

CENTRAL ADMINISTRATIVE TRIBUNAL
LUCKNOW BENCH LUCKNOW.INDEX SHEETCAUSE TITLE C.A. 26 of 1989(1)Name of the parties Brij Lal Applicant.

Versus.

Union of India Respondents.Part A.B.C.

Sl No.	Description of documents	Page
1	checklist A 1 - A2	
2	order sheet A3 - A4	
3	Judgment A5 - A6	
4	Petition with Annexure A7 - A17	
5	Power ATOL ✓	
6	File - B B17 - B29	

Re check
28/6/2011Sd/-
27/4/92

Each list that no further action is required
to take and that the case is closed.
Assignment to the second room (D).

Raj

(A5)

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD

District Court at Lucknow.

Registration C.N. No. 26 of 1989 (L)

Shri Lal Applicant

Versus

Union of India & Others Opposite Parties.

Hon. Justice Kamleshwar Nath, V.C.

Hon. K. Chayya, A.M.

This application under Section 19 of the Administrative Tribunals Act XIII of 1985 is for issue of a direction to the opposite parties to grant pension to the applicant.

2. A question of jurisdiction of this Tribunal arose and the applicant was required to show how the Tribunal has jurisdiction. Appearance has not been made by any person on behalf of the applicant.

3. According to the statement of facts contained in the application, the applicant was appointed as a Sepoy Police in the Army Police and was in active military service. It is stated that he was promoted as A.C./M and had been awarded distinction on account of active service in certain wars during World War II. However, on 11.12.53 he was discharged from the post of A.C./M (II) with the remark that being surplus to the establishment his services were no longer required. It is further said that the applicant had been granted war gratuity and service gratuity but had not been granted any pension.

4. It appears to us that the claim of the applicant is

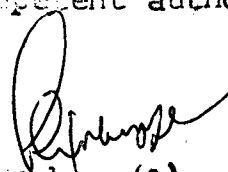
2

A6

- 2 -

in his capacity as a member of the military force of this country and therefore the provisions of the Administrative Tribunals Act, 1985 cannot be made applicable to him in view of Section 2 (a) of the Act. The Tribunal has therefore no jurisdiction.

5. The application is dismissed as beyond jurisdiction; it will be open to the applicant to move to the competent authority in the matter.


Member (A)


Vice Chairman

Dated the 26th Sept., 1989.

RKM

CENTRAL ADMINISTRATIVE TRIBUNAL
CIRCUIT BENCH, LUCKNOW

(AI)

Registration No. 86 of 1989(L)

APPLICANT(S) Brij Lal

RESPONDENT(S) Union of India

Particulars to be examined	Endorsement as to result of examination
1. Is the appeal competent?	Yes
2. a) Is the application in the prescribed form?	Yes
b) Is the application in paper book form?	Yes
c) Have six complete sets of the application been filed?	Five sets have been filed.
3. a) Is the appeal in time?	Yes
b) If not, by how many days it is beyond time?	NH
c) Has sufficient cause for not making the application in time, been shown?	Yes
4. Has the application been authorised/ vakalatnama been filed?	Yes
5. Is the application accompanied by S.D./Postal charges Rs. 50/-	Yes
6. Has the certified copy/copies of the order(s) against which the application is made been filed?	Yes
7. a) Have the copies of the documents relied upon by the applicant and mentioned in the application, been filed?	Yes
b) Have the documents referred to in (a) above been attested by a Gazetted Officer and numbered accordingly?	Yes
c) Are the documents referred to in (a) above neatly typed in double copies?	Yes
8. Has the index of documents been filed and paging done properly?	Yes
9. Have the chronological details of representation made and the outcome of such representation been indicated in the application?	Yes
10. Is the matter raised in the application pending before any court of law or any other Bench of Tribunal?	No

(A2)

<u>Particulars to be Examined</u>	<u>Endorsement as to result of examination</u>
11. Are the application/duplicate copy/spare copies signed ?	Yes
12. Are extra copies of the application with Annexures filed ?	Yes
a) Identical with the Original ?	Yes
b) Defective ?	No
c) Wanting in Annexures	No
Nos. _____ pages Nos _____ ?	
13. Have the file size envelopes bearing full addresses of the respondents been filed ?	No
14. Are the given address the registered address ?	Yes
15. Do the names of the parties stated in the copies tally with those indicated in the application ?	Yes
16. Are the translations certified to be true or supported by an Affidavit affirming that they are true ?	Yes
17. Are the facts of the case mentioned in item no. 5 of the application ?	Yes
a) Concise ?	Yes
b) Under distinct heads ?	Yes
c) Numbered consecutively ?	
d) Typed in double space on one side of the paper ?	Yes
18. Have the particulars for interim order prayed for indicated with reasons ?	
19. Whether all the remedies have been exhausted.	Yes

dinesh/

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
ELECTOR. PETITION NO.

