

FORM NO. 21

(See rule 114)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,BENCH

OA/TA/RA/CP/MA/PT2151 of 20-9-0

M. DealApplicant(S)

v. O - G. of MSRespondent(S)

INDEX SHEET

Serial No.	DESCRIPTION OF DOCUMENTS	PAGE
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4 - Complaint A - file	30 - page	

Certified that the file is complete in all respects.

Signature of S.O.

Signature of Deal. Hand

Bofis
 11-6-2012
 BSC need at 1 day
 for 12pm

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, CIRCUIT BENCH
LUCKNOW.

FORM 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
Benefits.

fixed today Nanhey Lal..

..Claimant.

vs.

Sign *31/7/90* Union of India & others..

..Respondents

COMPILED NO. I

I N D E X

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

Signature of applicant

3 July, 1990

(S)
Nanhey Lal

For Use in Tribunal's Office

Through his counsel:-

Date of Filing

(S)
A.K. Dixit,
Advocate,

or

Date of Receipt by Post

Registration No.

For Registrar

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.

Re: copy of And
Kathleen's file, copy
of letter to Dr.
6/9/94
sent on 4/14/94
is being considered
OK
Copies of
& apple canning
sent to
Folger 6/14/94

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.)

~~et
whether RA has
been filed~~ 9.9.93
~~et
whether RA has not filed
SOP~~ 1.11.93
~~et
whether RA has not filed
SOP~~ 9.12.93
~~et
whether RA has not filed
SOP~~ 20.11.93
~~et
whether RA has not filed
SOP~~ 27.11.93

No Siting at 1.11.93
Date

Case and record adjourned
to 9.12.93

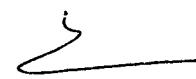
Date

No Siting at 1.11.93
Date

Hon'ble Mr. S.N. Prasad, J.M.
Hon'ble 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 22/12/93, for hearing & disposal.


A.M.


J.M.

~~et
whether RA has
been filed
SOP~~ 27.11.93

SPECIAL POWER OF ATTORNEY

I am the court of Central Administrative Tribunal
Region No. Addle Circuit bench Lucknow
815/90/2

Nanhey Lal Plaintiff
versus Appellant
Petitioner

Union of India

Defendant
Respondent
Opposite Party

KNOW all men by these present that I, S.N. Pandey, DRM/AMB
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 do 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

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

Northern Railway
Div'l. Ry. Manager
Northern Railway
Moradabad

Accepted
Anil Shrivastava

0
ORDER SHEET

O.A. 215/90 (S) 19

VS

Sl No	Date	Office report	Orders
-------	------	---------------	--------

31/1/93			
---------	--	--	--

D.R.			
------	--	--	--

None present before the parties.

R.A has not been filed.

list this case on 20/1/93

for F. H.

SLN

W.A. 20/1/93

(Signature)

12/1/93

SLN

SLN

W.A. 20/1/93

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 Chukla counsel
for O.P. has filed
counter today.
Now applicant to
file Rejoinder by
20/12/92. AKB
for D.B.

20.12.92

D.R.

Both the parties are
present. Applicant to
file Rejoinder by
15/12/92.

CB

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
Court ALLAHABAD BENCH (JULY 1991)

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

Registration O.A. No. 215 of 1990 (L) 10/11/91

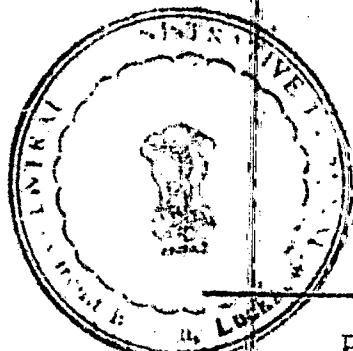
No. CAT/Adv/Jud 770/00
Namey Lst.

Applicant(s)

Versus
..... Union of India.

Respondent(s)

① Union of India Through C. M. M. P. H. C. Baroda
House New Delhi
② Divisional Railway manager M. P. M. Moordi and
Divisional Engineer II D. R. M. S office
M. P. M. Moordi and
④ Permanent Way Inspector (Special)
Shah Jahanpur



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 11 Day of 4/11/91 For.

If, no appearance is made on your behalf, your pleader or any 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.

10/11/91
For Deputy Registrat

End 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.Cbayya, 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.

M.U.K/19
(Mohd. Umar Khan)
Court Officer,
Central Administrative Tribunal,
Circuit Bench,
LUCKNOW.

215/90 (2)

7-90

No sitting Adi to 3/10/90

3-8-90. No setting Adi to 19-9-90
RJ.

