

CENTRAL ADMINISTRATIVE TRIBUNAL  
LUCKNOW BENCH, LUCKNOW

INDEX SHEET

CAUSE TITLE OA 315 OF 1989

NAME OF THE PARTIES K. L. Shukla Applicant

Versus

union of Respondent

Part A.

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18		

**CERTIFICATE**

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

Dated ... 16/6/2011 .....

Counter Signed.....

Rejean  
16/6/11  
Section Officer/In charge

AK  
Signature of the  
Dealing Assistant

1

5

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1. *Adiantum*  
2. *Asplenium*

10/1/55

4

CENTRAL ADMINISTRATIVE TRIBUNAL  
CIRCUIT BENCH, LUCKNOW

(A)  
Central Administrative Tribunal  
Circuit Bench, Lucknow  
Date of filing 7/11/87  
Date of receipt by Tribunal

Registration No. 315 of 1989 (2)

APPLICANT(S) K. L. Sharma

RESPONDENT(S) Union of India & others

Duty Officer (U)

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? Yes
3. a) Is the appeal in time? Yes
- b) If not, by how many days it is beyond time? -
- c) Has sufficient case for not making the application in time, been filed? -
4. Has the document of authorisation/ Vakalatnama been filed? Yes
5. Is the application accompanied by B.D./postal Order for 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 duly attested by a Gazetted Officer and numbered accordingly? -
- c) Are the documents referred to in (a) above neatly typed in double space? 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
- Is the matter raised in the application pending before any court of law or any other Bench of Tribunal? -

(A2)

Particulars to be Examined

Endorsement as to result of examination

11. Are application duplicate copy/spare copies signed ?
12. Are extra copies of the application with Annexures filed ?
  - a) Identical with the Original ?
  - b) Defective ?
  - c) Wanting in Annexures
13. Have the file size envelopes bearing full addresses of the respondents been filed ?
14. Are the given address the registered address ?
15. Do the names of the parties stated in the copies tally with those indicated in the application ?
16. Are the translations certified to be true or supported by an Affidavit affirming that they are true ?
17. Are the facts of the case mentioned in item no. 6 of the application ?
  - a) Concise ?
  - b) Under distinct heads ?
  - c) Numbered consecutively
  - d) Typed in double space on one side of the paper ?
18. Have the particulars for interim order prayed for indicated with reasons ?
19. Whether all the remedies have been exhausted.

Yes

Yes

Yes

-

-

-

-

Yes

-

Yes

Yes

Yes

Yes

Yes

-

Yes

Witness/

Serial number of order and date	Brief Order, Mentioning Reference if necessary	How complied with and date of compliance
---------------------------------	--	--

7-12-89

Hon'ble Justice K. Nath, V.C.

Hon'ble Mr. K.J. Raman, A.M.

Issue notice to show cause why the application may not be admitted and delay may not be condoned and list for admission on 3-1-1990 on which date the opposite parties will also produce the record of the case of applicant's compulsory retirement.

*[Signature]*  
A.M.

*[Signature]*  
V.C.

rrm/

OK  
Notices issued on 10-12-89.  
Neither reply nor any unnecessary repd. order has been submitted for admission.  
h  
2/1/9

3/1/90

Hon' Mr Justice Kamleshwar Nath, V.C.Hon' Mr K. Obayya, A.M.

Shri Y.K. Kulshrestha counsel for the applicant and Shri D.S. Randhawa counsel for the respondents are present. Counsel for the respondents says that he has received instructions and he would like to file a short counter. Let short counter be filed within two weeks and list this case for admission on 1-2-90, when the case is likely to be disposed of finally. The applicant may file rejoinder by the date fixed.

A.M.

V.C.

(sns)

Dinesh/

See original order on main petition

This order belongs to C.O. No. 314/89  
See


(all)

315/89 (L)

28-9-90

Hon'ble Justice K. Nath - VC  
u Mr. K. Chayya AM


On the request of learned  
counsel for the respondents  
Sri Anil Srivastava case is  
adjourned to ~~22~~ 22.11.90  
for hearing

  
(AM)

  
(VC)

22.11.90

Hon. Mr Justice K. Nath VC  
Hon. Mr M. M. Singh AM

 No CA filed  
S.F. 7  
20/11

On account of the death of  
Sri P.C. Saxena, Advocate, whose  
cremation is likely to be made,  
prayer for adjournment is made  
on behalf of Advocate. List for  
~~Admission~~ on 14.2.91.

M. M. L.  
AM

  
VC

CA filed  
10/9

4.12.90 -

No sitting AM to 24.5.91

24.5.91

No sitting AM to 28.8.91  
L

~~No sitting of D.B. on 2.2.92~~

O.A./I.A. No. 315/88

Order

Application for correction  
of petition due to typographical  
error. Application is allowed.  
Let the corrections be made.  
Respectfully submitted for the  
respondent's status that is  
has not been seen rec  
and he is not a person

-the same.

The case be listed on  
5-11-92 In case the  
record is not produced  
on the next date it will  
be presumed that deliberately  
the record is not being  
produced.

*[Handwritten signature]*

✓  
✓



NISH/-

AB

5/1

16.9.92

Case not reached adjn  
S.11.92

S.11.92

No finding of D-madg  
11.12.92

11.12.92

Due to Confused Commands an  
and - given to adjn to  
15.12.92

Boe

Received copy.

O.R.

S.F.O

14/12/92

Kanary & Co  
Shinkles  
20/9/93



LUCKNOW BENCH  
IN THE CENTRAL ADMINISTRATIVE TRIBUNAL (ALLAHABAD BENCH)  
ALLAHABAD.

O.A. NO. 315/89  
J.A. NO.

OF 199

Date of decision: 15/12/94

Kamhiya Lal Shukla.....Petitioner

.....Advocate for the Petitioner.

Versus

U.O. 9 & others.....Respondent

.....Advocate for the Respondent(s)

XXXXXXXXXXXXXXX

CORAM:-

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

The Hon'ble Mr. K. Obayya, AM,

1. Whether Reporters 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 all other Benches? ✓

  
Signature

Nagvi/

(AP)

THE CENTRAL ADMINISTRATIVE TRIBUNAL, LUCKNOW BENCH,  
LUCKNOW

O.A. No. 315/89

Kanhiya Lal Shukla ... Applicant

Vs.

Union of India & others ... Respondents

Hon. Mr. Justice U.C. Srivastava, V.C.

Hon. Mr. K. Obayya, A.M.