C.A./T.M. No. 26 1984(-)

Applicant(s)

Versus

Respondent(s)

Date	Orders
14/4/89	Admission
8/3/89	Hon. Justice Kamaldeep, Neth, L.C. Hon. Ajay, Delhi, Am. No one appears for the applicant. Earlier also the case had been adjourned. List for orders on 30.3.89. 17.11. V.C.
30/3/89	Hon' Mr. D.S. Misra, A.M. Hon' Mr. J.K. Agrawal, J.M. On the request of learned counsel for the applicant the case is adjourned to 19-5-89 for consideration of the jurisdiction of this Tribunal in the matter under consideration. J.M. (Sns)

Case was adjourned
to 19.5.89 for consideration
of the jurisdiction of the
Tribunal
Submitted for order
[initials]

(A7)

24/1/89

In the Central Administrative Tribunal, Lucknow,
Bench Lucknow.

Between

Brij Lal ... Applicant.

~~Union of India~~ and

Union of India and others. Respondents.

General Index.

SL. NO.	PARTICULARS	PAGES.
1.	Application Under Section 19 Central Administrative Tribunal.	1-5
2.	Index in duplicate containing details of documents.	
3.	Attested True Copy of the Application.	
3.	Attested True Copy of the Application.	6
4.	Attested True copy of the Letter dated 15.4.1987.	7-8
5.	APPENDIX	9-10

Lucknow; Dated
24-1, 1988.

Rishu
Advocate

Counsel for the Applicant.

*Franchis
New Delhi
20/1/1989
Rishu
24/1*

(178)

In the Central Administrative Tribunal , Lucknow.

Bench Lucknow.

Between

Brij Lal

....

Applicant.

and

Union of India and others.

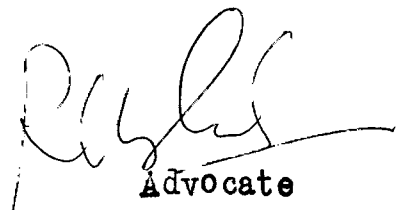
Respondents.

DETAIL OF INDEX

1. Attested True copy of the application sent by the applicant requesting that financial condition of the applicant is not good as such he is facing great hardship so in consideration of the passed services of the applicant pension may kindly be awarded to the applicant.
2. Attested True copy of the letter No.501031/S.P.(C). dated 15.4.87 refusing to grant of the pension to the applicant.

Lucknow; Dated

23-7, 1988


Advocate

Counsel for the Applicant.

2 (A)

In the Central Administrative Tribunal, Lucknow.
Bench Lucknow.

-

Brij Lal

...

Applicant.

and

1 Union of India

2. Commandant Army Medical Core, Lucknow.

3. Lefttinent Officer Incharge, Pension Groupe,
Army Medical Core Records Lucknow.

... Respondents.

DETAILS OF APPLICATION

1. Particulars of the Applicants.

(i) Name of the Applicant Brij Lal

(ii) Name of Father Avasan

(iii) Disgnation & Office in which employed. Soldier (Nayak)
(Poona)

(iv) Office Address Army Medical Core-
Records Lucknow-2.

(v) Address of Service of all notices. Brij Lal; village
Bangawan, P.O. Bhilsar,
District Barabanki.

2. Particulars of Respondents.

(i) Name &/ or designation of the Respnndents. 1. Union of India
through Secretary to
Govt. of India, Minis-
try of Defence- New-
Delhi.

2. Commandant Army
Medical Core, Lucknow.

3. Lefttinent Officer
Incharge, Pension
Groupe, Army Medical
Core, Lucknow-2.

(ii) Office Addresses of the Respondents. Same as in (i) above.

(iii) Service of all notices Same as in (i) above.

contd...2/-



R. Singh

3. Particulars of order against which the application made.

- (i) Order No. 501031/S.P.(C).
- (ii) Date 15.4.1987.
- (iii) Passed by Officer Incharge-Pension Group.
- (iv) Subject in brief The applicant after discharge from his service he wrote a letter to the department for pension, Then the department has replied that the applicant is not entitled for the pension, because he served the department less than 15 years.

