

Central Administrative Tribunal, Allahabad.

Registration O.A.No. 133 of 1988 (L)

Maikoo Lal .... Applicant

vs.

General Manager, Northern Railway and others ..... Respondents.

Hon. D.S. Misra, AM  
Hon. G.S. Sharma, JM

( By Hon. G.S. Sharma, JM)

This is an application u/s.19 of the Administrative Tribunals Act XIII of 1985 (hereinafter referred to as the Act) for appointment of the applicant in the Northern Railway on compassionate ground. It is alleged that the applicant is the adopted son of one Laltoo who died in harness on 13.6.1978 while serving as a regular Gangman under the P.W.I Sandilia in the Northern Railway. On his death, the applicant is shown to have applied for payment of dues of his deceased adoptive father and his appointment on compassionate ground whereupon he was asked by the railway administration to produce the succession certificate. The succession certificate was obtained by the applicant on 24.5.1986 from the Court of Civil Judge, Malihabad, Lucknow and he, thereafter, also received the dues standing to the credit of Laltoo but he did not get his appointment in service despite his reminders dated 28.9.1987 as well as representations made by the Northern Railway Men's Union.

2. We have heard learned counsel for the applicant on the question of admission and in our opinion, the application appears to be highly barred by limitation. It is not alleged in the application as to when the applicant had first applied for his appointment on compassionate ground. He has neither filed the copy of such application nor the reply of the railway administration requiring him to produce any document

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for his appointment on compassionate ground. The applicant seems to have obtained the succession certificate to obtain a sum of Rs.16,528.88 P lying to the credit of Laltoo from the Civil Judge Malihabad Lucknow on 24.5.1986 and obtained the payment of a sum of Rs.4,936 from the railway administration as appears from annexures (not numbered) at pages 11 and 13 of the paper book. The annexure A-3 is the copy of the representation dated 28.9.1987 of the applicant to the Asstt. Engineer, Northern Railway, Hardoi for his appointment on compassionate ground. This representation does make a mention that on the death of his adoptive father, he had moved an application for payment of dues and his appointment on compassionate ground, but again no date was mentioned and it appears to us that for the first time the applicant moved this application on 28.9.1987 after obtaining the succession certificate from the Civil Court. His allegation that he had moved an application earlier is not supported by any material on record and if the railway administration did not give him any appointment after a lapse of 9 years, this Tribunal will not like to interfere in the matter in view of the bar of S.21 of the Act. The representation dated 28.9.1987 made by the applicant after such a long delay cannot furnish him a fresh cause of action.

3. The application is accordingly dismissed at the admission stage.

*Arshad*  
Arshad  
MEMBER (J)

*B.P.*  
B.P.  
MEMBER (A)

Dated 24th Nov. 1988  
kkb

CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH, ALLAHABAD (Circuit Bench )  
\* \* \* \* \* Lucknow

INDEX-SHEET

CAUSE TITLE Reg. OA 133 - OF 1938 (L)

Name of the Parties Maikoo Lal

Versus

General Manager Northern  
Railway and others

Part A, B & C

S.No.	DESCRIPTION OF DOCUMENTS	PAGE
A1	General Index - - - - -	1
A2	order sheet - - - - -	1
A3	Judgement dated 29/11/08 -	2
A4	Petition alongwith annexure	17
B1	Vakalatnama - (Panor) - -	1
B2	Office Memo - - - - -	1
<u>( A + B + C )</u>		
File A/P/ weed out/ destroyed		
So (S)		

Order Sheet  
OA 133/88 (L)

(A2/1)

7.10.88.

On the adjournment application  
of Shri A. K. Dixit Co-counsel for applicant  
the case is adjourned for 24.11.88  
for admission.

JCSW  
7.10.88

Ber.

24/11/88

Hon. D.S. Misra - AM,  
Hon. G.S. Sharma - JM

Shri A.K. Dixit for  
the defendant is present  
and hence orders recorded.

