

CENTRAL ADMINISTRATIVE TRIBUNAL
LUCKNOW BENCH, LUCKNOW

INDEX SHEET

OA No. 18/88 (4)

CAUSE TITLE OF

NAME OF THE PARTIES ... Hari Prasad Applicant

Versus

..... U.P.T. & S.A.S. Respondent

Part A.

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CERTIFICATE

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

Rechecked and Dated ..19-9-91

Counter Signed.....

*Gopal
21/9/91*

Section Officer/In charge

.....
Signature of the
Dealing Assistant

K
6

CENTRAL ADMINISTRATIVE TRIBUNAL,
CIRCUIT BENCH,
LUCKNOW.

O.A. No. 18/ 88(L)

Hari Prasad Applicant

Vs.

Union of India & Others ... Respondents

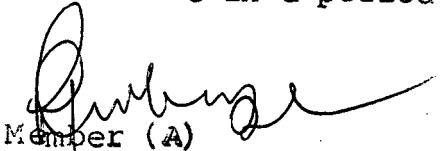
Hon. Mr. Justice U.C. Srivastava, V.C.
Hon. Mr. K. Obayya, A.M.

(By Hon. Mr. Justice U.C. Srivastava, V.C.)

The applicant was allegedly employed as a casual labour from 28-7-1976. According to him he worked from 28-7-76 to 1-11-77, 16-11-82 to 14-4-82 to 14-9-83, 15-3-84 to 14-4-84 and 15-11-83 to 30-6-84 in broken periods for a total number of 834 broken days, under PWI Hardoi, Sandila and Balamau and from 1-12-84 to 31-3-85 for 121 days under PWI Sandila. As such, according to the applicant, he attained a temporary status and therefore, he is entitled for regularisation in accordance with the provisions of paras 2501 and 2511 of Railway Establishment Manual. According to the applicant his name was again entered with on 1-5-87 amongst the casual labours/~~as~~ Assistant Engineer with the assurance that he will be regularised and he worked upto 3-5-87. On 4-5-87 he was not allowed to work. The applicant made representation, but he was not regularised nor he was allowed to work, though some of his juniors were regularised.

2. The respondents have not admitted the facts as stated by the applicant. According to them the applicant worked under Permanent Way Inspector, Safipur from 28-7-76 to 1-11-77. After verification of working days of permanent way Inspector, Safipur, the signature of Permanent Way Inspector, Safipur, was found forged and fabricated.

The petitioner was not sent for medical examination on the basis of forged and fabricated Casual Labour Card. Thus, according to the respondents, the applicant's case was considered for the period before 1980, but his case for regularisation was not considered in the light of the fact that he worked for 454 days continuously in the year 1985 to 1987. If it was a case of forged labour card and the applicant was taking benefit of the same, the applicant having attained a temporary status he should have been associated with an enquiry. An ex parte decision should not have been taken on the ground that the alleged labour card was forged and fabricated. Accordingly the decision taken was not in conformity with law and it is in violation of the principles of natural justice. As such the respondents are directed to reconsider the position and in case they are also to consider the earlier working days of the applicant, they will associate the applicant with the enquiry and conclude the enquiry within a period of 3 months. In case the earlier period of the working of the applicant is not to be taken into consideration and the applicant's claim of benefit of subsequent working during the period of 1982 to 85, is to be considered on par with the employees who worked with him during this period. He will be also given the desired relief, ^{if} there is no bar in granting such relief. The decision on this behalf may also be taken within a period of 3 months. No order as to the cost.


Member (A)


Vice-Chairman.

Dated: 26th August, 1992, Lucknow.

(tgk)

Order Sheet

OA. No. 18 of 1988(C)

5. Order on main Petition

1) Mr. Ajay Johri, A.M.
Hon. G. S. Shashikumar, J.M.

No notice has been filed so far.

Sri A. K. Dixit has sent his application to adjournment. The case is accordingly adjourned to 21.7.1988 for admission. By that time, notice may be filed.

AM

26.5.88

retd.

21.7.88 Hon. A. Johri, A.M.

R. C. Banerjee files an Vakalatnama for Kanodia files an Vakalatnama on behalf of Sri A. K. Gaur, learned counsel for the respondents and pray for and is allowed one month's time to file a reply to the notice issued on 29.4.88 to show cause as to why the petition be not admitted.

List this case on 22.8.88

for admission.

31
A.M.

16/6/88

GR.
In Compliance of Hon'ble Tribunal order dated 21.7.88, no reply has been filed by the respondents so far. Submitted for admission orders.

GR.
AM

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

CIRCUIT BENCH AT DELHI NO.

O.A./F.A. No. 10 198 8(C)

Hari Prasad

Applicant(s)

Versus

MoF I & Os.

Respondent(s)

No.	Date	Orders
	<u>24/11/88</u>	<p>Hon. D.S. Misra (Am) Hon. G.S. Sharma (Jm)</p> <p>On the request of Smt. A. V. Dixit both the parties the case is adjourned to 25/11/88 for hearing on adjournment.</p> <p>for</p> <p>Atty</p> <p>for</p> <p>Atty</p>
	<u>25.11.88</u>	<p>Hon. D.S. Misra, Am Hon. G.S. Sharma, Jm</p> <p>On A. V. Dixit for the applicant gives 15 days time to file rejoinder. He may do so on A. V. Dixit for the respondents is present. Not this case to hear on 23.12.88.</p> <p>for</p> <p>Atty</p>
	<u>25.11.88</u>	<p>for</p> <p>Atty</p> <p>for</p> <p>Atty</p>

4/12/88

OR

No Counter & Rejoinder
have been filed so far.

