

(15)

CENTRAL ADMINISTRATIVE TRIBUNAL  
CIRCUIT BENCH, LUCKNOW

.... JUNE 1, 1990

Registration O.A. No. 87 of 1989(L)

Prakash Chandra Shukla ... Applicant

vs

Union of India and ors ... Respondents

Hon' Mr P.C. Jain, A.M.

Hon' Mr J.P. Sharma, J.M.

(By Hon' Mr P.C. Jain, A.M.)

In this application under section 19 of the Administrative Tribunals Act, 1985, the applicant who was a candidate for the post of Extra Departmental Branch Post Master (in short E.D.B.P.M.), village Chahotar, district Rae Bareli, has assailed the provisional selection and appointment of respondent no.4 to the above post (Annexure-A-5) and has prayed for quashing and setting aside the appointment of respondent no.4 and for a declaration that the applicant is best candidate in comparison to respondent no.4. and accordingly fit to be appointed on the said post.

2. The background of the case is that in response to an advertisement calling for applications for the post of E.D.B.P.M. village Chahotar, the applicant, respondent No.4 and 4 others had applied. On 12.5.88 the respondent no.2 selected and appointed respondent no.4 in preference to the applicant and 4 others. He assumed charge on 16-6-1988. The applicant challenged the appointment of respondent no.4 and his non selection in O.A. No. 35/88(L). The Tribunal in their

(See)

order dated 7-10-1988 quashed the selection and appointment of respondent no.4 vide memo dated 12-5-1988, and the Superintendent of Rae Bareli Division was directed to make a fresh selection confining the selection to the applicant and respondent no.4 only on the basis of the records already produced by them and such other reports as he may find necessary to collect in that behalf on or before 31.12.1988. However, till a fresh selection and appointment was made, respondent no.4 was permitted to function as E.D.B.P.M. of village Chahotar without any right in the fresh selection. The respondents again selected and appointed respondent no.4. The applicant filed a civil contempt petition (C.C.P.) bearing no.1/89(L) which was dismissed on 28-3-1989. An application for review of the orders passed in the C.C.P. was filed by the applicant, which was also dismissed on 18-5-1990.

3. The applicant's case is that the selection and appointment of respondent no.4 is in contravention of rules of recruitment; the order of appointment dated 29.12.1988 is based on un-lawful, malacious and defiant attitude of respondent no.2; is violative of Articles 14, 16 and 311 of the Constitution of India; and that the entire proceeding relating to appointment are illegal, invalid, void, unjust, un-lawful, discriminatory and against the principles of natural justice. It is asserted that the respondent no.4 is not a permanent resident of village Chahotar and also does not have any house or property in his name in that village. It is further contended that the applicant is the best suitable candidate for the appointment

(C.C.P.)

as he is the permanent resident and has property and house in his own name in that village.

4. The respondents nos. 1, 2, and 3 in their reply have contested the application. Respondent no. 4 has also filed a separate reply in which he has adopted the reply filed by respondents nos. 1, 2 and 3 and has also asserted that his appointment is fully in accordance with the rules and he was found to be a better candidate in comparison to the applicant.

5. We have perused the material on record and have also heard the learned counsel for the parties.

6. In accordance with the provisions of Posts and Telegraphs, Extra Departmental Agents (Conduct and Service) Rules, 1964 (hereinafter referred to as the Rules) which inter-alia govern the appointment to the post in question in this application, it is provided that the person who takes over the agency (E.D.S.P.M./ E.D.B.P.M.) must be one who has adequate source of livelihood and that he must be able to offer space to serve as the agency premises for Postal operations. He also must be a permanent resident of the village where the Post Office is located. Annexure-A5, which is a comparative analysis of the eligibility etc. of the applicant and respondent no.4, shows that applications of both these candidates were received within the prescribed time; (ii) both fulfil the age and the educational qualifications; (iii) both were found able to offer suitable space in the village to serve as the agency premises for Postal operations; (iv) and

(v).

(R3)

both were found fulfilling the required conditions of character, solvency, honesty etc. As regards income and source of income, it is stated that both the candidates had produced income certificate from the revenue authority and also the source of income and that this aspect on verification by the Departmental Officers was found satisfactory in regard to both the candidates. The respondent no.4 did not have property in his own name in village Chahotar, but he has property in his own name at village Bhojpur (Rae Bareli) and thus he has also source of income. As regards the residence, on the basis of character certificate issued by Gram Pradhan, village Chahotar, voter list of village Chahotar, certificate issued by Tahsildar, Lalganj, Rae Bareli and the inquiries made by the Departmental Officers, respondent no.4 was found a "native" of village Bhojpur (Rae Bareli), but a permanent resident of village Chahotar, and therefore, the condition of residence was found to be fulfilled by both the candidates. The respondents in their reply have stated that the respondent no.4 has secured 300 marks as against 232 marks secured by the applicant out of a total of 500 marks in the Matriculation examination and, therefore, respondent no.4 was considered a better candidate, the other conditions being met by both of them. It has also been stated that respondent no.4 since his ~~been~~ marriage with Smt Kamla Devi, a permanent resident of village Chahotar, has been a permanent resident of village Chahotar for more than 20 years. In support of this, they have relied on the character certificate and the residence certificate issued by Gram Pradhan village Chahotar, the non resident certificate issued Clear.

(R)

by Gram Pradhan Bhojpur, the voters list of 1975, 1979 and of 1988 of village Chahotar in which the respondent no.4 appears respectively at serial numbers 141, 640 and 112. He also offered the building in the name of his wife in which the Post Office Chahotar is now situated.

7. The learned counsel for the applicant vehemently argued that respondent no.4 was not born in village Chahotar and as such, he was not eligible for appointment to this post. He also argued that he has no property in village Chahotar in his own name and as such he does not fulfil the condition of being able to offer space for postal operation in that village. We are not impressed by these arguments. The rules nowhere prescribe that an applicant should be a 'native' of the village where he is to be appointed; what is prescribed is that he should be a resident of that village. The documents placed on record convincingly show that respondent no.4 has been a permanent resident of village Chahotar for 15 to 20 years. Similarly, the rules nowhere prescribe that the <sup>of</sup> source/income of an applicant must originate in the village where the appointment is to be made; what is required is that, he must have an independent source of income apart from the agency commission. The documents filed by the respondents prove that respondent no.4 has satisfactory means of regular income from property in his own name. Again, it is nowhere prescribed in the rules that the applicant must be able to offer space for the Postal operations which is only in his own name. Of course he can offer only that space over which he has some control.

(Cen.)

Rao

The space offered by him is in the name of his wife with whom he has been living for long and in which in fact the Branch Post Office is now already located.

8. It would not be out of place to reproduce below the relevant observations by the Bench which had heard the civil contempt petition filed by the applicant:

" (3) The learned counsel for the petitioner laid great emphasis on the fact that Shri Vijai Shankar is not a permanent resident of the village and that he does not own any property and was therefore not eligible for appointment as EDBPM, Chahotar. In reply, it is explained that the wife of Shri Vijai Shanker, owns pucca house in village Chahotar and he has been living therewith his wife on a permanent basis. In addition to the property held by the wife of Shri Vijai Shanker, he also holds some properties in his own name in village Bhojpur, Tahsil Lalganj, district Rae-Bareli. At present the Post office is functioning satisfactorily in a portion of the Pucca house owned by Smt. Kamla Devi wife of Shri Vijai Shanker. The method of recruitment of ED Agent is provided in section 2 of EDA (Conduct and Service ) Rules, 1964, according to which a person, who is appointed as EDBPM must be one who has adequate means of livelihood and he must be able to offer space to serve as the Agency premises for postal operations. The person selected by the appointing authority fulfills all the qualifications for the post of EDBPM."

"(4) We have considered the matter and we are of the opinion that Shri Vijai Shanker, who has been selected by the opposite party no.1 as EDBPM, Chahotar is eligible for the post and there is no illegality in his selection and appointment as EDBPM, Chahotar Post Office. x" x x "

(Signature)

Alt

9. In view of the above discussions, we find no merit in the application which is accordingly dismissed. The parties to bear their own costs.

(sns)

June 1, 1990

Allahabad/Lucknow

MEMBER (J) 1/6/90

MEMBER (A) 1/6/90

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
CIRCUIT BENCH, LUCKNOW

ORDER SHEET

Oct 27 1989 (C)

REGISTRATION No. \_\_\_\_\_ of 198 \_\_\_\_\_

APPELLANT  
APPLICANT

P. C. Shukla

VERSUS

DEFENDANT  
RESPONDENT

C. O. 23

Order Number and date	Brief Order, Mentioning Reference if necessary	How complied with and date of compliance
21/6/89	<p><u>Shrikrishna Justice K. Nath, V.S.</u></p> <p>Due to indisposition of Hon'ble Shri D.S. Mishra, A.M. the case can not be taken today. Case is rescheduled for admission on 12-5-89.</p>	
	<p><u>P.C.</u> 27/6/89</p> <p><u>Shri T. N. Tewari, A.M.</u></p>	<p><u>Case was adjourned to 12-5-89 for admission.</u></p>
12/5/89	<p><u>Hon' Mr. K.J. Raman, A.M.</u></p> <p>Shri T.N. Tewari, learned counsel for the applicant is present. The case be listed for hearing on <u>admission on 15-5-89</u>.</p> <p><u>W.R.C.</u> A.M.</p> <p>(sns)</p> <p><u>Hon. K.J. Raman - A.M.</u></p> <p>Due to sudden death of Srs Jagdish Narayan - Ex : Solicitor General of India. The lawyers have abstained from attending court.</p> <p>The case is accordingly adjourned to 26-5-89 for admission.</p>	<p><u>Case was adjourned to 15-5-89 for admission.</u></p> <p><u>Submitted for admission.</u></p>

K.R.  
A.M.

Serial number of order and date	Brief Order, Mentioning Reference if necessary	How complied with and date of compliance
1-12-90	No sitting Adj. to 16-1-90 Both the counsel are present.	1/12/90
16-1-90	No Sitting of D.B   Adj. to 6.3.90 Rejoinder filed today	No R.A. filed submitted to hearing 15/1/90
6.3.90	No Sitting of Division Bench con'n. adjourn to 10.5.90	B.O.C OR Case ready for hearing S.P.-H
10.5.90	Case not reached. Adj. to 28/5.	B.O.C
28-5-90	Hon. Mr. P.C. Jain, A.M. Hon. Mr. J. P. Sharma, J.M.	B.O.C
4/6/90 After 21/5 STC@ RTI Yojna Bhawan 4/6/90	Shri T. N. Tiwari for applicant. Shri D. S. Randhawa for respondents. Heard the arguments of learned counsel for the applicant Put up tomorrow for argument of counsel for the respondents.	J.M.
Hansraj Singh Shri D. S. Randhawa 4/6/90	J.M.	A.M.

ANNEXURE - B

CENTRAL ADMINISTRATIVE TRIBUNAL  
LUCKNOW BENCH LUC NOW

Application No. \_\_\_\_\_ of 19

Transfer Application No \_\_\_\_\_ of 19

Old Writ.Petition No. \_\_\_\_\_ of 19

C E R T I F I C A T E

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

Date :

Countersigned

Signature of the  
Dealing Assistant.

Section Officer/ Court Officer.

In the Hon'ble Central Administrative Tribunal,  
Additional Bench Allahabad,  
Circuit Bench, Lucknow.

O. A. E.O. 81

of 1989. (L)

Prakash Chandra Shukla . . . . . Applicant.

## VOPERS

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

<u>I N D E X</u>			
Sl. No.	Description of documents relied upon.	Page No.	Remarks
1.	Application	1	- 11
2.	Annexure A-1, copy of policy letter.	12	- 13
3.	Annexure A-2, clarification of village Prashan.	14	—
4.	Annexure A-3, Application of Prakash Chandra Shukla.	15	—
5.	Annexure A-4, copy of the Judgment dated 7-10-33.	16	- 20
6.	Annexure A-5, Appointment Note Sheet.	21	- 22
7.	POWER	23	—
8.	Postal Order	1	

Wellnow, da to da

April 19, 1939.

Uttamaw Seth  
( T.M. Tiwari )  
Advocate  
counsel for the applicant.

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The Registrar,  
Central Administrative Tribunal,  
Additional Bench, Allahabad,  
Circuit Bench, Lucknow.

## ପ୍ରକାଶ - ବନ୍ଦ ଶ୍ରୀକଳ

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AB

In the Hon'ble Central Administrative Tribunal,  
Additional Bench Allahabad,  
Circuit Bench, Lucknow.

O.A. NO. 87 of 1989. (L)

RELEIF

Prakash Chandra Shukla aged about 35 years,  
son of Sri Jagannath Prasad Shukla, resident  
of village & Post Chahetar, Rao Baroli.

..... Applicant.

A. N. P.

1. Union of India Ministry of Communication  
through its Secretary, New Delhi.

2. Superintendent of Post Offices Rao Baroli.

3. Assistant Superintendent of Post Offices,  
Rao Baroli.

Mr. Vijai Shankar, Major, son of Bishambhar Dayal,  
resident of village & Post Brij Puri, Rao Baroli.

..... Respondents.

Filed Today  
In noted for  
21.4.89

Unwaged  
19.4.89

3. PARTICULARS OF ORDER AGAINST WHICH  
APPLICATION IS MADE.

Application is made against the order  
dated 29-12-1988 ( Annexure A-S ) passed by the

प्रकाश शुक्ल

Superintendent of Post Offices Rao Bareli  
 Thoro by appointed respondent no. 4 as E.D. B.D.M.  
 of post village Chhotar who is not permanent  
 resident of the said village Chhotar, District  
 Rao Bareli.

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.

5. LIMITATION.

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

6. FACTS OF THE CASE.

(a) The applicant is a permanent resident  
 of village Chhotar. His educational qualification  
 is Vidya Vachaspati which is equivalent to B.A. degree.

प्रकाश यात्रा शुभकाल

(b) There is a Branch Post Office in village Chahotar and the post of Branch Post Master fell vacant after superannuation of the then B.P.M.

(c) By means of Eunadi (duggi) two applications were invited. The last date of submission of application was 16-1-1983. Eligibility conditions were also simultaneously advertised together with the Munedi.

(d) Three candidates including the applicant applied for appointment as B.P.M. The applicant possessed of all the eligibility condition but he was ignored of being appointed as B.P.M. Chahotar while the respondent no. 4 who was an outsider was considered to be suitable for B.P.M. and was accordingly appointed on recommendation of respondent no. 3 who was entrusted to find out the suitable candidate from amongst the applicants.

(e) The eligibility condition and procedure for appointment of B.P.M. issued by the

office of the Director General Posts, New Delhi vide communication No. 41-295/87-P.S II dated 27-3-1987. A copy of the said policy is annexed herewith as ANNEXURE A-1 to this application. The certificate given by Pradhan indicating permanent residence of respondent no.4 was also overlooked. A photocopy of it is filed as ANNEXURE A-2 and a photocopy of the application of the applicant is also filed as ANNEXURE A-3 to this application.

(f) That the applicant being aggrieved of the appointment of the respondent no.4 had filed an application being C.A. No. 35/88 (L) P.C. Shukla versus Union of India & others, which was allowed and appointment order dated 12-5-1988 in respect of respondent no.4 was quashed with a direction to respondent no.2 to make a fresh selection confining the range between the applicant and respondent no.4 on the basis of the record already produced by them. A photocopy of the Judgment dated 7-10-1988 is annexed herewith as ANNEXURE A-4 to this application.

(g) That the respondent no.2 again arbitrarily and wilfully in utter disregard

Yogi Jayaram

and with defiant attitude appointed again the respondent no.4 ignoring the observations, directions of the Hon'ble Tribunal. A photo state copy of the No 29 Shoot appointing respondent no.4 vide order dated 29-12-1983 is annexed herewith as ANNEXURE A-5 to this application.