JM

AM

CLAIM NO. of 1988;  
Instt. On Sept. 1988;

FORM NO. I  
(See Rule 4)

APPLICATION UNDER SECTION 19 OF THE ADMINISTRATIVE  
TRIBUNAL ACT, 1985;

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD CIRCUIT  
BENCH AT LUCKNOW;

Maikoo Lal.

.....Applicant:

Versus.

General Manager Northern  
Railway & Others.

.....Respondents:

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S1. No:	Description of Document	Pages no:
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3-	Annexure No: A-2 Respondents letter dt: 19-8-87	13
4-	Annexure No: A-3 Representation dt: 28-9-87.	14
5-	Annexure No: A-4 & A-5 Union's letter dt: 1-12-87 and 25-12-87.	15 - 16
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LUCKNOW

Applicant:

DATED: Sept. 1988;

(MAIKOO LAL)

FOR USE IN TRIBUNAL'S OFFICE:

Through his counsel

(A.K. DIXIT)

Advocate.

Filed on 22.9.88

Noted for 7.10.88

Refd/88

2279

Date of filing

or

Date of receipt by Post

Registration No.

Signature:  
for REGISTRAR:

(Ag 2)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,

CIRCUIT BENCH

AT  
LUCKNOW

BETWEEN

Maikoo Lal . . . . . Applicants

Versus.

General Manager Northern

Railway & Others. . . . . Opp. Parties

DETAILS OF APPLICATION:

1- particular of Applicant:-

(i) Name of the applicant:- MAIKOO LAL

(ii) Name of father:- Sri Laltoo

(iii) Age of the applicant:- about 37 years

(iv) Designation & particulars of office in which employed:- Seeks appointment on compassionate grounds with Permanent Way Inspector Northern

Railway Sandila,  
Distt: HARDOI.  
Permanent Way Inspector  
at Sandila, Northern  
Railway District  
HARDOI.

(v) Office Address:-

Permanent Way Inspector  
at Sandila, Northern  
Railway District  
HARDOI.

(vi) Address for services  
of notices:-

Maikoo Lal, Son of  
Sri Laltoo, R/O Vill.  
Kaitholia, Post Office  
Rahimabad, District  
LUCKNOW.

AC  
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2 : 2 :-

**2. Particulars of the respondents**

(i) Name of respondents )  
(ii) Name of the father/husband )  
(iii) Age of the respondents: - )  
(iv) Designation & particulars of ) As per details  
Office (Name & Station) in )  
which employed: - )  
(v) Office address: - ) given below:-  
(vi) Address for services of )  
notices: - )

1- General Manager, Northern Railway, Baroda House,  
NEW DELHI.

2- Divisional Rail Manager, MOORADABAD.

3- Assistant Engineer, Northern Railway, HARDOI.

4- Permanent Way Inspector, Sandila Northern Railway  
District HARDOI.

**3. Particulars of order against  
which application is made:-**

The application is against the following :-

(i) Order No: ... ... Nil.  
(ii) Date: - ... ... Nil.  
(iii) Passed by: - ... ... Nil.

As no specific order in writing has been passed, application is not moved against any particular order. Instead it is moved praying for a relief in the nature of Mandamus Command or direction that Respondents be directed to consider applicant's claim for appointment on Compansionate grounds in place of

H. M. C. contd. 3/-

18/82

(A6/4)

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his father who died on 13-6-78 while serving as a Regular Gangman under PWI Sandila, Northern Railway District Hardoi.

**(iv) Subject in Brief:-**

Applicant was adopted by One Sri Laltoo while he was about 4/5 years of age accordingly to rites and customs of adoption prevalent among his community. Sri Laltoo was serving as a Regular Gangman under PWI Sandila, who while in service died on 13-6-78. Applicant when applied for his appointment he was asked to produce Adoption deed or some order of Court so as declaring him to be adopted son of Sri Laltoo. Accordingly applicant applied for Succession Certificate in the Court of Civil Judge, Malihabad, District Lucknow vide Misc. Case No: 12 of 85. Succession certificate was to the property of deceased Sri Laltoo was issued in favour of application dt: 24-5-86 on the basis of which Railway Administration on 19-8-87 paid to applicant certain funds of deceased Sri Laltoo treating applicant to be adopted son.

