

CENTRAL ADMINISTRATIVE TRIBUNAL
LUCKNOW BENCH, LUCKNOW

INDEX SHEET

CAUSE TITLEOA 329..... OF 1989.....

NAME OF THE PARTIES ..K. S. Chaudhary..... Applicant

Versus

.....Union of Indig..... 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)

Dated 20/6/2011.

Counter Signed.....


Section Officer/In charge


Signature of the
Dealing Assistant

CENTRAL ADMINISTRATIVE TRIBUNAL
CIRCUIT BENCH, LUCKNOW

Central Administrative Tribunal
Date of filing 30/11/89
Date of receipt

Registration No. 3829 of 1989(L)

Deputy Registrar(J)

APPLICANT(S) K.S. Choudhary

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 ?	4 sets filed
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
10. Is the matter raised in the application pending before any court of Law or any other Bench of Tribunal?	-

Particulars to be Examined

Endorsement as to result of examination

- 12. Are the application/duplicate copy/spare copies signed? Yes
- 13. Are extra copies of the application with Annexures filed? Yes
 - a) Identical with the Original? Yes
 - b) Defective? -
 - c) Wanting in Annexures -
 - d) Are _____ present? -
- 14. Have the file size envelopes bearing full addresses of the respondents been filed? -
- 15. Are the given address the registered address? Yes
- 16. Do the names of the parties stated in the copies tally with those indicated in the application? Yes
- 17. Are the translations certified to be true or supported by an Affidavit affirming that they are true?
 - a) Concise? Yes
 - b) Under distinct heads? Yes
 - c) Numbered consecutively? Yes
 - d) Typed in double space on one side of the paper? Yes
- 18. Have the particulars for interim order prayed for indicated with reasons? Yes
- 19. Whether all the remedies have been exhausted? Yes

against/

Serial
number
or
date

Brief Order, Mentioning Reference
if necessary

How compl.
with and
date of
compliance

1-12-07

No sitting. Adv. to 01-90.
Sr. S.P. Sinha, Adv. Counsel to
the applicant is present.

h
14-12-07

or
notice issued
8/3/90

0-1-90

No sitting Adv. to 19 2 90
4c to applicant is present

h
01/1/90

3

19.2.90

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

Admit.

Issue notice to opposite parties to
file counter within four weeks to which
the applicant may file rejoinder within
two weeks thereafter. List for further
orders on 9.4.1990.

A.M.

V.C.

rrm/

Hon. Mr. P.S. Habib, Mohammad, A.M.
Hon. Mr. S.P. Sharma, J.M.

Shri S.P. Sinha, learned counsel
for the applicant and Shri M.P. Sharma
learned counsel for the respondents
are present.

A submission was made on
behalf of the ^{learned counsel for the} respondents that the
counter affidavit will be filed within
4 weeks.

or
Notices were
issued on 03-90
No further reply?
any amendment in
counter has been
relax base
S.F.C.

467

9
9/4/90

Dinesh

List of for orders on 29/6/90

S.M.

A.M.

(2)

329-89L

(10) 11.1.91

Applicant is present. Respondent did not file counter he is absent also he is advised to file counter by 29-1-91 positively.

(11)

29-1-91 Respondent to file counter by

27-2-91 R

Later Respondent has filed counter now Applicant to file Respondent by 27-2-91.

Previous order today is recalled R

(12)

27-2-91
D.R.

Mr. S. P. Sinha, Id.

counsel for the applicant appears and he files an application M.P. No. 94/91 (C), 'Objection of the applicant against the application dated: 5.1.91 filed by the department.

Respondent's side

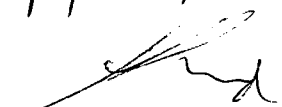
(3)


22-10-91

OA No. 329/89 (L)

Mr. M.P. Sharma - Counsel for the Applicant
None present for the respondents,

May be listed for hearing
on 2/1/92


(S.N. Prasad)
Member (Judl.)


(Kaushal Kumar)
Vice Chairman

2.1.92

No sitting adjn 11.3.92
A

11.3.92

No sitting adjn 28.4.92
A

28.4.92


No sitting adjn 15.5.92
A


or
15/5/92

15.5.92

Hon. Mr. A.B. Gorthi AM.
Hon. Mr. S.N. Prasad JM.

Mr M. P. Sharma learned Counsel
for applicant is present. Sri Arjun
Bhargava learned counsel for the respondent
has sought adjournment for adjournment.
Adjourned to 25.5.92.


J.M.


A.M.

25.5.92

Case not reached adj
to 30.7.92
A
Poe

CENTRAL ADMINISTRATIVE TRIBUNAL LUCKNOW BENCH LUCKNOW

Original Application No. 329 of 1989(L)

Kartar Singh Chaudhary Applicant

Versus

Union of India & Others Respondents.

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

Hon'ble Mr. K. Obayya, Member (A)

(By Hon'ble Mr. Justice U.C. Srivastava, VC)

The applicant was selected by the Railway Service Commission and was appointed as a Clerk in the office of the District Controller of Stores, Alambagh, Lucknow and was confirmed as a clerk w.e.f. 1.4.1952. The grievance of the applicant in this case is that he was entitled to be promoted as office Superintendent in scale of Rs. 700-900/- (RS) now Rs. 2000-3200/- with effect from 1.10.1985 on the availability of the vacancy, but because of the Administrative lapses and acting in arbitrary manner he could not be promoted earlier, with the result, that he has been made a loser, he was only promoted in the year 1986 and he made representation against the same, but nothing has been done so far, that is why he has approached this tribunal.

2. In the year 1957 the Railway Board's issued a directions to bifurcate the seniority of personnel Branch and General Branch; and the respondent no. 2 issued a notice inviting applications from clerks grade Rs. 60-130 to exercise their option for posting in personnel Branch. Those who did not exercise their option for personnel Branch had to seek their further avenue of promotion in

C nt ...2/-

u

:: 2 ::

General Branch viz ministerial and non-ministerial cadre. The applicant did not exercise his option for his posting in Personnel Branch thus he was entitled for further avenue of promotion in General Branch. The applicant was declared suitable in the suitability test held for promotion as clerk grade-I/senior clerk scale Rs. 130-300/- and was promoted as such w.e.f. 28.3.1963. The post of Head clerk ^{was} was non-selection post that is why he was promoted as a Head clerk on 8.12.1980 by virtue of seniority. The selection for the post of Assistant Superintendent scale Rs. 550-750/- which was not conducted prior to 13.11.1986 and the applicant was promoted as Assistant Superintendent on adhoc basis. His grievance is that he should have been promoted w.e.f. 1.10.1985 as an Office Superintendent, purely due to administrative error, where as he was promoted as Office Superintendent w.e.f. only 15.5.1986 although the vacancy was available from before. It has been pointed out that the vacancy was caused due to retirement of Shri Balwan Singh on 1.10.1985 yet he was not promoted and though the respondent no. 2 has promoted one Shri J.N. Srivastava as an Office Superintendent with retrospective effect i.e. 1.8.1984 against the resultant vacancy caused due to retirement of previous incumbent who was working as an Office Superintendent. The said Shri J.N. Srivastava was working as an Assistant Superintendent in the Scale Rs. 550-750/- on adhoc basis and was promoted as Office Superintendent in the scale of Rs. 700-900/- w.e.f. 1.8.1984 on adhoc basis. The benefit of this post was given to the said Shri J.N. Srivastava in the selection of Assistant Personnel Officer; and thus a great disparity was created and the applicant was deprived of ~~it~~ with this benefit.

Contd...3/-

3. The respondents have opposed the application and said the applicant's promotion was an adhoc basis and he has no right to claim further promotion on adhoc basis, moreso that after retirement which took place on 31.3.88. Although a plea of limitation has also been raised that he made a representation after 7 months and thereafter he filed an application in 1989, we are not impressed with the argument as the applicant was given another promotion on 12.11.1987 and after retirement he filed a representation after 7 months. The applicant has placed reliance on the Railway Board circular dated 16.10.1964, which was issued because of the hardship of non-gazetted staff due to Administrative error and loss in seniority and pay. In the said circular which has been placed on the record and contains the following decision of the Board :-

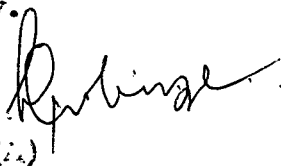
"The matter has been considered and the Board desire that each such case should be dealt with on its merits. The staff who have lost promotion on account of Administrative error should on promotion be assigned correct seniority vis-a-vis their juniors already promoted irrespective of the date of promotion. Pay in the higher grade on promotion may be fixed proforma at the stage which the employee would have reached if he was promoted at the proper time. The enhanced pay may be allowed from the date of actual promotion. No arrears on this account shall be payable as he did not actually shoulder the duties and responsibilities of the higher grade posts."

Relying on this decision the learned counsel contended that the desire of the Railway Board has issued the instruction for the appointing authority which was in the nature of mandate and appointing authority who should have acted upon ; we have to agree @@@@@@@@@@

w

:: 4 ::

with the learned counsel on this behalf and accordingly this application deserves to be all well. The respondents are directed to give benefit to the applicant as per Railway Board decision contained in the year 1964. The result may be, the applicant may get some seniority or some monetary benefit and let the decision on this behalf be given within a period of three months and the benefit to which the applicant is entitled to may also be given to him within another three months, if any.



Member (i)



Vice-Chairman

Lucknow dated 25.8.1992.

(RKA)

In the Central Administrative Tribunal, Circuit Bench
LUCKNOW.

O.A.No. 329 of 1989

Kartar Singh Chowdhry

Applicant

Versus

Union of India and another

Respondents.