Submitted

Joshi

BR
Incorporation for the impleadment of
the newly added party has not
so far been made by the learned
counsel for the applicant hence notice
could not be issued.

Submitted for order.

Final
29/3/89

Hon' Mr. D.S. Misra, A.M.
Hon. Mr. D.K. Agrawal, J.M.

30/3/89

None is present for applicant, and the ~~amendment~~
^{which} amendment was allowed by us, has not been incorporated
in the petition. Shri A.K. Gaur learned counsel
for respondents files reply to the petition filed
earlier. The applicant is given one more opportunity
to carry out amendment approved by us. After the
amendment carried out, fresh notices will be issued
to the respondents to file ~~supplementary~~ counter
within 4 weeks and the applicant may file rejoinder
if any within two weeks thereafter. List the case
on 26-589 for final hearing.

BR

J.M.

A.M.

(sns)

31/3/89

BR
As directed by the court
Counsel for applicant has incorporated amendment
in the necessary party today.
Notice issued to the newly added
party through regd. Post today.

Final
31/3/89

26-5-89
No sitting. Adjourned to 1-8-89 BR
for hearing.

Notice were issued
by regd. Post.
Notice reply morning
reply has been filed.

SEY

B.O.C.

G.A. 18/88(L)

3.12.90

No Siting adj to 22.2.91

22.2.91

No sitting Adj to 11.3.91.

11.3.91

No sitting adj to 3.5.91.

3.5.91

No Siting Adj to 26.8.91

26.8.91

No Siting adj to 28.9.91

26.9.91

No Siting adj to 26.11.91

26.11.91

No Siting adj to 10.1.92

10.1.92

No Siting adj to 24.2.92

24.2.92

No Siting adj to 24.2.92

9.4.92

No Siting of D.B. adj
to 14.5.92

14.5.92

No Siting of D.B. adj
to 24.7.92

24.7.92

No Siting of D.B. adj
to 26.8.92

OR

S.P.H

25.8.92

O.A. NO. 18/88 (L)

26/8/92

Hon. Mr. Justice U.C.Srivastava, V.C.
Hon. Mr. K. Obayya, A.M.

Heard. Judgment has been dictated in
the open Court.

(P.W.)


A.M.


V.C.

(2)

IN THE ~~CENTRAL ADMINISTRATIVE~~ ~~TRIBUNAL~~
LUCKNOW BENCH
LUCKNOW

D.A. NO

18/88 (L)

pp990000xx

T.A. NO

Date of Decision 26-8-92

Hari Prasad

PETITIONER.

Shri A.K. Dixit

Advocate for the Petitioner(s)

V E R S U S

Union of India & Others RESPONDENT.

Shri A.K. Gaur.

Advocate for the Respondent(s)

CORAM

The Hon'ble Mr. Justice U.C. Srivastava, V.C.

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

1. Whether Reporter of local papers may be allowed to see the Judgment?
2. To be referred to the reporter or not?
3. Whether their Lordships wish to see the fair copy of the Judgment?
4. Whether to be circulated to other benches?


Vice-Chairman/Member

CLAIM NO: 10 of 01/88

Instt. On

FORM I

(See Rule-4)

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

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, ADDITIONAL
BENCH ALLAHABAD CIRCUIT BENCH

AT

LUCKNOW

Hari Prasad.

— — — Applicant:

Versus.

Gen. Manager, Northern Rly.

& Others.

— — — Opp. Parties:

INDEX:

S1. DESCRIPTION OF DOCUMENTS RELIED PAGES NOS.
No: UPON:

1- Application 1 to 12

2- Annexure No: A-1
Photo copy of Casual labour Card
of Claimant. 13

3- Annexure No: A-2 True copy of
Application dt: 25-7-85. 14

4- Annexure No: A-3 True copy of
Application dt: 19-12-85. 15

5- Annexure No: A-4 True copy of
Application dt: 6-2-88. 16

6- Annexure No: A-5 True copy of
Certificate dt: 8-2-88. 17

7: 2 :-

7- Annexure NoA-6

True copy of representation

dt: 14-3-1988.

18

Lucknow:

Signature of the Applicant

dated: -27-4-88:

(HARI PRASAD)

HRP
through Counsel.

AKD
(A.K. DIXIT) Advocate,

R/O 509/28-Ka Old Hyderabad,

Lucknow;

Steps for Representation No 6 filed on 31.3.89.

AKD
31.3.89

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
ADDITIONAL BENCH ALLAHABAD
CIRCUIT BENCH
AT
LUCKNOW

B E T W E E N

Hari Prasad. ---APPLICANT:

Versus
General Manager N.Rly.
& Others. ---RESPONDENTS:

DETAILS OF APPLICATION:

1- Particulars of applicants:

(i) Name of the Applicant: - As per details
(ii) Name of father/husband: - given below -
(iii) Age of the applicant: -

Ab today
29/4/80

Hari Prasad, aged about 30 years, Son of Sri Fakirey Lal, R/o Burha Khera, Post Sandila, District HARDOI.