(h) That the applicant for the such an illegal act of respondent no. 2 filed a contempt application being SC No. 1/89 (L) D.C. Shukla versus M.J. Siddiqui and another which was dismissed on 22-3-1989 without any findings of the Hon'ble Tribunal and a review application against the said order dated 22-3-1989 has been filed which is pending disposal before this Hon'ble Tribunal.

(i) That it is very much pertinent to mention here that the respondent no.4 is permanent resident of village Bhoj Pur and he does not have any house or property in his name in the post village Chahotar.

(j) That it is further submitted that

Yachit - 4544m

The income certificate said to have been issued by Revenue Authority was also not verified before appointment which apparently is wrong and incorrect because revenue authority is empowered to issue income certificate only on the basis of revenue records and when respondent no.4 does not have any property in village chhotar, the so called certificate is baseless and illegal.

(ii) That it will not be out of place to mention here that respondent no.4 has no house in his own name, therefore, the question of offering the space for running the post office is quite impossible in the eye of law.

(i) That as stated in appointment no. te-sheet the property in the name of his wife Smt. Kamla Devi never provides eligibility for his appointment because the same is contrary to existing policy (Annexure A-1) and Rules.

(ii) That it is further submitted that the applicant in comparison to respondent no.4 is the best person because he is permanent

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resident of post village . He has considerable property and pucca house in his own name , as such fulfilling all the eligibility conditions comparing to respondent no.4.

(n) That in the circumstances aforesaid the applicant is the best candidate for the appointment on the post of E.D. B.P.M. Chahotar.

7. DETAILS OF THE REMEDIES EXHAUSTED

The applicant declares that no other remedy except to file this application is available to the applicant under the relevant Service Rules.

8. That the applicant further declares that he had filed C.A. No. 35/88 (L) P.C. Shukla versus Union of India & others which was allowed on 7-10-1988 and on non-compliance of the order/observations/directions of the Hon'ble Tribunal , contempt application no. 1/88 (L),

YK (Signature)

8  
HAC

P.C. Shukla versus M.J. Salgotra and another was filed which has been dismissed on 23-3-1983 without my findings and now the application filed is pending disposal before this Hon'ble Tribunal. This all is relating to the same matter but fresh cause of action accrued on 29-12-1983, hence this application.

9. In view of the facts mentioned in para 6 above the applicant prays for the following Reliefs:-

(a) That the order dated 29-12-1983 appointing respondent no.4 as E.D. B.P.M. Chhotar may be quashed and set aside and applicant may be declared best candidate in comparison to respondent no.4 and accordingly fit to be appointed on the said post.

The above relief is sought amongst other on the following

REASONS

(a) Because the appointment of respondent no.4 as E.D- B.P.M. Chhotar is in contravention of the prescribed Rules of recruitment and the policy itself laid down in Annexure A-1.

महाराष्ट्र न्यूज़लैंग

(D) Because the order dated 23-12-1983 is an outcome of partial inquiry conducted by Respondent no. 3.

(e) Because the order dated 29-12-1998 is based on the unfair, malicious and persistent with defiant attitudes of respondent no.2 who has wilfully disregarded and disobeyed the order of the Hon'ble Tribunal.

(d) Because the respondent no.4 is the permanent resident of village Ehojpur and not of post village and also does not have any house or property in his name in the post village.

(o) Because the applicant is the best suitable candidate for appointment being the permanent resident and having property and house in his own name in the post village.

(3) Because the appointment of the

E.O. B.P.L is strictly confined to be made from the permanent resident of the post village and respondent no.4 is not permanent resident of post village.

(c) Because the pro-visions of Articles 14, 16 and 311 of the Constitution of India have been violated causing miscarriage of justice.

(b) Because the entire proceedings relating to the appointment of E.O. B.P.L. Chahotar is illegal, invalid, void, unjust, unlawful, discriminatory and against the principles of natural justice not custodial and is liable to be quashed.

10. Pending final decision on the application the applicant seeks to issue of the interim order to the effect that respondent no.2 be asked to take charge from respondent no.4 being disputed post of E.O. B.P.L. Chahotar.

11. Not applicable.

12. PARTICULARS OF INDIAN POSTAL ORDER IN  
RESPECT OF FEE.

DD/827984  
Indian Postal Order Rs.1.50/- dated 19.4.89  
issued from High Court Lt. Post Office for  
Do. fifty only (Rs. 50/-)

13. List of Enclosures. 1125.

Lucknow, dated  
April 19, 1989. प्रकाश-पत्रस्थिति  
Applicant

Verification

I, P.C.Shukla, aged about 35 years,  
resident of village & post Chahotar, Rae Bareli,  
do hereby verify that the contents of paras 1 to 8  
are true to my personal knowledge and the contents  
of paras 9 to 13 are believed by me to be true on the  
basis of legal advice and that I have not suppressed any  
material fact. प्रकाश-पत्रस्थिति

Lucknow, dated  
April 19, 1989.

Applicant

To

The Registrar,  
Hon'ble Central Administrative Tribunal,  
National Bench Allahabad,  
Circuit Bench at Lucknow.

(2)  
R21

In The Hon'ble Central Administrative Tribunal,  
Additional Bench Attached,  
Circuit Bench at Lucknow.

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

Prakash Chandra Shukla . . . . . Applicant.

Versus

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

ANNEXURE A-1

Copy of Communication No. 41-835/87-PB.II dated  
27-8-1987 from O/C of the D.G. Posts New Delhi.  
Addressed to all Heads.

Sub: Non observance of Rules regarding appointment  
of EDCPs in respect of residence, income, etc  
publicity org. by the circles.

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It has been observed that in many cases of  
appointment of EDCPs, the reports from the circles have  
shown that persons who are not residents of post-  
villages are being recruited on the ground that they  
have additional sources of income or possesses properties.  
Often the recruitment is being decided on the basis  
on only one application. In case, no person is from the  
post villages who has applied, has additional sources of  
income the vacancy is required to be re-advertised of the  
post village (but with income or property) can be done.  
If the vacancies are re-advertised and no application  
from the post village is received then only there are  
adequate grounds to appoint an outsider as EDCP.  
It is also seen that provisional appointments made  
by SPs of other lower functionaries are being  
allowed to continue for a long period, in contravention  
of Rule 7 (9) of Section (II) of EDAS (Conduct and

Yours truly  
Yashwant Singh

-2-

services ) Rules 1954. This state of affairs is highly objectionable. It is, therefore, necessary for the concerned officers to keep a vigilant eye on such cases in order to check such irregularities in appointment of EDAS and specially EDHMs so that appointment of EDAS ~~etc~~ are made strictly in accordance with the Rules. All appointing authorities of EDAs may kindly be advised to go through the relevant rules for appointment of EDAs before appointments are made.

No. Staff A-67/24/56/5 dated at Lucknow the 7-3-1957

Copy forwarded to :-

The Addl. D.L.G. Kanpur/Lucknow

and 7 other addressees

for information and necessary action and guidance please. Receipt of this letter may please be acknowledged.

Sd/-

(V.H.Kapoor) APMG (staff)  
for D.L.G. U.P.

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प्रकाश चन्द्र शुक्ल

Claim Petition No. of 1988

Prakash Chandra Shukla Vs. S.P.O. Rae Bareli &amp; Others

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ANNEXURE No. A-2

श्रीमान् अधीक्षक शक्ति

रामबेली, प्रखण्ड

रामबेली.

रत्नद्वारा भी यह स्पष्ट करना चाहता है,

कि श्री विजयशंकर भिलेशी, जिन्होंने शास्त्र-शक्ति

प्रोत्तर के पद-पर नियुक्ति हेतु उपायेदा किया है,

इस गांव के मूल निवासी नहीं हैं, गोजपुर (रामबेली)

के मूल निवासी हैं; यहाँ पर उनकी ससुराल है,

मिशन उनके नाम नहीं है, जब तक यहाँ

रहते हैं। इसी अवस्था श्री दिलो श्रीचंद्र-

का लालग-पालग एवं पढ़ाई, भावी भी

गणिधल (महोका) में हुई है, हुई-

1942 से वे यहाँ पिंडी के पास रहते हैं

पर्यंत रहते रहे हैं। उन्हीं

शारदा प्रसाद शुक्ल  
कृष्ण

Photo not Altered

लिलानगर  
(Tehsil)  
जहारीलीप्रेसी  
17-5-88  
कृष्ण



In the Hon'ble Central Administrative Tribunal  
Delhi Bench, Allahabad  
Circuit Bench, Lucknow

16

O.A. NO. 35 OF 1988 (L)

PC Shukla vs Union of India & others

Annexure - "A-H"

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
ALIABAD BENCH AT LUCKNOW

Dated the 7th day of October, 1988

Present

THE HON'BLE MR. JUSTICE K.S. PUTTASWAMY

VICE CHAIRMAN

THE HON'BLE MR. AJAY JCHRI

MEMBER (A)

O.A. NO. 35 OF 1988 (L)

Prakash Chandra Shukla ..

Applicant

-vs.-

Union of India and others ..

Respondents

This application coming on for hearing this day, Hon'ble Vice Chairman, made the following:

O\_r\_d\_e\_r

This is an application made by the applicant under Section 19 of the Administrative Tribunals Act, 1985 (Act).

2. In response to an advertisement issued by the Superintendent of Post Offices, Rae Bareli Division (Superintendent), calling for applications for the post of an Extra Departmental Branch Post Master (EDBPM) of village Chahotar, Tahsil Lalgang, District Rae Bareli, the applicant, respondent -4 and 4 others applied for selection. On 12-5-1988, the Superintendent had selected and appointed respondent -4 in

Post Master Selected

Intimation

(The Main Address)

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preference to the applicant and 4 others. In pursuance of the same, respondent-4 has reported for duty on 16-6-1988 and is working as EDPPM of Chahotar from that date. In this application made on 26-5-1988, the applicant has challenged the selection and appointment of respondent-4 and his non-selection.

3. Among others, the applicant had asserted that respondent-4 who was not a resident of the village, was not eligible for selection and that he was the most suitable person to be selected and appointed to the post of EDBPM of Chahotar.

4. In justification of the selection and appointment of respondent-4, respondents 1 to 3 have filed their reply. Respondent-4 has also filed a separate reply supporting respondent-3.

5. Shri T.N.Tiwari, learned Counsel for the applicant, contendsthat the selection and appointment of respondent-4 who was ineligible and unsuitable, was illegal and the applicant who was eligible and suitable in all respects, be selected and appointed in the place of respondent-4.

Deputy Registrar  
Central Administrative Tribunal

Lucknow Bench,

Lucknow

6. Shriyuths: V.K.Chaudhry and R.F.Pandey, learned Counsel for respondents 1 to 3 and 4, respectively, sought to support the non-selection of the applicant and selection and appointment of respondent-4.

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7. The selection and appointments to the post of EDBFMs is regulated by the Posts and Telegraphs Extra Departmental Agents (Conduct and Service) Rules, 1964 (Rules).

8. In the Tabular Statement prepared by the Superintendent, he has found that the applicant and respondent-4 were eligible for selection.

9. But the applicant disputes the eligibility of respondent-4 on the grounds that he is not a resident of Chahotar village and that he does not own any property and house in that village. From the records produced, it appears to us that the Superintendent had not riveted his attention to these aspects and had not decided on any of them one way or the other.

10. Whether the assertions of the applicant against respondent-4 are true or not, has necessarily to be examined and decided by the Superintendent in the first instance. If the Superintendent finds that respondent-4 is not eligible for selection on any of the grounds urged by the applicant, then the question of his suitability for the post will not arise. Before adjudging on the suitability of respondent-4, it is for the Superintendent to ascertain on his eligibility under the Rules and then decide the matter. As the Superintendent had not addressed himself on the eligibility of respondent-4, we must necessarily quash his selection and direct a fresh selection.

Copy Regd.  
Central Administrative Trib.

Lucknow Bench,

Lucknow

Submising

- 4 -

11. We find that the Superintendent had selected respondent-4 by stating only thus:

"ORDER"

(Ref. 215-209/C)

Appointed candidate  
at Sl. No. 2, Shri Vijay-  
Shanker.

Sd. M.J. Siddiqui,  
Superintendent,  
12-5-1988.

Except for this, the records do not disclose any other reasons for selecting respondent-4 and for not selecting the applicant also. From this, it is clear that the Superintendent had selected respondent-4 without really applying his mind and without finding as to who was the best person to the post. We are of the view that this order is plainly arbitrary and illegal and calls for our interference on that ground also.

12. We have earlier noticed that respondent-4 is functioning as EDEPM at Chahotar village, from 16-6-1988. Even though we have come to the

Deputy Registrar conclusion that there should be a fresh selection, Central Administrative Tribunal

Lucknow Bench, then also we consider it proper to permit respondent-4 to discharge the duties of the post in the public interest till a fresh selection is made. But, in making a fresh selection, the Superintendent shall not take into consideration the permission granted by us.

13. In the light of our above discussions, we make the following orders and directions:

Order is as

- 5 -

(i) We quash the selection and appointment of respondent-4 made by the Superintendent in Memo No.E-3/86 'B', dated 12-5-1988.

(ii) We direct the Superintendent, Rae Bareli Division, to make a fresh selection to the post of EDBPM of Chahotar village confining the range of selection to the applicant and respondent-4 only, on the basis of the records already produced by them and such other reports as he may find necessary to collect in that behalf with all such expedition as is possible in the circumstances of the case and in any event, on or before 31-12-1988. But till a fresh selection and appointment is made, respondent-4 is permitted to function as EDBPM of Chahotar, without any right in the fresh selection.

14. Application is disposed of in the above terms. But in the circumstances of the case, we direct the parties to bear their own costs.

15. Let this order be communicated <sup>all</sup> to the parties, within a week from this day.

*Sd/-*  
(AJAY JOHRI)  
MEMBER (A).

*Sd/-*  
(K.S. PUTTASWAMY)  
VICE CHAIRMAN.

10/12/1988

TRUE COPY

*Deputy Secretary*  
Guru Nanak Dev

*Subramaniam*

*Adv*

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In the Hon'ble Central Administrative Tribunals  
Allahabad, Allahabad  
Circuit Bench, Lucknow

(A33)

O.A. NO. \_\_\_\_\_ of 1989 (L)

P. C. Shukla vs Union of India & Others

Annexure "A-S"

"OFFICE NOTE-SHEET"

In compliance to the Hon'ble C.A.T. Allahabad bench at Lucknow Judgement dated 7.10.88 in O.A. NO-35 of 1988 (L) - Prakash Chandra Shukla V/S. Union of India & others, the fresh selection to the Post of EDBPM

of Chahotar Village confining the range of selection to Shri Prakash Chandra Shukla, the applicant of the above case, and the respondent NO-4 of the above case, Shri Vijay Shanker, the required suitability based on the records, produced by them at the time of original selection and further reports, as permitted by the Hon'ble Court in making the fresh selection and appointment. The condition of eligibilities in respect of both the candidates are discussed here - as under :-

(1) Time limit:- The last date for receipt of the applications was fixed as 16.1.88. The application of Shri Vijay Shanker S/o Shri Bishambhar Dayal resident of V.P.O. Chahotar was received on 11.1.88 while of Shri- Prakash Chandra Shukla was received on 12.1.88. Thus both the applications were received in time.

(2) Age:- As per records, on 16.1.88 both the candidates were within the required age limit as the D/B. of Shri Vijay Shanker is 25.10.53 and of Shri Prakash Chandra Shukla 15.11.54.

Thus the condition of age is fulfilled by both the candidates.

(3) Educational Qualifications:- S/Shri Vijay Shanker and Prakash Chandra Shukla both are High School passed. the maximum educational qualification which is to be taken into consideration. But Shri Vijay Shanker has secured 314 marks out of 500 marks while Shri Prakash Chandra Shukla has obtained 232 marks out of 500 marks.

