

FORM NO. 21

(See rule 114)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,BENCH

OA/TA/RA/CP/MA/PT ... 215/ of 20-90

N. LalApplicant(S)

V. O. S. 4 of ms Respondent(S)

INDEX SHEET

Serial No.	DESCRIPTION OF DOCUMENTS	PAGE
1-	Jud. dt/- 22-3-94	A- A1
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Certified that the file is complete in all respects.

Signature of S.O.

Signature of Deal. Hand

By 11-6-2012
Recd at B do hyl
for or hyl

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, CIRCUIT BENCH
LUCKNOW.

F O R M I

(See Rule 4)

APPLICATION UNDER SECTION 19 OF ADMINISTRATIVE TRIBUNAL'S
ACT 1985

O.A. No. 215 of 1990 (L)

Instt. on July, 1990.

Claim for Re-instatement in Class IV
Services of N. Railway & Consequential
Benifits.

*Filed today
3/7/90*
Nanhey Lal..

Vs.

..Claimant.

Union of India & others..

..Respondents

COMPILATION NO. I

I N D E X

*Noted for 9.7.90
3/7/90*

Sl. No.	Description of documents	Page No.	Remarks
1.	Memo of Claim petition.	1 to 8	
2.	<u>Annexure No. A1</u> Letter No. 189/W/WA/CL-SPN Dt. 29.6.89 (Received on 5.7.89)	9	
3.	Vakalatnama	16	

Lucknow

3 July, 1990

For Use in Tribunal's Office

Date of Filing

OR

Date of Receipt by Post

Registration No.

Signature of applicant

CFI'
Nanhey Lal
(Nanhey Lal)

Through his counsel:-

A.K. Dixit
A.K. Dixit,
Advocate,

For Registrar

O.A. No.215/90

22-3-94

Hon.Mr. S.N. Prasad, J.M.
Hon. Mr. V.K. Seth, A.M.

None responds on behalf of the applicant. Shri Anil Srivastava, learned counsel for the respondents is present. This is noteworthy that on the last two dates also i.e. on 6-7-93 and 27-1-94, none responded on behalf of applicant. Thus, this being so, this O.A.No.215/90 is dismissed for the default of the applicant and for non-prosecution.

A.N.

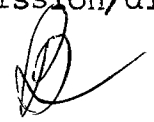
J.M.

*See copy of order
K. Anil
sent on 6/9/94
OR
copies of
& applicant's
sent today
to reception counter
6/9/94
copy is being
sent on 14/4/94
Re 06/4-94*

6.7.93

Hon'ble Mr. B.K. Singh, A.M.

Shri Anil Srivastava counsel for the ~~app~~ respondents is present and he has filed power on behalf of respondents. Counsel for the applicant is not present. No R.A. has been filed. R.A., if any, may be filed within 2 weeks. Put-up this case on 9.9.93 for hearing on admission/disposal.


A.M.

(g.s.)

~~at~~
~~Writed RA not filed~~
~~9.9.93~~
~~1.11.93~~
~~Writed RA not filed~~
~~9.12.93~~
~~27/11/94~~


No filing at D.B. of
1.11.93
page

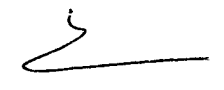
Case and records adjourn
to 9.12.93
page

No filing at D.B. of
27.1.94
page

Hon. Mr. S.N. Prasad, J.M.
Hon. Mr. V.K. Seth, A.M.

None for the parties. No R.A. has been filed. R.A. be filed within 2 weeks. List this case on 22/3/94 for hearing & disposal.


A.M.


J.M.