(iv) Designation & particulars of office in which employed Permanent Way Inspector N. Rly. Sandila Distt. HARDOI.

(v) Office Address: - -Do-

(vi) Address for Services of Notices Hari Prasad, Son of Sri Fakirey Lal, Village: Burha Khera Post: - Sandila Distt: - HARDOI.

2 P.M. 2/

:-: 2 :-

2- Particulars of Respondents:

(i) Name of respondent.

(ii) Name of father/husband.

(iii) Age of the respondent.

(iv) Designation & particulars
of office (name & station)
in which employed.

As per details

given below -

(v) Office Address

(vi) Address for service of
Notices.

1- General Manager, Northern Railway Head Quarter,
Baroda House, New Delhi.

2- ~~Officer~~ Assistant Engineer Northern Railway
HARDOI.

3- Chief Permanent Way Inspector, Northern Railway
Sandila District Hardoi.

4- Permanent Way Inspector Northern Railway,
Sandila Hardoi.

5- Permanent Way Inspector, Northern Railway,

~~6.~~ Balamau, District Hardoi.

~~6.~~ Union of India, through Secretary of Deptt. of
Railways, Ministry of Railways, New Delhi

3- Particulars of order against

which application is made.

31/3/89

Respondent No. 6

Implicated under
Court order dt. 24.2.89 The application is made against following
and 30.3.89. order:-

31.3.89 (i) Order No: - - - Nil.

(ii) Date - - - 8-2-88.

(iii) Passed by: - Chief Permanent Way
Inspector N.Rly.
Sandila District
HARDOI.

RECORDED

7: 3 :-

(iv) Subject in Brief:

Applicant having employed as Casual labour in Northern Railway worked from 28-7-76 to 1-11-77, 16-11-82 to 14-4-82 to 14-9-83, 15-3-84 to 14-4-84 & 15-11-83 30-6-84 in broken periods under PWI Hardoi, Sandila and Balamau for a total number of 834 broken days. From 1-12-84 to 31-3-85 applicant worked continuously for 121 days under PWI Sandila.

Applicant is thus entitled to be regularised in accordance with provisions of paras 2501 and 2511 of Railway Establishment Manual. Applicant has been ousted from his job without complying with the different provision of Railway Establishment Manual and even without an order in writing against which he preferred several representations. On 1, 2 and 3-5-87 applicant was again engaged as casual labour and performed duties but has been put out of job with effect from 4-5-87 without any reason, while juniors than him are still in service.

None of the representations have been responded and on being contacted in the office of Chief Permanent Way Inspector Sandila, applicant was orally informed that his case can not be considered. On 8-2-88 the Office of Chief PWI Sandila

A/14

:- 5 :-

14-4-84 under PWI Balamau and from 15-11-83 to 30-6-84 under PWI Sandila total 834 days in broken periods on non-project works.

6.2- That from 1-12-84 to 31-3-85 applicant has performed 121 days of ~~continuous~~ continuous duties as Casual labour under PWI Sandila- Respondent No: 4, under non-project Works.

All these working days are entered in the Casual labour Card of Claimant, A True photostat copy of which is attached as ANNEXURE NO: A-1 to this application.

6.3- That with effect from 1-4-85 applicant was not permitted to work on the ground that he will soon be called for Medical Examination and screening is likely to take place. Applicant started to make efforts and contacts but when nothing was done he moved two representations dated: 25-7-85 and 19-12-85.

True copies of the aforesaid representations dt: 25-7-85 and 19-12-85 are attached herewith as ANNEXURES Nos. A-2 & A-3 to this application.

6.4- That ultimately on 1-5-87 applicant's name was again entered amongst the casual labours with Asstt. Engineer Hardoi with the assurance that he is now being regularised keeping in view the continuous days of his working.

Agmt

X/5

:-: 6 :-:

Applicant was deputed to work with PWI Balamau where he worked upto 2 and 3-5-87 on Railway Line near East Cabin of Balamau Jn. and his name finds place at Sheet No: 27.

6.5- That on 4-5-87 applicant was not permitted to join his duties by the PWI Balamau on the pretext that he has worked under PWI Sandila then why he makes a burden on his strength. It was also remarked by the PWI Balamau that applicant has been marked absent.

6.6- That applicant inspite of his best efforts was not attended by any of the officials ~~inspite~~ inspite of representations.

A true copy of one of such representation dt: 6-2-88 is attached herewith as ANNEXURE No: A-4 to this application.

6.7- That applicant also tried to contact the office of respondent no.3 for redressal of his grievances where he was orally informed that since his records are not available his case can not be considered.

6.8- That applicant has not been issued with any sort of order in writing rejecting his representation but with considerable efforts it was only on 8-2-88 that office of respondent no.3 issued a certificate to the claimant which indicates that records of claimant are not available.

contd-----7/

EAGW

X
6
-:: 7 ::-

A true photostat copy of such certificate dt: 8-2-88 issued by the office of respondent No: 3 is attached herewith as ANNEUXRE NO: -A-5 to this application.

6.9- That several persons Junior than claimant have been regularised and are in regular service.

6.10- That on receipt of Annexure A-5 applicant on 14-3-88 sent a letter/notice to the respondents that in case his claim is not settled within 3 weeks he will be compelled to seek redress in court of law. Applicant has received no response of this letter even so far.