It is submitted by the opposite parties as under:-

1. That the instant application seeks to challenge order No. I-E dated 12.11.'87, passed by the Respondent No. 2 to the effect that adhoc promotion cannot be given from back date.
2. That in para 3 of the application, the applicant alleges to have submitted a representation dated 25.11.'88 (Annxure No. 8 to the application) to the General Manager Northern Railway New Delhi. It is also alleged that he has not received any reply from the General Manager.
3. That the applicant admits to have retired from service of Respondents w. ef. 31.3.1988 on attaining the age of superannuation.
4. That the relief claimed in para 8(b) reads as:
"The applicant's promotion as office Superintendent scale Rs. 700-800 be back dated from 1.10.'85 against the resultant vacancy caused due to retirement of Shri Balwan Singh"

5-1989
 सहायक आयुक्त अधिकारी
 उत्तर प्रदेश, लखनऊ

5. That further reliefs^e are sought in para 8(a), (c) (d) and (e) of the application.

6. That ~~such~~ ^{Plural} reliefs are not permissible in view of Rule ~~Rule~~ 10 of Central Administrative Tribunal (Procedure) Rules 1985. The application is thus not maintainable in the present form, besides it being barred by time.

7. That the present application has been filed on 31.11.89, much after the limitation to file the application had expired. The limitation to file the application is 1 year from the date of accrual of cause of action.

8. That no application for condonation of delay has been filed with the application. The application is highly barred by time.

9. That order of admission has been obtained by misrepresentation of facts.

10. That the application is thus liable to be dismissed as barred by time. It is also not maintainable even otherwise.

सहायक न्यायिक अधिकारी

अमान्य भण्डार

उच्च न्यायालय, बालासाहू, २०१०

It is therefore prayed that the Hon'ble Tribunal may kindly be pleased to dismiss the application as barred

by time.

Lucknow

dated: 5-1-91

[Handwritten Signature]
5-1-91

भारतीय रेलवे विभाग

आयुक्त कार्यालय

उत्तर क्षेत्र, लखनऊ, २२६००३

Respondents:

Verification.

I, Jagdish Narain

working as A.P.O

in Northern Railway Lucknow and competent to sign and verify this application do hereby verify that the contents of paras 1 to 8 are based on information derived from record and the application filed by the applicant, those of paras 9 and 10 are based on legal advice which is believed to be true.

Signed and verified this 5th day of Jan 1991 at

[Handwritten Signature]
5-1-91

भारतीय रेलवे विभाग

आयुक्त कार्यालय

उत्तर क्षेत्र, लखनऊ, २२६००३

29

IN THE HON'BLE CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD
CIRCUIT BENCH AT LUCKNOW.

Re-application No. M. P. No. 94/91 ^L of 1991
in
DA No. 329 of 1989.

KARTAR SINGH CHAUDHARY

APPLICANT

Versus

UNION OF INDIA AND OTHERS

RESPONDANT

Objection of the applicant against the application dated 5.1.91 filed by the department.

The applicant beg to submit as under :-

1. The contention of Para I of the application of department is not correct as it has not been supported by any rule, therefore denied. It is submitted that the claim of the applicant is that he was entitled to be promoted on 1.10.85 on the post of Office Superintendant but his case for due promotion on the said post and on the said date has not been considered doliborately at all by the department under the departmental rules and Railway Board's Circular dated 15/17.9.64 circulated by General Manager(P) Now Delhi vide letter No.831-E/25-III (EIV) dated 16.10.64 hence the applicant rightly pointed out this error and lapsos on the part of the department to reetify their mistake and error and allow promotion with effect from 1.10.85 to the applicant and the same was entertained by the department and the matter has been kept till today for consideration and disposal.

P.T.O.

2
Filed today
27/2/91
Kartar Singh Chaudhary

The photostat copy of Railway Board order dated 15/17.9.64 is annexed herewith and is marked as Annexure No.I to the application. Annexure No.6 A of the original application is self explanatory that the promotions of Asstt. Supdt. and office supdt were given ~~end~~ ^{on} adhoc basis from the back date to incumbent ^{of} in personal branch, therefore the reply vide letter No. 1-E dated 12.11.87 does not cover with any rule.

2. Para 2 is admitted with the submission that as per Railway Board's order dt. 15/17.9.64 the applicant brought into the notice of the Deputy Controller of Stores Northern Railway Alambagh, Lucknow vide application dated 11.1.1988, followed by subsequent reminders dated 23.5.1988, 18.7.88 and 23.9.88 which are enclosed herewith and are marked as Annexure No. 2 to 5 to the application. These are also pending for consideration till today. The applicant has submitted a representation on 25.11.88 (under registered cover) to the General Manager Northern Railway Baroda House Now Delhi, to avail all the remedies available to him under the relevant service rules as to redressal of grievances. ^{The} acknowledgement is enclosed and is marked as Annexure No. 6 & 6A to this application.

3. Para 3 to 5 are admitted.

4. That in reply to Para 6 it is submitted that the consequential reliefs have been sought in the application and therefore the application is maintained.

Kartar Singh Chaudhary

5. That in reply to Para-7, it is submitted that for the purpose of the present case no limitation has been proscribed particularly when the grievance for non consideration and administrative error are challenged. Moreover it was obligatory on the part of departmental authorities to comply with the Railway Board's Order Dated 15/17.9.64 itself and also it was the duty of the opposite parties to consider the case of the applicant for his promotion on 1.10.85, but on 1.10.85 or onwards till May 1986 the candidature and eligibility has not been considered hence for the present purpose the cause of action is continuing and there is no question of limitation as raised by the opposite parties in para under reply.

6. That in reply to Para 8 it is submitted that under the aforesaid circumstances the application is within time.

7. The contents of para 9 are totally in-correct and denied. That applicant has given^a detail in his application and *after well* argument the case was admitted by the hon'ble Tribunal. Therefore there was no question for any mis representation of facts even the opposite parties have not denied the facts as disclosed in the application in their objection. Therefore, the overnment made by them is tottaly in correct.

8. That in reply to Para-10, it is submitted that the application is with in time as the same is based against the inaction & against the part of the department.

Karim Singh Chaudhary

Therefore it is prayed that the objection raised by the department are liable to be rejected.

Kartar Singh Chaudhary

Deponent/ Applicant.

Lucknow

dated 27.2.1991

Verification

I, Kartar Singh Chaudhary, retired Office Supdt., son of Late Sardar Amar Singh, resident of 554kh/208 Vishoshwar N agar Alambagh, Lucknow do hereby verify that the contents of Para 1 to Para 5 are true to my personal knowledge and Para 6 to Para 8 are believed to be true on legal advice and that I have not suppressed any material facts.

Kartar Singh Chaudhary

Deponent/Applicant

Lucknow.

dated 27-2.1991.

Shri. P. K. Singh
Advocate

S.No. 2709 - Circular No. 831-E-25-III(Eiv) dated 16.10.64

.....

Sub:- Hardships to non-gazetted staff due to administrative errors + loss in seniority and pay.

.....

A copy of Rly.Bd's letter No. E(NG)63 PMI/92 dt. 15/17-9-64 is forwarded for information and guidance.

Copy of Rly Bds letter No. E(NG)63 PMI/92 dated 15/17-9-64 from Asstt. Director (Estt)/Railway Board to the General Managers, All Indian Railways etc.

Sub:- Hardships to non-gazetted staff due to administrative errors - loss in seniority and pay.

.....

It has been represented to the Board that some times due to administrative errors staff are over looked for promotion to higher grades. This should either be on account of wrong assignment of relative seniority of the eligible staff or full facts not being placed before the competent authority at the time of ordering promotions or some other reasons Broadly, loss of seniority due to administrative errors can be two types.

a) Where a person has not been promoted at all because of administrative error and

b) Where a person has been promoted but not on the date from which he should have been promoted but for the administrative error.

2- The matter has been considered and the Board desire that each such case should be dealt with on its merits. The staff who have lost promotion on account of administrative error should on promotion be assigned correct seniority vis-a-vis then juniors already promoted irrespective of the date of promotion. Pay in the higher grade on promotion may be fixed proforma at the stage which the employee would have reached if he was promoted at the proper time. The enhanced pay may be allowed from the date of actual promotion. No arrears on this account shall be payable as he did not actually shoulder the duties and responsibilities of the higher grade posts.

.....

TRUE COPY
ATTACHED

S. P. Sinha

(S. P. SINHA)
Advocate

6

Annexure No. 2

To,
The Dy. Controller of Stores,
Alambagh, Lucknow.

Sir,

Sub:- Promotion as Office Suptd. in Gr. Rs 700-900(Rs).

Ref:- My representations dated 25.5.87 and 12.11.87 & office
reply bearing No. 1-3 dt. 12.11.87.

.....

With reference to my representation quoted above I may submit the
while employed as Head clerk on a regular basis, I was promoted to
officiate as an Asstt. Suptd scale Rs 550-750(Rs) w.e.f. 5.12.83 on adhoc
basis. I continued to be so employed upto 4.5.86 the date I was
promoted to still higher post as an Office Suptd in scale 700-900/Rs
again on adhoc basis.

The selection for the post of Asstt. Suptd. was held as late as 13.11.
when regular posts of Asstt. Suptd were actually available from the
date much earlier as would appear from the very fact that I had been
promoted to one of the said posts of Asstt. Suptd from 5.12.83. This
clearly goes to prove that the selection for the post of Asstt. Suptd.
was unduly delayed for more than 3 years. Had the selection been held
in time, I would have been promoted as Asstt. Suptd on a regular basis
from a date much earlier than 13.11.86, to be precise to some extent
some times around the year 1983.

In that event my promotion to the post of Suptd scale Rs 700-900/
could have obviously been ordered on any date on or after 1.10.85 on
a regular basis it being non-selection post.

In the circumstances stated above it is prima-facia clear that
I have lost promotion as Suptd. from 1.10.85 purely due to adminis-
trative error. and, therefore, I am due protection under the provis-
of para 2 of orders contained in the Railway Boards letter No. E(NG)
63/PMI/92 dt. 15/17-9-84 from Asstt. Director(Estt)/Railway Board to
all General Managers, All Indian Railways etc. As a matter of fact
I am working as Suptd. against the vacancy of Sri Balwan Singh w.e.f.
1.10.85 itself and I am still continuing against the same post.

