

A9

THE CENTRAL ADMINISTRATIVE TRIBUNAL-LUCKNOW BENCH, LUCKNOW

O.A. 51 of 1989.

Binda Prasad..... Applicant.

Versus

The Union of India & others..... Respondents.

Hon'ble Mr. Justice U.C.Srivastava- V.C.
Hon'ble Mr. K. Obayya -A.M.

(By Hon'ble Mr. Justice U.C.Srivastava-V.C.)

This is a belated application alongwith the application of condonation of delay. The applicant has prayed that he may be given appointment in Class IVth service and be paid salary from the date, his Juniors has been appointed in Class IV service.

2. Learned counsel for the respondents again stated that he may be allowed to file the counter affidavit. Years have passed, but no counter affidavit has been filed. He stated that parawise comments have been received and on the basis of the parawise comments, the counter affidavit has to be drafted and after due signatures of the officer concerned, to be filed. There is no question of filing Counter Affidavit and have accepted the subsequent prayer and request made by the learned counsel that the parawise comments may be taken as part of this argument including factual position and we accepted it.

3. The applicant's father was working as Driver Grade 'B' in Loco Shed, Northern Railway Alambag Lucknow. He retired from service in the month of July, 1973. On the request of the applicant's father the applicant was appointed as Casual Labour in the year 1977 for a short period and thereafter opportunities to work as such were given to him as per his allegation.

4. As directions were issued by the Railways for

W

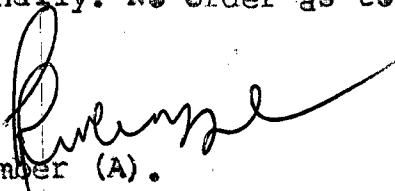
for decasualization of Casual Labourers on open line and a ban was imposed for fresh casual labours. According to the applicant, notwithstanding a ban opportunity was given to him to work afresh and he ~~was~~ worked as such for more than 120 days in the year 1980 and as such he became entitled for fixation of his pay in revised scale. After fixation of pay in the scale i.e. 196 to 232 the applicant was ^{engaged} as substitute and due salary as such upto the month of June, 1981 ^{was paid} in support of which he has filed document indicating that every month in the year some such amount was paid to him. Applicant also applied for a privilege pass which was also granted. Subsequently the applicant was informed that due to availability of the post, he cannot be employed and substitute will be appointed only after proper screening of the candidates. He learnt later on that screening took place and one Devi Prasad who was junior to him was appointed in Class IV service in July, 1987. After learning the same he filed a representation and when no reply was received, he filed fresh representation. Where-after he filed this application. The explanation for delay is acceptable and the delay is condoned.

4. According to the respondents, it has been said that ^{during} the ban ^{no appointment could be made} was ~~engaged~~ except with the personal approval of D.R.M. which was ^{revised} in the year 1981 and in that year total ban was imposed. In the Loco-shed in the year 1979 to 1981 big fraud was detected in as much as 2000 persons got their names fraudulently enrolled against the strength of 1500 staff and received wages fraudulently. When this matter came to the notice to the vigilance branch, all the Casual Labours were discharged and the applicant was not given any temporary

status. Though according to the respondents, he did not work in the shed which is obviously not correct. Regarding pass it has been stated that no specification of such fraud finds place in the said comments. Genuine casual labour/ substitutes were engaged to work against the day to day casuality. The facts as stated by the respondents make it clear that because of fraud, all the casual labour or the substitutes' services were put to an end ^{top} and later on arrangement fortaking them back after verification was made.

5. If that was so, the case of the applicant should also have been considered as all 2000 persons would not have committed fraud. If 500 or more persons become Casual labour because of the fraud committed ^{which} could not have been committed by the Casual Labour but it must have been committed by the Railway Staff or those who made the appointments, all the persons are not to suffer. In case the applicant should have also been given an opportunity to prove that in case ^{he} the applicant also got ~~xxxx~~ an appointment ^{by way} of fraud, he should have been given an opportunity to prove ^{the same} ~~otherwise~~ that was not done. It has not been said specifically that any fraud was committed by the applicant also in getting the job. If the applicant himself has not committed the fraud, his case may also be considered, if persons who were working as substitute like him have been taken back in service, the respondents should consider the case of the applicant within three months associating him with the same and ^{not} in case it is found that he has/committed any fraud and similarly placed other persons have been given temporary appointment/ temporary adhoc and as temporary.

as Casual appointment, the applicant may also be given the same. The application shall stand disposed of finally. No order as to the costs.


Member (A).


Vice Chairman.

Dt: August 26, 1992.

(DPS)

ANNEXURE-A

ANNEXURE-A

CENTRAL ADMINISTRATIVE TRIBUNAL

CENTRAL ADMINISTRATIVE TRIBUNAL

LUCKNOW BENCH LUCKNOW

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Cause- INDEX SHEET of 13

Name of the Cause- Title of 13 Applicants.

Name of the parties Applicants.

Versus

Respondents.

Respondents.

Part of the

Document

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Description of documents

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Check

13/11

(1)

Q.A. No. 57/89

8/3/89

Hon. Justice Kamleshwar Nath, V.C.
Hon. Ajay Kumar, Jm.

On the request of the learned Counsel for the applicant he is allowed two weeks time to file an application ~~explaining~~ explaining the delay of the application. List for orders on 20-3-89.

PC

Am

V.C.

23/3

OB

The learned counsel for the applicant has not yet filed the delay ~~for~~ application as directed by the court's order dt: 03.09. Submitted for order.

fresh
24/3

Hon' Mr. D.S. Mishra, A.M.

Hon' Mr. D.K. Agarwal, J.M.

28/3/89

Shri S.P. Sinha, learned counsel for the applicant requests for further time to file his application for condonation of delay. He is allowed to do so within three days. The case be put up for orders on 21-4-89. b

Am

A.M.

29/3/89

OB

The learned counsel for the applicant has filed an application for condonation of delay today.

fresh
29/3

To

The Deputy Registrar
Central Administrative Tribunal
Lucknow Bench Lucknow

Sir,

I desire to inspect the case
no. 51 of 1929, Binda Prasad vs
Union of India and others decided
on 26.8.1992.

Therefore, I request you to
kindly accord your permission
to inspect the aforesaid case.

Old Record Section
Smt. R.R.
BE
17/3

Yours faithfully

19.3.1993
(Binda Prasad)
Applicant

17.3.1993

21/3
17.3.73

(1)

A
C.A. No. 5/89

8/3/89

Hon. Justice Kamleshwar Nath, V.C.
Hon. Ajay John, Jm.

On the request of the learned Counsel for the applicant he is allowed two weeks time to file an application ~~explaining~~ explaining the delay of the application. List for orders on 20-3-89.

Plc

Am

Q
V.C.

23/3

CB

The learned counsel for the applicant has not ^{yet} filed the delay ~~for~~ application as directed by the court's order dt: 0.3.89.
Submitted for order.

fresh
24/3

Hon'ble Mr. D.S. Mishra, A.M.

Hon'ble Mr. D.K. Agarwal, J.M.

28/3/89

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Q
J.M.

A.M.

29/3/89

Q

CB

The learned counsel for the applicant has ~~not~~ filed an application for condonation of delay today.

fresh
29/3

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
CIRCUIT BENCH, LUCKNOW

ORDER SHEET

REGISTRATION No. 51 of 1989 (L)

APPELLANT
APPLICANT

Bind. Id.

