

CENTRAL ADMINISTRATIVE TRIBUNAL  
LUCKNOW BENCH, LUCKNOW

INDEX SHEET

CAUSE TITLE OA 03 OF 1989

NAME OF THE PARTIES Ram Prakash Applicant

Versus

Union of India Respondent

Part A.

| Sl.No. | Description of documents               | Page       |
|--------|--|------------|
| 1      | check list                             | A 1 to 2   |
| 2      | order sheet                            | A 3 to 5   |
| 3      | Judgement copy                         | A 9 to 14  |
| 4      | petition copy & reply app & respondent | A 23 to 52 |
| 5      | power                                  |            |
| 6      | counter application                    | A 15 to 22 |
| 7      | power & notice                         | A 53 to 62 |
| 8      |  |            |
| 9      |  |            |
| 10     |  |            |
| 11     |  |            |
| 12     |  |            |
| 13     |  |            |
| 14     |  |            |
| 15     |  |            |
| 16     |  |            |
| 17     |  |            |
| 18     |  |            |

CERTIFICATE

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

Dated 16/6/2011

Counter Signed.....

Rajeev  
16/6/11  
Section Officer/In charge

[Signature]  
Signature of the  
Dealing Assistant

CENTRAL ADMINISTRATIVE TRIBUNAL  
LUCKNOW BENCH  
LUCKNOW

AG

Original Application No. 3 of 1989 (L)

Ram Prakash ..... Applicant  
V E R S U S  
Union of India ..... Respondents.  
& Others.

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

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

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

The applicant who is employed in the Northern Railway has filed this application for fixation of his pay equal to his juniors in the skilled grade on the basis of trade test held in 1960 by following next below rule with all the consequential benefits of seniority and promotion by quashing the order dated 16.1.1988 (Annexure-13) rejecting his representation dated 30.6.87 for seniority.

2. The applicant who entered service of the Railways in the year 1953 as Semi Skilled Khalasi in the Field Bridge Workshop under the Bridge Inspector, New Delhi, was transferred alongwith other staff to workshop Lucknow in the year 1955. According to the applicant during the year 1958 some of his Juniors including one Sucha Singh and another Kushia Singh were transferred out of the workshop and sent to Moradabad to work under the Assistant Bridge Engineer. Though they were Junior Staff they were allowed to take the trade test held in 1960 for Promotion to higher grade, and those found successful were

112 - 113 (Imp. Revised)  
114 - 115 (Imp. Revised)

promoted to the scale of Rs. 110-180 (since revised - to Rs. (260-400)). Being aggrieved he represented to the authorities pointing out the anomaly, of his Juniors being placed on a higher scale; considering his representation he was called to appear in the supplementary trade-test held in 1966. The results of both the tests held in 1960 and 1966 were declared on 20.6.66 and the applicant's name figured at Sl. no. 4 above Sucha Singh and other juniors in the list of successful candidates. Thereafter the applicant was put on the higher scale (110-180) w.e.f 12.5.67. On his further representation even pay parity his pay was fixed equal to that of one Mohinder Singh. The contention of the applicant is, being senior he is entitled to Pay Parity with Juniors promoted in 1960. As his representations in this regard were rejected, he has approached the Tribunal.

4. The respondents have opposed the case and in the counter filed by them, it is pointed out that during the year 1958, there was need for field staff, as the duties in the field were <sup>of</sup> arduous nature such of those who were Juniors in the Work Shop were transferred to field duties. The transferred Staff constituted a different entity, their seniority inter-se was fixed among the field staff. In case they revert to the work shop, they will only go back to their original seniority, ~~as per the list of successful candidates in the trade~~. The applicant at the time of their transfer or later did not ask for field transfer. He also did not make representation in the year 1960. It is also stated that the list of successful candidates in the trade

e

test published is not based on common seniority as seniority is only at the unit level. It is further pointed out that the applicant made his representation for the first time in the year 1971 and that was not for pay fixation equivalent to the field staff, his prayer was only for pay fixation equal to his junior one Mohinder Singh, who was also working in the work - shop. The matter was considered and the applicant's pay was fixed equal to Mohinder Singh.

5. We have heard the counsels of parties and also perused the record. The fact that the applicant and also others who were his Juniors, initially belonged to work shop unit at Lucknow, and that in seniority the applicant was above the others whose names, he has mentioned in the Claim Petition is not in dispute. But some time in the year 1958, the administration took a decision, that the manpower required for field work, could be made good by transfer of Staff from work shop. Perhaps in the work shop so many hands were not required, or there was surplus staff. It was a decision of the administration, and as the field work involved hardship, the work being of more exacting and arduous nature, calling for more of physical effort, and evidently not preferred by many, the Junior staff was transferred out, to the extent of requirement and the staff so transferred to the field duties under Assistant Bridge Engineer at Moradabad, constituted a different unit, for which separate seniority was maintained and promotions given. As promotions were given in the field unit and not in the workshop the applicant cannot claim for pay parity as he was

b

in a different unit namely workshop and not in the field unit. From the documents filed by the applicant as Annexures to the petition it is noticed that the applicant never questioned the transfer of his juniors nor he offered his candidature for transfer and in his first representation the prayer is for pay fixation equal to his juniors. One Sri Mohinder Singh who was working in the same workshop., The representation was considered, and vide order dated 27.6.1977 (Annexure-2) his pay was stepped up to be at par with his immediate junior. It was only in the 1982 (Annexure-6) that he has raised the issue of his seniority over the field staff. In that representation dated 8.10.1982 he has pointed out that for the trade test held in the year 1960 he was not called to appear and had he been allowed to appear, he would have been given the same benefits and promotion along with his juniors. His case was also referred to the Executive Chief Engineer (Bridge), New Delhi, it would also appear that he met personally the officer concerned and explained his case and vide letter dated 29.4.87, the position was clarified and the applicant informed that seniority upto "Mistries" grade is not common; seniority is shop-wise and the field staff constitute a different unit and their seniority is maintained separately; hence the claim of seniority of the applicant over field staff is not tenable. The applicant again represented against this decision that since seniority of "Sarangi" in the field as well as Bridge Workshop were combined in the year 1975

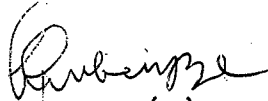
his case should be considered in that light. His appeal was considered vide order dated 16.1.1988 he was again informed that his case is not comparable to field staff and it was also pointed out that the applicant remained in the Work Shop through out; and he claimed over time and other benefits meant for Work Shop staff which were given, and as the seniority in Work Shop and field is separate, he cannot claim the benefits of Promotions, the field staff may have been given through fortuitious circumstances or otherwise.

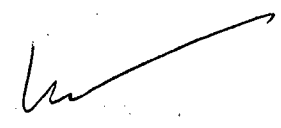
6. For the reasons discussed above, the applicant cannot claim parity with field staff who are part of a separate unit for seniority and other purposes. His case for pay equalisation was considered and his pay fixed equal to that of his Junior next below namely Mohinder Singh. He did not opt for field duty and did not raise any objection, when the Juniors were transferred out for field duties. His representation was considered on merits more than once and the same was rejected as not tenable, since his claim was for pay equalisation over others in a different unit. The position is akin to ex-cadre posts. Once the Juniors have gone out and received certain benefits, the applicant cannot claim the same, his claims and rights for a higher scale or promotion, will be relevant for consideration within the Work Shop staff i.e. the unit to which he belongs and cannot be stretched over others who belong to a different unit and from separate seniority.

k

A14

In these circumstances we consider, that the case of the applicant is without any merit and accordingly it is dismissed, with no order as to costs.

  
Member (A)

  
Vice Chairman

Allahabad, Dated 15/12/ 1992.

(RKA)

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE DISTRICT OF COLUMBIA

Case No. 100-100000

CASE NO.

OA 3/89

NAME OF PARTIES

Ram Prakash

vs  
U.O.R (N.R.Y)

STATE OF INDIA

PART

- ① ✓ Check List A1-A2
- ② ✓ Order Sheet A3-AP
- ③ ✓ Final Judgment Order A9-A14
- ④ ✓ Petition Copy With Power A23-A52
- ✓ Affidavit
- ⑤ ✓ Counter Affidavit A15-A22
- ✓ Affidavit

⑥

PART

B53-B90

⑦

PART

C91-C100

Chandrasekhar  
24/4/89  
22.9.83



filed today  
4/1/89

A1

**CENTRAL ADMINISTRATIVE TRIBUNAL**  
**ADDITIONAL BENCH,**

23-A, Thornhill Road, Allahabad-211001

Registration No. 3 of 198 96

APPLICANT (s) Ram Prakash

RESPONDENT(s) U.O & Co.

Particulars to be examined

Endorsement as to result of Examination

1. Is the appeal competent?
2. (a) Is the application in the prescribed form?  
(b) Is the application in paper book form?  
(c) Have six complete sets of the application been filed?
3. (a) Is the appeal in time?  
(b) If not, by how many days it is beyond time?  
(c) Has sufficient case for not making the application in time, been filed?
4. Has the document of authorisation, Vakalat-nama been filed?
5. Is the application accompanied by B. D./Postal-Order for Rs. 50/-
6. Has the certified copy/copies of the order (s) against which the application is made been filed?
7. (a) Have the copies of the documents/relied upon by the applicant and mentioned in the application, been filed?  
(b) Have the documents referred to in (a) above duly attested by a Gazetted Officer and numbered accordingly?

yes

yes

yes

No (only two sets)

yes

yes

I.P.O. No DD 829787 dt-6/1-89  
Rs. 50/-

yes

yes

yes

Particulars to be ExaminedEndorsement as to result of Examination

A2

- (c) Are the documents referred to in (a) above neatly typed in double space ? *ys*
8. Has the index of documents been filed and paging done properly ? *ys*
9. Have the chronological details of representation made and the outcome of such representations been indicated in the application ? *ys*
10. Is the matter raised in the application pending before any Court of law or any other Bench of Tribunal ? *no*
11. Are the application/duplicate copy/spare copies signed ? *ys*
12. Are extra copies of the application with Annexures filed ? *no*
- (a) Identical with the original ?
- (b) Defective ?
- (c) Wanting in Annexures
- Nos...../Pages Nos..... ?
13. Have file size envelopes bearing full addresses, of the respondents been filed ? *no*
14. Are the given addresses, the registered addresses ? *ys*
15. Do the names of the parties stated in the copies tally with those indicated in the application ? *ys*
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 ? *ys*
- (a) Concise ?
- (b) Under distinct heads ?
- (c) Numbered consecutively ?
- (d) Typed in double space on one side of the paper ? *ys*
18. Have the particulars for interim order prayed for indicated with reasons ?
19. Whether all the remedies have been exhausted.

