



(D)

3

...

Registration O.A. No. 8 of 1990

Baboo Lal                      ...                      Applicant.

Versus

Union of India  
and others                      ...                      Respondents.

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Hon. Mr. Justice U.C. Srivastava, V.C.  
Hon'ble Mr. K. Obayya, Member (2)

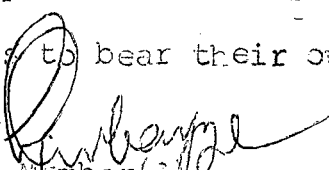
( By Hon. Mr. Justice U.C. Srivastava, V.C.)

The applicant was appointed as 'Extra Departmental Letter Box Peon ( EDLB Peon in short) by letter dated 23.12.1985 issued by the respondent no. 4 at Aliganj Extension Post Office, Lucknow. Shri Ram Niwas who was EDLB Peon in Aliganj Extension Sub-Post Office was deployed to work as outsider postman in the same sub-post office. The applicant gave an application to the Assistant Superintendent of Post Offices, Lucknow on 23.12.1985 for engaging him as an 'EDLB Peon' in Aliganj Extension Post Office in place of Shri Ram Niwas and he gave an undertaking that he himself <sup>would</sup> vacate the post when Shri Ram Niwas comes back to his post. The Assistant Superintendent of Post Offices, North Lucknow directed the Sub- Post Master, Aliganj Lucknow to engage the applicant as EDLB Peon in his office on purely temporary basis on the risk and responsibility of Shri Noor Mohd Khan. The applicant continued to work as such, till 31.7.1989 when the said Ram Niwas reported back to his duty and with the result, the applicant was relieved back. The applicant has challenged the said termination order on the ground that he was employed by the post office and his services can be terminated only in accordance with

law and further the post office being an industry, he was entitled to the benefit of the Industrial Disputes Act. It is to be noticed that the post never fell vacant as the said Ram Niwas, the permanent incumbent was only deployed <sup>elsewhere</sup> to work and he has a lien over the said post. In order to continue the work, the applicant was appointed. The applicant must have been appointed on the basis of the said application. In case the said application which has been filed by the respondents is a forged one, the reasons for which were still not forthcoming. The applicant should have come forward with the copy of the application which was given by him. Even if, we ignored the question of undertakings, but the fact remains that the applicant was engaged on a post which was still not vacant as the permanent incumbent to the said post had gone out somewhere without vacating the said post and on his return, obviously, the applicant's appointment must be ceased and that is why it ceased. In case, the applicant would have been regularly appointed on the said post, he could have claimed that his services could be terminated after giving notice to him in accordance with the rules. The post office may be an Industry and the benefit of the Industrial Disputes Act, will be available to those who have been appointed in accordance with law. The engagement of the applicant was only a time gap arrangement and it has not ripened into an 'appointment' on the post which was 'vacant'. As such, it is not open for the applicant to claim benefit of the Provisions of Industrial Disputes Act. The Provisions of the Industrial Disputes Act would have been made applicable if there was not rule in this behalf. The applicant has got his appointment under the relevant rules or the departmental

instructions which provides for making such arrangements.

2. Accordingly, we do not find that the applicant has been able to substantiate his claim and this application is bound to be dismissed and accordingly, it is dismissed. However, in view of the fact that the applicant had worked more than three years and has gained experience, as such, the applicant's claim for appointment on the said post in the said postal circle or elsewhere should be considered by the respondents and we hope that they will consider the claim of the applicant for appointment in any other Branch Post Offices and give him priority and preference in the matter of appointment in comparison to any new comers. The application is dismissed with the above observations. Parties to bear their own costs.

  
Member (A)

Dated: 23.6.1992

(n.u.)

  
Vice-Chairman

GENERAL ADMINISTRATIVE TRIBUNAL

CIRCUIT BENCH, LUCKNOW

1989

Date

0-1-90

Deputy Registrar

Registration No. 0 of 1990(11)

APPLICANT(S) Baboo Lal

RESPONDENT(S) C.O. 2 & 11

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/ Vakalatnama 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 ?  
c) Are the documents referred to in (a) above neatly typed in double space ?
8. Has the index of documents been filed and paging done properly ?
9. Have the chronological details of representation made and the outcome of such representation been indicated in the application?
10. Is the matter raised in the application pending before any court of Law or any other Bench of Tribunal?

yes

yes

yes

yes

yes

yes

yes

yes

yes

yes (by counsel)

yes

yes

yes

yes

Particulars to be Examined

Endorsement as to result of examination

Are the application/duplicate copy/spare copies signed?

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

a) Identical with the Original?

b) Defective?

c) Wanting in Annexures

No. \_\_\_\_\_ pages No. \_\_\_\_\_?

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?

b) Under distinct heads?

c) Numbered consecutively?

d) Typed in double space on one side of the paper?

18. Have the particulars for interim order prayed for indicated with reasons? *Yes*

19. Whether all the remedies have been exhausted? *Yes*

dinesh/

OA 8990(L)

Hon. J. P. Sharma, J.M.

See  
original  
order on  
the main  
petition

Admit.

Put up for order on 8.3.90

J.M.

OK  
Dr. D. Chandra  
loves notices on behalf  
of OPs, but no reply  
filed.

Hon. J. P. Sharma, J.M.

S. F. O.

2  
7/3/90

8.3.90

On 11. request of Dr. D. Chandra  
Counsel for the respondent party  
and is allowed 2 weeks time to  
file reply. Ld. orders on 4.4.90

le  
J.M.

4/4/90

Hon. Justice K. Nath, V.C.  
Hon. K. J. Ramar, A.M.

OK Neither  
He reply nor  
any power filed by  
Dr. D. Chandra

S. F. O.

2  
20/3

Shri M. Dubey, is present for the  
applicant. No appearance has been made  
on behalf of the opp. ps. Shri D. Chandra,  
had appeared on 8/3/90, on behalf of the  
op. ps. and was allowed 2 weeks time to  
file the counter. The counter has not yet  
been filed.

The applicant has not filed his  
appointment letter; Annexure - 1 is a direction  
by the Assistant Superintendent of Post Offices  
to Sub-Postmaster, Aliganj Extension, to  
give appointment to the applicant on purely  
temporary basis. It is necessary therefore  
to peruse the order by which the applicant  
was actually appointed. The learned counsel  
for the applicant says that the applicant  
was ceased on 1/7/89 but no formal

2/90

AM

7.11.90

Hon. Mr M.V. Bialkar. AM.  
Hon. Mr D.K. Agrawal. JM

Due to resolution of Bar  
Association case is Adj  
to 19.11.90.