Thus, though both the candidates fulfill the condition of the eligibility in respect of educational qualification, yet the former ranks superior to the latter

(4) Income and source of Income:- Both the candidates, u/r. have produced income certificate from the revenue authority and also the source of income. This aspect on verification by Departmental Officers, was found satisfactory in r/o both the candidates. Of course, Shri Vijay Shanker does not own any property in his own name in the village Chahotar but he has got property in his own name at Village Bhojpur ( Raebareli) and thus he has also got source of income.

(5) Residence:- On the basis of character certificate issued by Gram Pradhan Chahotar (77/C of file D-3/86-D) Voter list of Gram Chahotar ( 200/C), the certificate issued by Tahsil Dar, Lalganj ( Raebareli (76/C ibid) and on the basis of enquiries made by Departmental Officers ( 209/C & 292/C). Shri Vijay Shanker S/o Shri Bishambhar Dayal is native of village Bhojpur ( RBL) but due to his marriage, he has become permanent resident of village Chahotar. Shri Prakash Chandra Shukla is also permanent resident of village chahotar.

Thus the condition of residence is fulfilled by both the candidates.

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Photo Seal Attached

Subramanian

(T. N. Prasad)  
Advocate

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6- Ability to offer space for P.O. purposes :- Both the candidates, u/r, were found able to offer suitable space in the main P.O. village to serve as the agency premises for Postal operations.

7- Character, Solvency etc.:- Both the candidate, u/r, were found fulfilling the required conditions of Character, solvency, honesty etc.

As the selection / appointment is a D.M. Provisional one, the character and antecedents are to be verified through the Police and the income and source of income through the Collector (D.M.) of the Distt. for regular selection / appointment.

As discussed above, Shri Vijay Shanker has secured higher marks than Shri Prakash Chandra Shukla so, the former candidate stands superior to the latter one. And, therefore, Shri Vijay Shanker S/o Shri Dishambhar Dayal candidate at SL NO-2 of the list of the candidates (SL 133/C ibid) is provisionally selected and appointed as EDBPM Chahotar (Raebareli).

Other things being the same.

25/12/80

25/12/80  
S. C. R. 36

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25/12/80  
The Secretary  
Examination  
Board  
of the  
Hindi  
Language  
C.A.T. Recd. 12/12/80  
F. No. 8  
25/12/80

Photo Sent Annex

Antinam  
T. N. Prasad  
Advocate

In the ~~High~~ Central Administrative Tribunal  
Delhi Bench ~~Almora~~  
Circuit Bench, ~~Almora~~ Almora

बायादालत श्रीमान

वकालतनामा

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वकालतनामा

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दि १९४७ (८)

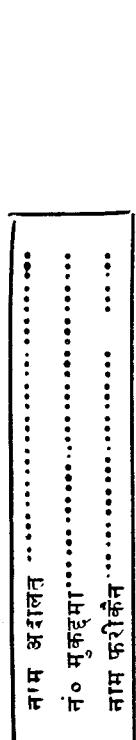
Prakash Chandra Shukla & <sup>Dr. Jagannath P.</sup>  
५० मुद्दा No. ० Chhotar - Dum - Raoboreli.

नं० मुद्दमा उन्नीस वर्ष की ताते १९ ई०  
उपर लिखे मुकद्दमा में अपनी ओर से श्री T. N. Tiwari

Advocate

वकील

महोदय  
एडवोकेट



को अपना वकील नियुक्त करके (इकरार) करता हूं और लिखे देता हूं इस मुकद्दमा में वकील महोदय स्वयं अथवा अन्य वकील द्वारा जो कुछ पैरवी व जवाब देही व प्रश्नोत्तर करें या अन्य कोई कागज दाखिल करें या लौटावें या हमारी ओर से डिगरी जारी करावें और रूपया वसूल करें या सुलहनामा या इकबाल दावा तथा अपील व निगरानी हमारी ओर से हमारे या अपने हस्ताक्षर से दाखिल करें और तस्दीक करें या मुकद्दमा उठावें या कोई रूपया जमा करें या हमारी या विपक्ष (फरीकसानी) का दाखिल किया रूपया 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 हूं कि मैं हर पेशी स्वयं या किसी अपने पैरोकार को भेजता रहूंगा। अगर मुकद्दमा अदम पैरवी में एक तरफा मेरे स्खिलाफ फैसला हो जाता है उसकी जिम्मेदारी मेरे वकील पर न होगी। इसलिए यह वकालतनामा लिख दिया कि प्रमाण रहे और समय पर काम आवे।

हस्ताक्षर प्रकाश यन्त्रिका

साक्षी (गवाह) \_\_\_\_\_ साक्षी (गवाह) \_\_\_\_\_

दिनांक १९

महीना ८ सन् १९४७ ई०

Accepted T. N. Tiwari  
(T. N. Tiwari),  
Advocate.

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

C.A. No. 87 of 1989

(X30)

P.C. Shukla

....

Applicant

Versus

Union of India & others

....

Respondents

Counter Affidavit on behalf of  
Respondents 1, 2 & 3.

I, P.N. Mishra, aged about 49 years son of Late Sri Kuber Nath Mishra resident of Post Office Building, Rae-Bareli, hereinafter described as the deponent, do hereby solemnly affirm and state as under : -

1. That the deponent is the Supdt. of Post Offices, Rae-bareli and as such he is competent to affirm this affidavit on behalf of opposite parties 1,2,3.
2. That the deponent has read and understood the contents of the claim petition and he is well conversant with the facts of the case deposed hereinafter.
3. That the contents of para 3 of the Application so far as they relate to the residence of the respondents No. 4 are not admitted. In fact respondent no.4 is a permanent resident of village Chahotar, District Raebareli.
4. That the contents of paras 4 and 5 of the Application need no reply.

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(X37)

5. That before giving replies to various sub-paras of para 6 of the Application, it is necessary to state the following facts by way of brief background to the case : -

(i) That the applicant challenges the order dated 29.12. 1988 by which Respondent No. 4 has been provisionally selected and appointed as Extra Departmental Branch post master Chahotar, Rae-bareli. In this connection it is stated that six applications in response to the advertisement dated 17.12.1987 were received by the office of the Supdt. of Post offices Rae-bareli, who is Respondent No. 2 in the present claim Application. Among the six applicants were the present applicant, Shri Prakash Chandra Shukla and Respondent No. 4 Shri Vijai Shanker.

(ii) That Shri Vijai Shanker and Shri Prakash Chandra Shukla both had passed High School Examination which is the maximum requisite qualification for the post. But Shri Vijai Shanker had secured 314 marks out of 500 marks while Shri Prakash Chandra Shukla had obtained 232 marks out of 500 marks. Thus both the candidates fulfilled the conditions of eligibility in respect of educational qualification. Yet the former was found superior to the latter in merit.

(iii) That both the candidates had produced Income Certificates from the Revenue Authority and

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also the source of income. This aspect on verification by Departmental Officers was found satisfactory in respect of both the candidates. Although Shri Vijai Shanker does not own any property in his own name in village Chahotar, yet he has got property in his own name in village Bhojpur and thus he has also got his own source of income from his own property. Further, his wife owns property in village Chahotar including the building in which now the post office Chahotar is situated. Accordingly, Shri Vijai Shanker has " An adequate means of livelihood ".

(iv) That with regard to the residence of the Respondent No. 4, Shri Vijai Shanker, it is submitted that since his marriage with Smt. Kamla Devi ( D/o Braj Raj ) a permanent resident of village Chahotar for more than 20 years age he has also been permanently residing in village Chahotar with his wife and thus he has become a permanent resident of village Chahotar. This is evident from the character certificate and the residence certificate issued by Gram Pradhan Chahotar, the non-residence issued by the Gram Pradhan, Bhojpur, the voter list of Gram Chahotar, the certificate issued by the Tahsildar of Tehsil lalganj aswell as from the enquiries made by Departmental Officers.

Accordingly Shri Vijai Shanker is very well " able to attend to the post office work as required of him ". True copies of the aforesaid

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three certificates dated 21.4.88 and 17.12.88 from the Gram Pradhan and the Tahsildar as well as the Voters lists of gram Chahotar for the years 1975, 1979 & 1988 are filed herewith as Annexure No. C-1, C-2, C-3, C-4 & C-5<sup>^</sup> <sup>of the Income Certificate from</sup> <sup>of this</sup> may be added that the name of Shri Vijai Shanker appears at serial No. 141 in the voter list of 1975, at serial No. 640 of the voter list of 1979 and at serial No. 112 of 1988.

(v) That Shri Vijai Shanker was also found able to offer space in village Chahotar in the main Post Office village Chahotar to serve as the agency premises for postal operations. This space is sufficient enough for the post office functioning in the village.

(vi) That Shri Vijai Shanker was found a suitable candidate in all respects and as such he was appointed on the post of Extra Departmental Branch Post Master Chahotar' vice office Memo dated 12.5.1988.

(vii) That the present applicant Shri P.C.Shukla earlier also filed an application in this Hon'ble Tribunal against the appointment order dated 12.5.1988 by which Shri Vijai Shanker had been appointed as Extra Departmental Branch Postmaster. This case was listed as O.A. No. 35 of 1988(L)(Prakash Chandra Shukla v.Union of India and others) and it was decided on 7.10.1988 by the Hon'ble Central administrative tribunal Additional Bench Allahabad sitting at Lucknow. By the aforesaid decision taken by the Hon'ble Tribunal the Supdt. of Post Offices Rae-bareli

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Div. Rae-Bareli was directed " to make a fresh selection to the post of EDBPM of Chahotar village confining the range of selection to the applicant and respondent 4 only, on the basis of the records already produced by them and such other reports as he may find necessary to collect in that behalf with all such expedition as is possible in the circumstances of the case and any event on or before 11.12.1988."

(viii) That the Supdt. of Post offices Rae-Bareli in perfect compliance of the above directions as contained in the judgment and order dated 7.10.1988 carefully reconsidered the case of both of the present applicant, Shri P.C. Shukla and respondent No. 4 Shri Vijai Shanker for their selection for the post of EDBPM Chahotar. But, again Shri Vijai Shanker was found superior to Shri P.C. Shukla and as such he was provisionally selected and appointed as EDBPM Chahotar (Rae-Bareli ) vide SPO's Rae-Bareli Memo No. B-3, 86-B dated 29.12.1988.

(ix) That the present applicant had also filed the contempt case against Shri M.J.Siddiqui who was the then Supdt. of Post Offices, Rae-Bareli Div. Rae-Bareli. This case was registered as contempt application No. 1 of 1989 (L) in OA No.35 of 1988 (L) -- P.C.Shukla V. M.J. Siddiqui. This contempt case ultimately after hearing the arguments of the counsels for both the parties was dismissed on March 28, 1988. The contents

Att

of paras 3 and 4 of the aforesaid judgement of the Hon'ble Central Tribunal in the contempt case being also relevant for the purpose of the present claim application are reproduced as under : -

" (3) The learned counsel forth petitioner laid great emphasis on the fact that Shri Vijai Shanker is not a permanent resident of the village and that he does not own any property and was therefore not eligible for appointment as EDBPM, Chahotar. In reply, it is explained that the wife of Shri Vijai Shanker, owns pucca house in village Chahotar and he has been living therewith his wife on a permanent basis. In addition to the property held by the wife of Shri Vijai Shanker, he also holds some properties in his own name in village Bhojpur, Tahsil Lalganj, district Rae-Bareli. At present the Post office is functioning satisfactorily in a portion of the Pucca house owned by Smt. Kamla Devi wife of Shri Vijai Shanker. The method of recruitment of ED Agent is provided in section 2 of EDA (Conduct & Service) Rules 1964 according to which a person, who is appointed as EDBPM must be one who has adequate means of livelihood and he must be able to offer space to serve as the Agency premises for postal operations. The person selected by the appointing authority fulfills all the qualifications for the post of EDBPM."

" (4) We have considered the matter and we are of the opinion that Shri Vijai Shanker, who has been selected by the opposite party No. 1 as EDBPM, Chahotar is eligible for the post and there is no

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illegality in his selection and appointment as EDBPM, Chahotar Post Office. We are also of the opinion that there is no merit in the allegation that opposite party No.1 has committed any disobedience of the order dated 7.10. 1988 in O.A. No. 35 of 1988 (L) passed by this Tribunal.

Accordingly we discharge the notice and dismiss the petition without any order as to costs."

In this regard it is significant to mention that the findings as given by the Hon'ble Tribunal in the above mentioned contempt case deserve serious consideration for the purpose of the present claim application also.

(6) That in reply to the contents of sub-para (a) of para-6 of the application it is admitted that the applicant is a permanent resident of village Chahotar. However, the claim of the applicant that his educational qualification is "Vidya Vachaspati" which is equivalent to B.A. degree is denied. In fact the applicant's qualification is High School and no weightage could be given to him even if he had higher educational qualifications.

(7) That the contents of sub-paras (b) and (c) of para 6 of the application need no reply.

(8) That in reply to the contents of sub para (d) of para 6 it is submitted that both the present applicant Shri P.C. Shukla and respondent No. 4 Shri Vijai Shanker were found eligible for

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appointment as EDBPM Chahotar. But, Shri Vijai Shanker was found more suitable as he was better in merit. Accordingly he was selected and appointed. In this connection the allegation of the applicant that Shri Vijai Shanker was " appointed on the recommendation of respondent No. 2 who was entrusted to find out the suitable candidate from amongst the applicants. is denied. In fact, the selection was made after careful consideration of the comparative merits of the candidates by the Appointing Authority, the Superintendent of Post Offices Rae-Bareli, who is Respondent No.2 in present claim application. Further, the allegation that respondents No. 4, Shri Vijay Shanker was an "Outsider" is also strongly refuted. The position regarding his permanent residence in village Chahotar has already been stated above in this Counter Affidavit.

(9) That in reply to the contents of Sub-para (E) of para 6 of the application it is submitted that there is absolutely no violation of the Departmental instructions as contained in the communication dated 27.8. 1987 from the office of Director General Posts, New Delhi which has been filed as Annexure No. A-1 to the claim application. In the present case the candidate Shri Vijay Shanker has been the permanent resident of the post office village, Chahotar for about 20 years and he has " an adequate means of livelihood." Further in this connection it is

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stated that Shri Ram Kishore Shukla who is the present pradhan of the village, on 17.12. 1988 had rightly issued a certificate in favour of Shri Vijai Shanker certifying correctly that he had been permanently residing in village Chahotar for about 15 years till that time. In this connection now it is significant to mention that a clarificatory letter dated 17.5.1988 has issued by the Pradhan Shri Sharda Prasad Shukla is a result of manipulation made by applicant Shri P.C. Shukla who happens to be nephew of the Pradhan. At this Juncture it is very much relevant to mention that the same Pradhan, Shri Sharda Prasad Shukla had issued a Character Certificate to Shri Vijai Shanker on 21.4.1988, correctly certifying Shri Vijay Shanker as resident of Village Chahotar for the last fifteen years. Further it is stated that even according to the clarificatory letter dated 17.5.1988 addressed by the then Pradhan Shri Sharda Prasad Shukla to the Superintendent Post Offices, Rae-Bareli it has been simply stated that Shri Vijay Shanker " is not the original resident ( Mool Nivasi ) of this village ", and he is the original resident "(Mool Nivasi) of Bhojpur (Rae Bareli). As it has already been stated in Para-5 of the Counter affidavit, Shri Vijay Shanker, although original resident of Village Bhojpur has been permanently residing in village Chahotar since his marriage in 1967 more than 20 years ago with Smt. Kamla Devi D/O Shri Brijraj a permanent resident of P.O. Village

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Chahotar. Three photostat copies of the certificates issued by the Pradhans of the village Chahotar and Bhojpur, the certificate issued by the Tehsildar Lalganj and the Voters Lists have already been annexed herewith.

(10) That the contents of Sub-Paras (F) of Para-6 of the application being the matter of record need no reply.