~~at~~
~~No RA has been filed~~
~~21/3/94~~

SPECIAL POWER OF ATTORNEY

In the Court of Central Administrative Tribunal
Addl Circuit bench Lucknow

Regn No

215/90

Nanhey Lal

Plaintiff
Appellant
Petitioner

Versus

Union of India

Defendant
Respondent
Opposite Party

KNOW all men by these present that I, S.N. Pandey, DRM/MB
Northern Railway, Moradabad do hereby appoint and authorise
S/Shri Anil Shrivastava to appear, plead,
and act for me jointly or severally in the above noted case
and to take such steps and proceedings as may be necessary
for the prosecution and defence of the said matter, as the
case may be and for the purpose to make sign, verify and
present all necessary plaint petitions, written statements and
other documents to compromise the suit admit the claims and
to lodge and deposit money in court and to receive payment from
the court of money deposited and to file and withdraw comments
from court and Generally to set in the promises and in all
proceedings arising thereout whether by way of execution appeal
or otherwise or in any manner connected therewith as effectually
to all intents and purposes as I could act if personally present
I hereby agree to notify and confirm whatever shall be lawfully
done by virtue of these presents.

In witness whereof I herein to set my hand this
day of _____ 19____.

Accepted
Anil Shrivastava

S.N. Pandey
(S.N. Pandey)

Northern Railway
Divl. Ry. Manager
Northern Railway
Moradabad

ORDER SHEET

O.A. 215 / NO 90 (4) OF 19

VS

Sl No	Date	Office report	Orders
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3/2/93

D.R.

None present for the parties.

R.A has not been filed..

List this case on 20/4/93

for F. H.

[Handwritten notes in left margin]
 20/4/93
 20/4/93

[Handwritten notes in left margin]
 20/4/93

[Handwritten notes in right margin]
 20/4/93

[Handwritten notes in left margin]
 20/4/93

No counter filed
on behalf of O.P.
case is listed on
25/11/91 for filing
counter.

25.11.91
D.R.

Both the parties
are present.
Shri Shukla counsel
for O.P. has filed
counter today.
Now applicant to
file Reply by
20/2/92. AKS
for DB.

20.2.92
D.R.

Both the parties are
present Applicant
to file Reply by
15/5/92.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
Circuit ALLAHABAD BENCH *f u c (u n o r e)*

Regd. A/D
 23-A, Thornhill Road
 Allahabad. 211 001

Registration O.A. No. 215 of 1990 *(u)* 18/11/91

No. 46 CAT/Aid/Jud 9740/00

Manney Lal

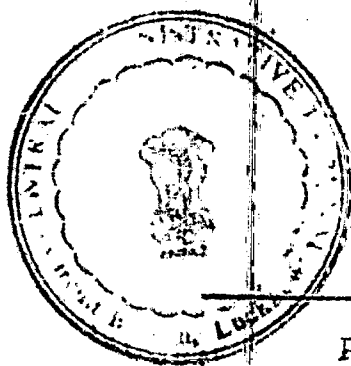
Applicant(s)

Versus

Union of India

Respondent(s)

- ① Union of India through C.M. M. Piy H & Baroda
House New Delhi
- ② Divisional Railway Manager M. Piy Mordad
- ③ Divisional Engineer II D.R.M. S. office
M. Piy Mordad
- ④ Permanent way Inspector (Special)
Shahjahanpur



Please take notice that the applicant above named has presented an Application a copy of whereof is enclosed herewith which has been registered in this Tribunal and the Tribunal has fixed 4 Day of 4/11 For.

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

Given under my hand and the seal of the Tribunal this _____ Day of _____ 1990.

18/11/91
 For Deputy Registrar

Encl copy of Petition with (Judicial)
order dt 7/11/91 passed there on.

Central Administrative Tribunal
Circuit Bench Lucknow.
O.A.NO. 215 of 1990(L)

Nanhey Lal Applicant
Versus
Union of India Respondents

Hon'ble Mr.D.K.Agarwal,
Hon'ble Mr.K.Chayya, A.M.

Dated: 7.1.1991.

None appears for the applicant. We have perused the record. Admit issue notice counter may be filed within 8 weeks, Rejoinder within 2 weeks thereafter. List for hearing on 4.4.1991.