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

1. The applicant has approached this Tribunal challenging the compulsory retirement from service on the ground that the suggestive and advisory remarks was not being signed by the appointing authority and as such being without jurisdiction and the retirement order is based on the said malicious remarks which has been taken the bases for his non-retention in service in public interest is punitive in nature. The applicant started his career as a Revit Boy in the C&W Shop, Lucknow in 1985. He was again promoted to higher post of 'Highly Skilled Revitter Under Frame II' on 9.4.79 and thereafter on the post of Mistry Grade-I on 18.5.81. According to the applicant, because he could not oblige his officer S.S./Wagon that is why he started making complaints against him and the result of the same is that the notice of compulsory retirement dated 24.11.87 was served upon him.

2. The applicant made appeal against the same but without any result and that is why he has approached this Tribunal. The Learned Counsel for the respondents has also produced the record including that of the

AD

Review Committee and found that the applicant was no longer to be retained in service and is to be retired. According to the respondents, although he was promoted but he was very poor in his attendance. His annual increments were also deferred from their due dates and during the period from 31.5.57 to 10.4.73 he availed not only his all kinds of leave admissible to him at that time, but also availed leave without pay for 2 years 2 months and 16 days. He was awarded One Censure punishment by the disciplinary authority for sitting idle and wasting time on 19.2.1963. Another punishment for with-holding of increments permanently for 2 years was also imposed by disciplinary authority for not starting the work, and not lighting his furnace by 8.00 A.M., one hour after the start, which on appeal of the applicant was reduced to stoppage of Passes and PTOs for one year by the appellate authority on sympathetic considerations. He participated in the strike on 12.7.1960, which was treated as Dies-non for all purposes, but it was counted as on leave with allowances. He also participated in the strike in 1974, but the period was regularised as leave due. His Annual Increment was again deferred and so was the case in 1983 as well as in 1985. He not only availed all sorts of leave admissible to him between 31.3.74 to 31.3.87 but also availed 1 year 9 months and 7 days leave without pay, besides the period mentioned earlier, i.e. 2 years 2 months and 16 days and thus he availed the total leave without pay as 3 years 11 months and 18 days during his service period which showed his irregularity and irresponsibility towards his duty.

3. The applicant was also served upon SF.11 which was received by him on 10.9.87 and his explanation

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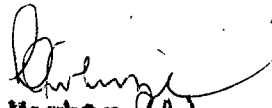
was called. It was found that he has not changed his habit yet and he was warned as he has promised to improve. Another minor penalty charge-sheet was issued to him in May 1987 and he was found guilty of the charges, and punishment was imposed as he had not improved inspite of warning dated 23.3.87 at PP2 WIT for one year. A confidential warning regarding his work was also issued by the Production Engineer vide Confidential Notice No.PE/Confe.1(E)/III/1981 dated 27.8.1981 later on. Thus it is to be noticed that review Committee took into consideration the applicant's record and his absence during these years and thereafter it came to the conclusion that now he should not be retained in service and be compulsorily retired. We do not find any ground to interfere of the assessment made by the Review Committee as there was sufficient material before the Review Committee to arrive at the particular conclusion in which the disciplinary authority agrees. It was a case of overall assessment and the disciplinary authority concerned was entitled to take plea of overall assessment and even uncommunicated adverse entry and to come to a particular conclusion. In this connection, a reference has to be made to the case of Shri B.N.Dass Vs. Chief Distt. Medical Officer, 1992 S.C. Page 1020 wherein the Supreme Court has after taking into consideration took the view that retirement on overall assessment which may include uncommunicated remarks was not illegal. It is also to be noted that the applicant's case for any alternative employment in terms of Govt. order in case the lower post was also considered, but he was not found/fit for a lower post.


4. Accordingly, we do not find any merit in the case and the application deserves to be dismissed and is

(Alo)

accordingly dismissed. However, we make no observations regarding the re-employment of the applicant who has still not attained the age of superannuation and it is for the Railway Administration to re-employ him for a particular period till he attains the age of superannuation.

5. No order as to the costs.

  
Member (A)

  
Vice Chairman

Lucknow  
dt. 15.12.92  
/smc/

8

(All)

Date of 7-11-89  
Date of R

BR 315/07(L)

Deputy Registrar(J)

FORM I  
See Rule 4

APPLICATION UNDER SECTION 19 OF THE ADMINISTRATIVE  
TRIBUNALS ACT 1985

Kanahiya Lal Shukla ----- Applicant.

Vs.

Union of India & Others ----- Respondents.

I N D E X

Sl.No.	Description of documents relied upon	Page Nos.
1	Application	1 to 6
2-	Annexure No.1 Copy of order Dt.25.11.87	7 to 16
3-	Annexure No.II Copy of Order Dt.2.8.88	8 to
4-	Annexure No.III Copy of order Dt.25.1.89.	9 to 10
5-	Vakalatnama	10

Lucknow

Dated : 7-11-89

Kanahiya Lal Shukla  
SIGNATURE OF THE APPLICANT.

For use in Tribunal's office

Dated of filing -----

or

Date of Receipt by Post-----

Registration No. -----

Signature  
For Registrar.

Filed today  
L  
7/11

Noted for  
7-12-89  
M. L. Chandra

(A12)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, CIRCUIT BENCH,  
LUCKNOW.

BA 315/ML

Kanhaia Lal Shukla son of Sri Jagdamba Dutta Shukla,  
aged about 52 years resident of 315/18, Bagh Maha-  
Narain, Chowk, Lucknow.

-----Applicant

Vs

- 1- Union of India through Chairman, Railway Board,  
Rail Bhawan, New Delhi.
- 2- Chief works Engineer, Northern Railway, New Delhi.
- 3- Deputy Chief Mechanical Engineer, Carriage & wagon  
Workshop, Alambagh, Lucknow.
- 4- Works Manager (W) Carriage & Wagon Shop, Alambagh,  
Lucknow.

----- Respondents

- 1- PARTICULARS OF THE ORDER AGAINST WHICH APPLICATION  
IS MADE.

The application is against the following order:

- 1- Order no. 2E4/3(Rev.) 11 dated 24-11-87.
- 2- Passed by- on behalf and for Dy. Chief Mechl.  
Engineer Carriage and wagon shops, Alambagh, LUCKNOW.
- 3- Subject in brief: Premature Retirement vide order  
dated 24-11-87.

- 2- Jurisdiction of the Tribunal

The application declares that the subject matter of the  
order, against which he wants redressal, is within the  
jurisdiction of this Tribunal.