7.11.90

Hon. Mr Justice K. Math. VC  
Hon. Mr M.M. Singh - AM.

B.O.C.

On the request of both  
counsel case is Adjourned  
to 8.1.91.

OR  
LC for the applicant  
has filed affidavit.  
Dr. D. Chandan takes  
notice on behalf of respondents  
but no reply has been  
filed.  
S. F. H.

H. L. J  
AM

ve

14/11/90

Hon. Mr. D.K. Agrawal, JM  
Hon. Mr. K. Oberoi, AM

8.1.91

Dr. D. Chandan is allowed  
six weeks time to file C.A. & R.A  
may be filed within 2 weeks.  
Put up on 1.5.91 for hearing

AM

Dep  
JM

1.5.91

No S. Ting's adj to 23.8.91  
&

filed 23.8.91

No S. Ting's adj to 30.10.91  
&

Application under Section 19 of the Administrative Tribunal Act  
1985

Date of Filing 8-1-90  
Date of Receipt by Post

Deputy Registrar(J)

OA @ 70(L)

Baboo Lal

Applicant

Versus

Union of India and others

Respondents

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| 1.     | Application                                                          | 1 to 6   |
|        | <u>Compilation No. 2</u>                                             |          |
| 2.     | Annexure No. A-1, true copy of the appointment order dated 23.12.85. | 7        |
| 3.     | Annexure No. 2 true copy of the certificate dated 10.6.89.           | 8        |

For use in Tribunal's office

बबू लाल  
Signature of Applicant

Date of filing

or

Date of receipt by post

Registration No.

Signature

for Registrar.

recd by  
15.1.90  
lm  
mm

## IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, CIRCUIT BENCH, LUCKNOW

Between

Baboo Lal aged about 29 years S/O  
Sri Bhalloo Ram R/O Sabauli Aliganj Extension  
P.O. Batha (Sub-Postoffice New Hyderabad)  
Lucknow.

Deputy Registrar(J)

Applicant

Versus

1. Union of India, through the Secretary to the Ministry of Communication, Government of India, Department of Posts, New Delhi.
2. Sr. Superintendent of Post Offices, Lucknow Division, Chowk Head Post Office, Lucknow.
3. Postmaster General, U.P. Circle, Lucknow.
4. Assistant Superintendent of Post Offices, North, Mahanagar Post Office, Lucknow.
5. Shri Ram Deo Tiwari, Assistant Superintendent, of Post Offices, North, Mahanagar P.O. Lucknow.

Respondents

Details of the application:

1. PARTICULARS OF THE ORDER AGAINST WHICH THE APPLICATION IS MADE: The applicant had been working as a substitute

Extra Departmental Letter Box Peon since 24.12.85 in Aliganj Extension Post Office Lucknow-20 and also worked as outsider from time to time but he has been wrongly, arbitrarily, prejudicially and maliciously restrained from work by respondents No. 4 & 5 without passing any written order wef 31.7.89.

2. JURISDICTION OF THE TRIBUNAL: The applicant declares that the subject matter of the order against which he wants redressal is within the jurisdiction of the Tribunal.

3. LIMITATION: The applicant further declares that the application is within the limitation period prescribed in section 21 of the Administrative Tribunal Act 1985.

4. FACTS OF THE CASE:

i) That the applicant was approved and appointed as Extra Departmental Letter Box Peon, in short EDLB Peon, at Aliganj Extension Post Office Lucknow by letter dated 23.12.85 issued by the opposite party No. 4. The applicant joined service on 24.12.85 and since then had been working continuously as EDLB Peon and also as outsider against departmental post. A photo copy of the order of appointment issued by the opposite party No. 4 is annexure A-1 and a photo copy of the certificate dated 10.6.89 granted by the Sub-Postmaster (LSC) Niralanagar is Annexure A-2.

Office Chief

ii) That the applicant had been under continuous appointment and service from 24.12.85 to 31.7.89 when he was arbitrarily, maliciously, prejudicially and illegally restrained from performing his duty. The applicant has been attending his duty regularly since 31.7.89 onward but he is not being <sup>allowed</sup> to work.

iii) That the work & the conduct of the applicant ever since his appointment on 24.12.85 have been satisfactory and there has never been any complaint or adverse comment against him.

iv) That having already completed more than 3 years of continuous service at his credit, the applicant is entitled to the provisions of Rule 6 of the EDA (Conduct and Service) Rules 1964 and in view of the condition prescribed therein, the applicant's services cannot be terminated. The said Rule 6 reads as under:

**RULE-6 TERMINATION OF SERVICE:** The services of an employee who has not already rendered more than three years' continuous service from date of his appointment shall be liable to termination by the appointing authority at any time without notice."

The applicant having already rendered more than 3 years service is not liable to be terminated and his services cannot be dispensed with under the rules.

v) That although the applicant was appointed as a substitute, but he was not appointed on the responsibility of any ED agent. He was appointed on the responsibility of Sri Noor Mohd., an outsider and a pensioner of the department, vide annexure A-1 and after having completed 3 years continuous service, became at par with regular employees and did not remain a provisional substitute in terms of aforesaid Rule 6 & A Rolls on which he received his salaries with other regular employees.

vi) That the applicant is a workman and he is entitled to the safeguards and benefits envisaged by the Industrial Dispute Act 1947 and as he has been in continuous employment for over 3 years, he cannot be retrenched/dislodged without following the provisions of Labour laws including sections 25F & 25N of the Industrial Dispute Act 1947 which provide certain obligations on the employer to be fulfilled before making retrenchment of any workman who has been in continuous employment for not less

*एल. एल. एल.*

than one year as defined in section 25B of the I.D. Act.

vii) That the respondents No. 4&5 in utter disregard of the Rule 6 of the EDA(Conduct&Service) Rules 1964 and sections 25B, 25F and 25N of the Industrial Act 1947 have restrained the applicant from duty w.e.f. 31.7.89 without any written order, by words of mouth only. The action of the respondents is arbitrary, malicious, prejudicial and illegal.

viii) That a number of ~~a~~ vacancies of Extra-Departmental employees <sup>were</sup> ~~was~~ already existing under respondents which have further increased as nine ED employees have passed the departmental test ~~and~~ ~~are~~ to be appointed as departmental employees. Their names are given below:

1. Sri Umraolal EDSB New Hyderabad
2. Sri Ram Adhar Bhargava EDSB Carlton Hotel
3. Sri Amar Nath EDSV Gokhale Marg
4. Sri Raj Kishore Dwivedi EDSV Mahanagar
5. Sri Shiva Kailash Shukla EDMP M.N. Colony
6. Sri Sushil Kumar EDDA Mahibullapur
7. Sri Ram Kishore Yadav EDPacker HE School, Lucknow
8. Sri Ram Adhar Bhargava EDSV C. Hotel
9. Sri Ram Nath EDPacker Treveninagar Lucknow

ix) That the action of respondent No. 4&5 seeking to dislodge the applicant from his post is malafide, arbitrary, malicious, with ulterior motives and against rules and illegal. To state in concise form the case of the applicant before this Tribunal is that he was appointed as substitute duly acknowledged and approved by the appointing authority respondent no. 4, the applicant has acquired the status of a regular employee in view of Rule 6 of the EDA(Conduct&Service) Rules 1964 and sections 25F and 25N of the I.D. Act 1947 and he cannot be removed from service except after following the prescribed procedure as envisaged under the said Rules. In case of abolition of any post the question would not be of termination of service but that of retrenchment which can only be done by following the Labour laws. The respondents have not served any written order on the applicant but have conveyed by word of mouth that the services of the applicant has come to an end and he will not be permitted to work on his post.

x) That it is stated that in similar circumstances, one Sri Shyam Behari Pandey who was a substitute for Sri Sheo

प्राप्त

Shankar Srivastava as EDMP in Chowk Head Postoffice Lucknow <sup>not only</sup> was allowed to continue in service but also given the status of a regular employee and permitted to appear in the examination for promotion to the departmental post but the same concession has not been allowed to the applicant and he has been prejudiced and discriminated in violation of the principles laid down in Articles 14 & 16 of the Constitution of India.

xi) That the applicant received his pay from the respondents and his work and conduct was supervised by the respondents and so there has been relation of master and servant between the respondents and the applicant. The applicant is qualified in all respects for the post of ED employee and his work and conduct during employment have ever been satisfactory without any complaint whatsoever.

xii) That the applicant is worried and aggrieved by the arbitrary, malicious and illegal action of the respondents to have him restrained from work w.e.f. 31.7.89 and has no alternative but to file this application before this Hon'ble Tribunal.

#### 5. GROUNDS FOR RELIEF WITH LEGAL PROVISIONS:

- a) Because the applicant having already put in more than 3 years continuous service cannot be dislodged under Rule 6 of the EDA (Conduct & Service) Rules 1964.
- b) Because the applicant being workman is entitled to the protection envisaged under E.D. Act and Labour Laws and cannot be uprooted without following the procedure of the said law and without notice...
- c) Because in a similar case one Sri Shyam Bihari Pandey a substitute in Chowk Head Postoffice Lucknow has already been given the benefit of being a regular employee and promoted to a departmental post and no discrimination can be done with the applicant in violation of the Article 14 & 16 of the Constitution.
- d) Because ousting of the applicant without notice and opportunity of hearing is arbitrary, malafide, vested with ulterior motive and illegal.
- e) Because there are a number of vacancies and the applicant in view of his fitness and satisfactory record of service of

order dated

over 3 years has a right to continue on the post.

6. DETAILS OF REMEDIES EXHAUSTED

The applicant declares that there is no remedy under the rules and as such availing of remedies under service rules does arise.

7. MATTER NOT PREVIOUSLY FILED OR PENDING WITH ANY OTHER COURT

The applicant further declares that he has not filed previously any application, writ petition or suit regarding the matter in respect of which this application has been made, before any court of law or any other authority or any other bench of the Tribunal nor any such application writ petition or suit is pending before any of them.

8. RELIEF(S) SOUGHT

In view of the facts mentioned in para 4 above, the applicant pray(s) for the following relief(s) :

- i) That the respondents be directed not to dislodge the applicant from his post.
- ii) That the action of the respondent no. 3 in restraining the applicant from duty be declared as null and void and the applicant deemed to be in service from and after 31.7.89 with all consequential benefits.
- iii) That the respondents be directed to regularise the services of the applicant who has already put in more than 3 years existing continuous and unblemished service against one of the/vacancies
- iv) That the cost of the case be allowed in favour of applicant.
- v) That any other relief deemed just and proper in the circumstances of the case be allowed in favour of the applicant.

9. INTERIM ORDER, IF ANY, PRAYED FOR :

The respondents be restrained against stopping the applicant from his duty without passing any written order.

10. The application is being presented personally through the applicant's counsel.

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

- 1) Number of the Postal Order: B 02 / 409813
- 2) Name of the issuing P.O.: Lucknow High Court P.O.
- 3) Date of issue of Postal order: 8.1.90
- 4) Postoffice at which payable: Allahabad G.P.O.

11/11/90

## 12. List of enclosures :

1. Annexure A-1, photo copy of the appointment order dated 23. 12.85.
2. Annexure No. A-2, photo copy of the certificate dated 10.6.89.

VERIFICATION

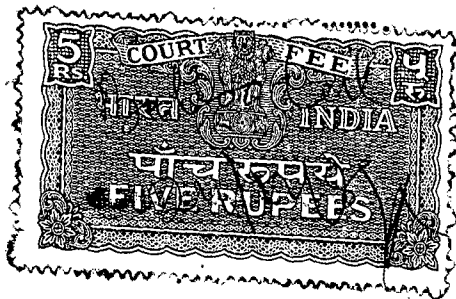
I, Babool Lal S/O Sri Bhalloo Ram, aged about 29 years restrained from work as EDLB Peon Aliganj Extension P.O. Lucknow and R/O Sabauli Aliganj Extension, P.O. Batha (S.O. New Hyderabad) Lucknow do hereby verify that the contents of paras 1 to 4, 6 to 7 and 10 to 12 are true to my personal knowledge and those of para 5, 8 and 9 are believed to be true and legal advice. I have not suppressed any material fact.

Date: ~~September~~ <sup>December 27</sup>, 1989  
Place: Lucknow. <sup>8/1/90</sup>

<sup>मि. दुबे</sup>  
Signature of Applicant.