In the end I pray that taking into account the facts narrated
here in above, I may be given promotion as Suptd in scale Rs 700-900/
from 1.10.85 the date from which regular vacancy in the post had
occurred on regular basis due to retirement of Sri Balwan Singh.

As I am due retirement shortly I request you to kindly consider
my case sympathetically and allow me benefit due before my retirement
i.e. 31.3.88.

Thanking you in anticipation.

*Handed over to
Sycos personally
A/H*

Yours faithfully,

Kartar Singh Chaudhary
(Kartar Singh Choudhary)
Office Suptd/RR Section
Alambagh, Lucknow.

Dated:- 11-01-88.

TRUE COPY
ATTESTED
S. P. Sinha
(S. P. SINHA)
Advocate

Reminder

(7)

Annexure No. 3

To

The Deputy Controller of Stores,
N.Rly. Alam Bagh, Lucknow.

Sir,

Sub: Promotion as office Supdt. in grade
700-900 (RS)

Ref: My representation dated 11.01.1988

Kindly refer to my representation dated
11.01.88 in respect of my promotion as Supdt. in the
Scale Rs. 700-900 (Revised to Rs. 2000-3200) retrospective
from 1.10.1985 the date from a vacancy in grade had
accurred. I pray that the decision of my representation
may be taken without further delay.

Also pray that the representation in question may
kindly be acknowledged.

Thanking You.

Yours faithfully,

Kartar Singh Chaudhary
(Kartar Singh Chaudhary)
Retd. Supdt.

Address at:

554Kha/20B, Amar Narain
Villa
Bisheshwar Nagar,
Alam Bagh, Lucknow.

Phone Residence : 53529

TRUE COP
ATTESTED.

S. P. Sinha
(S. P. SINHA)
Advocate

23/5
Dated: 16.5.1988
(Read by Mr. Singh Rd
Record Clerk J.
Sgt. Sechi)

etc

Reminded

8

Annexure No. 4

To

Dy. Controller of Store,
NRly. Alambagh, Lucknow.

Sir,

Sub: Promotion as Supdt. in Grade Rs. 700-900

Refs (1) My representation dated 11-01-1988
(2) Reminder dated 23-5-1988

I beg to draw your kind attention to my representation dated 11-01-88 followed by reminder dated 23-5-88. I am sorry to point out that no orders have so far been passed for my promotion from the date I was assigned the duties of office supdt. i.e. w.e.f. 1.10.85 the date from a vacancy in grade had occurred. I again pray that the decision of my representation may kindly be taken without further delay.

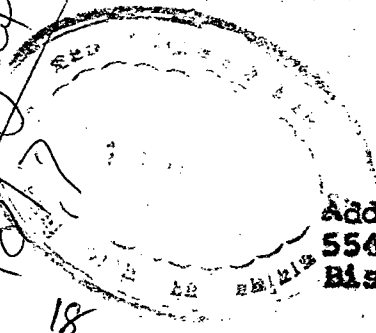
Thanking you,

Yours faithfully,

Kartar Singh Chaudhary

(Kartar Singh Chaudhary)
Retd. Supdt.

Barfayal
18/7



Address at:
556 Kh/20B Amar Narain Villa,
Bisheshwar Nagar, Alambagh,
Lucknow.

Residence Phone 53529

Dated: 18-7-88

TRUE COPY
ATTESTED

S. P. Sinha
(S. P. SINHA)
Advocate

9

Annexure No. 5

To

The Dy Controller of Stores,
Northern Railway,
Alambagh,
Lucknow.

Sir,

Sub : Promotion as Superintendent in Grade
Rs. 700-900 (RS).

Ref : 1) My representation dated 11.01.1988.
2) Representation reminder dated 23.5.1988.
3) Further reminder dated 18.7.1988.

.....

Your kind attention is invited to my representation dated 11.01.1988 (as referred to above under reference 1) followed by two reminders dated 23.5.1988 and 18.7.1988, on the subject of my promotion as Superintendent in Grade Rs. 700-900 (RS) w.e.f. 10.10.1985. I regret to point out once again that no action seems to have been taken by you in the matter though a period of more than 8-1/2 months has elapsed. I apprise you afresh that I was assigned the duties of Office Superintendent w.e.f. 1.10.1985 - the date from which a vacancy in the said grade occurred on retirement of Shri B. Singh and I am rightfully due promotion from 1.10.1985 as Superintendent.

I once again request you kindly to take decision on my representation early and intimate me of your decision.

Thanking you

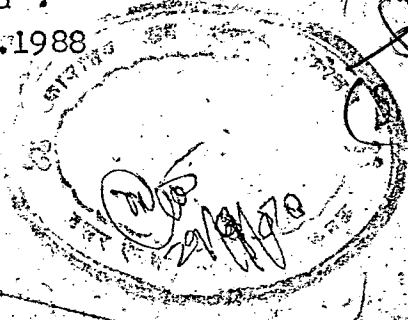
TRUE COPY
ATTESTED

Yours faithfully,

Dated :

23.9.1988

Karter Singh Chaudhary
(Karter Singh Chaudhary)
Retd. Superintendent,
554, Kh/20B, Amar Narain Vill,
Bisheshwar Nagar, Alambagh/LN
Telephone No. : 53529



P. SINHA
Advocate

Annexure

धारणी-54
R.P.-54

भारतीय डाक-तार विभाग

10
तारीख-मोहर

INDIAN POSTS AND TELEGRAPH DEPARTMENT

प्रेषक डाकघर का नाम-मोहर/Name-stamp of office of posting

भेजने वाले का पता/Sender's address

Kuntar Singh chandhary
House no. 554 KH/203
Bisheshwar Nagar, via Jai Parkash
Alambagh, Lucknow

MGIPAN-112 P. & T. 782-11-6-82-2,00,00,000.

पिन/PIN 21216101015
UP

Annexure - 6

प्राप्ति स्वीकृति (रसीद) ACKNOWLEDGMENT

*एक रजिस्ट्री पत्र/पोस्टकार्ड/पैकेट/पार्सल प्राप्त हुआ

*Received a Registered Insured Letter/Postcard/Packet/Parcel

पाने वाले का नाम
Addressed to (name)

The General Manager
N. Rly. Baroda House
New Delhi

बीमे का मूल्य (रुपयों में)
Insured for Rupees

वितरण की तारीख/Date of delivery 198

उपरोक्त को काट दिया जाए।
Scissors out the matter not required.

बीमा वस्तुओं के लिए
Insured articles only

पाने वाले के हस्ताक्षर/Signature of addressee

TRUE COP
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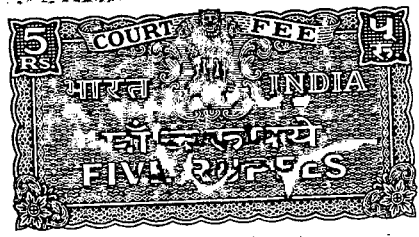
(S. P. SINHA)
Advocate

बखालत श्रीमान Circuit Bench at Mahodiy

वादी (मुद्दे) Kartar Singh Chaudhary
मुद्दे (मुद्दालेह) का

वकालतनामा

931



Kartar Singh Chaudhary

प्रतिवादी रेस्पान्डेन्ट

बनाम
Union of India and others
नं० मुकद्दमा 329

सन् 89 पेशी की ता० 22.10. 99 91 ई०

ऊपर लिखे मुकद्दमा में अपनी ओर से श्री

M. Sharma, Advnl.

वकील

Behind Odean Cinema - Ludhiana

महोदय

एडवोकेट

को अपना वकील नियुक्त करके (इकरार) करता हूँ और लिखे देता हूँ इस मुकद्दमा में वकील महोदय स्वयं अथवा अन्य वकील द्वारा जो कुछ पैरबी व जवाब देही व प्रश्नोत्तर करें या अन्य कोई कागज दाखिल करें या लौटावें या हमारी ओर से डिगरी जारी करावें और रुपया वसूल करें या सुलहनामा या इकबाल दावा तथा अपील व नगरानी हमारी ओर से हमारे या अपने हस्ताक्षर से दाखिल करें और तस्दीक करें या मुकद्दमा उठावें या कोई रुपया जमा करें या हमारी या विपक्ष (फरीकसानी) का दाखिल किया रुपया अपने या हमारे हस्ताक्षर - युक्त (दस्तखती) रसीद से लेवें या पंच नियुक्त करें वकील महोदय द्वारा की गई वह कार्यवाही हमको सर्वथा स्वीकार है और होगी। मैं यह भी स्वीकार करता हूँ कि मैं हर पेशी स्वयं या किसी अपने परोकार को भेजता रहूंगा। अगर मुकद्दमा अदम पैरबी में एक तरफा मेरे खिलाफ फैसला हो जाता है उसकी जिम्मेदारी मेरे वकील पर न होगी। इसलिए यह वकालतनामा लिख दिया कि प्रमाण रहे और समय पर काम आवे।

Accepted
22.10.99

नाम अदालत
नं० मुकद्दमा
नाम फरीकस

acceptis
MA
22/10/99

हस्ताक्षर Kartar Singh Chaudhary

साक्षी (गवाह)

साक्षी (गवाह)

दिनांक

महीना

सन् 99 ई०

SI. No. 20

51

N.R.

