

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
LUCKNOW BENCH, LUCKNOW
2, RANA PRATAP MARG, MOTI MAHAL, LUCKNOW

O.A./T.A./C.C.P/Rev No./ CA 278/90 In. O.A 2000

6.6.6.6 S Ram Anand APPPLICANTS

40 ^{VS} 8 Ala RESPONDENTS

Sl.No.	PARTICULAR OF DOCUMENTS	NO. OF PAGE
	PART (A)	
1. Check List	1	to 2 ✓
2. Order Sheet	3	to 10 ✓
3. Final Judgement Dt. 11-5-2000	11	to 15 ✓
4. Petition Copy With Power	16	to 30 ✓
5. Compilation (iii)	31	to 40 ✓
6. Counter with power	66 41	TO 52 ✓
7. Rejoinder with Annexure		to
8. Supplementary Counter		to
9. Supplementary Rejoinder		to
10. Misc. Application		to
1 - Notice/Order Copy 153 to 155		to

PART (B) 1-52

PART (C) 1-

CERTIFICATE

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

✓ B/c decided not/destroyed

Regd

29/8/12

Signature of dealing Asst

Counter Signed:- 20/5/12

DATED:-

Section officer 06/06

CENTRAL ADMINISTRATIVE TRIBUNAL
CIRCUIT BENCH, LUCKNOW

Registration No. 278 of 1989 90 (L)

APPLICANT(S) Shri Ram Anand

RESPONDENT(S) U.O. 9 and others

Particulars to be examined	Endorsement as to result of examination
1. Is the appeal competent ?	yes
2. a) Is the application in the prescribed form ?	yes
b) Is the application in paper book form ?	yes
c) Have six complete sets of the application been filed ?	yes
3. a) Is the appeal in time ?	yes
b) If not, by how many days it is beyond time?	yes
c) Has sufficient case for not making the application in time, been filed?	yes
4. Has the document of authorisation/ Vakalatnamah been filed ?	yes
5. Is the application accompanied by S.D./ Postal Order for Rs.50/-	yes
6. Has the certified copy/copies of the order(s) against which the application is made been filed?	yes
7. a) Have the copies of the documents/ relied upon by the applicant and mentioned in the application, been filed ?	yes
b) Have the documents referred to in (a) above duly attested by a Gazetted Officer and numbered accordingly ?	yes
c) Are the documents referred to in (a) above neatly typed in double space ?	yes
8. Has the index of documents been filed and paging done properly ?	yes
9. Have the chronological details of representation made and the out come of such representation been indicated in the application?	yes
10. Is the matter raised in the application pending before any court of Law or any other Bench of Tribunal?	No

27/8/90

27/8/90

Deputy Secy.

27/8

(1)

Examination by Exam

as to result of examination

- 11. Are the applications/duplicates
correctly signed?
- 12. Are there copies of the application
with the same signed?
a) Identical with the Original?
b) Different?
c) Missing in Annexures
How many pages does _____?

yes

yes

- 13. Are the 11. size envelopes
bearing full addresses of the
applicants filed?

No

- 14. Are the given address the
actual address?

yes

- 15. Are the names of the parties
mentioned in the copies tally with
those mentioned in the appli-
cations?

yes

- 16. Are the translations certified
and signed by an
attorney affirming that they
are true?

yes

- 17. Are the copies of the past
translations in item no. 6 of the
annexures?

yes

- 18. Are the
translations distinct reads?

- 19. Are the translations
checked consecutively?

- 20. Are the translations in double space on one
side of the paper?

yes

- 21. Are the particulars for interim
orders given for indicated with
reference?

yes

- 22. Are all the remedies have
been exhausted?

yes

Page 17

2718

For the use of the Bench
to be used for the
purpose of the Bench
2718/19

CA 278/90 C

3-9-90

No Siting. Adjourn to 12.9.90

Q

12.9.90

Hon'ble Mr. Justice K.Nath, V.C.

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

Admit. Issue notice to respondents to file counter within four weeks to which the applicant may file rejoinder within two weeks thereafter. List before the D.R.(J) on 7.11.90 for fixing a date for final hearing after the counter and rejoinder are exchanged.

Sd/

A.M.

Sd/

V.C.

Sd/

Notices issued
Q
18-9-90

7.11.90

D. R.

Mr. A K Chaturvedi, Ld. C/A. is present today. No one is present for the O.P's side. C.A. has not filed by O.P. This case is listed before D.R. on 3 12 90 for f

10-7-91

D. R.

(3)

Sri A. K. Chaturvedi
is present for the
applicant. No appears
for the respondent.

case is listed on
14-8-91 for filing
counter Affidavit.

14-8-91

D. R.

Both the parties are
absent today. Respondent

is directed to file
counter by 28/10/91.

28-10-91

D. R.

counsel for the applicant

is present. Respondent

to file counter by

17/12/91.

17-12-91

D. R.

Respondent's side is
present. Applicant to
file Reply by
3/3/92.

(2)

DA 278/90 (2)

3.3.92
D.R.

counsel for applicant
is present. He did not
file Reply. He
is further ordered
to file it, by 15/5/92.

15.5.92
D.R.

Both the parties are
absent today. Applicant
to file Reply by
14/8/92.

14.8.92
D.R.

None present for the
both parties. Applicant is
ordered to file Rejoinder
by 26.10.92.

Due to Ainali Holiday
on 26.10.92, case is
shifted on 7.1.93

7.1.93
D.R.

None present for the parties
Rejoinder has not been filed.
Applicant to file rejoinder
by 12.2.93

O.R.
S.F.G.
5/11/93

DA 278/90

(7)

04-12-98

D.P.

Placed before me today.
Seen the office report. Placed
before Hon'ble Bench on
05-1-99 for hearing on admi-
ssion/disposal.

05/12/98
DR

Can

05-1-99

No gift in D.E. case is
up to 17-3-99 for hearing.

17-3-99

Hon'ble Mr. D.C. Verma, J.M.
Hon'ble Mr. A.K. Mishra, A.M.