M. Dubey  
sdh

ब अदालत श्रीमान Central Administrative Tribunal, महोदय  
[बादी अपीलान्ट] Circuit Bench, Melmar  
..... श्री Baboo Lal ..... का वकालतनामा  
प्रतिवादी [रेस्पॉण्डेंट]



बादी (अपीलान्ट)

Baboo Lal

बनाम UG 94 Akers प्रतिवादी (रेस्पॉण्डेंट)

नं० मुकद्दमा सन् १९८१ पेशी को ता० १६ ई०

ऊपर लिखे मुकद्दमा में अपनी ओर से श्री B. Solomon Advocate

व. श्री M. Dubeey Advocate वकील  
महोदय  
एडवोकेट

नाम अदालत  
मुकद्दमा नं०  
नाम फरीकन

को अपना वकील नियुक्त करके प्रतिज्ञा (इकरार) करता हूं और लिखे देता हूं इस मुकद्दमा में वकील महोदय स्वयं अथवा अन्य वकील द्वारा जो कुछ पेंरवी व जवाबदेही व प्रश्नोत्तर करें या कोई कागज दाखिल करें या लौटावें या हमारी ओर से डिगरी जारी करावे और रुपया लसूब करें या सुलहनामा व इकबाल दावा तथा अपील निगरानी हमारी ओर से हमारी या अपने हस्ताक्षर से दाखिल करें और तसदीक करे मुकद्दमा उठावे या कोई रुपया जमा करे या हारो विपक्षो (फरीकसानी) का दाखिल किया हुआ रुपया अपने या हमारे हस्ताक्षर युक्त (दस्तखती) रसीद से लेवे या पंच नियुक्त करे—वकील महोदय द्वारा की गई वह सब कार्यवाही हमको सर्वथा स्वीकार है और होना मैं यह भी स्वीकार करता हूं कि हर पेशी पर स्वयं या किसी अपने पैरोकार को भेजता रहूंगा अगर मुकद्दमा अदम पेंरवी 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।

हस्ताक्षर... श्री. लाल ...

साक्षी (गवाह) ... साक्षी (गवाह) ...

दिनांक ... 24 ... महीना ... 12 ... सन् १९८१ ई०

स्वीकृत

B. Solomon  
Adv.  
(2) M. Dubeey  
Adv.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
CIRCUIT BENCH  
LUCKNOW

O.A.No. 8 of 1990 (LW)

14/6

Babu Lal

... Applicant

Versus

Union of India and others

... Respondents

F.F. 16.7.90  
7.8.90

AFFIDAVIT

I, Baboo Lal aged about 29 years s/o  
Shri Bhalloo Ram, r/o Sabauli Aliganj Extension,  
P.O. Batha (Sub P.O. New Hyderabad) Lucknow, do  
hereby state on oath as under :-

1. That this Hon'ble Tribunal was pleased to direct the deponent on 4.4.90 to produce appointment order and the respondents to produce service records of the deponent and fix 16.7.90 for final hearing of the matter.
2. That the deponent was appointed on the basis of the order dated 23.12.85 issued by the Asstt. Superintendent of Post Offices, Lucknow North Sub Division Lucknow, a photo copy of which has already been annexed with the application as Annexure-1.
3. That except Annexure-1 as aforesaid, there is no other appointment order.
4. That the said Annexure-1 was given to the deponent by respondent no. 4 for being delivered to the Sub Postmaster, Aliganj Extension Post Office, Lucknow, which was complied with and the

Filed today  
27/7/90

all motion

(A17)

said Sub Postmaster engaged the deponent w.e.f.  
24.12.85 in pursuance thereof.

LUCKNOW

दीक्षित  
Deponent

Dated : 16.7.90

VERIFICATION

I, the above named deponent do hereby  
verify that the contents of paras 1 to 4 of this  
affidavit are true to my knowledge.

Nothing material has been suppressed  
and no part of it is false. So help me GOD.

LUCKNOW

दीक्षित  
Deponent

Dated : 16.7.90

I identify the deponent  
who has signed before me.

  
(M. Dubey)  
Advocate

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

MISC. APPLICATION NO. 322 OF 1991. (D) A/B

On behalf Respondents.

In

Case No. B. C. A. No. 2 of 1991. (2)

Baboo Lal ..... Applicant.

Versus

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

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APPLICATION FOR CONDONATION OF DELAY

The respondents respectfully beg to submit as under :-

1. That the Counter-affidavit on behalf of the respondents could not be filed within the time allotted by the Hon'ble Tribunal on account of the fact that after receipt of the parawise comments from the respondents, the draft-reply was sent to the department for vetting.
2. That the approved Counter-affidavit has been received and is being filed without any further loss of time.
3. That the delay in filing the Counter-affidavit is bonafide and not deliberate and is liable to be condoned.

WHEREFORE, it is prayed that the delay in filing the Counter affidavit may be condoned and the same may be brought on record for which the respondents shall ever remain grateful as in duty bound.

Lucknow.

Dated:

*(Signature)*

(DR. DINESH CHANDRA),

Counsel for the Respondents.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL AT ALLAHABAD

CIRCUIT BENCH, LUCKNOW

COUNTER AFFIDAVIT ON BEHALF OF RESPONDENTS NO 1 TO 4

In

O.A. No 8 of 1990

Baboo Lal.....Applicant

Versus

Union of India & Others.....Respondents

\*\*\*\*\*

I,.....*Chandra Prakash*.....aged about *35 yrs.*  
years..Son of.....*Sri N. P. Verma*.....

Senior Supdt of Post Offices, Lucknow do hereby solemnly affirm  
and state as under:-

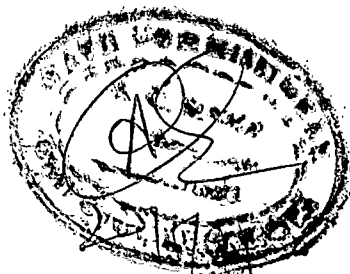
1. That the deponent has read the application filed by Shri Baboo Lal and has understood the contents thereof. He is well conversant with the facts of the case deposed hereinafter.
2. That it will be worth-while to give history of the case as under:-

BRIEF HISTORY OF THE CASE

(a) Shri Ram Niwas who was Extra Departmental Letter Box Peon in Aliganj Extension Sub Post Office was deployed to work as outsider postman in the same Sub Post Office.

Contd.....2

*Chandra*



The applicant gave an application to Asstt Supdt of Post Offices, Lucknow on 23.12.85 for engaging him as an Extra Departmental Letter Box Peon in Aliganj Extension Post Office in place of Shri Ram Niwas. He gave an undertaking that he himself will vacate the post when Shri Ram Niwas comes back to his post and that he will never <sup>press his</sup> claim for the post (Annexure R-1). The Asstt Supdt of Post Offices, North Lucknow directed the Sub Post Master, Aliganj Lucknow to engage the applicant as Extra Departmental Letter Box Peon in his office on purely temporary basis on the risk and responsibility of Shri Noor Mohd Khan (Annexure 1 of the application). The applicant worked on the said post from 24.12.85 to 22.2.87, 26.2.87 to 18.10.88 and 22.10.88 to 30.7.89.