4. Jurisdiction of the Tribunal.

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

5. Limitation

The applicant further declares that the application is within the limitation prescribed in section 21 of the Administrative Tribunal Act 1985.

6. Facts of the Case.

1. That the petitioner was appointed on 12.11.1941 as Spay Police, Army Police in the Active Military Service and he was promoted as A.C./N.K. and his no. was 84545.
2. That the petitioner was in active service and he was awarded Africa Star War Medal and Italy Star, the petitioner was participated in war service MAF from 3/42 to 12/45 and CMF from 1/43 to 12/45 successfully.
3. That the petitioner had completed his more than 12

contdd...3/.

years service in the department and the petitioner was proved himself as most disciplined Military personal and did all the best towards his duty.

4. That the petitioner character was good no any adverse intery was made to the service of the petitioner and he was discharged from service on 11.12.1953 from the post of AO/MK(2) with the remark "services no longer required being surplus to establishment."
5. That the petitioner was discharged from service as surplus by the department and no any benefit was given to the petitioner. The petitioner received only war gratuity and service gratuity to Rs.444.11 only and no pension was provided to the petitioner.
6. That the petitioner has served the department for more than 12 years and according to the department reply the qualifying the service was mention as 21.3.1954 in the certificate of service and the petitioner was discharge from service 11.12.53 which was mentioned in the certificate.

Relief Sought

In view of the facts mentioned in para (6) above the applicants prays for the following relief:

- a. Respondent be directed to grant the pension since from the date of the discharge and pay all arrears of pension to the applicant accordingly.
- b. This application be allowed with cost and any other releif the applicant be deemed and to be also granted to him.

8. Interim order of prayed for...

9. Details of the remedy exhausted.

The applicant declares that he has availed of the opportunity of moving representation which was replied on 5.4.87 in not providing the pension by the department.

10. Matter not pending

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

11. Particulars of postal order in respect of the application fee.

(i) Number of the Indian postal order.
(ii) Date of Issue postal order
(iii) Post office at which payable.

12. Details of Index.

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

13. List of enclosures

(i) Application
(ii) Letter dt. 15.4.87.

In Verification.

I, Brij Lal, son of Late Sri Avasan discharged as Nayak, resident of Bangawan, Post Bhildar, Distt. Barabanki, do hereby verify that the contents of para 1 to 13 are true to my personal knowledge and belief and that I have not suppressed any material facts.

Lucknow; Dated

23.1.1989.

To,

The Registrar,
The Central Administrator Tribunal,
Lucknow Bench Lucknow.

Brij Lal
Applicant.

Res

(A/3)

इन दि आनरेबुल हाईकोर्ट आफ हुजु डीकेवर स्ट इलाहाबाद,
लखनऊ बेंच, लखनऊ ।

रिट पिटीशन नं०

आफ 1988

बृजलाल

पिटीशनर

बनाम

यूनियन आफ इण्डिया द्वारा संचित आफ

डिफेंस न्यू दिल्ली स्पष्ट अर्से ————— अपोर्ट पार्टीज

अनेकर नं० - /

सेवा में,

श्रीमान अभिलेख अधिकारी महोदय,
अभिलेख कार्यालय, ए०एम०सी०टी०रकाई,
लखनऊ ।

विषय:- पेशान प्राप्त करने हेतु प्रार्थना पत्र ।

महोदय,

निवेदन है कि प्रार्थी नं० 84545 नायक बृजलाल निवासी ग्राम
बन्गावा पो० भेलसर तह० राम सनेही घाट जन्मद बाराबंकी उत्तर प्रदेश
का एक भूतपूर्व सैनिक है ।

प्रार्थी ने सेना की ए०एम०सी० ब्रान्च में दिनांक 12-11-1941
से दिनांक 20 मार्च सन् 1954 तक कार्यरत रहा तथा दिनांक 20.3.1954
1954 से रिक्तचार्ज कर दिया गया ।

रिक्त चार्ज होने के बाद प्रार्थी घर पर मेहनत माधुरी कर के
अपना एवं परिवार का गुजर बसर करता रहा है। अब प्रार्थी की वृद्धा
अवस्था होने के कारण अपनी ही गुजर बसर करने में असमर्थ हो रहा गया
है और प्रार्थी के कोई सन्तान नहीं है जो उसकी देख रक कर सकें ।