None for applicant.

For respondent Smt A. Shrivastava has been
granted general adjournment.

List for hearing on 19-5-99.

A.M.
A.M.

J.M.
J.M.

19-5-99

Case not reached due to P.H.

Can list on 15-7-99.

Q
DOL

has not tried
D. 11/1/99

PP has not been
tried yet
17/5/99

C.A. 278/00

(9)

16-02-2000

Hon. Mr. D. C. Verma, M.C.J.

Hon. Mr. A. K. M. M., M.C.J.

None for the applicant.

S. A. Sanyal & Co. for the respondent in the above

List for hearing on 28-3-2000

A.M.

J.M.

28/03/2000

Lawyers abstained from full work
case adjourned 01/05/2000

01/05/2000

4
B.O.C.

Hon. Mr. D. V. R. S. G. Dattatreya, J.M.
Hon. Mr. S. Manickavasagam, A.M.

Since the respondent's advocate is
reported to be unwell post the
case on 4/5/2000.

A.M.

A.M.

J.M.

4/5/2000

Hon. Mr. D. V. R. S. G. Dattatreya, J.M.
Hon. Mr. S. Manickavasagam, A.M.

Hear the learned counsel for the
respondents. There is no representation
for the applicant.

Amor reserved

A.M.

J.M.

S.MANICKAVASAGAM

MEMBER(A)

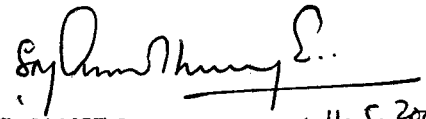
To

Shri D.V.R.S.G.DATTA PREYULU

MEMBER(J)

Pre-delivery order in OA NO.278/90 is sent
herewith for consideration.

S. M. 11/5


(S.MANICKAVASAGAM) 11.5.2000
MEMBER(A)

FINAL ORDER

CENTRAL ADMINISTRATIVE TRIBUNAL: LUCKNOW BENCH

--

Thursday the 11th day of May 2000

--

PRESENT

The Hon'ble Shri D.V.R.S.G.DATTATREYULU, MEMBER(J)

and

The Hon'ble Shri S.MANICKAVASAGAM, ADMINISTRATIVE MEMBER

--

O.A.No. 278 of 1990

--

Sri Ram Anand

.. Applicant

Vs.

1.Union of India through Secretary
Railway Board
Rail Bhavan, New Delhi

2.The General Manager
Northern Railway, Baroda House, New Delhi

3.The Divisional Railway Manager
Northern Railway, Lucknow Division
Hazrat Ganj, Lucknow

4.The Sr.Divisional Personnel Officer
Northern Railway, Lucknow division
Hazratganj, Lucknow

.. Respondents

--

Mr.Asit Kumar Chaturvedi .. Advocate for the applicant

Mr. Anil Srivastava .. Advovate for t he respondents

Order:Pronounced by the Hon'ble Shri S.MANICKAVASAGAM
MEMBER (A)

--

The applicant joined the respondent department as an Electrical Khalasi (Train Lighting) in the year 1954. He was subsequently promoted as Basic Trainee Fitter (Train Lighting) in 1956. The applicant was further promoted to the grade of Electrical Chargeman (Airconditioning Coaches) - vide order dated 30.12.1981. It is the case of the applicant when the chance for promotion to the Grade of Chargeman-Gr.C (CM-C for short) came, he was overlooked. It is under these circumstances the applicant has come before this Tribunal seeking the following reliefs:-

"(a) To direct the opposite parties to promote the petitioner as Electrical Chargeman on a regular basis with effect from 30.12.1981 and grant him seniority on the post of Electrical Chargeman from 30.12.1981 with all consequential benefits including further promotion to the post of Electrical Foreman with effect from the date from which his juniors were promoted as Electrical Foreman with all consequential benefits in the matter of pay, salary and other benefits etc.

(b) To quash the order dated 29.11.1980 (ANNEXURE A-4) to the application;

(c) To grant further relief which this Hon'ble Tribunal deems fit and proper along with cost."

Re

2. The respondents have filed a detailed reply resisting the claim of the applicant.

3. It is averred that the applicant was promoted as an Electrical-CM in the grade of Rs.425-700 purely on an ad hoc basis - vide letter dated 30.12.1981. It is further stated in the reply that the applicant was ^{not} entitled for promotion on a regular basis in the ELC grade as he was not senior enough in the list of Electricians. With regard to the allegation that some others were promoted, it is stated in the reply that all those persons were considered under the respective quota and as such the applicant cannot have any grievance against them. It is also stated that after a careful consideration of the applicant's representation he was given a reply - vide letter dated 29.11.1989. The reply concludes stating that since the OA is devoid of merit the same is liable to be dismissed.

4. When the matter was taken up for final disposal on 4.5.2000, neither the applicant nor his counsel was present. However the learned counsel appearing for the respondents made his submissions reiterating the averments in the reply. Since the pleadings are complete and the OA is of the year 1990, we have decided to dispose of the matter on merits.

5. We find that the applicant is agitated over the fact that he has not been considered for promotion to the post of CM-C. According to the rules of recruitment the mode of recruitment for the above said post is as

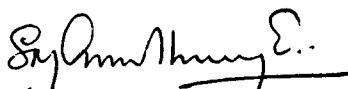
2..

follows:-

- (a) 25% of the vacancies are to be filled from among Mistries and HSK persons;
- (b) 25% of the vacancies are to be filled from Apprentice Mechanics drawn from among rankers who possessed the requisite qualification;
- (c) 50% from among Apprentice Mechanics recruited directly.

6. It may be noted that the applicant has to be considered for promotion to the post of CM-C against the 25% quota reserved for persons in the rank of Mistries and HSK grade. From the reply we find that the applicant is stated to be far junior in his category and as a result of which his case could not be considered. In fact this fact has also been suitably informed to the applicant when he made a representation. Further the applicant has not filed any rejoinder controverting the ^{said} stand of the respondents. We therefore hold that the respondents stand cannot be faulted.

