

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

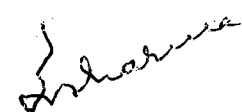
(By Hon. G.S.Sharma, JM)

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 Sandil/a 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.

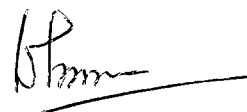
2. We have heard learned counsel for the applicant on the question of admission and in our opinion, the application appears to be highly barred by limitation. It is not alleged in the application as to when the applicant had first applied for his appointment on compassionate ground. He has neither filed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

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.



MEMBER (J)



MEMBER (A)

Dated 24th Nov. 1988
kkb

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH, ALLAHABAD

(Circuit Bench)
Lucknow

INDEX-SHEET

CAUSE TITLE Reg. OA 133 - OF 1988 (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 24/11/88 -	2
A4	Petition along with annexure	17
B1	Vakalatnama - (Pamoo) - -	1
B2	Office Memo - - - - -	1
(A+B+C)		
File of P/c weeded out / destroyed		
So [Signature]		

Order Sheet
OA 133/88(L)

(A2/1)

71088.

On the adjournment application
of Sri A.K. Dixit Counsel for applicant
the case is adjourned for 24.11.88
for admission.

JCS
7/10/88

Bez.

24/11/88

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

Sri A.K. Dixit for
the applicant is present
and heard orders reserved.

JM

AM

Ag
1

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 ALLAHABD CIRCUIT
BENCH AT LUCKNOW:

Maikoo Lal.

.....Applicant:

Versus.

General Manager Northern
Railway & Others.

.....Respondents:

INDEX

Sl. No.	Description of Document	Pages no.
1-	Application	1 to 10
2-	Annexure No: A-1 copy of Succession Certificate.	11-12
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
6-	Vakalatnama.	17

LUCKNOW

DATED: 22 Sept. 1988;

FOR USE IN TRIBUNAL'S OFFICE:

Date of filing

or

Date of receipt by Post

Registration No.

Applicant:

(MAIKOO LAL)

Through his counsel

(A.K. DIXIT)

Advocate.

Filed on 22.9.88

Noted for 7.10.88

Signature:
for REGISTRAR:

22/9

Ag
2

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,

CIRCUIT BENCH

AT

LUCKNOW

BETWEEN

Maikoo Lal : : : Applicant

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
- (v) Office Address: - Permanent Way Inspector -r 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 :

प्रमाणित

धर्म

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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, MORADABAD.

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

contd...3/-

Handwritten signature

(Ag/4)

-: 3 :-

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 by applicant applied for Succession Certificate in the Court of Civil Judge, Maliahabad, 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 ~~xxxx~~ 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.

श्री लालू

con d...4/-

14/5

-: 4 :-

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 whome applicant resided as adopted son and was dependent to him.

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contd... 5

plm/82

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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.

6.7 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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(As)
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-: 6 :-

of funds of sri Laltoo 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 Laltoo 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

श्री कृष्ण

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(H/8)

-: 7 :-

respondents ^{who} to 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:-

G R O U N D S

- 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~~ monetary 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 mala fide and unjust.

H/8

H/8 contd:.....8

14/9

-: 8 :-

~~respondents' compensation grounds is 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 Laltoo and ~~whereas~~ 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.

Ag. (VTC)

contd.....9

10/10

-: 9 :-

(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 draws: X

2- Demand draft No: X

or:

1-No. of Indian Postal order: - $\frac{DD}{5}$ 065119

2- Name of issuing post office: -

HIGH COURT BENCH, LUCKNOW Post Office.

3- Date of issue of postal order: - 22 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.

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contd-----10/-

(Bu/11)

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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 advice and that we have not suppressed any material fact.

Signed and verified today at Court, Compound Lucknow.

LUCKNOW:

DATED: 22 Sept. 1988:

मािकू लाल
(MAIKOO LAL)

TO,

The Registrar,

Central Administrative Tribunal, Allahabad Circuit Bench,

LUCKNOW:

Am
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IN THE CENTRAL JUDICIAL MASTERSHIP TRIBUNAL, LUCKNOW

Markoo Lal vs. Applicant
G. M. Nihal Singh & others Respondent
ANNEXURE No. A -

Succession - Certificate

In the Court of Civil Judge, Probate
at Lucknow

Court fee paid: Rs. 414/-

int. G. M. N. 12/05
D/O 22.5.86

Certificate No: - 50/86

Markoo Lal / adopted / son aged about 37 years
S/o Sri Daltoo / Daltak father / of village Kaithulwa
Post office Rahimabad Police Station Mahabud Distt
Lucknow.