A true copy of aforesaid letter/notice dated 14-3-88 which was dispatched to respondents Nos. 2 & 3 under Registered Postal Receipt No: 1739 and 1740 Sandila Road Post Office is attached herewith as ANNEXURES A-6 to this claim petition.

6.11- That from the sequence of events detailed above it is clear that respondents are not inclined to allow the rightful claim of regularisation to the claimant and are not even ready to check and consider his case for which they are duty bound, hence applicant has been left with no option to present this claim, the cause of action for which arose on

A
X

-::8 ::-

3-5-87 (the date of last workin) and 8-2-88
(the date of refusal to consider his claim).

6.12. That present claim is preferred on and amongst other the following:-

G R O U N D S

A. Because petitioner having completed more than requisite period of continuous working as Casual labour on non-project work has acquired status of temporary employee under provision of Paras 2501 (b) and 2502 to the Railway Establishment Manual.

B. Because retaining juniors than petitioner in service ignoring this claim of seniority amounts to violations of Art. 14 & 16 Constitution of India.

C. Because petitioner having completed more than 120 days or continuous service otherwise than on a Railway Project has acquired status of Temporary employee in view of provisions contained in paras 2501 (b)(i)(iii), 2503 & 2511 Railway Establishment Manual.

X
18

-:: 9 ::-

D.D. Because Railway Boards Circular
No: E (N.G)ii-80/CL-25 dated: 22-10-80 NR 7677
costs a mandatory duty upon respondents to
adopt principle of "Last come first go" and
to check the records on such complaint and to
engage such person.

E. Because action of respondent is
not regularising the claimant is highly arbit-
rary and malafide.

7 - Details of Remedies

exhausted -

The applicant declare that they have
availed all to remedies available to
them under relevant rules. None of the
representations have been decided by
any order in writing. True copies of
Annexures A-2, A-3, A-4 & A-6 attached
herewith this claim petition.

8 - Matter not previously filed or pending with any other court -

The applicant further declare that
they had not filed previously any
application, writ petition or suit
regarding the matter in respect of
which this application has been made,

10 :-

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:

(i) a declaration, direction or order in favour of claimant be made to the effect that he is entitled and be treated as Regular Temporary Class IV employee of Railway with effect from 3-5-87 (or with effect from such a date as Hon'ble Tribunal may deem fit), and as a necessary consequence respondents will pay all consequential benefit of salary, seniority promotion etc. to the petitioner.

(ii) Costs of the claim petition and such other relief as may be deemed fit and proper in the circumstances of the case, may also be granted to the applicants.

10- In-terim order if any.

prayed you:

N I L.

11- Application is presented Counsel Sri ABHAYA

contd-----11-----

Exhibit

A/20

-: 11 :-

KUMAR DIXIT, Advocate, R/O 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

2- Demand Draft No:

OR

1- No. of Indian Postal order: - DD 829981
24

2- Name of Issuing Post Office: High Court Bench
Lucknow

3- Date of Issue of Postal 27.4.88

Order: -

4- Post Office at which payable: -

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- Vakalatnama.

EF 5613

contd. - 12/-

A/21

- :: 12 :: -

VERIFICATION

I, HARI PRASAD, Son of Fakirey Lal,
resident of Village Burha Khera, Post Sandila,
District HARDOI, do hereby verify that the
contents of paras 6.1 to 6.11 are true
to my personal knowledge and those of paras
6.12 are believed by me
to be true on legal advise and that I have not
suppressed any material facts.

Dated: -

27.4.88.

hari prasad
(HARI PRASAD)

Applicant:

hari prasad

27.4.88

TO,

The Registrar,

Central Administrative Tribunal, Allahabad

Circuit Bench,

Lucknow;

13
A/21

समक्ष माननीय उन्नत सेवा अधिकरण, उत्तराखण्ड
सरकारी बैच, लखनऊ

दिन प्रकाश

विकल्प

कार्य

जनकपुर भौज, 3 ते 2 रुपये अदि

विपक्षी

प्रत्येक दिन 10 रुपया

131264 (6)

सेवात मजूर का काम में काम, तरने का विवर
RECORD OF SERVICE AS CASUAL LABOUR

प्रारम्भिक नियुक्ति की तारीख
Date of initial employment

नोकरी की परिधि Period of employment		कार्य का स्वरूप Nature of assignment	प्रधानक के तारीख संहित हस्ताक्षर और पदनाम Sig. & Design of Supr. with date
कब तक From	कब तक To		
1-1-84	15-12-84	14	
15-12-84	1-1-85	31	
1-1-85	4-1-85	31	
4-1-85	20-5-85	30	12/1/85
20-5-85	31-3-86	17	

इसी प्रकार

ATTESTED TRUE COPY

Almora

Abhay Kumar Dixit
Advocate
HIGH COURT
LUCKNOW

14

समझौते:- माननीय केंद्र सेवा अधिकारण इलाहाबाद सरकिट बैच, लखनऊ ।

X/3

हरि प्रसाद बनाम जनरल मर्केन्ट आदि ।

सेल मॉक संघर्षा "ए२"

