks.

(13) That the para 13 needs no remarks.

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Verification

I, Raj Kumar S/o Late Sri Tara Chand aged about 46 years do hereby verify that the contents of paras 1 to 13 with its sub-paras of this counter reply are true to my personal knowledge and belief.

I have not concealed anything material.

✓ signed and verified this 2<sup>nd</sup> May of 1989 in the Court Compound at Lucknow.

Lucknow:

Dated: 2. 5 1989

  
Raj Kumar  
Respondent No. 4

  
18/5/89

Counsel for the respondent No 4

Annexure No. 20

List of Wiromen in Grade Rs. 260-400 (RS)

Sanctioned:

Permanent = 66

Temporary = 36

Name	Father's Name.	Date of birth.	Date of appointment.	Substantive Design. Scale	Date of confirmation.	Officiating Design. Scale	Date of Offtg.	Remarks
S/Shri	S/Shri							
1. Gargangi Lal	Chhatri Lal	17.3.26	13.3.47	W/Man 260-400	12.1.55			
2. Chhedi Lal	Hemraj	13.7.27	13.7.45	-do-	-do-	11.10.60	Mistry 380-560	
3. Misri Lal	Sowey	10.1.27	10.1.42	-do-	-do-	15.10.60		Offtg. as HS.W/M II
4. Parmeshwar Deen	Neewer	20.6.26	20.6.46	-do-	-do-	16.10.60		
5. Suraj Prasad	Hirai	14.5.26	14.5.46	-do-	-do-	17.10.60		Offtg. as HS.W/M II
6. Ram Dularey	Parsadi	27.3.26	27.3.46	-do-	-do-	19.10.60		
7. Suraj Bali	Masani Deen	1.9.26	11.2.46	-do-	-do-	20.10.60		
8. Chhedi	Hansraj	12.12.24	19.12.45	-do-	-do-	2.2.61	H.S. 330- W/Man 480	Offtg. as HS.W/M I.
9. A.K. Gargari	M.N. Gargary	10.12.33	21.12.53	-do-	-do-	16.4.61	Mistry 380-560	Offtg. as ELC 425-700 (RS)
10. M.H. Ansari	Lallu Ansari	5.10.35	20.4.55	-do-	-do-	17.4.61	-do-	-do-

	2	3	4	5	6	7	8	9	10	11	12
16	Padayya Pd.	Devi Pd.	21.3.29	24.9.55	W/Man	260-400	18.4.61	HS.11/1 330-II	480	Offtg.as HS. W/Man (I)	
12	Paray Lal	Shrikishan	6.3.29	26.9.55	-do-	-do-	24.6.61	-do-	-do-	Offtg.as HS.W/M	
13	Jan Sahai (SC)	Mool Chand	7.8.30	13.12.55	-do-	-do-	19.8.61	-do-	-do-	380-560 (RS)	
15	Unital (SC)	Ganga Deen	1.7.25	11.11.46	-do-	-do-	2.1.63	C/Join-380- ter.	560 (RS)		
15	Kheda (SC)	Behari	17.1.27	20.1.47	-do-	-do-	2.1.62			Offtg.as HS.W/M (I)	
16	Reh Shanker	Ratipal	17.5.34	27.9.55	-do-	-do-	12.2.63			Offtg.as Mistry.	
17	Maldeo Kishan	Tarachand	8.12.36	8.12.55	-do-	-do-	15.10.60			On deputation unde	
18	Magendra Pd.	Narain Lal	1.3.37	19.9.55	-do-	-do-	16.11.64			Offtg.as HS.W/M (I)	
19	Reheda Lal	Badloo	8.7.32	9.7.52	-do-	-do-	2.11.64				
20	Mairon Pd.	Bhagwan Dass	29.3.31	29.3.55	-do-	-do-	19.11.64			Offtg.as W/M (I)	

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21.	Sita Ram	Prabhu Dayal	29.5.34	29.9.55	W/A	260-400	20.11.64				Offtgs. as W/Man (I)
22.	Lalit Kumar	Bhagat Ram	15.5.38	4.7.57	-do-	-do-	1.10.66				-do- (II)
23.	Vishwanath	Khushi Ram	15.10.25	15.10.55	-do-	-do-	9.10.67				-do-
24.	Hari Ram (SC)	Narain Singh	10.8.37	26.7.56	-do-	-do-	1.1.68	Mistry 380- 560			Offtgs. as Mis-
25.	S. Panodar	A.K. Samodari	1.10.36	26.10.56	-do-	-do-	1.1.68	Mistry 380-560			
26.	Brij Lal	D.C. Khanna	5.1.36	6.4.57	-do-	-do-	27.11.68				Offtgs. as W/M (I)
27.	Zakir Husain	Buniyad Husain	20.1.27	20.1.47	-do-	-do-	28.2.67	HSF W/II	330- 380		Offtgs. as W/M (I)
28.	Lachhiman	Raghunandan	6.9.26	16.9.46	-do-	-do-	21.12.67				-do-
29.	Ram Kumar	Gauri Shanker	10.6.28	10.6.47	-do-	-do-	9.8.67				
30.	Narayan (SC)	Hub Lal	10.4.30	10.4.52	-do-	-do-	1.1.68				Offtgs. as HS. W/M
31.	Bachan Ram	Mahabir	1.4.28	1.4.48	-do-	-do-	9.3.68				
32.	K.N. Misra.	Thakur Pd.	9.8.34	9.8.56	-do-	-do-	25.3.68				Offtgs. as W/M (I)
33.	Akhileshwar Pd.	Shiv Kumar Misra.	9.3.37	20.9.57	-do-	-do-	25.3.68	Mistry 380- 560			

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		3	4	5	6	7	8	9	10	11	12	
		S/Shri	S/Shri									
34	Ram Pyarey	Sarju Pd.	15.2.33	12.8.59	W/Man	260- 400	25.3.68					Offtg.as W/M(I)
35	Hari Ram	Mahabir	2.1.34	11.8.59	-do-	-do-	25.3.68					
36	Sajaj Singh	Ram Swarup	30.5.36	9.7.56	-do-	-do-	9.5.68					Offtg.as W/M (I)
37	Arial (EV)	J.A.Aerial	25.7.33	7.8.56	-do-	-do-	24.6.68					-do- W/M (II)
38	M.L.Tripathi	G.P.Tripathi	15.11.36	20.9.57	-do-	-do-	19.10.70					-do-
39	Ashok Kumar	Rajender Bahadur	20.3.38	23.9.57	-do-	-do-	1.1.71					Offtg.as Mistry.
40	R.K.Verma	Ram Sahai	23.5.34	16.10.57	-do-	-do-	1.1.71					Offtg.as W/M (I)
41	R.S.Misra	Baby Ram Misra.	9.7.35	16.10.57	-do-	-do-						Offtg.as Mistry.
42	Ram Singar Lal	Luxmi Narain Misra.	20.4.38	28.10.57	-do-	-do-	1.1.71					Offtg.as W/M (II)
43	K.C.Dutta	R.K. Dutta	6.7.37	17.7.56	-do-	-do-	-do-					Offtg.as W/M (I)
44	D.N.Tandon	Deoki Nandan Tandon.	14.1.39	6.10.62	SPA	210- 290	8.4.68	Metre Rader W/Man	260- 400	20.5.70	Offtg.as W/M (II)	
45	Mohd. Kazim	Mohd.Ali Khan	27.6.35	20.8.57	-do-	-do-	8.4.68	-do-	-do-	-do-		
46	Haseen Alam	Ayub Siddique	20.6.42	8.12.63	-do-	-do-	-do-	-	-	-		Offtg.as Mistry.
47	Mohinder Singh.	Dhanyal Mehar Chand	9.5.41	6.2.63	-do-	-do-	-do-	W/Man	260- 400	-	-do-	WM (I)