(b) On 31.7.89, Shri Ram Niwas who was the regular permanent incumbent on the post of Extra Departmental Letter Box Peon, reported back to his post and Shri Baboo Lal, the applicant was relieved from services vide order dt 31.7.89 contained in the order book of the Post Office which was duly signed by Shri Ram Niwas and the applicant on 31.7.90 (Photo State copy of the extract of the order book is being filed as Annexure R-2).

*Uchit*

Contd....3



A21

PARAWISE COMMENTS

3. That the contents of para 1 to 3 need no comments.
4. That the contents of para 4(1) are denied. It is submitted that the applicant was not approved for the post of Extra Departmental Letter Box Peon for Aliganj Extension Post Office. The applicant had given an application to the Asstt Supdt of Post Offices on 23.12.85 for engaging him as Extra Departmental Letter Box Peon in Aliganj Extension Post Office and had given an undertaking that he will vacate the post when Shri Ram Niwas came back to the post and that he would not press his claim for the post (Annexure R-1). Accordingly, the Asstt Supdt of Post Offices Lucknow directed the Sub Post Master, Aliganj Extension to <sup>engage</sup> ~~engage~~ the applicant as Extra Departmental Letter Box Peon on purely temporary basis on the risk and responsibility of Shri Noor Mohd Khan (Annexure - 1 of application). Thus no appointment letter was issued to him by the competent authority.
5. That in reply to para 4 (ii) it is stated that the applicant had worked in place of Shri Ram Niwas from 24.12.85 to 22.2.87, from 26.2.87 to 18.10.88 and from 22.10.88 to 30.7.89. When Shri Ram Niwas reported back on the post, the applicant was relieved.
6. That in reply to para 4(iii) it is stated that Rule 6 of the <sup>Agents</sup> Extra Departmental Act (Conduct and Service) Rules, 1964 is not as applicable to the present case, the applicant was not a regularly appointed Extra Departmental agent. He was allowed to work in place

*Unachd*



Contd....4

of Shri Ram Niwas. When Shri Ram Niwas reported back on the post Shri Baboo Lal was relieved. No letter of appointment was issued to Shri Baboo Lal.

7. That the contents of para 4(iv) are misconceived. Rule 6 of the Post & Telegraph Extra Departmental Agents (Conduct and Service) Rules, 1964 are not applicable to the present case. The applicant was allowed to work on a purely temporary basis on the risk and responsibility of Shri Noor Mohd Khan and on the undertaking given by the applicant that when Shri Ram Niwas will come back on the post, he will vacate it. Further the applicant had given an assurance that he would not press his claim for the post. No letter of appointment to the post Extra Departmental Letter Box Peon (EDLBP) was issued by the Asstt Supdt of Post Offices, Lucknow in his favour who is the prescribed appointing authority for the said post. When Shri Ram Niwas reported back on his post of Letter Box Peon, the applicant was relieved.

9. That the contents of para 4(vi) of the application are misconceived. The Industrial Dispute Act 1947 is not applicable to an Extra Departmental Agent. Service and Conduct of an Extra Departmental Agent is governed by the provisions of EDA (Conduct and Service) Rules, 1964. The applicant is also aware of this fact and has invoked the provisions of Rule 6 of EDA (conduct & Service) Rules, 1964 in various <sup>points</sup> of the application.

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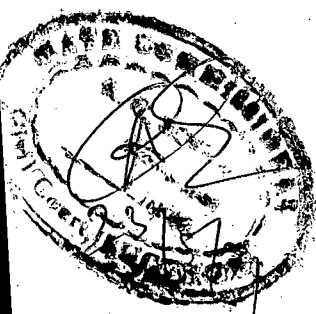
A23

10. That the contents of para 4 (vii) are denied. The Industrial Dispute Act 1947 is not applicable to Extra Departmental Agent and an Extra Departmental Letter Box Peon (EDLBP) is an Extra Departmental Agent within the meaning of EDA (Conduct & Service) Rule 1964. It is, however, asserted that the services of the applicant were dispensed with by an order in writing which was noted by the applicant. An extract of the order is being filed as Annexure R.1.

11. That in reply to the contents of para 4(viii) it is stated that the posts which had fallen vacant on account of appointment of Extra Departmental Agents on regular departmental posts have since been filled up after following the prescribed procedure. However vacancies occur from time to time.

12. That the contents of para 4(ix) are misconceived and are vehemently denied. The Industrial Dispute Act 1947 is not applicable to the applicant whose conduct and Services are governed by the provisions of EDA (Conduct & Service) Rules 1964. It is again asserted that the services of the applicant were dispensed with by a written order dated 31.7.89 which was duly noted by the applicant (Annexure R..2).

13. That in reply to para 4 (x) it is stated that the case of Shri Shyam Behari Pandey was quite different from that of the petitioner. Shri Shyam Behari Pandey was the substitute of Shri Sheo Shankar Srivastava Extra Departmental Packer Chowk since 17.12.80. On promotion of Shri Sheo Shankar Srivastava on the post



*Handwritten signature*

of postman. Shri Shyam Behari was allowed to continue to work as Extra Departmental Packer, Chowk vide order dated 1.1.85 and was allowed to appear in the Postmen Examination held on 20.12.87. He was declared successful in the said examination and has been working as postman waf 30.9.88.

14. That the contents of para 4(xi) need no comments. It is, however, submitted that no order of appointment was issued in his name by the competent authority and as such no disciplinary proceedings could be initiated against him.

15. That in reply to para 4 (xii) it is stated that the applicant on had no legal claim on the post which he was engaged in place of Shri Ram Niwas and which he had to vacate when the regular and permanent incumbent resumed duty. The applicant had given an undertaking that he will not press his claim for the post in the event of Shri Ram Niwas, who was the permanent incumbent of the post, reported back on duty.

16. That comments on the various sub-paras of para 5 are furnished below:-

5 (a) Contents denied - Rule 5 of the EDA (Conduct and Service Rules 1964 is not applicable to the present case.

5 (b) - Contents denied. The Industrial Dispute Act 1947 is not applicable to Extra Departmental employees whose conduct and service is governed by the EDA (Conduct & Service Rules, 1964.

5 (c) - Submissions made in para 13 above are reiterated.