Applicants request for appointment on Compassionate grounds was not at all attended or ~~replied~~ responded then on 1-12-87 and 25-12-87 applicant's matter was stressed through the Northern Railway Men's Union Balamau Branch. Even these representations of Union have not been attended or responded in any manner. As a last resort now applicant begs to seek shelter of this Hon'ble Court for his rightful claim.

H. B. M. T. C.

con d... 4/-

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**4- Jurisdiction of the Tribunal:**

The applicant declares that the subject matter  
against which he want redressal is within the jurisdiction of  
this Hon'ble Tribunal.

**5- LIMITATION:**

The applicant further declares that the application is within limitation prescribed in Section 21 of the Administrative Tribunals Act 1985. Certificate of Succession to the property of deceased Sri Laltoo was granted in applicant's favour on 24-5-86. Railway Administration paid arrears of funds of Sri Laltoo to applicant on 19-8-87 and since there has been no order refusing to grant appointment to the applicant on compassionate grounds, cause of action is recurring.

**6- FACTS OF THE CASE:**

6.1 That applicants belongs to Scheduled Caste(Chamar) and he was born in year 1950.

6.2 That while applicant was 4/5 years of age he was given/taken in Adoption, according to the ceremonies,rites and customs of Biradari, by One Sri Laltoo.

6.3 That Sri Laltoo was serving as a Regular Gangman under PWI, Northern Railway Sandila, with whom applicant resided as adopted son and was dependent to him.

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contd. 45

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6.4 That while in service of Sri Laltoo died on  
13-6-1978, in harness.

6.5 That Railway Administration under its Welfare policy for its employees, have provided for appointment of dependent of Railway servants who die in harness without process of selection and age bar etc. No where it is provided under rules or Administrative instruction that an adopted Son will not be entitled for an appointment of Compassionate grounds.

6.6 That upon death of his father Sri Laltoo applicant applied to the respondents for his appointment on Compassionate grounds and receipt of dues of deceased, whereupon he was required to produce Registered Adoption Deed or some order of Court declaring him to be adopted son of Sri Laltoo and only thereafter his case was told to be considered.

657 That applicant accordingly applied for Succession Certificate for the property/funds of Sri Laltoo in the Court of Civil Judge, Malihabad District Lucknow, which was granted in his favour on 24-5-1986.

True photo copy of certified copy of  
succession certificate is attached herewith as  
ANNEXURE No: A-2 to this petition.

6.8 That applicant submitted Succession  
Certificate to respondents praying for release

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6/1 *flexible*

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of funds of sri Laloo as well as for his appointment.

6.9 That respondent No: 2 vide his letter dated 19-8-87 paid amount of Insurance of Sri Laloo that the applicant but gave no response about his appointment.

A True copy (photostat) letter dt: 19-8-87 is attached herewith as ANNEXURE A-2 to this petition.

6.10 That thereafter applicant on 28-9-87 moved another representation to respondent No: 3 for consideration of his case for appointment on compassionate grounds but this too has not been responded in any manner.

A true copy of aforesaid application is attached herewith as ANNEXURE A-3 to this Petition.

6.11 That when applicant's case for appointment was absolutely ignored from being considered applicant referred the matter to Northern Railway Men's Union Balamau Branch. The Union at its level wrote two letters dt: 1-12-87 and 25-12-87, which too have not been responded.

True photo copies of aforesaid letters dt: 1-12-87 and 25-12-87 are attached herewith as ANNEXURES A-4 and A-5 to this Claim-petition.

6.12 That since nothing has been done by

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respondents <sup>who</sup> do not appear serious about the matter as such applicant has been left with no option but to prefer this claim on and amongst other the following:-

GROUND

- A) Because it is statutory obligation upon Respondents to appoint the dependent son or any one of the heir of an employee who died in harness.
- B) Because to keep matter of such appointment pending for years and years together leads to arbitrariness.
- C) Because applicant is legally declared and factually adopted son of Late Sri Laltoo.
- D) Because allowing main monitory benefits of deceased to applicant, treating and describing him to be his adopted son but ignoring claim of his appointment as Compassionate grounds is illegal.
- E) Because action of the respondents is highly arbitrary malafide and unjust.