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48.	R.P.Sharma	V.D.Sharma	5.1.33	23.1.58	SPA	210- 290	8.4.68	MR Wireman	260- 400	-	Offtg.as W/M(I)	
49.	Prabhu Dayal	Bachhunal	5.3.33	16.10.57	Elect	196- Kh. 232	1.1.68	-do-	-do-	-		
50.	Surat Singh	Jagat Singh	5.7.32	24.10.54	-do-	-do-	1.1.68	-do-	-do-	-	Offtg.as W/M (I)	
51.	Bal Kishan	Ayodhya Pd.	5.11.34	17.7.56	-do-	-do-	1.1.68	-do-	-do-	-		
52.	R.B.Khany	Visheshwar Nath	1.7.38	17.10.57	-do-	-do-	1.1.68	-do-	-do-	-	Offtg.as W/M (I)	
53.	Tajchhatri Pd.	Satya Nar- ain.	2.4.33	18.10.57	-do-	-do-	1.1.68	-do-	-do-	-	Offtg.as W/M (I)	
54.	Ram Shanker Singh.	Baijnath Singh.	1.7.39	18.10.57	-do-	-do-	1.1.68	-do-	-do-	-	-do-	
55.	Rama Kant Sharma	Ram Govind	12.2.37	18.11.57	-do-	-do-	1.1.68	-do-	-do-	-	-do-	(II)
56.	Mohd. Yasin	Subrati	3.7.37	9.6.58	-do-	-do-	1.1.58	-do-	-do-	-		
57.	Ram Raj	Ram Pd.	15.1.37	24.2.59	-do-	-do-	1.1.68	-do-	-do-	-		
58.	Jagdamba Pd.					1.1.68	-do-	-do-	-	Offtg.as W/M(I)		

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59	S/Shri Dew. Pd.	S/Shri S.N.Awasthi	23.5.35	2.6.60	Elect. Kh.	196- 232	1.1.68	W/Man	260- 400		
60	Ali Charan	Chittan	4.1.39	17.9.59	"	"	"	"	"		
61	Munna Lal	Ram Pd.	1.7.37	30.9.57	-do-	-do-	-do-	-do-	-do-	Offtg.as W/M I	
62	Ran Himanchal Pandey.	Ram Awadh Pandey	20.7.39	3.9.59	-do-	-do-	-do-	-do-	-do-		-do-
63	Ram Kripal Singh	Ram Karan Singh	1.8.38	3.8.59	-do-	-do-	-do-	-do-	-do-		
64	Jurakhan Lal (SC)	Sumer	7.7.39	22.5.59	-do-	-do-	-do-	-do-	-do-	Offg.as Mistry in Gr.380-560(R)	
65	Palak Dhari	Bachhu Lal	25.3.24	23.5.60	-do-	-do-	-do-	-do-	-do-	offtg.as W/M (I)	
66	Kunnur Ram (SC)	Shyam Lal	23.6.36	4.7.59	-do-	-do-	-do-	-do-	-do-		-do-
67	Sajid Ali	Wajid Ali	12.7.37	5.11.59	-do-	-do-	-do-	-do-	-do-		-do- (II)
68	Kalloo Lal (SC)	Chunni Lal	1.2.40	13.8.59	-do-	-do-	-do-	-do-	-do-		-do- (I)
69	Mani Ram	Babban Singh.	20.8.37	13.10.55	-do-	-do-	-do-	-do-	-do-		-do- (II)
70	Girija Shanker, Rajaram		3.6.31	3.6.52	-do-	-do-	-do-	-do-	-do-		
71	Mohd. Umar	Mashooq Ali	31.5.33	31.5.54	-do-	-do-	-do-	-do-	-do-		-do- (II)

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S/Shri	S/Shri												
72	Ram Dularey (SC)	J-eetu	12.1.36	5.2.59	SPA 210- 299	17.4.64	W/Man 260- 439					Offtg.as W/M II.	
73	Nishori Lal (SC)	Sant Dyal	9.10.44	25.2.64	-do-	-do-	8.4.68	-do-	-do-			-do-	W/M (I)
74	Khadey Shyam	Ram Avtar	8.7.39	5.8.60	-do-	-do-	6.9.64	-do-	-do-			-do-	W/M II.
75	Ramesh Chand Srivastava	Hari Kishan	10.1.46	16.11.62	-do-	-do-	-do-	-do-	-do-			-do-	
76	Ram Dularey (SC)	Neemer	1.7.40	27.4.61	-do-	-do-	1.1.68	-do-	-do-			-do-	
77	Bachchan (SC)	Chhabiley	12.6.35	19.12.59	-do-	-do-	-do-	-do-	-do-			-do-	
78	Madho Pd.	Govind Pd.	18.8.41	24.10.62	-do-	-do-	-do-	-do-	-do-				
✓ 81	Raj Kumar	Tarachand	7.4.41	8.12.63	-do-	-do-	-do-	-do-	-do-			Offtg.as W/M (II)	
82	Prithi Raj (SC)	Binda	20.7.40	17.6.60	-do-	-do-	-do-	-do-	-do-			-do-	
83	Ram Nath (SC)	Datta Ram	3.1.41	18.10.62	-do-	"	19.7.71	-do-	-do-			-do-	
84	Man Singh	Pooran Singh	15.2.41	21.2.63	-do-	"	-do-	-do-	-do-			-do-	
85	Sahdeo Singh	Ram Singh Singh	2.9.41	25.2.60	-do-	"	-do-	-do-	-do-				

2	3	4	5	6	7	8	9	10	11	12
S/ Shri 71/ Siddheshwar exit.	S/ Shri Sagar Dayal	1.1.40	5.11.59	SPA	210- 290	19.7.71	W/ Man	260- 400	Offtg. as W/M II.	
84	Sohan Pd. Mata Badal	1.6.41	21.10.62	-do-	-do-	-do-	-do-	-do-	-do-	
86	86 a Lal (SC)	Chhoteey Lal	2.2.38	21.9.57	-do-	-do-	-do-	-do-	-do-	
87	87 Lal (SC)	Badloo	1.6.39	19.11.59	-do-	-do-	-do-	-do-	-do-	
88	88 Sand Kishore (SC)	Ganesh Ram	13.7.42	9.2.63	-do-	-do-	-do-	-do-	-do-	Offtg. as W/M II.
89	89 Ram Pasi (SC)	Kali Deen	15.12.33	13.8.59	-do-	-do-	-do-	-do-	-do-	-do-
90	90 Ram Karan Misra.	J.N. Misra	2.1.47	5.2.63	-do-	-do-	-do-	-do-	-do-	-do-
91	91 Ram Nihore (SC)	Ayodhya	1.2.29	14.8.59	-do-	-do-	-	-do-	-do-	
92	92 Mohd. Rafiq	Mohd. Islam	13.11.41	7.2.63	-do-	" 1.1.68	-do-	-do-		
93	93 Gur Charan Nath. S.S. Nath	8.10.40	6.2.63	"	"	"	-do-	-do-	Offtg. as W/M II	
94	94 Suhender Singh. Hari Singh	13.8.41	25,2,64	"	"	"	-do-	-do-	-do-	
95	95 Ram Ratan (SC)	Munnoo Lal	4.6.39	14.7.59	"	"	"	"	-do-	