VERSUS

DEFENDANT
RESPONDENT

U-

Serial number of order and date	Brief Order, Mentioning Reference if necessary	How complied with and date of compliance
11-9-89	<p>Hon. Justice K. NATH, V.C. Hon. K. J. Raman, A.M.</p> <p>Heard.</p> <p>Issue notice to the respondents to show-cause by the date fixed, the delay in filing the application may not be condoned and also to show-cause by the date fixed, as to why the application be not admitted.</p> <p>List this case for admission/</p> <p>order on 11.10.89.</p> <p><u>W.R.</u> A.M.</p> <p>No Slling Adj. to 17-X 09 Counsel for applicant is present.</p>	<p>OR Notice by Gussel 22/9/89</p> <p>OR Notices were issued on 20.9.89. Neither reply nor any concerned reply. Order has been return back so far. Submitted for admission h 16/10/89</p> <p>OR Notice issued by Gussel 17/10/89</p>
11-X		

Order-sheet

A ⑤

OA No. 51/89(L)

31.1.90 Hon. Justice K. Nall, V.C.
Hon. K. J. Raman, A.M.

No counter affidavit has been filed despite opportunity. The case be listed for ex parte final hearing on 30.3.90.

hon
A.M.

DD

V.C.

No CA filed
S. for Exla

hearing

h
w/3 imp

30-3-90 The applicant as well as his counsel ~~are~~ is present.

No sitting Adj to 4-10-90

30/3.

4.10.90 No sitting Adj to 17.12.90

17.12.90 No sitting Adj to 8.2.91.

Q

8.2.91 -

Hon. Mr. Justice K. Nall V.C.
Hon. Mr. K. Chayya A.M.

No CA filed
S. P. Ex parte hear
h
7/2

case not reached Adjourned
to 24.4.91.

B.O.C.

24.4.91

D.R.

Shri S. P. Sinha appears for the applicant. O.P. is absent and he did not file counter. O.P. file counter by 24/7/91.

A

⑦

O.A. 51/8926.2.92

counsel for the
applicant is present.
No appears for the
O.P. counter has
not been filed. Respondent
to file counter
by 9/4/92.

a.u.92
D.R.

Both the parties are
present. counter has not
been filed. Applicant
files an application for
ex parte order. Hence,
case is listed for orders
on 22/5/92.

M.P. 286/92 filed for
ex parte order and disposal
of application.
S.A.
21/5/92

22.5.92.

Hon'ble Mr. Justice U.C. Srivastava-V.C.
Hon'ble Mr. K. Obayya-A.M.

The applicant's counsel moved this
application for deciding the case ex parte.
Since the several dates have been passed
but the respondents did not care to file the
counter reply. It appears that the respondents
are not interested to contest the case. List
this case on 19.8.92. In case the respondents
remains absent on that date, the case shall
be disposed of ex parte.

(DPS)

A.M.

V.C.

(2)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
LUCKNOW BENCH
LUCKNOW

O.A. NO

51/89

199 (L)

T.A. NO

Date of Decision 26-8-92

Binda Basad

PETITIONER.

Shri S. P. Sinha

Advocate for the Petitioner(S)

V E R S U S

The Union of India & others

RESPONDENT.

Shri A. Bhargava

Advocate for the RESPONDENT(S)

CORAM

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

The Hon'ble. Mr. K. G. Bhatnagar - A.M.

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

Vice-Chairman/Member

In The Central Administrative Tribunal, Allahabad
Circuit Bench At Lucknow.

51/04(1)

Binda Prasad. Applicant

Vs.


Union of India & others..... Respondants.

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18.	Photo Stat Copy of application dated: 18.1.'88 to G.M.. New Delhi.	17	25


Signature of applicant,
Petitioner.

A 17

In the Central Administrative Tribunal Allahabad
Circuit Bench at Lucknow.

8A 51/05(L)

Binda Prasad son of Sri Brij Bahadur Lal Srivastava
resident of Chhataiya post Office Harchandpur, Distt.
Raebareli.

..Applicant

Vs.

1. Union of India, through the General Manager, Northern
Railway Head quarter office, Baroda House, New Delhi.
2. The Divisional Railways Manager, Northern Railway,
Hazratganj, Lucknow.

..Respondents

Details of application:

1. Particulars of the applicant :-

- (i) Name of applicant : Binda Prasad
- (ii) Father's name : Shri Brij Bahadur Lal Srivastava
- (iii) Designation and office in which employed. : Casual labour/Substitute Loco Running Shed, Northern Railway Alambagh, Lucknow.
- (iv) Office address : Not in service at present.
- (v) Address for service of all notices. : Village: Chhataiya,
Post: Harchandpur,
Distt. Raebareli.

2. Particulars of the respondents:

- (a) (i) Name and/or designation of the respondent : Union of India
Through General Manager.
- (ii) Office address of the respondent : Northern Railway, Head quarter office Baroda House, New Delhi.
- (iii) Address for service of all notices: : As shown above.
- (b) Name and/or designation of the respondent : The Divisional Railway Manager.
- (i) Office address of the respondent : Northern Rly., Hazratganj, Lucknow.
- (ii) Address for service of all notices: : As shown in column 2(a).

3. Particulars of the order against which application is made.

The application is against the following order:-

- (i) Order No. The respondent is the custodian of the
(ii) Date order Shri Devi Prasad Tewari S/o Sri
(iii) Passed by Bhagwati Prasad Harchandour, Distt. Rae
(iv) Subject in brief: Bareilly appointed in class IV under H.T.X.R
BSB w.e.f. 19.17.87 though he is junior
to the applicant while working as casual
labour/substitute.

4. 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. I Bindu Prasad declare that the cause of action for the present petition arose in Lucknow within the province of Uttar Pradesh and that the circuit bench at Lucknow of the Central Administrative Tribunal has jurisdiction over the subject matter compressed in this petition.

5. Limitation:

The applicant declares that the application is within the limitation prescribed in section 21 of the Administrative Tribunals Act 1985. Cause of action accrued in the month of Oct. 1987 when the applicant came to know about the appointment of his juniors Shri Devi Prasad in class IV service against regular vacancies.

6. Facts of the case:

The applicant begs to state as under:-

- a) That the applicant belongs to Raebareilly district in the jurisdiction of Central Administrative Tribunal Allahabad circuit Bench at Lucknow.
b) That the father of the applicant was working as Driver grade 'B' in Loco Shed, Northern Railway, Alambagh, Lucknow and retired from service on 31.7.1973.

Pradeep Kumar

- c) That the father of the applicant requested to the appointing authorities of casual labours for applicants appointment as casual labour substitute in Loco Shed, Northern Railway Alambagh Lucknow. The request of the applicant was acceded to.
- d) That the applicant was appointed as casual labour some time in 1977 in Loco Shed, Alambagh Lucknow for a very short period and since then the applicant called for to work as casual labour as and when required.
- e) That the Railway's issued directions for decasualization of casual labourers on open line over the Indian Railways and also imposed ban on intake of fresh casual labours on open line vide letter annexed herewith and is marked as an annexure no.1.
- f) That the applicant got an opportunity to work more period as casual labour due to ban on intake of fresh casual labourers and the applicant worked more than 120 days continuously as casual labour in 1980. Thus on completion of 120 days continuous service as casual labour applicant became entitled for his fixation of pay in revised scale of pay i.e. in grade 196-232 (Rs.) and accordingly the pay of the applicant was fixed in grade Rs. 196-232(Rs.) in Nov.1980.
- g) That the applicant was engaged as substitute after the fixation of pay in grade Rs. 196-232(Rs.). The substitutes are the persons who are engaged on regular scale of pay to fill up the permanent or temporary posts which fall vacant due to absence of permanent or temporary employees, either on leave or otherwise, and the posts cannot be kept vacant.
- h) That the applicant drew the salary as substitute upto June, 1981, some of the envelope of the payments are annexed here with and are marked as annexure no. 2 to 11.