S. H. A. T. C. contd. .... 8/

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Exponents are highly  
arbitrary and discriminatory

7- Details of Remedies exhausted:-

The applicants declare that they have availed all the remedies available to them under relevant Rules. None of the representations have been decided by an order in writing. True copies of such representations have been attached as ANNEXURES A-3, A-4, and A-5 to this petition.

8- Matters not previously filed or  
pending with any other court:-

The applicant further declare that he has not filed previously any application, Writ petition or suit regarding the matter in respect of which this application has been made, before any court of law or any other authority or any other Bench of the Tribunal and nor any such application, Writ petition or suit is pending before any of them.

9- Reliefs Sought:-

(a) a declaration, direction or order in favour of applicant to the effect that he is entitled for appointment on compassionate grounds in place of his deceased father Sri Laloo and whereupon as a necessary consequence of which respondents be directed/commanded to appoint the applicant on a suitable job within a time to be fixed by the Hon'ble Court.

of  
H.C. (M.T.C)

contd.....

PLW

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(ii) Costs of the claim petition and such other reliefs as may be deemed fit and proper in the circumstances of the case be also awarded to the applicant.

10- Interim order, if any

prayed for:-

Nil.

11- Application is presented through Counsel SRI ABHAYA KUMAR DIXIT, Advocate, resident of House No: 509/28Ka Old Hyderabad, Lucknow.

12- Particulars of Bank Draft/Postal order in  
respect of the application fee.

1- Name of the Bank on which drawn: X

2- Demand draft No: X

or

1- No. of Indian Postal order: - DD 065119  
5

2- Name of issuing post office:-

HIGH COURT BENCH, LUCKNOW Post Office.

3- Date of issue of postal order: - 19 Sept. 88

4- Post office of which payable: - Allahabad.

13. List of Enclosures:-

1- Demand Draft/Postal order.

2- Index of documents.

3- Paper book having details of Annexures  
as mentioned in the Index.

4- Vaklatnama.

High Court

contd. --- 10/-

Pls

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VERIFICATION:

I, MAIKOO LAL, Son of Sri Laltoo, R/o Village

Katholia, Post Rahimabad, District Lucknow do hereby  
verify that the contents of paras 1 to 8 are true  
to my personal knowledge and those of paras 9 to  
13 are believed to be true on legal advise and  
that we have not suppressed any material fact.

Signed and verified today at Court, Compound Lucknow.

LUCKNOW:

DATED: 22 Sept. 1988:

Maikoo Lal  
(MAIKOO LAL)

TO:

The Registrar,

Central Administrative Tribunal, Allahabad Circuit Bench,

LUCKNOW:

(Am)  
(11)

IN THE CENTRAL LEGAL ASSISTANTIVE TRIBUNAL, LUCKNOW

Mark & Pak. .... 20. Applicant

C. M. Nizamuddin & others ..... Respondents

ANNEXURE NO. A.

Succession - Certificate

In the Court of Civil Judge, Subordinate  
at Lucknow

Court fee paid: Rs. 4/-

File No. 12/35

D/o: 24.5.86

Certificate No: - 50/86

Mr. Koo Lal (adopted) son aged about 37 years  
of late Sri Laloo / Dattoo / son of late  
Post office Subedar / Village No. 110, Kathulia  
Kathulia, Police Subdivision, Mahaband Distr.

Verso

Applicant -

Established 2000 S/o Dattoo / son of late  
Ex Com. of Gram Sandal Mandir  
Dist. Hardoi.

To,

Opposite party

Markoob (adopted) son aged about 37 years  
of late Sri Laloo / Dattoo / son of late  
Kathulia Post office, Rehmanbad, Police Subdivision  
Mahaband Distr. Lucknow

Application - evidence

Whereas you applied an application on  
29.1.86 for a Certificate under Part B of the  
Succession Act, 1925 in respect of the  
following debts and securities namely: -

ATTESTED

Abhay Kumar Dixit  
Advocate  
HIGH COURT  
LUCKNOW.