1 2 3 4 5 6 7 8 9 10 11 12

96. Badri Vishal S.P.Srivastava. 8.11.40 18.10.62 SPA 210- 1.1.68  
290 Offtg.as W,

18. Ram Sahai Singh. Udai Rai 15.7.41 16.10.62 " " " W/Man 260.  
400.

99. J.N. Maurya Sitaram 12.4.38 20.10.62 " " " MR " -30

100 Bachhoo Lal Rameshwar Pd. 11.8.38 25.11.62 " " " MR " - do

101 Kamleshwar Atma Pd. 29.7.42 10.2.62 " " " MR " "

102 Chhotey Lai Shyama Pd. 4.9.39. 16.6.60 " " " MR " "

103 Toofani Ram Jhingrao Ram 1.1.42 5.11.63 Kh 196- 1.1.63 MR W/Man 260- 13.6.78  
(SC) 232 46

104 Ramesh Kumar R.Chopra 7.5.74 W/M 260- - W/Man -do- 7.5.54  
Chopra 400

105 Krishan Kumar 23.10.41 SPA 210- 1.1.68 MR.W/Man 10.6.78

106 Ganga Pd. Suraj Bali 6.8.59 " 290 -do- 1.1.68 W/Man 260- 13.9.78  
400

07 Ambika Pd. Baij Nath 1.7.40 30.11.62 Kh 196- do do " 13.9.78

08 Dwarika Malu Asharfi Lal 15.1.34 2.9.60 Kh. -do- -do- -do- " 13.6.79

09 Ali Midhi Salimuddin 30.12.39 7.11,62 " " -do- -do- "

1	2	3	4	5	6	7	8	9	10	11	12
110	Prem Nath	Sant Saran Lal	25.6.42	21.5.64	Kh. 196- 232	1.1.68	W/Man	260- 400			
111	Sita Ram	Kedar Nath	7.7.37	21.5.64	-do-	-do-	1.1.68	-do-	-do-		
112	Nandi Ram S/C	Ram Bux	2.7.32	11.11.59	-do-	-do-	1.1.68	-do-	-do-		
113	R.K.Pandey	Bal Kishan	25.3.45	12.12.64	-do-	-do-	1.1.68	-do-	-do-		
114	Udai Singh	Maryad Singh	1.7.42	25.3.63	-do-	-do-	1.1.68	-do-	-do-		
115	Dhan Bahadur	Kishan Bahadur	27.3.40	8.12.63	-do-	-do-	1.1.68	-do-	-do-		
116	Hari Pratap	Amrit Lal	8.3.42	8.12.63	-do-	-do-	1.1.68	-do-	-do-		
117	R.K.Misra	B.P.Misra	30.6.38	10.7.59	-do-	-do-	1.1.68	-do-	-do-		
118	Jai Mangal	Srikishan	1.2.37	15.10.62	-do-	-do-	1.1.68	-do-	-do-	22.9.79	
119	B.K.Pd.S/C	Basant Lal	1.9.41		-do-	-do-	1.1.68	-do-	-do-	-do-	
120	Sheo Dhani	Ram Kishan	0		-do-	-do-				27.9.79	
121	Abdul Hamid	Rahim Bux	1.11.40	3.1.69	-do-	-do-	3.1.75	-do-	-do-	-do-	
122	Ram Naresh	Metai	3.3.41	20.12.65	-do-					28.9.79	
123	Moorat Singh	Ram Sabal	25.1.39	26.12.63	-do-	-do-	-	-do-	-do-	-do-	
124	Nageshwar Pd.	Badri Pd.	17.7.45		-do-	-do-	-	-do-	-do-	-do-	

1	2	3	4	5	6	7	8	9	10	11	12
125	Raj Kumar	Ram Narain	31.1.43	28.8.71	Kh	196- 232		W/Man	260- 400	28.9.79	
126	Maheshwari Pd.	Udai Bhan	25.6.43	19.6.67	-do-	-do-			-do-		
127	Rahmat Ali	Barket Ali		13.10.72	-do-	-do-	-do-	-do-	-do-	-do-	
128	Makhan Lal S/C	Laxaman Dass	12.6.47	2.12.7	-do-	-do-		-do-	-do-	-do-	
129	Abdul Rashid.		4.3.39	16.1.58	-do-	-do-	1.4.68	-do-	-do-	1982.80	
130	Ram Anand Pd.	Ram Dass Pal	11.11.43	17.4.66	-do-	-do-		M.R. W/Man	-do-	22.2.80	
131	Ram Autar	Gur Dayal	7.2.36	11.11.57	-do-	-do-		W/Man	-do-	30.7.80	
132	Sri Ram	Neem	1.3.39		-do-	-do-			-do-	30.7.80	
133	Ram Shanker	Badri Pd.	1.2.44		-do-	-do-			-do-	30.7.80	
134	Ram Chandra S/C	Ghisianwan		27.4.73	-do-	-do-			-do-	-do-	
135	Ashfaqullah	Azamullah	17.10.45	20.8.72	-do-	-do-			-do-	-do-	
136	Moh Bahadur	Bahadur	1.8.46	12.1.73	-do-	-do-			-do-	-do-	
137	Gur Pd.	Shad Mattan		10.3.73	-do-	-do-			-do-	-do-	

V. D. LUKLA  
A. XAIS,  
84/333, Kali Bolehooli, 120001  
LUCKNOW

			1	2	3	4	5	6	7	8	9	10	11	12
138	Ram-Sanehi	Ram Lagan	28.4.49	27.4.73	Kh.	196- 232	W/Man	260- 400						
139	Abdul Majeed	Kelloo												
140	Sri Nath	Jagbir	30.3.46											
141	Dwarika Pd.	Avas Khir Pat.	4.6.49	1.11.69	-do-	-do-	-do-	-do-	-do-	-do-	-do-	-do-	-do-	
142	Jilani Siddiqui.	Munna Siddiqui	-	26.6.73	-do-	-do-	-do-	-do-	-do-	-do-	-do-	-do-	-do-	
143	Chander Dev Rai	Basdeo Rai	1.7.45	16.6.70	-do-	-do-	-do-	Teray	MR	-do-	-do-			
144	Sheo Mani Dubey	Bhagwati Dubey	1.1.47	22.5.71	-do-	-do-	-do-	-do-	-do-	-do-	-do-	14.8.81		
145	Chhotey Lal	Pearey	19.3.47	-do-	-do-	-do-	-do-	W/Man	-do-	30.12.81				
146	Ganga Pd.	Hussaru	1.11.37	11.2.70	-do-	-do-	-do-	-do-	-do-	-do-	-do-			
147	Ram Kewal	Harbans	9.3.42	22.1.69	-do-	-do-	-do-	-do-	-do-	-do-	-do-			
148	Iqbal Bahadur	Babban Singh	1.10.46	26.3.73	-do-	-do-	-do-	-do-	-do-	-do-	-do-			
149	Baijo	Girdhari	15.4.45	3.5.69	-do-	-do-	-do-	-do-	-do-	-do-	-do-			
150	Saiy Saini	Ram Lagan		14.2.68	-do-	-do-	-do-	-do-	-do-	-do-	-do-			

Amricana NO 2 II

NORTHERN HIGHWAY

22-807872-F

Divisional Office,  
Lucknow, dated 26/4/84

1100: Provisional seniority of wiremen in grade  
Rs.260-400 (RS).

In supersessions of this office letter of even no. dated July, 1962, the seniority positions of wireman on Lucknow Division is provisionally revised as under:-

It should be given wide publicity amongst the staff and any objection against the undernoted seniority is submitted by the staff, it should be forwarded to this office within 15 days of the receipt of this letter failing which it will be presumed that there is no representation against the proposed seniority and this provisional seniority list will be declared as final.

8.  
No.

1. Shri Raj Kumar He will assign seniority  
at item No. 45A below shri  
Mohd. Kazim item No. 45 and  
above Shri Haseen item  
No. 46.

Asstt. Personal Officer,  
Lucknow.

Copy to: -

1) THE CEVO/LA/CB/Lucknow & Varanasi.  
 2) The EFO/AMV/Lucknow.  
 3) The Sr. PLG/FD, PBH, RBL.  
 4) THE FLCs/JNU, SLN.  
 5) The Divl. Secy. URMU/CB/Lucknow.  
 6) The Divl. Secy. NRMU/CB/Lucknow.