VAKALATNAMA

G.V. 3

Before
In the Court of

Civil Administrative Tribunal Allahabad
Circuit Bench Lucknow

OA 329 of 89

Plaintiff
Defendant Kartar Singh Chaudhary Claimant
Appellant
Petitioner

Versus

Defendant
Plaintiff Union of India Respondent

The President of India do hereby appoint and authorise Shri. Ajmer Bhargava
Faizabad Road, Lucknow

to appear, act, apply, plead in and prosecute the above described suit/appeal/proceedings on behalf of the Union of India to file and take back documents, to accept processes of the Court, to appoint and instruct Counsel, Advocate or Pleader, to withdraw and deposit moneys and generally to represent the Union of India in the above described suit/appeal/proceedings and to do all things incidental to such appearing, acting, applying Pleading and prosecuting for the Union of India SUBJECT NEVERTHELESS to the condition that unless express authority in that behalf has previously been obtained from the appropriate Officer of the Government of India, the said Counsel/Advocate/Pleader or any Council, Advocate or Pleader appointed by him shall not withdraw or withdraw from or abandon wholly or partly the suit/appeal/claim/defence/proceedings against all or any defendants/respondents/appellant/plaintiff/opposite parties or enter into any agreement, settlement, or Compromis where by the suit/appeal/proceeding is/are wholly or partly adjusted or refer all or any matter or matters arising or in dispute therein to arbitration PROVIDED THAT in exceptional circumstances when there is not sufficient time to consult such appropriate Officer of the Government of India and an omission to settle or compromise would be definitely prejudicial to the interest of the Government of India and said Pleader/Advocate of Counsel may enter into any agreement, settlement or compromise whereby the suit/appeal/proceeding is/are wholly or partly adjust and in every such case the said Counsel/Advocate/Pleader shall record and communicate forthwith to the said officer the special reasons for entering into the agreement, settlement or compromise.

The President hereby agrees to ratify all acts done by the aforesaid Shri. Ajmer Bhargava
Faizabad Road, Lucknow
in pursuance of this authority.

IN WITNESS WHEREOF these presents are duly executed for and on behalf of the President of Indian this the.....19

Dated 5-4-1989

Designation of the Executive Officer

By.....

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL,
ALLAHABAD CIRCUIT BENCH AT LUCKNOW.

S2

In O A No. 329 of 1989
Application No. 683 of 1991

Kartar Singh Chaudhary
Union of India and others

Vs

Applicant
Respondents

2-1-92

Application for fixing an early date for final hearing.

The applicant submits as under:

- (1) that the aforesaid case has been filed with a prayer that the Respondents may be directed to allow the Petitioner notional pay^o and post since 1.10.85 on the post of Office Supdt.
- (2) that on 22.10.91 the date for final hearing was fixed but in absence of Respondent's Counsel, this Honourable Tribunal was pleased to adjourn the aforesaid case by fixing ~~22.12~~ 2.1.1992.
- (3) that the applicant has already been retired in the year 1988 and being old man of above 61 years, he is perturbed and his pension etc. has been fixed less than he is entitled to.
- (4) that it would be in the interest of justice to curtail date fixed and the same may kindly be decided in the month of November 1991.

Wherefore it is prayed that this Honourable Court be pleased to fix the date for Final hearing if possible in the month of November '91 by changing the date already fixed.

Dated: 30.10.1991
4-11-1991

[Signature]
Counsel for Applicant

Case was date fixed of 22.10.91 as a Secy. B. in absence of counsel in Jan 1992

*Filed today
4/11/91*

*S. Chaudhary
Pl. put up with the
concerned.
AKJ
4/11/91
SO*

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL,
ALLAHABAD CIRCUIT BENCH AT LUCKNOW.

W.P. Application No. 683 of 1991 (L)
In O A No. 329 of 1989

Kartar Singh Chauhanry

Applicant

Vs

Union of India and others

Respondents

Application for fixing an early
date for final hearing.

The applicant submits as under:

- (1) that the aforesaid case has been filed with a prayer that the Respondents may be directed to allow the Petitioner notional pay and post since 1.10.85 on the post of Office Supdt.
- (2) that on 22.10.91 the date for final hearing was fixed but in absence of Respondent's Counsel, this Honourable Tribunal was pleased to adjourn the aforesaid case by fixing ~~2.1.1992~~ 2.1.1992.
- (3) that the applicant has already been retired in the year 1988 and being old man of above 61 years, he is perturbed and his pension etc. has been fixed less than he is entitled to.
- (4) that it would be in the interest of justice to curtail the date fixed and the same may kindly be decided in the month of November 1991.

Therefore it is prayed that this Honourable Court be pleased to fix the date for Final hearing if possible in the month of November 1991 by changing the date already fixed.

Dated: 20.10.1991
4-10-1991

S. K. Singh
Counsel for
Applicant

Registered A/D
IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
CIRCUIT BENCH, LUCKNOW.

54
S/C

Ghandi Bhawan
Opp. Residency
Lucknow.

Registration No. 309 of 1990

No. CAT/Alld/Jud/

Dated: 7.3.90

Dated: _____

Kant Singh Chaudhary APPLICANT(S)

Union of Jir (L) and others VERSUS RESPONDENT(S)

- ① UoJ through the Com. M. P. Jy. W. Officer, M. P. Jy. Rooka Wage New Delhi
- ② The Dy. Controller of Stores, M. P. Jy. Alambagh Itd.

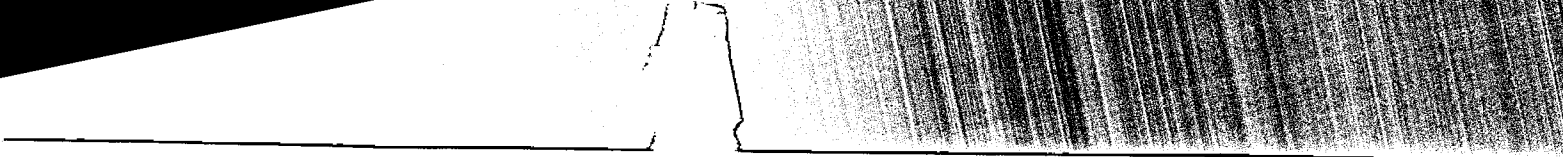
Please take notice that the applicant above named has represented an application a copy of whereof is enclosed herewith has been fixed registered in this Tribunal and the Tribunal has fixed 9.4.90 day of 1990. FOR orders

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

Given under my hand and the seal of the Tribunal this 7 day of March 1990.

[Signature]
FOR DEPUTY REGISTRAR
(JUDICIAL)

Enclosing copy of 1 = 1 Petition with court's 18 dated 19.2.1990 passed there on.



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OFFICE ORDER NO.

WEST BENGAL RAILWAY

Annexure No I

247

DATE 29-5-51

In order of Dy. Comptroller Manager (P) Calcutta I/Spec
No. 3032/AD/Clarks/III of 18.5.51 Shri Kartar Singh is appointed
to work on B-55/ in scale D-55-120 from 21.5.51 and posted in lieu
of Shri Ram Pr. Kartara removed from service.

Sd
Distt. Controller of Stores,
Alambagh, Lucknow.

Copy to the following for information:

- Control Manager (P), Calcutta in ref. to his memo.
- Accounts Officer, Alambagh.
- Deputy Store Keeper/NO.
- Shri Kartar Singh, Clerk.

f. J. Jones
Distt. Controller of Stores,
Alambagh, Lucknow.

W. J. Jones

A. P. S. NHA

Kartar Singh Chauhan

Memorandum No. 2

Northern Railway

Office Order No. **E/193**

600000

Dated 27/6/02

The following appointments are ordered vide No. 22 of 27/6/02

1. Mr. J. L. ... appointed to officiate as ...
2. Mr. ... appointed to officiate as ...

3. Mr. Kartar Singh ... appointed to officiate as ...

By
Dy. Controller of Stores,
Amritsar, Punjab

Copy to the following for information:-

- To Mr. ...
- To Mr. ...
- To Mr. ...
- To Mr. ...
- To Mr. ...

TRUE COPY
ATTACHED

S. P. SINHA
Muz. Secy.

By
Dy. Controller of Stores,
Amritsar, Punjab

Kartar Singh, Chandhary

NORTHERN RAILWAY

20
Annexure No 3

Office Order No. 71

Dated March 8, 1963.

As a result of suitability test held on 2.2.1963 Sri Kartar Singh Choudhury is declared suitable for promotion to the post of Clerk Grade Rs. 130-300.

[Signature]
District Controller of Stores
Alambagh, Lucknow.

Copy to Shri Kartar Singh Choudhury for information.

[Signature]
District Controller of Stores
Alambagh, Lucknow.

Vishnu*
7.3.63.

TRUE COPY
ATTACHED

[Signature]
S. P. SINHA
Advocate

[Signature]
Kartar Singh Chaudhary

Genl. 33/L.

21

Annexure No 4
NORTHERN RAILWAY

Office Order No. E/99

dt. 28.3.63.

With effect from 28.3.63 Sri Kartar Singh
Choudhary, offg. S.D.O. is appointed to officiate as
Clerk Gr. II on pay Rs. 147/- + 8/- (G.P) Dem. in scale
Rs. 130-300 and posted in R.P. Section vice Sri A.N.Sen,
transferred to Chapra.

S/

DIST. CONTROLLER OF STORES
ALAMBAGH, LUCKNOW.

Copy to the following for information.

- 1). Sri Kartar Singh, Offg. Clerk Gr. II. RA Section.
- 2). B.A.O./MTV.
- 3). ASK/CD.
- 4). AS(G).

TRUE COPY
ATTESTED

S. P. Sinha

S. P. SINHA
Advocate

J. Prasad
DIST. CONTROLLER OF STORES.

Kartar Singh Chaudhary

Amended No. 1
22

Northern Railway

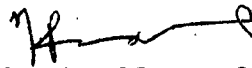
Office of the Dy. Controller of Stores/Alambagh, Lucknow.

Office Order No. E/317

Dated: 13.12.83.