(11) That in reply to the contents of Sub Para (f) of Para-6 the allegation of " arbitrary & wilfully & with defiant attitude" ignoring the observations and directions of the Hon'ble Tribunal is totally denied. It is submitted that in this respect full obedience of the directions of the Hon'ble Tribunal as contained in its judgment dated 17.10.1988 the candidature of both Sri P.C.Shukla & Sri Vijai Shanker was carefully reconsidered. But even on reconsideration of the comparative merits of the two candidates Sri Vijai Shanker was found superior to Sri P.C.Shukla and as such he was selected for appointment as Extra Departmental BPM of Post Office Vill.Chahotar.

(12) That in reply to the contents of Sub Para (h) of para 6 of the application it is submitted that the contempt application was rightly dismissed on March 28, 1989 with all necessary findings, which are relevant even for the purpose of the Present Claim Application. Two paras of the Judgment Dated March, 28th 1989 as passed in the contempt case have been reproduced in para-5 of this

Counter Affidavit. The findings given in those paras deserve consideration in support of the case of the Opposite Parties. In this connection, it is also emphatically stated that the mere pendency of a Review Application against the Judgement given in the contempt case is of no consequence for the purpose of the present claim application.

(13) That in reply to the contents of Sub Para (i) of Para-6 of the application it is submitted as under : -

(i) That Sri Vijai Shanker who has been selected in a fresh selection as E.D.B.P.M. Chahotar, Tehsil Lalganj District Rae-Bareli, is a permanent resident of Village Chahotar. Further, it is submitted that Sri Vijai Shanker S/o Late Vishambher Daysl a native of village Bhojpur Tehsil Lalganj was married to Kamla Devi daughter of Sri Brij Ram permanent R/o village Chahotar in 1967 and since then he has been permanently residing in this village. By the way it may also be mentioned that his wife Smt. Kamla Devi is the only daughter of Sri Brij Raj and being the only legal heir of her deceased father, has inherited all his movable and immovable property including the residential house in which the Post offices has been accommodated. Further, it is submitted that the fact of his being a permanent resident of village

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Chahotar is evident from the Income Certificate dated 8.1.1988 issued by the Tehsildar Lalganj District ~~Rae~~ Rae-Bareli as well as the character certificate dated 21.4.1988 issued by the Pradhan of the village Chahotar. True copies of the Income certificate and the character certificate have already been annexed with this Counter-Affidavit. It may be added that the name of ~~Shri~~ Vijai Shanker also appears in the voter lists of Gram Sabha Chahotar since 1975 as resident of village Chahotar. True photostat copies of voters lists of Gram Sabha, Chahotar for the year 1975, 1979 and the year 1988 have been annexed herewith as Combined Annexure No. C-5

(ii) That there is quite a handsome property including a big pucca House in village Chahotar in the name of his wife Smt. Kamla Devi. In addition to this property, Vijai Shanker has also some properties in his own name in village Bhojpur Tehsil Lalganj District Rae-Bareli. In this connection it is submitted that para -3 Sec.II (Method of Recruitment) of P&T EDA Conduct & Service ) Rules, 1964, requires that the person who is appointed as EDBPM " Must be one who had an adequate means of livelihood" and he must be able to offer space to serve as the Agency premises for postal operations". In view of these requirements Sri Vijai Shanker has " adequate means of livelihood" and he has already offered accommodation of the Post office, located in village Chahotar, a portion of Pucca house which is in the name of his wife and in which he

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himself is also living with her. At present the Post Office is functioning satisfactorily in the same building. In this connection it is submitted further that Shri Vijai Shanker had secured 314 marks out of 500 marks, while Shri Prakash Chandra Shukla obtained only 232 marks out of 500 marks in the High School exam. Thus though both the candidates fulfilled conditions of eligibility yet Shri Vijai Shanker ranked superior to Shri P.C. Shukla in merit. accordingly he was found more suitable and was selected and appointed as EDBPM of the post office Chahotar.

(14) That the contents of sub para (j) of para - 6 of the application and the contentions raised there are denied and it is submitted that the Income certificate as issued by the Revenue Authority was duly verified. Further it is submitted that this certificate is perfectly a legal and valid public document and the allegation of its being baseless and illegal is entirely wrong.

(15) That in reply to the contents of Sub-para (k) of para -6 of the application, it is submitted that the relevant condition as contained in the Method of Recruitment, Sec-II of the EDAs ( Conduct & Service) Rules, 1964, is that the Person selected for the post of EDBPM " must be able to offer space to serve as the agency premises for postal operations ". In this regard it is stated that Sri Vijai Shanker was very well able to offer space in the house which is owned by his wife Smt. Kamla Devi D/O Shri Brij Raj. It is significant to mention that since 15th June 1988 ED Branch Post Office has been regularly

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functioning in the space provided by Shri Vijai Shanker in the premises of the above mentioned house.

(16) That in reply to the contents of sub para (1) of para-6 of the application it is submitted that Shri Vijai Shanker who was required to offer space for the post office has perfectly fulfilled the condition by offering space in the premises of the house which is owned by his wife and in which he himself has also been permanently residing for quite a long time. In view of this position, there is absolutely no violation of any rule of the EDA (Conduct & Service) Rules 1964, or the existing policy of the Department and the Government.

(17) That in reply to the contents of sub para (m) and (n) of para-6 of the application, the claim of the applicant is denied and it is submitted that Shri Vijai Shanker, respondent No.4 in the present application being much better in merit was rightly selected for the post of ED BPM Chahotar.

(18) That the contents of para-7 of the Application need no reply.

(19) That the contents of para-8 of the application need no reply. However, the position as stated in this para may be subjected to judicial scrutiny.

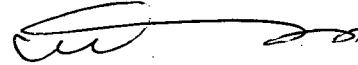
(20) That with reference to the contents of para-9 of the application, the deponent has been advised to state that the grounds as taken by the

(650)

applicant are not sustainable in law and the allegation contained therein are entirely false and frivolous. There is no violation of any provision of law and the Constitution and the selection and appointment as made by the Respondent No. 2, the Supdt. of Post Offices Rae-Bareli is perfectly legal, just and proper. Accordingly the Applicant is not entitled to any relief prayed for in the present claim application and as such this claim application is liable to be dismissed with costs.

Lucknow.

Dated: 6-9-89

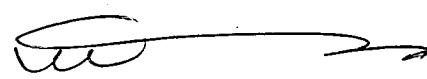
  
Deponent

Verification

I, the above named deponent do hereby verify that the contents of paras 1 & 2 of the affidavit are true to my own knowledge, the contents of para 3 to ~~10~~ 19 are true to my knowledge derived from the official records and the contents of para 20 of the affidavit are believed by me to be true on the basis of legal advice. No part of this affidavit is false and nothing material has been concealed. So help me God.

Lucknow:

Dated: 6-9-89

  
Deponent

Identified the deponent who is personally known to me and has signed before me.

  
Advocate.

(P.S)

6-9-89 at 3:30 PM  
Solemnly affirmed before me on.....  
by the deponent P.N. Mishra..... who is  
identified by Sri D.S. Randhawa..... Advocate High Court  
Lucknow.

I have satisfied to myself by examining the  
deponent he understands the contents of the Affidavit  
which have been read over and explained by me.

Manmohan Singh  
High Court, Lucknow  
Lokayukta

6-9-89

the Hon'ble Central Administrative Tribunal  
Circuit Bench Lucknow  
C.A. No. 87 of 1989 - Applicant  
versus - Respondent  
Annexure C-1

### चरित्र प्रमाण - पत्र

प्रमाणित किया जाता है कि श्री निताजय शर्मा

आत्मजन श्री निताजय शर्मा, निवासी अमृदेवी रोड, रोमेल  
में गत ... ३५ ... वर्ष ... माह से परिचित हैं।

जहाँ तक मेरा विश्वास हैर जानकारी है कि सद्वरित्रवान है और ऐसी जेरी जान-  
कारी में नहीं है जिससे इन्हे राजकीय सेवा से वंचित किया जा सके।

श्री निताजय शर्मा ... मेरे निकट सम्बन्धी नहीं है।

स्थान गोप संस्कार रामेल हस्ताक्षर गोप संस्कार  
विनांक ... पत्र ... पत्र ... पत्र ... पत्र ...

Post 220  
di DIN.

पत्र

श्री गोप संस्कार  
रामेल

मैं राजकीर्ण शुद्ध ग्राम पुराना चौपाल जिला अपने ली कुमाली बांडी हूँ जो (५५)  
श्री कुकाश्वामुकु जात्याप्य शामेस्त चौपाल के ग्राम निवासी हैं उनका ग्राम ग्राम पुरा  
पर्याप्त वी ग्राम शहरी वी ग्राम पर्याप्त वी ग्राम पर्याप्त वी ग्राम पर्याप्त हैं

બાળકિયા (સાંચે બાળકિયા)

٩٦ | ٩٢ | ٢٢

In my present  
view

Birn

17-12-00

Cl '.

Affested

Supdt. of Post Offices  
Fata Bareli Div. 229001

मित्रो दिनोऽपि तद्वा यत्तु य

IN The Hon'ble Central Administrative Tribunal  
Circuit Bench Lucknow

CA. No. 87 of 1989

P. C. Shukla  
Union of India  
et al.

Applicant Annexure No C-3

Respondent  
गोपनीय अमित शर्मा

मेरे निम्नलिखित दायरे में दर्शाये गए वार्ताएँ वास्तविक हैं।

मेरे वार्ताएँ निम्नलिखित वार्ताएँ हैं।  
इनमें से इस वार्ता को विभिन्न वार्ताएँ विभिन्न वार्ताएँ हैं।  
वार्ता को विभिन्न वार्ताएँ विभिन्न वार्ताएँ हैं।

ASHU

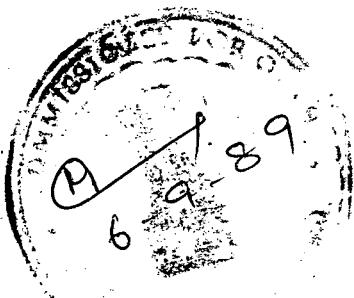
17/12/88

In my presence  
Amit

17/12/88  
Amit

Attested

Supdt. of Post Offices  
Fatehpur Bareli Div. 229001



P. C. Skorka - - - - - Applicant

union of India versus Respondents Annex

ଶ୍ରୀଶ୍ରୀମଦ୍ଭଗବତ୍ - ୭୩

ਬ੍ਰਾਹਮਿਕ ਵਿਖਾਂ ਦਾ ਇਹ ਦੇਖ ਕੇ ਹੈ ॥

ପାରାମ୍ବଦ୍ୟ କୁ ପରିପୂର୍ଣ୍ଣରୂପ କରାଯାଇଥିବା ପରିମାଣରେ କରାଯାଇଥିବା

परमा ॥ देव-॥ ॥ तसीत अमरा ॥ जिता ॥

नी सभी प्रयोगों से फिर भाषा/प्रयोगों आदि सम्बन्ध में विवरण दिया गया है। इसके अलावा इसके अन्त में विवरण दिया गया है।

એવું નાણા-ધર્મ લાગાનું/લાગાનું હો રિષોંટ પર વિધા ગમા

ପିତାମହ — ଶ୍ରୀପାତ୍ରମଣି

१०३३ । अनुवाद कर्त्ता माधवस्तु द्वा

P. C. Shukla

- Applicant

## Union of India

Respondents

( पहुंचा दिल्ली वर्षी, १९५५ के माध्यां पर पुनर्गठित थी )  
 ११ सरेमी विषान समा निर्धारित क्षेत्र की निर्धारित नामावली ।

प्रिय-रायबरेनी, तहसील-हसमऊ परगता-सरेनी लेपगाल केश-चहोतर शाद-न्होतर  
प्रिय-सेन-सरेनी पाय-व-चायत-चहोतर लाम सपा-चहोतर

वाच्य व वाचित-वहात्तर		काम समा-चहात		
प्रेमशक्ति-रामती	४६६	५१	प्यारे-हुमारे	
महकादेवी-प्रेमशक्ति	४६७	५२	हरशक्ति-प्यारेतात्त	
कलावती-शारदाप्रसाद	४६८	५३	विश्वादती-हरीनंकर	
अवोद्योप्रसाद-प्रेमशक्ति	४६९	५४	मुखलाल-पलिपत	
रामोदेवी-अशक्तिप्रसाद	४७०	५५	नवहका-मुखलाल	
केवार-रामभोगे	४७१	५६	५६	रामधीन-मंगली
अमवासदेवी-रामभोगे	४७२	५७	पियारा-रामधीन	
हरीकृष्ण-कुंडिलारी	४७३	५८	संधुवा-मंगली	
भगवतीप्रसाद-रामडोगे	४७४	५९	फूलदुलारी-पंधुवा	
जनकदुलारी-भगवतीप्रसाद	४७५	६०	मटह-मंगली	
हामशक्ति-रामभोगे	४७६	६१	महरेह-मटह	
प्रेमशक्ति-हरीकृष्ण	४७७	६२	मुखलाल-नवत	
रामोदेवी-प्रेमशक्ति	४७८	६३	भगवान-मुखलाल	
गिरवालक-प्रयागरत्न	४७९	६४	रामाराम-पुरज	
नन्दिकिशोर-प्रयागरत्न	४८०	६५	चन्द्रवती-रामाराम	
फूलदुलारी-नन्दिकिशोर	४८१	६६	चित्रिकाप्रसाद-राजाराम	
लक्ष्मीदेवी-नन्दिकिशोर	४८२	६७	कुमिनदेवी-चन्द्रिकाप्रसाद	
राजिकारो-हरीकृष्ण	४८३	६८	देवीप्रसाद-राजाराम	
राजकुमारी-राजिकारो	४८४	६९	रामधीन-देवीप्रसाद	
शारदाप्रसाद-प्रायमलाल	४८५	७०	गोदीशक-भगवानदीन	
बलीमुहमद-चन्द्रहू	४८६	७१	देवीदार-रामदानारे	
जैतून-बलीमुहमद	४८७	७२	कुराशकर-रामदानारे	
कालिम-भिलारी	४८८	७३	लक्ष्मीदेवी-देवीदान	
नन्दमतिया-कालिम	४८९	७४	फूलदुलारी-लक्ष्मीदेवी	
हमोदा-याकब वर्गी	४९०	७५	रजक-अयोध्याप्रसाद	
इमान-देवीदान	४९१	७६	लक्ष्मीशकर-देवीदान	
रमजान-भिलारी	४९२	७७	प्रेमशक्ति-देवीदान	
हमामदीन-रमजान	४९३	७८	रामधीन-प्रेमशक्ति	
नसीबा-रमजान	४९४	७९	विटान-गी शंकर	
रामस्वरूप-बाबू	४९५	८०	द्वारिका-शिवदूलारी	
पियारा-रामकुमार	४९६	८१	जयमाय-शिवदूलारी	
रामकुमार-बाबू	४९७	८२	फूलदुलीदेवी-ब्रह्मवान	
बाबूलाल-शिवदूल	४९८	८३	गंगाशंकर-शिवदूलारी	
जोपति-हमामुदीन	४९९	८४	कुन्तादीन-गंगाशंकर	
ग यादेवा-रामलाल	५००	८५	बाबू दबकली	
दयोदसाद-रमलाल	५०१	८६	स न देह-बाबूलाल	
विनश्वरी-प्रसाद	५०२	८७	नहानी-देवीदानी	
गोबरधन-वायशकर	५०३	८८	रामधीयारा-शिवकरि	
कुलादेवी-वायश्वर्य	५०४	८९	जियवान-बद्र	
चन्द्रमल-शिवमंगल	५०५	९०	द वाली-शिवलक	
मायतीदेवी-मंजुप्रसाद	५०६	९१	वतवारी-मद	
गुरुप्रसाद-चन्द्रमंगल	५०७	९२	वतवारी-ब्रह्मवारी	
दयोप्रसाद-चन्द्रमंगल	५०८	९३	धारानी-वृपह	
राजरानी-देवीप्रसाद	५०९	९४	मदमी-रामनी	
रामतीर-दुलार	५१०	९५	जगते लला	
महरु-गंगामोतार	५११	९६	रामवान-जगली	
न द द द द-शिवमंगल	५१२	९७	मदहृ-गंगावलाम	
कुलादेवी-चन्द्रमंगल	५१३	९८	मधवानी-देवदल	
न द द द द-शिवमंगल	५१४	९९	गु-दिरया-नगवानी	
न द द द द-विलाल	५१५	१००	ग न द द द-देवदल	