Sd/-
A.M.

Sd/-
J.M.

// True copy //

R.S.M.

16/10/1991
(Mohd. Umar Khan)
Court Officer,
Central Administrative Tribunal,
Circuit Bench,
LUCKNOW.

215/90(15)

7-80

No sitting adj'th. 3/8

3-8-80

No sitting adj'th. 19-8-80

19-9-90

No sitting adj'th. to 25-9-90

25-9-90

No sitting adj'th. to 30-10-90

30-10-90

Due to Holiday adj'th. to 19-11-90

Hon. Mr Justice K. Hath. VC
Hon. Mr. M. M. Sigs - AM

None is present case is
adjourned to 7.1.91.

VC AM

M K L

A. M

as
Notices filed
10/11/91

7-1-91

See original
adv.
on main
petition

Hon. D.K. Agarwal, JM
Hon. K. Ojha, AM

Admit. Issue notice

A.M

JM

as
Notices were filed
on 10/11/91
Neither CA nor
RA have been filed
S. F. D.R.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, CIRCUIT BENCH
LUCKNOW.

Nanhey Lal aged about 40 years son of Sri Mewa Ram,
c/o Shimla Hair Cutting Saloon, Cinema Crossing HARDOI.
.. ..Applicant.

Vs.

1. Union of India, Through General Manager, N. Railway
Head Quarter Baroda House, NEW DELHI.
 2. Divisional Rail Manager, N. Railway MOORADABAD.
 3. Divisional Engineer II, DRM's Office, N. Railway,
MOORADABAD.
 4. Permanent Way Inspector (Special) SHAHJEHANPUR.
-Respondents.

DETAILS OF APPLICATION

1. Particulars of Order against which
Application is made.

(i) Order No. 189/W/WA/CL-SPN

(ii) Dated. 29.6.89

(Received on 5.7.89)

(iii) Passed by. Divisional Engineer II,
DRM Office N. Railway,
Mooradabad

Cd Nanhey Lal

(Attached at Annexure A1 in
Compilation No. I)

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 limitation prescribed in Section 21 of the Administrative Tribunals Act 1985.

4. F A C T S O F T H E C A S E

4.1. That applicant has worked as Casual Labour/ Khallasi under Inspector of Works, N. Railway Balamau from 15.6.78 to 14.9.79, 164 days in broken periods and under PWI Roza from 15.10.83 to 14.7.85, 182 days again in broken periods.

4.2. That on the basis of working days indicated above petitioner was engaged on 15.12.85 under Permanent Way Inspector (Special) Shahjehanpur N. Rly, upto 10.7.86 Continuously without break.

4.3. That all these working days (that of para 4.1 and para 4.2) are entered on his Casual Labour Card and Certificate issued by the concerned official.

U/S Nandray Lal

True Photocopies of Casual Labour Card and Certificate are attached as Annexure A-2 and A-3.

4.4. That while on duty applicant fell ill on 9.7.86 on account of which he proceeded on leave for 9.7.86 and 10.7.86.

4.5. That applicant's ailment prolonged on account of which he remained under treatment of Dr. Rajendra Dutta Misra from 9.7.86 to 9.9.86. During Course of his illness applicant was X-rayed also.

A True Photo copy of Certificate of illness and treatment issued by Dr. R.D. Misra is attached herewith as Annexure A-4.

4.6. That on being recovered from illness when petitioner went to join his duties on 10.9.86, he was not, allowed to resume his duties and was asked to produce private Medical Certificate, which he produced to Respondent No. 4.

4.7. That after waiting for about more than three months when petitioner was not allowed to join he submitted a representation on 28.12.86 to Respondent No. 3 alongwith Private Medical Certificate
.. / 4.

ltg Nankahal

6. Details of Remedies exhausted

The applicant declares that he has availed of all the remedies available to him under the relevant service Rules.