The following promotions are ordered on adhoc basis wefrom 6.12.1983


1. Sri G.B Divedi, who is officiating as office Supdt. in grade Rs. 700-900 (RS) wefrom 23.7.83 in the leave vacancy is allowed to continue against the vacancy due to retirement of Shri Jai Gopal Srivastava, on adhoc basis and retained in Ledger Sec. AMV.
2. Shri Kartar Singh Showdhary, Hd. Clerk/CRS is appointed to officiate as Asstt: Supdt. on pay Rs. 625/- (Rs. 640/- + Rs. 35/-) in grade Rs. 550-750 (RS.) on adhoc basis pending selection and retained in CRS/AMV.
3. Shri Chhotey Lal, (S/O.) Hd. Clerk, CB is appointed to officiate as Asstt: Supdt. on pay Rs. 550/- (RS) (Rs. 440/- + Rs. 110/-) in grade Rs. 550-750 (RS) on adhoc basis pending selection and retained in Charbagh depot.
4. Shri S.N. Verma, SDC in grade Rs. 330-560 (R.S.) is appointed to officiate as Hd. Clerk on pay Rs. 545/- (Rs. 515/- + Rs. 30/-) in grade Rs. 425-700 (RS) and retained in GD Section/AMV.
5. Shri Pooran masi, Offg. Sr. Clerk working on adhoc basis is appointed to officiate as Hd. Clerk on pay Rs. 425/- (Rs. 330/- + Rs. 95) in grade Rs. 425-700 (RS) and retained in Ward 'B' Alambagh.
6. Shri Sudhir Kumar, Clerk in grade Rs. 260-400 (RS) is promoted as Sr. Clerk on adhoc basis pending suitability test on pay Rs. 330/- (Rs. 278/- + Rs. 52/-) in grade Rs. 330-560 (RS) and retained in TP Press, Alambagh.
7. Shri Anil Kumar (I) (SC), Clerk in grade Rs. 260-400 (RS) is appointed to officiate as Sr. Clerk on pay Rs. 330/- (Rs. 266/- + Rs. 64/-) in grade Rs. 330-560 (RS) on adhoc basis pending suitability test and retained in Ledger section, Alambagh.
8. Shri Housila Pd. Singh, Clerk in grade Rs. 260-400 (RS) is appointed to officiate as Sr. Clerk on pay Rs. 330/- (Rs. 278/- + 52/-) in grade Rs. 330-560 (RS) on adhoc basis pending suitability test.
9. Km. Indu Bala (SC), Clerk in grade Rs. 260-400 (RS) is appointed to officiate as Sr. Clerk on pay Rs. 330/- (Rs. 266/- + Rs. 64/-) in grade Rs. 330-560 (RS) on adhoc basis pending suitability test.


for Dy. Controller of Stores,
N.Rly., Alambagh, Lucknow.

Copy forwarded to :-

1. The SAO (W)/AMV/LKO and CB/LKO.
2. The DCOs/N.Rly./CB/LKO.
3. The ASPS/N.Rly./TPP/AMV/LKO.
4. The Hd. Clerk/Bills/Pass & Leave, Alambagh & Charbagh.
5. The CIC/Estt./AMV/LKO.
6. Parties concerned.

**TRUE COPY
ATTESTED**


S. P. SINHA
Advocate

Kartar Singh Chaudhary

Northern Railway

Office Order No. E/118

Dated: 13-5-1986

The following Temporary provisional & adhoc arrangements are made with effect from 5.5.86. This will confer on them no claim for such continuance.

1. Shri K.S. Chowdhary, AS/RR/AMV is appointed to officiate as Office Supdt. on pay Rs. 725/- + Rs. 35/- = Rs. 760/- P.M. in scale Rs. 700-900(RS).
2. Shri Onkar Prasad, AS/CB is appointed to officiate as Office Supdt. on pay Rs. 725/- + Rs. 35(OP) = Rs. 760/- P.M. in scale Rs. 700-900(RS).
3. Shri Pramod Kumar, HC/AMV is appointed to officiate as AS on pay Rs. 560/- + Rs. 30/- (OP) = Rs. 590/- P.M. in scale Rs. 550-750(RS).
4. Shri A.P. Mishra, HC/AMV is appointed to officiate as Asstt. Supdt. on pay Rs. 580/- + Rs. 30/- (OP) = Rs. 610/- P.M. in scale Rs. 550-750(RS).
5. Shri Mohd. Kalimullah, HC/CB is appointed to officiate as AS on pay Rs. 580/- + Rs. 30/- (OP) = Rs. 610/- P.M. in scale Rs. 550-750(RS).
6. Shri M.M. Chisti, HC/CB is appointed to officiate as AS on pay Rs. 580/- + Rs. 30(OP) = Rs. 610/- P.M. in scale Rs. 550-750(RS).
7. Shri Tulsi Ram, HC/AMV is appointed to officiate as Asstt. Supdt. on pay Rs. 455/- + Rs. 95/- (OP) = Rs. 550/- P.M. in Scale Rs. 550-750(RS).
8. Shri S.M. Bismillah, HC/AMV is appointed to officiate as Supdt. on pay Rs. 560/- + Rs. 30/- (OP) = Rs. 590/- P.M. in scale Rs. 550-750(RS).

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Contd. 2

S. S. S. S.
Advocate

Kartar Singh Chauhan

- 109. Smt. Munnewar Sultana, Sr. Clerk Complex is appointed to officiate as HC on pay Rs. 380/- + Rs. 45/- (OP) = Rs. 425/- P.M. in scale Rs. 425-700(RS).
- 110. Shri Mangal Sen Gupta, Sr. Clerk is appointed to officiate as HC on pay Rs. 416/- + Rs. 24/- (OP) + Rs. 11/- (PP) = Rs. 440/- Rs. 11/PP P.M. in scale Rs. 425-700 (RS).
- 111. Shri A.K. Singh, Sr. Clerk Complex/CB is appointed to officiate as HC on pay Rs. 380/- + Rs. 45/- (OP) = Rs. 425/- in scale Rs. 425-700 (RS)
- 112. Shri Abdul Aziz, Sr. Clerk Complex/CB is appointed to officiate as Hd. Clerk on pay Rs. 380/- + Rs. 45/- (OP) = Rs. 425/- P.M. in scale Rs. 425-700 (RS).
- 113. Smt. Sudha Sharma, Sr. Clerk Complex/CB is appointed to officiate as Hd. Clerk on pay Rs. 380/- + Rs. 45/- (OP) = Rs. 425/- P.M. in scale Rs. 425-700 (RS).
- 114. Smt. Prem Pyari Kastogi, Sr. Clerk Complex/CB is appointed to officiate as Hd. Clerk on pay Rs. 380/- + Rs. 45 (OP) = Rs. 425/- P.M. in scale Rs. 425-700 (RS).
- 115. Shri Dilip Kumar, Clerk/AMV is appointed to officiate as Sr. Clerk on pay Rs. 296/- + Rs. 34/- (OP) = Rs. 330/- P.M. in scale Rs. 330-560 (RS).
- 116. Shri S.P. Naik, Clerk/DSL/CB is appointed to officiate as Sr. Clerk on pay Rs. 290/- + Rs. 40/- (OP) = Rs. 330/- P.M. in scale Rs. 330-560 (RS).
- 117. Shri Lalit Prasad, Clerk/AMV is appointed to officiate as Sr. Clerk on pay Rs. 284/- + Rs. 46 (OP) = Rs. 330/- P.M. in scale Rs. 330-560 (RS).
- 118. Shri Shiv Prasad Singh, Clerk/AMV is appointed to officiate as Sr. Clerk on pay Rs. 290/- + Rs. 40/- (OP) = Rs. 330/- P.M. in scale Rs. 330-560 (RS).
- 119. Shri S.S. Bajpai, Clerk/AMV is appointed to officiate as Sr. Clerk on pay Rs. 290/- + Rs. 40/- (OP) = Rs. 330/- P.M. in scale Rs. 330-560 (RS).

Kastar Singh Chaudhary

TRUE COPY
ATTESTED

S. SIMHA
advocat

Smt. Kashi Prasad, Clerk/AMV is appointed to officiate as Sr. Clerk on pay Rs. 290/- + Rs. 40/- (OP) = Rs. 330/- P.M. in scale Rs. 330-560(RS).

22. 21. Smt. Neerje Vohra, Clerk/ETD/CNB is appointed to officiate as Sr. Clerk on pay Rs. 290/- + Rs. 40/- = Rs. 330/- P.M. in scale Rs. 330-560(RS).

22. 23. Shri R.A. Chaurasia, Clerk/AMV is appointed to officiate as Sr. Clerk on pay Rs. 284/- + Rs. 46/- (OP) = Rs. 330/- P.M. in scale Rs. 330-560(RS).

23. 24. Shri Vijay Shanker Singh, Clerk/AMV is appointed to officiate as Sr. Clerk on pay Rs. 284/- + Rs. 46 (OP) = Rs. 330/- P.M. in scale Rs. 330-560(RS).

24. 25. Shri Raveen Kumar Srivastava, Clerk/DSL/CB is appointed to officiate as Sr. Clerk on pay Rs. 284/- + Rs. 46 (OP) = Rs. 330/- in scale Rs. 330-560(RS).

25. 26. Shri Mohd. Yusuf, Clerk/AMV is appointed to officiate as Sr. Clerk on pay Rs. 284/- + Rs. 46/- (OP) = Rs. 330/- P.M. in scale Rs. 330-560(RS).

26. 27. Smt. Kanta ^{Kumar} Saraswat, Clerk/CNB is appointed to officiate as Sr. Clerk on pay Rs. 284/- + Rs. 46/- (OP) = Rs. 330/- P.M. in scale Rs. 330-560(RS).

27. 28. Shri K.N. Mishra, Clerk/AMV is appointed to officiate as Sr. Clerk on pay Rs. 284/- + Rs. 46/- (OP) = Rs. 330/- P.M. in scale Rs. 330-560(RS).

TRUE COPY
ATTESTED

S. Shukla

S. Shukla
Advocate

Kastan Singh Chauhan

2/6

28.

Shri Nar Singh, Clerk/AMV is appointed to officiate as Sr. Clerk on pay Rs. 46/- (OP) = Rs. 330/- P.M. in scale Rs. 330-560 (RS).

The posting orders from the above staff due for out depots will follow.

Shan
13/5/86
for Dy. Controller of Stores,
N. Rly., Alambagh, Lucknow.