- 1) That the applicant applied for a privilege pass ex Raebareli to Siliguri and back in the month of Feb. 1981 and the privilege pass no. 699099 dated 3.2.81 was issued to the applicant. A photo state copy of the said pass is annexed herewith and is marked as annexure no. 12.
- j) That the applicant was often attending the office of loco shed, Northern Rly. Alambagh, Lucknow to enquire for engagement of substitute but due to non availability of posts applicant could not be employed. The applicant verbally informed that the substitute will not be appointed but after the proper screening the candidate will be appointed regularly.
- k) That the applicant came to know that the screening of casual labourers/substitute conducted several times for appointment in class IV in engineering and transport and signal department but the applicant was not called for the screening.
- l) That one Sri Devi Prasad who was junior to the applicant in the capacity of casual labour substitute even though the O.P. no. 2 was called for appointment in class IV service in the month of July, 1987 and was appointed class IV under the control of Head Train Examiner, Northern Railway, Varanasi w.e.f 19.11.1987.
- m) That the applicant came to know the facts of appointment of Sh. Devi Prasad in the month of Oct. 1987 thus the applicant submitted the application on 4.11.1987 and 9.12.1987 but nothing has been heard. The copies of the applications dated 4.11.1987 and 9.12.1987

are annexed herewith and are marked as annexure no. 13 & 14.

- n) That the cause of action accrued in the month of Oct. 1987 when the applicant came to know that the junior to the applicants have now been appointed in class IV against the regular vacancies and the applicant has not been called for screening.
- o) That the applicant has submitted an application to the General Manager (Complaint) Northern Railway, Baroda House, New Delhi on 2.1.1988. Copies of the said application also given to the General Manager, Northern Railway, Baroda house, New Delhi and the Divisional Railway Manager, Northern Rly., Lucknow but nothing has been heard so far. Copy of the application dt. 2.1.1988 is annexed herewith and is marked as an annexure no. 15.
- p) That on the basis of the circumstances stated above the applicant should be appointed in class VI service on the following grounds:-

Grounds:

- A) Because the applicant was enlisted as casual labour in 1977 i.e. prior to imposition of ban on intake of fresh casual labourers.
- B) Because the applicant completed 120 days service as casual labour continuously and fixed in revised scale of pay i.e. in grade Rs. 196-232 (Rs.).
- C) Because the applicant should have been called for screening for the appointment in class IV service in Lucknow division.

- d) Because the applicant was engaged as substitute and the substitutes are engaged against the permanent or temporary posts due to absence of permanent or temporary staff and the posts can not be kept vacant.
- d) Because the respondent no. 2 is acting arbitrarily and illegally in discriminating the applicant in the matter of his appointment in class IV, inspite of that a large number of persons junior to him in the capacity of casual labour have already been appointed in class IV service against the regular posts which is violation of article 14 and 16 of the constitution of India.

7. Relief sought:

In view of the facts mentioned in para 6 above, the applicant prays for the following reliefs:-

- a) The applicant be given appointment immediately in class IV service.
- b) That applicant be paid salary from the date of his junior has been appointed in class IV.

xx ~~That~~

8. Interim order, if prayed for:

The respondent may kindly be directed to appoint the applicant in class IV service immediately as the applicant was working as substitute and his juniors have been given appointment in class IV.

9. Details of remedies exhausted:

The applicant submitted his representations and appeal for appointment in class IV service but nothing has been done.

10. Matter not pending with any other court:

The applicant further declares that the matter regarding

which this application has been made to not pending before any court of law or any other authority or any other bench of the tribunal.

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

1. Number of Indian Postal order (s) $\frac{DD}{5}$ 067503
2. Name of issuing post office. Alambagh-Lucknow
3. Date of issue of postal order(s). 23.1.1989
4. Post office at which payable.

12. Detail of Index:

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

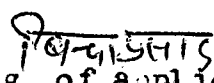
13. List of enclosures:

1. Photostat copies of applications to the Divisional Manager Rly. Manager, Northern Rly. Lucknow dated 4.11.1987 30.11.1987 and 9.12.1987.
2. Photostat copy of applications to the General Manager, Northern Rly. Baroda house, New Delhi dt. 2.1.1988 and 18.1.1988.
3. Photostat copy of the pass no. 699099 dt. 3.2.1981.
4. Photostat copy of envelopes for payment of salaries.
5. Photostat copies of acknowledgements with receipts and U.P.C.

Verification:

I, Binda Prasad S/o Brij Bahadur Lal Srivastava aged about 32 years worked as casual Labour/Substitute resident of Chhataiya P.O. Harchandour, Dist. Raebareli do hereby verify that the contents of paras 1 to 13 of this application are true to my own knowledge and belief and that I have not suppressed any material facts.

Dated: 23.2.1989


Sig. of applicant

Ar-1 Page 8
Annexure No. I

Printed Serial No. 6963

Gm(P)/NDLS NO. 220-E/190-x (E-IV) dated 20/3/78

6964

Copy of Railway Board's letter No. E(NG)II/77/CL/46, dated 27-2-1978.

Sub.—Decasualisation of Casual Labour.

In continuation of the instructions contained in Railway Board's letter No. E(NG)II/74/CL/27, dated 20-6-1974, the Ministry of Railways have decided that the following further steps be taken to effect decasualisation:—

- (1) In addition to the locations mentioned in the above quoted letter, cadre review should be made in the establishments of the Inspectors in the Civil Engineering, Signal and Bridge Maintenance so that regular posts are created where casual labour sanctions have existed for three years or more.

A committee of Additional Head of Departments including Addl. Chief Personnel Officer, Addl. F.A., and the Addl. Head of the concerned Department should be in charge of this cadre review.

- (2) There should be ban on intake of fresh casual labour on open line by the Inspectors except in emergencies like accidents, floods, breaches, etc. As far as possible, casual labour whose work is coming to an end in one unit should be diverted against requirements of new ELR sanctions in adjacent units. Where a situation arises where none of the serving casual labour are willing to go for a new job for which ELR is sanctioned, fresh recruitment should then be only on the personal orders of the Divisional Superintendent.

The present arrangement of Inspector-wise seniority will, however, continue. Thus casual labour diverted from one unit to another will rank as junior-most in the new unit for purposes of seniority and retrenchment.

- (3) On projects, however, the XEN will be the unit for retrenchment which would reduce to a great extent the hardship now being experienced in Inspector-wise retrenchment.

Serial No. 6964.—Circular No. 494E O.T-III-A(EIV), dated 27-3-78.

Sub.—Medical Identity Cards and Index Cards.

A copy Dr. S.S. Verma, Director General (RHS), Railway Board, New Delhi's D.O. letter No. 76 H 5-1/10, dated 9-2-78 addressed to the General Manager is sent here with for information and necessary action.

It may be ensured that the discrepancies/omissions pointed out by the Director General (RHS), Rly. Bd. in his D.O. letter cited above are rectified immediately and compliance reported to this office by 15th April, positively.

Copy of Rly. Board's letter No. 76 H 5-1/10, dated 9-2-1978.

Sub.—Medical Identity Cards and Index Cards.

During my visits to the various health units/hospitals it has been found that in many cases the identity cards issued to the employees are defaced and mutilated because they have not been kept properly by the employees. It cannot be attributed simply to normal wear and tear. It has also been found that index cards have not been made in case a number of cases. The index cards and the identity cards have to be kept up-to-date making entries of new births and deaths. This has also not been done in some cases.