( पहुँचा दिल्ली, पांचवीं ईश्वर के पांचवां पर युद्धोनिष्ठ घुसी )

੧੦੧. ਸਰੋਵਰੀ ਧਿਖਾਲ ਸਥਾ ਨਿਧਾਂ ਦੀ ਲੋੜ ਦੀ ਨਿਰਧਾਰਤ ਮਾਮਾਪਲੀ ੧੯੭੫ ਵਾਂ ਸੰਘਰਸ਼

पिल्लू-रायपट्टी- तहसील-इलमक  
पिल्लू-स्थेप-सरेनी

## परमाना-सरेनी स्थाय पंचादत-पहोतर

## सेपापास लेप-पहोतर

स्वामी शुद्धोत्तर

प्रेरणाकर-रामदीपी	१	५१	५१	प्यारे-पुलारे
महाकादेवी-प्रेरणाकर	२	५२	५२	हरशकर-प्यारेसाम
कलावती-शारदाप्रसाद	३	५३	५३	विद्यावती-हरशकर
अयोध्यप्रसाद-प्रेरणाकर	४	५४	५४	मुखलाल-लक्ष्मिन
रामीदेवी-भगविकाप्रसाद	५	५५	५५	लग्नका-मुखलाल
केदार-रामभरोसे	६	५६	५६	रामदीन-मंगली
भगवानवेदी-रामभरोसे	७	५७	५७	पुरारा-रामदीन
हरीकृष्ण-कृष्णदिवारी	८	५८	५८	संवृद्धा-मंगली
भगवतीप्रसाद-रामभरोसे	९	५९	५९	कृष्णदुर्लभी-मंगला
जगद्गुलामी-भगवतीप्रसाद	१०	६०	६०	मटक-मंगली
रामशकर-रामभरोसे	११	६१	६१	महेश्वी-मटक
प्रेरणाकर-हरीकृष्ण	१२	६२	६२	मुखलाल-मनन
रामीदेवी-प्रेरणाकर	१३	६३	६३	गणना-मुखलाल
गिरवालक-शयागवत	१४	६४	६४	रामाराम-मुरज
नन्दकिशोर-प्रयागदत्त	१५	६५	६५	चंद्रकनी-राजाराम
कूलदुलारी-नन्दकिशोर	१६	६६	६६	कक्षिनंदेवी-प्रदिनाप्रसाद
लज्जादेवी-नन्दीश्वकर	१७	६७	६७	देवीप्रसाद-राजाराम
रामजिक्कोर-हरीकृष्ण	१८	६८	६८	गमध्यारी-देवीप्रसाद
राजकुमारी-राजकिशोर	१९	६९	६९	गीरीशंकर-भगवानवीन
गोदाव्रप्रसाद-श्यामलाल	२०	७०	७०	देवीदर्शा-रामदुलारी
बलीमुहमद-चंद्रमूर्ति	२१	७१	७१	कृश्णकर-रामदुलारी
जैतून-बलीमुहमद	२२	७२	७२	लक्ष्मीदेवी-देवीदत्त
कासिम-भिलासी	२३	७३	७३	कूलदुसारी-लक्ष्मीमुकुर
नहमनिया-कासिम	२४	७४	७४	राजन-अयोध्यप्रसाद
रासादृ-थैक बालसी	२५	७५	७५	लक्ष्मीश्वकर-देवीदत्त
इमानेन-देवीदीन	२६	७६	७६	प्रेमशकर-देवीदत्त
रमवान-भिलासी	२७	७७	७७	रामवती-प्रेरणाकर
इमामदीन-रमजान	२८	७८	७८	विटान-गीरीशकर
नसीदा-रमजान	२९	७९	७९	द्वारिका-शिवदुलारी
रामहवरू-बालू	३०	८०	८०	जगाधीश-शिवदुलारी
पियारा-रामकुमार	३१	८१	८१	कूलदलीदेवी-बगवान्य
रामकुमार-बालू	३२	८२	८२	गोदाशंकर-शिवदुलारी
बालुलाल-शिवकठ	३३	८३	८३	कूलदलीदेवी-गोदाशंकर
जीरत-इमामुदीन	३४	८४	८४	बालू-देवकी
गोगदेवी-रामलाल	३५	८५	८५	संद-देवी-बालुलाल
दर्गाप्रसाद-रामलाल	३६	८६	८६	नहरी-देवकी
विन्देश्वरी-द्विप्रसाद	३७	८७	८७	रामवती-देवकी
गोवरधन-दयाशंकर	३८	८८	८८	शिवदत्त-शिवदुलारी
कुट्टादेवी-गोवरधन	३९	८९	८९	विटली-गोदाशंकर
चन्द्रनेत्र-शिवमूर्ति	४०	९०	९०	विटली-शिवदुलारी
गोवरधनी-सरजुनप्रसाद	४१	९१	९१	बतासी-देवतारी
मूर्तीप्रसाद-बद्रेश्वर	४२	९२	९२	भोजनी-पुर्वी
देवीप्रसाद-नन्दीश्वर	४३	९३	९३	महारी-जगदीनी
राजरानी-देवीप्रसाद	४४	९४	९४	इय शी-ठापा
रामब्रती-द्वारा	४५	९५	९५	रामविद्यम-जगदीनी
महादेवी-रामब्रती	४६	९६	९६	रमेश्वी-रामविद्यम
नन्ददोहन-शिवमूर्ति	४७	९७	९७	भगवती-देवतारी
हसादेवी-चंद्रभूषण	४८	९८	९८	मुम्हरी-भगवती
गोरी-विद्वान	४९	९९	९९	शंगाराम-भगवती
नन्ददुर्दी-रामदुर्दी	५०	१००	१००	५०

प्रियाप उमा निर्वाचन की

१०१	१११	शिवाय—मृक्	१११	११६	मातीरथ—मत्स्य
१०२	११२	विष्वामी—विष्वामी	११२	११७	भगविष्या—भगविष्य
१०३	११४	वसुरी—वसुर	११५	१११	केषकला—केषकला
१०४	११४	केषार—पचास	११५	१११	रामेश्वर—नवरकीर्णी
१०५	११५	वसुरा—केषार	११५	११५	महिषीर—रामेश्वर
१०६	११५	रामशासरे—केषार	११६	११६	दुग्धप्रसाद—रामेश्वर
१०७	११६	रामरेण—दुलारे	११६	११६	केषार—दुलारे
१०८	११७	तिष्ठाला—रामकुमार	११७	११७	लोना—लोना
१०९	११७	दीजनाथ—दीजनाथ	११७	११७	पदम—मत्स्यकन
११०	११८	रामकुलारी—दीजनाथ	११८	११८	विजयांकर—विजयांकर
१११	११८	संकठा—रामलाल	११९	११९	कमलादेवी—विजयांकर
११२	११९	महिका—सकठा	११९	११९	१४१५ निराजन—बच्चा
११३	११९	रामकुमार—दीजनाथ	१२०	१२०	१४१५ बसंता—निराजन
११४	१२०	१४४ करक्षु—करक्षु	१२०	१२०	मोतीलाल—मोतील
११५	१२५	जगली—गोरी	१२५	१२५	बुद्ध—पीतक
११६	१२५	दरसाला—जली	१२६	१२६	बिद्यु—मुकुर
११७	१२७	गेशा—जंगली	१२७	१२७	रामनेत्रेण—किशोरी
११८	१२८	लहमीना—मनेशी	१२९	१२९	मुनदर—रामकीर्णी
११९	१२६	लहिदका—गोरी	१२७	१२७	रामकीर्णी—अमरताम
१२०	१२०	सिताला—चट्टिदका	१२७	१२७	१४१५ वरमेश्वर—मीठू
१२१	१२१	मोता—चट्टिदका	१२७	१२१	रामनियारी—वरमेश्वर,
१२२	१२१	कुला—ओला	१२१	१२१	बिपुना—भीमू
१२३	१२३	जागेश्वर—चट्टिदका	१२१	१४२	कहैयालाल—शिवशंकर
१२४	१२४	जिवराली—जिवेश्वर	१२५	१२५	बिटान—कहैयालाल
१२५	१२५	रामेली—बुद्ध	१२५	१२५	दुर्दिपकाण—कहैयालाल
१२६	१२६	अमेनादेवी—शिवशंकरलाल	१२६	१२६	पातो—दुर्दिपकाण
१२७	१२७	रामधना—शिवशंकर	१२७	१२७	रामलली—चट्टिदका
१२८	१२८	मनोरमा—रामधना	१२८	१२८	किमुन—गामादीन
१२९	१२९	दुणिंशकर—शिवशंकर	१२९	१२९	मुंदरारा—किशोरी
१३०	१३०	सुषीला—नवरकीर्णी	१२५	१२५	

प्रियापियों का क्रम यह है, कम संयरा, मकान नं० (या नाम), नियंत्रिक का नाम, वित्तीया का नाम, पूर्ण गा. स्ट्री. भनोज प्रिंटिंग प्रेस रायबरेली १-१-७५ फॉलो अनुच्छनित आयु ।

## प्रिवात समा लिपिबन देव

पाम-नक्षत्र आग संखा १०३

६०३	११३	गिवनाथ—मंक	प ४६	६३६	११६	मातीरथ—ननहै	प ३१
६०४	११४	पिष्ठा—किवनाथ	स ३५	६३७	११७	मणिया—मातीरथ	प ४१
६०५	११५	चमुरी—रम्भर	प ७५	६३८	११८	कियकला—झम्भर	प ३८
६०६	११६	केदार—बचान	प ३०	६३९	११९	रामै ष्वर—ननदकिंशीर—	प २८
६०७	११७	मंदूरा—मेदार	स २५	६४०	१२०	मट्टीरा—रामै ष्वर	प २७
६०८	११८	रामआसरे—केदार	प २५	६४१	१२१	दुग्धप्रसाद—मामै श्वर	प २३
६०९	११९	रामनरेप—दुलारे	व २५	६४२	१२२	केगत—रामै श्वर	प २१
६१०	१२०	सिहाला—रामकुमार	स २५	६४३	१२३	भोला—किणक	स २१
६११	१२१	दीजाथ—रामताम	प ४६	६४४	१२४	बदले—सदककु	प २८
६१२	१२२	राजदुलारी—केजनाथ	स ४५	६४५	१२५	चनदण्ड कर—चिपाम	प २७
६१३	१२३	संकाठा—रामनाल	प ४२	६४६	१२६	कमलारी—विजप्राकर	प २५
६१४	१२४	नंहका—मकडा	स ४०	६४७	१२७	दिव्यन—वक्ष्या	प २६
६१५	१२५	रामकुमार—केजनाथ	प २८	६४८	१२८	वरा ना—निवान	स २३
६१६	१२६	१२४ व कहल—ननु	प ६०	६४९	१२९	मातीरथ—मातीरथ	प १६
६१७	१२७	कुण्डी—मारी	व ६२	६५०	१३०	बुद्ध—किणक	प ४४
६१८	१२८	दरसाना—जैना	व ६२	६५१	१३१	चित्री—मृदुर	प ३५
६१९	१२९	गेश—द्युम्नी	प ४०	६५२	१३२	रामतेरेण—किणी	प २८
६२०	१३०	लहमीना—मनेनी	स ३२	६५३	१३३	गुरदरि—गुरदीनार	स २४
६२१	१३१	चनिका—गोरो	व ६०	६५४	१३४	रामकिंगोर—काद्रानाथ	प २५
६२२	१३२	सिताना—चनिका	न ५७	६५५	१३५	१२७ व बैदु—मित्र	प ३२
६२३	१३३	मोला—ननिदका	स ३२	६५६	१३६	गमियारी—वरदान	स २२
६२४	१३४	कूदा—मोला	व ५०	६५७	१३७	विपुता—मोला	स ६२
६२५	१३५	जानेष्वर—चनिका	प २७	६५८	१३८	कहेयानी—किणकर	प ४१
६२६	१३६	गिवरानी—लालेष्वर	म २५	६५९	१३९	किटान—कृष्णालाल	स ३८
६२७	१३७	रामै तो—बुद्ध	स ३२	६६०	१४०	बुद्धपक्षा—कहेयाला	प २२
६२८	१३८	लमीनारी—किवनाला	स ३२	६६१	१४१	मानो—बुद्धपक्षा	स २१
६२९	१३९	राधारथम—किवर्गंकर	प ४०	६६२	१४२	रामननो—विदिवा	प २४
६३०	१४०	मनोरथा—राधिरथम	स ३३	६६३	१४३	किमुन—मगारीन	प २७
६३१	१४१	दुग्धांकर—किवर्गंकर	प २६	६६४	१४४	मुशीला—किषान	स २६
६३२	१४२	मुशीला—ननदकिंगोर	स २५				

प्रिविटिया का कम पह त्रै, कम बर्ता, मकान नं० (या नाम), निवासक का भाग, पिता/पति/मा का नाम, पृष्ठा ना। अतः  
१-१-७५ को अनुमानित आयु ।

१	प्रेमशंकर	१६६	निरमलादेवी
२	दीर्घिण	२००	मुरेण
३	शामशंकर	२०१	विद्यावती
४	निवालाक	२०२	मोहनीदेवी
५	नन्दकिषोर	२०३	चन्द्रप्रकाश
६	रामस्वरूप	२०४	गायत्रीदेवी
७	पियारा	२०५	गनेश
८	रामकुमार	२०६	लक्ष्मीना
९	बाबूनाल	२०७	महेश
१०	जीपति	२०८	भानुप्रकाश
११	गंगादेवी	२०९	चन्द्रवती
१२	गायत्रीदेवी	२१०	रामशंकर
१३	मूर्यप्रसाद	२११	सुशीलादेवी
१४	जयदेवी	२१२	निरजन
१५	रजज	२१३	प्रेमादेवी
१६	हारिका	२१४	आदित्य
१७	गंगाकाशर	२१५	रामदारी
१८	भगवत्तदेवी	२१६	जारदाप्रसाद
१९	कालिकाप्रसाद	२१७	भानुकर
२०	जमुनादेवी	२१८	लीलावती
२१	पारवती	२१९	जेराली
२२	चन्द्रवती	२२०	रसीदा
२३	श्यामसुन्दर	२२१	फुलनसाद
२४	दृष्टावत	२२२	जिता
२५	शिवदरायन	२२३	छेदशाह
२६	चक्रवीरकर्ता	२२४	दीरुन
२७	चन्द्रप्रकाश	२२५	हृषीभूषाह
२८	भानुकरण	२२६	रसीदा
२९	कूच्छुलारी	२२७	लहरेव
३०	रामसहाय	२२८	धीरुष्णा
३१	हरिहरलाल	२२९	रामदारी
३२	पारवती	२३०	रवीशंकर
३३	गिरिहरन	२३१	मूर्यदेवी
३४	किवेनी	२३२	जानकीदेवी
३५	चन्द्रकी	२४३	विनुराजा
३६	लिहरानी	२४०	मुर्मी
३७	जटुनस्तन	२४१	लुशरि
३८	तिरुदेवी	२४२	विद्वत्ताद
३९	गंगाघर	२४३	रामगतोरब
४०	छात्रकुमारी	२४४	प्रीतिप्रसाद
४१	श्यामसुन्दर	२४५	आपादेवी
४२	विद्यवन्दन	२४६	मुखलाल
४३	दुष्ट	२४७	इदाजीत
४४	जयनस्तन	२४८	द्विलादेवी
४५	उमिला	२४९	गहदेवा
४६	दृष्टावत	२५०	मुख्या
४७	शिवदरायन	२५१	यिरुमारी
४८	रामसारदी	२०३	बदल
४९	फूटा	२०४	मुग्निया
५०	लक्ष्मीराजर	२०५	स्वाना

प्रवित्रियों का क्रम दृष्ट ह तस्म संख्या निर्विचल का नाम : (S.)

