

IN THE DISTRICT COURT, PUNE AT PUNE

Civil Appeal No. 442/1983.

CAI/PON/T.A.62/86

Shri V.L. Narsimham

Age about 51 years, Occ: Service,
R/at C/O Station Master,
Bhusawal, Dist. Jalgaon

Appellant
(Original
... Plaintiff)

V/s.

Union of India

through General Manager
Central Railway, Bombay VT

Respondent
(Original
... Defendant)

Received on 6 JUN 1983
Clerk of the Court
District Comm. Puna

APPEAL CLAIM Rs.710.77

The Appellant abovenamed respectfully submits
as under:

I. The Appellant had filed a Regular Civil Suit No. 262(2612) of 1981. The learned 6th Joint Civil Judge, Junior Division, Pune dismissed the said suit on 06.12.1982.

II. Being aggrieved and dissatisfied by the Judgement and decree of the Lower Court, the Appellant has preferred this appeal on the following among other grounds:

1. The Judgement and decree of the Lower Court is against law and facts on record.
2. The Lower Court erred in dismissing the suit of the appellant.
3. The Lower Court failed to appreciate the evidence produced by the Appellant. The Lower Court ought to have accepted the evidence of the Appellant and rejected the evidence of the Respondent.

4. Proper issues were not framed by the Lower Court.
5. The Lower Court erred in holding that the Plaintiff failed to prove that the office of the Executive Engineer, North Central Division Central Railway, Pune recovered Rs.67.90 from the Appellant for the month of June 1979 ascertaining that the Appellant was not on duty on 23.4.1979 and 24.4.1979.
6. The Lower Court erred in construing the entries made by the Appellant in the diary. It was an error to hold that the deduction made by the Respondent was legal.
7. The Lower Court erred in relying upon the documents which were neither produced intime, nor proved by the Respondent.
8. The Lower Court erred in relying upon the documents which were not put up to the Appellant.
9. The Lower Court erred in construing the evidence in respect of deductions for the month of March 1979. The Lower Court ought to have held that the Appellant was entitled to the sum of Rs.14.62 which was illegally deducted by the Respondent.
10. The Lower Court erred in construing the evidence in respect of deduction for the month of April 1979.