A25

5 (d) - Contents denied. The services of the applicant were dispensed with in writing which was noted by the applicant (Anneuxre R-2).

5(e) - No legal right accrues to the applicant for the post which was held by him in place of Shri Ram Niwas who was the regular and permanent appointee on the post.

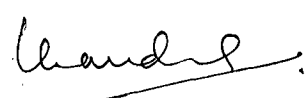
17. That the contents of paras 6 & 7 need no comments.

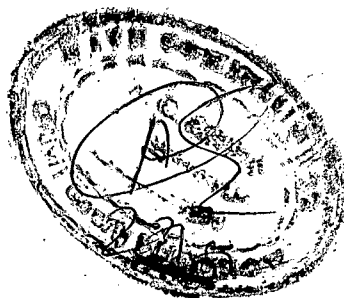
18. That in view of the submissions made in the above paragraphs the relief sought for in para 7 and interim relief prayed for in para 9 are not admissible and the application is liable to be dismissed with costs.

20. That the contents of para 10 to 12 need no comments.

Lucknow

Dated:- 23/07/91

  
प्रवर वकील, डाकघर, लखनऊ  
Scrib (Deponent)st Office  
Lucknow Division-220007



Contd....8

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A. 89/199-

ADP

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Bihar Sahitya Akademi

Mem. R-1

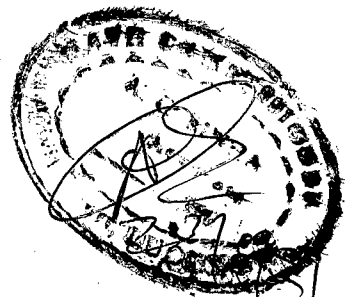
संस्थापक डॉ० काशीराम महोदय  
H. Aligarh Sahitya Akademi

विषय महोदय :- निवेदन है कि डा० बाबू लाल  
दुम्र को मालूम हो के आगे की ओर मोहम्मद सादिक  
को लखनऊ की कलींगेज बिना डाक  
पर भेज दिया है जिससे डाकघर लूट के  
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जारी कर रहे हैं की शेष गिनाई की आपकी  
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हैं डाक गा। मैं इस पद की लिए कभी भी  
आपका चलो नहीं करूँगा।

डा० बाबू लाल

दिनांक  
23/12/85

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सहायक बाक अधीनस्थ  
जिती प्रबंधक  
लखनऊ-6



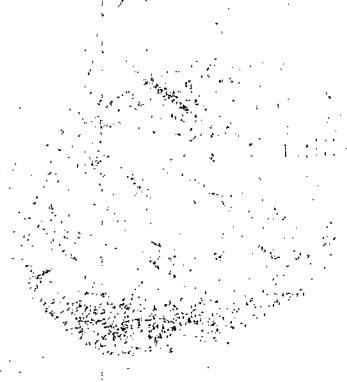
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VERIFICATION

: 8 :

I, the above named deponent do hereby verify that the

contents of paras.....to.....are to true to

my personal knowledge and those of paras.....to.....

are believed to be true and correct as per legal advice. I have

not suppressed any material fact, and no part of it is false. So

help me GOD.

NOT SIGNATURE, SIGNATURE  
deponent's name, address  
Lucknow Division-226007

Lucknow

Dated:

I identify the deponent  
who has signed before me.

(Dr Dinesh Chandra)  
Advocate

Chandra Prasad

23/1/79

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A. 89/199-

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Prinicipal of B.S. - 12

Annex. R-1

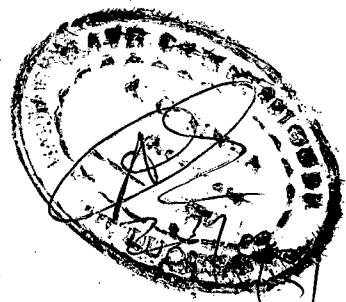
सहायक शिक्षक महोदय  
H. Aligarh Extn.

विषय: महादय :- निवेदन है कि उत्तरी बाबू लाल  
 पुत्र श्री गणेशदास के माता जी द्वारा महोदय महोदय  
 गंगा राजनगर की कालीगंज विद्यालय तक  
 पर आदिष्टित विद्यालय तक चले पुत्र के  
 स्वागत पर लगाने का कष्ट करें। क्योंकि वे  
 उसे समझ आता आता जो लाल के पद पर  
 चले का रहे है। की श्रेष्ठ विद्या की आपन  
 स्वागत पर का वापस आने पर मैं स्वागत  
 हरे जाऊंगा। मैं इस पद की लिए कभी भी  
 अपना चलो नहीं करूँगा।

उत्तरी  
 बाबू लाल

दिनांक  
 23/12/85

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 23/12/85  
 सहायक शिक्षक  
 उत्तरी बाबू लाल  
 सखत-6



Palmdale v/ 6.0.10 Pbs

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31/7/99

The above is a copy of the original  
 and will be kept in the  
 office of the Secretary of the  
 Board of Education.  
 Dated this 1st day of  
 March 1901.  
 Secretary of the Board of Education.

12/10/2020

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By 4 months Balal

बाला नारायण  
३१/१२/८९

16/07/2017  
Attested

*[Handwritten signature and date]*

31/5/84

व अदालत क्षीमान ..... *Central Administrative Tribunal* ..... महोदय  
 [वादी] अपीलान्त ..... *Circuit Bench, Lucknow* .....  
 ..... श्री .....  
 प्रतिवादी [रेस्पान्डेंट] ..... **वकालतनामा**

टिकट

(वादीअपीलान्त)

*Baboo Lal vs Union India* बनाम ..... प्रतिवादी (रेस्पान्डेंट)

नं० मुकदमा ४ सन् १९९० पेशी को ता० १६ ई०

ऊपर लिखे मुकदमा में अपनी ओर से श्री *Dr. Dinesh Chandra*

*Addl. Genl. Standing Counsel* ..... वकील  
*Lucknow* ..... महोदय  
 एडवोकेट

नाम आदालत .....  
 मुकदमा नं० नाम ..... बनाम  
 करीकत .....