6. In the light of the discussion above we hold that the OA is devoid of merit and the OA is dismissed with no order as to costs.


(S. MANICKAVASAGAM)
MEMBER (A)


(D.V.R.S.G. DATTATREYULU)
MEMBER (J)

11.5.2000

nks:

IN THE HON'BLE CENTRAL ADMINISTRATIVE TRIBUNAL

CAUSE NO. 108 OF 1990 (L)

C.A. No. or 1990(L)

Sri Ram Anand,
Aged about 54 years,
Son of Late Sri Nela Ram Anand,
Resident of 354A/23, New Arjun Nagar,
Alambagh, Lucknow.

Presently posted as Electric Charge-man,
Airconditioned coaches, Northern Railway,
Lucknow under Chief Electric Mechan,
Airconditioned coaches, Northern Railway,
Lucknow.

... Petitioner

Versus

1. Union of India through Secretary,
Railway Board,
1 Bhawan, New Delhi,
2. General Manager,
Northern Railway,
Baroda House,
New Delhi.
3. Divisional Railway Manager,
Northern Railway, Lucknow Division,
Hazrat Ganj, Lucknow.
4. Senior Divisional Personnel Officer,
Northern Railway, Lucknow Division,
Hazratganj, Lucknow.

... Oppositites

Sri Ram Anand

DETAILS OF APPLICATION

1. Particulars of the order against which the application is made;

The above said application is being made before this Hon'ble Tribunal against the illegal and discriminatory treatment of the Opposite Parties by not treating the petitioner as Electric Changerman on regular basis w.e.f. 30.12.1981 and further not promoting the petitioner as Electrical Foreman from the date on which the persons junior to the petitioner as Electrical Changerman were promoted and the rejection order of representation dated 23.11.1979 and also non disposal of the representations dated 22.2.1980 and 23.3.1980.

2. Jurisdiction of the Tribunal;

The applicant declares that presently he is posted at Lucknow as Electric Changerman Airconditioned coaches, Northern Railway, Lucknow under the Chief Electrical Foreman, Airconditioned coaches, Northern Railway, Lucknow and the petitioner is under the control of Opposite Parties 3 and 4. As such this bench of the Hon'ble Tribunal has its jurisdiction.

3. Limitation;

The applicant further declares that the application is within limitation period prescribed in section 21 of the Administrative Tribunals, Act, 1985 because the cause of action accrued to the petitioner when the representation of the petitioner was rejected on 23.11.1979 and the

Shri R. Anand

(3)

representations made thereafter on 22.2.1960 has not yet been disposed of.

1. Facts of the case;

The facts of the case are as under;

(i) That the petitioner passed the High School with science in 1953 from Ajmer (Rajasthan) Board. The petitioner thereafter applied for appointment as Electrical Khalasi (Train Lighting) under Cpr. Parties in 1954 and was appointed as Electrical Khalasi Train Lighting on 24th ^{May} ~~March~~, 1954.

The petitioner joined immediately thereafter as Electrical Khalasi, Train Lighting.

(ii) That the work and conduct of the petitioner as Electrical Khalasi, Train Lighting was to the full satisfaction of his superiors and was never punished, warned, censured. The petitioner was confirmed as Electrical Khalasi, Train Lighting in 1955.

(iii) That the petitioner was promoted as Basic Training Fitter, Train Lighting in December, 1956. The petitioner due to good and efficient working was further promoted as Fitter, Train Lighting in August, 1957. Thereafter the petitioner was further promoted as Electrician, Train Lighting (Supervisor) on 30.7.1964.

Shri Ram Anand

(4)

(iv) That the petitioner's work and performance was very good as such he was promoted thrice during the period of 10 years and was never punished, censured while working as Electrician, Training Supervisor.

(v) That the petitioner was further promoted as Electrical Chieftain Air Conditioned coaches through an order dated 30.12.1981 and was posted under Senior Electrical Workman, Airconditioned coaches in Northern Railway, Lucknow. A copy of the promotion order dated 30.12.1981 is being annexed herewith as Annexure No. 1 to this application.

(vi) That the petitioner continued to perform his duties as Electrical Chieftain, Airconditioned coaches honestly and efficiently and to the full satisfaction of his superiors and was never punished, warned or censured.

(vii) That a regular promotion to the post of Charge on Grade 'c' in the pay scale of Rs 425-700 revised as 1400-2300 is to be made from the following sources;

- i. 25% of vacancies from amongst the mistries and highly skilled grade;
- ii. 25% of the vacancies to be filled from apprentice mechanics drawn from amongst the workers who possesses requisite educational qualification
- iii. 50% from amongst apprentice mechanics promoted directly.

Shri. Ram Prasad

(5)

(viii) That the petitioner was entitled for promotion on the 25.5 vacancies from amongst the mistries and highly skilled grade I as the petitioner was working as Electrician, Trainlighting Supervisor since 30th July, 1964 which is a highly skilled grade I post.

(ix) That the petitioner was posted against the vacancies reserved for amongst the mistries and highly skilled ^{Grade I} employees on 30.12.1981. The petitioner was entitled for continuation on the post on regular basis as he was senior most mistry and highly skilled Grade I employee keeping in view seniority amongst them.

(x) That the Opposite Parties made a selection from amongst the apprentice mechanics drawn from amongst the rankers who possesses the requisite qualification in 1982 and selected and promoted S/r C.P.Sharma, S.N.S.Saxena, Uma Kant Misra as such it amounts that 3 vacancies existed for amongst the mistries and highly skilled grade I in May, 1982, the petitioner was entitled for regular promotion as Electrical Chaggeran in May, 1982 on the said 3 vacancies or the quota for which the petitioner was eligible.