True copy of representation has been attached as Annexure A-5 which stands disposed off by Annexure A-1.

7. Matters not previously filed or Pending with any other court.

The applicant further declare 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 and nor any such application, writ petition or suit is pending before any of them.

8. Relief Sought.

In View of facts mentioned in para 4 above as well as on grounds and legal provisions in para 5 of the applicant prays for following reliefs:-

CFJ Narayana

- (i) a declaration, direction or order in the nature of ~~Cartoraria~~ Issued in favour of applicant for quashing the impugned order dt. 29.6.89 (Anx. A1) and consequently petitioner be held to be in continuous Class IV Services of N.Rly. on post of Khallasi/Labour along with full back service benefits of salary, promotion, Seniority, regularisation etc. and shall never be deemed to have been discontinued on 8.7.86.
- (ii) Costs of the present claim petition and such other reliefs as may be deemed fit and proper in the circumstances of the case be also awarded to the applicant as against the Respondents.

9. Interim Relief, if any prayed for:-

NIL.

10. Application is presented through counsel:-

Sri A.K.Dixit,
Advocate,
509/28-Ka Old Hyderabad,
Lucknow.

11. Particulars of Bank Draft/Postal order filed in respect of the application fee.

1. No. of Postal order/~~Bank Draft~~ 802 468264
2. Date of Postal order/~~Bank Draft~~ 3/7/90

3. Post Office/Bank by which issued:- GPO Lucknow

4. Payable at post office/Bank at Allahabad

12. List of enclosures:

1. Demand Draft/Postal order.

2. Index of Compilation No. 1

3. Paper Book of Compilation No. 1

4. Index of Compilation No. 2

5. Paper Book of compilation No. 2

6. Vakalatnama,

Applicant,

(Nanhey Lal)
above.

Verification

I, Nanhey Lal aged about 40 years son of Sri Mewa Ram c/o Shimla Hair Cutting Saloon, Cinema Crossing HARDOI do hereby verify that the contents of paras 1 to 4, 6, 7, 10, 11 and 12 are true to my personal knowledge and paras 5, 8 and 9 are believed to be true on legal advise and that I have not suppressed any material fact.

Date: 3rd July, 1990

Place: Lucknow.

(Nanhey Lal) above.

CTI Nanhey Lal

In the Central Administrative Tribunal
Civil Bench Lucknow

(10)

ब अदालत श्रीमान

महोदय

[वादी] अपीलान्त

प्रतिवादी [रेस्पान्डेन्ट]

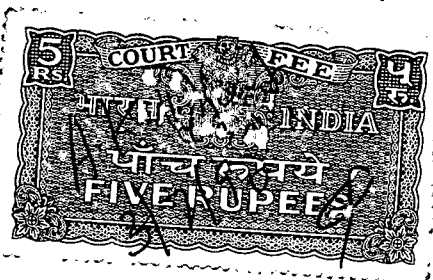
श्री

का बकालतनामा

Manhey Lal

by

Union of India



गान्त)

बनाम

प्रतिवादी (रेस्पान्डेन्ट)

मुकदमा नं०

सन्

पेशी की ता०

१६

ई०

ऊपर लिखे मुकदमा में अपनी ओर से श्री

A. K. Dixit Advocate
509/20 ka old Hyderabad
वकील

Meknow

महोदय
एडवोकेट

नाम अदालत

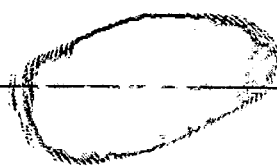
मुकदमा नं० नाम

फरीकत

को अपना वकील नियुक्त करके प्रतिज्ञा (इकरार) करता हूँ और लिखे देता हूँ कि इस मुकदमा में वकील महोदय स्वयं अथवा अन्य वकील द्वारा जो कुछ पैरवी व जबाबदेही व प्रश्नोत्तर करें या कोई कागज दाखिल करें या लौटावें या हमारी ओर से डिगरी जारी करावें और रुपया वसूल करें या 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 रहूंगा छपर मुकदमा अदम पैरवी में एक तरफ मेरे खिलाफ फैसला हो जाता है उसकी जिम्मेदारी मेरे वकील पर नहीं होगी इसलिए यह पकालतनामा लिख दिया प्रमाण रहे और समय पर फाम आवे ।