को अपना वकील नियुक्त करके प्रतिज्ञा (इकरार) करता हूं और लिखे देता हूं  
 कि इस मुकदमा में वकील महोदय स्वयं अथवा अन्य वकील द्वारा जो कुछ  
 पैरवी व जवाबदेही व प्रश्नोत्तर करें या कोई कागज दाखिल करें या लौटावें  
 या हमारी ओर से डिगरी जारी करावें और रुपया बसूल करें या सुलहनाम  
 व इकबालदावा 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 वा 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 हूं कि हर पेशी पर स्वयं या अपने किसी पैरोकार को  
 भेजना रहूंगा अगर मुकदमा अदम पैरवी में एक तरफ मेरे खिलाफ फैसला हो  
 जाता है उसकी जिम्मेदारी मेरे वकील पर नहीं होगी इसीलिए वह वकालत  
 नामा लिख दिया प्रमाण रहे और समय पर काम आवे।

*Accepted*  
*D. B. S.*  
*Admission*

हस्ताक्षर .....

साक्षी (गवाह) ..... साक्षी (गवाह) .....

दिनांक ..... महीना ..... सन् १६ ई०

स्वीकृत

A30

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD  
Circuit Bench, Lucknow.

O.A.No. 8 of 1990

Baboo Lal

... Applicant

Versus

Union of India and others

... Respondent

F.F. 23.8.1990  
30-10-91

REJOINDER AFFIDAVIT

I, Baboo Lal aged about 31 years, s/o Shri Bhalloo Ram r/o Sabauli Aliganj, Extension, P.O. Batha (New Hyderabad) Lucknow, do hereby state on oath as under :

1. That the deponent is the applicant in the above noted case and he is well conversant with the facts deposed to in this rejoinder affidavit. The deponent has been read out the counter affidavit/W.S. submitted by the respondents, explained its contents in Hindi which he has fully understood and is replying to the same.
2. That the contents of para 1 of the counter needs no reply.
3. That in reply to the contents of para 2 of the counter purporting to introduce so called brief history of the case, it is stated that they are irrelevant, uncalled for and unwarranted as under Rule 12 of the C.A.T. (Procedure) Rules 1987 the respondents are required to specifically to admit, deny or explain the facts stated by the deponent in his application and also to state such additional facts as may be found necessary for the just decision of the case. However, the same is being replied as under :-

Para 2(a) of the C.A. The contents of this para are denied for want of knowledge. The deponent does not know of any Shri Ram Niwas nor did he submit any application dated 23.12.85 vide Annexure R-1 as alleged. Annexure R-1 purporting to be an application dated 23.12.85 from the deponent is manipulated and manufactured, which is denied. It is, however,

Filed today  
28/8/91

Baboo Lal

admitted that the Asstt. Supdt. of Post Offices North, Lucknow, directed the S.P.O. Aliganj, Lucknow to engage the deponent as E.D. L.B. Peon on purely temporary basis at the risk and responsibility of Shri Noor Mohd. Khan a retired Postman of the Postal Department. A true copy of this order has been filed as Annexure 1 to the application. The deponent worked continuously from 24.12.85 to 30.7.89 with artificial breaks from 23.2.87 to 25.2.87 (3 days) and 19.10.88 to 21.10.88 (4 days). The deponent worked satisfactorily for more than three years without any complaint whatsoever.

2(b) of the counter : The contents of para 2(b) of the counter are denied as stated. The deponent was not informed of the reason for restraining him from duty after 31.7.90 arbitrarily, which compelled him to come before this Hon'ble Tribunal for justice. It is

false to say that the deponent signed any order book dated 31.7.89 which appears to have been forged and manipulated by the respondents no. 4 & 5 to prejudice his case before the Tribunal. The deponent was neither asked to sign any order book nor did he sign the order book dated 31.7.89 as falsely alleged. Annexure R-2 is denied.

3. That para 3 of the counter/W.S. needs no reply.

4. That the contents of para 4 of the counter/W.S. are denied as stated. It is wrong to say that the deponent had given application to the Asstt. Supdt. of Post Offices on 23.12.85 for engaging him as Extra Departmental letter Box Peon in Aliganj Extension P.O. and had given an undertaking that he will vacate the post when Shri Ram Niwas came back to the post and he would not press his claim for the post. Annexure R-1 attached with the counter/W.S. purported to be an application from the deponent is denied. The deponent did not furnish any such application and it does not bear the

*Behudel*

A32

signature of the deponent. The alleged application appears to have been manufactured to prejudice the case of the deponent. The direction given to the SPM Aliganj Extra<sup>man</sup> Lucknow on 23.12.85 to engage the deponent as ED LB Peon did not prescribe any condition as now advanced by the respondent no. 4. It simply said that the deponent was appointed on purely temporary basis on the risk and responsibility of Shri Noor Mohd. Khan, who is a retired Postman (Annexure 1 to the application). The deponent worked satisfactory upto 31.7.89 for over 3 years with artificial breaks of a few days and under section 25(b) and (F) of the I.D. Act, he is to be treated as a regular employee and his services cannot be terminated nor he can be retrenched without prior notice as prescribed under the law, as the Postal Department is an industry and the deponent is a workman. It is wrong to say that no appointment letter was issued to the deponent by the competent authority. The competent authority for appointing or engaging ED LB Peon is the Asstt. Supdt. of Post Offices and the deponent was engaged by him. The engagement/appointment of the deponent was not in the capacity of a substitute. A substitute is offered by the employee concerned. The contents of para 4(I) of the application are re-iterated.

5. That the contents of para 5 of the counter are denied. The deponent does not know of any Shri Ram Niwas nor he worked as a substitute for him as wrongly alleged. The deponent was never informed that he was working as a substitute for Shri Ram Niwas nor he was told on 31.7.89 that he was being removed in consequence of the joining of Shri Ram Niwas. The deponent was restrained from duty without anything in writing and without informing him even verbally as to why he was not being allowed to work. Under the rule cited in para 4 above and also under the EDA (Conduct & Service) Rules 1964 he could not be ~~diverted~~ diverted of his post without proper notices. The deponent was not asked to furnish any charge report nor he was relieved of his post under the rule. The contents of

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para 4(ii) of the application are re-stated.

6. That the contents of para 6 of the counter/W.S. are denied as stated. The deponent was not a substitute for so called Ram Niwas. It is wrong to say that the EDA (Conduct & Service) Rules are not applicable to the deponent as he was not a regularly appointed employee. Under Rule 2(a) of the said service Rules employee means a person employed as Extra Department Agent and under Rule 2(b) (v) an Extra Departmental Letter Box Peon comes within the category of Extra Departmental Agent. As the deponent was employed as ED Letter Box Peon and worked for more than 3 years, his case is covered by Rule 6 of the said EDA (Conduct & Service) Rules 1964, and also by section 25(B) and (F) of the I.D. Act. The contents of para 4(iii) of the application are re-asserted.

7. That the contents of para 7 of the counter are denied and in reply the contents of paras 4, 5 and 6 above and those of para 4(iv) of the application are re-iterated.