Let the case be listed on 12-1-08

A3

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
CIRCUIT BENCH AT LUCKNOW

\*\*\*\*

3

O.A./T.A. No. 237 1989 (1)

Ram Prakash

Applicant(s)

Versus

U.O. 2/89

Respondent(s)

| Sr. No. | Date    | Orders   |
|---------|---------|--|
| ①       | 12/1/89 | <u>Hon. A. John, A.M.</u><br>Put up on before Division Bench 41-23/09.<br><u>3</u><br><u>A.M.</u><br><u>L</u><br><u>23/1</u>   |
| ②       | 23.1.89 | <u>Hon. D.S. Mirra, AM</u><br><u>Hon. G.S. Sharma, JM</u><br>On the request received on behalf of learned counsel to the applicant, the case is adjourned to 25.1.1989 for admission.<br><u>JM</u><br><u>23.1.89</u><br><u>25/1</u><br><u>Am</u> |
| ③       | 25/1/89 | <u>Hon. D.S. Mirra, AM</u><br><u>Hon. G.S. Sharma, JM</u><br>No one is present for the applicant. The case is adjourned to 22-2-89 for admission.<br><u>JM</u><br><u>25/1</u><br><u>Am</u>   |

Pay

THE CENTRAL ADMINISTRATIVE TRIBUNAL  
CIRCUIT BENCH, LUCKNOW

ORDER SHEET

CA 3/89/4

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

AL

APPELLANT  
APPLICANT

VERSUS

DEFENDANT  
RESPONDENT

| Sl. No. of order and date | Brief Order, Mentioning Reference, if necessary | How complied with and date of compliance |
|---------------------------|---|--|
|---------------------------|---|--|

(9) 1-5-89

Hon. Justice K. Nath, V.C.  
Hon. D. S. Misra, Am.

No one is present for the opposite parties, although they must be held to have been served with a notice issued on 20-3-89 by registered post and not received back dist for ex parte hearing on 25-5-89.

OR  
Notices were issued to the respondents under reg. post on 20-3-89. Neither any other nor any reply has so far been received back in the office. Case is submitted for orders.

25/5/89

BL  
Am.

DR  
V.C.

102

OR  
No set. Neither any notice nor any reply has so far been received in the office. Case is submitted for ex-parte hearing.

24/5

(10) 25/5

No sitting. Adjourned to 24/7/89 for hearing.

B.O.C.

L

No sitting Adj. to 21.7.09.

25/5

24/7

OR  
The letter has been received on 18.5.09 & is placed on record.

24/5

OR  
As directed by the Court's order of 1.5.09. Case is submitted for ex-parte hearing. No reply has been filed.

26/7

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
CIRCUIT BENCH, LUCKNOW

ORDER SHEET

O.A. No. 3/89(L)  
REGISTRATION No. \_\_\_\_\_ of 1989

APPELLANT  
APPLICANT

Ram Prakash

VERSUS

DEFENDANT  
RESPONDENT

U.O. India and ors

| Serial number of order and date | Brief Order, Mentioning Reference if necessary  | How complied with and date of compliance   |
|---------------------------------|---|--|
| 18/10/89                        | <p>Hon' Mr. D.K. Agrawal, J.M.<br/><u>Hon' Mr. K. Obayya, A.M.</u></p> <p>Shri L.P. Shukla counsel for the applicant is present. None is present for the respondents. Shri Arjun Bhargava had sought two weeks time to file counter affidavit on 20.9.89, but the counter affidavit has not been filed as yet. It is presumed that the railway administration is not interested to contest the case. Therefore, list this case for arguments by the counsel for the applicant on <u>24-10-89</u> before a Single Judge Bench. Respondents will have no right to file counter affidavit. They may however, if so like place the documents before the Single Judge Bench on the date fixed, herein before to facilitate the decision of the case.</p> <p>Later on when the order was already dictated Shri Arjun Bhargava appeared before us and made a request and was asked to make an application with reason, so that it may be considered if at all necessary to modify the order.</p> <p><i>(Signature)</i><br/>A.M.<br/>(sns)</p> <p><i>(Signature)</i><br/>J.M.</p> | <p>The learned counsel for the respondents has not filed any application as yet. It is submitted for consideration.</p> <p>Per<br/>23/10</p> |

11.7.91

~~No Sllg Adj to 16.8.91~~

Q

filed thereafter.

Hence, the case is  
listed for filing

counter by 21.11.90

9/11  
5/11/91

21.11.90

Applicant is  
present. Respondent  
failed to appear  
they did not  
file counter even.  
Fix 3.12.90 for  
filing counter.  
No final in opp  
shall be given for  
ten R  
21.11

3.12.90

Applicant's side  
is present. Respondent  
did not appear.  
He did not file  
counter.  
Sufficient opportunity  
has already been  
given.

put up  
ref tenance  
+ 21.12.90 R  
3.12

21.12.90 No Sllg Adj to 7-3-91

Harwood  
3/12/90

643189.4

7.9)

No sitting adj'd 16.8.91

2

A7

No called  
S. to  
14/9

16.8.91

Mr Mr Justice K. Keith. re  
Mr Mr H. obayde - AM

None present due to strike of  
U.P. Bar Council & case is  
adjourned to 29.10.91 for  
hearing

  
Mr

  
re

I  
29.10.91

No sitting of D.B. adjourn to  
13.1.92

2


13.1.92

No sitting adj'd 4.3.92

2

4.3.92

Due to Stricken of Advocates  
case is adjourn to 19.5.92

  
Boe

or  
1/2 - CP  
Areal  
8 PM  
8.15

Central Administrative Tribunal  
Lucknow Bench, Lucknow.

.....

O R D E R S H E E T

O.A./T.A. No. 3/89L

Office Report /

Order

24.8.92

Shri. Mr. Justice B. C. Srivastava v.  
Shri. Mr. K. Obayya A.M.

Mr. C. P. M. Tripathi learned  
Counsel for applicant, & Mr.  
Arjun Mehra learned Counsel  
for respondent, both  
present.

reserved.

AM

ve

12.92

Shri. Mr. Justice B. C. Srivastava v.  
Shri. Mr. K. Obayya A.M.

Judgment pronounced  
today in the open Court.

AM

ve



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
(LUCKNOW BENCH)  
LUCKNOW.

...

O.A. NO

3/89

1989 (L)

~~T.A. NO~~

Date of Decision

Ram Poakesh

Petitioner.

Advocate for the  
Petitioner(s)

V E R S U S

Union of India & others

Respondent.

Advocate for the  
Respondents

C O R A M

The Hon'ble Mr. Justice U.C. Srivastava, Vice Chairman

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

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

VICE-CHAIRMAN/MEMBER

A3 (2)  
A/5

In the Central Administrative Tribunal Allahabad  
Circuit Bench Lucknow.

O.A. No. 3 of 1989

Ram Prakash

....

Applicant

Versus

Union of India and another

....

Respondents.

Reply on behalf of the Respondents:

Para 1: Needs no reply.

Para 2: Needs no reply.

Para 3: Issue of letter No. 258-E/2-4(Br) dt. 16.1.1988  
is not denied.

The contents under the heading 'Subject in Brief'  
are denied. It is stated that juniors sent as  
Field Staff had a separate seniority in the Field  
and thus claim of the applicant for fixation of  
his pay equal to the staff in field is not  
tenable, since he had not worked in the field.

Para 4: Not denied.

Para 5: Denied. The application is barred by limitation.

Para 6(a) Not denied.

6(b) In reply to the contents of paragraph 6(b) of  
the application, it is submitted that the  
persons mentioned worked in different field  
units and as such the allegations set out cannot  
be verified without knowing their complete  
particulars.

10/08/91  
Senior Engineer

N. Rly. Bridge Workshop  
Charbagh, Lucknow.

Para 6(c) That the contents of para 6(c) of the application cannot be verified because there is no mention to this effect in the service record of the applicant. However, this much is not denied that he worked <sup>SEN</sup> ~~and is working~~ in the Bridge Workshop Northern Railway Lucknow. *and retired on 31-8-89*

*Senior* 14/8/91

N. Rly Para 6(d) That the contents of paragraph 6(d) of the application are denied. It is submitted that workshop and field are two separate units. Hence question of combined seniority did not arise at all, at any time.

Para 6(e) In reply, it is submitted that as a policy, junior persons are transferred to Field on requirement, as the field duties are strenuous and troublesome ones. The applicant could have been also transferred if he would have requested for in writing at his own accord being a senior person. But at that time he kept mum to refrain himself from the hardships of transfer and strenuous jobs of field. It is submitted that the seniority of the workshop and field staff have separate seniority. However if the field staff is transferred back to the workshop on administrative reasons or on any count, the person so transferred will come back on his original seniority and if promotion takes place within workshop it will be according to rules then prevailing in the workshop.

*14.8.91... 3*

Senior Engineer

N. Rly. Bridge Workshop  
Charbagh, Lucknow.

Para 6(f): In reply to the contents of paragraph 6(f) of the application, it is submitted that the persons transferred were transferred in the same capacity i.e. as Khallasi SS (Rigger). Being a separate unit they were promoted by Asst. Bridge Engineer (Spl) Moradabad as a local arrangement against existing vacancies in field as such no injustice was done to the applicant. It is submitted that the applicant could have also submitted an application for transfer to field and if denied that transfer, he could have taken remedy at that time for the injustice that could have been caused to him by that denial. However he cannot challenge that matter in 1989.