- 3- Limitation

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

*Kanhaiya Lal Shukla*

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-2-

4- Facts of the case:

The facts of the case are given below:

- 1- That the allicant was appointed as Revit Boy in the Carriage and Wagon work shop, Lucknow on 9-2-1955.
- 2- That due to good and efficient work, the applicant was promoted as fiter Khalasi on 8-1-56.
- 3- That on the basis of satisfactory and good work the applicant was again promoted on the cost of Semi-Skilled Hammer Man on 2-6-1958.
- 4- That on 2-2-1971, the applicant was again promoted as ' Skilled Revitter under Frame ' due to satisfactory work.
- 5- That as the applicant kept on performing the allotted duties to the best satisfaction of the superiers, the applicant was again promoted to higher post of " Highly skilled Reviter under frame II " on 9-4-79.
- 6- That due to satisfactory and good work the applicant was again promoted on the post of ' Mintry Grade I " on 18-5-81.
- 7- That as on the above post, the applicant continued discharging the duties with almost devotion and dedication but due to ill luck, the then S.S.Wagon Sri Charanjeet Lal wanted the applicant to oblige the said Charanjeet Lal in same way or the other off and on, but the applicant failed to oblige him, on account of the Applicant's inner feelings and poor and financial condition. Thus the said Charanjeet Lal gradually kept on complaining against the applicant to the higher authorities for damaging the applicant's image and

Kanjilal Sen



he got the applicant reverted on 5-2-82 to the post of "Highly skilled R.U.F. Grade II. "

( mention date of reversion order and enclosed as Annexure if possible challenging the validity subject to the limitation.

8- That on the fateful day of 24-11-87, the services of the applicant put to an end by issuing a compulsoirly notice of retirement vide order no. 2 E-4/B (Rev)<sup>11</sup>, under the seal and signature of Dy. Chief Mechl. Engineer Carriage & vagon Shop, Lucknow. The impugned order of compulsory retirement dated 24-11-87 was received by the applicant on

A true copy of Electro State of the impugned order dated 24-11-87 is being filed herewith as Annexure II to this application.

9- That in the impugned order dated 24-11-87, it is mentioned that the applicant shall retire from service w.e.f 24-11-87 in afternoon and directed that he shall be paid a sum equivalant to the amount of pay and allowance for 3 months in lieu of notice. It is stated that the three months salary was not tendered alongwith the order of compulsory retirement.

10- That on receiving the above mentioned order compulsory retirement, the applicant filed an appeal on to the C.W.E. Head Quarter office, Baroda House, New-Delhi through proper channal.

11- That vide order dated 1/2-8-1980, it has been informed on behalf of Dy. C.H.E(W), A.V.V/Lucknow. That the following order on your the appeal have been rejected by the Board.

A true copy of the order dated 2-8-1988 is being filed as Annexure no. III to this application.

Kamraj Lal  
Sankha

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12- That the applicant on receiving the above order dated 2-8-1988, wrote to the Dy. C.M.E(W), Lucknow, that there was a reference that some decision of the General Manager & the Board have agreed to it & dismissal my appeal and the applicant requested him vide his letter dated 19-10-88 to supply a copy of the decision of the said General Manager but instat of supplying the copy of said decision, the Dy. C.M.E(W), Lucknow vide his letter dated 25/1/89 only said that you have already been conveyed the order of Railway Board vide this office letter dated 2-8-88.

A true copy of the letter dated 25-1-89 is being filed as Annexure IV to this application.

13- That as a matter of fact no copy of decision of General Manager or Board have been communicated to the application.

14- That no adverse entry was even awarded & communicated by the appointing authority.

5- Grounds for relief with legal provisions.

(i) Because the suggestive and advisory remarks, are not signed by the appointing authority hence they all are without jurisdiction.

(ii) Because the impugned order of compulsory retirement is also based on the above mentioned malicious remarks. *applicant has 30 years successful service & since 1986*

(iii) Because the applicant has not been retired in Public interest and his retirement order is not *completely correct & punitive in nature.*

6- Details of the remedies exhausted:

(i) That the applicant declares that he has availed all the remedies available to him under the relevant rules.

(ii) That the applicant made an appeal against the order dated 24-11-87 ( Compulsory retirement ) but this appeal has been rejected on 2-8-88.

AKB

7- Matter not pending with any other court etc.

8- RELIEFS SOUGHT

In view of the facts mentioned in para 6, the application prays for the following reliefs:

(i) That the Hon'ble Tribunal be pleased to set aside the order contained in Annexure nos I and II ( the order of compulsory retirement and the order of rejection the appeal ) to this application and further be pleased to direct the Dy. Chief Mechl. Engineer Carriage & Wagon Shops to treat the applicant continued in service w.e.f 24-11-87 with all its consequential benefits.

(ii) Any other relief deems fit and proper may also be awarded to the applicant against the respondents.

9- INTERIM ORDER PRAYED FOR PENDING FINAL DECISION ON THE APPLICATION.

Nil

10- IN THE EVENT OF APPLICATION BEING SENT BY REGISTERED POST.

-Nil-

11- PARTICULARS OF BANK DRAFT/POSTAL ORDER IN RESPECT OF THE APPLICATION FOR.

1- Name of the Bank on which drawn

2- Bank draft no.

or

- (i) No of Indian Postal order 6/037R3670276531,  
(ii) Name of the issuing post office C.P.O., Lucknow  
(iii) Post office at which payable. C.P.O. Allahabad

12- LIST OF ENCLOSURES

~~Annexure no. 1 Copy of reversion order dated 5-2-85~~

Annexure no. 1<sup>1/2</sup> Copy of order dated 25-11-87

Annexure no. 2<sup>1/2</sup> Copy of order dated 2-8-88.

~~Annexure no. 4 Copy of letter dated 19-10-88.~~

Annexure no. 3<sup>1/2</sup> Copy of order dated 25-1-89.

Kanhai Lal  
Sunkla

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VERIFICATION

I, Kanhaiya Lal son of Sri Jagdamba Dutt Shukla  
aged about 52 years resident of 315/18, Bagh Maha-  
Narain, Chowk, Lucknow do hereby verify that the contents  
of paragraphs 1 to 12 are true to my personal knowledge  
and believe and that I have not suppressed any material  
facts to registrar.

LUCKNOW

DATED 7-11-89

Kanhaiya Lal Shukla  
APPLICANT  
Signature of Advocate

850

A19

7A.

City &

- c to:
- ① SS wagon for information & n/a
  - (2) OS PB, To, Sell. etc pass u u u
  - (3) Secy N.R. P. & B. Kitham  
Sabha Marg Lucknow
  - ④ Secy. Recreation Club ex
  - (5) Shop
  - (6) S.A. (w) Amv.
  - (7) D/e wagon

X. Shri K. N. Bhukla T. No. 669 B. may prefer an appeal to C.W.B./N.D.s within three weeks time if he so desires.

~~Street~~  
~~High Street~~  
7-11-89

WATV-11-DE

81  
Konary dal Shukla

(U) [REDACTED]  
[REDACTED] [REDACTED]  
[REDACTED] [REDACTED]

10/24/42

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सिद्धांत (ii) से प्रतीति

To,

The Hon'ble Central Administrative Tribunal.  
Lucknow Bench, Lucknow.