1877-1888  
1888-1898

• L U C A N G

Annexe No III

Northern Railway.

No. 293/E2,6/wireman

Divisional Office  
Lucknow.

Dated 13.2.86

NOTICE

As a result of decision taken by ADRM(OP) in the informal meeting held with URMU on 13.2.86, Shri Raj Kumar, Wireman, Gr I has been allowed seniority above Shri Haseen Alem in the category of Wireman w.e.f. 16.10.70 with proforma fixation. Accordingly the same is enclosed.

Sri Haseen Alam and below Sri Mond. Kazim in the seniority list of wireman 260-400(RS) HS Wireman grade-II gr.Rs.330-480 and H.S. Wireman Gr. in scale Rs.380-560(RS) in the seniority list circulated under this office letter No.847 E/2-6 dated 20.5.82.

Quartermaster  
for Divisional Rly. Manager,  
Lucknow.

Copy to: - [REDACTED] (CP) in the informal

16. The ELS/CB/LKO priority list, same is seen also in the
- 2nd The Sr. DoAOO/LKO, 14th BSB which performs fixation.
- 3rd EFO/AMV/LKO & BSB. (This list has now been placed above)
- 4th EFO/Falzbed/RBL/PBH, 14th BSB in the priority list
5. Sr. ELC/JNU/SLV. (This list is placed under 14th BSB-1430 and
6. Sr. DEE/LKO. (This list is placed under 1430-000(A), in the priority list
7. The Divl. Secy. URMU, T-10, Near Parcel Office, Charbagh, Lucknow.
8. Divl. Secy. NRMU, near Guard's Running Room, Charbagh, Lucknow.

for Divisional Lyceum, L. S. now.

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20.  $\frac{1}{2} f_{10} = 200 \cdot 10^{-3} \cdot 10^3 = 200$

1960-1961. The author wishes to thank the Director of the Royal Ontario Museum for permission to publish this note.

# 卷之三

10  
D. SEPTEMBER

उत्तर रेलवे

माइक्रो फार्मासी

लखनऊ दिनांक 11-6-79

पंक्ति संख्या: 759ई/2-6-पावर/अप्रेडिंग

लोटिस:

प्रशान्त फार्मासी बड़ौदा हाउस नं ५६ दिल्ली के पत्र संख्या ५६।ई/२५९-।।(ई-।।-वी) दिनांक ५.१०.७८ के दृष्टिकोण में पावर शूप में २०% २५% ५५% अप्रेडिंग के संबंध में लिखति लिखित विवरण फर्मवारियों की पद्धति जो कि ड्रेड टेस्ट की परीक्षा में उत्तीर्ण हो युक्त है अस्थाई पर फै अंदेश जारी किये जाते हैं।

(अ) वर्तमान पद्धति के क्रमसंख्या नाम पद्ध वर्तमान स्थान पर पद्धति के क्रमसंख्या नाम पद्ध वर्तमान स्थान पर

सर्वश्री १. छेदी

एच०एस० ३३०-४८० वाराणसी एचएस० ३८०-५६० वाराणसी रिक्त खाब पर वायरमेन

2. केंद्र०मिश्रा	।।	।।	आलमबाग	।।	।।	आलमबाग	अप्रेडेड पोस्ट पर
३. जाकिर हुसेन	।।	।।	।।	।।	।।	।।	।।
४. भयोध्या प्रसाद	।।	।।	चारबाग	।।	।।	चारबाग	।।
५. हरी राम(अंगु)	।।	।।	।।	।।	।।	।।	।।
६. सुरज प्रसाद	वारमैन	२६०-४००	।।	।।	।।	।।	क्रम नं० ४
७. छेदा (अंगु)	।।	।।	।।	।।	।।	।।	क्रम नं०
८. रामशंकर लंह	।।	।।	फैजाबाद	।।	।।	फैजाबाद	ग्रेड-। की डाउन ग्रेडेड पोस्ट
९. राजेन्द्र प्रसाद	।।	।।	आलमबाग	।।	।।	आलमबाग	क्रम नं० २ पर ग्रेड की अप्रेडेड पोस्ट
१०. श्रैरो प्रसाद	।।	।।	चारबाग	।।	।।	चारबाग	।।
११. विष्णु बाथ	।।	।।	वाराणसी	।।	।।	वाराणसी	क्रम नं० ।
१२. हुज लाल	।।	।।	चारबाग	।।	।।	चारबाग	ग्रेड-। की डाउन पोस्ट पर
१३. राम कुमार	।।	।।	आलमबाग	।।	।।	आलमबाग	क्रम नं० ३
१४. राम पियारे	।।	।।	शाहगंज	।।	।।	शाहगंज	अप्रेडेड पोस्ट
१५. सुरज सिंह	।।	।।	चारबाग	।।	।।	चारबाग	ग्रेड-। की डाउन पोस्ट पर
१६. ई०वी०ऐरियल	।।	।।	फैजाबाद	।।	।।	फैजाबाद	अप्रेडेड पोस्ट
१७. राम रतन लाल	मी०	।।	वाराणसी	।।	।।	वाराणसी	ग्रेड-। की डाउन ग्रेडेड पोस्ट
१८. केंद्र०तलवार	।।	।।	आलमबाग	।।	।।	आलमबाग	।।
१९. अशोक कुमार	।।	।।	चारबाग	।।	।।	चारबाग	।।
२०. जगदीश प्रसाद	।।	प।।	फैजाबाद	।।	।।	फैजाबाद	अप्रेडेड पोस्ट
२१. आर०एस०वर्मा	।।	।।	उद्दाप	।।	।।	उद्दाप	।।

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१. र०एस०मिश्री निर्वायप्रमैन		260-400	2.	टीटीप्रसाद एचएस०	३३०-४८०	१. शास्त्र निर्मिति ०६४	१. आलमबाबा निर्वायप्रमैन	१. शास्त्र प्रकाशित ०८४
२. फ०षी०दत्ता	११	"		कायालय एचएस०	"	२. आलमबाबा निर्वायप्रमैन	२. आलमबाबा निर्वायप्रमैन	२. आलमबाबा निर्वायप्रमैन
३. हसी ब आलम	मी०११	"		बड़ दिल्ली ब्रेड-११	"	"	"	"
४. मोहिन्दर सिंह	११	"		प्रयाग	"	प्रयाग	"	प्रयाग
२६. आर०द्वी०र्धमा	११	"		आलमबाबा	"	आलमबाबा	ब्रेड-१ फी०३	आलमबाबा
२७. सूरत सिंह	वायरमैन	"		चारबाबा	"	चारबाबा	"	चारबाबा
२८. आर०वी०खरे	"	"		सुल्तानपुर	"	"	"	"
२९. तेजेश्वरी प्रसाद	"	"		आलमबाबा	"	आलमबाबा	"	आलमबाबा
३०. मो०जईखा	"	"		वाराणसी	"	वाराणसी	"	वाराणसी
३१. रामधीकर सिंह	"	"		चारबाबा	"	चारबाबा	"	चारबाबा
३२. रमाकान्त बर्मा	"	"		रायबरेली	"	रायबरेली	"	रायबरेली
३३. बगद्दा बा प्रसाद	"	"		आलमबाबा	"	आलमबाबा	ब्रेड-१ फी०३	आलमबाबा
३४. मुब्ना लाल	"	"		वाराणसी	"	वाराणसी	"	वाराणसी
३५. राम हिमान्ति पाठे	"	"		आलमबाबा	"	आलमबाबा	ब्रेड-१ फी०३	आलमबाबा
३६. पतक शारी	"	"		चारबाबा	"	चारबाबा	"	चारबाबा
३७. कुञ्जर राम(अब्दु)	"	"		जौबपुर	"	प्रतापगढ़	"	प्रतापगढ़
३८. साजिद खली	"	"		चारबाबा	"	चारबाबा	ब्रेड-१ पोस्ट	चारबाबा
३९. कल्लू लाल(अब्दु)	"	"		"	"	"	"	"
४०. मनी राम	"	"		प्रतापगढ़	"	प्रतापगढ़	"	प्रतापगढ़
४१. मो०डमर	"	"		सुल्तानपुर	"	सुल्तानपुर	"	सुल्तानपुर
४२. किंशोरी लाल(अब्दु)	"	"		आलमबाबा	"	आलमबाबा	ब्रेड-१ फी०३	आलमबाबा
४३. रमेश चल्द श्रीवास्तव	"	"		"	"	"	"	"
४४. राधे शाम	"	"		रायबरेली	"	रायबरेली	"	रायबरेली
४५. लक्ष्मण (अब्दु)	"	"		वारांदी	"	वारांदी	"	वारांदी
४६. राजकुमार	"	"		चारबाबा	"	चारबाबा	"	चारबाबा
४७. दुर्घटी राज(अब्दु)	"	"		"	"	"	"	"
४८. राम नाथ(अब्दु)	"	"		"	"	"	"	"
४९. सिदेश्वर दिल्लीत	"	"		"	"	"	"	"
५०. हरी सोहन प्रसाद	"	"		"	"	"	"	"