Versus

Applicant -

Estate of late Sri Daltoo S/o Sri Preetam of Kaithulwa
Ex. G. M. N. Sandila Mahabud Distt
Haidar.

To,

opposite party

Markoodal / adopted son / aged about 37 years
S/o Sri Daltoo / Daltak father / of village
Kaithulwa Post office Rahimabad Police Station
Mahabud Distt. Lucknow.

Applicant - co-venturer

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

ATTESTED

Abhaya Kumar Dixit
Advocate
HIGH COURT
LUCKNOW.

22/5/86

14/12

Schedule - A

Sl. No.	Name of the debtor and address	Amount of debt including interest also on up to date	Description and date of instrument by which debt incurred
1.	Provident Fund	Rs. 7145.00	By deposit made
2.	S.C.T. P.A.A	Rs. 4379.80	By bank of India
3.	Insurance under R.A.D.S. Sandia	Rs. 5000.00	By insurance company
	Total	16,528.80	

Security -
Not

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

Given under my hand and the seal of the Court dated 24th day of May 1966.

Respectfully,
Checked by: [Signature]

[Signature]
(S. K. Sinha)

ATTESTED

[Signature]
Abhaya Kuma Dixit
Advocate
HIGH COURT
LUCKNOW.

[Signature]

ब अदालत श्रीमान

Central Administrative Tribunal

Circuit Bench: Lucknow.

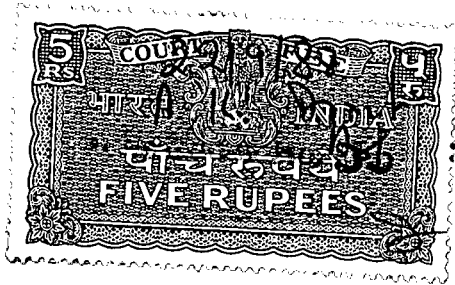
महोदय

[वादी] अपीलान्त

श्री Maikoo Lal

का वकालतनामा

प्रतिवादी [रेस्पान्डेन्ट]



(अपीलान्त)

Maikoo Lal

बनाम G.M. Nayak, प्रतिवादी (रेस्पान्डेन्ट)

मुकदमा नं०

सन्

पेशी की ता०

१६

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ऊपर लिखे मुकदमा में अपनी ओर से श्री

ABHAYA KUMAR Dixit, Advocate

and Mrs. Sudha Mishra, Advocate.

वकील

महोदय

एडवोकेट

नाम अदालत
मुकदमा नं० नाम
फरीकन बनाम

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 रुपया 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 रुपया जमा करें या हमारी या विपक्षी (फरीकासनी) का दाखिल किया हुआ रुपया 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 पैरोकार को भेजता रहूंगा 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 COURT
LUCKNOW

हस्ताक्षर

मैकलाल

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 :

6/1/99

OFFICE - MEMO

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

Maitra

Applicant's

Versus

U.O. 2

Respondent's

A copy of the Tribunal's Order/Judgement
dated 24/1/99 in the abovenoted case is forwarded
for necessary action.

For DEPUTY REGISTRAR (H)

Encl : Copy of Order/Judgement dated 24/1/99

To.

Sh. A. K. Dixit, Adm.

dinesh/

recd on Despatch
Register

-:: 10 ::-

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 advice and
that we have not suppressed any material fact.
Signed and verified today at Court, Compound Lucknow.

LUCKNOW:

DATED: 22 Sept. 1988:

म मािकू लाल
(MAIKOO LAL)

TO,

The Registrar,

Central Administrative Tribunal, Allahabad Circuit Bench,

LUCKNOW:

Am 12/11

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, LUCKNOW

Plaintiff: Mr. N. K. Singh
Vs.
Respondent: Mr. N. K. Singh
ANNEXURE No. A.

Succession - Certificate

In the Court of Civil Judge, Muzaffarnagar
at Lucknow

Court fee paid: Rs. 414/-
Dated: 24.5.86

Certificate No: - 50/86

Mr. Koo Lal (adopted) son aged about 37 years
of late Sri Laloo / Daltak father / of village Kaithulwa
Post office Bahmanabad Police Station Muzaffarnagar Distt
Lucknow.
Applicant -

Versus
Estate of late Sri Laloo of late Sri Preetam of Bahmanabad
Distt Meerut.
Opposite party

To,

Mr. Koo Lal (adopted) son / aged about 37 years
of late Sri Laloo / Daltak father / of village
Kaithulwa Post office Bahmanabad Police Station
Muzaffarnagar Distt Lucknow.