H. M. T. C.

Verhandlungen

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Secarily -

This Certificate is accordingly granted  
to Sri. Marko Lal and empowers you to collect  
the debt (and) (to receive) interest, (dividends)  
(etc.) (to negotiate) (there) securities.

Given under my hand and the  
Seal of the Court - dated 24th day of May 1906.

Received by - Dr  
Checked by - Dr. A - 9

1885. K. S. Swartz.

ATTESTED

*Abhay Kumar Dixit*  
Advocate

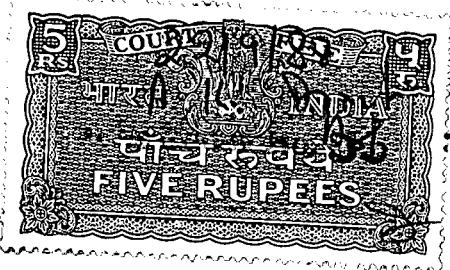
**HIGH COURT  
LUCKNOW.**

[वादी] अपीलान्ट

श्री MaiKooLal

प्रतिवादी [रेस्प्लाइडेन्ट]

## वकालतनामा



(अपीलान्ट)

MaiKooLal

बनाम CMNley. प्रतिवादी (रेस्प्लाइडेन्ट)

मुकदमा नं०

सन्

पेशी की ता०

१६ ई०

ऊपर लिखे मुकदमा में अपनी ओर से थी Abhaya KUMAR Dixit, Advocateand Mrs. Sudha Misra, Advocate.

वकील

महोदय

एडवोकेट

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

Abhaya Ku

HIGH COU  
LUCKNOW

हस्ताक्षर मुकदमा

*(Signature)*

साक्षी (गवाह)

साक्षी (गवाह)

दिनांक

महीना

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Registered

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

No. CAT/CB/LKO/ 599

Dated : 6/1/95

OFFICE - MEMO

Registration No. O.A. 133 of 1988 (C)  
T.A.

Markesiaj

Applicant's

Versus

U.O.D.

Respondent's

A copy of the Tribunal's Order/Judgement  
dated 24/11/94 in the abovenoted case is forwarded  
for necessary action.

For DEPUTY REGISTRAR (H)

Encl : Copy of Order/Judgement dated 24/11/94

To.

Sir A.K. Dixit, Adv.

dinesh/

Recd on Despatch  
Rep/ite

AB  
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VERIFICATION:

I, MAIKOO LAL, Son of Sri Laitoo, R/o Village Katholia, Post Rahimabad, District Lucknow do hereby verify that the contents of paras 1 to 8 are true to my personal knowledge and those of paras 9 to 13 are believed to be true on legal advise and that we have not suppressed any material fact.

Signed and verified today at Court, Compound Lucknow.

LUCKNOW:

DATED: 22 Sept. 1988.

H. Ch. Ch. Ch.

(MAIKOO LAL)

TO:

The Registrar,

Central Administrative Tribunal, Allahabad Circuit Bench,

LUCKNOW:

(11) Am  
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TO THE CENTRAL EXAMINATIVE TRIBUNAL, LUCKNOW

Plaintiff / Petitioner : Applicant

State Railway Dept. : Respondent

ANNEXURE NO. A.

Succession - Certificate

In the Court of Civil Judge, Subordinate  
at Lucknow

Court fee paid : Rs. 4/- M.R.C. No. 12/55  
D/o : 24.5.86

Certificate No. : SC/86

Markoo Lal (adopted) son aged about 37 years  
of late Sri Lekhoo Lal (deceased) 1/20 Village  
Post office, Ramnagar, Kathua, Kathua  
District, Lucknow.

versus Applicant -  
Babu Ghulam Ali, son of late Syed  
Ex Com. of Gram Sandal Mandir  
Matauda.