My lord,

Sri Anil Srivastava is  
out of Station today i.e. 28.9.90.  
Therefore it is kindly requested.  
to adjourn the cases at Serial No  
7, 12, 13, 15, 27, 28 & 36 may  
kindly be adjourned and may  
be taken in any other day.

Lucknow.

Dated 28.9.90

for. Premar  
(Anil Srivastava)

A21

RAD

No. Rly: Office of the Dy. C. M. E. (W), C&W Shops, Amb/Lko.  
No. 725E/DCME/Ex. 669B

Dated July '88

337 ✓ Shri Kanhaiya Lal Shukla Ex. T. No. 669B  
R/O H. No. 315/18, Bagh Maha Narain  
P. O. Chowk, Distt. Lucknow.

Sub:- Review appeal against premature retirement.

Ref:- Your representation dt. 28.12.87 against premature retirement under Rule 2046R 22  
.....

Your representation was forwarded to Hd. Qrs. Office NDLS and from there the same was referred to Rly. Board and the following orders on your representation have been passed.

"The Board have carefully considered the matter and have decided to uphold the General Manager's decision to retire Shri Kanhaiya Lal Shukla T. No. 669B, Skilled Gr. II RUF, C&W Shops, Alambagh/Lucknow prematurely from service."

for Dy. C. M. E. (W), Amb/Lko.

C/-to:- Settl. Section for information.  
....

D/21.7

Kanhaiya Lal Shukla

Attended  
H. No. 315/18  
7-11-89



उत्तर रेलवे  
NORTHERN RAILWAY

RAD

Office of the Dy C.M.R. (W) Secy Shops Amv. Lko

No 725 E/D C.M.R. / Est 69B Dated 25/1/89

Shri Kanhaiyalal Shukla Est. No 669B

R/O H. No 315/18 Mahanarain Chaur  
Lucknow.

Subj: Supply of copy of order of G.M.  
at 19/1/88

Ref: Your application addressed to  
Dy C.M.R. (W) Amv. Lko copy endorsed  
to G.M./N.D.L.

You have already been conveyed  
the orders of Railway Board vide this  
Office letter of even number dated  
2/8/88 and as such no copy of  
orders of G.M./N.D.L. can be  
supplied to you.

Kanhaiyalal Shukla

Dy C.M.R. (W)  
Secy Shops  
Amv. Lko.

Attested  
[Signature]

व अदालत श्रीमान

Central Administrative Tribunal  
Accounts, Lucknow महोदय

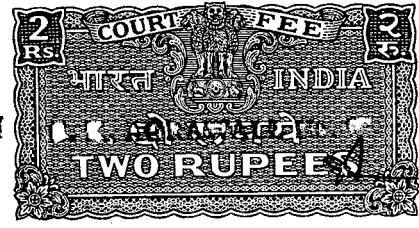
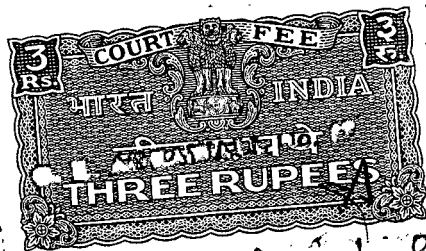
[वादी] अपीलान्त

श्री

का

वकालतनामा

प्रतिवादी [रेस्पान्डेंट]



मुकदमा नं०

सन् ९९

पेशी की ता०

१६ ई०

ऊपर लिखे मुकदमा में अपनी ओर से श्री

K.S. Khare, Advocate

C. 799, Sector C, Mahanagar,

LUCKNOW

Advocate (High Court)

वकील

महोदय एडवोकेट

नाम अदालत  
मुकदमा नं० नाम  
फरीकत

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 फाम आवे।

Accepted  
Yogendra Kumar Kulshrestha  
Advocate (High Court)  
C. 799, Sector C, Mahanagar,  
LUCKNOW

Accepted  
K. Khare  
साक्षी (गवाह)

हस्ताक्षर  
Kanhay Lal Sen

साक्षी (गवाह)

वकील  
The Applicant

महीना

सन् १९९९ ई०

IN THE CENTRAL ADMINISTRATION TRIBUNAL, CIRCUIT BENCH,  
LUCKNOW.

Misc. Application No. 305 of 1989

In re:  
Original Application No. of 1989.

Kanhiya Lal Shukla ..... Applicant.

Union of India and Others ..... Respondents.

Application for condonation of delay in  
filing the Application.

The above named, applicant, most respectfully  
showeth as under :-

1. That the applicant was compulsorily retired  
vide order dated 24.11.87 contained in Annexure No.1 to  
the application.

2. That the applicant preferred an appeal to the  
C.W.E. Head Quarter Office Baroda House New Delhi  
through proper channel on 28.12.87.

3. That vide order dated 1/2.8.88, it has been  
informed on behalf of Dy.C.M.E.(W) AMV, Lucknow that the  
appeal has been rejected by the Board but the copy of  
the rejection order passed by the Board has not been  
serviced upon the applicant so far.

4. That the applicant on 19.10.88, again requested  
to Dy.C.M.E.(W) Carriage Shop Alambagh Lucknow that  
the original rejection order of the appeal passed by  
Board may be supplied to the applicant. This request also  
has also been rejected vide order dated 25.1.89 con-  
tained in Annexure No.3 to the application.

5. That it is expedient in the interest of justice  
and in such circumstances to condon the delay in fil-  
ing in the application, if any.

5. That the applicant shall have to suffer an  
irreparable loss and injury in case the delay, if any.

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in filing the application is not condoned by this Hon'ble Tribunal.

P R A Y E R

WHEREFORE, it is, most respectfully prayed that the Hon'ble Tribunal may kindly be pleased to condone the delay, if any, in filing of the application in the interest of justice and under such circumstances.

Verification

I, Kanhiya Lal Shukla, son of Late <sup>Qasdamba D</sup> Shri Dishambhar Dutt Shukla, aged about 52 years, Compulsorily retired as High Skilled Grade II, in the office of Carriage & Wagon Shop, Alambagh, ~~Mahanarain~~ --- Lucknow r/o 315/18 Bagh Mahanarain Chouk, Lucknow, do hereby verify that the contents of para 1 of this application are true to my personal knowledge and those of paras 2 to 5 are believe by me to be true on legal advice and that I have not suppressed any material fact.