८-९-८९

(A)

( २ )

इनमानम सूर्य-१६७६

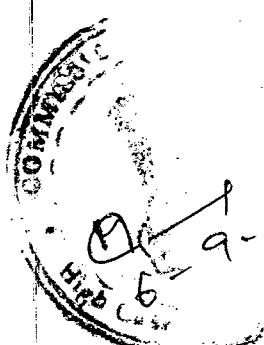
विष्णु नमा कंक-१११ सरेनी

नमा संख्या-१०३

दाम-चहोरार

३१५	नरायण	४१६	देवीदाद
३१६	स्वामकारी	४२६	इन्द्रानी
३१७	हीमलाल	४२७	निलगाल
३१८	सरदूदास	४२८	प्रबुकुमार
३१९	समरहन	४२९	हुमरेशी
३२०	छुर्टीदाम	४३०	परमारी
३२१	ब्रह्मा	४३१	नन्हका
३२२	प्रभुता	४३२	मीतल
३२३	रामरती	४३३	मूँड
३२४	प्रज्ञन	४३४	सरदार
३२५	नन्हकुम	४३५	दुर्जन
३२६	नन्हकिशोर	४३६	महेन्द्र
४०२	धकिन	४३७	मीश
४०६	देवरदीन	४३८	दाल
४१६	रमनारायण	४३९	परयाना
४२०	नन्हकुम	४४०	रामनरेश
४२४	देवीतीन	४४१	कल्लू
४२५	पारदी	४४२	दरमानी
४२६	सुन्दरा	४४३	मातीरुद
४२८	दिहारी	४४४	सरनिया
४२९	मोक्षित	४४५	केशकला
४३७	हूर्जसनाम	४४६	बडल
४३७	नर्वदादेवी	४४७	बिज्यरामकर
४७८	शिरसम	४४८	कमलादेवी
४८२	लाल	४४९	दिरम्बन
४८५	रामकली	४४३	बहना
४८९	कृष्णाशकर	४४४	मोतीयाल
४९३	ब्रह्मराम	४४५	बुदू
४९४	सीताराम	४४६	दिन्दी
४९८	लक्ष्मीदेवी	४४०	प्रदेशवर
५००	सुशीलादेवी	४४१	रामपारी
५१०	चुनीलाल	४४२	बिसुना
५११	राजेश्वरी	४४७	रामजली
५१७	रिट्टीदेवी		

प्रदिव्यों का क्रम यह है नम संख्या निश्चिक का नाम : (S.)



विधान सभा संख्या-१११ संख्या

दृष्टि सूची-१०८

भाग वृक्ष १०८  
शास-पहोचर

४ अभिकाप्रसाद	अदोधाप्रसाद	अभिकाप्रसाद	४	४६४ पुलकाता	४	४	४
१२ प्रेमशंकर	हरीशंकर	हरेशंकर	४	४०६ दुर्गा	४	४	४
२४ रहस्यि	महविला	रहस्यि	३	३४४ महेश	महेश्वर	महेश	३
२६ इमान	४	४४	३	३४५ राधकली	महेश्वर	महेश	३
४० चत्रधूपद	पन्द्रधूपद	पन्द्रधूपद	३	३५६ महदेव	४	४	४
१०५ कुहरा	८	५	४	३६२ निरंजन	५	४	४
१०३ जनाला	२०	६४	६	४१२ लम्बा	लम्बा	लम्बा	४
११८ छिटाना	छटान	महायेव	४	४२२ फूला	४	४	४
१२२ रमाशंकर	रमशंकर	रमाशंकर	३	४३० चम्पा	६४	३८	३
१४१ दुनी	मुमू	मुम्पी	३	४३१ चट्टमुखी	मन्दीप्रसाद	वद्रीप्रसाद	४
२६ तरी	मोरी	मगाने	४	४३२ चम्भागा	चम्भाग	चम्भाग	३
२६० शिवदयाल	मगाने	मगाने	४	४३३ मगुनादेशी	मगुनादेशी	मगुनादेशी	३
२३७ सोमेश्वर	सोमेश्वरी-८	सोमेश्वर-८	३,५	४३४ मुहुरदेव	मुहुरदेव-३	मुहुरदेव-८	३,५
२८८ रामकली	सोमेश्वरी	सोमेश्वर	४	४३५ वंजनाथ	रामनाथ	रामनाथ	५
२४५ मनोरवादेशी	रामननोहर	रामननोहर	४	४३६ लक्ष्मीना	गलेशी	गलेशी	४
२६८ शिवकुमारी	शिवकुमार-८	शिवकुमारी-८	३,५	४३७ आननदी	बीनानादेशी	आननदी	३
२६३ रामकुमारी	रामकुमार-८	रामकुमारी-८	३,५	४३८ मुखीला	नन्दिकीला	दुर्गेशंकर	३
२३५ रामी	मैली	मैक	५	४३९ भोजी	केशव	केशव	५

प्रविष्टियों का क्रम यह है, क्रम संख्या, निर्देशक का नाम, अनुदि प्रविष्टि, सुदि प्रविष्टि, स्तम्भ जिसमें दृष्टि बोलित है। (S.)

राजिन्द्र शेत्र, रायबरेली।

निर्देशक राजिन्द्रीकरण अधिकारी।

१११-८९  
६/१११

प्राम सभा चहोतर की मतदाता सूची-१९८८

माम संख्या १२८/१

प्राम-चहोतर

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जिला/रायबरेली	तहसील/लालगढ़	विकास फोत्र सरेनी	
पूरे छंगा चहोतर			
१ १ विजई-बाबूलाल	प २५	१७ ✓ शिवलोचनादेवी-प्रकाशचंद्र	प ३०
२ २ मुन्दारा-विक्की	प ३०	१८ उमाजकर-गणानरायन	प ७०
३ ३ नामस्वरूप-विजई	प ६०	१९/अ गनेशप्रसाद-विनोदप्रसाद	प ७४
४ ४ बीकल-रामस्वरूप	प ३०	२० रामकुमारी-गनेशप्रसाद	प ७२
५ ५ रामदेवी-बीकल	१८ २८	२१ तारामुन्दरी-शंकरदयाल	स ४६
६ ६ शिवशंकर-रामभू	प २५	२२ जयदयाल-गनेशप्रसाद	प ३८
७ ७ नामहकी-शिवशंकर	स ३०	२३ बिट्टन-जयदयाल	स ३६
८ ८ ईश्वरदीन-द्वारिकाप्रसाद	प ४०	२४ संतोषकुमार-शंकरदयाल	प २१
९ ९ महदेवी-ईश्वरदीन	स ३८	२५ सतीशकुमार-शंकरदयाल	प १९
१० १० रामदुलारी-गंगापालग	प ३०	२६ मुख्योरुकुमार-शंकरदयाल	प १९
११ ११ रवीशंकर-परभू	प ३५	२७ ज्ञानशंकर-सूर्यकुमार	प ५२
१२ १२ सुन्दारा-रवीशंकर	स ३०	२८ गोदादेवी-ज्ञानशंकर	प ५०
१३ १३ परभू-छाती	प ६५	२९ उमिलादेवी-गणानरायन	स ४०
१४ १४ शिवधारी-परभू	स ६०	३० प्रेमराजकर-सूर्यकुमार	प ४०
१५ १५ बिद्यावती-हरे शंकर	स २१	३१ किरन-ब्रेमशंकर	प ३८
१६ १६ पुत्तीलाल-विद्वई	प ४०	३२ सुशील-ज्ञानशंकर	प २४
१७ १७ चन्द्रानी-पुत्तीलाल	स ३८	३३ सुनील-ज्ञानशंकर	प २२
१८ १८ बाबूलाल-विद्वई	प ५०	३४ रामरतन-शिवकुमार	प ५५
१९ १९ गुड़ादेवी-सुखलाल	स ४०	३५ दयावती-रामरतन	प ५२
२० २० मुनीलकुमार-महाबीरप्रसाद	प ३०	३६ विनोदकुमार-रामरतन	प २४
२१ २१ सुनीलादेवी-महाबीरप्रसाद	स ६०	३७ माधुरी-प्रतापनरायन	स ३५
२२ २२ दुर्लक्षण		३८ श्रीघर-बड़ीप्रसाद	प ३६
२३ २३ ज्ञानदेवी-सुरेनकुमार	प ४०	३९ उमसेत्तीप्रसाद	स ३५
२४ २४ मीरादेवी-प्रियंकाकुमार	स २८	४० अश्वप्रगदेवी-दुर्लक्षणप्रसाद	प ३८
२५ २५ ११/अ राडीश्याम-शिवशंकर	प ४५	४१ संतोषकुमार-दुर्लक्षणप्रसाद	प २१
२६ २६ मनोरमादेवी-राधोश्याम	स ४३	४२ अन्जू-संतोषकुमार	स २१
२७ २७ मानादेवी-शिवशंकर	स ७०	४३ रामकुमार-देवदत्त	प २६
२८ २८ ११/ब दुर्लक्षणकर-शिवशंकर	प ३५	४४ गुडडन-रामकुमार	स २४
२९ २९ सुशीला-दुर्लक्षणकर	स ३२	४५ फुटुलारी-देवदत्त	स ५५
३० ३० १२ जगदीशप्रसाद-कृष्णदत्त	प ५०	४६ जगदीशकुमार-कालीशंकर	प २३
३१ ३१ अशोककुमार-जगदीशप्रसाद	प २५	४७ चम्पा-कालीशंकर	स ४२
३२ ३२ आशा-अशोककुमार	स २३	४८ यजाघर-रामप्रसाद	प ३८
३३ ३३ लेणा-कृष्णदत्त	स ८०	४९ विटान-गजाघर	स ३६
३४ ३४ विट्टला-कृष्णदत्त	स ३५	५० रामकली-रामप्रसाद	स ८०
३५ ३५ १३/अ विनोदकुमार-बगदीशप्रसाद	प २२	५१ उमाराजकर-शिवराम	प ६८
३६ ३६ १३/ब दुर्गाशंकर-काशोप्रसाद	प ६२	५२ शोभा-लमाशंकर	प ५५
३७ ३७ रामदुलारी-दुर्गाशंकर	स ६०	५३ राजरानी-मथुराप्रसाद	स १००
३८ ३८ १३/ब शशीशंकर-देवीसहाय	प ४५	५४ विटान-गनेशप्रसाद	स ३०
३९ ३९ रामचानकी-शशीशंकर	स ४२	५५ अमिकाप्रसाद-मवितानाथ	प ५०
४० ४० रामपाली-देवीसहाय	स ७८	५६ रमनदेवी-अमिकाप्रसाद	स ४६
४१ ४१ रानी-देवीसहाय	स ८०	५७ तुलसादेवी-अमिकाप्रसाद	स ४५
४२ ४२ लक्ष्यशंकर-देवीसहाय	प ३२	५८ महावार-द्वारिकाप्रसाद	प ७०
४३ ४३ १४ दुर्गदेवी-काशोप्रसाद	स ४५	५९ मुश्तीदेवी-महाबीर	स ६८
४४ ४४ १५ ल्यारेलाल-रामशंकर	प ६०	६० रमाकांत-महाबीर	प ३०
४५ ४५ १६ लक्ष्मिन-ल्यारेलाल	स ५६	६१ सत्तोषकुमारी-महाबीर	स २८
४६ ४६ १६ बन्दवन-शिवकुमार	प ५८	६२ सावित्री-शिवप्रसाद	स ३०
४७ ४७ १७ सर्जीरानी-बन्दवन	स ५६	६३ कृष्णदुलारी-शिवराम	स ७०
४८ ४८ १७ अमो-चन्द्रभान	स २३	६४ हरिवंशलाल-रामशंकर	प ५५
४९ ४९ १७ मुक्षीदेवी-सिद्धनाथ	स ७२	६५ रामकली-हरिवंशलाल	स ५४
५० ५० १७ ग्रामाशच्छ्रद्ध-जगप्राथ	प ३५		

प्रविष्टियों का क्रम यह है, क्रम संख्या, भक्तान संख्या (या नाम), निर्वाचक का नाम, पिता/माता/पिता का नाम, पुरुष या लड़ी, उमर, १९८८ को वायु।

रामस्वरूप भोय

३०१	९१	बेनो-भरोसे	प ४०	३५१	९८	सियायतो-राममोहन	स ३६
३०२		परबाता-बेनी	स ३८	३५२	९९	गजाधर-रामप्र पाद	प ४०
३०३		मामरती-भरोसे	स ७१	३५३		देविया-गजाधर	स ३८
३०४	९९	निरंजन-शीतलादीन	प ५०	३५४		श्वाना-रामप्र पाद	स ८०
३०५		बवनता-निरंजन	स ४८	३५५	१००/अ	राधोलाल-रामशंकर	प ३०
३०६		शिवकरन-निरंजन	प २८	३५६		कला-राधोलाल	स २८
३०७	९३	चंदिका-गोपाली	प ७५	३५७		मोहनिया-रामशंकर	स ७०
३०८		अनांती-चंदिका	स ७४	३५८		गोविविननरायन-रामशंकर	प ७५
३०९		महाबली-गोपाली	स ५५	३५९	१००/ब	रामनरेश-उमाशंकर	प ३०
३१०		गोरीशंकर-चंदिका	प ४०	३६०		रामरानी-रामनरेश	स २८
३११		विशुनदेइ-गोरीशंकर	स ३८	३६१		मक्षी-राजेन्द्रप्रसाद	स २४
३१२		शिवशंकर-चंदिका	प ३५	३६२		ललतनप्रपाद-उमाशंकर	प ३५
३१३		नन्हा-शिवशंकर	स ३४	३६३		जगदेई-ललतनप्रपाद	स ३४
३१४		देवीशंकर-चंदिका	प २२	३६४	१०१	कल्लू-शिलप्रसाद	प ३०
३१५		निमंता-देवीशंकर	स २१	३६५		मतिया-कल्लू	स २८
३१६		राजशंकर-चंदिका	स २८	३६६	१०२	मोहनलाल-बत्तीशीघर	प ४६
३१७	९४/अ	रामस्वरूप-चंदिकाप्रसाद	प ४५	३६७		परभूदेई-मोहनलाल	स ४५
३१८		शिवदुलारी-रामस्वरूप	स ४२	३६८	१०३	शम्भू-बत्तीशीघर	प ६०
३१९		रमेश-रामस्वरूप	प २५	३६९		सुन्दारा-शम्भू	स ५८
३२०		लालती-रमेश	स २४	३७०		शांती-शंकरदयाल	स २५
३२१	९४/ब	राजाराम-अलोरीप्रसाद	प ४०	३७१		जयश्री-शम्भू	स २१
३२२		विद्यादेवी-राजाराम	स ३८	३७२		अशोककुमार-शम्भू	प १९
३२३		अशोककुमार-राजाराम	प २४	३७३	१०४	कन्धईलाल-बत्तीशीघर	प ६२
३२४		सहदेव-कोदे	प ६०	३७४		केशाना-कन्धई	स ६०
३२५		श्रीदेई-सहदेव	स ५८	३७५		उदयराज-कन्धईलाल	प २४
३२६		गिवसागर-सहदेव	प ४०	३७६	१०५	लरीजनी-उदयराज	स २८
३२७		छोटी-शिवसाहर	स ३८	३७७		देशराज-कन्धईलाल	प २०
३२८		रामसाहर-सहदेव	प ३५	३७८		दुर्गाशंकर-रामेश्वर	प ३२
३२९		मुन्नदेवी-रामसाहर	स ३४	३७९	१०६	शिवरानी-दुर्गाशंकर	स ३०
३३०		प्रेमसाहर-सहदेव	प ३०	३८०		रामेश्वर-शिवलाल	प ६५
३३१		कमला-प्रेमसाहर	स २८	३८१		महबीरा-रामेश्वर	प ६२
३३२		शांतिलालप्रसाद-अलोरी	प २८	३८२	१०७	केशन-रामेश्वर	प २०
३३३		विद्या-शीतलालप्रसाद	स २५	३८३		रामबनी-केशन	स २८
३३४		फूल-अलोरी	स ६२	३८४		सुरेश-राममोहन	प २५
३३५		देवीप्रसाद-अलोरी	प २१	३८५		शोलावती-सुरेश	स १४
३३६	९५	जगमोहन-पूरन	प ४०	३८६	१०७	शिवनाथ-मैक	प ४५
३३७		मुन्दरि-जगमोहन	स ३८	३८७		पद्मादेवी-शिवनाथ	स ४५
३३८		विजय-जगमोहन	प २४	३८८	१०८	मगाना-मैक	स ६५
३३९		अजय-जगमोहन	प २१	३८९	१०९	शन्तादेवी-उजागर	स ३४
३४०	९६	उमाशंकर-कालिकाप्रसाद	प ६४	३९०		सत्यनरायन-भैरोप्रसाद	प ६५
३४१		मुनेश्वर-उमाशंकर	प २१	३९१		मैक-सत्यनरायन	स ६३
३४२		रुपरानी-मुनेश्वर	स २१	३९२		रामेश्वर-सत्यनरायन	प २५
३४३		मुनू-रंगाविशुन	प २१	३९३		देवाना-रामेश्वर	स २४
३४४	९७	देवान-चन्दू	प ५६	३९४		उमारानी-सत्यनरायन	प २३
३४५		पारबती-देवान	स ५४	३९५		सुरेश-सत्यनरायन	प २०
३४६		बिन्दादीन-देवान	प २१	३९६	११०	दुर्दू-जोधा	प ६८
३४७		छेदानी-भगवानदास	स २५	३९७		बदलू-बुद्ध	प २५
३४८		भगवानदास-रामदुलासे	प ३०	३९८		सुमिरता-बदलू	स २४
३४९	९८	मारत-भ्रवानी	प ६०	३९९		चुशीलाल-बुद्ध	प २३
३५०		राममोहन-भारत	प ३८	४००		रामकली-चुशीलाल	स २२