श्रीमान् पौड़ब्लूजाईंसाहब,

सचीला, उत्तर रेलवे ।

सेवा में,

निवेदन है कि प्रार्थी कई जगहों पर संख 76 से कैचुअल काम करता रहा है और 834 दिन तक 30/6/84 तक काम किया । इसी कारण से श्रीमान् जी ने प्रार्थी को अपने माहबूती में 1/12/84 से 31/3/85 तक काम पर लगाया जो 121 दिन होते हैं और उसके कार्ड पर तस्दीक है । प्रार्थी को 1/4/85 से हटा दिया गया कि उसे जब्दी ही मेडिकल भेजा जायेगा लेकिन अभी तक मेडिकल मेमो नहीं मिला है । प्रार्थी मेमो लेने के लिए कई बार जा चुका है ।

इसलिए प्रार्थना है कि प्रार्थी को मेडिकल मेमो दिया जाय और उसे रेगुलर किया जाय ।

आपका सेवक,

हरि प्रसाद

पुत्र श्री फरीरे लाल

ग्राम बूढ़ा छेरा

पौर सचीला

जिला हरदोई ।

25/7/85

सत्य प्रतिलिपि

इटीजुलाट

ATTESTED 13.02.1987

Abhay Kumar

High Court
Lucknow

सम्बोः- माननीय केंद्र सेवा अधिकरण इलाहाबाद सरकारी नं ८८

ATTESTED

Allyn

Abham

H.C. (O.S.)
LUCKNOW

सम्बोधः- माननीय के द्वारा सेवा अधिकरण इलाहाबाद सरकारी बैंच, लखनऊ ।

1/2/85

हरि प्रसाद

बनाम

जसरल मैनेजर आदि ।

संलग्न संख्या "ए३"

सेवा में,

श्रीमान् पौडब्लूआर्ड महोदय,

उत्तर रेलवे, सल्लीला

श्रीमान् जी,

निवेदन है कि प्रार्थी ने आपके मातृत्व में 1/12/84 से 31/3/85 तक बिला नागा पूरो ईमान्दारो और बगैर किसी शिकायत के काम किया है इसके भी पहले प्रार्थी काफी काम कर चुका है। उसके छिंगाफ कभी कोई शिकायत नहीं रही। 1/4/85 से उसे बैठा दिया गया कि मेडिकल ऐज्या जायेगा आज तक मेडिकल नहीं ऐज्या गया। प्रार्थी ने दरखवास्ते भी दो लेकिन कोई नहीं सुन्ताहा है। प्रार्थी गरीबआदमी है वह काम करने के लिए तैयार है। प्रार्थी को मेडिकल न ऐज्यकर उसके साथ नाइंसाफी हो रही है।

प्रार्थी का मेडिकल कराकर उसे रेग्युलर किया जाय क्योंकि अन्य तमाम लोगों को किया जा चुका है।

19/12/85

प्रार्थी

हरि प्रसाद

ग्राम बूढ़ा खेरा

पौ० सल्लीला।

कार्ड नं० 131264

ट्रैफिक

ATTESTED

Allyan,

Abhay

HIGH COURT
BUCKNOOR

समझो:- माननीय केंद्र सेवा अधिकरण इलाहाबाद सरकारी बैच, लखनऊ।

हरि प्रसाद बनाम जनरल मैनेजर आदि ।
संलग्न संहिता "ए ४"

सेवा में

- १- श्रीमान् असिस्टेंट इंजीनियर महोदय,
उत्तर रेल्वे, हरदोई ।
- २- श्रीमान् परमानेन्ट वे इंस्पेक्टर महोदय,
उत्तर रेल्वे, सर्डीला
हरदोई ।

श्रीमान् जी

विषयः रेल विभाग की सेवा में न्युमितीकरण हेतु प्रार्थना-पत्र

निवेदन है कि प्राथमिक 28/7/76 से 1/1/77 तक पी0डब्लूआई सफीपुर के अधीन 16/1/82 से 14/12/82 तक पी0डब्लूआई हरदोई के अधीन, 15/4/82 से 14/9/83 तक पी0डब्लूआई सल्लीला 15/3/84 से 14/4/84 तक पी0डब्लूआई बालामऊ 15/11/83 से 30/6/84 तक पी0डब्लूआई सल्लीला के अन्तर्गत कुल 834 दिन बीच बीच में छोड़कर तथा 1/12/84 से 31/3/85 तक पी0डब्लूआई सल्लीला के अधीन 121 दिन तक निरन्तर कार्य किया है यह दिन उसके कार्ड पर चढ़े हैं जिसको फोटोकापी सेल में है।

प्रार्थी निरन्तरता के आधार पर रेग्लर होने का पात्र है। प्रार्थी का नाम न तो लिस्ट में अंकित किया गया है और न उसे रेग्लर हो किया गया है जबकि प्रार्थी से जूनियर लोगों को रेग्लर कर दिया गया है और बराबर नहीं भरती भी हो रही है।

प्रार्थी इस संबंध में कई प्रार्थना-पत्र दे चुका है लेकिन अब तक उसे न तो कोई उत्तर मिला है और न नौकरी ही दो गयी है ।

प्रार्थी यह प्रार्थना पत्र भेजकर निवेदन करता है कि उसके मामले की फैसला करके उसे रेल की सेवा में रेलवे अधिकारी दिये जाएं।

6/2/88

ପିତ୍ତୁ

सत्य प्रतिलिपि

~~Almst -~~
Abhaya Kumar Dixit

Abhay Kumar Dixit

प्राथमि-
हरि प्रसाद

Advocate वार प्रसाद
मुख उर्याम बुद्धखेड़

HIGH COURT अनुसुन्धान
LUCKNOW सचिवालय जिला हरदोई।

समस्या गान्धीय केन्द्र लेख अधिकारण, उत्तराखण्ड
सरकारी बोर्ड, लखनऊ

दीर्घ उत्तराधि विभाग
जनरल मीडियर, ३८२ रेलवे अडी विपक्षी
प्रदेशीकां संसद ४५

ATTESTED TRUE COPY
John -
Dixit

~~Abhay Kumar Dixit~~
Advocate
HIGH COURT
LUCKNOW

સિંહાસ.