Para 6(g): In reply, it is submitted that the applicant made no representation during the year 1960 when his juniors were transferred in field and where they got promotion as Khallasi Skilled (Sarang). The applicant purposely did not do that and which could be only that he was not willing to go to field looking to the strenuous and trouble some job there. Had he represented in those days, the applicant would have also been transferred in field.

Para 6(h): That the contents of paragraph 6(h) of the application are not admitted. The result of the trade test declared by Head Quarter vide letter No. 293-E/1(Br.) dated 20.6.1966 (Annexure 1) to the application) addressed to ~~different~~

14.8.91  
Senior Engineer ... 4

N. Rly. Bridge Workshop  
Harbagh, Lucknow.

A18

- 4 -

Para 6(h): different offices, no where indicates that  
contd. the test done during 1966 was a supplementary  
test.

Para 6(i): Only the issue of ~~combined~~ result vide letter  
No. 293-E/1(Br.) dated 20.6.1966 is not denied.  
Rest is denied. It is submitted that the said  
letter had been addressed to three offices  
and combined result had been declared for  
convenience. It cannot be regarded as a proof  
of combined seniority. Seniority at this level  
is ABE-wise.

Para 6(j): That in reply to the contents of paragraph 6(j)  
of the application, it is not denied that  
after the applicant had passed trade test  
he was promoted as Tindal/Sarang Khllasi  
Skilled w.ef. 12.5.'67. Promotion before  
qualifying a trade test is out of question-  
Any reference of staff, transferred else where  
cannot be linked up, at all.

Para 6(k): That in reply to the contents of paragraph  
6(k) of the application, it is submitted that  
the applicant's first representation was  
received during 1977 not on this issue but  
claiming seniority against Mohinder Singh,  
Tindal and employee of the workshop which was  
accepted by Head Qrs. Office being reasonable  
and his pay was accordingly stepped up equal  
to his junior Shri Mohindar Singh w.ef. 12.5.  
67 vide Sr. Engineer (Bridges) New Delhi

14.8.91 letter No. 752-E/2(Br.) dated 27.4.'77 as  
Senior Engineer contained in Annexure No. 2 to the application.

N. Rly. Bridge Workshop  
Harbogh, Lucknow

... 5

A9

Para 6(l): Issue of letter dated as contained in Annexure  
& (m): No.2 to the application are not denied. It is submitted that decision taken was correct and also endorsed by Senior Engineer vide his letter dated 9.9.1977 as contained in Annexure No. 3 to the application. Since both of these persons were workshop employees and there was <sup>SEN</sup>no problem. It had no connection with staff transferred in the field.

Para 6(n): That the contents of paragraph 6(n) and (o) of  
&(o): the application are not admitted. A bare perusal of the letter enclosed as Annexure No. 4 to the application, shows that SEN/Bridge Cons. sought advice of SAO(W)Lko if the seniority can be accepted vis a vis applicant's juniors. The letter seems to be an inter departmental correspondence of which no copy was endorsed to the applicant. As to how he obtained the photostat of the said letter, it is for the applicant to explain. It is submitted that no advantage can be derived by the applicant out of the said letter. However SAO(W)/CB.Lko had clearly stated in letter dated 18.10.'77 (Annexure No. 5 to the application) that he had nothing to the say in the matter of seniority and indicated as to the requirements needed to be fulfilled regarding fixation of pay.

Para 6(p): Denied. No such representation as contained in annexure no. 6 to the application is in the file

14-8-91 ... 6

Senior Engineer  
Rly. Bridge Workshop  
Barbagh, Lucknow

A20

- 6 -

Para 6(q): Issue of letter dated 23.9.'85 as contained in Annexure No. 7 to the application is not denied.

Para 6(r): Not denied.

Para 6(s): Issue of letter dated 30.1.'86 as contained in Annexure No.9 to the application is not denied.

It is however submitted that there was some clerical mistake, in indicating that the trade test held in 1966 was supplementary, in view of any proof that it was supplementary. It is further submitted that the letter dated 30.1.'86 was an inter departmental correspondence to know the exact views of the senior departmental head. No advantage can be derived by the applicant out of the said letter.

Para 6(t): Issue of letter dated 4.5.1987 accompanied with the copy of letter dated 29.4.1987 as contained in Annexure No. 10 are not denied. It is submitted that the decision arrived at and communicated in letter dated 29.4.'87 cannot be termed as arbitrary. It was a clear most correct decision conveyed by N.Rly. Head Quarter that seniority is separate for field and workshop.

Para 6(u): Submission of representation dated 9.5.1987 and 30.6.'87 as contained in Annexure No. 11 and 12 to the application are not denied.

Para

Le Dargon 14-8-91

Senior Engineer

N. Rly. Bridge Workshop  
Harbagh, Lucknow.

.... 7

A21

- 7 -

Para 6(v): Issue of letter dated 16.1.1988 as contained in annexure no. 13 to the application is not denied. The communication made through the letter dated 16.1.1988 was to the effect that matter has already been considered while conveying decisions in letters dated 27/6/77 9.9.'77 again on 29.4.'87. In para 2 only a further clarification was made that the applicant had already received the overtime claimed from 1955 to 1966 on the basis that he was working as a workshop employee and also in view of the fact that seniority of workshop and field is separate, his claim for seniority vis a vis field staff is therefore not considered justified. The issue of letter does not revive or extend limitation.

Para 6(w): That the contents of paragraph 6(w) of the are not admitted. All the orders arrived at and communicated are correct and totally based on rules. None of them can be called arbitrary, or against the rules. It is submitted that the applicant is not entitled to the benefit of 'next below rule' as alleged. The action of the respondents cannot be termed as violative of Article 14 and 16 of the Constitution of India, in view of the fact that the applicant has been getting the benefits as would be available to an employee of workshop. PS 2709 and 3412 have no application to the case of the applicant because these circulars do not decide seniority of workshop and field staff which are totally separate units and maintaining

*[Handwritten signature]*  
14-8-91  
Senior Engineer

27 Rly Bridge Workshop  
Bachchan Lucknow



A22

- 8 -

Para 7: The applicant is not entitled to any relief and the application is liable to be dismissed with costs to the respondents.

None of the grounds taken in the application are tenable in law.

Para 8: Needs no reply.

Para 9: Needs no reply.

Para 10: Needs no reply.

Para 11: The contents are to be verified by the office of the Tribunal, hence needs no reply.

Para 12: Needs no reply.

Lucknow

dated: 14/8/91

*Le M...*  
Respondents. 14-8-91

Senior Engineer

N. Ry. Bridge Workshop  
Charbagh, Lucknow.

Verification:

I, *W. U. KHAN* working as Senior Engineer in the Bridge Workshop Northern Railway Charbagh Lko, duly competent and authorised to sign and verify this reply do hereby verify that the contents of paragraph 1 to 12 of this reply are true to the best of belief based on information derived from record and legal advice.

Signed and verified this 14<sup>th</sup> day of Aug 1991 at Lucknow

*Le M...*  
Senior Engineer

N. Ry. Bridge Workshop  
Charbagh, Lucknow.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD,  
CIRCUIT BENCH, LUCKNOW.

O.A. No. 3 of 1988 (U)

Ram. Prakash ... Applicant.

Versus

Union of India and another .. Respondents.

FORM -I  
(See rule 4)

Application under section 19 of the  
Administrative Tribunals Act, 1985.

For use in Tribunal's Office:

Date of filing ..... Central Administrative Tribunal  
..... Circuit Bench, Lucknow  
or Date of Filing 11/1/88  
Date of Receipt by Post.....

Date of receipt ..... Deputy Registrar(J)  
by post.

Registration No. ....

Noted dated  
12/1/88  
11/1/88  
11/1/88

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD,  
CIRCUIT BENCH, LUCKNOW.  
O.A. No. 3 of 1989. (L)

Ram Prakash ... Applicant.

Versus

Union of India & another .. Respondents.

I N D E X.

| S.No. | Particulars.   | Page nos. |
|-------|--|-----------|
| 1.    | Application ...  | 1 to 13   |
| 2.    | <u>Annexure-1.</u><br>Copy of letter No. 293-E/1 (Br)dt. 20.6.66<br>declaring the result of the trade test.  | 14        |
| 3.    | <u>Annexure-2</u><br>Copy of letter No. 752-E/2(Br) dated 27.6.77<br>from SEN/Br/L, New Delhi ordering the stepping of<br>pay of the applicant w.e.f. 12.5.67.     | 15        |
| 4.    | <u>Annexure-3.</u><br>Copy of letter No. 752-E/2(Br) dated 9.9.77 from<br>SEN/Br/L, New Delhi confirming the decision contained<br>in Annexure-2.                  | 16        |
| 5.    | <u>Annexure-4.</u><br>Copy of letter No. 752E/2(Br) dated 9.8.1979 from SEN/<br>Br,-L, New Delhi to SAO(W), Lucknow.   | 17        |
| 6.    | <u>Annexure-5</u><br>Copy of letter No. 79/LAC/Br W/S/CB dated 18.10.79 from<br>SAO (W), Lucknow to SEN ( Bridges ), New Delhi.                                    | 18        |
| 7.    | <u>Annexure-6</u><br>Applicant's representation dated 8.10.1982. ..  | 19        |
| 8.    | <u>Annexure-7</u><br>Copy of letter No. 258-E/2--4( Loose) dated 23.9.85<br>from respondent no.2 to the applicant.   | 20        |
| 9.    | <u>Annexure-8.</u><br>Copy of application dated 10.1.86 forwarding there-<br>with the copies of correspondences.   | 21        |
| 10.   | <u>Annexure-9</u><br>Copy of letter no. 258-E/3-4(Br)dated 30.1.86 from<br>respondent no.2 to the Dy. Chief Engineer ( Bridges)/W,<br>Northern Railway, New Delhi. | 22        |
| 11.   | <u>Annexure-10.</u><br>Copy of letter No. 941E/4-C dated 4.5.87 with copy of<br>letter dated 29.4.87 from SEN/Br-L/II  | 23 & 24   |
| 12.   | <u>Annexure-11</u><br>Copy of representation dated 9.5.1987 ...  | 25        |
| 13.   | <u>Annexure-12</u><br>Copy of representation dated 30.6.1987. ...  | 26        |

Ram Prakash

...2.