प्रविष्टियों का कम यह है, कम संख्या, पकान संख्या (या नाम), निर्वाचक का नाम पिता/माता/पति का

नाम, पुरुष या स्त्री, १ जनवरी, १९८८ को आयु ।

रामस्वरूप मीर्ठ

IN The Hon'ble central Admin.  
अदालत श्रीमान त्रिब्युनल विवाद याहौदय  
Circuit Bench Lucknow

वादी (मुद्दे)  
मुद्दे (मुद्दालेह)

का

बकालतनामा

Q.A. No ४७९८ १९८९

P. C. Shukla - - - - - Applicant  
versus

union of India & others बनाम - प्रतिवादी (रेस्पान्डेन्ट)  
Q.A. No ४७९८ न० मुद्दमा १९८९ सन् पेशी की ता० १९८९ ई०

ऊपर लिखे मुकद्दमा में अपनी ओर से श्री

D. S. RANDHAWA  
SENIOR STANDING COUNSEL,  
CENTRAL GOVT.  
ALLAHABAD HIGH COURT  
LUCKNOW BENCH.

वकील

एडवोकेट महोदय

को अपना वकील नियुक्त करके (इकरार) करता हूं और लिखे देता हूं इस मुकद्दमा में वकील महोदय स्वयं अथवा अन्य वकील द्वारा जो कुछ पैरवी व जवाब देही व प्रश्नोत्तर करें या अन्य कोई कागज दाखिल करें या लौटावें या हमारी ओर से डिगरी जारी करावें और रूपया बसूल करें या सुलहनामा या इकबाल दावा तथा अपील व निगरानी हमारी ओर से हमारे या अपने हस्ताक्षर से दाखिल करें और तस्दीक करें या मुकद्दमा उठावें या कोई रूपया जमा करें या हमारी या विपक्ष (फरीकसानी) का दाखिल किया रूपया 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 हूं कि मैं हर पेशी स्वयं या किसी अपने पैरोकार को भेजता रहूंगा। अगर मुकद्दमा अदम अदालत मेरे वकील पर न होगी। इसलिए यह बकालतनामा लिख दिया कि

Accepted  
D. S. RANDHAWA  
SENIOR STANDING COUNSEL  
CENT. GOVT.  
ALLAHABAD HIGH COURT  
LUCKNOW BENCH.

हस्ताक्षर  
Supt. of Post Office  
Fazl Bareli Div. 225001

साक्षी (गवाह)

साक्षी (गवाह)

6 - 9 - 1989

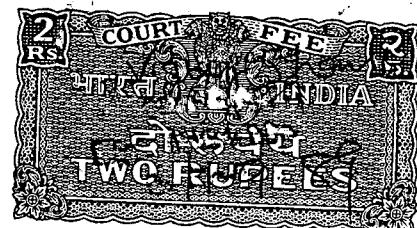
दिनांक

महीना

सन् १९ ई०

IN THE HON'BLE CENTRAL ADMINISTRATIVE TRIBUNAL  
CIRCUIT BENCH, LUCKNOW

O.A. NO. 87 OF 1989



P.C. Shukla

... Applicant

Versus

Union of India & Others

... Respondents.

COUNTER AFFIDAVIT ON BEHALF OF RESPONDENT NO. 4

I, Vijay Shanker, aged about 35 years, son of Shri Bishambhar Dayal, resident of Village Chahotar, Post Office Chahotar, Tehsil Lalganj, District Rae Bareli, do hereby solemnly affirm and state as under :-

1. That the deponent is extra departmental Branch Post Master of Post Office Chahotar, Tehsil Lalganj District Rae Bareli. He is opposite Party No. 4 in the present claim application and he is well conversant with the facts of the case deposed hereinafter.
2. That the deponent is ~~in~~ <sup>opposite</sup> agreement with the contents of the Counter Affidavit which has been prepared to be filed on behalf of opposite parties
- 1 to 3. The deponent hereby adopts the contents of that counter affidavit ~~for~~ <sup>opposite</sup> the purpose of his reply in this case. However it is necessary to

- 2 -

give specific replies to those contents of the Claim Application which directly pertain to the deponent, respondent no. 4, and are important for the purpose of the case.

3. That the deponent being fully qualified and eligible to be selected and appointed as E.D. Branch Post Master was so selected and appointed earlier with effect from 12.5.1988 and again selected and appointed with effect from 29.12.1988. In this connection, it may be added that the deponent and Shri Prakash Chandra Shukla both had passed High School Examination which is the maximum requisite qualification for the post. But the deponent had secured 314 marks out of 500 marks, while Shri Prakash Chandra Shukla had obtained 232 marks out of 500 marks. Thus the deponent was found superior in merit to Shri Prakash Chandra Shukla. The deponent has been permanent resident of village Chahotar for more than 20 years since his marriage in the year 1967 with Smt. Kamla Devi daughter of Shri Brajraj of Village Chahotar and he has been residing since that time in the house owned by his wife Smt. Kamla Devi and in which Post Office Chahotar has been accommodated. It may be added that the deponent has landed property in Village Bhojpur, Tehsil Lalganj, District Raebareli, from which he has ~~out~~ <sup>other side</sup> of source of ~~income~~ <sup>income</sup>. Further the deponent's wife Smt. Kamla Devi has also landed property including the house in village Chahotar.

29.3.2022

In this regard it is submitted that in view of the landed property owned by the deponent in village Bhojpur and the landed property owned by his wife in village Chahotar, the deponent has certainly "adequate means of livelihood", as required under the E.D. (as conduct and Service) Rules 1964 for the selection and appointment of an E.D. Branch Post Master. Further, it is submitted that since a house is owned by the deponent's wife - he was very well able to offer space in village Chahotar for the Post Office and its operations. Particularly sufficient space was offered by the deponent for postal operations and since then the Post Office has been functioning in village Chahotar in the premises which have been offered by the deponent. The deponent since his appointment as E.D. B.P.M. has been regularly attending the Post Office work as required of him.

4. That in reply to the contents of sub-para (D) of para 6, it is submitted that both the ~~recommendations~~ <sup>recommendations</sup> of para 6 of the ~~counter affidavit~~ <sup>counter affidavit</sup> present applicant Shri P.C. Shukla and deponent, Respondent No. 4 were found eligible for appointment as EDBPM Chahotar. But deponent <sup>found more</sup> ~~found more~~ suitable as he was better in merit. Accordingly he was selected and appointed. In this connection the allegation of the applicant that deponent was "appointed on the recommendation of respondent No. 3 who was entrusted to find out the suitable candidate from amongst the applicants is denied.

In fact the selection was made after careful consideration of the comparative merits of the candidates by the Appointing Authority, the Superintendent of Post Offices Raebareli who is Respondent No. 2 in present Claim Application. Further, the allegation that ~~Respondent~~ Respondent No. 4, the deponent was an "Outsider" is also strongly refuted. The position regarding his permanent residence in Village Chahotar has already been stated above in this Counter Affidavit.

5. That in reply to the contents of Sub-para (E) of para 6 the application it is submitted that there is absolutely no violation of the departmental instructions as contained in the communication dated 27.8.1987 from the office of Director General Posts, New Delhi which has been filed as Annexure No. 1 to the Claim application. In the present case the candidate/deponent has been the permanent resident of the Post Office Village Chahotar for about 20 years and he has "and adequate means of livelihood." Further in this connection it is stated that Shri Ram Kishore Shukla who is the present Pradhan of the village on 17.12.1988 had rightly issued a certificate in favour of deponent certifying correctly that he had been permanently residing in village Chahotar for about 15 years till that time. In this connection now it is significant to mention that a classificatory letter dt.17.5.88 has issued by the Pradhan Shri Sharda Pd. Shukla is a result of manipulation made by applicant

A20

Shri P.C. Shukla who happens to be nephew of recent the Pradhan. At this Juncture it is very much relevant to mention that the same Pradhan Shri Sharda Prasad Shukla had issued a Character Certificate to the deponent on 21.4.1988, and correctly certifying deponent has been resident of village Chahotar for the last fifteen years. Further it is stated that even according to the clarificatory letter dated 17.5.1988 addressed by the then Pradhan Shri Sharda Prasad Shukla to the Superintendent Post Offices, Rae Bareli it has been simply stated that the deponent <sup>is</sup> not the original resident (Mool Niwas) of this village and he is although original resident (Mool Niwasi) of Bhojpur (Raebareli). As it has already been stated in para 5 of the Counter Affidavit of deponent, who originally resident of vill. Bhojpur has been permanently residing in village Chahotar since his marriage in 1967 more than 20 yrs. <sup>age</sup> with Smt. Kamla Devi D/O Shri Brijraj ~~was~~ <sup>is</sup> a permanent resident of P.O. Village Chahotar.

Three photostat copies of the Certificates issued by the Pradhans of the Village Chahotar and Bhojpur, the certificate issued by the Tehsildar, Lalganj and the Voters lists have already been annexed on behalf of the departmental opposite parties.

6. That in reply to the contents of ~~xxx~~ sub-para (F) of para 6, the allegation of " arbitrary & wilfully & with defiant attitude " ignoring the observations and directions of the Hon'ble Tribunal is totally denied. It is submitted that in this

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respect full obedience of the directions of the Hon'ble Tribunal as contained in its judgement dated 17.10.1988 the candidature of both Sri P.C.Shukla and deponent was carefully reconsidered. But even on reconsideration of the comparative merits of the two candidates deponent was found superior to Sri P.C.Shukla and as such he was selected for appointment as Extra Departmental BPM of Post Office Village-Chahotar.

7. That in reply to the contents of sub-para (I) of para 6 of the application it is submitted as under :-

(i) That deponent who has been selected in a fresh selection as E.D.B.P.M.Chahotar, Tehsil Lalganj, District Rae-Bareli, is a permanent resident of Village - Chahotar. Further, it is submitted that the deponent S/O Late Vishambhar Dayal a native of village Bhojpur Tehsil Lalganj was married to Kamla Devi daughter of Sri Brij Raj permanent R/O Village Chahotar in 1967 and since then he has been permanently residing in this village. By the way it may also be mentioned that his wife Smt.Kamla Devi is the only daughter of Sri Brij Raj and being the only legal heir of her deceased father, has inherited all his movable and immovable property including the residential house

in which the Post Offices has been accommodated. Further, it is submitted that the fact of his being a permanent resident of Village - Chahotar is evident from the Income Certificate dated 8.1.1988 issued by the Tehsildar Lalganj District Rae-Bareli as well as the character certificate dated 21.4.1988 issued by the Pradhan of the Village Chahotar. True copies of the Income Certificate and the Character Certificate have already been annexed with this ~~order of deponents Nos 1 to 3~~ Counter-Affidavit. It may be added that the name of deponent also appears in the voter lists of Gram Sabha Chahotar since 1975 as resident of village Chahotar. True photostat copies of Voters Lists of Gram Sabha, Chahotar for the year 1975, 1979 and the year 1988 have been annexed on behalf of the departmental opposite parties.

✓ 11-a 89  
(ii) That there is quite a handsome property including a big pucca House in village Chahotar in the name of his wife Smt. Kamla Devi. In addition to this property, the deponent has also some properties in his own name in village Bhojpur Tehsil Lalganj District Rae-Bareli. In this connection it is submitted that para-3 Sec. II (Method of Recruitment) of P&T EDAs Conduct & Service Rules 1964, requires that the person who is appointed as EDBPM "Must be one who had an adequate means of livelihood" and he must be able to offer space to serve as the Agency premises for postal

operations". In view of these recruitments the deponent has "adequate means of livelihood" and he has already offered accommodation of the Post Office, located in village - Chahotar, a portion of Pucca house which is in the name of his wife and in which he himself is also living with her. At present the Post Office is functioning satisfactorily in the same building. In this connection it is submitted further that the deponent had secured 314 marks out of 500 marks while Shri Prakash Chandra Shukla obtained only 232 marks out of 500 marks in the High School Exam. Thus though both the candidates fulfilled conditions of eligibility yet the deponent ranked superior to Shri P.C. Shukla in merit. Accordingly he was found more suitable and was selected and appointed as EDBPM of the post office Chahotar.

8. That the contents of sub-para (j) of para-6 of the application and the contentions raised there are denied and it is submitted that the Income Certificate as issued by the Revenue Authority was duly verified. Further it is submitted that this certificate is perfectly a legal and valid public document and the allegation of its being baseless and illegal is entirely wrong.

9. That in reply to the contents of Sub-Para (k) of para - 6 of the application, it is submitted that the relevant condition as contained in the <sup>Method of Recruitment, Sec-II of the</sup> ~~EDAS~~ <sup>PrTce</sup>

APM

(Conduct & Service) Rules, 1964, is that the Person selected for the post of EDBPM must be able to offer space to serve as the agency premises for postal operations". In this regard it is stated that the deponent was very well able to offer space in the house which is owned by his wife Smt. Kamla Devi D/O Shri Brij Raj. It is significant to mention that since 15th June, 1988 ED Branch Post Office has been regularly functioning in the space provided by the deponent in the premises of the above mentioned house.