Copy to:-

1. G.M. (P), N. Rly, Baroda House, New Delhi. It is requested that the approval of the adhoc arrangements be approved as already requested vide this office letter no. 431-E dated 29.3.1986.
2. The SAO (W)/AMV/CB/LKO.
3. The DCOS/CB/LKO.
4. The ACOS/DSL/CB.
5. The ACOS-ETD-CNB, VY. & MGS.
6. All Section Incharges Concerned.
7. The Parties Concerned.

AKS
10/5

sec AMV
[Signature]

TRUE COPY
ATTESTED

[Signature]

SLIHA
voct

Kartar Singh Chauhan

Southern Railway,

Office of the
Dy.C.O.S./AMV

O/order No. E-22.
Dated: 22nd. Jan: '85.

27
Annexure No. 6A

In terms of Rly. Bds letter No. PC-III/84/UPG/9 dt. 16.11.84 circulated under G.M.(P)/NDLS letter No. 561E/255-98/Genl./PC/Pt.I dt. 24.11.84, the S.A.O.(W)/N.Rly./AMV has vetted the following posts for P/branch vide letter No. 83/F/B/92/Cadre Restructuring dt. 12.1.85.

P/Branch.

O.S. = 02
A.S. = 03
H.C. = 09
Sr. Clerk = 11
Clerk = 06

TRUE COPY
ATTESTED

[Signature]
THA.

The following are appointed to officiate provisionally on adhoc basis from the dates noted against each.

1. Shri L.M. Nath, A.S.(E)/AMV is appointed to officiate as O.S. on pay Rs. 700/- + Rs. 30/- (OP) p.m. in Gr.Rs. 700-900 (RS) w.e.f. 01.01.84.
2. Shri J.N. Srivastava, H.C./AMV is appointed to officiate as A.S. on pay Rs. 600/- + Rs. 30/- (OP) p.m. in Gr.Rs. 550-750 (RS) from 1.1.84 and O.S. on pay Rs. 630/- + Rs. 70/- (OP) p.m. from 01.8.84.
3. Shri M.N. Srivastava, H.C./VYN is appointed to officiate as A.S. on pay Rs. 540/- + 30/- (OP) p.m. in Gr. Rs. 550-750 (RS) from 01.1.84.
4. Shri B.D. Srivastava, H.C./AMV is appointed to officiate as A.S. on pay Rs. 545/- + Rs. 250/- (OP) p.m. in Gr. Rs. 550-750 (RS) from 1.8.84.
5. Shri Parasu Ram, Sr. Clerk is appointed to officiate as H.C. on pay Rs. 350/- + Rs. 75/- (OP) p.m. in Gr. Rs. 425-700 (RS) from 01.01.84.
6. Shri R.K. Singh, Sr. Clerk/AMV is appointed to officiate as H.C. on pay Rs. 476/- + 24/- (OP) p.m. + 11/- (PP) = Rs. 511/- p.m. in Gr. Rs. 425-700 (RS) w.e.f. 01.01.84.
7. Shri D.S. Lall, Sr. Clerk/AMV is appointed to officiate as H.C. on pay Rs. 476/- + Rs. 24/- (OP) + Rs. 11/- (PP) p.m. in Gr. Rs. 425-700 (RS) w.e.f. 01.01.84.
8. Shri M.G. Nigam, Sr. Clerk/AMV is appointed to officiate as H.C. on pay Rs. 476/- + Rs. 24/- (OP) p.m. in Gr. Rs. 425-700 (RS) from 01.1.84.
9. Shri V.N.S. Yadav, Sr. Clerk/AMV is appointed to officiate as H.C. on pay Rs. 428/- + 27/- (OP) p.m. in Gr. Rs. 425-700 (RS) from 1.1.84.
10. Shri R.N. Choudhary, Sr. Clerk/CB is appointed to officiate as H.C. on pay Rs. 428/- + 27/- (OP) p.m. in Gr. Rs. 425-700 (RS) from 1.1.84.
11. Shri R.K. Gupta, Sr. Clerk/AMV is appointed to officiate as H.C. on pay Rs. 428/- + 27/- (OP) p.m. in Gr. Rs. 425-700 (RS) from 01.1.84.

Sita Ram
Dy. Controller of Stores,
N.Rly., Alambagh, Lucknow.

Copy to the following :-
1. S.A.O.(W)/AMV/CB. 2. DCOS/CB/LKO
3. OS(E)/AMV. (4) H.C. Leave & Pass
5. Parties concerned.
Kartar Singh Chandel

22/1/85

Northern Railway

Annexure No. 75/c
20

Office Order No. W/259

Dated: - 13-11-86

As a result of selection for the post of Asstt. Supdt. Grade Rs 550-750(RS) the names of the following employees have been brought on the provisional panel. They are however warned that retention of their names on the panel of Asstt. Supdt. depends on their work remaining satisfactory during the currency of the panel. The mere fact that their names have been placed on the panel is no guarantee that they will be offered the post for which they have been selected:-

GENERAL BRANCH.

1. Sri Surjeet Singh, Offg. OS/AMV.
2. Sri Gyan Chand, Offg. OS/AMV (Retired on 31.10.86 A.N) *Retired* 31.10.86 Am
3. Sri G.N. Dwivedi, Offg. OS/AMV. *Retired* 21.12.86
4. Sri R.N. Gupta, -do-
5. Sri Vasdeo Thuja, Offg. OS/CB.
6. Sri Som Prakash, Offg. OS/AMV (Retired on 31.10.86 A.N) *LCI* ✓
7. Sri S.K. Chatterji, Offg. OS/TPP/AMV.
8. Sri P.L. Dass, Offg. OS/AMV (SC) *Retired*
9. Sri A. Mukerji, Offg. OS/CB.
10. Sri Chandra Prakash I, Offg. AS/CB.
11. Sri T.N. Sharma, Offg. OS/CB.
12. Sri Kartar Singh Chowdhary, Offg. OS/AMV.
13. Sri Onkar Prasad, Offg. OS/CB.
14. Sri B. Halder, Offg. AS/AMV.
15. Sri Pyara Singh, -do-
16. Sri Ram Gopal Sharma, -do-
17. Sri Gur Suran Lal, -do- (SC)
18. Sri N. N. Jain, -do-
19. Sri V.K. Lal Chandani, -do-
20. Sri Sukh Ram, -do- (SC)
21. Sri J. S. Pradhan, -do-
22. Sri V.N. Prasad Singh, -do-
23. Sri Nand Kishore, -do-
24. Sri Permishwar Deen, -do- (SC)
25. Sri Manhagoo Dass, -do- (SC)
26. Sri M.P. Saxena, -do-
27. Sri Shyam Prakash, Offg. AS/CB.
28. Sri G.G. Sanyal, Offg. AS/AMV.
29. Sri Lakhan Lal, -do- (SC)
30. Sri S. N. Yadav, -do-
31. Sri S. N. Rai, Offg. AS/MGS.
32. Sri Jai Jai Ram Verma, Offg. AS/AMV.
33. Sri R.D. Sharma, -do-
34. Sri Pramod Kumar, -do-
35. Sri A.P. Misra, -do-
36. Sri Tulsiram, -do- (SC)
37. Sri Mohd. Kalimullah, Offg. AS/CB.
38. Sri M.M. Chisti, -do-

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[Signature]
IHA

-contd-

Kartar Singh Chowdhary

PERSONNEL BRANCH.

1. Sri L. M. Nath, Offg. OS/AMV.
2. Sri J. N. Srivastava, Offg. OS/AMV.
3. Sri Munni Lal, Offg. AS/AMV(SC)
4. Sri M.H. Srivastava, Offg. AS/VYN.

Sharma
13/11/86

For Dy. Controller of Stores,
Alambagh, Lucknow.

AA
13-11-86

BA

Copy to the following:-

- 1- The S.A.O/AMV/LKO. *ICB-LKO*
- 2- The D.C.O.S/CB-LKO.
- 3- The ACOS/ETD-CNB, VYN, MGS, DSL/CB-LKO.
- 4- The O.S/Genl/AMV.
- 5- The D.S.K/I(Office)/AMV.
6. The A.S.P.S/TPP/AMV-LKO.
7. Parties concerned.

Sd.

For Dy. Controller of Stores,
Alambagh, Lucknow.

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S. P. Seema

S. P. SEEMA
MAD

Kartar Singh Chaudhary

Under Registered A.D.

Answered
30

To

The General Manager,
H.R., Daroga House,
New Delhi.

Subj: PROMOTION AS OFFICE SUPDT. IN GRADE (Rs. 2000-3200) R.S.
-(Rs. 700-900) R.S.

Sir,

With due respect & humble submission I beg to bring some points for your kind perusal, consideration and sympathetic order please.

That having been selected by the Railway service commission for the post of clerk in grade Rs. 55-130. I had been appointed on 21.5.1951 as such under the control of Distt. Controller of Stores, Alambagh, Lucknow now designated as Dy. Controller of Stores N.Rly. Alambagh, Lucknow.

That by virtue of seniority I was promoted as Senior Clerk in scale Rs. 130-300 on 28-3-1963 after passing the suitability test.

That the post of Head clerk in grade Rs. 625-700 are being filled in by the senior clerk by virtue of their seniority. Thus being the senior most I was promoted as Head clerk in scale Rs. 625-700 (RS) w.e.f. 8.12.80.

That the Head clerks are considered for promotion as Asstt. Supdt. in grade Rs. 550-750 after passing the prescribed selection. The selection for the post of Asstt. Supdt. could not be conducted due to administrative reasons and adhoc promotions were made to the post of an Asstt. Supdt. Being a senior most Head clerk on regular basis I was also promoted to the post of Asstt. Supdt. in grade Rs. 550-750 (RS) w.e.f.

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S. P. Sinha
S. P. SINHA
Advocate

Kartar Singh Chaudhary

6.12.1983 on adhoc basis.

Had a selection for the post of Asstt. Supdt. been held in time, I would have been promoted to that grade on 6.12.1983 on regular basis. And in that eventually my promotion as Office Supdt. in the scale Rs. 700-900 (RS) now revised to Rs. 2000-3200 (RPS) would have been ordered to take effect from 1.10.85 on a regular basis.