Lucknow:

Dated : 7-11-89

*Kanhiyalal Shukla*  
Signature of the Applicant  
*[Signature]*  
Signature of the Advocate.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,

CIRCUIT BENCH, LUCKNOW.

Civil Misc. Application No. 569 of 1990 (L)

InRe:

Registration ( O. A. ) No. 315 of 1989 (L)

Kanhaya Lal Shukla.....Applicant

Versus

Union of India and Others.....Respondents.

Fixed For: 28.9.90

APPLICATION FOR CONDONATION OF DELAY IN FILING

COUNTER REPLY.

That delay in filing Counter Reply is not intentional or deliberate but due to administrative and bonafide reasons, which deserves to be condoned.

P R A Y E R

Wherefore, it is most respectfully prayed that in the interest of justice, delay in filing counter reply may kindly be condoned and counter reply may be taken on record.

Lucknow.

Dated: 20.9.90

(ANIL SRIVASTAVA)  
ADVOCATE

Counsel for Respondents.

*Filed today  
20/9*

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,  
CIRCUIT BENCH, LUCKNOW.

Registration ( O. A. ) No. 315 of 1989(L)

Kanhaiya Lal Shukla.....Applicant

Versus

Union of India and Others.....Respondents.

Fixed For: 28.09.90

COUNTER REPLY ON BEHALF OF ALL THE RESPONDENTS

I, Rajiv Chandra, ——— working as  
Dy. Chief Mechanical Engineer (w) in the office of  
Deputy Chief Mechanical Engineer (W), C & W  
Shops, Northern Railway, Alambagh, Lucknow, do  
hereby solemnly affirm and state as under:-

1. That the official, abovenamed, is working under  
the respondents and is fully conversant with the  
facts and circumstances of the Applicant's case  
and has been authorised by the respondents to  
file this Counter Reply on their behalf.
2. That the contents of paras 1 and 2 of the original  
application do not call for reply.
3. That the contents of para 3 of the application  
is categorically denied. The application is not

एव मुख्य यान्त्रिक अधियन्ता (कर्मो)  
सबारी एवं माल डिब्बा कर्मशाला,  
६० रे०, आलमबाग, लखनऊ

within limitation prescribed under section 21 of

Cont.....2..

Ans

the Administrative Tribunal Act, 1985. The applicant has will fully made this wrong statement about the limitation. Which is apparent on record as he has also file and application for condonation of delay in filing the application. Thus from this incident it is clear that the applicant has not come with the clean <sup>hands</sup> ~~hence~~.

That reply to the contents of para 4 of the original application are as below:-

4. That the contents of the para 4.1 of the application are admitted.
5. That the contents of the para 4.2 & 4.3 of the application as stated are not admitted and it is submitted that the applicant was initially appointed as Temporary Revit Boy on 9.2.1955 in C & W Shops, Alambagh, Lucknow, on pay Rs. 27/= per month <sup>as is clear from ANNEXURE No. C, to present counter reply.</sup> and was designated as Temporary Khallasi w.e.f. 17.3.55 vide letter No. 2 E 4/ 3 B dated 17.3.55. Later on, the applicant came on transfer in Wagon Shop on 1.8.56 in the same capacity and was promoted as temporary Hammer Man on pay Rs. 35/= per month with effect from 21.06.57 in Semi skilled category in Grade Rs.

उप मुख्य यान्त्रिक अभियन्ता (कर्म०)  
रावारी एवं माल डिब्बा कर्मशाला,  
ब० रो०, आलमबाग, लखनऊ

35-60 (P.S.) vide No. 2E4/3B dated 21.06.57,

Cont.....3..

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which was converted in to authorised Scale of Pay as is clear from ANNEXURE No. 62 to present Counter reply. Rs. 75-110 (A.S.) in 1959. It is specifically

denied that the applicant was promoted due to good and efficient working. Actually, the applicant was promoted according to his seniority position.

6. That in reply to the contents of para 4.4 of the application, it is denied that due to satisfactory working, the applicant was promoted as Skilled Revitter Under Frame. Actually, the applicant was promoted as temporary Revitter under Frame with effect from 2.2.71 on pay Rs. 110/= per month in Grade Rs. 110-180 (A.S.) after qualifying the requisite Trade Test as per his seniority position.

7. That in reply to the contents of the para 4.5 of the application, it is most respectfully submitted that on <sup>account</sup> ~~account~~ of existing vacancies of Highly Skilled Grade - II Revitter Under Frame with effect from 9.4.79 on pay Rs. 330/= per month in Grade Rs. 330-480 (RS) vide Staff Order No. 334 of 94.1979.

8. That in reply to the contents of the para 4.6 of the application, only this much is admitted that he was given promotion to the post of Mistry Grade - I on

pay Rs. 380/= per month in Grade Rs. 380-560 (RS) with effect from 18-5-81, but due to his inefficient working, he was reverted to his substantive post of H.S.Gr. I RUF w.e.f. 5.2.1982 vide Staff Order No. 830 of

एव मुख्य यान्त्रिक अभियन्ता (कर्मचारी एवं माल डिब्बा कर्मशाला,

च. रे. २०, आलमबाग, लखनऊ

4.2.1982 i.e. just after 8 months and 17 days of his

Cont... 4



(1230)

promotion.

9. That the contents of para 4.7 of the application are totally wrong, false and concocted, hence strongly denied. It is further stated that the applicant was reverted to his substantive post of Highly skilled Grade - II Revitter Under Frame with effect from 5.2.1982 on account of his in-~~eff~~ efficient working.

10. That in addition to above, it is relevant to mention here, that the applicant was very poor in his attendance as is evident from the Service Record of the employee. The applicant's annual increments were always deferred from their due dates and to prove this fact, it is submitted that during the period from 31.5.57 to 10.4.73, the applicant availed not only his all kinds of leave admissible to him at that time, but also availed LEAVE WITHOUT PAY for 2 years, 2 Months and 16 days, as is evident from the service record of the applicant, which clearly shows his irregularity and irresponsibility in his attendance during this period. The applicant was awarded

वप मुख्य यान्त्रिक अभियन्ता (कर्मचारी) the punishment of One Censure by the Disciplinary  
सवारी एवं माल डिब्बा कर्मशाला;  
६० रे०, आलमबाग, लखनऊ

Cont.....5..

Authority for Sitting Idle and wasting time at 13-10 hours on 19.2.1963 in BVG Section as noticed by the Works Manager of these Works.