8. That the contents of para 4(v) of the application remain undisputed.

9. That there is no para 8 in the counter/W.S.

10. That the contents of para 9 are denied as stated. As already stated in para 4 above the P&T is an industry and the deponent is a workman to be entitled to the benefits as envisaged in the I.D. Act 1947. Besides the deponent is also entitled to the safeguards as provided under Rule 6 of the EDA (Conduct & Service) Rules 1964. The stand taken by the respondents is wrong and misconceived. The contents of para 4(vi) of the application are re-asserted.

11. That the contents of para 10 of the counter are denied. It is wrong to say that the I.D. Act 1947 is not applicable to Extra Departmental Agent. It is false to say that the Services of the deponent was dispensed with by an order in writing which was noted by the deponent. No order was given to the deponent as stated by him in his application.

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No Annexure R- mentioned in the counter has been received with the copy of the counter by the deponent. It is, however, emphatically stated that no order was given to the deponent and he was arbitrarily restrained from duty w.e.f. 31.7.89. The contents of para 4(vii) are re-stated.

12. That in reply to the contents of para 11 of the counter, it is stated that the averments made in para 4(viii) of the application have not been contraverted. Even if the deponent was divested of his post owing to retrenchment which could not be done without proper notice as required under section 25F of the I.D.Act 1947 and without complying with the provision of law under section 25G, he should have been employed immediately after a vacancy occurred. But the case of the deponent was highly prejudiced by the respondents and the provision of law were violated. The deponent had a preferential claim over others who were subsequently appointed by respondent no. 4.

13. That the contents of para 12 of the counter are denied as stated. It is wrong to say that the I.D.Act is not applicable to the deponent. As already stated the P&T Department is an industry and the deponent is a workman fully entitled to the benefits and safe guards provided by the I.D.Act alongwith the EDA (Conduct & Service) Rules 1964. It is wrong to say that the services of the deponent were dispensed with by a written order dated 31.7.89. No such order was ever communicated to the deponent. Annexure R-2 is not an order to the deponent, it was never shown to the deponent and it does not bear his signature. Annexure R-2 is denied. The contents of para 4 (ix) of the application are re-asserted.

14. That the contents of para 13 of the counter are denied. Shri Shyam Behari Pandey was retained in service eventhough he was merely a substitute on the basis of his long service of over 3 years and regularly appointed. Ram Chandra Gupta was terminated while

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in the case of the deponent a different yardstick has been applied in violation of Articles 14 & 16. The deponent was never allowed an occasion to appear in the departmental examination to try his luck and secure success. The contents of para 4(x) of the application are re-iterated.

15. That in reply to the contents of para 14, the deponent re-asserts the contents of para 4(xi) of his application. The deponent was/is an employee of the department in terms of definition given in Rule 2 of the EDA/Conduct & Service) Rules 1964 and he could not be divested of his post abruptly without notice as required under Rule 6 & 7 of the ED Staff (Conduct & Service) Rules and the I.D. Act.

16. That the contents of para 15 ~~xx~~ are denied and in reply ~~xx~~ the deponent re-asserts the contents of para 4(xii) of the application and the averments made above in paras 4, 7, 10, 12 & 13. It is stated that the deponent could not be dislodged from his post without notice and observance of Rules and he was highly prejudiced.

17. That the contents of para 16 of the counter are denied as stated and the contents of para 5 of the application are re-asserted. Rule 6 of the EDA (Conduct & Service Rules and Sections 25-B, F and G of I.D. Act are applicable as stated in para 48 above and the deponent has been prejudiced by violation of ~~xxxxxx~~ Articles 14 & 16 of the Constitution.

18. That para 17 of the counter needs no reply.

19. That the contents of para 18 of the counter are denied. The reliefs claimed by the deponent are cogent and liable to be allowed with costa and special cost.

20. That there is no para 19 in the counter and as

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regards para 20, it does not call for any comments.

LUCKNOW

*Bahudal*  
Deponent

Dated : 5 .8.91

VERIFICATION

I, the abovenamed deponent, do hereby verify the contents of paras 1 to 16, 18 and 20 are true to my knowledge and those of para 17 and 19 are believed to be true. Nothing material has been concealed and no part of it is false.

Signed and verified this *5<sup>th</sup>* day of August, 1991  
at Court's Compound, Lucknow.

LUCKNOW

*Bahudal*  
Deponent

Dated : 5 .8.91

I identify the deponent  
who has signed before me.

*M. Dubey*  
(M. Dubey)  
Advocate

Annexure - 1

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कोटा-7/Cont-7

मास्तीय डाक-तार विभाग/INDIAN P.T. DEPARTMENT Edn

सहायक उपरी डाक विभाग,  
आसि/Office (उत्तर) उपविभाग,

SI-22-12-85

Asstt. Superintendent Post Office,

Lucknow (North) Sub-Division,

LUCKNOW - 226006

Aliganj Etn  
Lucknow

Please engage Shri Babulal  
S/o Shri Ram Chandra Noor  
Mohd. Khan Sarvodaya Nagar Lucknow  
as ED LB Post at your office on purely  
temporary basis till 1st and 2nd  
shift of Shri Noor Mohd. Khan.

अनुप

सहायक उपरी डाक विभाग,  
आसि (उत्तर) उपविभाग,  
Asstt. Superintendent Post Office,  
Lucknow (North) Sub-Division,  
LUCKNOW - 226006

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revised  
The copy  
in file  
ADW

Annexure-2

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कोरो-7/Corr-7

भारतीय डाक विभाग/DEPARTMENT OF POSTS INDIA

S.P.M. L.S.G.

कार्यालय/Office of the

Nirala Nagar,

LUCKNOW-226 020

Experience Certificate

Certified that Shri Babulal  
E.D. LB Peon (Substitute) is working  
in this office as E.D. LB Peon (Substi-  
tute) with effect from 24/11/85  
HMC (Highway Encl. Police) to  
17/11/87 AM. and from 18/11/87 PM  
to date in Shri Nagar Police  
Encl. except the following  
period:-

23/2/87 to 25/2/87 (Absent)

19/10/88 to 21/10/88 (Absent)

During the above period, he  
has worked as substitute as well  
as outsider and his work was  
satisfactory.

Heb  
10/6/89

S.P.M. L.S.G.

Nirala Nagar,

LUCKNOW-226 020

MP-14-150 Form 87-23-7-87-20,00,000 Pads

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Attested  
True copy  
[Signature]  
Adv