(xi) That the Opposite Parties arbitrarily and illegally regularised only N.S.Jen Gupta on the post of Electrical Chaggeran in May, 1982 and kept 2 vacancies vacant/reserved which were for the incumbents amongst the mistries and highly

Shri. Ravi Anand

(5)

skilled grade I employee. The petitioner was eligible for ^{regular} promotion to the post of Electrical Chaugeran in May, 1982 as he was working as Electrical Chaugeran since 1972 30th December, 1981 and prior to that he worked for more than 17 years as Electrician Train Lighting Supervisor.

(xii) That the Opposite Parties illegally and arbitrarily transferred S/O A.S. Tripathi and S/O A.K. Bajpai as Electrical Chaugeran from out side Northern Railway, Lucknow division on 9th July, 1982 and 3th November, 1982 respectively. However, S/O A.S. Tripathi and S/O A.K. Bajpai were entitled for seniority as Electrical Chaugeran only from the date from which they were transferred to Lucknow division. The said 2 vacancies on which S/O A.S. Tripathi and A.K. Bajpai were transferred were the vacancies reserved for mistries and highly skilled grade I from which category the petitioner belong and was entitled for promotion. It is here relevant to be stated that the petitioner was working as electrical Chaugeran since 30th December, 1981.

(xiii) That the Opposite Parties issued a ^{regular} promotion order for Electrical Chaugeran, Electrical Apprentices of 15 ^{person} in 1981 of S/O Sidhashwar Dixit, Mohinder Singh, R.N. Sharma, Jankant Mishra, S.N.S. Sharma, S.K. Maurya, Ravindra Kumar, Subhas Chandra, Rasek Ram Syar, S/O Arishna Singh, Chander Lal, Ravindra Bhatia, Om Saran, Shiv Lalgal and Akshob Chandra as Electrical Chaugeran in the pay scale of Rs 425-700 revised

S/O. Ram Anand

as 1400-2200. The petitioner was entitled for ^{regular} promotion much prior to that as Electrical Chargeman.

(xiv) That Sri S.A.S. Saxena, Sri O.P. Sharma and Sri Uma Kant Misra were appointed/^{as Fitter} promoted further on 10.2.1959, 1.1.71, and 19th June, 1971 respectively. Where as the petitioner was promoted as fitter in August, 1957. Sri S.A.S. Saxena was promoted as electrician, Train Lighting Supervisor on 26.3.1965 and the remaining ^{two} Sri O.P. Sharma and Uma Kant Misra were never promoted as Electric Train Lighting Supervisor. Where as the petitioner was promoted as electrician, Train Lighting Supervisor on 30.7.1964. As such the petitioner is entitled for promotion as Electrical Chargeman prior to Sri S.A.S. Saxena, O.P. Sharma and Umakant Misra and thereafter he is entitled for further promotion prior to them as Electrical Foreman in the pay scale of Rs 550-⁷⁵⁰~~800~~ revised as 1600-2600.

(xv) That 19 persons including Sri S.A.S. Saxena, O.P. Sharma and Uma Kant Misra, A.K. Bajpa have been promoted as Electrical Foreman through promotion order dated 20th May, 1987, but the petitioner has not been promoted as Electrical Foreman, arbitrarily and illegally despite the fact that he is senior to them as electrical Chargeman.

(xvi) That the Comptroller Parties issued the regularization order for the petitioner on the post of Electrical Chargeman on 15th June 1988, 1988

Sri Ranjit Singh

(8)

whereas the fact is that the petitioner was entitled for regular promotion in December, 1981. A copy of the regularisation order dated 15.11.1981 is being annexed herewith as Annexure No. 2 to this application.

(xvii) That the petitioner moved a representation to the Opposite Party No. 3 on 3rd June, 1989 for grant of regular promotion on the post of Electrical Chargean w.e.f. 1.1.1982 and thereafter further promotion as Electrical Foreman from the date from which Sri S. D. S. Saxena, C.P. Sharma, and Kantilal have been promoted. A copy of the representation is being annexed herewith as Annexure No. 3 to this application.

(xviii) That the petitioner submitted a reminder on 28th August, 1989 to Opposite Party No. 3 as the representation of the petitioner was undisposed of. The Opposite Party No. 3 decided the representation of the petitioner through order dated 28th November, 1989 and stated that the petitioner is entitled for seniority as Electrical Chargean only from the date of an announcement of panel on the selection basis i.e. Electrical Chargean. A copy of the order dated 28th November, 1989 is being annexed herewith as Annexure No. 4 to this application.

Shri Ravi Prasad

(ix) That the petitioner submitted a representation against the order dated 28th November, 1989 (Annexure No. 4) to the application on 22nd February, 1990 as the petitioner has been approved

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(c)

of his legitimate right of promotion to the post of Electrical Chargeman w.e.f. 1.1.1982 and thereafter has also been deprived of further promotion to the post of Electrical Foreman from the date from which his juniors were promoted. A copy of the representation dated 22.2.1990 is annexed herewith as Annexure No. 5 to this application.

(xx) That the representation of the petitioner has been rejected keeping in view the printed serial no. 1335 which is not at all applicable in the case of the petitioner as the petitioner was entitled for regular promotion w.e.f. 1.1.1982 but was arbitrarily and illegally not promoted as ^{regular} Electrical Chargeman. The said printed serial is also contrary to the Hon'ble Supreme Court judgment.

(xii) That the representation of the petitioner dated 22.2.90 is yet pending consideration and has not been disposed of and as such the petitioner has ~~unbathed~~ ^{remedy} for no other alternative except to approach this Hon'ble Tribunal.

(xiii) That the petitioner has been deprived of his regular promotion to the post of Electrical Chargeman in the pay scale of Rs. 125-700 revised as Rs. 1400-2800 w.e.f. 1.1.1982 and thereafter has been further adversely affected due to non ^{promotion} ~~payment~~ to the post of Electrical Foreman w.e.f. 23rd May, 1987, i.e. the date on which the persons junior to the petitioner were promoted. As such the petitioner is suffering irreparable loss and injury.

Shri Ranjit Kumar

5. Grounds for relief with legal provisions;

(i) Because the petitioner has been denied regular promotion to the post of Electrical Chargehand and thereafter further promotion as Electrical Foreman with effect from the date from which his juniors were promoted arbitrarily, illegally and in colourable exercise of powers.