Another punishment for with-holding of increments permanently for two years was also imposed by the Disciplinary Authority for not starting the work, even lighting his furnace by 8.00 A.M., One hour after the start. At that time the working hours of the Workshop was 7.00 hours to 16.00 hours, including <sup>Lunch</sup> ~~lunch~~ hour. On ~~fix the applicant's~~ appeal of the applicant, it was reduced to stoppage of

Passes and PTOs for one year by the appellate authority on sympathetic considerations. The

applicant participated in the strike on 12.7.60,

which was treated as Dies-non for all purposes,

but it was counted as on leave with ~~xxx~~ allowances

for the purpose of provident fund, pension and

increment only in terms of Railway Board's letter

No. E(NG) 60-STI-102 dated 16.11.60 circulated under

G.M. (P)/NDLS's letter No. 890-E/O-ii(EVI) dated

24.11.60. The applicant also participated in the

Railway Strike of 1974 but the period was regular

एव मुख्य यान्त्रिक अभियन्ता (कर्मो)  
जवारी एवं मात डिब्बा कर्मशाला, used as leave due.  
ह० रे०, आलमबाग, लखनऊ

(Cont....6..

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11. That in the year 1974, the applicant's annual increment was again deferred <sup>from due date - due to his irregular attendance and in 1980, his annual increment was again deferred</sup> due to his 99 days LWP, hence it was fallen on 10.7.80, later on, in the year 1983, it was again deferred due to 54 LWPs and was fallen on 23/1.8.89 in place of 1.7.83, again in 1985, the increment was deferred to 18/1.9.85 due <sup>to</sup> 48 LWP. Thus during the period from 31.3.74 to 31.3.87, the applicant not only availed all the leave admissible to him, but also availed 1 year 9 months and 7 days leave without pay, besides the period mentioned earlier i.e. 2 years 2 months and 16 days and thus the applicant availed the total leave without pay as 3 years 11 months and 18 days during his service period which showed his irregularity and irres-  
<sup>n</sup>possibility towards his duty.

12. That the applicant was not at all interested to serve the public department and his conduct did not show his devotion and faithfulness to his duty. Having been found on unauthorised absence from 23.11.81 to 25.11.81, the applicant was awarded punishment of Censure. Later on, he was issued another S.F.11 i.e. Minor Penalty Charge Sheet dated 6.2.87 for giving false information regard-  
ing his payment and was awarded a punishment of stoppage of three sets of passes and Six Sets of PTOs and on preferring the appeal, the same was fully considered by the Appellate Authority who passed the following orders "I have examined the case. He is habitual. The penalty imposed by the S.S. (Wagon) should stand." The above orders were communicated to the applicant via

वप मुख्य यान्त्रिक अभियन्ता (कर्म०)  
सवारी एवं माल डिब्बा कर्मशाखा,  
उ० रे०, आलमबाग, लखनऊ

notice no. 725-E/DCME/669B dated 3.8.87.

13. That in reply to the contents of para 4.8 of the application, it is submitted that the applicant was very poor and irregular in his attendance as his shop supdt. (wagon) vide his letter No. W/E/8/87/669B dated 11.2.87, complained that the applicant came on transfer from Wagon Body Repair to Lifting Shop on 13.8.86 and absented for the following days:-

- 1) 8/86 - 9 days absent out of 13 days.
- 2) 9/86 - 21 days absent out of 24 working days.
- 3) 10/86 - 15 days absent out of 25 working days.
- 4) 11/86 -  $5\frac{1}{2}$  days absent out of 24 working days.
- 5) 12/86 - 8 days absent out of 25 working days.
- 6) 1/87 -  $10\frac{1}{2}$  days absent out of 25 working days.
- 7) Upto 10/2/87 -  $4\frac{1}{2}$  days absent out of 8 working days.

14. That on receipt of the above complaint, the applicant was served with SF-11 i.e. Minor Penalty Chargesheet bearing No. 725-E/DCME/669B dated 26.10.87, which was received by him on 10.9-87 at 14.30 hours and in response to this SF-11, the applicant submitted his explanation dated 18.3.87 to the disciplinary authority through his S.S., wherein his S.S. recorded, he has not changed his habit yet please. In spite of this, the competent authority ~~has~~ has passed the following orders after taking a very lenient view, " He has been warned and has promised to improve, file." Which was conveyed to the applicant vide letter dated 1.4.87. Instead of improving his poor attendance, the applicant again underwent unauthorised absence from duty from 25.3.87 to 20.4.87. The applicant was issued minor penalty chargesheet SF-11

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सवारी एवं माल डिब्बा कर्मशाला,  
त. रे. ०, आलमबाग, लखनऊ

No. 725/E/DCME/669B dated 27.5.87 with Annexures, which was received by him on 30.5.87, and on receipt of the applicant's explanation dated 6.6.87, the same was considered by the Disciplinary Authority, namely, Work Manager (W) <sup>who</sup> ~~wife~~ passed <sup>the</sup> ~~the~~ following orders after holding the applicant guilty of the charges. The following punishment is imposed as he has not improved inspite of warning dated 23.3.87 at PP-2 WIT for one Year." It was conveyed to the applicant vide notice No. dated 11.7.87. It is further submitted that a Confidential Warning was personally issued by the Production Engineer of these Works to the applicant vide Confidential Notice No. PE/Confdl. (E)/iii-1981 dated 27.7.81, when the applicant was working as a Mistry in Wagon Shop, the contents of that letter are reproduced as under:-

" On date at about 13.00 hours the undersigned when enquired about the outturn of your Bay Specifically, the progress for repair of Wagon No. 28316 and 35530 which were given in Scheduled Programme of 27.8.81, you have ~~alleged~~ alleged the undersigned at the peak of your voice, that I was harrasing you unnecessarily instead of any co-operation to you and that I was disturbing you all the time, in presence of Shri D.D. Goswami, S.S. (Wagon) your insubordination is being recorded. Your performance during this month has also not improved as was pointed out in my confidential letter of even No. dated 13.7.81. A copy of this letter is being placed in your Service Record and second opportunity is given to you to improve your working <sup>and</sup> ~~at~~ to behave, in future  
Cont.....9..

एव मुख्य यान्त्रिक अभियन्ता (कर्मचारी)  
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properly with your seniors."