That the Railway Board pleased to increase the percentage of up-grading in ministerial cadre and revised as per detail given below and the posts distributed accordingly.

That the sanction strength in ministerial cadre in store depot Alambagh complex is 298 + 32 S.D.C. i.e. 330 . The distribution of these posts as calculated are given according to categorywise as per distributions:-

Sl. no.	Posts	Total sanctioned strength in Ministerial Cadre			
		Existing % of up-grading	Revised % of up-grading	Existing no. of posts	Revised no. of posts
1	2	3	4	5	6
1.	Office Supdt. (Rs. 700-900)	2.5%	05 %	8	17
2.	Asst. Supdt. (Rs. 500-750)	07 %	10 %	23	33
3.	Head Clerk (Rs. 425-700)	13 %	30 %	43	99
4.	Clerk Grade I (Senior Clerk) Rs. 130- 300	57.5%	35 %	190	116
5.	Clerk Grade II (Junior Clerk) Rs. 55-130	20 %	20 %	66	65

The posts of Asstt. Supdt. in grade Rs. 550-750 (RS) comes to 33. I was working as an Asstt. Supdt. on Adhoc basis w.e.f. 6-12-1983 against non fertuteous vacancy as the selection could not be conducted on administrative reasons. The above revised up-grading given effect from 1.1.84 in all respects.

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S. P. SINHA
Advocate

Kartar Singh Chaudhary

The post of Asstt. Supdt. is a selection post but due to this revised up grading it was restricted to be filled up all the posts and the selection based on the basis of service record & confidential report and personal file.

That the selection of Asstt. Supdts. could not be finalized even on the basis of service record & confidential report and personal file early. The result of the Asstt. Supdt. for their empanellment on the basis of service record and confidential report was finalized on 13.11.86 and office order issued on the very same date.

That as per directive of the Railway Boards I should have been regularized as an Asstt. Supdt. from 1.1.84 as a permanent measure and adhoc should have been discontinued from the date of implementation of revised percentage of upgrading.

That the post of office supdt. grade B. 700-900 (RS) is a non selection post and the Asstt. Supdt's are being promoted on the basis of seniority to man the post of office Supdt. Shri Balwan Singh who was working as Supdt. grade B.700-900 (Retired) on 30-9-85 A.N. and I being the senior most man at that time in the category of Asstt. Supdt. was entitled for promotion as Supdt. grade B. 700-900(RS) w.e.f. 1.10.85. But due to Administrative error I had been promoted from 5-5-1986 and the said post kept vacant officially though I was directed to supervise the work of R.R. Section of Amv. depot. Dy. Cos/ Amv gave these direction verbally with the assurance that the office order will be issued shortly.

From 1.10.1985 onwards till the date of my retirement i.e 31.3.1988, I continued on this post. Thus I should have been granted the scale B. 700-900 (R.S.) from 1.10.1985.

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S. D. SINHA
Advocate

Kartar Singh Chauhan

There was also a clear vacancy due to retirement of Shri Balwan Singh. But the benefit was given to me only from 5-5-1986 for the reasons best known to the Dy. Cos./Amv.

I requested Dy. Cos./Amv in person as well as through representations in writing to allow me the duo benefit from 1-10-1985 as I shouldered the high responsibility from this very date. The last reminder in this connection was submitted by me on 23-9-88, but no reply has so far been given to me. Although the verbal assurance was given to me by Dy. Cos./Amv time & again.

It is prima facie clear that as result of administrative error not to have held the selection for the post of Asstt. Supdt. timely. I have suffered a loss of Rs. 250/- p.m. in basic pay to the date of my retirement. This has consequently also resulted in getting less pension than what could have been case if my promotion as Asstt. Supdt. and Office Supdt. had been ordered on regular basis from much earlier. In view of the Railway Board's orders for upgrading I was entitled to get all benefits from 1.1.1984 but the Dy. Cos., N. Rly., Alom Bagh, Lucknow acted in an arbitrary manner and illegally he had not promoted me as office supdt. from 1.10.1985. Thus I could not be regularized as Asstt. Supdt. from the date of my promotion i.e. 6.12.1983 as an Asstt. Supdt. further I could not get the chance to appear in the selection of class II posts.

I had represented, my case to Dy. Cos., N. Rly., Alom Bagh vide my application dated 25-5-87 followed by reminders dated 6-11-1987, 11-1-1988, 25-3-88, 13-7-88 and 23-9-1988 (copies enclosed). Having failed to get any response from

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S. P. SINHA
Advocate

Kartar Singh Chaudhary - 5 -

the authority in question, I am constrained to knock at your doors for justice. I pray that my appeal may be given due consideration to meet the justice as early as possible.

Thanking you in anticipation.

Encls: As above

Your's faithfully,

Dated 25/11/88

Kartar Singh Chaudhary
(Kartar Singh Chaudhary)

Retired Office Supdt.
at 554Kha/20D, Azad Nardin Villa
Rishewar Nagar, Via Jai Parkash
Nagar, Alambagh, Lucknow-226005

Residence Phone no. 53529

Copy to General Manager (Complaint), Northern Railway,
Baroda House, New Delhi for information and necessary action.
(under Regd AD)

Yours faithfully,

Kartar Singh Chaudhary
(Kartar Singh Chaudhary)
Retired Office Supdt.

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ATTESTED

[Signature]

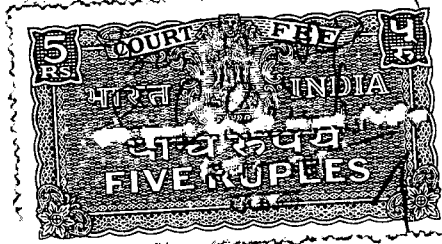
P. SINHA
Advocate

Kartar Singh Chaudhary

(अभिभाषक-पत्र)

न्यायालय श्रीमान

In the Central Administration
Court, Allahabad
Circuit Bench
at Lucknow



Kartar Singh Chaudhary

वाद संख्या

सन् १९ ६०

Kartar Singh, Chaudhary

बिरुद्ध

Union of India and Ors

वादी
अभियोग्य
प्राथी
अपीलाधी
प्रतिवादी
अभियुक्त
प्रतिपक्षी
रेखाकर्षक

प्राथी
पाठ संख्या
पक्षी

मे/हम Kartar Singh Chaudhary No. 324/208
Visheshwar Nagar, Lambach, Lucknow
शीर्षक में लिखे हुए वाद की पैसवी हुए पाठिकात्तय वेपु तथा बचन
बद्ध होकर श्रीमान Kartar Singh Chaudhary - -
557/57, Old Market, Lambach, Lucknow के Mr. Sharma, Advocate

तो पक्षवा पकील विपुक्त करके उक्त पकील महोदय को अपिकार देता
मे/हमारे हैं कि यह इस मुकदमे की पैसवी संबंध प्रश्नोत्तर यहस तथा अन्य
सम्पूर्ण आवश्यक कार्यवाही प्राथमिक न्यायालय तथा अपील आदि मेरी/
प्राथी कोप से करें। मेरी/हमारी ओर से अन्य पत्र दस्तावेज तथा
अन्य कागजों को न्यायालय या न्यायालय में प्रस्तुत करें। या वापस
दें। जोट फीस स्टाम्प आदि अन्य कर न्यायालय/कार्यालय में प्रस्तुत
करें वक़्ता वापस लें। न्यायालय में प्रतिज्ञा प्राप्त करें। साक्षियों
के लिये भोजन तथा मार्ग व्यय न्यायालय में जमा करें अथवा वापस
दें। समस्त कागजों के निरीक्षण के पारे के पूर्णग्राहण, पकीय, हिंदी
पराकारण के लिये प्राथना पत्र, प्रस्तुत करें स्थिति तलने हेतु प्राथना
पत्र वाद प्रबंध तथा लिखित पत्र आदि न्यायालय में प्रस्तुत करें
और वादी की चिठी हो जाने पर उसके कार्यान्वित होने के लिये
प्राथना पत्र मेरी/हमारी ओर से प्रस्तुत करें, मेरी/हमारी प्राथ न्यायालय
अथवा प्रतपक्षी से अपने हस्ताक्षर द्वारा प्राप्त करें, सारांस यह है कि
इस मुकदमे से सम्बन्धित हर प्रकार की कार्यावाही करें वक़्ता पक्षी
ओर से फसी पकील को वक़्ता प अककृत करें यह समस्त कार्य
पकील/एडवोकेट महोदय को मेरा/हमारा कया हुआ समजा जायगा जोप
पक्षी/हमारे स्वीकार होगा अतएव प्रणय हेतु पञ्चालतबामा लिपि दिये।

For
Accepted
S. S. Singh

Advocate
30/11/60

दिनांक 30 मास 11 सन् १९ ६०

(पञ्चहिन्द प्रेस, रायपुरेनी)

उत्तर रेलवे
NORTHERN RAILWAY

पत्र संख्या 15

दिनांक 12-11-87

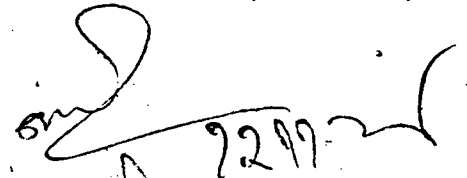
अप संचर निगम
अं 20 आवास बाग
काठमांडू

श्री अरुण सिंह चौधरी
अध्यापक आर. आर.
आवास बाग 2-21

विषय - आपका अध्यापक के पद पर प्राप्ति हेतु

संदर्भ - आवेदन पत्र दिनांक 25-5-87 व 6-11-87

उपरोक्त के संदर्भ में आपका अग्रिम लिपि
आता है कि अध्यापक के पद पर आपका
अंता 5-5-86 से तदर्थ अथ से हुई गा।
~~तदर्थ~~ तदर्थ प्राप्ति के सिद्धता तथ्य से नहीं
दिना जा सकता है। यह संदेश 30 मंत्रों द्वारा पालित
सूचनाय।


7299-2
अप संचर निगम
अं 20 आवास बाग
काठमांडू

Attested
for Genl
Manager
20/11/87

Kastur Singh Chandhary

CENTRAL ADMINISTRATIVE TRIBUNAL

CIRCUIT BENCH LUCKNOW

O.A. NO. 329 of 1989 (L)

Kartar Singh Chaudhary Applicant.
Versus
Union of India and Others Respondents.