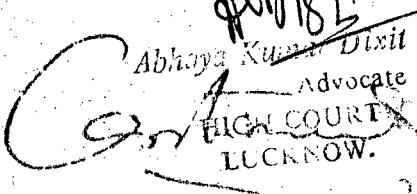
To, Opposite party

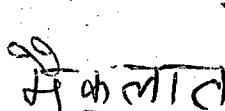
Markoo Lal (adopted) son aged about 37 years  
of late Sri Lekhoo Lal (deceased) 1/20 Village  
Kathua, Post office, Ramnagar, Kathua  
District, Lucknow.

Applicant - certificate

Whereas you applied on application No.  
29.1.85 for a Certificate under part B of the  
Succession Act, 1925 in respect of the  
following debts and securities namely : -

ATTESTED

  
Abhay Kumar Dixit  
Advocate  
HIGH COURT  
LUCKNOW.

  
HIGH COURT

✓ Chalchitra

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AB  
B

Name of the debtor and address	Amount of debt including interest due on upto date	Description and date of instrument by which debt is secured
1. Trident Fund	Rs. 7145.00	Truly 20/9/1986 Endorsement of bank
2. S.C. to P.A.C	Rs. 276.50	Endorsement of bank
3. Insurance under R.D.I.S. R.D.I.S. Sardar Babuji (D.M. notice received)	Rs. 4379.00	Endorsement of bank
<b>Total (s)</b>	<b>Rs. 16,528.800</b>	<b>do</b>

Security -

- not -

This Certificate is accordingly granted  
to Sri Marko Lal and empowers you to collect  
the debt (and) (to receive) (interest) (dividends)  
(or) (to negotiate) (the) securities.

From under my hand and the  
Seal of the Court dated 24th day of May 1986.

Subpulayi - M

Checked by - M.C. 97

S. K. P. D.

(S. K. P. D. (Signature))

C. L. 72

ATTESTED

Abhay Kumar Dixit  
Advocate  
HIGH COURT  
LUCKNOW.

25/5/1986

(13)

P.M.  
14

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, LUCKNOW  
 Applicant :  
 Respondent :  
 Malik Lal vs.  
 C.I.R. Railway & others  
ANNEXURE No. A

ABM's Office  
 in P.B.  
 No. 3195/EMR/1/SP/103  
 D. 19/8/87

Shri Jay Koul  
 Bedded Son of Lal & Lata  
 Village - Kaitraia  
 P.O. - Rishabhbad  
 Dist. - Lucknow U.P.

A sum of Rs. 6,936/-  
 on account of Insurance claim  
 REC has been passed by the  
 S.Dos - to B. Vide AB No. 12345  
 Dt. 17-8-87.

Please Contact P.W.D.  
 to receive the above payment.

FORM P.B

ATTESTED : 17/8/87  
 of 2000

p.m.

Abhaya Kumar Dixit

Advocate

HIGH COURT  
 LUCKNOW.

AM  
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सम्बन्धः- माननीय के द्वारा सेवा अधिकारी, इलाहाबाद, लखनऊ पीठ, लखनऊ ।

मैकूल ल

याची ।

बनाम्

जनरल मैनेजर उत्तर रेलवे आदि ----- विपक्षीया ।

संलग्न संख्या-ए-३

सेवा में,

श्रीमान् सहाय अधिकारी महोदय,  
उत्तर रेलवे, हरदोई ।

श्रीमान् जी,

विषयः- मृतक कर्मचारी श्री लत्तू गंगमैन पीठब्लूआर्ड संडीला  
के स्थान पर अनुकम्पा नियुक्ति ।