समझा- माननीय के द्वारा सेवा अधिकरण इलाहाबाद सरकारी बैंच, लखनऊ ।

हरिप्रसाद

बनाम

जनरल मैनेजर आदि ।

संलग्नक संघर्षा "ए 6"

रजिस्टर्ड

सेवा में,

श्रीमान् असिस्टेंट इंजीनियर महोदय,
उत्तर रेलवे हरदोई

श्रीमान् जी,

विषय: रेल विभाग की सेवामें नियमतीकरण हेतु प्रार्थना-पत्रों
का निर्णय ।

निवेदन है कि प्रार्थी ने 28/7/86 से 1/1/77 तक पी0डब्लूआई सफीपुर के आधीन, 16/11/82 से 14/12/82 तक पी0डब्लूआई हरदोई के आधीन, 15/4/82 से 14/9/83 तक पी0डब्लूआई सल्लीला 15/3/84 से 14/4/84 तक पी0डब्लूआई बालामऊ 15/11/83 से 30/6/84 तक पी0डब्लूआई सल्लीला के अन्तर्गत कुल 834 दिन बीच-बीच में छोड़कर तथा 1/12/84 से 31/3/85 तक पी0डब्लूआई सल्लीला के आधीन 121 दिन तक निरन्तर कार्य किया है यह दिन उसके कार्ड नं 131264 पर चढ़ाये गए जिसकी फोटोकापी भी प्रार्थी ने आपको भेज दिया है ।

प्रार्थी निरन्तरता के आधार पर रेगुलर होने का पात्र है प्रार्थी का नाम न तो लिस्ट में अंकित किया गया है और न उसे रेगुलर हो किया गया है ।

प्रार्थी ने इस सिलसिले में कई प्रार्थना-पत्र दिए और अन्त में उसे 8/2/88 को श्रीमान मुख्य रेल पथ निरोक्त सल्लीला के कार्यालय से यह लिखकर दिया गया कि उसका कार्ड पता नहीं कहा पर है और उसका नाम कैज़बिल में लिखा है या नहीं ।

इससे यह मालूम होता है कि प्रार्थी को दखलास्ते छारिज कर दी गयी है और उसके मामले में कागजात की जांच भी नहीं की जा रही है ।

प्रार्थी को 1,2 व 3-5-87 को काम पर भी लगाया गया है ।

प्रार्थी मजबूर होकर यह अंतिम प्रार्थना पत्र इस उद्देश्य से दे रहा है कि यदि उसके मामले का उचित फैसला इस प्रार्थना पत्र के प्राप्त होने से तीन सप्ताह के अंदर नहीं कर दिया जाता है तो प्रार्थी अपना मामला अदालतमें जाने को मजबूर होगा ।

दिनांक:- 14 मार्च, 1988 सत्य प्रतिलिपि हरिप्रसाद प्रार्थी-
ग्राम बुद्धखेड़ा, सल्लीला

ATTESTED

1988

प्रार्थी मजबूर होकर यह अंतिम प्रार्थना पत्र इस उद्देश्य से दे रहा है

कि यदि उसके मामले का उचित फैसला इस प्रार्थना पत्र के प्राप्त होने से तीन सप्ताह के अंदर नहीं कर दिया जाता है तो प्रार्थी अपना मामला अदालतमें जाने को मजबूर होगा ।

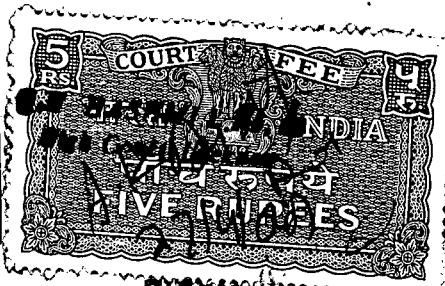
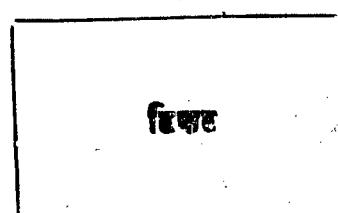
ब अदालत अधीक्षान
। वादी] वपीलाल श्री
प्रतिवादी [रेस्पॉन्डेंट]