Applicant - co-venturer

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

ATTESTED

Abhaya Kumar Dixit
Advocate
HIGH COURT
LUCKNOW.

Handwritten signature/initials

12

Schedule - 2

Sl. No.	Name of the debtor and address	Amount of debt including interest due on up to date	Description and date of instrument by which debt incurred
1.	Provident Fund	Rs. 7145.00	By Dep. Secy. Govt.
2.	S.C. to P.A.A	Rs. 4379.00	By Dep. Secy. Govt.
3.	Insurance under R.D.S. Sandia	Rs. 5000.00	By Dep. Secy. Govt.
	Total	Rs. 16,528.00	

Security -
- Nil -

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

Given under my hand and the seal of the Court dated 24th day of May 1986.

Prepared by: [Signature]
Checked by: [Signature]

[Signature]
(S. K. Sanyal)

ATTESTED
[Signature]
Abhaya Kumar Dixit
Advocate
HIGH COURT
LUCKNOW.

By 14

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL LUCKNOW

Maikod Lal Vs. G.M. Railway S.O. No. 14

Applicant Respondent

ANNEXURE No. A

Recd

MB

No. 2125/1587 P.W. 500

Dt. 19/8/87

Shri. Maikod Lal
Deceased son of late S. Lal

Village - Khatkhatia

P.O. - Rohanabad

Dist. Lucknow. U.P.

A sum of Rs. 6,906.00
on account of ~~gratuity~~ ^{gratuity} (man)
DECEASED has been passed by the
S.D.O. - MB vide MB No. 112, 615
Dt. 17-8-87.

Please Cont. of P.W. 500
to receive the above payment.

R.D.R.M. / MB

ATTEST

Abhaya Kumar Dixit
Advocate

HIGH COURT
LUCKNOW.

समक्ष:- माननीय केन्द्र सेवा अधिकरण, इलाहाबाद, लखनऊ पीठ, लखनऊ ।

मेकूलाल ----- याची ।

बनाम

जनरल मैनेजर उत्तर रेलवे आदि ----- विपक्षीयता ।

संलग्न संख्या-ए-3

सेवा में,

श्रीमान सहायक अभियन्ता महोदय,
उत्तर रेलवे, हरदोई ।

श्रीमान जी,

विषय:- मृतक कर्मचारी श्री लत्तू गंगमैन पी०डब्लू०आई०संडीला
के स्थान पर अनुकम्पा नियुक्ति ।

निवेदन है कि प्रार्थी के पिता श्री लत्तू गंगमैन जो पी०डब्लू०आई०संडीला के अन्तर्गत काम कर रहे थे की मृत्यु सेवाकाल के में 13/6/78 को हो गयी । प्रार्थी ने उनके फन्ड आदि के भुक्तान और अपने लिए नौकरी का प्रार्थना-पत्र दिया जिस पर कहा गया कि गोद लिये लडके को बगैर कोर्ट अदेश के नही माना जा सकता है इसलिए प्रार्थी कोर्ट अदेश लावे । प्रार्थी ने न्यायालय श्रीमान सिविल जज मलिहाबाद का उत्तराधिकार प्रमाण-पत्र दिनांक 24/5/86 का दे दिया जिसके आधार पर प्रार्थी को मृतक श्री लत्तू का लडका मानते हुए 19/8/87 को भुक्तान भी किया गया परन्तु अभी तक उसे नौकरी देने के लिये कोई भी अदेश नही हुए है । प्रार्थी अपने पिता के ही आश्रित था उसके पास परिवार के भरण पोषण का कोई उपाय भी नही है ।

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

दिनांक:-28-9-87

Abhaya Kunda Dixit
Advocate

HIGH COURT
लखनऊ

प्रार्थी-

मेकूलाल पुत्र श्री लत्तू मृतक गंगमैन
ग्राम कैथीलिया, पी० रहिमाबाद
जिला लखनऊ ।

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, LUCKNOW

Maikoo Lal

Applicant

G.M. N. Railway 20th

Respondent

ANNEXURE No. A

NORTHERN RAILWAY MEN'S UNION

(Registered & Recognized)

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

(BALAMAU BRANCH)

CWRA Railway Station
BALAMAU (Hapur)

Ref. No. ARMU/Enq/87

Dated 1/12/87 1987

To, The Joint Railway Manager
Moradabad.