निवेदन है कि प्रार्थी के पिता श्री लत्तू गंगमैन जो पीठब्लूआर्डसंडीला के अन्तर्गत काम कर रहे थे की मृत्यु सेवाकाल क्रें में 13/6/78 को हो गयी। प्रार्थी ने उनके फल आदि के भुगतान और अपने लिए नौकरी का प्रार्थना-पत्र दिया जिस पर कहा गया कि गोद लिये लड़के को बगेर कोर्ट आदेश के नहीं माना जा सकता है इसलिए प्रार्थी कोर्ट आदेश लावे। प्रार्थी ने न्यायालय श्रीमान् सिविल जज मलिहाबाद का उत्तराधिकार प्रमाण-पत्र दिनांक 24/5/86 का दे दिया जिसके आधार पर प्रार्थी को मृतक श्री लत्तू का लड़का मानते हुए 19/8/87 को भुगतान भी किया गया परन्तु अभी तक उसे नौकरी देने के लिये कोई भी आदेश नहीं हुए है। प्रार्थी अपने पिता के ही आश्रित था उसके पास परिवार के भरणा पोषण का कोई उपाय भी नहीं है।

अतः प्रार्थना है कि प्रार्थी के अपने पिता श्री लत्तू के स्थान पर अनुकम्पा के आधार पर नौकरी दी जायें। प्रार्थी रेलवे में कोई भी काम करने को तैयार है।

दिनांकः-28-9-87

Abhaya Kumar Dixit

Advocate

High Court

मैकूल ल

प्रार्थी-

मैकूल ल पुत्र श्री लत्तू मृतक गंगमैन  
ग्राम कैथौलिया, पौरा रहमाबाद  
जिला लखनऊ ।

(15)

(15)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, LUCKNOW

Maikoo Lal

Applicant

GM Railway & others

Respondent

ANNEXURE No. A

# NORTHERN RAILWAY MEN'S UNION

(Reg. Under & Recognised)

Affiliated To : All India Railway men's Federation & Hind Mazdoor Sabha

(BALAMAU BRANCH)

CEWA Railway Station  
BALAMAU (Haridwar)

Ref. No. / AMU/ Eng 9/87

Dated 1/1/1987

To, The Civil Railway Manager  
Moradabad.

Sub- Appointment of Maikoo Lal as Gant  
Man expired on 13/6/78 on compassionate ground

Respectfully

The above named is the adopted son of Late  
Datto Gantman under No. 1/501. Shri Datto expired  
while in service on 13/6/78. Datto had none except  
this adopted son whose succession has been  
confirmed by the ~~High~~ Judge Lucknow, on this  
ground the payment by the Railway has been  
made to son Maikoo Lal in 1986. Since then  
he is applying for his appointment ~~on~~ on  
compassionate ground but he was asked succession certi-  
ficate. Now after these applications since 1978  
Applicant of son Maikoo Lal is already  
registered in the priority register of your  
Office. Now

It is therefore requested that keeping in  
view the pathetic circumstances of son Maikoo  
Lal be appointed on compassionate ground  
as early as possible.

(C. Chhote Chh.)  
Branch President

STAMPS

ATTEST

Abhay Dixit  
Advocate  
HIGH COURT  
LUCKNOW.

(A.Y. 17) (16)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, LUCKNOW

Malik Lal

Affidavit

By M. Railway & others

Respondent

ANEXURE NO. A -

## NORTHERN RAILWAY MEN'S UNION

(Reg. St. No. P. 12000)

Affiliated To : All India Railway men's Federation & Hind Mazdoor Sabha

(BALAMAU BRANCH)

C.W.A. Railway Station  
BALAMAU (H.A.V.)

Ref. No. 4RMU/ Engg/ 2

Dated 2. 9. 1978

To, The National Railway Miners Org.

Su. - I, present myself of Malik Lal & Sons Ltd. and son Gopal  
Lal under P.W.D. & A.M. exp. No. 131/10/70

\* Ref. My letter even No. 44-1/24/67

Dear Sir,

Gopal Lal & Sons Ltd. while enquires on 13/6/70  
that payment was made to Smt. Malik Lal in 1966 when  
he was declared legal heir as sole Lhaloo. & in view of  
Lal is applying for appointment since 1978 (Ex. 872)  
compensation ground. But as till now, to inform  
you that this application has not been done. &  
some other (Ex. 788-790) whereas he is eligible for  
compensation on his employment by every mean.