Accepted.
[Signature]

हस्ताक्षर



L. T. Manhey Lal

साक्षी (गवाह)

साक्षी (गवाह)

दिनांक

महीना

सन् १६ ई०

In The Central Administrative Tribunal, Circuit Bench,
Lucknow.

Nanhey Lal..

..Applicant.

Vs.

Union of India & others..

..Respondent.

COMPILATION NO.II

I N D E X

Sl. No.	Description of Document	Page No.	Remarks
1.	<u>Annexure A2</u> Casual Labour Card	1	
2.	<u>Annexure A3</u> Certificate of Working Period.	2	
3.	<u>Annexure A4</u> Private Medical Certificate	3	
4.	<u>Annexure A5</u> Representation Dt. 28.12.86	4	

Lucknow:

3rd July, 1990

(To Nanhey Lal)

Applicant,

(Nanhey Lal)

Through his counsel:-

(Signature)
A. K. Dixit

Advocate.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, CIRCUIT BENCH LUCKNOW.

Nanhey Lal (Applicant) vs. Union of India & others
 Annexure No. A2 (Respondents)

RECORD OF SERVICE AS CASUAL LABOUR

RECORD OF SERVICE AS CASUAL LABOUR

RECORD OF SERVICE AS CASUAL LABOUR

1. Name in full (In Block Letters) **NANHEY LAL**

2. Father's Name **Shri Meen Ram**

3. Date of Birth **02.08.1939**

4. Age at initial casual employment **18 Years. 0 Months.**

5. Personal marks of identification.
 (i) One scar mark under the left eye
 (ii) One black scar mark under the right knee cap

6. Nature of job on initial employment **Tea Kharadasi**

S. No.	Period of employment	Nature of Assignment	Signature and designation of the Supervisor with date.
	From 2	To 3	4
1	15.06.78	14.07.78	Ka - 30 Days
	15.07.78	14.08.78	W - 31 "
	01.09.78	30.09.78	" - 30 "
	01.10.78	31.10.78	" - 17 "
	01.11.78	31.11.78	" - 11 "
	01.12.78	31.12.78	" - 14 "
	01.01.79	31.01.79	" - 31 "
	01.02.79	31.02.79	" - 31 "
	01.03.79	31.03.79	" - 31 "
	01.04.79	31.04.79	" - 31 "
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Not for MLE

पुर्वोक्त

डा० रामदत्त मिश्र

दिनांक :-

५

Central Bank
 Credit Copy of H. M. Michaelson
 our mfr from the Boston
 Division under my trademark
 from 9/2/06 to 9/1/08
 passed out in 1908



Dr. J. D. Miller

ATTN:

92Y

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Dixie

HIGH COURT
LUCKNOW.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, CIRCUIT BENCH LUCKNOW.

Nanhey Lal (Applicant) Vs. Union of India & others
 Ampxural No. AS (Respondents)

श्रीमान,

श्रीमान गणेशजी अम्बेकरजी अम्बेकरजी

गुरुदासपुर

विषय:- झूठी डी. पी. प्रार्थना पत्र

महोदय,

नितेदन है कि प्रार्थी श्री गणेशजी अम्बेकरजी -
 केजुआल गैंग में रोजगार में विद्यमान रहकर झूठी डी. पी. प्रार्थना पत्रों
 के अधीन कार्य रत था प्रार्थी दि. 0-31-12-86 से 8-7-86
 तक लगातार कार्य करता रहा तथा इसके पूर्व प्रार्थी निर्माण निरीक्षक
 वालासऊ तथा रोजगार रोजगार के यहाँ कार्यरत रहा जिसका केजुआल
 लेबर कार्ड भी रोजगार रोजगार में झूठी डी. पी. प्रार्थना पत्रों के
 कार्यालय में जमा है।