Before Central Administrative Tribunal

Additional Bench ^{महोदय}
Circuit Bench ^{लूट्रेन्स} Attached

वकालतनामा

Hand Printed
१२/



General Manager N.Y.H. द्वारा
लिखा

ल० मुकदमा

संख्या

पेशी की सं०

११ ई०

इस पर लिखे मुकदमा में अपनी ओर से धो

— A — १८८५ अदालत अदालत

वकील

एडवोकेट

५०९१-२५/८६ अदालत अदालत

को अपना वकील नियुक्त करके प्रतिज्ञा (इकारार) करता हूँ और लिखे देता हूँ इस मुकदमा में वकील महोदय स्वयं अथवा अन्य वकील द्वारा जो कुछ पैरवी व जदाव देही व प्रश्नोत्तर करें या कोई कागज वालिया करें या लौटावें या हमारी ओर से डिगरी जारी करावे और रुपया बसूल जारें या सुलहनामा व इकाल दावा तथा अपील निगरानी हमारी ओर से हमारी या अपने हस्ताक्षर से वालिया करें और तसदीक करें मुकदमा उठावें या कोई रुपया जमा करें या हमारी विपक्षी (फरीकसानी) का वालिया किया हुआ रुपया अपने या हमारे हस्ताक्षर पुक्त (दस्तखती) रसीद से लेवे या वंच नियुक्त करें—वकील महोदय द्वारा की यही वक्तव्य सब कार्यवाही हमको सर्वथा स्वीकार है और होगा मैं यह भी स्वीकार करता हूँ कि मैं हर पेशी पर स्वयं या किसी अपने पैरोकार को भेजता रहूँगा अगर मुकदमा अदम पैरवी में एक तरफा मेरे द्विलाल फैसला हो जाता है उसको जिम्मेदारी भेरे वकील पर नहीं होगी इसलिए यह वकालतनामा लिख दिया प्रमाण रहे और समय पर काम आये।

हस्ताक्षर

२५ अप्रैल

साक्षी (प्रवाह)

साक्षी (प्रवाह)

दिनांक

महोदय

सं ११

५०

Accepted

Alpesh
27.4.88

for Gaitwsp

SPECIAL POWER OF ATTORNEY

In the Central Administrative Tribunal Circuit Bench
Court of Lucknow

Regd. No. 10/100(L)

Lucknow

Hari Prasad

V.P.P.U.S

Union of India & others

Defendant

Appellate Party

KNOW all men by these present that I, S. D. Chuply, Manager, Northern Railway, Moradabad do hereby appoint and authorise S/ Sri. A. K. Gour, Advocate, to appear, plead, and act for me jointly or severally in the above noted case and to take such steps and proceedings as may be necessary for the prosecution and defence of the said matter, as the case may be and for the purpose to make sign, verify and present all necessary plaint petitions, written statements and other documents to compromise the suit admissible claims and to lodge and deposit money in court and to receive payment from the court of money deposited and to file and withdraw documents from court and generally to set in the premises and in all proceedings arising thereout whether by way of execution, appeal or otherwise or in any manner connected therewith as effectually to all intents and purposes as I could act if personally present I hereby agree to ratify and confirm whatever shall be lawfully done by virtue of these presents.

In witness where of I hereinto set my hand this.....
day of 19

Signature
(S.D. Chuply)
S.D. Chuply
Northern Railway
Manager

Before Central Admn Tribunal Addl. Bench Lucknow
Regn. No 181 O.D.W

Harji Pd

Plaintiff
Appellant
Petitioner

Versus

Union of India

Defendant
Respondent
Opposite Party

KNOW all men by these present that I, S. N. Pandey DRB/MB
Northern Railway, Moradabad do hereby appoint and authorise
S/Shri Asit Kumar Chatterjee to appear, plead,
and act for me jointly or severally in the above noted case
and to take such steps and proceedings as may be necessary
for the prosecution and defence of the said matter, as the
case may be and for the purpose to make sign, verify and
present all necessary plaint petitions, written statements
and other documents to compromise the suit admit the claims
and to lodge and deposit money in court and to receive
payment from the court of money deposited and to file and
withdraw comments from court and Generally to set in the
promises and in all proceedings arising thereout whether by
way of execution appeal or otherwise or in any manner conn-
ected therewith as effectually to all intents and purposes
as I could act if personally present I hereby agree to
notify and confirm whatever shall be lawfully one by virtue
of these presents.

In witness whereof I herein to set my hand this

19

S. N. Pandey

S. N. Pandey
(Dil. By. Parthag)
Northern Railway
Moradabad
19/2/1948

सरकारी अधिकारी

१३

नमामिय सी. पॉलो सेन्ट

१२९८३

पार्टी - राजिं नं. १४ फरू ४४
दक्षिण भारत
मुंबई शहर

महाराष्ट्र,
उपरोक्त वार्षिक वर्ष
कृतवाणी के अधिकारी
एवं उत्तराधिकारी

मुंबई, दृष्टिकोण
नमामिय उपरोक्त वर्ष
मुंबई शहर

अवधि १९९५ दृष्टिकोण
उपरोक्त वर्ष आवाय
प्रमाणित वर्ष अवधि
जाव, आव वा. ८-१०-९०
प्रमाणित वर्ष आवाय

प्रमाणित ५-१०-९०

लगाव
(प्रमाणित वर्ष)
(प्रमाणित वर्ष)

In the Central Administrative Tribunal
Circuit Bench Lucknow

18/12

Hari Prakash ————— applicant
vs.

Union of India ————— Respondents

Regd No 12/88

Respected Sir,

In the aforesaid case as the instructions are not complete and certain papers are yet to be filed, it is not possible to the aforesaid case today.

Prayer

It is therefore most respectfully prayed this Hon'ble tribunal be please to allow this application adjourn the aforesaid case today and fix ^{22/12/89} ~~22/12/89~~ and ~~or~~ ~~or~~ for hearing if possible.