As per the existing instructions, the identity cards have to be registered with a particular health unit to ensure treatment being afforded to the employee and the family from that particular health unit and from other centres only on reference from them. This aspect has also been not implemented in many places.

Annexure no. LA

No./N.R.

खाना/WORKSHOP

S II

एम.ई. 240/M.E. 240

लोको शेड/Loco Shed

महीने का वेतन निकाला

Pay Envelope for.....19

टिकट नं./Ticket No.....

321

	रु. Rs.	पै. P.
वेतन/Pay		
अतिरिक्त/Over time	37	60
महंगी भत्ता/Dearness Allowance		
घर भत्ता/House Allowance		
शहर भत्ता/City Comp. Allowance	23	30
अन्य भत्ता/Any other Allowance		
कुल जद्वरी/Gross Wages	14	60
कटौतियाँ/Deductions		
निधि निधि/Provident Fund		
निधि निधि ग्रामि की वापसी/Refund of P.F.	1	60
वि. वि.		
वि. प्रसार/Electric Charges		
भाड़ा/Rent		
गान/खेल क्लब/Institute/Sports Club		
चक्रल भुविम/Cycle Advance	61	20
उत्सव भुविम/Festival Advance		
सहकारी संस्था/Co-op. Credit Society		
भुविम/आवा भुविम/Advance of Pay/T.A.		
राष्ट्र रक्षा कोष/National Defence Fund.		
वेतन की अधिक भुविम समायोक्ति आदि		
वेतन payment of wages O.T. etc.		
कटौतियाँ जैसे अनिवार्य जमा योजना		
कटौतियाँ e.g. C.D.S.		
कुल कटौतियाँ/Total deductions		
निशुल्क/Net amount payable		

जांचा
led byजांच करने वाला
Verified by

Attested
S. K. Singh
Adv.

Annexure no 2

१०/N.R. २४०/M.B.240
 कारखाना/WORKSHOP १९७ के १९८ महीने का वेतन निकाला
 Pay Envelope for 197
 टिकट नं./Ticket No. 400

	Rs.	P.
वेतन/Pay		
समयोपार/Overtime		
मृत्युशायी भत्ता/Deathness Allowance	32	65
मकान भत्ता/House Allowance		
नगर भत्ता/City Comp. Allowance		
कोई अन्य भत्ता/Any other Allowance		
कुल मजदूरी/Gross wages	24	10
कटौतियाँ / Deductions		
निर्वाह निधि/Provident Fund	1	85
निर्वाह निधि अग्रिम की वापसी/Refund of P.F. Adv.		
विजली प्रभार/Electric charges	1	60
किराया/Rent		
संस्थान/दिलकद मलय/Institute/Sports Club		
साइकिल अग्रिम/Cycle Advance		
त्योहार अग्रिम/Festival Advance		
सहकारी कृषि सहिति		
Co-op. Credit Society		
अग्रिम वेतन/धन्य भत्ता		
Advance of Pay/T.A.		
राष्ट्रीय रक्षा कोष		
National Defence Fund.		
मजदूरी की अतिरिक्त अदायगी समयोपारि आदि		
Excess payment of wages O.T. etc.		
अन्य कटौतियाँ जैसे अतिक्रय जमा योजना		
Other deduction e.g. CDS.		
कुल कटौतियाँ/Total deductions		
शुद्ध देय रकम/Net amount payable		
भरने वाला.....	संस्थापक करने वाला.....	
Filled by	Verified by	

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 S. S. S. S.
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वि. क. शर्मा / B. B. Lal

६०२०/N.R.

एन.ई.२४०/M.E. 240

कारखाना/WORKSHOP

लोको शेड/Loco Shed

१०/८८ महीने का वेतन लिफाफा
Pay Envelope for.....19

टिकट नं०/Ticket No.....

	र० Rs.	प० P.
वेतन/Pay	45	70
समयोपरि/Overtime		
महंगाई भत्ता/Dearness Allowance	37	30
मकान भत्ता/House Allowance		
नगर भत्ता/City Comp. Allowance	06	75
कोई अन्य भत्ता/Any other Allowance		
कुल मजदूरी/Gross Wages	02	30
कटौतियाँ/Deductions		
निवृत्ति निधि/Provident Fund		
निवृत्ति निधि अग्रिम की वापसी/Refund of P.F. Adv.		
बिजली प्रभार/Electric Charges	92	105
किराया/Rent		
संस्थान/खेलकूद क्लब/Institute/Sports Club		
साइकिल अग्रिम/Cycle Advance		
त्योहार अग्रिम/Festival Advance		
सहकारी ऋण समिति/Co-op. Credit Society		
अग्रिम वेतन/युद्धा भत्ता/Advance of Pay/T.A.		
राष्ट्रीय रक्षा कोष/National Defence Fund.		
मजदूरी की अधिक प्रदायगी समयोपरि अति Excess payment of wages O.T. etc.		
अन्य कटौतियाँ जैसे अनिवार्य जमा योजना Other deductions e.g. C.D.S.		
कुल कटौतियाँ/Total deductions	92	105
शुद्ध देय रकम/Net amount payable		

भरने वाला.....

Filled by

सत्यापन करने वाला.....

Verified by

N.R.—1007/6—June, 1979—5,00,000 Nos.

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 Adar

Annexure no. 4

० र०/N.R.

कारखाना/WORKSHOP 197 र० ०२४०/M.E. 240

लोको शेड/Loco Shed

Pay Envelope for... 12/497

टिकट नं०/Ticket No. 314

र० Rs. | दे. P.

बतम/Pay	1952 50	
समयोपार/Overtime		
मेहरगार मत्ता/Dearness Allowance		
मकान मत्ता/House Allowance		
नगर मत्ता/City Comp. Allowance		
कोई अन्य मत्ता/Any other Allowance		
कुल मजदूरी/Gross wages		
कटौतियाँ / Deductions		
निर्वाह निधि/Provident Fund		
निर्वाह निधि अधिम की वापसी/Refund of P.F. Adv.		
विजली प्रभार/Electric charges		
किराया/Rent		
इंस्टीट्यूट/खिलाफद बतम/Institute/Sports Club		
साइकिल अधिम/Cycle Advance		
यौहार अधिम/Festival Advance		
प्रहकारी कृष समिति		
Co-op. Credit Society		
अधिम बतम/यात्रा मत्ता		
Advance of Pay/T.A.		
राष्ट्रीय रक्षा कोष		
National Defence Fund.		
जदूरी की अधिक अदायगी समयोपारि आदि		
Excess payment of wages O.T. etc.		
अन्य कटौतियाँ जैसे अनिवार्य बतम बोजला		
Other deduction e.g. CDS.		
कुल कटौतियाँ/Total deductions		
निट राकम/Net amount payable		

संस्थापन करने वाला

Verified by

Attested
S. S. S. S. S.
Adm

A 26

Page 12

Amesure m. 5

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(249)

४०२०/N.R.

एम.ई. 240/M.E. 240

कारखाना/WORKSHOP 1181

लोको शेड/Loco Shed

महीने का वेतन लिफाफा

Pay Envelope for.....19

टिकट नं०/Ticket No.....