9.9.90 No setting Adi to 25.9.90

28.9.90 No setting Adi to 30.10.90
RJ

30.10.90 Due to Holiday Adi to 19.11.90
RJ

Hon. Mr Justice K. Heath VC

Hon. Mr. M. M. Singh - AM

Name is present case is
adjourned to 7.1.91.

VC AM

HM

ATC

OR
Notice given
10/11/91

7-1-91

See original
order
on main
petition

For: D.K. Agarwal, JM
For: K. Obappa, AM

Admit. Issue notice.

AM

JM

OR
Notices were issued
on 10/11/91

Neither ca/nor
RA have been filed
S. & D.R.

277

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

(Sd) 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. Riy, 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.

Ud. Narayan 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. *Atg Narayan Lal*
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

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

(U.G. Mamtajhd) above as well as on grounds and legal provisions in para 5 of the applicant prays for following reliefs:-

(i) a declaration, direction or order in the nature of ~~Cartoraricba~~ 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 benifits 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.

(T) Mankey Lal
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,

LTI Nanhey Lal

(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 : 3 July, 1990

(Nanhey Lal) above.

Place : Lucknow.

LTI Nanhey Lal

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, CIRCUIT BENCH, LUCKNOW.
Nanhey Lal (Applicant) v. Union of India & others (Respondents)
Application No. A/1
Appeal/

In the Central Administrative Tribunal
Circuit Bench Lucknow

(10)

ब अदालत थीमान

महोदय

[वादी] अपीलान्ट

श्री

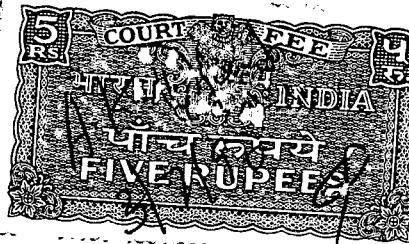
प्रतिवादी [रेस्पान्डेन्ट]

का व्यक्तालतनामा

Manhey Lal

मा

union of India soh



गान्ट

बनाम

प्रतिवादी (रेस्पान्डेन्ट)

मुकदमा नं०

सन्

पेशी की ता०

१६ ई०

ऊपर लिखे मुकदमा में अपनी ओर से थी

A. K. Dixit Advocate

509/28 ka old Hyderabad

वकील

Meknow

महोदय
एडवोकेट

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 बसूल करें या सुलहनामा व इकबाल दावा तथा अपीज 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 (इस्तखती) रसीद लेवें या पंच नियुक्त करें—वकील महोदय द्वारा की गई वह सब कार्यवाही हमको सर्वेषा स्वीकार है और होगी मैं यह भी स्वीकार करता हूँ कि हर पेशी पर स्वयं या किसी अपने पैरोकार को भेजता रहूँगा अपर मुकदमा अदम पैरवी में एक तरफ मेरे खिलाफ फैसला हो जाता है उसकी जिम्मेदारी मेरे वकील पर नहीं होगी इसलिए यह पदालतनामा लिख दिया प्रमाण रहे और समय पर फाम आवे।

Accepted.

Alfrey

L. J. Nautiyal

हस्ताक्षर

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.

COMPIRATION 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

(H) Nanhey Lal Applicant,

Through his counsel:-

A. K. Dixit
Advocate.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, CIRCUIT BENCH LUCKNOW.

Nanhey Lal (Applicant) vs. Union of India & oths
Anopkure No. A3 (Respondents)

Sublime form of the following is
in the name of the State of Bihar (A3)
in which the State of Bihar is in the name of the State of Bihar
15-12-85 to 10-7-86 = 198 days
198 days = 198 min (approx.)

Plaintiff
J. T. S. (Adv.)
P. W. D. (Adv.)
P. W. D. (Adv.)
U. R. Shukla (Adv.)

(S) Nanhey Lal

SOUTHERN RAILWAY

ATTEST

W.P.Y.

Almora

Advocate

HIG. COURT
LUCKNOW.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, CIRCUIT BENCH LUCKNOW.

Nanhey Lal (Applicant) Vs. Union of India & oths
Annexure No. A4 (Respondents)

Not for public

डा० रमेन्द्रदास मिश्र

कोन: ५०२

पुरबोर्ड

एम. बी. बी. एस. (आनस) गोल्ड मेडलिस्ट
एम्प्राइवेट फिजीशियन (मेडिफिन) मेडिकल कालेज, लखनऊ
मेस्ट्रीज आल इंडिया हार्ट काउन्सेल

डा० रामदत्त मिश्र

एल. एस. एम. एफ.