(ii) Because the petitioner has been denied promotion from the date on which his juniors were promoted ~~as his legal right~~ and he has been denied the same in utter violation of Arts. 14 and 16 of the Constitution of India.

(iii) Because the applicant has been penalised due to non promotion on the due date for his no fault.

(iv) Because the Act of the Opposite Parties is in utter violation of principle of natural justice.

(v) Because the petitioner's representation has been rejected without any basis and reason.

(vi) Because the petitioner was entitled for further promotion in 1982 within the quota from amongst the his rise and highly skilled grade. The applicant has a right of promotion prior to his juniors.

Shri Ram Prasad

(11)

(vi) Because the act of the Opposite Parties is in utter violation of rules and regulations and guide lines on the subject.

(viii) Because the act of the Opposite Parties is in utter disregard of the Hon'ble Supreme Court judgment.

6. Details of remedy exhausted;

The applicant declares that he has availed all the remedies available to him under the relevant service rules etc. The applicant submitted an representation on 6.6.1989 and 28.8.1989 which were rejected by Opposite Party No. 3 ^{on 27.11.89} and thereafter the applicant has again submitted a representation on 22.2.90 which is yet pending consideration. Hence the application is well within time in accordance with law.

7. The matter is not previously filed or pending with any other court;

The applicant further declares that he had not previously filed any application, writ petition or suit regarding the matter in respect of this application has been made before any court 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 sought;

In view of the facts and grounds mentioned in para 4 & 5 of this application, the applicant prays for following reliefs;

Shri Ran Arora

(12)

(A) That this Hon'ble Tribunal may be pleased to direct the Composite Parties to promote the petitioner as Electrical Chaugeman on regular basis with effect from 30.12.1981 and grant him seniority on the post of Electrical Chaugeman from 30.12.1981 with all consequential benefit including further promotion to the post of Electrical Foreman with effect from the date from which his juniors as ~~Electrical Chaugeman~~ were promoted as Electrical Foreman with all consequential benefits in the matter of pay, salary and other benefits etc.

(B) That this Hon'ble Tribunal may be pleased to quash the order dated 29th November, 1989 Annexure No. 4 to the application.

(C) That any other and further relief which this Hon'ble Court deems fit and proper may also be awarded in favour of the petitioner along with cost.

9. Interim order as prayed for:

Pending final decision, on the application the applicant seeks the following interim reliefs;

That on the basis of facts and circumstances narrated above in the application along with the annexures, it is most respectfully prayed that this Hon'ble Tribunal may be pleased to issue suitable directions order that the applicants representation dated 22.1.90 Annexure No. 5 to the application may be decided along with the sl. no. 1985 of the same is not applicable in case of the petitioner.

Shri. Ravi Prasad

in the interest of justice.

10. The humble applicant wants to oral hearing through his counsel.

11. Particular of postal order;

Postal order no. 02 414773 Dated 27-8-90 for Rs 50/- only.

VERIFICATION

I, Ram Anand, Aged about 54 years, Son of Late Sri. Hela Ram Anand, Resident of 55/2a/23 New Arjun Nagar, Alambagh, Lucknow do hereby solemnly affirm and state on oath as ~~under~~ and do hereby verify that the contents of paragraphs 1 to 11 are true to my personal knowledge except para-5 which is true on the basis of legal advice received and that I have not suppressed any material facts.

Amplification is being provided vide notification no. A.A.1.110119/44/87 dated 11th October, 1987.

Shri. Ram Anand
SIGNED & CO. THE APPLICANT

Place: Lucknow

Dated: 27-8-90

Asit Kumar Chaturvedi
(Asst. Kumar Chaturvedi)
Advocate,
Counsel for the petitioner

Shri. Ram Anand

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(14)

IN THE HON'BLE CENTRAL ADMINISTRATIVE TRIBUNAL

CLIC IN BENCH AT LUCKNOW

C.A.No. of 1980(L)

Sri Ram Anand

...Applicant

Versus

Union of India & others

...Cof. Parties

Annexure No. 4

NO. 1111 RAILWAY

No. 759-/2-6

Divl. Office, Lko.

Dated 29.11.1989

Sri S. N. Anand,
SEC/AC/CD/Lko.

Ref; Your application Dt. 6.6.87

As you applied for fixing the seniority
In S. C. cadre from the date of promotion on adhoc
basis. In this connection, it is clearly informed
to you that in terms of is no. 1835 which was circu-
lated vide U.N.C. 8314/202-III(-IV), your seniority
will be counted in S.C. cadre from the date of
commencement of post being a selection post.

Shri Ram Anand

Sd/- 29.11.89
For Divl. Rly. Manager
Lko.

*T.C.
Sri Kumar Chaturvedi
Adv*

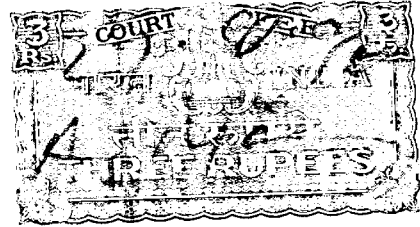
अदालत श्रीमान

[बादी] अपीलान्त

प्रतिवादी (रेस्पान्डेंट)



वकालतनामा



बनाम

प्रतिवादी (रेस्पान्डेंट)

मुकदमा नं०

सन्

पेशी की ता०

१६

ई०

ऊपर लिखे मुकदमा में अपनी ओर से श्री

श्री N. Sit Kumar Chaturvedi
वकील
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 पंरवी व जबाबदेही व प्रश्नोत्तर करें या कोई कागज दाखिल करें या लौटावें या हमारी ओर से डिगरी जारी करावें और रुपया जसूल 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 पंरोकार को भेजता रहूंगा अगर मुकदमा अदम पंरवी में एक तरफ मेरे खिलाफ फैसला हो जाना है उसकी जिम्मेदारी मेरे वकील पर नहीं होगी इसलिए यह वकालतनामा लिख दिया प्रमाण रहे और समय पर काम आवे।