	रु. Rs.	पै. P.
वेतन/Pay	14-3150	
समयोपरि/Overtime		
मंह्यार्ह भत्ता/Dearness Allowance		
मकान भत्ता/House Allowance		
शहर भत्ता/City Comp. Allowance		
कोई अन्य भत्ता/Any other Allowance		
कुल मजदूरी/Gross Wages		
कटौतियाँ/Deductions		
निर्वाह निधि/Provident Fund		
निर्वाह निधि प्रग्रिम की वापसी/Refund of P.F. Adv.		
बिजली प्रभार/Electric Charges		
किराया/Rent		
संस्थान/खेलकूद क्लब/Institute/Sports Club		
साइकिल प्रग्रिम/Cycle Advance		
त्यौहार प्रग्रिम/Festival Advance		
सहकारी ऋण समिति/Co-op. Credit Society		
प्रग्रिम वेतन/यात्रा भत्ता/Advance of Pay/T.A.		
राष्ट्रीय रक्षाकोष/National Defence Fund		
मजदूरी की अधिक प्रदायगी समयोपरि प्रादि		
Excess payment of wages O.T. etc.		
अन्य कटौतियाँ जैसे प्रतिवार्य जमा योजना		
Other deductions e.g. C.D.S.		
कुल कटौतियाँ/Total deductions		
शुद्ध देय रकम/Net amount payable		

भरने वाला.....

Filled by

सत्यापन करने वाला.....

Verified by

N.R.—1007/6—June, 1979—5,00,000 Nos.

Attested
S. S. Singh
A. S.

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Annexure no. 1

F III

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४०२०/N.R.

एम०ई० 240/M.E. 240

हस्ताक्षर/Signature

मोहरो तैयार/Stamp

के..... महीने का वेतन लिफाफा

Pay Envelope for.....19

टिकट न०/Ticket No.....

100 41 9 साय

	₹. Rs.	₹. P.
वेतन/Pay
समयोपरि/Over time
सहकारी/Co-op. Credit Society
मकान भत्ता/House Allowance
नगर भत्ता/City Comp. Allowance
कोई अन्य भत्ता/Any other Allowance
कुल मजदूरी/Gross Wages
कटौतियाँ/Deductions
निर्वाह निधि/Provident Fund
निर्वाह निधि अग्रिम की वापसी/Refund of P.F. Adv.
विजली प्रभार/Electric Charges
किराया/Rent
संस्थान/खेलकूद क्लब/Institute/Sports Club
साइकिल अग्रिम/Cycle Advance
त्योहार अग्रिम/Festival Advance
सहकारी ऋण समिति/Co-op. Credit Society
अग्रिम वेतन/भत्ता भत्ता/Advance of Pay/T.A.
राष्ट्रीय रक्षाकोष/National Defence Fund.
मजदूरी के अधिक भुगतान/Excess payment of wages O.T. etc.
अन्य कटौतियाँ जैसे अनिवार्य जमा योजना
Other deductions e.g. C.D.S.
कुल कटौतियाँ/Total deductions
शुद्ध देय रकम/Net amount payable

भरने वाला.....

सत्यापन करने वाला.....

Filled by

Verified by

N.R.—1007/6—June, 1979—5,00,000 Nos.

Attached
S. S. S. S. S.
S. S. S. S. S.

Page 14

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कारखाना/WORKSHOP

सुस.ई. 240/M.F. 240

लोको शेंड/Loco Shed

के. ८४१३ महीने का वेतन लिफाफा

Pay Envelope for.....19

टिकट नं०/Ticket No.....

	₹. Rs.	₹. P.
वेतन/Pay	...	100-80
समवापर/Overtime	...	
मंदाई भत्ता/Dearness Allowance	...	
मकान भत्ता/House Allowance	...	
नगर भत्ता/City Comp. Allowance	...	
कोई अन्य भत्ता/Any other Allowance	...	
कुल मजदूरी/Gross Wages	...	
कटौतियाँ/Deductions	...	
निर्वाह निधि/Provident Fund	...	
निर्वाह निधि अग्रिम की वापसी/Refund of P.F. Adv.	...	
बिजली प्रसार/Electric Charges	...	
किराया/Rent	...	
संस्थान/बैजक क्लब/Institute/Sports Club	...	
साईकिल अग्रिम/Cycle Advance	...	
त्योहार अग्रिम/Festival Advance	...	
सहकारी ऋण समिति/Co-op. Credit Society	...	
अग्रिम वेतन/यात्रा भत्ता/Advance of Pay/T.A.	...	
राष्ट्रीय रक्षाकोष/National Defence Fund.	...	
मजदूरी की अधिक भुगतानी समयापर अति Excess payment of wages O.T. etc.	...	100-80
अन्य कटौतियाँ जैसे अनिवार्य जमा योजना Other deductions e.g. C.D.S.	...	
कुल कटौतियाँ/Total deductions	...	
शुद्ध देय रकम/Net amount payable	...	

भरने वाला.....
Filled by

सत्यापन करने वाला
Verified by

N.R.—1007/6—June, 1979—5,00,000 Nos.

Diebst
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F-111

Bmdre Pct 870 BBLal

4/81 As-92.85

Altered
S. J. Smith
Adv

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Page 16

Annaurem. 9

S-II

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5/2/

Binda Rd. Sp. B. Lal

2

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Alfred
L. Blum
Ad

A 32

Page 10
Annexure no. 11

699099

699099

in 2/3 7th
Suburban

699099

श्री-18 स्तर
G-18 Foreign

श्री-18 स्तर
G-18 Foreign

श्री-18 स्तर
G-18 Foreign

कोयंबटूर
कोयंबटूर

कोयंबटूर
कोयंबटूर

श्री-18 स्तर
G-18 Foreign

This receipt is to be endorsed by the Ticket Collector on completion of the journey and handed over to the passenger on collection of the pass.

From

To

Station/Date

Station/Date

Station/Date

Ticket Collector

श्री-18 स्तर
G-18 Foreign

श्री-18 स्तर
G-18 Foreign

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श्री-18 स्तर
G-18 Foreign

Ticket Collector

श्री-18 स्तर
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श्री-18 स्तर
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श्री-18 स्तर
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श्री-18 स्तर
G-18 Foreign

Ticket Collector

द्वितीय प्राचिनम्

A 34 0/14001

सेवा में

श्री गान मण्डल रेल प्रखण्ड

उत्तर रेलवे राजस्थान

बिन्दा प्रसाद श्री गान्तव 5/6 श्री बृज बहादुर लाल श्री गान्तव निवासी ग्राम - हर्तवा
पौ० हरचन्द्रपुर जिला सागरपुरी

महोदय,

प्राची श्री गान जी से निम्न लिखित निवेदन करता हूँ -

प्राची:- यह कि प्राची ने पिता लाल रिंगरोड आलगावाग उत्तर रेलवे लखनऊ में झारखंड
ग्रेड पी० के पद पर 29-6-63 को रेल की सेवा करके रिटायर हो गये हैं।

प्राची:- यह कि प्राची - पी० रिंगरोड उत्तर रेलवे आलगावाग लखनऊ में मैट्रोचर
में "पी०एम० खलसी" के पद पर काम कर रहा था। पिता किसी कारण से बिना
कोई नोटिस दिए हुए मुझे काम से हटा दिया गया।

प्राची:- यह कि प्राची ने एक पास भी 31-3-64 को मिला है जिसका क्रमांक "6880-68" है जो कि सागरपुरी से खिल्ली गूड़ी तक बना है जिसमें माता विराम लखनऊ में मैट्रोचर
ग्रेड में एक उच्च लिफाफा वेतन का भी है और उच्च वेतन का लिफाफा मेरे माता
में 98 मई सन् 64 में आगलवा जाने के कारण जल भी गये हैं।

प्राची:- यह कि प्राची के साथ-साथ बहुत से लड़के जो कि मैं भी मैट्रोचर में
उनको भी भेजा दिया गया था। प्राची आज तक इसी आशा में लगा हुआ था
कि श्री गान जी लखनऊ में ही रहेंगे और मुझे भी बुलाकर इस्तीफे पर
आप भेजे देना था। मुझे सागरपुरी लड़के भी बुलाकर आपने इस्तीफे दिये और
मुझे नगर में बसाव आपने दे दिया। मैं आपकी भूल को याद दिला रहा हूँ।