## Index continued:

| S.No. | Particulars.  | Page nos. |
|-------|---|-----------|
| 14.   | <u>Annexure -13.</u><br>Copy of Order No. 258-E/2-4(Br) dated 16.1.1988<br>from respondent no. 2 finally disposing of the<br>case of the applicant. | 27        |
| 15.   | Vakalatnama                      ...                      ...                      ...  | 28        |

Ravi Parkash

Signature of the applicant.

A25

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD,  
CIRCUIT BENCH, LUCKNOW.

O.A. NO. 3 OF 1988 (4)

Ram Prakash

...

Applicant.

Versus

Union of India & another ..

Respondents.

APPLICATION UNDER SECTION 19 OF THE  
ADMINISTRATIVE TRIBUNALS ACT, 1985.

-----

DETAILS OF APPLICATION:

(1). Particulars of the applicant:

(i). Name of the applicant : Ram Prakash.

(ii). Name of father : Late P.R. Gulati.

(iii). Designation and office  
in which employed : Serang H.S. Gr. I,  
Northern Railway,  
Bridge Workshop,  
Charbagh, Lucknow.

(iv). Office address : as above.

(v). Address for service of : as above.  
all notices.

2. PARTICULARS OF THE RESPONDENTS:

- |  |   |  |
|--|---|--|
| (i). Name/or designation of respondents.   | } | 1. Union of India through the -<br>General Manager,<br>Northern Railway,<br>Baraoda House,<br>NEW DELHI. |
| (ii). Office address of respondents        |   |  |
| (iii). Address for service of all notices. |   |  |

..2.

Ram Prakash

2. Senior Engineer, Bridge Workshop,  
Northern Railway, Charbagh,  
Lucknow.

3. PARTICULARS OF ORDERS AGAINST  
WHICH APPLICATION IS MADE.

Order No. 258-E/2-4(Br) dated 16.1.1988  
passed by the respondent no. 2 finally  
rejecting the claim of applicant's seniority  
and fixation of pay over his juniors.

SUBJECT IN BRIEF:

For fixation of applicant's pay equal  
to his juniors promoted in the year 1960  
in grade Rs. 110-180 (AS ) subsequently  
revised to scale of Rs. 260-400 (RS) with  
all consequential benefits.

4. JURISDICTION OF THE TRIBUNAL:

The applicant declares that the subject  
matter against which he wants redressal is  
within the jurisdiction of this Hon'ble  
Tribunal.

5. LIMITATION:

The applicant further declares that the  
application is within limitation prescribed  
in Section 21 of the Administrative Tri-  
bunals Act, 1985.

Ram Parag

6. Facts of the Case:

(a). That with effect from 1953, the applicant was appointed as Semi Skilled Khallasi ( subsequently appointed as Rigger ) in the Field Bridge Workshop and posted under the Bridge Inspector (M), Northern Railway, New Delhi.

(b). That the applicant, by virtue of his earlier appointment, was senior to one Shri Sucha -  
other  
Singh and many/semi skilled Khallasias namely S/Shri Khushia Singh, Bachan Singh, Dalip Singh, Faqir Chand, Chur Singh and moti Ram, who were appointed after the applicant in the same capacity and unit under the Bridge Inspector (M), Northern Railway, New Delhi.

(c). That due to administrative reason, the applicant alongwith the aforesaid staff was transferred to Bridge Workshop, Northern Railway, Lucknow in the year 1955.

(d). That in the Bridge Workshop, Lucknow the seniority of Riggers of this workshop was combined with the Field Workshop Staff upto 1968.

(e). That in the year 1958, the respondents, on their own accord, transferred some juniors namely S/Shri Sucha Singh, Khushia Singh, Bachan Singh, Daleep Singh, Faqir Chand, chur Singh and Moti Ram all semi skilled Khallasias ( Riggers ) under Asstt.- Bridge Engineer/Spl./ Moradabad but they were still on the seniority list of Bridge Workshop wherein the

Ram Park 86

applicant was senior to all of them.

(f). That despite the fact that the applicant was senior to all of the aforesaid staff, the respondents, ignoring the applicant, held a trade test of the aforesaid junior staff in the year 1960 for being promoted to them in scale Rs. 110-180 ( subsequently revised to scale of 260-400 ) and accordingly they were promoted in the said grade in the said year at the back of the applicant.

(g). That aggrieved by the aforesaid illegal and arbitrary act of the respondents, the applicant made representation claiming his promotion, seniority and stepping ~~up~~ <sup>were</sup> his pay equal to his juniors from the date when they promoted in skilled grade in the year 1960 as he was senior to all of them.

(h). That as a result of the aforesaid representation, a supplementary trade test was arranged in the year 1966 and the applicant was called to appear therein for being promoted in skilled grade. The applicant appeared in the said test.

(i). That a combined result of the aforesaid trade test held in the year 1960 and 1966 was declared by the respondents under Headquarters Office, New Delhi's letter No. 293-E/1(Br) dated 20.6.1966 and the names of successful candidates were notified in strict order of their seniority. The name of the applicant was indicated at serial no. 4 that is above Sri Sucha Singh

Ram Parkash



Annexure. 1.

and many other staff who were junior to the applicant. A true copy of the said letter dated 20.6.1966 is being filed herewith as ANNEXURE NO. 1 to this application.

(j). That after passing the aforesaid trade test, the respondents promoted the applicant as Tindal/Sarang in grade Rs. 110-180(AS) ( Subsequently revised to scale Rs. 260-400 ) with effect from 12.5.1967 and not from the year 1960 when his junior Sri Sucha Singh and many others were promoted.

(k). That aggrieved by the aforesaid act of the respondents, the applicant made several representations for his promotion in skilled grade from the year 1960 when his juniors were promoted and <sup>also for</sup> stepping of his pay equal to his juniors, as required under the rules.

(l). That as a result of the aforesaid representations, the Senior Engineer, Bridges-L, Northern Railway, Baroda House, New Delhi, vide his letter No. 752-E/2(Br) dated 27.6.1977, ordered to fix the pay of the applicant equal to one Shri Mohinder Singh, Tindal in grade Rs. 110-180/260-44(RS) with effect from 12.5.1967 and not from the year 1960 when his juniors were promoted. A true copy of the said letter dated 27.6.1977 is being filed herewith as ANNEXURE NO. 2 to this application.

Annexure -2.

(m). That on a reference made by the respondent no. 2 ( then designated as Assistant

Ram Parkash

Bridge Engineer (W), Northern Railway, Lucknow ), the Senior ~~Bridges~~ Engineer/Bridge/L, northern - Railway, New Delhi, vide his letter No. 752-E/2(Br) dated 9.9.1977, confirmed the very same decision which he had already taken vide Annexure No. 2 to this application. A true copy of letter dated 9.9.77 is Annexure No. 3 to this application.

Annexure-3.

(m). That since the aforesaid decision was arbitrary and against the established law and rules, the matter was further agitated by the applicant to decide the issue involved in the case whereupon the Senior Engineer/ Bridges-L/Northern Railway, New Delhi admitting the claim of the applicant referred the case to the Senior Accounts Officer (W), Northern Railway, Lucknow for examination and vetting vide his letter No. 752-E/2(Br) dated 9.8.1979, a true photo stat copy of which is being filed herewith as Annexure No. 3 to this application.

Annexure-4.

(n). That in response to above letter ( Annexure -3), the Senior Accounts Officer (W), Northern Railway, Lucknow, vide his letter No. 79/LAC/Br W/S/CB dated 18.10.1979, communicated his observations to the Senior Bridge Engineer, Northern Railway, Baroda House, New Delhi favouring the case of the applicant. A true copy of the said letter dated 18.10.1979 is being filed herewith as ANNEXURE No. 5 to this application.

Annexure-5.

(p). That thereafter, the respondents maintained complete silence over the matter which

Ram Parke

compelled the applicant to prefer a representation dated 8.10.1982 to the Additional Chief Engineer, Bridges, Northern Railway, Baroda House, New Delhi through the proper channel for the reliefs already claimed. A true photo stat copy of the said representation dated 8.10.1982 is being filed herewith as ANNEXURE NO. 6 to this application.

Annexure-6.

(q). That thereafter, the respondent no.2, vide his letter No. 258/E-2-4 (loose ) dated 23.9.85 informed the applicant that his case was referred to Headquarters office, New Delhi for decision but no decision could be arrived at as the concerning file was not available in that office; and as such the applicant was required to supply copies of correspondence pertaining to his case for further transmission to Headquarters Office, New Delhi for disposal of his case. A true copy of the said letter is being filed herewith as ANNEXURE NO. 7 to this application.

Annexure-7.

(r). That in pursuance of the aforesaid letter ( Annexure no. 7 ), the applicant, by means of an application dated 10.1.1986 furnished the full information and copies of the relevant documents/ correspondence to the respondent no. 2 for further transmission to the Headquarters Office for disposal of his case. A true copy of the said letter/application dated 10.1.1986 is being filed herewith as ANNEXURE NO.8 to this application.

Annexure-8.

(s). That after the receipt of the information and copies of documents, the respondent no. 2,

am Park 86

by his letter No. 258-E/3-4(Br) dated 30.1.1986, referred the case with copies of full correspondence to the Deputy Chief Engineer ( Bridges )/W, Northern Railway, Baroda House, New Delhi with the recommendation to decide the case finally. A true copy of the said letter dated 30.1.1986 is being filed herewith as ANNEXURE NO. 9 to this application.