10. That in reply to the contents of sub-para (L) of Para 6 of the claim application, ~~the deponent has been advised to state that~~ it is submitted that the deponent who was required to offer space for the post office has perfectly fulfilled the condition by offering space in the premises of the house which is owned by his wife and in which he himself has also been permanently residing for quite a long time. In view of this position, there is absolutely no violation of any Rule of the ~~EDAS~~ (Conduct & Service) Rules, 1964, or the existing policy of the Department and the Government.

29/7/89  
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11. That the deponent has been advised to state that in view of reason stated above in this Affidavit as well as in the Counter-Affidavit which is being filed on behalf of respondents

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: 10 :

1 to 3, the applicant is not entitled to any relief in his Claim Application which is devoid of any merit and is liable to be dismissed, with costs.

Lucknow:

Dated: Sept. 11, 1989

दिनांक 11/9/89

DEPONENT

VERIFICATION

I, the above named deponent do hereby verify that the contents of paras 1 and 2 of the affidavit are true to my own knowledge and the contents of para 3 to 10 of the affidavit are true to my knowledge derived from the official records and the contents of paras 11 to 14 are believed by me to be true, on the basis of legal advice. No part of this affidavit is false and nothing material has been concealed. So help me God.

Lucknow:

Dated: Sept. 11, 1989

दिनांक 11/9/89

DEPONENT

Identified the deponent who is personally known to me and has signed before me.

Sh. S. Randhawa  
ADVOCATE

solemnly affirmed before me on 11-9-89 at 9.00 A.M. by the deponent...Vijay Shanker.....who is identified by...Shri D.S. Randhawa Advocate, High Court, Lucknow.

I have satisfied to myself by examining the deponent he understands the contents of the Affidavit which have been read over and explained by me.

Sh. S. Randhawa  
OATH Commissioner  
High Court, Lucknow

11-9-89

IN THE HON'BLE CENTRAL ADMINISTRATIVE TRIBUNAL  
बायाद्वाला श्रीमान महाद्वय (पर्याप्त)

वादी (मुद्रई)  
मुद्रई (मुद्रालेह)

का

बाकालतनामा

Respondent No. 4 (Vijay Shanker)

P. C. Shukla

union of India & others बनाम

प्रतिवादी (रेस्पान्डेन्ट)

O. A. No. 6) नं० मुद्रमा सन ४९ पेशी की ता० १९ ई०

ऊपर लिखे मुकद्दमा में अपनी ओर से श्री

Rekha Pandey (Advocate)

वकील

29, Teachers Colony, Shri T. N. Degree College UK, एडवोकेट महोदय

को अपना वकील नियुक्त करके (इकरार) करता हूं और लिखे देता हूं इस मुकद्दमा में वकील महोदय स्वयं अथवा अन्य वकील द्वारा जो कुछ पैरवी व जवाब देही व प्रश्नोत्तर करें या अन्य कोई कागज दाखिल करें या लौटावें या हमारी ओर से डिग्री जारी करावें और रूपया वसूल करें या सुलहनामा या इंकाबाल दावा तथा अपील व निगरानी हमारी ओर से हमारे या अपने हस्ताक्षर से दाखिल करें और तस्दीक करें या मुकद्दमा उठावें या कोई रूपया जमा करें या हमारी या विपक्ष (फरीकसानी) का दाखिल किया रूपया 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 हूं कि मैं हर पेशी स्वयं या किसी अपने पैरोकार को भेजता रहूंगा। अगर मुकद्दमा अदम पैरवी में एक तरफा मेरे खिलाफ फैसला हो जाता है उसकी जिम्मेदारी मेरे वकील पर न होगी। इसलिए यह बाकालतनामा लिख दिया कि प्रमाण रहे और समय पर काम आवे।

Accepted  
Rekha Pandey  
मेरे वकील पर न होगी।

2. a. ४९

विजयशंकर  
हस्ताक्षर

साक्षी (गवाह)

साक्षी (गवाह)

दिनांक

२. ९. ४९

महीना

सन् १९

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(A22)

In the Hon'ble Central Administrative Tribunal,  
Additional Bench Allahabad,  
Circuit Bench, Lucknow.

O.A. No. 87 of 1989 (L)

P.C. Shukla ....Applicant.  
Versus  
Union of India & others ...Respondents.

Rejoinder Affidavit against the counter  
affidavit filed by respondents 1 to 3.

1. That para 1 and 2 of the counter affidavit are formal and call for no reply.

2. That para 3 of the counter affidavit is denied and it is submitted that respondent no. 4, as well evident from Annexure A-5, is permanent resident of village Bhojpur. He is married with one Smt. Kamla Devi of village Chahotar.

3. That para 4 of the counter affidavit is not disputed.

Yours truly  
[Signature]

4. That para 5 of the counter affidavit as stated is denied except the relevant dates and the Hon'ble Tribunal's verdicts. It is also submitted that as well evident from Annexure CA-1 and CA-2 the respondent no.4 is not permanent resident of village Chahotar and does not own his house and property in the post village whereas the applicant is permanent resident of village Chahotar and he owns his house and property in that very village as such he was more suitable than that of respondent no.4. It will not be out of place to mention that Union of India under no circumstance can realize or recover the lesser damage caused by husband, from the property of wife, as such the respondent no.2 has arbitrarily with defiant attitude has reappointed the respondent no.4 whereas his appointment on the same grounds was already quashed by the Hon'ble Tribunal vide order dated 7-10-1988 in O.A. No. 35/88 (L) P.C. Shukla vs. Union of India & others (Annexure A-4) to this application).

5. That para 6 of the counter affidavit is denied. The applicant having educational qualification of Vidya Vashaspatti is in possession of certificates and higher education is always regarded.

Yon (9) 21/4/2001

6. That para 7 of the counter affidavit is not disputed.

7. That para 8 of the counter affidavit is denied and it is submitted that the respondent no.2 has arbitrarily reappointed the respondent no.4 showing absolutely incorrect merit of both the candidates. Respondent no.4 was not a resident of the post village. Merely having a marriage and coming and staying in the said village, does not entitle a person to be the permanent resident of that village.

8. That para 9 of the counter affidavit is denied. The supporting documents annexed to prove the permanent residence of the respondent no.4 at village Chahotar however shows only for the last 15 years which is also wrong. The applicant was born and brought in the post village Chahotar as such the respondent no.4 could never be more suitable than the applicant. It is further submitted that then the correct position was explained by the Gram Pradhan that report was suppressed by respondent no.2 mainly to appoint the respondent no.4 because he made pleased the respondent no.2. The certificate earlier issued by Shri Sharda Prasad Shukla indicates only about his character and not the residence.

Yon 21/2/97

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9. That para 10 of the counter affidavit is not disputed.

10. That para 11 of the counter affidavit is denied and in reply the contents of para 6(f) of the original application are hereby reiterated. It is further submitted that respondent no. 4 under no circumstance could be assessed more suitable than the applicant and as such his appointment is illegal.

11. That para 12 of the counter affidavit is denied and it is submitted that the Hon'ble Tribunal did not consider the contempt application on merit and there was an apparent error on the face of records and as such a review application was filed and 5-1-1990 is fixed for re-hearing.

12. That para 13 of the counter affidavit is denied and it is submitted that the property inherited by wife never entails the husband to use the same as sureties of his service. The respondents have made contradictory averments with regard to the residence. The income-certificate can be issued by the Tehsil Mian to a person only if he is having landed property in that very village.

9/2/2021

The respondent no.4 admittedly does not have landed property in village Chahotar as such. the income certificate so issued is technically and legally incorrect. In fact the respondent no.4 is resident of village Bhojpur and his name appears in the voter list of village Bhojpur. With regards to offer of house it is submitted that as per the Indian Contract Act 1872, the offer can be possible if the individual owns that house but the respondent no.4 does not own the house in his name and as such the house in the name of wife can not be offered by husband for a legal requirement.

13. That para 14 of the counter affidavit is denied and in reply the contents of para 6(j) of the original application are hereby reiterated.

14. That para 15 of the counter affidavit is denied and in reply the contents of para 12 above stated with regards to the owning of house are hereby reiterated.

15. That in reply to para 6 of the counter affidavit it is submitted that as stated in

मुकुरी चंद्र शर्मा

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para 12 and 14 above, the Rules of Recruitment have been fully violated by the respondents in appointing the respondent no.4.

16. That para 17 of the counter affidavit is denied and in reply the contents of para 6 (m) of the Original Application are hereby reiterated.

17. That para 18 and 19 of the counter affidavit are not disputed.

18. That in reply to para 20 of the counter affidavit the applicant is advised to state that the original application filed by the applicant

Yours truly  
Yashwant Singh

is full of merits and grounds taken by him are very cogent and as such the application is liable to be allowed and the same may kindly be allowed in the interest of justice

Lucknow, dated;

December 01, 1989.

Yoh12/12/89  
Applicant

Verification

I, the above named applicant hereby verify that the contents of paras 1 to 17 of the Rejoinder Affidavit are true to my personal knowledge and the contents of para 18 are believed by me to be true and that I have not suppressed any material fact.

Lucknow, dated;

December 01, 1989.

Yoh12/12/89  
Applicant

Identified Shri Prakash Chandra Shukla who is personally known to me and has signed before me.

Vijayan  
See-11489  
(T.N. Trivin)  
Advocate  
Conveyed to the Applicant

In the Hon'ble Central Administrative Tribunal  
Additional Bench Allahabad,  
Circuit Bench, Lucknow.

O.A. No. 87 of 1989 (L)

P.C. Shakla

...Applicant.

Versus

Union of India & others

...Respondents.

Rejoinder against counter affidavit  
filed by respondent no. 4.

1. That para 1 of the counter affidavit is formal and calls for no reply except the appointment of the respondent no. 4 which was plainly arbitrary.

2. That in reply to para 2 of the counter affidavit it is submitted that respondent no. 2 and 3 have collusion with respondent no. 4 and have accordingly appointed him on the post under dispute.

3. That in reply to para 3 of the counter

5/12/2021

Recd

affidavit it is submitted that the earlier appointment dated 12-5-1983 was quashed by the Hon'ble Tribunal but respondent no.2 has arbitrarily, deliberately with disregard and with defiant attitude has re-appointed respondent no.4 showing wrongly prepared so called merit. The respondent no.4 is permanent resident of village Bhojpur district Rae Bareli and was married with Smt. Kamla Devi of village Chahotar. He does not own any house in his home where as the applicant was born and brought up in village Chahotar and as such is permanent resident of that village. Therefore, the question of being more suitable of respondent no.4 than applicant does not arise.

4. That para 4 of the counter affidavit is denied and in reply the contents of para 6 (d) of the original application are hereby reiterated and it is further submitted that merit was not the ~~four~~ one but plainly arbitrary decision of respondent no.4.

5. That para 5 of the counter affidavit is denied and in reply the contents of para 6 (e) of the original application are hereby reiterated and it is further submitted that the no fresh certificate could be considered by the appointing authority in the light of the Hon'ble Tribunal's order dated 7-10-1983. The appointing authority

Yours truly  
Yashwant Singh

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had relied upon the certificate of Shri Sharda Prasad Shukla as domicile/residential certificate whereas respondent no. 4 himself has stated the same as Character certificate and the same was actual character certificate only as such whole decision is ultra vires and as such the appointment order dated 29-12-1939 is liable to be quashed and applicant is liable to be adjudged to be more suitable than the respondent no. 4. The authority competent to issue a domicile certificate is the D.M. of the district and no one else. But in the case of respondent no. 4 neither any certificate nor even verification was by the Hon'ble D.M. as such whole proceedings are unneat and have no legal sanctity.

6. That para 6 of the counter affidavit is denied and in reply the contents of para 6(f) of the original application are hereby reiterated. The comparative maerit was wrongly prepared and counted for.

7. That para 7 of the counter affidavit is denied and in reply the contents of para 6 (i) of the original application are hereby reiterated and it is further submitted that as stated above the house and property of the wife under no circumstances could be counted for against the service of the husband.

मुक्ति वाले द्वारा

ABT

8. That in reply to para 8 of the counter affidavit the contents of para 6 (j) of the original application are hereby reiterated.

9. That in reply to para 9 and 10 of the counter affidavit the contents of para 6 (k) and (l) of the original application are hereby reiterated. The respondent no.2 has clearly violated the Recruitment Rules and has disobeyed the order dated 7-10-1939 of the Hon'ble Tribunal.

10. That in reply to para 11 of the counter affidavit the applicant is advised to state that in view of the facts stated in para 6 of the original application and the circumstances aforesaid the contents of counter affidavit filed by the respondent no.4 are wholly misconceived and the original application being full of merit and based on cogent grounds is liable to be allowed in the interest of justice and the same may graciously

Yours truly  
Y.S. Sankar

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be allowed, otherwise the applicant shall be put to suffer irreparable loss and injury.

11. That in any case, the appointment of respondent no.4 is quite illegal and has been made against the Rules which is liable to be set aside by allowing the original ~~application~~ <sup>and quashed</sup> application.

December 12, 1989.

Applicant

### Verification

I, P.C. Shukla, the applicant hereby verify that the contents of paras 1 to 9 of rejoinder affidavit are true to my personal knowledge and the contents of para 10 and 11 of the rejoinder affidavit are believed by me to be true on the basis of legal advice and that I have not suppressed any material fact.

December 12, 1989.

Applicant.

Identified Shri Poojash  
Chandru Shinde who is personally  
known and has signed  
before me  
A. J. Rao  
12/12/2018

done in  
Armenia 12/12/19  
T.I.V. Tivon  
Served as the  
Counsel for the Appellants

29/4/89

(P.C.)

Appointee  
as ED BPM

CENTRAL ADMINISTRATIVE TRIBUNAL  
CIRCUIT BENCH, LUCKNOW

RECEIVED

Registration No. \_\_\_\_\_ of 1989

APPLICANT(S)

Prakash Chandra Shukla

RESPONDENT(S)

692 others

(Postal Draft)

Particulars to be examined

Endorsement as to result of examination

1. Is the appeal competent ? *Yrs*
2. a) Is the application in the prescribed form ? *Yrs*
- b) Is the application in paper book form ? *Yrs*
- c) Have six complete sets of the application been filed ? *Six sets*
3. a) Is the appeal in time ? *No*  
  b) If not, by how many days it is beyond time ? *—*  
  c) Has sufficient cause for not making the application in time, been filed ? *—*
4. Has the document of authorisation/ Vakalatnama been filed ? *Yrs*
5. Is the application accompanied by B.D./Postal Order for Rs.50/- *Yrs. DD 827984 dtc 19/4/89  
(50/-)*
6. Has the certified copy/copies of the order(s) against which the application is made been filed ? *Yrs*
7. a) Have the copies of the documents/relied upon by the applicant and mentioned in the application, been filed ? *Yrs*  
  b) Have the documents referred to in (a) above duly attested by a Gazetted Officer and numbered accordingly ? *Yrs*  
  c) Are the documents referred to in (a) above neatly typed in double space ? *Yrs*
8. Has the index of documents been filed and paging done properly ? *Yrs*
9. Have the chronological details of representation made and the outcome of such representation been indicated in the application ? *N.A.*
10. Is the matter raised in the application pending before any court of Law or any other Bench of Tribunal ? *Yrs*

(P2)

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Particulars to be Examined

Endorsement as to result of examination

11. Are the application/duplicate copy/spare copies signed ? Yes

12. Are extra copies of the application with Annexures filed ? Yes

a) Identical with the Original ? Yes

b) Defective ? No

c) Wanting in Annexures ? No

Nos. \_\_\_\_\_ pages Nos. ?

13. Have the file size envelopes bearing full addresses of the respondents been filed ? No

14. Are the given address the registered address ? Yes

15. Do the names of the parties stated in the copies tally with those indicated in the application ? Yes

16. Are the translations certified to be true or supported by an Affidavit affirming that they are true ? NA

17. Are the facts of the case mentioned in item no. 6 of the application ? Yes

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. NA

May be listed before  
Count on 21-4-89

dinesh/

1974/89  
S.C. (T)