प्राची:- यह कि जब आप साहसी लड़कों को बुलाकर इस्तीफे दे रहे हैं तो मुझे भी सेवा
कोष का आश्वासन देते हैं कि मैं एक रेल के रिटायर झारखंड में हूँ।
यह कि प्राची की शैक्षिक योग्यता हाईस्कूल उत्तीर्ण है। तथा बहुत ही
इमानदार व परिश्रमी व्यक्ति है।

प्राची:- यह कि प्राची ने आपके पहले एक प्रार्थना पत्र दिनांक 8-11-66 को दिया
था और आज तक इसी इन्तजार में था कि श्री गान जी मेरे ऊपर दया करके
आते हुए मुझे भी इस्तीफे का आदेश करेंगे लेकिन आजतक इस बात का
है कि श्री गान जी ने मेरे पत्र का जवाब भी नहीं दिया।

अतः श्री गान जी से कह रहा प्राची है कि उपरोक्त लिखित
बातों पर ध्यान दें हुए जल्द से जल्द जवाब देंगे तो हूंगा। तथा निम्नलिखित
हनु ओरंग मारीत में भी हूंगा। क्योंकि कि श्री गान जी के लिए जैसी भी
लड़के हैं उसी तरह मैं भी एक लड़का हूँ।

दिनांक 30.09.66
टी-92-66

(आपकी कृपा होगी)

प्राची
(बिन्दा प्रसाद श्री गान)
उपरोक्त

Attested
S. S. S. S. S.
A. S.

सेवा में;

Page 2/

Annexure No. 14

श्री मान जनरल मैनेजर (शिकायत)
उ०रे० बसों का हाउस नई दिल्ली

A35

मान्यवर

विषय :- कैजुवल लेवर / स्पष्टीकरण की निपुक्ति हेतु -

सेवा में खसिनम निवेदन है सहित प्राणी कुंद पंक्ति में आपकी सेवा में
उद्गता पूर्वक विचार करने एवम् उचित कार्यवाही हेतु उचित कर रहा है

- (1) यह कि प्राणी ने कैजुवल लेवर के स्थान पर कैरीयाप में सन् ७२ के पहले
कुंद दिन कार्य किया था जिसके आधार पर एक प्राणी पत्र लोको रनिंग शोड
उ०रे० आलमबाग लखनऊ के यहां इस आधार पर दिया था कि प्राणी के पिता
श्री बृजबहादुर लाल श्रीवास्तव ३९७/७३ को डाइव ग्रेड थी, से रिहाय्य हो
चुके थे परन्तु वहां के कर्मचारियों के लड़के को कैजुवल लेवर / स्पष्टीकरण
की निपुक्ति के लिए बरीसता दी जाती थी।

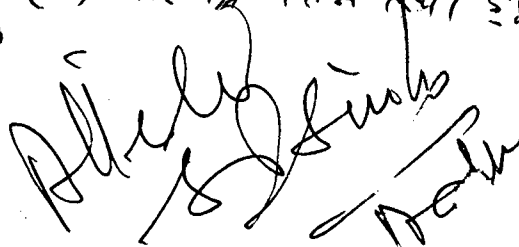
- (2) यह कि प्राणी का नाम लोको रनिंग शोड उ०रे० आलमबाग लखनऊ में
रजिस्ट्रार सीरीज नं० १०३२ पर नोट कर लिया गया था तथा आवश्यकता पड़ने
पर स्पष्टीकरण के पद पर लगाया जाने लगा प्राणी के घात वेंचर के लिए
सन् १९८० एवम् उसके बाद १९८१ तक के कुंद उपलब्ध है। इसके अलावा
प्राणी को एक सुविधा पाल मिला था जिसका नं० "६६६०६६" ३२.८१
को डिस्चार्ज रिलेव मैनेजर उ०रे० लखनऊ के यहां से जारी किया गया
था।

- (3) यह कि सुविधा पाल उन्ही आकस्मिक / स्पष्टीकरण कर्मचारियों को जारी किया
जाता है जो आन्ध्रप्रदेश में कार्यरत आए लिये जाते हैं ऐसी दशा में
प्राणी को १२०/१८० दिन की अवधि पूरी कर लेने पर यह सुविधा प्रदान
की जाती थी।

- (4) यह कि प्राणी को सन् १९८१ से आकस्मिक श्रमिक / स्पष्टीकरण के पद पर
कार्य करते हेतु नहीं बुलाया गया क्योंकि १००००६६ के रिजल्ट कोर्ड
अनुशासनिक कार्यवाही प्रारम्भ की गयी थी। इस लिए वहां के कर्मचारियों
ने यह सूचना दी की अनुशासनिक कार्यवाही का निर्णय हो जाने के बाद
ही हम लोगो को इष्टी पर बुलाया जायेगा। इस समय से प्राणी
प्राणी पत्र देता चला आ रहा है। परन्तु कोई निर्णय अभी तक नहीं हो
पाया है। मुल्दमे के निर्णय के आधार पर जब मुझे ज्ञान
आकस्मिक श्रमिक / स्पष्टीकरण इष्टी पर बुला लिये गये तबसे प्राणी
ने मण्डल रेल प्रबन्धक उ०रे० हजारत गज लखनऊ को दो प्राणी पत्र
दिनांक ४.११.८६ व ८.१२.८६ को दिये परन्तु अभी तक कोई कार्यवाही
नहीं हुई।

- (5) यह कि प्राणी से प्रानिय कर्मचारी जो आकस्मिक कैजुवल लेवर / स्पष्टीकरण
के पद पर निपुक्ति किया गया था उनको नौकरी से हटाये जाने पर
उन लोगो ने लेवर कोर्ट आनपु में अपना दावा दावा किया तथा उनके
निर्णय के आधार पर उनको एक माह का वेतन तथा इष्टी दी गयी।

P-7-0



Page 23

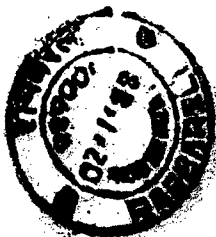
15
Annexure no. 15A

A36

यू० पी० सी०

① एक लिफाफा

पता — श्री मान महाप्रबन्धक (नाम के)
उ० र०
बडौदा हाउस
नई दिल्ली



Atul
Sharma
Adv

बीमा नहीं NOT INSURED

लगाये गये डाक टिकटों का मूल्य रु० 5.60
Amount of Stamps affixed Rs. 5.60 P.

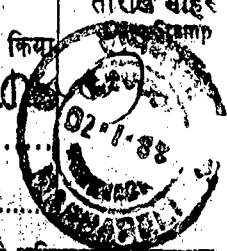
क्रमांक/No.

40421

A37

एक रजिस्ट्री* प्राप्त किया
Received a Registered* Letter/Postcard/Packet/Parcel

पानेवाले का नाम
Addressed to



पानेवाले अधिकारी के हस्ताक्षर
Signature of Receiving Officer

बीमा नहीं NOT INSURED

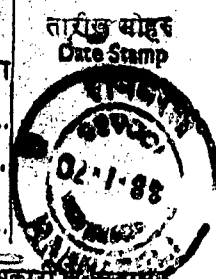
लगाये गये डाक टिकटों का मूल्य रु० 5.60
Amount of Stamps affixed Rs. 5.60 P.

क्रमांक/No.