It is needness to point out that the Indian  
Railway Establishment Manual, has given directions  
that such appointment should be given to the  
son, daughter, widow or wife of the employee  
(Letter No. C.C.N.G. III/2/R.C.-1/1 dated 28/6/77), &  
163/79, 210/77 where as the Smt. Malik Lal is  
the adopted son of Lal Singh Laloo which has  
been accepted by the railway and all payment  
has already been made by the railway on the  
very ground.

It is, therefore, requested that the administration  
of BSNL) has accepted son of Lal Singh Laloo  
as made him similarly as that of the  
Lal Singh Laloo of The Indian Railway Establishment  
which is known in rank service.

ATTESTED : - J.P.P

AMR

Abhay Kumar Dixit  
Advocate

HIGH COURT  
LUCKNOW.

J. H. C. T. M.

ब अदालत श्रीमान

Central Administrative Tribunal

Circuit Bench: Lucknow.

महोदय

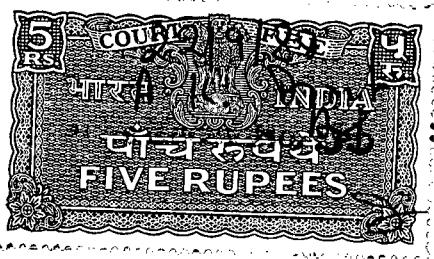
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[वादी] अपीलान्ट

श्री Maikrookh

प्रतिवादी [रेस्पान्डेन्ट]

वकालतनामा



(अपीलान्ट)

Maikrookh

बनाम G MNley. प्रतिवादी (रेस्पान्डेन्ट)

मुकदमा नं०

सन्

पेशी की ता०

१६ ई०

ऊपर लिखे मुकदमा में अपनी ओर से श्री

Abhaya Kumar Dixit, Advocate

and Mrs. Sudha Mitra, Advocate.

वकील

महोदय  
एडवोकेट

को अपना वकील नियुक्त करके प्रतिज्ञा (इकरार) करता हूँ और लिखे देता हूँ कि इस मुकदमा में वकील महोदय स्वयं अथवा अन्य वकील द्वारा जो कुछ पैरवी व जबाबदेही व प्रश्नोत्तर करें या कोई कागज दाखिल करें या लौटावें या हमारी ओर से डिगरी जारी करावें और रूपया वसूल करें या सुलहनामा व इकबाल दावा तथा अपील निगरानी हमारी ओर से हमारे या अपने हस्ताक्षर से दाखिल करें और तसदीक करें या मुकदमा उठावें या कोई रूपया जमा करें या हमारी या विपक्षी (फरीकासनी) का दाखिल किया हुआ रूपया अपने या हमारे हस्ताक्षर युक्त (दस्तखती) रसीद लेवें या पंच नियुक्त करें-वकील महोदय द्वारा कों गई वह सब कार्यवाही हमको सर्वथा स्वीकार है और होगी मैं यह भी स्वीकार करता हूँ कि हर पेशी पर स्वयं या किसी अपने पैरोकार को भेजता रहूँगा थियर मुकदमा अदम पैरवी में एक तरफ मेरे खिलाफ फैसला हो जाता है उसकी जिम्मेदारी मेरे वकील पर नहीं होगी इसलिए यह वकालतनामा लिख दिया प्रमाण रहे और समय पर काम आवे।

Abhaya Ku

HIGH COU  
LUCKNOW

हस्ताक्षर

मिल्कुला

साक्षी (गवाह)

साक्षी (गवाह)

दिनांक

महीना

सन् १६ ई०



Registered

(B2)

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

No. CAT/CB/LKO/ 599

Dated : 6/1/95

OFFICE - MEMO

Registration No. O.A. 133 of 1938 (C)  
T.A.

Macroray

Applicant's

Versus

U.O.D.

Respondent's

A copy of the Tribunal's Order/Judgement  
dated 24/11/94 in the abovenoted case is forwarded  
for necessary action.

For DEPUTY REGISTRAR (H)

Encl : Copy of Order/Judgement dated 24/11/94

To.

Sr. A.K. Dixit, Adv.

dinesh/

Recd on Despatch  
Rep/1995

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