Annexure-9.

(t). That thereafter, the Respondent no. 2, by his letter no. 941-E/4-c dated 4.5.1987, communicated the decision of the Deputy Chief Engineer, Bridges, Northern Railway, New Delhi rejecting the claim of the applicant on flimsy ground and in an arbitrary manner to the Shop Supdt. (W), Northern Railway, Lucknow, who informed the applicant accordingly. A true copy of letter dated 4.5.1987 along with the letter dated 29.4.1987 containing the decision of the Deputy Chief Engineer is being filed herewith collectively as ANNEXURE NO. 10 to this application.

Annexure-10.

(u). That since the decision made in the case of the applicant was not on the actual point involved in the case, the applicant was constrained to move representation dated 9.5.1987 for review of the decision already taken and thereafter preferred a representation dated 30.6.1987 to the respondent no. 2 with copies to all authorities concerned for deciding the case in accordance with law and rules. True copies of the said representations dated 9.5.87 and 30.6.1987 are being filed herewith respectively as ANNEXURES NOS. 11 and 12 to this application.

e-11 and 12.

2/8/86

(v) That thereafter, the respondent no. 2, by his order No. 258-E/2-4(Br) dated 16.1.1988, finally rejected the claim of the applicant in an arbitrary manner and against his own observations already made vide Annexure no. 9 and the observations made by the Senior - Engineer/Bridges-L, Northern Railway, Headquarters Office, Baroda House, New Delhi vide Annexure no. 4 to this application.

(w). That <sup>all</sup> ~~the~~ orders rejecting the claim of the applicant are illegal, unconstitutional, arbitrary, against the rules of the department and instructions issued by the Railway Board contained in Printed Serial Nos. 2709 and 3412 ~~de~~. In every case the applicant is entitled to the benefit of 'Next Below Rule '. Since the applicant has been denied such benefit, the action of the respondents is violative of Article 14 and 16 of the Constitution of India also.

7. RELIEF SOUGHT :

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

- (a). That this Hon'ble Tribunal be pleased to direct the respondents to grant the benefit of ' Next Below Rule ' to the applicant by fixing his pay equal to his

Baroda

to his junior namely Sri. Sucha Singh and many other juniors promoted in Skilled Grade on the basis of trade test held in the year 1960 with all consequential benefits of seniority and promotion over his juniors by quashing all orders contained in Annexure no. 13 to this application.

- (b). Cost of this application may also kindly be awarded to the applicant.

G r o u n d s :

- (i) That the orders rejecting the claim of the applicant is against the ' Next Below Rule ' that is Rule 2018 B of the Indian Railway Establishment Code Vol. II and various instructions issued by the Railway Board on the subject.
- (ii) That orders rejecting the claim of the applicant are violative of Articles 14 and 16 of the Constitution of India.
- (iii) That the orders rejecting the claim of the applicant is arbitrary and against the facts available on the records and the observations of the respondents themselves.

Rem Park 86

8. INTERIM ORDER, IF PRAYED FOR.

In the facts and circumstances of the case, the applicant prays for no interim order.

9. DETAILS OF THE REMEDY EXHAUSTED:

The applicant declares that he has availed of all the remedies available to him under the relevant service rules e.t.c.

10. MATTER NOT PENDING WITH ANY OTHER COURT ETC.

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

11. PARTICULARS OF THE POSTAL ORDER (S) IN RESPECT OF APPLICATION FEE.

- (i) No. of Indian Postal Order: DD 829787  
(ii) Name of issuing post Office: Almlega  
(iii) Date of issue of Postal Order: 6/1/89  
(iv) Post Office at which payable: \_\_\_\_\_

12. DETAILS OF INDEX:

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

Ram Park

13. List of enclosures :

- (1) Copy of letter No. 293-E/1(Br) dated 20.6.1966 issued by the Executive Engineer/ Bridge Workshop, Northern Railway New Delhi declaring the result of the trade test held in the years 1960 and 1966 for skilled grade.
- (2) Copy of Letter No. 752-E/2(Br) dated 27.6.77 issued by S.E.N/Br/L, New Delhi ordering stepping up pay of the applicant w.e.f. 12.5.1967.
- (3) Copy of Letter No. 752-E/2(Br) dated 9.9.77 issued by S.E.N/Br/L, New Delhi confirming the decision contained in letter dated 27.6.77
- (4) Copy of letter No. 752-E/2(Br) dated 9.8.79 issued by SEN/Br/L, New Delhi to Sr. Accounts Officer (W), Northern Railway, Lucknow.
- (5) Copy of Letter No. 79/LAC/Br W/S/CB dated 18.10.1979 issued by Sr. Accounts Officer (W), Northern Railway, Lucknow to SEN ( Br), Northern Railway, New Delhi.
- (6) Copy of applicant's representation dated 8.10. 1982.
- (7) Copy of letter No. 258/E-2-4( Loose) dt. 23.9.1985 issued by respondent no. 2 asking the applicant to supply copy of correspondences.

Ravi Parkash



- (8). Copy of applicant's representation dated 10.1.1986.
- (9). Copy of letter No. 258-E/3-4(Br) dated 30.1.1986 from Deputy Chief Engineer (Br. W/Shop), Northern Railway, Charbagh, Lucknow to the Dy. Chief Engineer (Br),/W, Northern Railway, New Delhi.
- (10) Copy of Letter No. 941-E/4-C dt. 4.5.87 from respondent no.2 alongwith copy of letter dated 29.4.1987 of SEN/Br-L/II.
- (11) Copy of applicant's representations dated 9.5.1987 and 30.6.1987.
- (12) Copy of letter No. 258-E/2-4(Br) dated 16.1.1988 from respondent no. 2 containing the final decision.

Verification :

I, Ram Prakash, son of Late P.R. Gulati, aged about 57 years, resident of 449, Hind Nagar, Kanpur Road, Lucknow, do hereby verify that the contents from paragraphs 1 to 13 are true to my knowledge and belief and that I have not suppressed any material fact.

*Ram Prakash*

Signature of the applicant.

To,

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

(4) A38

उत्तर रेलवे/NORTHERN RAILWAY

फॉर्म No. 19/G.L. 19  
अन्यत 99-गरी/Genl. 99-LargeHeadquarters Office,  
Baroda House, New Delhi.

No.293-E/1(Br.)

Dated: June 20, 1966.

The Asstt. Bridge Engineer,  
Northern Railway,  
Lucknow and New Delhi.The Asstt. Bridge Engineer, Spl.,  
Northern Railway,  
New Delhi.Sub:- Trade Test.

As a result of the trade test conducted the following semi-skilled Khallasies are declared to have passed the test for promotion to the post of skilled Khallasies:-

1. Shri Kartara S/o Buta.
2. " Uttam Singh, S/o Naranjan Singh.
3. " Amar Singh S/o Lal Singh.
4. " Ram Prakash, S/o Panjoo Ram.
5. " Sucha Singh, S/o Prem Singh.
6. " Khushia Singh, S/o Mehanga Singh.
7. " Bachan Singh, S/o Boor Singh.
8. " Dalip Singh, S/o Surain Singh.
9. " Phuman Singh, S/o Bhagat Singh.
10. " Faqir Chand, S/o Sant Ram.
11. " Lachhman S/o Sungna Mal.
12. " Chur Singh, S/o Palu Ram.
13. " Moti Ram, S/o Halu Ram.
14. " Duni Chand, S/o Sita Ram.
15. " Balip Singh, S/o Kalyan Singh.
16. " Surinder Singh, S/o Wadawa Singh.
17. " Shiv Dutt S/o Moti Ram.

-Sd-

Executive Engineer/BrW.

T.C

Ramu Pariksh

Attached/1 to Copy

L. P. Singh

L. P. Singh  
ADDY

ANNEXURE NO. 2

15

A39

Nb. 752-E/2 ( Br )

dated 27.6.1977

From :

S.E.N./Br/L/L,  
New Delhi.

To,

A.B.E. (W),  
Northern Railway,  
Lucknow.

Sub : Fixation of pay of Shri Ram Prakash,  
Taindal., Bridge Workshop, N. Rly, Lko.

Ref : Your Letter No. 258-E/2-4 ( Br) dated  
12.11.76 .

It has been decided on consultation with A.O.(E),  
N. Rly., NDLS that pay of Shri Ram Prakash, Tindal,  
Br. W/Shop-Lko may be stepped up equal equal to his  
junior men Shri Mohinder Singh, Tindal gr. Rs. 110-180  
(AS)/260-400(RS) with effect 12.5.67.

His pay me refixed accordingly.

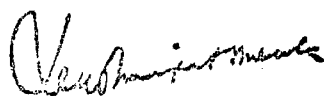
Sd. \_\_\_\_\_

S.E.N/Br/L.

True copy.

Ram Park 

Attested/True Copy



L. P. SHUKLA  
Advocate

No. 752-E/2 (Br)

Dated 9.9.1977.

From :

To,

S.E.N./Br-L,  
N. Rly., New Delhi.A.B.E. (W),  
N. Rly., Lucknow.Sub : Fixation of Pay of Shri Ram Prakesh,  
Tindel, Br. W/Shop, Lucknow.Ref : Your Letter No. 258-E/2-4(Br) dated  
2.8.77.

The case of the above-named has been re-examined  
and it is revealed that pay already fixed under this  
office letter of even number dated 27.6.77 is correct.

Sd.----- 9/9  
S.E.N/Br/L.

True Copy.

Ram Prakesh

Attested/True Copy

V. P. ShuklaL. P. SHUKLA  
Advocate

A41

99-AT/17-March 1976-1,00,000 Pds.

Hd. Qrs. Office, Northern Railway, Delhi.

19/6.1.1.

No. 752E/2(Br)

Dt:- 9.3.79.