श्रद्धश्री	प्रक्रिया	प्रक्रिया	प्रक्रिया	प्रक्रिया	प्रक्रिया	प्रक्रिया
१०. अक्षयर अली खलासी	१९६-२३२	चारवांग	एस०पी०ए०	२१०-२९०	द्वारापांगी	रिक्त स्थान
११. त्रिलोकन रिंह	"	"	"	"	फैजावाद	"
१२. सीताराम पाल	"	फारामऊ	"	"	मुगलसराय	"
१३. समरसीत यादव	"	जौनपुर	"	"	जौनपुर	"
१४. श्रीराम	"	यारवांग	"	"	फैजावाद	"
१५. राजेकुरान	"	जैलपुर	"	"	जौनपुर	कुण्ड बगर
१६. महेश्वरी प्रसाद	"	वाराणसी	"	"	मुगलसराय	रिक्त स्थान पर
१७. रहमत अली	"	चारवांग	"	"	फैजावाद	"
१८. पिताम्बर	"	आलमबांग एसआर	"	"	शाहगंज	दूध लग
१९. राम शंकर	"	चारवांग	"	"	फैजावाद	रिक्त स्थान
२०. मण्डल लाल(अबु)	"	लखनऊ	"	"	मुगलसराय	"
		जौनपुर	"	"		

(ब) ब्रिफ्सित कर्मचारियों का स्थानान्तरण इनकी खेलछुसार उसी वेतनमान जैसा कि प्रत्येक व्यक्ति के लाम के सामने अंकित है का आदेश जारी किया जाता है। इन्हें खाइबिंग नीव स्था बन्तरण भूता इत्यादि देय नहीं है।

क्रमसंख्या नाम

पद वर्तमान स्थान पद वेतनमान स्थान रिक्त स्थान पर

श्रद्धश्री	पद	वर्तमान स्थान	पद	वेतनमान स्थान	रिक्त स्थान पर
१. प्यारे लाल	एचएस० वायरमैन	३३०-४८० वाराणसी	एचएस० वायरमैन	३३०-४८० लैजावाद अप्रेड पोस्ट	
२. सहदेव सिंह	वायरमैन	२६०-४०० रायवरेली	वायरमैन	२६०-४०० प्रतापगढ़ कँड पोस्ट	
३. मो०रफीक	"	रायवरेली	"	"	यारवांग बाई पोस्ट एल०भार०
४. अलीदहोल	"	मुलतानपुर	"	"	आलमबांग रिक्त स्थान
५. दूधबांध	एसपीए (आरजी)	शाहगंज	"	"	
६. मकर राम	"	फैजावाद	"	"	वाराणसी
७. जगपाल	"	प्रतापगढ़	"	"	आलमबांग
८. अंग प्रसाद	एसपीए	२१०-२९० उन्नाव	एसपीए	२१०-२९० चारवांग	
९. शिवधनी	"	अक्षयरपुर	"	"	मुगलसराय
१०. मथुरा लाल	"	फैजावाद	"	"	लखनऊ
११. कल्पन, सिद्धिदही	"	वारांबंगी	"	"	"
१२. मो०हतीम	"	जौनपुर	"	"	आलमबांग
१३. राम नरेश	"	मुगलसराय	"	"	प्रतापगढ़

*Shubh*  
V. D. SHUBH

M. S.

44  
U. K. S.

‘कुट्टी नहीं’ नामका विकास वालक आवाज़ीर  
The Statement of a ‘Kutti’ witness will be despatched from the  
Court of the District Magistrate on the 20th instant at 10 a.m. by  
the post office.

सेवा रथ नियम द्वारा सेवन के देशमें वित्त में कम पारा नहीं किया जायेगा जब तक यह यात्रा किया जायेगा। (सेवन को भलने का तरीका to be sent to Station)

१ दिनेशन को भेजने के लिए / To be sent to Shri

(Pb. Bg.), Delhi-35-163/1-04-1983-1,620 Bks.

卷之三

27. *Trichocentrus* *gibbosus* (Gmelin)

Annexure No VI

NOTIFICATION

No. 754B/2-6.

Divisional Office,  
Lokman.

Dt. 5-10-86.

Abu

RECD

The following promotion and posting orders are hereby issued with immediate effect:

- (1) Sri Jayaraman N. / Dmt/ 80/28/Lko gr. B. 1320-2040 (W.S) promoted as Assttry Gr. B. 1400-2300 (W.S) and posted under 14/1/LKO against existing vacancy.
- (2) Sri C. Ravish, L/Mand/ 90/34/Lko Grade B. 1320-2040 (W.S) promoted as Assttry Gr. B. 1400-2300 (W.S) and posted under 140/9/4/AV/LKO against existing vacancy.
- (3) Sri Sunder Singh 100/118/P/B-3 grade B. 1320-2040 (W.S) promoted as Assttry Gr. B. 1400-2300 (W.S) and posted under 14/1/LKO against existing vacancy.

For approval of concerned authority.

*Malk*  
Assistant Personnel Officer  
Lokman.

1. 2. 3. 4. 5. 6.  
Sri Jayaraman N. / LKO.  
Sri C. Ravish, LKO.  
Sri Sunder Singh 100/118/P/B-3  
Sri Sunder Singh 100/118/P/B-3  
Sri Sunder Singh 100/118/P/B-3

*Shell*  
S. R. S. KLA

1. 2. 3. 4. 5. 6.  
Sri Jayaraman N. / LKO.  
Sri C. Ravish, LKO.  
Sri Sunder Singh 100/118/P/B-3  
Sri Sunder Singh 100/118/P/B-3  
Sri Sunder Singh 100/118/P/B-3

1. 2. 3. 4. 5. 6.

True Copy  
Abu

*Shell*

Annexure No. VII

लोकल 13/G.L. 13  
प्रतर 99.८८/८८.१८८८

उत्तर रेलवे/NORTHERN RAILWAY

NO. 2/Staff/ELS(LA) /83.

A 65

Dated 12. 5. 83.

The DPO LKO,

Regd:- offg. arrangement.

— x x —

For Chandi Loko, Ministry of this installation was  
on the sick list of DPO LKO w.e.f. 01.2.83 and subsequently  
died on 26.11.83.

Keeping in view the caption given by Sidihi  
Kumar, W.Mean Gr II of this installation for promotion  
as Ministry & being Senior among W.Mean Gr II, was  
put to look after the work purely on temporary  
measure.

His case may kindly be considered for  
grant of offg. allowance if permissible under  
rules.

Electrical Superintendent  
N. Ry. Lucknow Area १५-  
Ratn Ali Siding  
Charbagh, LUCKNOW.