हस्ताक्षर

साक्षी (गवाह)

साक्षी (गवाह)

दिनांक

महीना

सन् १६/६०

IN THE HON'BLE CIVIL AND DISTRICT COURT

CIVIL SUIT NO. 1000 OF 1990

C.A.No. of 1990 (L)

Shri Ram Anand

... Petitioner

versus

Union of India & others

... Co-parties

I N D E X

-
- | | |
|------------------------------------|-----|
| 1. <u>Annexure No. 1</u> | 1 |
| Copy of order dt. 30.12.81 | |
| 2. <u>Annexure No. 2</u> | 2 |
| Copy of order dt. 15.11.88 | |
| 3. <u>Annexure No. 3</u> | 3-6 |
| Copy of representation dt. 6.3.89 | |
| 4. <u>Annexure No. 5</u> | 7-9 |
| Copy of representation dt. 22.1.90 | |
-

Place: Lucknow

Dated: 27-8-90

Raju/-

Asit Kumar Chaturvedi

(Asit Kumar Chaturvedi)

Advocate,

Counsel for the petitioner

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(1)

THE HON'BLE CHIEF JUSTICE OF THE SUPREME COURT OF INDIA

IN THE HON'BLE SUPREME COURT OF INDIA

IN THE HON'BLE SUPREME COURT OF INDIA

CIVIL APPEAL NO. 1 OF 1970

... of 1970 (A)

Shri Ram Anand ... Petitioner

Versus

Union of India & others ... Opponent

Memorandum No. 1

DIVISIONAL OFFICER
H.O. TILAK NAGAR, LUCKNOW

No. 759F/2-2

Dated 30.12.1981

Notice

Shri Sri Ram Anand IAS in grade B350-560 (Rs). under SFC/L/Lko is temporarily promoted to officiate duly on adhoc as IAS/(A.C.Cochang) in grade B 425-700 (Rs) and posted under IAS/AC/CL/Lko. vice Shri A.A. Malhotra.

Movements to be advised. The above has the approval of competent authority.

Sd/-
Divl. Personnel Officer(I),
H.R., Lucknow.

Copy to:-

- The S.P.O./AC/Lko
- The PFC/AC/CL/Lko
- The Sr. DAC/Lko.
- The A.S.(Elect) in office.

Shri Ram Anand

T.C.
Shri Kumar Chaturvedi
Hd

IN THE HON'BLE CENTRAL ADMINISTRATIVE TRIBUNAL (2)

CIRCULAR ORDER AT LUCKNOW

C.A.No. of 1970(L)

Sri. Ram Anand ... Petitioner

Versus

Union of India & others ... Opp. Parties

Annexure No. 2

CERTIFICATE

No. 754-1/2-3/-lect. Divisional Office,
Lucknow; Dt. 15.11.88.

NOTICE

As a result of selection held on 28.8.1987 for the post of Elect. (TMR) L in grade B1400-2300 (RP) against 25% departmental quota, the following staff have been found suitable and placed on panel of Elect. (TMR) L in grade B1400-2300(RP). Consequently they are regularised in grade B 1400-2300(RP) as Elect. (TMR) L.

1. Sri R.C. Shunhal - L / ko / JEC / AG / Lko
2. Sri S.A. Anand - do
3. Sri Durga Pd(S/C) - L / Lko / JEC / L / Lko

Sd/-

Asstt. Personnel Officer,
Lucknow.

Copy to;

1. Sr. D - Lko.
2. Sr. J.A.C. / Lko.
3. STIC / AG / CB / Lko.
4. JEC / L / Lko.

T.C.
H.K. Kumar Chaturvedi
Adm

Sri Ram Anand

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IN THE HON'BLE CENTRAL ADMINISTRATIVE TRIBUNAL (3)

CH. SURESH CHANDR. LUCKNOW

(C.A.No. of 193(L)

Shri. Ram Anand ... Petitioner

Versus

Union of India & others ... Opp. Parties

Annexure No. 3

To,

The Divisional Railway Manager,
Northern Railway,
Lucknow.

Sir, T. RUCHI PRASAD (Sr. DML/LAC)

Sub:- Depriving of legitimate promotion on
higher grade.

With due respect and humble submission I beg
to put the following few lines for your judicious
consideration please;

That I was promoted as DML/AC in grade Rs
425-700 (Rs) vide Sr. CPO/L O letter no. 755--/2-6
dated 30.12.81 and posted under SLEO/AC/LAC.

That a selection was held to fill up the
vacancies of Intermediate apprentices for the post
MLC in March/April, 1982 and 3 posts were worked
out only for Intermediate Apprentices from
amongst the Artisan Staff with age limit of 35/45 years,
while the equal number of departmental promoted
from the rank of MLC working as MLC in TL and AC
units were not called for the said selection.

In this connection I may mention that
Mty. Board vide their letter no. 2(LC) 169 CAC/31
dt. 2.11.71 in the case of Mech. Deptt. have

Shri Ram Anand

T.C.
Shri Kumar Chaturvedi
Adv

(4)

clearly laid down that 25% vacancies will be filled from amongst the masters and HSF Gr I 25% vacancies from apprentice mach. drawn from Artisan who possess the requisite qualification with a limit 35 and 50% for direct recruitment from Railway Service Commission. This was further confirmed by Mty. Board vide their letter no. (MG)IL 71 MHI/67 dated 29.3.72 to be applicable in Elec. Deptt. but these orders were not followed by the Mty. administration in this case resulting in I have been put to suffer recurring loss of future prospects. Had I been given opportunity to appear in the selection in 1982 along with Intermediate apprentices viz a viz S/Sri S.A. Saxena, C.F. Sharma and Uma Kant Misra who are most junior to me even in service initial appointment and in promotion as M.L., I would have been selected, as has now been selected as notified vide Sr. DPO/LKO's letter No. 754/L-26 Elec. dt. 15.11.1988 and also promoted earlier as Sr. M.L. in grade Rs 570-750 (Rs) that the above noted persons who are enjoying the promotional benefit on my cost.