प्रार्थी एक सीधा सादा गरीब आदमी है। उसने एक भूतपूर्व सैनिक
को जब अपनी रिक्त चार्ज बुक दिखाई तो उसने प्रार्थी को बताया कि
आप को सरकार ने रिक्त चार्ज किया है। आपकी अपनी पूरी सेवा करने
में कुल समय से ल केवल एक वर्ष आठ माह पूर्व ही रिक्तचार्ज कर दिया है

जो आप के प्रति बहुत बड़ा अन्याय हुआ है। यदि आप उपरोक्त सेवा पूरी किये हाँते तो आप को पेन्सन मिलना चाहिये था। फिर भी इसमें आप को कोई गलती नहीं है। आप पेन्सन के लिये क्लेम करें।

चूँकि प्रार्थी अपना मर्ग से रिजर्वार्ज नहीं हुआ है। प्रार्थी को जबरदस्ती सेना से निकाला गया है। प्रार्थी को किसी स्था के कारण भी नहीं निकाला गया है और न ही प्रार्थी का कोई कसूर है। उपरोक्त ज्ञान होने पर प्रार्थी यह प्रार्थना पत्र श्रीमान जी की सेवा में भेज रहा है।

अतः श्रीमान जी से अनुरोध है कि प्रार्थी की असहायता दशा को देखकर प्रार्थी के जीवकोपार्जन के लिये पेन्सन दिलाने की कृपा करें।

आप की इस कृपा का प्रार्थी सदैव आभारी रहेगा।

धन्यवाद।

प्रार्थी

॥ 84545 नायक कृष्णलाल ॥

ग्राम-बन्गावा

पो० - भेलसर

त० - रामसनेही घाट

बाराबंकी, ॥ ३०/१० ॥

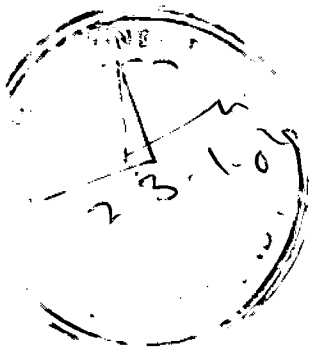
संलग्नक बुक-

रिजर्वार्ज के बुक की

फोटो प्रतिलिपि

B. M. S.

R. S.



115

इन दि आनरेबुल हाईकोर्ट आफ जूडीक्वर स्ट इलाहाबाद,
लखनऊ बेन्च, लखनऊ ।

रिट पिटीशन नं०

आफ 1988

ब्रजलाल

पिटीशनर

बनाम

यूनियन आफ इण्डिया द्वारा सचिव आफ
डिफेन्स न्यू दिल्ली स्पेड अदर्स ----- अपोजि पार्टीज

अनेकर नं० - 2

सेवा चिकित्सा कोर अभिलेख
आर्मी मेडिकल कोर रिकॉर्ड्स
लखनऊ - 2

50 1031/ स्त.पी.सी.१

15 अप्रैल 1987

भूतपूर्व नं० 84545 नायक

ब्रजलाल

ग्राम - बनगावा

डा० भलेसर

जिला - बाराबंकी १००५०१

पेशान बाबत प्रार्थना

- 1:- आपके पत्र दिनांक के सन्दर्भ में ।
- 2:- पेशान नियमावली के अनुसार पेशान पाने के लिये कम से कम पन्द्रह साल नौकरी करना जरूरी है। आप पेशान पाने के हकदार नहीं हैं क्योंकि आपकी कुल नौकरी पन्द्रह साल से कम है ।
- 3:- यदि आप आर्थिक सहायता चाहते हैं तो अपने जिला सैनिक कार्यालय से सम्पर्क करें। बार ग्रेचुटी का स्लैपा 44.11 तथा रे सर्जिस ग्रेचुटी का स्लैपा 4000=00 आपको दिये जा चुका है ।

डा०/- अमठनीय

१ सन० वासुदेवन १
लेफ्टिनेंट

वी.सन
प्रतिीलपि-

अफसर इन्चार्ज पेशान ग्रुप
कृते अफसर इन्चार्ज

जिला सैनिक कल्याण एवं
पुनर्वास कार्यालय बाराबंकी
१००५०१

आपके पत्र संख्या 45/डी.स्त.बी.
दिनांक 27 मार्च 87 के सम्बन्ध में
सुचनार्थ के लिये ।

यस्य-प्रतिीलपि

By lot

23-1-85

Rec

(A16)

In the Central Administrative Tribunal, Lucknow.