SAC(W)/LKO.

Sub:- Fixation of seniority of Sh. Ram Prakash Tindal/Sarang Gr. 260-400(RS) Br. W/Shop, LKO.

Sh. Ram Prakash S/o Sh. Panjoo Ram is working in Br. W/Shop, LKO, as Tindal/Sarang Gr. 110-130AS/260-400(RS). He has claimed his seniority and fixation of his pay over his juniors as mentioned below in Semi Skilled Gr. as Kh. Semi skilled.

Sh. Ram Prakash was appointed as Kh. S.S. on 19.3.53 under BRL/NDLS and transferred to LKO in 1956 in Fabrication Depot under BRL/LKO. This Fabrication Depot, which is now in the shop of Br. W/Shop, LKO, was registered in 1966, giving retrospective effect from 1.4.55.

In 1958, some of the Ahallasi S.S. were transferred from this depot to Spl/Jorks under ASE/SPL/AB & ASE/III and subsequently they were promoted there in skilled grade after trade test held in 1960. They however did not turn up to their parent office LKO though they had their substantive in S.S. grade in Br. W/Shop, LKO. Sh. Ram Prakash was not called for in the Trade Test held in 1960 by ASE/Spl. along with other staff Trade tested. However a trade test for Ahallasi Skilled was held in 1966 and Sh. Ram Prakash appeared in the T.T., the result of which was declared vide No. 293E/1(Br) dt. 20.6.66 showing also names of those who appeared in T.T. in 1960 under ASE/Spl. This show was supplementary T.T.

On the basis of this Trade test for Ah. skilled held in 1966, Sh. Ram Prakash was designated as Tindal/Sarang Gr. 110-130AS 260-400RS in Br. W/Shop, LKO on 12.5.67 while working in machine shop (Br. W/Shop, LKO). He is still working as Tindal/Sarang Gr. 110-130AS/260-400RS in Br. workshop, LKO. Whereas his juniors Ahallasi SS, got promotions in field on the basis of Trade Test for Ah. Skilled held in 1960 and further promotions to ~~xxxxxx~~ Br. Mistry grade, as detailed under.

1. Sucha Singh, Promoted as Mistry but left service.
2. Khushia Singh, Promoted as Mistr. on 1.3.68 as BRL on whose basis 1976.
3. Bachan Singh, Promoted as Mistry on 12.12.72
4. Daleep Singh, " " in 1977
5. Faquir Chand, " " in 1976
6. Chur Singh, died
7. Moti Ram, Promoted as Mistry in 1978.

Shri Ram Prakash has stated in his representation that he may be given due seniority and fixation of pay even if he is transferred in field on promotion.

...2/-

T. C  
Ram Prakash

Attested Copy

*[Signature]*

Advocate

Aiz

1819/13—Nov., 1977—30,300 Pds.

उत्तर रेलवे  
Northern Railway

79/Ltr/Secy WTS/CB

dt 10.12.77

The SEN (Bridge)

N. Rly / Bridge House

New Delhi

Subj: Fixation of Seniority of Sh. Ram Prakash  
Tindol / serving Gr 260-40 (RS) Bridge  
WTS / CB / Uu.

Ref: your letter no 752 E/2 (P) dt. 2.11

The case of Sh. Ram Prakash has been examined in the light of recommendations made in your letter cited above. The office has nothing to say in the matter of seniority.

As regards his fixation of pay the following requirements need to be fulfilled:

- ① In order to allow the employee proforma fixation over his junior the employee in the higher post administrative error if any will have to be established in terms of Rly Board letter no E (RG) 63 PM / 192 dt 15/12 (P 2709)
- ② Necessary sanction of the competent authority to the proforma fixation and to the payment of arrears wef the date Sh. Ram Prakash was physically promoted to his higher post is incomplete in the matter.

o/c / S. A. S. /  
CS / U  
10/12-02/11/79

Copy to HSE (u) for information & necessary action pl.

T.C

Ram Park

Attested / Copy

V. S. S. S. S. S.

L. P. S. S. S.

S. S. S. S.

A43

To,

The Addl. Chief Engineer/Bridges,  
Northern Railway-Saroda House,  
New Delhi.

(Through Proper Channel)

Sl.

Sub:-Assignment of wrong seniority.

With due respect I beg to state that my case of seniority is still hanging in fire and has not been dealt with in its right prospective. In this connection, I may like to bring the following facts so that the genuine demand of the undersigned. The decisions conveyed to me vide SKK/Br. NDLS letter No's. 752-E/2(Br.) dt. 27.6.77 and 2/9/77 were appealed against me and no further decision has been intimated to me, which is hanging for the last 22 years, may be noted suitably.

1. That the staff mentioned below were appointed in 1953 alongwith me in the field workshop under BRH/W-NDLS

1. Sh. Suckha Singh - now promoted as Mistry.
2. Sh. Khushia Singh - Since promoted as BRH in 1976
3. Sh. Bacchan Singh - Since promoted as Mistry.
4. Sh. Daleep Singh - -do-
5. Sh. Faquir Chand - -do-
6. Sh. Chur Singh - Since died.
7. Sh. Moti Ram - Since promoted as Mistry.

The above workshop was later on shifted to LKO as field workshop at Lucknow. The staff who were in SS category against whom I have claimed my seniority were later on sent to BRH/Spl/Dhaneta in 1959 for execution of special work. At Dhaneta, they were tested for skilled grade in 1960 and were absorbed as such but I was not called for the trade test being senior to them.

2. That as a result of my representation I was called to appear in the trade test for the post of Skilled in only 1966 which was treated as supplementary test and combined result was declared by the then SKK/Br. NDLS vide letter no. 23-E/4(Br.) dt. 20/12.6.1966, but I was not assigned the seniority of Sarang which was due to me.

3. That one of above trade test I was designated as Sarang in the Bridge Workshop, Lucknow on 12.5.1967.

4. That I am still working as Sarang in the Bridge Workshop, Lucknow whereas my juniors as indicated above have been promoted over and above to me on the basis of trade test conducted in 1960 in which I was ignored. Had I been called for the trade test in 1960 on the basis of combined seniority which was existing as is very clear from the item 2 above, I would also have got promotion and would have been senior to them but for due to the administrative fault I have been deprived of my legitimate right..

It is, therefore, requested that I may kindly be given my correct seniority position thereby fixing my pay to take effect from 1960 the date from which my juniors were given promotions.

Yours faithfully,

Ram Park

( Ram Prakash ) Sarang

T.No.601

Bridge Workshop, Lucknow

Dt. 8/10/1982

T. e  
Ram Park

Attested Copy

V. S. S. S. S.

L. P. S. S. S.  
Advocate

(3)

NORTHERN RAILWAY

1

सी.एच. 19/CL 19  
नमूना 99-नमूना/Genl. 99-Large

No.258/B-2-4(Lesse) Dated:23.9.85.

Office of the  
Dy.CB/Br.W/CB-LKO.Shri Ram Prakash,  
Sarang HS Gr.I,  
Bridge Workshop, LKO.

Sub:- Seniority position in Skilled grade

Ref:- Your application dated:29.8.85.

....

Your last application was referred to Hqrs. Office for decision into the matter and it has been advised to SEN/Br.Line-II, NDLS that the connected case file on this subject is not available in that office. Accordingly Hqrs. office has asked for supplying copies of the correspondence pertaining to your case. Pl. supply copies of the correspondence in connection with your case available with you, if any, to this office so that full correspondence may be supplied to Hqrs.office for further disposal there.

*Shri Ram Prakash*  
SEN/Br.W/CB-LKO.

T.C  
*Ram Prakash*

Attested/True Copy

*L. P. Shukla*L. P. SHUKLA  
Advocate



To  
The Dy. Chief Engineer (Bridges),  
N.Rly., Charbagh,  
Lucknow.

Through proper channel.

Sub:- Benefit of notional fixation of pay in  
seniority revision.

Ref:- Printed serial No. 2709.

With reference to your office letter No. 258-E/2-4 (Loose),  
dated: 23.9.1985, most humbly and respectfully I beg to make the  
following humble submissions for your kind consideration and  
passing appropriate orders as deemed just and proper:-

1. That I am senior to item No. 3 to 17 vide list No.  
293-E/1 (Br.). Dated: 20.6.1966.
2. That I was not promoted at the appropriate time due  
to administrative error.
3. That the full details of my claim are contained in my  
application dated: 8.12.1982 (Copy enclosed).
4. That a Photostat copy of Associated Accounts observations  
dated: 13.10.1979 is also annexed herewith for your  
kind appreciation.
5. That a perusal of the case would show that I would have  
been considered for promotion at the appropriate time,  
had I been assigned my rightful seniority.

I would therefore, pray that necessary orders for  
fixation of pay under fundamental Rule 27 (2023)-RII may kindly be  
issued entitling me to further benefits such as seniority in  
grades to which I have lost my seniority.

Thanking you in anticipation of the requisite sanction.

01/10-1-86

Yours faithfully,

Ram Prakash

(Ram Prakash)  
Sarang CR.I.  
under SS/Br. W/H. Fly., CB-LKO.

DA  
H copy  
1 Copy - SEN/Br/W/Shop N.R. CB-LKO  
2 - SEN/Br/W/Shop N.R. CB-LKO  
3 - NRMH Br/W/Shop CB-LKO

T. C  
Ram Prakash Attested/True Copy

(Signature)

OFFICE OF THE  
Dy. Chief Engineer (Br. W/Shop),  
N.Rly., Charbagh-Lucknow.

उत्तर रेलवे NORTHERN RAILWAY

Office of the  
Dy. Chief Engineer (Br. W/Shop),  
N.Rly., Charbagh-Lucknow.

No. 258-E/3-4 (Br.),

Dated:- 30/1/1986.

The Dy. Chief Engineer (Bridges) / W,  
N.Rly., Baroda House, New Delhi.