That not entry this but two L/C's named S/Sri R.S. Tripathi and A.A. Bajpai who came on transfer on their own request from C.Rly. and posted at Lucknow vide DPO/LKO letter no. 754-L/20 (Elec) and 753-L/2-3 dated 9.7.82 and 8.11.82 respectively, who should have been assigned seniority below the permanent and temporary vide M.Rly. P.O. No. 1006 and 3218 i.e. below to me but the rules were circumvented and they have been promoted in higher grade Rs of 700-900 and 550-750 respectively and cognizance was given to their seniority having been placed in bottom position.

Shri Ram Prasad

*T. C.
H. K. Chaturvedi*

(5)

That apart from the above facts I would like to mention further that the Jy. Board letter no. L(HG)I-72-FII/227 dt. 31.10.1972 circulated by Jy. P.O.No. 5775 and L(HG)I-72-FII/227 of 31.10.72 Jy. P.O.No. 5322 it says have been selected with in 3 months from the date of afficiating promotion and given permanent status but this rule was also not followed in my case and put to afficiate regularly against permanent vacancy for more than 7 years.

That it would not be out of place to mention that there was absolute administrative error for not holding selection of departmental promotions who were officiating against permanent vacancies side by side with Intermediate apprentice drawn from artisan, in 1982. And not placing S/O M. S. R. Tripathi and A. K. Bajpai in bottom seniority that he consequently all the 5 persons as mentioned above have been given promotional benefit of higher grade depriving me from my legitimate right.

That it is further mentioned that Hon'ble High Court of Orissa in the case of Ran Chandra Pradhan Vs. Union of India taken a view which was confirmed by the Hon'ble Supreme Court in S.P. S. no. 7493 of 1980 dated 24.8.1981 that the Board's order 1983 employee could be called upon to appear at a test also who is officiating for 13 months.

That in view of the above facts and circumstances it is therefore prayed that,

T.C
Bis Kumar Chatterjee
Adv

Shri Ran Prasad

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(6)

Since I have been selected in the selection held on 20.3.1988 and orders issued vide notice no. 754-2-7-1ec. dt. 15.11.1988 and service as LC/AC were allowed to be regularised as from the date of promotion this I may be given seniority accordingly.

That I may be assigned seniority over and above to S/Sri R.S. Tripathi, A.A. Bajpai who came on transfer other Railway on their own requests.

I may assign seniority over and above to S/Sri S.R. Saxena, C.P. Sharma, Unakent Misra due to administrative errors for not holding selection of promoted administrative errors for not holding selection of promotees simultaneously with them (Through in the light of circular of M.Y. Board of 1966 and the judgment of Hon'ble High Court of Orissa as mentioned above now their selection is called for).

I may kindly be given promotional benefits of higher grade as well as all the relating benefits resulting thereof w.e.f. 1.1.1982.

Thanking you in anticipation

Yours sincerely

Sd/- A. K. Chaturvedi
LC/AC/Adm.

Dated 6.3.1989

T.C.
Ajit Kumar Chaturvedi
Adm

Shri Ram Chaturvedi

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(7)

IN THE HON'BLE CENTRAL ADMINISTRATIVE TRIBUNAL

CHAMIT BACH AT BACH C.A.

C.A.No. of 1990(1)

Shri Chandan ... Petitioner
Versus

Union of India & others ... Opp. Parties

Annexure No. 5

The Divisional Railway Manager,
Northern Railway,
Lucknow.

Sir, Sub:- Denial of legitimate claim on higher grade

Ref:- Your letter No. 752-4/2-3 dt. 29.11.89

In reference to your letter cited above, I beg to state that the reply of my application dated 6.5.89 is a very common nature without giving consideration of the points and the circumstances raised in the para 4 to 10 thereof wherein the administrative errors have been pointed out in detail and relief thereof was also given by the Hon'ble Court and Jy. Board also. All those have been overlooked.

Your kind attention is invited towards the P.O.No. 281 para 1 wherein the Board have clearly laid down that in such cases the person should automatically be treated as selected because my intermediate grade and the higher grade is class III post having some avenue of promotion.

Further your kind attention is invited towards the P.O.No. 1099 on the basis of which I should have been given priority over and above to direct recruit who came from other Jy and station in the division besides observing rules for transfer of

Shri Ravi Kumar

T.C.
Asit Kumar Chatterjee

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(3)

employees on his request in the spirit of L.S. No. 3177, 3454, 3774.

In this connection I may mention that the letter No. 752-(L v) dated 20/2/58 from the General Manager (P) M. Jy. Laoda House New Delhi, may kindly be perused wherein clearly mentioned that a "selection is not a process of picking the best" and a man who is not put on a panel for a selection post is not necessarily unsuitable.

In this context I may mention that my promotion was issued vide your letter No. 752-/2-6 dated 20.12.81 was on the basis of suitability and deserving of me for calling in the selection along with Intermediate apprentices held in the month March/April 1982, which is obviously on administrative order, does not reflect upon merit for not being assigned over and above to those Intermediate apprentices, because of the facts that I have been selected in 1st attempt and allowed to continue retrospectively and also in the spirit of this circular, the selection is only on merit to pick up the best amongst the suitable. Had I been given opportunity of selection I would have been selected earlier than those of my juniors who acquired the seniority position over and above to all those even who came on transfer on their own request from other Railway according to the L.S. No. 3454 and 3774.

Shri R. M. Sharma

In view of the above facts and circumstances, I would request you to kindly extend the justice which I have been denied all together and allow me all.