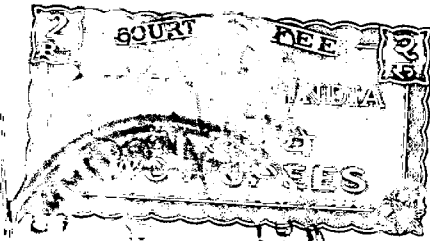
Bench Lucknow.

Between

Brij Lal ... applicant.

And

Union of India and others. Respondents.



Affidavit in Support of the application
u/s 19 of Central Administrative Tribunal Act

I, Brij Lal, son of Avasan, aged about 80 years, resident of village Bangawan, Post Shelsar, Tahsil Ram Sanahi Ghat, District Barabanki, the deponent do hereby solemnly affirm and state on oath as under:

1. That the deponent is the applicant in the above noted case as such he is fully conversant with the facts deposed hereinafter.
2. That the contents of the application of para 1 to 13 of this affidavit are true to my personal knowledge. ~~which~~
3. That nothing in the false and concealed in the above application. That the annexure no.1 and 2 are the true copies of the originals.

Lucknow; Dated

23.1.1989.

Brij Lal
Deponent.

Verification

I, the above named deponent do hereby verify that the contents of paras 1 to 3 of this affidavit are true to my personal knowledge. No part of it is false and nothing material has been concealed. So help me God.

Lucknow; Dated 23.1.89

Brij Lal
Deponent.

- 2 -

known personally
I identify the deponent who has signed before
me.

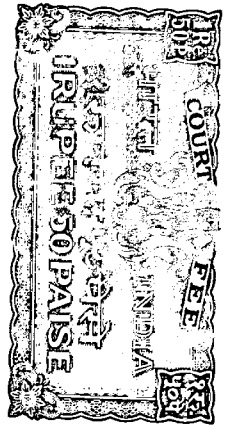
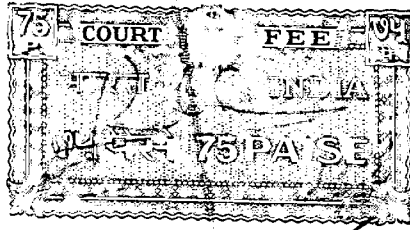
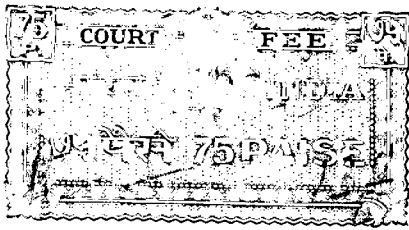
(K. Shukla)
Advocate.

Solemnly affirmed before me on 23.1.12
at 11.35 a.m./p.m. by the deponent *Sri Brij Lal*
who is identified by Sri *K. K. Shukla*
Advocate High Court of Judicature at Allahabad,
Lucknow Bench Lucknow.

I have satisfied myself by examining
the deponent that he understood with the contents
of this affidavit which have been read over and
explained by me to him.

A. N. Khanam
A.N. KHANAM
JATH COMMISSIONER
High Court of Judicature
Lucknow Bench Lucknow
Date 23-1-12

प्रतिनिधि पत्र



न्यायालय श्रीमान्

महोदय

बाराब

वाद

संख्या वाद

सन् १९

ई०

वादो

अभियोगी

प्रतिवादी

अभियुक्त

प्रति

मैं Bigla पुत्र ... जाति

निवासी

का हूँ

उपरोक्त वाद में मैंने अपनी ओर से श्री ... महोदय को दैनिक/संग्रहोत परिश्रमक देने का वचन देकर वकील नियुक्त किया है।

१- वकील महोदय मेरी ओर से वाद पत्र, लिखित वादोत्तर, पुनर्वक्तव्य, अपील या अन्य आवेदन-पत्र उपस्थित करें, मौखिक वक्तव्य अथवा बाजदावा या संधि करें या अन्य दाखिल करें या वाद व आवेदन-पत्र लौटावें।