15. That in addition to above, it is submitted that a per rules and policy made for the purpose of reviewing the cases of the employee to determine their over all assesment of service and with a view to assess the suitability for retention beyond the specific age of 30 years service/qualifying service, a review should be made by the appropriate authority six months in advance on which a Railway Servants attains the age of 50/55 years or complete 20 years service/qualifying service whichever occurs earlier. A committee to be Constituted for each department at the appropriate level will examine the case and action will be taken on the recommendations of the committee ~~xxxxxx~~ in terms of Railway Board's letter No. E(P&A)1-76/RT/47 dated 29.11.76 and PE/62/RT/1 dated 11.1.67 and in terms of Sub-Rule(H) of 2046 of Indian Railways Establishment Code Volume II (now converted to rule 1802 (a) 1803(a) and 1804(a) of Indian Railways Establishment Code Volume II) read with <sup>Rule</sup> 620 (ii) of the Manual of Railway Pension Rules. Accordingly, on about completion of 30 years qualifying service, the case of the applicant was sent to the review committee of Head Quarters Office vide letter No. 2E4/3B(Review) dated 18.7.86 on prescribed proforma through the Confidential section of the Dy. C.M.E. (W). Thereafter, while the review was being conducted by the reviewing committee the General Manager asked for the absentee for the last five years in addition to the punishment awarded to the

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सबारी एवं माल डिब्बा कर्मशाला,  
६० रे०, आलमबाग, लखनऊ

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applicant during the said period which was conveyed indicating one punishment of "CENSURE" for unauthorised absence from 23.11.81 to 25.11.81 and leave availed during the last five years namely LAP = 132 days, LHP = 96 days and LWP = 227 days total 455 days.

16. That, thereafter, the review committee decide and directed to the Dy. C.M.E.(W) to take action to retire the applicant compulporily under confidential letter, after follwoing the criteria and procedure laid down for this purposes. Accordingly, in terms of rule<sup>620</sup>(ii) of Manual of Railway Pension Rules read with Sub-Rule (h) of Rule 2046 of Indian Railway Establishment Code Volume-II i.e. not - with-standing anything contianed in this rule, the appointing authority shall, if it is of the opinion that it is in the public interest to do so; have absolute right to retire any Railway servant giving him notice of not less than three months in writing or three months pay and allowances in lieu of such notice, the competent authority, namely, Dy. C.M.E.(W), of these Works compulsorily retired the applicant with effect from 24.11.87 vide Notice No. 2E4/3B (Review)/II dated 24.11.87 and ~~three months~~ <sup>three months</sup> full pay and allowances were paid to him in lieu of three month notice, keeping in view of his poor attendance extremely un-satisfactory work and devotion to duty.

17. That the contents of para 4.9 of the application, as stated, are not admitted. The retirement notice No. 2E4/3B (Review)/II dated 24.11.87 was sent to shop Supdt./Wagon to get it served upon the applicant, but the said notice was returned,

Cont...11.

उप मुख्य यान्त्रिक अभियन्ता (कर्मो)  
सवारी एवं माल डिब्बा कर्मशाला,  
प. रे., आलमबाग, लखनऊ

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Back by the S.S. with the intimation that the employee absented himself in second half of 24.11.87 and simultaneously the applicant sent PMC (Private Medical Certificate) for his sickness, which was returned to him vide letter No. 725-E/DCME/669B dated 2.12.87 as unacceptable. <sup>a photo-copy of letter is annexed herewith as ANNEXURE No. 3</sup> The retirement notice dated 24.11.87 was also sent to the applicant's home address under R.A./D but the same was also returned undeivered by the Postal Authorities with remarks "Bar Bar Ghar Jane Par Prapt Karta Mulakat Nahin Kartey Hain Atah Ruposi Enquiry Vapas 9.12.87." In addition to this, a copy of the retirement notice was pasted on the place of applicant's working before the two witnesses. However, the retirement notice as well as the applicant's P.M.C. was handed over to him on 21.12.87 in the office in the presence of two witnesses at the time, when the applicant came and asked for the same.

18. That in reply to the contents of para 4.10 to 4.12 of the application, it is submitted that aggrieved by his retirement the applicant preferred an appeal dated 28.12.87 to the appellate authority i.e. the C.W.E., Head Quarters Office, Baroda House, New Delhi, which was forwarded to him with the comments vide letter No. 725-E/DCME/669B dated March 23, 1988 7.4.1988

alongwith other information in terms of G.M. (P)'s letter No. 52-E/O/26-VIE (D & A) dated 9.3.79 <sup>the above said appeal was under consideration, the G.M. (P)</sup> (P.S. No. 7229A), While Northern Railway demanded the C.R. Files of the applicant for the last

5 years, i.e. till the employee was retired under rule 2046 <sup>(RI)</sup> ~~the employee was retired under~~ Cont.....12..

उप मुख्य यान्त्रिक अभियन्ता (कर्मो)  
रावारी एवं माल डिब्बा कर्मशाला,  
स. रे. ०, बालमवाग, लखनऊ



i.e. till 24.11.87 to enable to take further necessary action vide letter No. E370/G/Mech./70 dated 8.4.88, which were supplied by the Dy.C.M.EO.

19. That thereafter, on receiving the decision of the competent authority as passed on the applicant's appeal, the applicant was intimated vide letter No. 725-E/DCME/669 dated July 1988 under the 2.8.88 Registered A/D post that his representation was forwarded to Head Quarters Office, New Delhi, and from there, the same was referred to the Railway Board and the following orders on his representation have been passed:-

" The Board have carefully considered the matter and have decided to uphold the General Manager's decision to retire Shri Kanhaiya Lal Shukla T. No. 669/B Skilled Grade II Revitter Under Frame, C&W Shops, Alambagh, Lucknow, prematurely from service."

20. That the above letter/notice was acknowledged by him on 8.8.88 under his clear signature. Then, the applicant moved an application dated 19.10.88 stating that it has been noticed by him that the General Manager has passed some decision about him and for that, neither he has been informed nor any copy has been provided and requested for supplying a copy of General Manager's decision, which was not acceded to as the applicant had already been conveyed the orders of the Railway Board vide this office letter of even No. dated 2.8.88. However, the applicant was replied by this office vide letter No. 725-E/DCME/669B dated 25.1.89 under Registered A/D. Post. A photo-copy of this letter is enclosed as Annexure No-C4 to present counter reply. Cont.....13..

मुख्य यांत्रिक अभियन्ता (कर्मो)  
सचारी एवं माल डिब्बा कर्मशाला;  
ब. र. २०, आलमबाग, लखनऊ

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21. That the contents of para 4.13 of the application as stated are not admitted. It is further submitted that there are Confidential instructions from the Railway Board, not to issue any copy of the Secret documents, hence the respondents did not ~~to~~ supply the <sup>same</sup> ~~same~~ to the applicant. However, the applicant was always replied in accordance with rules.
22. That the contents of para 14 of the application is totally wrong, baseless, hence denied. The correct position has already been explained in paras hereinabove.
23. That the grounds mentioned of para 5 of the original application are misconcieved, baseless, vague, irrelevant, illegal and not applicable to the instant case.
24. That in reply to the contents of para 6 of the application, it is stated that the application has not exhausted the remedy of departmental review which was available to him.
25. That the contents of para 7 of the original application do not call for reply.
27. That in reply to the contents of para 8 of the original application, it is stated that the applicant was not entitled to any relief as claimed rather this original application itself liable to <sup>be</sup> dismissed with costs in favour of the answering respondents and against the applicant.