Exhibit  
on Case

Ady

W. D. S. S. R.

Annexure No. VIII

A 66

MEMORANDUM

Mr. Supt. 099100  
Lucknow Dt. 16/10/70

NOTICE

The following SPA's cadre by Warrant Or. Rs.75-110 (AS) are temporarily promoted to officiate as Warrant (WR) Or. Rs.110-110 (AS) and posted at the stations noted against each name, against the existing vacancies with immediate effect.

Name	Station Working	Station Pending
1. Sri D. H. Pandey	C.P.A./CD	TS/AMV-LKO.
2. Sri Mohinder Singh	SPA/AMV	TS/CD/LKO
3. Sri M. Kasim	B.T. Warrant/ OR	BSL.
✓ Sri Haresh Alam	SPA/CD	TS/AMV-LKO.
✓ Sri R. P. Ghosh	SPA/CD	DD

The following B.T. Warrant Or. Rs.75-110 (AS) being ~~excess~~ to require repeat are transferred and posted as 2.P.D. Or. Rs.75-110 (AS) at the stations noted against each name.

Name	Station Working	Station Pending
1. Sri Kunwar Ram	TS/AMV-LKO Varanasi.	TS/CD/LKO
2. Sri Asif Ali	TS/CD/LKO	DD
3. Sri S. R. Bhaini.	TS/AMV	TS/AMV/LKO
4. Sri Kalu Ram	TS/AMV	TS/CD/LKO

Com. Palak Bhari B.T. Warrant Or. Rs.75-110 (AS) in BS/CD/LKO is transferred and posted under BS/CD/AMV, Lucknow in same scale and capacity.

For Piv. Personnel Officer,  
Lucknow.

Rs. 0000/-/16/10/70.

Copy to:

The WMO/Lucknow Area, Lucknow.  
The D.G/CD/CD/AMV/LKO, BS, BS, FDS.  
The DA/BS/CD/LKO. He will please test the B.T. Warrant  
for the post of SPA as early as possible.

one

Signature

A. A.  
P.M. 16/10/70  
LUCKNOW

Annexure No IX

The Divisional Railway Manager,  
Northern Railway,  
Lucknow.

Rez : Selection of the post of Mistry  
Grade 380-560 (RS).

Respected Sir,

With due respect and humble submissions I beg  
to state as under for your kind consideration:-

1. That I am working as H.S. Wireman Gr.I under  
ELS (LA) LKU. in grade Rs.380-560 (RS).
2. That I am entitled to selection for the post of  
MISTRY Grade Rs.380-560 (RS) according to my  
seniority.
3. That keeping in view revision of my seniority  
vide DRM/LKC notice no. 293/2/2-6/Wireman,  
dated 13.2.86 I am now fairly senior for the  
said post and may kindly be considered and  
called for selection.

Thanking you,

S. D. P. O. / L. K. O. Yours faithfully,  
forwarded for further disposal please / Raj Kumar W.M.I

Raj Kumar W.M.I.  
Dated : 4/8/86  
25.7.1986.

( RAJ KUMAR )  
H.S. WIREMAN Gr. I,  
Under ELS (LA) Lucknow.

84/51, K.R. Marg - 12 - 1  
LUCKNOW.

Annexure No X

Office of the  
Divisional Officer,  
Lucknow.

Ref. No. 2838/2-6/Wireman.

Lucknow, dated 2.7.1973

Notice.

The following promotions are hereby made to have immediate effect against sanction of skilled posts.

1. Shri Babu Lal B.T.O.E.D. Harnamganj in grade Rs.75-110(AS) is temporarily promoted to officiate as Oil Engine Driver in grade Rs.110-180(AS) and posted at Harnamganj against a sanction of skilled post.

2. Shri Ram Milan Singh B.T.O.E.D. Akbarpur in grade Rs.75-110 is temporarily promoted to officiate as Oil Engine Driver in grade Rs.110-180(AS) and posted at Akbarpur against a sanction of skilled post.

3. Shri Jagjitwan Lal B.T.O.E.D. Bachrawan in grade Rs.75-110 is temporarily promoted to officiate as Oil Engine Driver in grade Rs.110-180(AS) and posted at Bachrawan against a sanction of skilled post.

4. Shri Babir Ali S.S.Fitter (Pump) Lucknow in grade Rs.75-110 is temporarily promoted to officiate as Pump Fitter in grade Rs.110-180(AS) and posted at Lucknow against a sanction of skilled post.

5. Shri Jagdish Prasad S.S.Fitter under BFO/CB/LA/Dko in grade Rs.75-110(AS) is temporarily promoted to officiate as Fitter in grade Rs.110-180(AS) and posted at Lucknow against a sanction of skilled post.

6. Shri Sohan Lal S.S.Fitter under BFO/CB/LA/Dko in grade Rs.75-110(AS) is temporarily promoted to officiate as Fitter in grade Rs.110-180(AS) and posted at Jaunpur against a sanction of skilled post.

7. Shri Chintay Lal B.T.Lineman Purnapgarh in grade Rs.75-110(AS) is temporarily promoted to officiate as Lineman in grade Rs.110-180(AS) and posted at Purnapgarh against a sanction of skilled post.

8. Shri B.P. Nigam B.T.Lineman Benaras in grade Rs.75-110(AS) is temporarily promoted to officiate as Lineman in grade Rs.110-180(AS) and posted at Benaras against a sanction of skilled post.

contd.....2

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9. Shri N.P. Sikdar B.T. Lineman Lucknow under EIC/TG/Alv/1 in grade Rs.75-110(AS) is temporarily promoted to officiate as Lineman in grade Rs.110-180(AS) and posted at Lucknow against a sanction of skilled post.

10. Shri Munna Lal S.S. Wireman Partapgarh in grade Rs.75-110(AS) is temporarily promoted to officiate as Wireman in grade Rs.110-180(AS) and posted at Partapgarh again at a sanction of skilled post.

11. Shri Ram Himachal Pandey S.S. Wireman Partapgarh in grade Rs.75-110(AS) is temporarily promoted to officiate as Wireman in grade Rs.110-180(AS) and posted at Jaunpur against a sanction of skilled post.

12. Shri Ram Kirpal S.S. Wireman Fyzabad in grade Rs.75-110(AS) is temporarily promoted to officiate as Wireman in grade Rs.110-180(AS) and posted at Fyzabad against a sanction of skilled post.

13. Shri Jurakhan Lal S.S. Wireman under EFO/CB/LA/Lko in grade Rs.75-110(AS) is temporarily promoted to officiate as Wireman in grade Rs.110-180(AS) and posted at Jangheri against a sanction of skilled post.

14. Shri Palokdheri Pressad S.S. Wireman under EFO/CB/LA/Lko in grade Rs.75-110(AS) is temporarily promoted to officiate as Wireman in grade Rs.110-180(AS) and posted at Lucknow against a sanction of skilled post.

15. Shri Munnu Ram S.S. Wireman under EFO/CB/LA/Lko in grade Rs.75-110(AS) is temporarily promoted to officiate as Wireman in grade Rs.110-180(AS) and posted at Jangheri against a sanction of skilled post.

16. Shri Bait Ali S.S. Wireman under EFO/CB/LA/Lko in grade Rs.75-110(AS) is temporarily promoted to officiate as Wireman in grade Rs.110-180(AS) and posted at Lucknow against a sanction of skilled post.

17. Shri P. Laloo Lal S.S. Wireman under EFO/CB/LA/Lko in grade Rs.75-110(AS) is temporarily promoted to officiate as Wireman in grade Rs.110-180(AS) and posted at Lucknow against a sanction of skilled post. Shri Jagdish Harola transferred to Fyzabad.

Divl. Pay Officer, D.E.C. Lucknow.