२- वकील महोदय मेरा ओर से उपस्थित होकर वाद परचालन करें व प्रश्न उत्तर करें या मेरी ओर से किसी को वकील करें।

३- वकील महोदय मेरी ओर से लेख-पत्र प्रस्तुत करें या वापस लेवें और डिगरी जारी करावे।

४- वकील महोदय मुझे न्यायालय से मिलने वाला धन अपने हस्ताक्षर व रसीद से उठावें।

५- वकील महोदय जमींदारी खाता के बाँड द्वारा प्राप्त होने वाला धन व उसका सूद व इन्ट्रम कमपनसेशन व इन्टरिमयूनटी व उसका सूद नकद मुआवजा व अधवासी मुआवजा व उसका सूद अपने हस्ताक्षर व रसीद से उठावें वह सब वकील महोदय का किया हुआ अपने किये हुये की भांति स्वीकार व मान्य होगा।

६- वकील महोदय को उपरोक्त अधिकारों के अतिरिक्त मेरी ओर से किसी अन्य कार्य के करने का अधिकार बिना मुझे सूचित किये या मेरी आज्ञा प्राप्त किये बिना न होगा।

अतः यह प्रतिनिधि-पत्र लिख दिया कि प्रमाण रहे और समय पर काम आवे।

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सा०

दिनांक

माह

सन् १९

सभी प्रकार के काम व जनरल स्टाम्प. कोट कीप, वाटर माक के बिक्रेता—

कृष्णचन्द गुप्ता, लाइसेन्सदार, कटारा रोड, खुदौली, बाराबंकी।

B19

In the Central Administrative Tribunal, Lucknow,
Lucknow.

Between

Prig Lal ... Applicant.

xxxxxx. and

Union of India and others. Respondents.

General Index.

Sl. No.	Particulars	Page No.
1.	Application Under Section 19 Central Administrative Tribunal.	1-5
2.	Index in duplicate containing details of documents.	
3.	Attested True Copy of the Service Book.	
4.	Attested True Copy of the Application.	6
5.	Attested True copy of the letter dated 15.4.1987.	7-8
6.	AFFIDAVIT	9-10

Lucknow; Dated
24-1, 1988.

[Signature]
Advocate

Counsel for the Applicant.

320

In the Central Administrative Tribunal, Lucknow.

bench Lucknow.

Between

Priy Lal

....

Applicant.

vs.

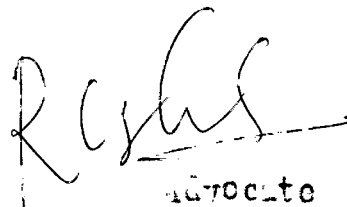
Union of Indian Officers.

Respondents.

Attorney General.

1. Attested true copy of the application sent by the applicant requesting that financial condition of the applicant is not good and he is facing great hardship so in consideration of the passed services of the applicant pension should be granted to the applicant.
2. Attested true copy of the letter no.501031/S.P.(C). dated 15.4.87 refusing to grant of the pension to the applicant.

Under copy of
, 1987


Advocate

Counsel for the Applicant.

(B21)

2

In the Central Administrative Tribunal, Lucknow.
Branch Lucknow.

Brij Lal ... Applicant.

and

1 Union of India

2. Commandant Army Medical Core, Lucknow.

3. Leftenant Officer incharge, Pension Groupe,
Army Medical Core Records Lucknow.

... Respondents.

DETAILS OF APPLICATION

1. Particulars of the Applicants.

(i) Name of the Applicant	Brij Lal
(ii) Name of Father	Avasan
(iii) Designation & Office in which employed.	Soldier (Payak) (Poona)
(iv) Office address	Army Medical Core- Records Lucknow-2.
(v) Address of service of all notices.	Brij Lal, village Banganan, P.O. Bhilsar, District Barabanki.

2. Particulars of respondents.

(i) Name &/ or designation of the Respondents.	1. Union of India through Secretary to Govt. of India, Minis- try of Defence New- Delhi. 2. Commandant Army Medical Core, Lucknow. 3. Leftenant Officer Incharge, Pension Groupe, Army Medical Core, Lucknow-2.
(ii) Office addresses of the Respondents.	Same as in (i) above.
(iii) Service of all notices	Same as in (i) above.

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3. Particulars of order against which the application made.