दि. 0-8-7-86 के बाद प्रार्थी का स्वास्थ्य
 खराब हो जाने के कारण झूठी डी. पी. प्रार्थना पत्रों पर न आ सका तथा अपना प्राइवेट
 इलाज करवाता रहा जब प्रार्थी पूर्ण रूप से स्वस्थ हो गया तब से
 लगातार प्रार्थी सम्बन्धित अधिकारियों से पुनः झूठी डी. पी. प्रार्थना
 करता रहा परन्तु प्रार्थी को सफलता नहीं प्राप्त हो सकी।

प्रार्थना पत्र एवं पानि समस्तान सेवा में प्रस्तुत है। श्रीमान
 जी से कर दल प्रार्थना है कि प्रार्थी को पुनः झूठी डी. पी. प्रार्थना देने का आदेश देने
 का कृपा करें।

अतः ही नहीं पूर्ण विश्वास है कि श्रीमान जी मुझ गरीब
 को एक रोटि का सहारा अवश्य देंगे तथा झूठी डी. पी. प्रार्थना देने के आदेश प्रदान
 करने का कृपा करेंगे।

हम आभारी रहेंगे।

कनकलाल

प्रार्थी
 नन्दे लाल पुत्र श्री गणेशजी अम्बेकरजी

केजुआल गैंग में

अपान:- रोजगार रोजगार में विद्यमान

गुरुदासपुर (पी. पी. प्रार्थना पत्रों)

ATTES

Abh

HIGH COURT
 LUCKNOW

R. P.-51 (a)

Stamps affixed except in case of unimanu- Rs. P.
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 weight prescribed in the Post and Telegraph
 Guide in which no acknowledgment is due.

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addressed to

Write here 'letter', 'parcel' or 'railway receipt'
 of the word 'insured' before it when necessary.

To be filled in only when the article is to be insured; otherwise

SPECIAL POWER OF ATTORNEY.

In the Court of Central Administrative Tribunal Circuit Bench Lucknow
Court of

Regn. O.A. No. — 215/90

Nanhey Lal

Plaintiff
Appellant
Petitioner

Versus

Union of India

Defendant
Respondent
Opposite Party

KNOW all men by these present that I Sem Nath Pandey, DRM-Moradabad
Northern Railway, Moradabad do hereby appoint and authorise
s/Shri A.K. Shukla to appear, plead,
and act for me jointly or severally in the above noted
case and to take such steps and proceedings as may be
necessary for the prosecution and defence of the said
matter, as the case may be and for the purpose to make
sign, verify and present all necessary plaint petitions,
written statements and other documents to compromise
the suit admit the claims and to lodge and deposit money
in court and to receive payment from the court of money
deposited and to file and withdraw documents from court
and Generally to set in the promises and in all proceedings
arising thereout whether by way of execution appeal or
otherwise or in any manner connected therewith as effectually
to all intents and purposes as I could act if personally
present I hereby agree to notify and confirm whatever shall
be lawfully done by virtue of these presents.

In witness whereof I hereinto set my hand this _____
day of _____ 19____.

Sem Nath Pandey
(Sem Nath Pandey)

Northern Railway

Divil. Rly. Manager
N. R. Moradabad

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, CIRCUIT
BENCH LUCKNOW.

**

I N D E X

IN

REGISTRATION NO. 215 of 1990

Nanhey Lal

...Applicant.

Versus

Union of India & others..

Respondents.

Sl. Nos. Particulars.

pages Nos.

1. Written Statement

1 --12

(A.K. Shukla)
Advocate (Railway)
Counsel for the respondents.