19.2.1990

Hon^oble Justice K. Math, V.C.

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

Admit.

Issue notice to opposite parties to file counter within four weeks to which the applicant may file rejoinder within two weeks thereafter. List for further orders on 9.4.90 .

Sd/-
A.M.

Sd/-
V.C.

// True Copy //

J.P.

*checked
4/3.*

for
Deputy
Central Administrative Tribunal
Lucknow Bench,
Lucknow

In the Central Administrative Tribunal, Allahabad
Circuit Bench at Lucknow

Registration No. O A ³²⁸ of 1989 (C)

Central Administrative Tribunal
Circuit Bench at Lucknow

Date of filing 30/11/87

Date of Receipt by Post.....

Deputy Registrar(J)

Kartar Singh Chaudhary

Applicant

Versus

Union of India and others -

Respondents

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Filed today
to
30/1/90.

Recd
for 14/11/87
S. Singh
11/11/87

Kartar Singh Chaudhary
Signature of applicant

In the Central Administrative Tribunal, Allahabad
Circuit Bench at Lucknow.

Registration No. O A ³²⁹ of 1989 (2)

Kartar Singh Chaudhary aged about 60 years son
of Late Sardar Amar Singh resident of 554kha/20B,
Visheshwar Nagar, Alambagh, Lucknow-
Applicant

Versus

1. Union of India,
Through the General Manager,
Northern Railway, Headquarter Office,
Baroda House, New Delhi.
2. The Deputy Controller of Stores,
Northern Railway, Alambagh,
Lucknow.

Respondents

Detail of application

1. Particulars of the order against which the
application is made:-

The application is made against the following
order:-

- | | |
|--|---|
| a) Order No. | L-E |
| b) Date | 12-11-1987 |
| c) Authority who has
passed the order
against which the
application is
made. | The Deputy Controller of
Stores, Northern Railway,
Alambagh, Lucknow. |

Kartar Singh Chaudhary
. 2 .

d) Subject in brief The applicant was the senior most in the category of Assistant Superintendent scale Rs. 550-750 and was due to be promoted as office Superintendent scale Rs. 700-900 with effect from 1.10.1985 on the availability of the vacancy.

2. Jurisdiction of the Tribunal:-

The applicant declares that the subject matter of the order against which he wants redressal is within the jurisdiction of ^{the} Tribunal. The cause of action accrued within the jurisdiction of the Central Administrative Tribunal, Allahabad Circuit Bench at Lucknow in terms of the orders passed by respondent No. 2 vide letter no. 1-E dated 12.11.87 that the adhoc promotion cannot be given from the back date.

3. Limitation:-

The applicant further declares that the application is within the limitation period prescribed in section 21 of the Administrative Tribunal Act 1985. The applicant was entitled to be promoted as Office Superintendent scale Rs. 700-900(RS) now Rs. 2000-3200 from 1-10-1985 i.e. on the availability of the vacancy but the respondent No. 2 acted illegally and in an arbitrary manner

Kartar Singh Chauhan .3.8

thus the orders for the promotion of the applicant could not be passed earlier. The applicant has submitted several representations from time to time but all the representations had been treated as ~~was~~ ^{to} paper and nothing has been done. The applicant has submitted his representation on 25.11.1988 to the General Manager, Northern Railway, Headquarters Office, Baroda House, New Delhi to exhaust all the channels but authorities have still not consider the case as the reply of the same has not been received so far.

4. Facts of case:-

The applicant beg to submit as under:-

(4.1) That the applicant having been selected, for the post of clerk, by the Railway Service Commission, was appointed as clerk on 21.5.1951 in scale Rs. 55-130 under the control of District Controller of Stores, Alambagh, Lucknow. The applicant initially appointed in Ministerial cadre. Photo- and stat copy of the appointment order is enclosed/is marked as Annexure No. 1.

(4.2) That the applicant was confirmed as clerk scale Rs. 55-130 with effect from 1.4.1952 vide order no. E/854 dated 9.10.1952.

(4.3) That in the year 1957 the Railway Board's issued directions to bifurcate the seniority of Personnel Branch and General Branch. The respondent no.2 issued a notice inviting applications from clerks grade Rs.60-130 to exercise their option for posting in Personnel Branch. The clerks posted in Personnel Branch on the

Karlar Singh chavdhary 4.

availability of their option had to seek their further avenue of promotions in Personnel Branch.

(4.4) That the clerks who did not exercise their option for personnel Branch had to seek their further avenue of promotion in General Branch viz ministerial and non-ministerial cadre. The applicant did not exercise his option for his posting in Personnel Branch thus he was entitled for further avenue of promotion in General Branch. The clerks scale Rs. 55-130 / 60-130 of General Branch have two avenue of promotions viz ministerial and non-ministerial. The ministerial and non-ministerial cadre had different avenue of promotions in different grades:-

<u>Ministerial</u>	<u>Non-Ministerial</u>
Clerk grade-I/Senior Clerk	The clerk Grade-I/ senior clerks who opted for further avenue of promotion in non-ministerial cadre.
Head Clerk	Ward Keeper (Now - Depot Store Keeper-III)
Assistant Superintendent	Depot Store Keeper-II
Office Superintendent	Depot Store Keeper-I

(4.5) That the applicant was appointed to officiate as Store Delivery Clerk scale Rs. 130-280 vide order no. E/193 dated 3/7-7-1962 Photostat copy of the said order is enclosed and is marked as Annexure no. 2.

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(4.6) That the applicant was declared suitable in the suitability test held for promotion as clerk grade-I / senior clerk scale Rs. 130-300 vide order no. E/71 dated 8-3-1963. Photostat copy of the said order is enclosed and is marked ^{as} ~~de~~ Annexure no. 3.

(4.7) That having been declared suitable he was promoted as senior clerk/clerk grade-I with effect from 28.3.1963 vide order no. E/99 dated 5.4.1963. Photostat copy of the order is enclosed and is marked as Annexure no. 4.

(4.8) That the applicant was confirmed as clerk grade-I scale Rs. 130-300 with effect from 26-6-1971 vide order no. E/14 dated 13/22-1-1972.

(4.9) That the applicant did not exercise his option for further avenue of promotion in non-ministerial cadre thus he was entitled for further promotion in ministerial cadre viz Head Clerk, Assistant Superintendent and Office Superintendent.

(4.10) That the post of Head Clerk scale Rs.425-700(RS) are being filled in by the senior clerks/clerks grade-I on the basis of seniority thus being the senior most amongst clerk grade-I/senior clerk, the applicant was promoted as Head clerk scale Rs. 425-700(RS) with effect from 8-12-1980 vide order no. E/509 dated 26.12.1980.

(4.11) That the Head Clerks scale Rs. 425-700(RS) are being considered for promotion as Assistant Superintendent scale Rs. 550-750 after being declared suitable in the selection prescribed for the promotion of Assistant Superintendent. The selection for the post of Assistant Superintendent

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scale Rs. 550-750 could not be conducted due to administrative reasons. It was considered to fill up the vacant posts of Assistant Superintendent scale Rs. 550-750 on adhoc basis.

(4.12) That the applicant was the senior most Head Clerk and was promoted as an Assistant Superintendent scale Rs. 550-750(RS) with effect from 6.12.1983 on adhoc basis against a non-fortuitious vacancy. Photostat copy of promotion order is enclosed and is marked as Annexure no. 5.

(4.13) That the selection for the post of Assistant Superintendent scale Rs. 550-750 had not been held in time on account of administrative lapses otherwise the applicant would have been promoted to the post of Assistant Superintendent scale Rs. 550-750(RS) on regular basis and in that event the applicant further would have been promoted as Office Superintendent in scale Rs. 700-900(RS) now Rs. 2000-3200 with effect from 1.10.1985 on a regular basis.

(4.14) That the Railway Board issued directions for structuring of the ministerial cadre with giving the benefit from 1.1.1984. The sanctioned strength of General Branch was 301+31 Store Delivery Clerks and the sanctioned strength of Personnel Branch was 29. The distribution of these posts, as calculated, is given below categorywise :

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Sl. No.	General Branch Posts	Total sanctioned strength in Ministerial cadre			
		Existing % of posts	Revised % of posts	Existing no. of posts	Revised no. of posts
1.	Office - Superintendent (Rs. 700-900)	2½% (2.5)	5%	8	17
2.	Assistant - Superintendent (Rs. 550-750)	7%	10%	23	33
3.	Head Clerk (Rs. 425-700)	13%	30%	43	100
4.	Senior Clerk (Clerk grade-I Rs. 330-560)	57½%	35%	191	116
5.	Clerk (Rs. 260-400)	20%	20%	67	66

Personnel Branch

1.	Office - Superintendent (Rs. 700-900)	2.5%	5%	.725 (1)	1
2.	Assistant - Superintendent (Rs. 550-750)	7%	10%	2	3
3.	Head Clerk (Rs. 425-700)	13%	30%	4	9
4.	Sr. Clerk grade-I (Rs. 330-560)	57.5%	35%	18	10
5.	Clerk grade II (Rs. 260-400)	20%	20%	6	6

(4.15) That on account of the re-structuring of the cadre the increase in number of posts had to be got vetted by the Accounts Department before their operation. The Assistant Superintendent working on adhoc basis were promoted as Office Superintendent scale Rs. 700-900 on adhoc basis with effect from 1.1.1984 and the resultant vacancies were filled on an adhoc basis not with standing the fact that the posts of Assistant Superintendent scale Rs. 550-750 were the selection posts.

(4.16) That the applicant was promoted as Office Superintendent scale Rs. 700-900 with effect from

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