Counsel for respondents

Sri A. C. Gyan
Srivastava

29/11/89

In the Central Adm. Tribunal, Add
X/33

Reg. No. 18 of 88

Hari Lal v. Union of India

Sir,

As I am busy in
a per heard case at
Add. on 1/8/89, it is
expedient in the ends
of justice & circumstances of
the case that the aforesaid
case may be listed on 7.8.89.

Prayer

It is, therefore, most respect-
fully prayed that this
Hon'ble Court be pleased
to ~~fix~~ adjourn the case & may
fix 7.8.89 as next date.
Aug 1889
(Signed for Rly)

1.8.89.

In the Central Adm. Tribunal, Adal Beach
(Cauh Beach), Agra
Lokman

Reg. No. 18 of 88

A/34

Hari Rd.

Y. Union of India

Filed on
26.5.89

Sir,

In the aforesaid case 26.5.89
has been fixed as date for hearing.
One to certain unavoidable
reasons, the counsel for Rly. is
not in a position to attend the
Court on 26.5.89.

A large no. of cases are listed
for hearing on 1.6.89 & as such
it is, expedient that the
aforesaid case be listed for
hearing on 1.6.89.

Prayer

It is, therefore, most respectfully
prayed that this Hon'ble Court
be pleased to allow this applic.
& adjourn the case today & further
be pleased to fix the case on
1.6.89 for hearing.

26.5.89

A. K. Gaur
(A. K. Gaur)
counsel for Rly.

~~Copy for
Recd 15 Com. recd~~

In the Central Adm. Tribunal, Addl. Bench
(Court-Bench), Secd.
Lucknow

Reg. No. 18 of 88

Hari Rd.

Y Union of India

Sir,

In the aforesaid Case 26-5-89
has been fixed as date for hearing.
One to certain unavoidable
reasons, the counsel for Rly. is
not in a position to attend the
Court on 26-5-89.

A large no. of cases are listed
for hearing on 1-6-89 & as such
it is, expedient that the
aforesaid case be listed for
hearing on 1-6-89.

Prayer

It is, therefore, most respectfully
prayed that this Hon'ble Court
be pleased to allow this appln.
& adjourn the case today & further
be pleased to fix the case on
1-6-89 for hearing.

26-5-89 A. K. Gaur
(A. K. Gaur)
Rly.

ofc
Registered

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

No. CAT/CB/LKO/ 1079

Dated : 31/3/89

Registration No. 10 of 1989 (4)

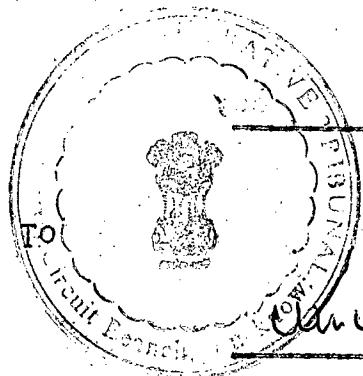
Hari Pd.

Applicant

Versus

U.O.T.

Respondent's



Chairman of India through Secy. of Deptt.
of Railways, Ministry of Railways
New Delhi

Please take notice that the applicant above named has presented an application a copy whereof is enclosed herewith which has been registered in this Tribunal and the Tribunal has fixed 26 day of 5 1989 for trial hearing.
To file reply within 4 weeks.

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

Given under my hand and the seal of the Tribunal this 21 day of 3 1989.

dinesh/

For DEPUTY REGISTRAR
Deputy Registrar
Central Administrative Tribunal
LUCKNOW BENCH,
LUCKNOW

In the Central Administrative Tribunal, Circuit Bench,

Lucknow.

O.A. No: 18-L-of 1983. X 37

Fixed on 23 Feb., 1989.

Hari Arasal

...Applicants.

Versus

General Manager N.Rly
and oths

...Respondents.

Application on behalf of Claimants for Impleadment of

Union of India.

It is submitted that in the above noted case Union of India has been left from being impleaded which ought to have been impleaded. An objection to this effect has also been raised by Respondents.

It is therefore most humbly prayed that applicants be permitted to implead Union of India as Respondent No. 6 in the following manner in array of Respondents, by amending the claim accordingly.

" 6 Union of India, through Secretary of Railways,
Ministry of Railways, NEW DELHI."

Lucknow:

Dated: 23 Feb., 1989.

Counsel for Applicants.

(A.K. Dixit)
(A.K. Dixit)
Advocate.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
CIRCUIT BENCH
LUCKNOW.

65
No. CAT/Alla/

10/111(L)

Dated the 125 1988

Hari Prasad.....Versus.....G.M.N.Railway & ors. 125

To.

65 ← 1. General Manager, Northern Railway, Head Quarter, Baroda House, New Delhi.
2. Assistant Engineer, Northern Railway, Hardoi.
3. Chief Permanent Way Inspector, Northern Railway Sandila District Hardoi.
4. Permanent Way Inspector, Northern Railway, Sandila Hardoi.
5. Permanent Way Inspector, Northern Railway, Balamau, District Hardoi.

Please take notice that the applicant above named has presented an application, a copy whereof is enclosed herewith which has been registered in this Tribunal, and the Tribunal has fixed 26/5/88 to show cause as to why this petition be not admitted.

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

Given under my hand and the seal of the Tribunal this 12/5/88.

125
For DEPUTY REGISTRAR (Jud)

P.T.O.