40431

एक रजिस्ट्री* प्राप्त किया
Received a Registered* Letter/Postcard/Packet/Parcel

पानेवाले का नाम
Addressed to



पानेवाले अधिकारी के हस्ताक्षर
Signature of Receiving Officer

प्राप्ति स्वीकृति (रसीद) ACKNOWLEDGMENT

*एक रजिस्ट्री पत्र/पोस्टकार्ड/पैकेट/पार्सल प्राप्त हुआ
बीमा
*Received a Registered Insured Letter/Postcard/Packet/Parcel

क्रमांक/No. 4042

पानेवाले का नाम
Addressed to (name)

श्रीमान मण्डल प्रकाश (शिकायत)
एजेंट बंगला हाउस

बीमे का मूल्य (रुपयों में)
Insured for Rupees

वितरण की तारीख/Date of delivery.....193

*अनावश्यक को काट दिया जाए
*Score out the matter not required

केवल बीमा वस्तुओं के लिए
For Insured articles only

पानेवाले के हस्ताक्षर/Signature of addressee

प्राप्ति स्वीकृति (रसीद) ACKNOWLEDGMENT

*एक रजिस्ट्री पत्र/पोस्टकार्ड/पैकेट/पार्सल प्राप्त हुआ
बीमा
*Received a Registered Insured Letter/Postcard/Packet/Parcel

क्रमांक/No. 4043

पानेवाले का नाम
Addressed to (name)

श्रीमान मण्डल रेल प्रकाश
एजेंट बंगला हाउस

बीमे का मूल्य (रुपयों में)
Insured for Rupees

वितरण की तारीख/Date of delivery.....198

*अनावश्यक को काट दिया जाए
*Score out the matter not required

केवल बीमा वस्तुओं के लिए
For Insured articles only

पानेवाले के हस्ताक्षर/Signature of addressee

A3.9

(अभिभाषक-पत्र)

In the Central Administrative Tribunal, Allahabad
न्यायालय श्रीमान्
Circuit Bench At Lucknow.



वाद संख्या

सन् १८

वादी

जमियोजक

प्राथी

अपीलार्थी

Binda Prasad

प्रतिवादी

अभिप्रेत

प्रतिवादी

Union of India and others. ————— रेषपान्डेन्ट

मे/इस Binda Prasad S/o Shri. Brij Bahadur Singh

उपरोक्त वाद को पुरबी हेतु पारिश्रमिक देकर तथा बचनबद्ध
होकर श्रीमान् S. P. Sinha Advocate

वकील/एडवोकेट

को अपना अधिकार निष्पक्ष करके प्रतिज्ञा (इकरार करता हूँ/करत है और लिखे देता हूँ/देते हैं कि मेरी/हमारी ओर से वकील/एडवोकेट वाद प्रस्तुत करे/करवाव दावा प्रस्तुत करें वाद में पुरबी, अपील-पत्र, प्रमाण-पत्र दाखिल करें मेरी/हमारी ओर से कांठ फास, स्टैम्प, कोर्टफीस टिकटे नकल टिकटे व जनरल स्टैम्प अपने नाम से खरीद करके न्यायालय व कार्यालय में दाखिल करें। दस्तावेज, खुराक पत्रादान कार्यालय न्यायालय में दाखिल करें। अपील में मेरी/हमारे पक्ष में सबि पत्र दाखिल करें। साक्षियों का बयान करावें बिपक्ष के साक्ष्य से जिरह करें/बझ करें। मुकदमा एक एन्डोय डिशी हो जाने पर इसमें सम्बन्धित समस्त इकरारों की कार्यवाही सम्पन्न करे मुकदमा अदालत पुरबी में निर्णित हो जाने पर उसके पुनर्स्थापन का प्रार्थनापत्र प्रस्तुत करे कोई भी अन्तरिम आदेश से मेरी/हमारे बिपक्ष हो जाने पर उसकी मुतस्लीक अपील निपारानी आदि प्रस्तुत करे मुकदमा डिशी हो जाने पर उसकी नकल, तयारी व डिशी आदि लेवें मुकदमा हार जाने पर उसकी अपील निपारानी सम्बन्धित न्यायालय में प्रस्तुत करे वाद/अपील/निपारानी में स्वयं प्रार्थनापत्र वाद प्रबन्ध कार्यओं के बिनीक्षण आदि का प्रार्थना-पत्र प्रस्तुत कर मेरी/हमारी ओर से मेरी/हमारे बिपक्ष रूपों की डिशी हो जाने पर उसे प्रशस्त में बसा करें। और मेरी/हमारी डिशी हो जाने पर अदालत में प्रार्थना पत्र, जेक न्यायालय में, अपने हस्ताक्षर से प्रस्तुत करे। जेक प्राप्त करें उसका हक्या वसूल करें। सराया यह है कि इस वाद से सम्बन्धित हर प्रकार की कार्यवाही करे अथवा अपनी ओर से वकील/एडवोकेट नियुक्त करें यदि उसका समस्त बिषा हुआ कार्य मेरी/हमारा किया गया समझा जायेगा। और मुझे हमें हर प्रकार से मान्य होगा। लिहाजा यह अभिभावक पत्र लिख दिया।

दिनांक-- 23-2-मास-- सन् १८ ई.

न्यायालय
वाद संख्या
पक्षकार

Power
Accepted
S. P. Sinha
Advocate
23/2/18

filed today
29/3/89

B-40

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

CM. No. 39 (08/09/89)
Registration No. 3A 51 of 1989

Binda Prasad.

-----Applicant

Versus

Union of India and others.

-----Respondents

Application u/s 5 Limitation Act.

The humble petitioner named above begs to
submit as under :-

1. That the petitioner was engaged as 'Substitute'
on the post of Fitter Khallasi upto June, 1981,
and thereafter he had preferential right for
the appointment on the said post, which was
denied to him and junior Sri Devi Prasad was
called for appointment in the month of July, 1987.

2. That being aggrieved by the appointment of
Sri Devi Prasad, which was against the rules
and orders, the petitioner preferred a representation/
appeal to the authorities on 4.11.87.

3. That no reply was communicated to the
petitioner and the petitioner again submitted
the second representation on 9.12.1987. The
period of six months had expired on 8.6.1988,

Office to put up
this application with
record, before court
for orders on the
next date fixed in
the file.

mandan
DR

पि. ११५८१९

AY

thus the cause of action accrued to the petitioner with effect from 8.6.1988 and the limitation of one year expires on 8.6.1989. The present petition ^{was} ~~has~~ filed on 23.2.1989 which is within the limitation.

4. That, however, if this Hon'ble Tribunal is of the opinion that the petition is time barred then in that event, on account of the circumstances mentioned above and supported by an affidavit accompanying to this application, the delay is liable to be condoned.

- P r a y e r -

Wherefore, it is humbly prayed that the petition may be considered to be within limitation and in case it is to be considered time barred then the delay in filing the petition may be condoned.

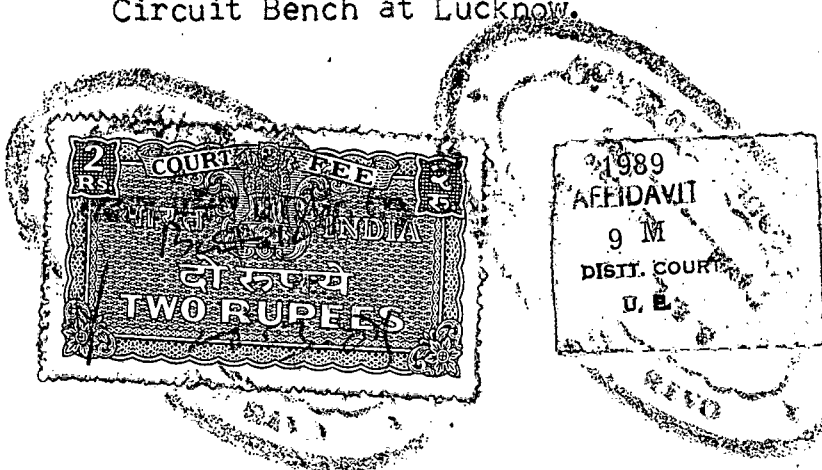
Lucknow, dated,
20.3.89

पति, पति
Applicant/Petitioner.