Sub:- Seniority of Shri Ram Prakash, Serang Bridge  
Workshop-Lucknow.

Ref:- SEN/Br./Lin:-II/NDLS's letter No. 752-E/1 (Br.)  
dt: 19/6/85.

Copies of the correspondence as per list enclosed  
in connection with the above case are sent herewith for  
your further disposal please.

In this connection the following remarks are offered  
and it is requested that decision into the case may please  
be expedited as the same is pending since the last so many  
years.

- 1) That in his appeal of Sh. Ram Prakash, Serang has  
claimed fixation of pay equivalent to persons who  
were promoted as Serang before him but who were  
junior in seniority to him in Semi-Skilled Gr:  
210-290 RS.

Since the trade test of Serang, held in the year 1960,  
as per the result declared under SEN/Br./NDLS's letter  
No. 293-E/1 (Br.) dt: 20/6/66, has been treated as a  
supplementary test to the test in this category  
already held in the year 1960, there should be no  
dispute regarding the seniority of the applicant  
over and above the persons who were junior to him  
in semi skilled Rigger Grade and were promoted  
prior to him as Serang.

- 2) The claim of the applicant for fixation of his pay  
in skilled grade as Serang equivalent to his juniors  
therefore appears to be genuine and may be looked into  
accordingly.

- 3) Since all the persons concerned are working in Field  
under different sub-divisions the record of these  
men may be looked into at your end and final decision  
conveyed to this office early.

In the end it is again requested that final decision  
into the matter may please be taken as the case is pending  
since the last so many years and the employee is representing  
again and again for fixation of his pay.

DA/1/25  
& Sen 1/25

Dy. Chief Engineer (Br. W/Shop),  
N.Rly., Charbagh-Lucknow.

T. C  
Ram Prakash

Attached Copy

*[Signature]*

L. P. SINGLA  
Advocate

ANNEXURE NO 10 (1)

6/5/87  
NORTHERN RAILWAY

A.9

SS/L/10/4/5

N6 94/E/4/5

4-587

Ed. - Security of S. Ram Parkash  
Secy of II. P. Singh of 1st/12/80.

Reference representation of  
S. Ram Parkash Secy regarding  
his security vis-a-vis (field)  
staff, a copy of decision  
vide SEN/10/12-11/NDs, ltr  
no 752E/1 (Cor) dt 25/4/87,  
is enclosed for informing  
the employee engaged  
accordingly.

Attest True Copy

V. P. SHUKLA

Advocate

T. C. Parkash  
Ram

Senior Engineer

ANNEXURE NO 10 (2)

248

उत्तर रेलवे  
NORTHERN RAILWAY

No. 752E/1 (Pr)  
SEN/Pr. 420

22.4.87

Subj. Seniority of Sh. Ram Prakash  
Sarang gr. II Pr. Workshop Lko.

Sh. Ram Prakash Sarang gr. II  
Pr. Workshop Lko met Dy CE/Pr. WNTS in  
Caroda House New Delhi and explained  
his case. Dy CE/Pr has observed that  
seniority upto B2 missing Grade is the  
Shop wise & field separate & he is the  
employee of Pr. Workshop Lko. His claim with  
the seniority of field staff does not  
arise. The employee may be informed  
accordingly.

3rd May  
SEN/Pr. Line II

Ram Prakash

Attested/True Copy  
L. P. SHUKLA  
Advocate

ANNEXURE NO 11

25  
Aug

To

The Sr.Civil Engineer(Bridges)/Line-II,  
Northern Railway, Headquarters Office,  
Baroda House- New Delhi.

Sub:-Seniority of Sh.Ram Parkash, Serang HS Gr:II

Ref:-Your No.752-E/1(Br) dt:29/4/87.

R/Sir,

In connection with your above reply received under  
SEN/Br./SER's letter No.941-E/1-4 dt:4/5/87. I have to  
represent that seniority of Serang in Field as well as  
in Bridge Workshop/CR-Lucknow was combined in the year 1975  
through which my claim pertains on this basis, the result  
of trade test has been declared on combined basis, a copy of  
which has already been sent to your goodself.

It is therefore requested that the above decision  
may kindly be reviewed in the light of orders available  
at that time and I may be given fixation of pay according  
to my seniority position.

Thanking you,

Yours faithfully,

Ram Parkash

Dated:- 9/5/1987

( Ram Parkash )  
Serang Gr:II  
C/o SEN/Br.W/Shop-LKO.

T.C  
Ram Parkash

Attested/True Copy

*(Signature)*

L. P. SHUKLA  
Advocate

A50

To

The Dy. Chief Engineer (BW),  
N.Rly., Bridge W/Shop,  
Charbagh-Lucknow.

(Through Proper Channel)

Sub:- Loss of seniority and pay on account of  
administrative error.

-c-o-o-

Ref:- Your letter No. 941-B/4-C dt: 4-5-87

-o-o-o-o-

Sir,

Respectfully I beg to made the following humble  
submissions against the decision conveyed under your  
letter referred to above:-

- 1- That my claim is based on the combined seniority  
existing at the time i.e. 1960 the first trade test was  
conducted and I was ignored to appear at the same.
- 2- That on my representation I was allowed to appear in  
the second continuation test in the year 1966, when I was  
already entitled for the same in 1960.
- 3- As per normal rules, senior persons available can not  
be ignored even if some change of station is involved.
- 4- That I had never been declared failed or unsuitable  
to hold the post on promotion prior to 1966, snatched away by  
the juniors.
- 5- That my previous applications on the subject and the  
recommendations made by Dy.CE(W)/CB vide his letter No.  
258-B/3-4/Br dt: 20/1/86 deserve reconsideration by the  
competent authority.
- 6- That I am not prepared to for go my claim on flimsy  
grounds whatsoever for nonavailability of combined seniority  
list prevailing in the year 1960 or non-application of P.S.  
2709 to rectify the administration lapse.

Keeping in view of the above I would request your  
honour to allow me to be promoted on proforma basis wef  
1960 and actual arrears from the date of physical promotion.

For the above I shall ever remain grateful to you.

Yours faithfully,

Ram Prakash

( RAM PRAKASH )  
Serang HS Gr: I, T.No. 601.  
under SS(W)/LKO

Dated:- 30/6 /1987

- C/- 1. SAO(W)/CB-LKO for information and n.action pl.  
2. SEN/Br./L-III/N.Rly., HQ Office, Baroda House, New Delhi  
for information and necessary action please.

T. C  
Ram Prakash

A51

NORTHERN RAILWAY

Office of the  
Dy.C.E.(Br.W/Shop),  
N.Rly.,CB-Lucknow.

No.258-E/2-4(Br.)

Dated:- 16-1-1988

Shop Supdt.(W),  
N.Rly.,Lucknow.

Shri Ram Prakash,  
Serang, Br.W/Shop-Lucknow.

Sub:-Seniority of Shri Ram Prakash, Serang, Br.W/Shop,  
Lucknow.

Ref:-Your representation dated 30/6/87, in response to  
decision of SEN/Br./L-I/NDLS vide No.752-E/1(Br)  
dt:29/4/87 conveyed under this office letter  
No.941-E/4-4 dt:4/5/87.

....

Your appeal has been considered and it is informed  
as under:-

- 1) No fresh light has been thrown the subject matter  
and the points raised now have already been considered  
by Hd.Qrs.Office, while conveying decision in your  
case under SEN/Br./Line/NDLS's letter No.752-E/2(Br)  
dt: 27/6/87 & 9/9/77 and again on 29/4/87.
- 2) Since you have already claimed over-time and received  
the same from 1955 to 1966 on the basis that  
you were a workshop employee and seniority of workshop  
and field is separate, your claim for seniority vis-a-  
vis field staff is therefore under considered  
justified.

*[Signature]*  
16/1/88  
Senior Engineer(Br.W/Shop),  
N.Rly.,Charbagh-Lucknow.

T.E  
Ram Prakash

Attested/True Copy

*[Signature]*

L. P. SHUKLA  
Advocate

ब अदालत श्रीमान

In the Central administrative Tribunal (Muzrai)  
Direct Bench Lucknow

महोदय

AS2

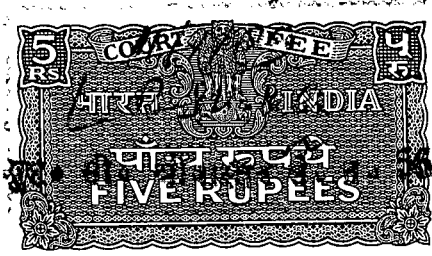
[वादी] अपीलान्ट

श्री

का

वकालतनामा

प्रतिवादी [रेस्पान्डेन्ट]



वादी (अपीलान्ट)

Ram Prakesh  
Union of India

बनाम

प्रतिवादी (रेस्पान्डेन्ट)

मुकदमा नं०

सन्

पेशी की ता०

१६

ई०

ऊपर लिखे मुकदमा में अपनी ओर से श्री

Mr. L. P. Shukla, Advocate

E-20 Sector - E - Mohanagar  
Lucknow

वकील

महोदय

एडवोकेट

को अपना वकील नियुक्त करके प्रतिज्ञा (इकरार) करता हूँ और लिखे देखा हूँ कि इस मुकदमा में वकील महोदय स्वयं अथवा अन्य वकील द्वारा जो कुछ पैरवी व जबाबदेही व प्रश्नोत्तर करें या कोई कागज़ दाखिल करें या लौटावें या हमारी ओर से डिगरी जारी करावें और रुपया वसूल करें वा सुलहनामा व इकबाल दावा तथा अपील निगरानी हमारी ओर से हमारे या अपने हस्ताक्षर से दाखिल करें और तसदीक करें या मुकदमा उठावें या कोई रुपया जमा करें या हमारी या विपक्षी (फरीकासनी) का दाखिल किया हुआ रुपया अपने या हमारे हस्ताक्षर युक्त (दस्तखती) रसीद लेवें या पंच नियुक्त करें-वकील महोदय द्वारा की गई वह सब कार्यवाही हमको सर्वथा स्वीकार है और होगी मैं यह भी स्वीकार करता हूँ कि हर पेशी पर स्वयं या किसी अपने पैरोकार को भेजता रहूँगा अगर मुकदमा अदम पैरवी में एक तरफ मेरे खिलाफ फैसला हो जाता है उसकी जिम्मेदारी मेरे वकील पर नहीं होगी इसलिए यह वकालतनामा लिख दिया प्रमाण रहे और समय पर काम आवे।

Accepted  
Vakhanpat Shukla

हस्ताक्षर

Ram Park

साक्षी (गवाह)

साक्षी (गवाह)

दिनांक

महीना

सन् १६ ई०



53  
91

In the Central Administrative Tribunal Allahabad  
Circuit Bench Lucknow.