Lucknow.

Dated: 29-6-90

उप मुख्य यान्त्रिक अभियन्ता (कर्मो)  
सवारी एवं माल डिब्बा कर्मशाला,  
६० रोड, आलमबाग, लखनऊ


(AIO)

VERIFICATION

I, the official abovenamed, do hereby  
verify that the contents of para 1 of this  
Counter Reply is true to my personal knowledge  
and those of paras 2 to 27 of this Counter Reply  
are believed by me to be true on the basis of  
records and legal advice

Lucknow.

Dated: 29-6-90

  
इव मुख्य यान्त्रिक अभियन्ता (कर्म०)  
सवारी एवं माल डिब्बा कर्मशाला,  
इ० २०, आलमबाग, लखनऊ

# ANNEXURE No. C1

Date: 11.2.55  
 Personnel C. & W. Sheph. AMV. Lko.  
 Impression

Particulars of Service in the light of G.O. (P) No. 14071 dated 22.10.54 (E IV), D.O. A Dated 3.1.60



Signature \_\_\_\_\_

Date \_\_\_\_\_

Name (in full) Kanhu Lal 2847B/15

Nationality or Caste Brahman 66

Father's Name Jagaduka Dutt

Residence (in full) Moh. Mirza Mandi 1075

Chauri Lucknow ✓

Date of appointment 9.2.1955

Place " " Ctn 2805 B

Capacity on appointment Genl. Ruck boy

Pay " " Rs. 27/- PM

Date of birth First January nineteen thirty seven (1)

Place of birth Mirza Mandi

Height 5 ft. 3 in.

Date of joining Provident Fund \_\_\_\_\_

Provident Fund Account No. 956564

Distinguishing marks Scar on the left

three point

Special qualifications \_\_\_\_\_

Health certificate 289/55 Class. C1

Verifying Officer \_\_\_\_\_

Designation Assistant Personnel Officer

Date \_\_\_\_\_

C. & W. Sheph. AMV. Lko.

Departmental Examinations (show failures in red)

Witnessed M. Mirza

Signature Chk

Date 11.2.55

Accepted Sh. Sharmar

15.2.55

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## Health Examinations

Date	Initials
8.2.55	Home

## Termination of Service

Reason Retired w/o 24-11-87

under review on completion

of 30 yrs qualifying service w/o

Notice No. 282/3B (Rev) dt. 24-11-87

Date 10/11/87

Initials \_\_\_\_\_

## Gratuity

Gratuity/Compassionate passed.

Amount \_\_\_\_\_

Abstract No. \_\_\_\_\_

Accounts Officer. \_\_\_\_\_

Recommendations \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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\_\_\_\_\_

\_\_\_\_\_

11887 (98/12) etc. 10-80

for Rs. 100/- 10/28-11-85

used D.R.C. passed for Rs. 194/- 10/

vide A.B. No. 334/10/28-11-85

Amount 200/- Value 310.80/

Sr. Accounts Officer (in)

M. Rly. Amv. Lucknow

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क्र० उप मुख्यां अभि० (कर्म) <sup>RAJ</sup> मालमवाग/लखनऊ <sup>ANNEXURE</sup>

पत्र सं० 725 ई/डी सी एम ई/669 बी - दिनांक - 21/2/87.

अभि० के० एल० शुक्ला दि० नं० 669 बी

निवासी सं० नं० 315/10

वाग मदानारायन

पो० - चौक

जि० - लखनऊ

विषय:- पी० एम० सी० दिनांक 24-11-87.

आपको विदित है कि इस कार्यालय की अधिसूचना  
सं० 254/3 बी (रिव्यू) 11 दिनांक 24-11-87 द्वारा  
आपको दि० 24-11-87 अपरान्ह से रिटायरमेंट  
किया जा चुका है इस स्थित में पी० एम० सी  
लेने या स्वीकार करने का प्रश्न ही नहीं है।

अतः आप की पी० एम० सी वापस की जाती  
है।

क्र० उप मुख्यां अभि० (कर्म)  
सेवारी एवं माल डिप्टा कारखाना  
मालमवाग/लखनऊ

डा  
सलोन एक पी० एम० सी  
24-24-11-87

ANNEXURE

(R)

- RAD 3/10/23

उत्तर रेलवे NORTHERN RAILWAY

जी०एल० १९-अ/जनरल ११ छोटा

G.L./19-A/Genl. 11 Small

Office of the Dy CME (W) CFW Shops Amritsar

No 723E/DCME/Ext 669B Dated 25/1/87

Shri Kanhaiyalal Shukla EXT No 669B

R/O H No 315/18 Mahanagar Chara  
Lucknow.

Subj:- Supply of copy of order of G.M.  
at 19/1/87

Ref:- your application addressed to  
Dy CME (W) Amritsar copy endorsed  
to G.M./NDLS

You have already been conveyed  
the orders of Railway Board vide this  
Office letter of even number dated  
2/8/86 and as such no copy of  
orders of G.M./NDLS can be  
supplied to you.

Sd/-  
Dy CME (W)  
C.F.W. Shops  
Amritsar.  
[Signature]

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, CIRCUIT BENCH,  
LUCKNOW

Mis. Application no. 492 of 1992

In

O.A no. 315 of 1989

Kanhiya Lal Shukla

-----Applicant

Vs

Union of India and others

----- Respondent

Application for summoning documents:

The applicant most respectfully sheweth as under:

1- That the following documents are very essential in the interest of justice:

(a) Screening Committee Report.

(b) Personal file of the Applicant.

(c) Leave forms specially from 23-11-87 to 25-11-87.

2- That the opposite parties contention that the applicant was absent from 23-11-87 to 25-11-87, is not correct. Actually this leave for the above mentioned period was sanctioned & the applicant got salary for leave period from 23-11-87 to 25-11-87.

It is, therefore, most respectfully prayed that the

documents mentioned in para 1 above may kindly be summoned from

opp. parties in this interest of justice.

Lucknow

Dated 29/4/92

Kanhiya Lal Shukla  
Applicant

Filed today

28/5/92

Recd  
28/5  
Amendment  
in coprocess  
April 28/5/92