Copy to be sent for information and necessary action to:-  
1. EIC/TG/10. 2. EIC/TG/Alv/10. 3. EIC/Purn/Ch/Lko.  
4. EIC/10. 5. EIC/Purn. 6. EIC/10. 7. EFO/BSB. 8. EIC/CNJ.  
9. D.B.B./Lko 10. Pay Bill.

[Signature]

RA

BEFORE THE HON'BLE CENTRAL ADMINISTRATIVE TRIBUNAL,  
L J C K N O W.

O.A. No. 122 of 1988.

ATD

Palak Dhari

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Applicant

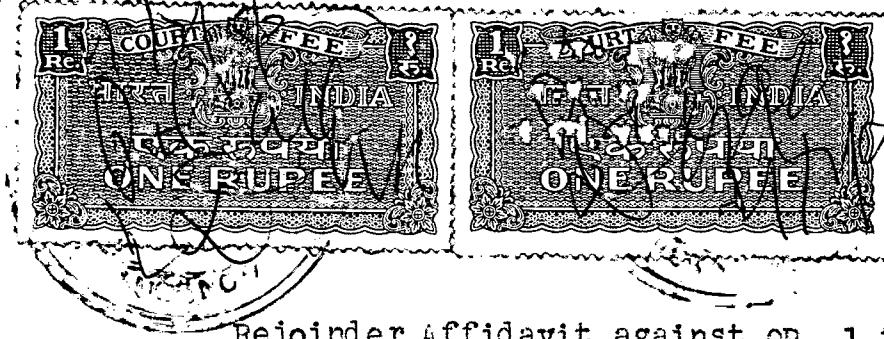
versus

Union of India & others ----

Opp. Parties.

1993  
AFFIDAVIT  
70 M  
DISTT. COURT  
Dated

PF 11-3-93



Rejoinder Affidavit against OP- 1 to 3

PT  
9/2/4

I, Palak Dhari, aged about 59 years S/o Sri Buddhu Prasad, R/o Village Bhatauli Bujurg PO Gayri Bazar, Distt. Deoria do hereby state on oath as under :-

1. That the deponent is applicant in the above noted case and is well acquainted with the aforesaid case. He has perused to Counter Affidavit and understand the same, he is making parawise reply as under :-

2. para 1 to 5 need no comment.

3. That in reply to para no.6 the deponent is stating correct facts again as under :-

(a) Applicant was appointed Khalasi and joined on 23.5.60.

----2  
Palak Dhari

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Trade Test  
13.12.69

(b) by Trade Test and selection the applicant was given appointment on the post of Basic Training Wireman on 13.12.69.

Trade Test  
2.7.73

(c) That after Trade Test for Grade III Wireman the applicant was promoted on the post of IIIrd Grade Wireman on 2.7.73.

Trade Test  
11.6.79

(d) That after Trade Test for grade II Wireman applicant was appointed as Wireman Grade II on 11.6.79 and given benefit with effect from 1.8.78.

Trade Test  
Dec. 1979

(e) That after Trade Test for Grade I Wireman in the month of December 1979 the applicant was promoted on 1.1.80 as Wireman Grade I.

(f) That in the seniority wireman Grade III the name of the applicant was placed at Sl. 65 and name of OP-4 was placed at Sl. no. 79.

(g) That in the gradation list of Wireman Grade I the name of the petitioner was placed at Sl. No. 45 and the name of opposite Party No.4 was placed at Sl. No. 55.

(B) The detail of Respondent No.4 :-

(a) Respondent No.4 appointed as Khalasi on 8.12.63.

(b) Promoted as Wireman Grade III on 23.10.

76 after the applicant passing Trad  
Palak Dharifasal ----3

Test. The Opposite Party No.4 had appeared in Trade Test subsequent to the Trade Test of the applicant.

(c) The Opposite Party No.4 appeared subsequent to the Trade Test for Wireman Grade II after passing the Trade Test earlier by the applicant.

(d) That vide order dated 25.4.84 the opposite Party No.4 was appointed as Wireman Grade I while the applicant passed Trade Test on 20.12.79 and appointed as Wireman Grade I on 1.11.80. The Respondent no. 1 to 3 unnecessarily delayed the promotion of the applicant upto 1.11.80 although the applicant was selected by passing the Trade Test in the month of December 1979.

(e) That vide Railway Establishment Manual Rule 319 the applicant who passed the Trade Test of Grade I Wireman in the month of December 1979 shall be senior to the OP-4 who passed the said test in the year 1984.  
*According to the R.E.M.*

(f) That the Respondents have illegally given the benefit of up-gradation of post of Grade I Wireman with effect from 1978 although he had never worked on this post inbetween 1978 and contrary to this the applicant who was senior to the Opposite Party No.4

and passed the Trade Test in the month of December 1979. he has not been allowed to the benefit of up-gradation restructuring with effect from 1978 as and when the Opposite Party No.4 was allowed.

(g) That the alleged seniority of Respondent no.4 was illegally determined without giving any opportunity to the applicant and the Respondents have also illegally determined the seniority of the Respondents no.4 without any information given to the petitioner. It is specifically submitted that the order dated 26.4.84 of the Assistant personnel officer has never been disclosed to the applicant and same was considered behind the back of the deponent. The said letter as well as letter dt. 13.2.86 passed by the D.R.M. was not also circulated or given to the applicant it is further submitted that as admitted by the Respondent no. 1 to 3 that earlier in seniority list for Wireman Gr. III and Grade II the applicant was senior and this position was continued year to year for last members of years but in a very arbitrary and illegall manner the applicant seniority of the applicant



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without giving any opportunity disturbed and unsettled. Now it is well settled that long drawn seniority which continue for the long years and the position of seniority has been settled the same cannot be re-open against the applicant.

(h) That by giving illegal seniority the Respondent has illegally promoted on the post of Supervisor on contrary to this the applicant is entitled to be promoted on the post of Supervisor and also the Respondents are liable to pay notional arrear of salary since 1978 against the up-gradation post and also on the post of Supervisor.

4. That in reply to paragraph- 6J,K,L,M,N,O,P,Q it is submitted that all the evernments made by the Respondents no. 1 to 3 are incorrect as denied. The applicant was never ask to give option to Mistri Post. Therefore, there was no question to give any option as claimed by the Department in paragraph 6L of the Counter Affidavit. It is further submitted that the alleged letter and list dt. 25.8.88 was never given to the applicant,there-fore it is wrong to say that as the applicant has not given option therefore he has not given his due promotion. It is further

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submitted that letter no. 7548/2-6 dt. 26.8.86 or dt. 26.8.88 as referred in paragraph 6K,L,N was never served on the applicant of the department.

5. That the Respondents no. 1 to 3 illegally given seniority to the opposite Party No.4 without hearing to the applicant and also without determining the legal criteria for determining seniority in between applicant and opposite Party No.4.

6. That the applicant is liable to allowed with cost as the alleged P.N.V. item no. 08-379 PNM/ APO-1/SE-II was also not disclosed to the ~~applicant~~ applicant he was also not allowed to participate the said proceeding and more ever on the basis of said PNM the rule of seniority framed by the Railway Board cannot be changed or over-ruled looked at the instance of Union.

7. That the applicant aforesaid reply given against the Counter Affidavit of Respondent no. 1 to 5 is to treated as reply to Counter Affidavit filed by the Respondent no.4 contrary to aforesaid affidavit all other continece and document filed by the Respondent no.4 alongwith his Counter Affidavit are denied as the same are illegal and passed behind back

Palak Bhari Prasad -----7

-: 7 :-

A 76

of the applicant.

8. That the deponent is enclosing the Photocopy of his representations against in which he had challenged the illegal seniority given to the opposite party no.4.

Palak Dhari Prasad

APPLICANT

VERIFICATION

I, Palak Dhari, aged about 59 years S/o Sri Buddhu Prasad R/o Village Bhatauli Bujurg Post Office Gauri Bazar, Distt. Deoria do hereby verify that the contents of para 1 to 8 are true to my personal knowledge and belief. That I have not suppressed any material facts.