O.A.No. 3 of 1989

Ram Prakash Sarang

Applicant

Versus

Union of India and another

Respondents.

In the above notes case it is submitted as under:-

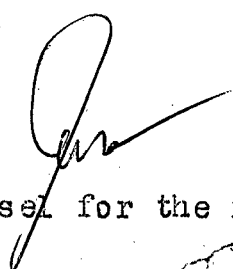
1. That the above case has been fixed for final hearing today in default of having not filed the written reply to the application made by the applicant.
2. That the parawise comments had been received by the counsel for the respondent, but they were misplaced, with the result that the written reply was not drafted for sending the same to the administration for signature and onward filing before this Tribunal.
3. That while going through other files relating to the cases pending before the Tribunal, the parawise comments were located and the reply is being drafted out for sending the same to the administration for signature and then submitting the same in the above case.
4. That the written reply could not be drafted due to ~~non-existence~~ the parawise comments having been misplaced and the <sup>mistake</sup> same lies to the counsel appearing in the case. The same is liable to be condoned.
5. That some time would be needed for filing the reply in the case.

6. That on the facts and circumstances stated above, the order fixing the case for hearing today may kindly be recalled.

Wherefore it is most respectfully prayed that the order fixing the case for hearing today may kindly be recalled and the respondents be allowed 4 weeks time to file their reply.

Lucknow

dated 24.10.'89

  
Counsel for the respondents

No 941-E/4.4 (loose-46) Dt 8/11/92 53

To: - Sh: Arjun Bhargava C  
Rly. Educare 93

Hno: 223/11 - Faizabad Road - Lucknow

Sub: - O.A. No: 3/89 - Sh: Ram Prakash

V/S GM/ADLS & SENT BW LKS.

Please arrange to get three months more time to enable this office to collect service books of the staff against ~~him~~ whom Shree Ram Prakash has claimed seniority. The requisite service books will be provided after tracing and collecting the same from different offices ~~or~~ from where they have retired.

V. Dy. Chief Engineer (Bridges)  
N. Ry. Chhargah, Lucknow.  
28/11

Copy to Dy RE (Bridges) H.O. - New D  
for information in ref to his letter N  
170-E/11-Bridges Dt 6/11/92.

(58)

In the Central Administrative Tribunal  
Concise Bench Indore

C  
94

BA 3/89

Ram Prakash,

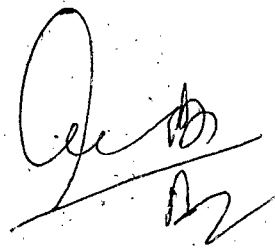
VS

Union of India

In the above noted case, it  
is submitted that certain clarifications  
have been sought for from  
the administration and they are  
yet to come for perusal  
in reply.

Adj W ✓ It is therefore prayed that  
30/10/90 one month time be allowed  
for filing reply  
Counsel

21.9.90 24/9/90

  
Counselor

57  
C  
98

In the Central Administrative Tribunal Allahabad

Circuit Bench Lucknow.

File No. 301/90

O.A. 3/89

Ram Prakash

Applicant

Versus

Union of India

Respondent

It is submitted as under:-

77 2.5.90

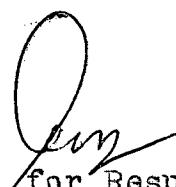
That I appear for the respondents in the above noted case fixed for 2.5.90.

2. That due to some personal work I am going out of Lucknow. As such it would not be possible to attend the Tribunal and conduct the case.

Wherefore it is most respectfully prayed that the date fixed in the case may kindly be adjourned to some other date.

Lucknow

dated: 2.5.1990

  
Counsel for Respondents.

58  
C  
96

In the Central Administrative Tribunal Allahabad

Circuit Bench Lucknow.

C.A. 3/89

msc appln 30/1/90

Ram Prakash

Applicant

Versus

Union of India

Respondent

It is submitted as under:-

That I appear for the respondents in the above noted case fixed for 2.5.1990.

2. That due to some personal work I am going out of Lucknow. As such it would not be possible to attend the Tribunal and conduct the case.

Wherefore it is most respectfully prayed that the date fixed in the case may kindly be adjourned to some other date.

Lucknow

dated: 2.5.1990

  
Counsel for Respondents.

89  
97

CENTRAL ADMINISTRATIVE TRIBUNAL

CIRCUIT BENCH LUCKNOW

O.A. NO.3 of 1989 (L)

Ram Prakash

.....

Applicant.

Versus

Union of India & ors

.....

Respondents.

18-10-1989

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

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

Shri L.P.Shukla counsel for the applicant is present. None is present for the respondents. Shri Arjun Bhargava had sought two weeks time to file counter affidavit on 20-9-1989, but the counter affidavit has not been filed as yet. It is presumed that the railway administration is not interested to contest the case. Therefore, list this case for arguments by the counsel for the applicant on 24-10-1989 before a Single Judge Bench. Respondents will have no right to file counter affidavit. They may however, if so like place the documents before the Single Judge Bench on the date fixed, herein before to facilitate the decision of the case.

Later on when the order was already dictated Shri Arjun Bhargava appeared before us and made a request and was asked to make an application with reason, so that it may be considered if at all it <sup>would</sup> ~~cases~~ be necessary to modify the order.

Sd/-

A.M.

Sd/-

J.C.

// True Copy //

rm/

*20/10*  
Deputy Registrar  
Central Administrative Tribunal  
Lucknow Bench,  
Lucknow

उत्तर रेलवे  
NORTHERN RAILWAY

10  
98

OFFICE OF THE DY: C.E.(Br.W), CHARBAGH, LUCKNOW.

No. 258-E/2-4(Br.) 160

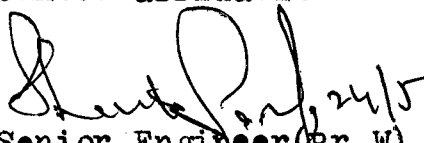
Dated 24.5.1989.

The Dy. Director,  
Central Administrative Tribunal,  
Lucknow Bench, Gandhi Bhawan,  
LUCKNOW.

Case No. CAT/CB/LKO/1059 dt: 28.3.89  
Registration No. 3/89 in CAT Circuit  
Bench, LKO, Applicant Shri Ram Prakash,  
Serang Grade I, Bridge W/Shop, Lucknow.

...x...

Your kind attention is invited towards  
this office letters of even number of  
1.4.89 & 2.5.89 and it is requested to  
please allow the requisite time relaxation  
upto 30.6.89 to submit counter affidavit  
in the above said case.

  
Senior Engineer (Br.W),  
N.Rly., Bridge W/Shop,  
24/5 Lucknow.

Copy to G.M.(P), Law Branch, N.Rly., New Delhi  
for information and arrange to nominate an  
Advocate of Lucknow without further delay  
to submit counter reply and plead the case  
on behalf of this office. This may please  
be treated as Most Urgent.

...

\*DIXIT\*



NORTHERN RAILWAY

Office of the Dy. C.E.(Br.W),  
N.Rly., Charagh, Lucknow.

Dated 2.5.1989.

No. 258-E/2-4(Br.) 76

The General Manager  
(Law Branch),  
N.Rly., Hd. Qrs. office,  
Baroda House, New Delhi.

Sub:- Case No. CAT/CB/LKO/1059 dt: 28.3.89. Registration  
No. 3/89 in CAT Circuit Bench, Lucknow.  
Applicant Shri Ram Prakash, Serang Gr: I, Bridge  
Workshop, Lucknow.

...

Reference is invited towards this office letter  
of even number of 1.4.89 and it is requested to please  
arrange to nominate an Advocate of Lucknow to plead  
the abovenoted case on behalf of this office and to  
submit counter reply in due course.

*1200/315*  
Sr. Engineer (Br.W),  
N.Rly., Bridge W/Shop,  
Lucknow.

Copy to Dy. Director, Central Administrative Tribunal,  
Lucknow bench, Gandhi Bhawan, Lucknow for  
information please. Kindly refer this office  
previous letter of 1.4.89 and allow the requested  
time relaxation to get the needful done.

...

\*DIXIT\*

Registered

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL AT ALLAHABAD  
CIRCUIT BENCH, GANDHI BHAWAN  
LUCKNOW

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No. CAT/CB/LKO/

Dated :

28.3.1989.

Registration No. of 198 .

3

9(L)

Applicant

Ram Prakash Versus

Respondent's

Union of India and Others

To

1. Union of India through the General Manager, Northern Railway,  
Baroda House, New Delhi.

2. Senior Engineer, Bridge Workshop, Northern Railway, Chaffagh,  
Lucknow.

Please take notice that the applicant above  
named has presented an application a copy whereof is enclosed  
herewith which has been registered in this Tribunal and the  
Tribunal has fixed \_\_\_\_\_ day of \_\_\_\_\_ 1988 for

6th

4

9

Counter

Affidavit and list for orders before the Deputy Registrar on that date.

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

Given under my hand and the seal of the Tribunal  
this 28th day of March 1989.

13th

dinesh/

For DEPUTY REGISTRAR.

Deputy Registrar

Central Administrative Tribunal

Lucknow Bench,

Lucknow