Dated 25/11/91

Filed today
25/11/91

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL CIRCUIT B
BENCH LUCKNOW.

**

WRITTEN STATEMENT

IN

REGISTRATION NO. 215 of 1990.

Nanhey Lal.

...Applicant.

Versus

Union of India & others..

Respondents.

The humble reply to the aforesaid petition
on behalf of the abovenamed respondents Most
Respectfully Showeth as under:-

1. That the averment made in paragraph 1 to
3 of the application do not call for any reply.
2. That in reply to the averments made in
paragraph 4(i) of the application it is stated
that as per verification report of IOW/BLM
regarding working days as Casual labour Khallasi
under him from 15.6.1978 to 14.9.1979 = 164 days

Received Copy
R. C. Yadav for
Mr. A. K. Dixit
Advocate
20/12/91

..2..

applicant has not worked, as no record is available with IOW/BLM. And as per verification report from PWI/RAC 15.8.1983 to 14.7.1985 182 days verified in broken period.

3. That averments made in paragraph 4(ii) of the application are not disputed .

4. That averments made in paragraph 4(iii) of the application it is stated that working days mentioned in above para 4.1 under IOW/BLM 15.6.1978 to 14.9.1979 = 164 days not verified and under PWI/RAC from 15.10.1983 to 14.7.1985 = 182 days verified.

5. That the averments made in paragraph 4(iv) of the application are not admitted in the form stated. It is submitted here that the applicant was ~~absented~~ ^{absconded} ~~absent~~ from duty from 9.7.1986.

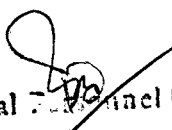
Divisional Personnel Officer
Northern Railway
M. Pradabad

..3..

6. in reply to
That/the averments made in paragraph
4(v) of the application it is stated that the
applicant was discharged from duty due to
unauthorised absentee from duty. It is further
submitted that applicant has never informed to
the department that he was under treatment of
Dr. Rajendra Prasad Mishra from 9.7.86 to 9.9.1986.

7. That the averments made in paragraph
4(vi) of the application are not admitted in the
form stated . It is submitted here that the
applicant was abscond^{from duty} from 9.7.1986 and he has
never submitted a medical certificate of illness
in the office of answering respondent.

8. That in reply to the contents of
paragraph 4(vii) of the application it is
stated that when the applicant was discharged


Divisional Personnel Officer
Northern Railway
Moradabad


..4..

on 9.7.1986 and thereafter no use of representation and certificate etc. on 28.12.1986.

9. That the contents of paragraph 4(viii) of the application are matter of record and are not disputed as such.

10. That in reply to averments made in paragraph 4(ix) of the application it is submitted that the applicant was absconded from duty on 9.6.1986 that^{is} why he was discharged from duty due to un-authorised absent from duty .It is further submitted that in case of Casual Labour it is not necessary to issue a show cause notice.

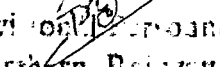
11. That the averments made in paragraph 4(x) of the application are not admitted in the form stated. It is submitted here that ~~the~~


Divisional Personnel Officer
Northern Railway
Moradabad

..5..

^{there}
~~Applicant~~ is no clame existing for seniority ^{of appl.}
because he was discharged from duty due to
unauthorised absent from 9.7.1986.

12. That in view of the facts having been
stated in the foregoing paragraphs of this reply
and the applicant has made out no ground to sustain
the application as such it deserves to be
dismissed with costs.



Divisional Personnel Officer
Northern Railway
Moradabad

I, Hulas Singh, D.O. (P.O.) Moradabad

do hereby verify that the contents of paragraph
1 to 12 of this reply are based on perusal of
official record and legal advice received which
I believe to be true and nothing has been
suppressed.

Verified on this
at Allahabad .

day of Sept, 1991


Divisional Personnel Officer
Northern Railway
Moradabad