Sub - Appointment of Maikoo Lal s/o Laitoo Gangman
Man expired on 13/6/70 on compassionate ground

Dear Sir,

The above named is the adopted son of late
Laitoo Gangman under No. 1/5001. Shri Laitoo expired
while in service on 13/6/70. Laitoo had none except
this adopted son whose succession has been
confirmed by the Joint Manager, 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
compassionate ground but he was asked succession cert.
which is not available since 1970.
Application of Shri Maikoo Lal is already
registered in the priority register of your
office.

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

(Cite Case)
Branch President

ATTEST

Abhaya Kumar Dixit
Advocate
HIGH COURT
LUCKNOW.

16

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, LUCKNOW

Maikoo Lal vs. Applicant
G M Railway Sots Respondent
ANNEXURE No. A -

NORTHERN RAILWAY MEN'S UNION

(Reg. No. 1000011111)

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

(BALAMAU BRANCH)

22/4/ Railway Station
BALAMAU (H. U. C.)

Ref. No. NRMU/Enga/27

Dated 21-10-1978

To, The National Railway Manager,
Lucknow.

Subj - Appointment of Maikoo Lal S/o Late Smt. Ganga
Nan under Pw/SAI exp. on 13/10/78
Ref. My letter even No. 21-1/2407

Dear Sir,

Ganga M. Lal was employed while in service on 13/10/78. The payment was made to Smt. Maikoo Lal in 1976 when he was declared legal heir to late Lal. & in 1978 he was last employed for appointment since 1978 on compassionate ground. But as full time to inform you that this employment has not been done on come or other basis where as he is entitled for compassionate ground employment by every means.

It is needness to point out that The Indian Railway Establishment Manual has given direction that such appointment should be given to son, daughter, widow/widower of the employee. vide letter (I. C. N. G.) 11/12/RC-1/1 dated 20/6/77, SE 163/79, 210/77 where as Smt. Maikoo Lal is the adopted son of Late Smt. Lal. who 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 appointment of Smt. Maikoo adopted son of Late Smt. Lal be made immediately as this is in accordance of The Indian Railway Establishment Manual is honored in real sense.

ATTESTED: 20/10/78

Abinaya Kumar Dixit
Advocate

HIGH COURT
LUCKNOW.

म. क. लाल

ब अदालत श्रीमान

Central Administrative Tribunal
Circuit Bench, Lucknow.

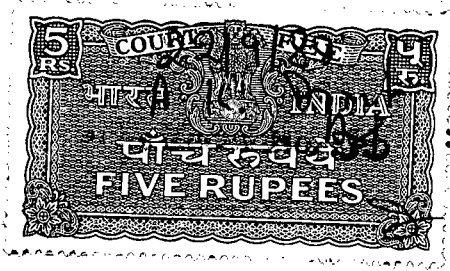
महोदय

[वादी] अपीलान्त

श्री Mai Koolal

का वकालतनामा

प्रतिवादी [रेस्पान्डेन्ट]



(अपीजान्त)

Mai Koolal

बनाम G.M. Nay. प्रतिवादी (रेस्पान्डेन्ट)

मुकदमा नं०

सन्

पेशी की ता०

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ऊपर लिखे मुकदमा में अपनी ओर से श्री

ABHAYA KUMAR Dixit, Advocate

अन्त Mrs. Sudha Mishra, 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 कागज़ दाखिल करें या लौटावें या हमारी ओर से डिगरी जारी करावें और रुपया 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 रुपया जमा करें या हमारी या विपक्षी (फरीकासनी) का दाखिल किया हुआ रुपया 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 पैरोकार को भेजता रहूंगा 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 COURT
LUCKNOW

हस्ताक्षर

मैकूलाल

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 :

6/1/99

OFFICE - MEMO

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

Mahesh Lal

Applicant's

Versus

U.O. 2

Respondent's

A copy of the Tribunal's Order/Judgement
dated 24/11/99 in the abovenoted case is forwarded
for necessary action.

For DEPUTY REGISTRAR (H)

Encl : Copy of Order/Judgement dated 24/11/99

To.

Sh. A. K. Dixit, Adm.

dinesh/

recd on Despatch
Registrar