- (i) Order No. 501031/S.P.(C).
- (ii) Date 15.4.1987.
- (iii) Passed by Officer incharge- Pension Group.
- (iv) Subject in brief The applicant after discharge from his service he wrote a letter to the department for pension, Then the department has replied that the applicant is not entitled for the pension, because he served the department less than 15 years.

44 Jurisdiction of the Tribunal.

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

5. Limitation

The applicant further declares that the application is within the limitation prescribed in section 21 of the administrative Tribunal Act 1985.

6. Facts of the case.

1. That the petitioner was appointed on 12.11.1941 as Spay Police, Army Police in the Active Military Service and he was promoted as A.C./P.K. and his no. was 84545.
2. That the petitioner was in active service and he was awarded Africa Star War Medal and Italy Star, the petitioner was participated in war service MEF from 3/42 to 12/45 and CMF from 1/48 to 12/45 successfully.
3. That the petitioner had completed his more than 12

2085

623

years service in the department and the petitioner was proved himself as most disciplined military personal and did all the best towards his duty.

4. That the petitioner character was good no any adverse intary was made to the service of the petitioner and he was discharged from service on 11.12.1953 from the post of AC/IK(2) with the remark "services no longer required being surplus to establishment."
5. That the petitioner was discharged from service as surplus by the department and no any benefit was given to the petitioner. The petitioner received only war gratuit and service gratuity to Rs.444.11 only and no pension was provided to the petitioner.
6. That the petitioner has served the department for more than 12 years and according to the department only the qualifying the service was mention as 21.3.1954 in the certificate of service and the petitioner was discharge from service 11.12.53 which was mentioned in the certificate.

Relief sought

In view of the facts mentioned in para (6) above the applicants prays for the following relief:

- a. Respondent be directed to grant the pension since from the date of the discharge and pay all arrears of pension to the applicant accordingly.
- b. This application be allowed with cost and any other relief the applicant be deemed and to be also granted to him.

8. Ant rdn order of prayed for...

B24

9. Details of the ...
extracted.

The ... applicant ...
... availability of the ...
... of moving ...
... which was ...
... on 5.6.87 in not ...
... provision by ...
the department.

10. ...
... with any other courts etc.

The applicant further ...
... that the matter ...
... which this ...
... has been ...
... is not pending ...
... of law ...
... authority ...
... of ...
the Tribunal.

11. Particulars of ...
... order ...
... (ii) ...

(i) ...
... order ...
... (iii) ...
...

12. Details of ...

The ... is duplicate ...
... details of the ...
... to be ...
... enclosed.

13. List of ...

(i) ...
(ii) ... dt.15.4.87.

In Verification.

I, ...
... resident of ...
...
... the contents of ...
1 to 13 are true to my personal knowledge and belief ...
... material facts.

1988.

Applicant.

10,

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हा दि आनरेबल हार्जोर्ट आफ मुनीक्वेर स्ट इलाहाबाद,
लउनर बेन्, लउनर ।

रिट पिटीशन नं

आफ 1988

प्रस्ताव

पिटीशनर

वनाम

मुनिक्वेर आफ इण्डिया द्वारा सचिव आफ
रिजिस्ट्रार न्यू दिल्ली स्पष्ट अर्द्ध — अपोज पार्टीज

अनेक्टर नं - 1

सेवा चिन्तित कोर अभिलेख
आर्मी के मेमिन्स कोर रिजिस्ट्रार
लउनर -2

50 103 1/ एस.पी. [रि]]

15 अप्रैल 1987

सुवपूर्व नं 84545 नारण

प्रस्ताव

ग्राम- वनगाँवा

प्राप् क्षेत्र

जिला- वाराणसी [उपप्रा]]

पेशान बाबत प्रार्थना

- 1:- आपके पत्र दिनांक के संदर्भ में ।
- 2:- पेशान निष्ठावली के अनुसार पेशान पाने के लिये कम से कम पन्द्रह साल नौकरी करना जरूरी है। आप पेशान पाने के हक्दार नहीं है क्योंकि आपकी कुल नौकरी पन्द्रह साल से कम है ।
- 3:- यदि आप आर्थिक सहायता चाहते हैं तो अपने जिला सैनिक कार्यालय से सम्पर्क करें। वार ग्रेवुटी का स्तर 44.11 तथा रि सर्विस ग्रेवुटी का स्तर 4000=00 आमतौर पर दो का तुल्य है ।