दिनांक

Central Office Nanhey Lal

Central Office of M. M. Mishra

Carried copy of M. M. Mishra
on behalf from the Court
down under my

from 9/7/86 to 9/9/86

Present on 10/7/86

DRS

ATTE

9/9/86

DRS

Dixit

Advocate

HIGH COURT

LUCKNOW.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, CIRCUIT BENCH LUCKNOW.

Nanhey Lal (Applicant) - vs. Union of India & other
Anopxural No. A-5 (Respondents)

तोड़ा मे.

श्रीमत नानेहे लाल पुत्र श्री नेहराम

गुरुद्वारा

प्राप्ति:- इस्कूटी के लिये प्रार्थना पत्र है।

महादेव,

निवेदन है कि प्रार्थना मन्देश्वर मुक्ति श्री नेहराम -
के गुरुल गेग में रोजानिया पिंडी शहजहाँपुर ४००५०० अरामान
के अधीन कार्य रत था इसके प्रार्थना प्रार्थना दिन ३१-१२-८६ से ८-७-८६
तक लगातार कार्य करता रहा तथा इसके पूर्व प्रार्थना निराकार
वालामात तथा रोजानिया रोजाने के पड़ो कार्यरता रहा जिसका गुरुगल
लवर कड़ी श्री रोजानिया पिंडी शहजहाँपुर ४००५०० अरामान के
कार्यगिरि में जमत है।

दिन ८-७-८६ के बाद प्रार्थना सम्पूर्ण कर स्वास्थ्य
द्वारा हो जाने के कारण इस्कूटी पर न असका तथा अपना प्रावृद्धेट -
हलाज ग्रामपाली रहा जब प्रार्थना पूर्व रूप से स्वास्थ्य हो गया तब से
लगातार प्रार्थना सम्बन्धित अधिकारियों द्वारा पुनः इस्कूटी देने की प्रार्थना
लगातार रहा पश्चात्तु प्रार्थना को अपनात नहा प्राप्त हो ताकी।

प्रार्थना पत्र एवं पाता अमाना सेवामें प्रस्तुत है। श्री मन
जो से कर दू प्रार्थना है वे प्रार्थना के दूनः इस्कूटी देने का अद्वेष देने

को चाहता करे।

अभियान ही नहा पूर्व विश्वास है कि श्री मन जो मुझ गरीब
को एक रोटी का सहारा अवश्य देगे तथा इस्कूटी देने के अद्वेष प्रदान
करने की कृपा करेंगे।

हम अवश्यक रहेंगे।

बन्धवान

नन्देश्वर पुत्र श्री नेहराम

गुरुगल गेगमें

अधान:- रो ५० प्रियोग

शहजहाँपुर ४००५०० पश्चात्तु अरामान

ATTEST

Nanhey Lal

Abh

HIGH COU
LUCKNOW

39

Stamps affixed except in case of uninsured. Rs. P.
red letters of not more than the initial Date-Stamp
weight prescribed in the Post and Telegraph
Guide book which no acknowledgement is due.

R. P.-51 (4)

5-60

Received by V. P. registered
addressed to.....

21/12/1986

Write here 'letter', 'parcel' or 'railway receipt'.
If the receiving Officer signs 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
Regn. O.A. No. 215/90

Nanhey Lal

Plaintiff
Appellant
Petitioner

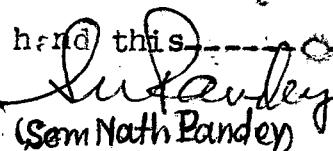
Versus

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. Pandey 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)

Northern Railway
Div. 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
(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..

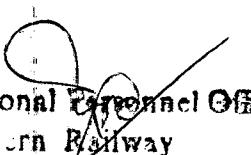
Respondents.

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


Divisional Personnel Officer
Northern Railway
Moradabad

..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(iii) 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 ~~absconded absconded~~ ^{absconded absconded} absent from duty from 9.7.1986.

~~Divisional Personnel Officer~~
Northern Railway
M. Q. Radabadi

..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 ~~from duty~~ abscond 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

..4..

on 9.7.1986 and thereafter no use of refer
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 why he was discharged from duty due to un-authorised absence 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~~

[Signature]
Divisional Personnel Officer
Northern Railway
Moradabad

..5..

there
Applicant is no claim existing for seniority ~~of staff~~
as 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
as the applicant has made out no ground to sustain
the application as such it deserves to be
dismissed with costs.

S. S. Singh
Divisional Personnel Officer
Northern Railway
Moradabad

I, Hulas Singh, D.(C./R.A) 5/12/1
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 _____ day of Sept, 1991
at Allahabad.

**

S. S. Singh
Divisional Personnel Officer
Northern Railway
Moradabad