Thy L. P. Singh
Advocate

A 42

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



Binda Prasad.

-----Applicant

Versus

Union of India and others.

-----Respondents.

Affidavit in support of application
u/s 5 Limitation Act.

I, Binda Prasad, aged about 30 years, son of Sri Brij Bahadur Lal Srivastava, resident of village Chhataiya, Post Office Harchandpur, Distt. Rai Bareilly, do hereby solemnly affirm as under :-

1. That the deponent is applicant himself and as such he is well conversant with the facts of the case.
2. That the deponent was engaged as 'Substitute' on the post of Fitter Khallasi upto June, 1981, and thereafter he had preferential right for the appointment on the said post, which was denied to him and junior Sri Devi Prasad was called for appointment in the month of July, 1987.
3. That being aggrieved by the appointment of Sri Devi Prasad, which was against the rules and orders, the deponent preferred a representation/ appeal to the authorities on 4.11.87.

दिनांक 5/11/87

5. That, however, if this Hon'ble Tribunal is of the opinion that the petition is time barred then in that event, on account of the circumstances mentioned above and supported by an affidavit accompanying to this application, the delay is liable to be condoned.

Deponent.

I, the deponent abovenamed do hereby verify
that the contents of paras 1 to 5 of this affidavit
are true to my own knowledge.

Signed and verified this on 20TH day of March,
1989 at Lucknow.

Deponent.

I identify the deponent who has signed before me.

S. L. Leibo
Advocate.

Handwritten: No. 10-057TH vs. Banda Prasad
vs. S.P. Singh

Any

In the Hon'ble Central Administrative Tribunal,

Additional Bench Allahabad

Circuit Bench at Lucknow.

.....

M.P. Application No. 286 of 1992.

in

O.A.No. 51 of 1989.

Binda Prasad son of Shri Brij Bahadur Lal Srivastava,
resident of Village Chhataiya, Post Office Harchandpur
District Rae Bareli.

.... Applicant.

Versus

Union of India and others.

... Respondents.

Fixed for 26.2.1992.

Application for ex-parte hearing and
disposal of application.

Hon'ble Sir,

The applicant begs to submit as under:-

1. That the above mentioned case was filed on 23.2.1989 before the Hon'ble Central Administrative Tribunal, Allahabad Circuit Bench, Lucknow on 23.2.1989. The said application was heard and

Filed today

syf

9/4/92

A 45

2.

show cause notice was issued. It was heard again on 17.10.1989 and admitted.

2. That the respondents had not filed the counter thus the Hon'ble Tribunal had passed the order for exparte hearing on 30.3.1990. The exparte hearing was not done and the Hon'ble Tribunal had directed to the respondents to file the counter on 4.10.1990. Inspite of the several opportunities the respondents did not care to follow the procedure laid down in Rule 12 of the Central Administrative Tribunal (Procedure) Rule 1987 in regard to file the counter.
3. That since then the several dates have been passed but the respondents did not care to file the counter reply. It appears that the respondents do not desire to contest the case.

Wherefore, it is prayed that the Hon'ble Tribunal be pleased to pass the order for exparte hearing to avoid hardship to the applicant as he is out of job.

Lucknow, dated,

February 26, 1992.

Applicant.

S. S. Sen
Counsel for applicant

Registered A/D

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD
CIRCUIT BENCH, LUCKNOW

Gandhi Bhawan, Opp. Residency
Lucknow - 226 001

(Registration No. 51 of 198)

No. CAT/LKO/Jud/CB/

1882 to 1883

dated .

20/9/83

[Signature]

APPLICANT(S)

VERSUS

[Signature]

RESPONDENT(S)

Please take notice that the applicant above named
has prescribed an application a copy whereof is enclosed
herewith which has been registered in this Tribunal and has
fixed _____ day of _____ 198
for _____

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 _____ day of _____ 198

Dinesh/

[Signature]
For DEPUTY REGISTRAR

[Handwritten notes in cursive script, mostly illegible]

CENTRAL ADMINISTRATIVE TRIBUNAL

CIRCUIT BENCH LUCKNOW

O.A. No.51 of 1989 (L)

Banda Prasad

.....

Applicant.

Versus

Union of India

.....

Respondents.

11.9.1989

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

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

Heard.

Issue notice to the respondents to show-cause by the date fixed as to why the delay in filing the application may not be condoned and also to show-cause, by the date fixed, as to why the application be not admitted.

List this case for admission/orders on 11.10.1989.

Sd/-

A.M.

Sd/-

V.C.

*Checked
8/2/89*

// True Copy //

f. J. S.

(rrm)

Before the Central Administrative Tribunal,
Allahabad

Techmumbench - Techmum

Case no. 51 of 1992

Binda Prasad

Applicant

vs

Union of India and others

Respondents

Case no. 51 of 1992

F.F. 22-5-1992

Application for adjournment

The humble applicant most respectfully
submits as under:-

1. That the applicant is the Counsel
for the petitioner in the above
noted case.
2. That the applicant is not keeping
well to day and is not in a position
to attend the Court to conduct
the above noted case on date.
3. Wherefore, it is humbly
prayed that the above noted
case may kindly be adjourned
for some other date.

21/5/1992

S. S. S. S.
Advocate for applicant.

ब अदालत श्री मान Before the Central Adm
वादी मुद्दाई The General
प्रतिवादी मुद्दालय का वकालतनामा known

विन्दु गुलाद बनाम शारदा देवी वादी मुद्दाई
नं० मुकदमा सन 19 पेशी की तारीख प्रतिवादी मुद्दालय
उपर लिखे मुकदमा में अपनी ओर से श्री 19 ई०

..... Dr. Arjun Bhargava एडवोकेट
Advocate महोदय
वकील

को अपना वकील नियुक्त करके प्रतिज्ञा इकरार करता हूं। लिखें देता हूं। इस मुकदमा में वकील महोदय स्वयं अथवा अन्य वकील द्वारा जो कुछ पैरवी व जवाब देही व प्रश्न करेगा अन्य कोई कागज दाखिल करें या लौटा दें हमारी ओर से डिक्ली जारी करावें और स्वयं वसूल करेगा मुलहनामा इकबाल दावा अपील व निगरानी हमारी ओर से हमारे या अपने हस्ताक्षर से दाखिल करें और तसदीक करे या मुकदमा उठाये या कोर्ट में जमा करें या हमारी या विपक्ष फरीकसानी का दाखिल किया स्वयं अपने या हमारे हस्ताक्षर युक्त दस्तखती रसीद से लेवेगा प्रंच नियुक्ति करें वकील महोदय द्वारा की गई वह कार्यवाही हमको सर्वथा स्वीकार है और होगी मैं भी यह कहता हूं। कि मैं हर पेशी स्वयं या किसी अपने खैरोकार को भेजता रहूंगा अगर मुकदमा अदम पैरवी में एक तरफा मेरे खिलाफ फैसला हो जाता है उसकी जिम्मेदारी मेरी वकील पर न होगी। इसलिये यह वकालतनामा लिख दिया कि प्रमाण रहें और समय पर काम आवें।

साक्षी गवाह हस्ताक्षर
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