डा/- अमलीय

रि स्ना वासुदेवन
लेफ्टिनेंट

पी.वन
प्रतिनिधि-

अफसर इंचार्ज पेशान ग्रुप
द्वे अफसर इंचार्ज

जिला सैनिक कल्याण एवं
पुनर्वास कार्यालय वाराणसी
[उपप्रा]]

आपके पत्र संख्या 45/पी.एस.वी.
दिनांक 27 मार्च 87 के सम्बन्ध में
सुचनार्थ के लिये ।

सत्य-प्रतिनिधि

826

हम निम्न आगेखुला आईडेंट आफ इन्फु वीक्यर सेट ज्ञातावाद,
तदनन्त वेन्य, तदनन्त ।

रिट पिटीशन नं०

आफ 1988

पूज्यजाल

पिटीशनर

पनाम

हमिन्धन आफ इण्डिया द्वारा सर्विच आफ

रिजिस्ट्रार न्यू दिल्ली एण्ड अदर्स ————— अपोज पार्टीज

अनेजलर नं० -

सेवा में,

श्रीमान अभिलेख अधिकारी मंडोदय,
अभिलेख कार्यालय, एडम्पसीपरिण्ड,
तदनन्त ।

विषय:- पेशान प्राप्त करने हेतु प्रार्थना पत्र ।

मंडोदय,

निवेदन है कि प्रार्थी नं० 84545 नारण बृजलाल निवासी ग्राम
बनगावा पो० भेलसर तहसील राम सनेही पाट जमनाद गाराबेली उत्तर प्रदेश
का एक भूतपूर्व सैनिक है ।

प्रार्थी ने सेना की एडम्पसीपरिण्ड ब्रान्च में दिनांक 12-11-1941
से दिनांक 20 मार्च सन् 1954 तक कार्यरत रहा तथा दिनांक 20.3.1954
1954 से रिटायरमेंट पर दिया गया ।

रिक्त चार्ज होने के बाद प्रार्थी घर पर मेहनत मादारी कर के
अपना एवं परिवार का गुजर बसर करता रहा है। अब प्रार्थी की वृद्धा
अवस्था होने के कारण अपनी ही गुजर बसर करने में अस्मर्थ हो रहा गया
है और प्रार्थी के कोई सन्तान नहीं है जो उसकी देख रेख कर सके ।

प्रार्थी एक सीधा सादा गरीब आदमी है। उसने एक भूतपूर्व सैनिक
को जब अपनी रिक्त चार्ज बुक दिखाई तो उसने प्रार्थी को बताया कि
आप जो सरकार ने रिक्त चार्ज किया है। आपकी अपनी पूरी सेवा करने
में कुल समय से ब केवल एक वर्ष आठ माह पूर्व ही रिटायरमेंट पर दिया है

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जो आप के प्रति बहुत बड़ा अन्याय हुआ है। यदि आप उपरोक्त सेवा पूरी दिये जाते तो आप को पेन्शन मिलना चाहीये था। फिर भी हमें आप की कोई गलती नहीं है। आप पेन्शन के लिये तैयार करें।

वृद्ध प्रार्थी अपनी मर्मा से विस्मयित नहीं हुआ है। प्रार्थी को पब्लिक सेना से निष्काशित किया है। प्रार्थी को किसी स्टाफ के कारण भी नहीं निष्काशित किया है और न ही प्रार्थी का कोई छद्म है। उपरोक्त बात होने पर प्रार्थी यह प्रार्थना पत्र श्रीमान जी की सेवा में भेज रहा है।

अतः श्रीमान जी से अनुरोध है कि प्रार्थी की असाधारण दशा को देखकर प्रार्थी के जीवनोपरान्त के लिये पेन्शन दिलाने की कृपा करें।

आप की इस कृपा का प्रार्थी तदैव आभारी रहेगा।

धन्यवाद।

प्रार्थी

[84545 नारायण कृष्णराव]

संलग्न कुटुम्ब-
विश्वपार्थ के पुत्र की
फोटो प्रतिलिपि

ग्राम-बन्नावा
पोस्ट-भैरवर
तहसील-रायहनेही जिला
बाराबंकी, [उत्तरप्रदेश]

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I, identify the deponent who has signed before me.

Advocate.

solemnly affirmed before me on
at a.m./p.m. by the deponent

who is identified by me
as a High Court of Judicature at Allahabad,
before me and me.

I have satisfied myself by examining
the deponent that he understood with the contents
of this affidavit which have been read over and
explained by me to him.