Palak Dhari Prasad

APPLICANT

Dated Lucknow  
the 28 January, 1993.

I know the deponent  
who has signed in  
my presence  
11-18-93  
Palak Dhari  
S. M. Sharif  
A. S. S. C. Commissioner  
11-18-93

BEFORE THE HON'BLE CENTRAL ADMINISTRATIVE TRIBUNAL  
LUCKNOW.

A 72  
O.A. No. 122 of 1989.

palak Dhari

----

Applicant

Versus

Union of India & others ----

Opp. Parties.

Annexure No.

I

NORTHERN RAILWAY

Divisional Office,  
Lucknow, Dt. 25.4.84.

No. 759F/2-6

The SEFO/LA/CB/LKO.  
The Sr. E C/FD BSB  
PBH RBL SLN  
The EFRO/AMV/LKO.

Reg:- Trade Test.

The following staff are require to attend the  
T.T. for the post as noted against each on the date  
fixed by AEE/LKO. If any one is not willing to appear  
in the trade test his written refusal must be obtained  
and sent to this office immediately.

<u>Sl. No.</u>	<u>Name</u>	<u>Design.</u>	<u>Station</u>
1.	S/ Shri Suraj Prasad	HS W/Man Gr. I	TSCB/LKO.
2.	Ram Kumar	"	AMV
3.	E. Srial	"	FD
4.	Jagdish Narain	"	FD
5.	R.C. Srivastava	"	AMV
6.	Radhey Shyam	"	RBL
7.	Ram Kumar Misra	"	TS/CB/LKO
8.	Raj Kumar	"	"
9.	Nand Kishore (SC)	"	"

*M. K. Dhari*

-----2

*Palak Dhari Prasad*

-: 2 :-

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10.	Chheda Lal	W/yan	AMV/LKO
11.	Bechan Ram	"	B SB
12.	Sheo Charan	"	AMV
13.	Ram Kripal	MR "	FD
14.	Girja Shanker	"	JNJ
15.	Ram Dularay (SC)	"	JB/CB/LKO
16.	Narain	"	"
17.	Madho Pd.	"	AMV
18.	Man Singh	"	TS/CB
19.	Hira Lal (SC)	"	"

The above staff may please be got noted by them and must be spared in time.

Sd/- For Sr. Divil personnel Officer, Lucknow.

Copy to :- The AEE/LKO for information and necessary action please.

\*\*\*\*\*

18  
M. D. Ad.

Palak Dhari Praseef

To,  
The Divisional Railway Manager,  
Northern Railway,  
Lucknow

Sir,

SUB: ASSIGNMENT OF INCORRECT SENIORITY AND IGNORING IN THE SELECTION OF MISTRY.

Most respectfully I beg to state that we have been representing from time to time against incorrect seniority assigned to Shri Raj Kumar over us without showing any ground and without offering us any opportunity to represent although we have all along been senior to him right from the initial appointment as Khaleesi to promotion as H.S. Wireman Gr.I. We have also opted for the post of Mistry but we have been ignored and the aforesaid Shri Raj Kumar has also been called for the test of Mistry's post.

Under these circumstances, we most humbly request you to kindly decide the case and till such time the result of the test of Mistry's post be pending to avoid any complication at a subsequent stage.

Thanking you,

Yours faithfully,

1. Palak Dhami Pd. HS-W/Men Gr-I Pd. Dhami  
2. Raj Narain W/G/Sitter Gr.I Raj Narain  
3. R.S. Verma HS/W-Man Gr.I R.S. Verma  
4. R. K. Gupta HS W/Men Gr.I R. K. Gupta  
5. Brij Lal Khanno HS W/Men Gr.I Brij Lal Khanno

APD:  
Forwarded by  
Communication 19/10/1988

18  
MO/1988

Palak Dhami Prasad

To,

The Divisional Railway Manager,  
Northern Railway,  
Lucknow.

Sir,

SUB: ASSIGNMENT OF INCORRECT SENIORITY AND IGNORING  
IN THE SELECTION OF MISTRY.

Most respectfully I beg to state that we have been representing from time to time against incorrect seniority assigned to Shri Raj Kumar over us without showing any ground and without affording us any opportunity to represent although we have all along been senior to him right from the initial appointment as Khallasi to promotion as H.S. Wireman Gr.I. We have also opted for the post of Mistry but we have been ignored and the aforesaid Shri Raj Kumar has also been called for the test of Mistry's post.

Under these circumstances, we most humbly request you to kindly decide the case and till such time the result of the test of Mistry's post be pended to avoid any complication at a subsequent stage.

Thanking you,

Yours faithfully,

Dated:- 12/9/1988

1. Palak Dhari Pd., H.S-W/man Gr.I Palak Dhari
2. Raj Narain E/G/Fitter Gr.I Raj Narain
3. R.S. Verma H.S/W-Man Gr.I R.S. Verma
4. Gupta H.S W/man Gr.I Rajendra Gupta
5. Brij Lal Khanna H.S W/Man Gr.I Brij Lal Khanna

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P.D.

Palak Dhari Prasad

12/9/88

ગોટાનીં સેટલ પરિસ્તિથીને ક દ્વારાની, સરલીનીં  
સ્વાત્માની એલેક્ટ્રાની વાગ અન્ને નિયમોની જ્ઞાની રૂપીનીં વાંચાની

ବିଜ୍ଞାନ ପରିମାଣ ମୁଦ୍ରଣ ପ୍ରକାଶନ

સુરતિંગિ ક્રાંતિક

See note

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जीवन्यर कामार्दी ७५। शाखार्दी २ तो तो तो तो ३२०३। १२५  
के साथ जीडी १ द्वारा पास दिया जाते जाते हैं। १२५  
१२५ दाय पर जीडी जीडी की शाखा की दाय जीडी की दाय जीडी  
से जीवन्यर है। S.P.A दाय से लायर जीडी की दाये ३२१५ में  
उनका सिंगारा लाई है। जीडी दाय ३१५  
में दी.जी. की दाय ३१५। जीडी दाय ३१५  
जीडी दाय ३१५ से दाय ३१५। जीडी दाय ३१५  
प्रदान करता है। जीडी ३१५।

ଓঁ শিবার্জি পুরোজা

पल्लवाद्यार्थ

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Palat Dhari Prasad

The Divisional Railway Manager  
Northern Railway, Lucknow.

Sir,

Acce<sup>re</sup>nc<sup>re</sup> S

Sub.: Assignment of incorrect seniority and ignoring in  
the selection of Mistry.

Most respectfully, I beg to draw your kind attention towards  
my representation dated 23.6.1988, wherein I had represented against  
assignment of incorrect seniority to Shri Raj Kumar over me without  
showing any cause and without giving me any opportunity to represent.  
I have all along been senior to Shri Raj Kumar right from my initial  
appointment as Khallasi to promotion in different grades as per par-  
ticulars given in my representation dated 23.6.88 but no decision  
thereon has so far been communicated. A92

On the otherhand, it is learnt that recently Shri Raj Kumar  
has also been called for selection of Mistry and I have been ignor~~ed~~  
although I had submitted my written request for the post of Mistry  
on 17.3.88.

Under these circumstances, it is most humbly prayed that my  
representation may be considered and decision communicated and till  
such time, the result of Shri Raj Kumar be pended to avoid compli-  
cation at subsequent stage.

Thanking you,

Dated: 5.9.1988.



Yours faithfully,  
Palak Dhari Prasad

(Palak Dhari Prasad)  
HS Wireman Gr. I,  
under SEFU/Charbagh Station,  
Lucknow.

copy to S<sup>r</sup> DRR/NR/LKO  
copy to S<sup>r</sup> DPO/NR/LKO

Palak Dhari Prasad