*T.C.
A. K. Sharma (Shastri)*

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(9)

benefits as earlier applied vide my application dated 6.6.89 (Copy again enclosed for perusal) and again request as under;

i. I may kindly be assigned seniority over and above to S/Sr. R.S. Tripathi and A.N. Bajpai, who came on transfer from other Railways on their own request after my promotion on 1.1.82. in the spirit of P.S. No. 3454 and 3777 and

I may be assigned seniority over and above to S/Sr. Lakant Mishra, S.R.S. Saxena and C.P. Sharma who are junior to me even in the skilled cadre and enjoying the benefit of higher grade.

ii. I may kindly be kept at par with my juniors who have since been promoted in higher grade and I may also be given all the promotional and monetary benefit accrued thereof from retrospective effect.

I shall be highly obliged if it is decided at your earliest possible as it has already been much delayed and shall not be given chance to knock at the door of court or law.

Thanking you in anticipation.

Yours faithfully,

Dated 22.2.90

Sd/- A. Anand

Sd/- Ravi Shankar

*T.C.
Hr. Kumar Chaturvedi
Hd.*

41

27/8/90.
27/8/90
ord
27/8

IN THE COURT OF THE DISTRICT JUDGE

SINGAPORE DISTRICT COURT

C.No. 278 of 1990(1)

Shri. Ram Anand

... Petitioner

versus

Union of India & others

... Co-Defendants

I N D E X

- 1. Memo of Application 1-13
- 2. Annexure No. 4 14
Copy of order dated 28.11.1989
- 3. Postal order No. 02414773 dated 27-8-90
for Rs 50/- only.
- 4. Valuations

Filed today
ord
27/8

Place: Lucknow

Dated: 27-8-90

By: /-

Dr. Kumar Chaturvedi
(Assistant Advocate)
Advocate,
Counsel for the petitioner

Noted for 3.9.90
Dr. Kumar Chaturvedi
Adv
27/8/90

42

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

C.A. No. 278 of 1990 (L)

Sri Ram Anand -.....Applicant.

versus

Union of India & others Opposite
Parties.

COUNTER REPLY

Filed for 14/2/91

I, P. N. Tripathi working as

Asst Personnel officer in the office of
Divisional Railway Manager, Northern Railway

Lucknow Division, Hazratganj, Lucknow, do

heroby solemnly affirm as under :-

That the official abovenamed is working as

Asst Personnel officer in the office of

Divisional Railway Manager, Northern Railway

Lucknow, and has Division, Hazratganj, Lucknow

and has gone through the averments made

in the application and as such fully conver-

Contd.....2

Filed today

5/2/91

4

with the facts and circumstances of the case and has been fully authorised by opposite parties to file this reply on their behalf.

2. That the contents of paras 1 to 3 of the original application do not call for reply.

That reply of the para 4 of the original application follows as under :-

- 3.(i) That the contents of para 4 (i) of the original application are admitted to the extent that applicant was appointed as Electrical Khalasi in the department on 24.4.1954 and rest of the contents available are denied, as there are no records available regarding the qualification of applicant.
- 3.(ii) That the contents of para 4 (ii) of the original application are admitted. It is further stated that applicant was confirmed as Khalasi in Grade Rs.30-35 from 14.5.1955.
- 3.(iii) That the contents of para 4 (iii) of the

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original application are ~~xxx~~ denied. It is submitted that applicant was promoted as B.T. Fitter in Grade Rs.35-60 from 16.1.56 and further promoted as fitter in grade Rs. 60-130 from 22.7.57. Also applicant was again promoted as electrician in Grade of Rs.150-240 from 30.7.64.

3.(iv) That the contents of para 4 (iv) of the are mere assumption and mere promotion original application/of applicant in the span of 10 years does not made applicant's performance very good as alleged, hence contents are denied.

3(v) That ~~the contents~~ in reply to para 4 (v) of the original application , it is stated that applicant was promoted, as ELC in grade of Rs.425-700 under SET/AC/C13/LKO, purely on adhoc-basis by letter No. A7590/26 dated 30.12.1981 and any averment contrary to it is denied.

Yog

(u)

3.(vi) That the contents of para 4 (vi) of the Original Application have no relevance with the present case and as such denied.

3.(vii) That the contents of para 4 (vii) of the original application are admitted.

3.(viii) That the contents of para 4(viii) of the original application are mere assumption and as such denied. It is submitted that applicant does not come within the ambit of eligibility as such applicant was not considered for promotion on the 25% vacancies from amongst the mistries.

3.(ix) That the contents of para 4(ix) of the original application are denied. It is submitted that the applicant was not at all entitled for promotion of ELC, Grade Rs.425 -700, as he was not senior in list of seniority of electricians and as a result his case was not considered.

(u)

- 3.(x) That the contents of para 4(x) of the original application are incorrect and as such denied. It is submitted that the selection held in 1982 was only for Intermediate apprentice quota while applicant does not come within this category too.
- 3(xi) That the contents of para 4(xi) of the original application are false and as such denied. It is submitted that Sri H.S.Gupta was duly regularised on the post of ELC, after competing the selection of ELC and placed in the panel on 16.9.81. While applicant was not competent rather eligible for ELC cadre at that time.
- 3(xii) That the contents of para 4(xii) of the original application are incorrect and as such denied. It is submitted that Sri R.S. Tripathi and Sri A.K. Bajpai were accommodated against 50% direct quota in this division, who come from other divisions of railways and it is pertinent to mention here that their seniority is counted from the date of joining in Division while in the
- yes

case of applicant, he falls in promoted quota.

3.(xiii) That the contents of para 4(xiii) of the original application are wrong and as such denied. It is submitted that the name herein mentioned were the staff selected against 25% Intermediate apprentice quota and after that they were regularised as ELC in grade Rs.425-700-.

3.(xiv) That the contents of para 4(xiv) of the original application are misleading and as such denied. It is submitted that Sri R.S. Saxena, Sri O.P. Sharma and Sri V.K. Misra were selected against 25% Intermediate quota, and were regularised as ELC after passing the selection of Intermediate Apprentice Quota, in Grade of Rs. 425-700/1400-2300. It is essential to mention here that their seniority were also maintained in ELC cadre from the date of announcement of panel and he was promoted to next higher grade of

yab

Contd....7

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550-750/Rs.1660-2660, accordingly to seniority. It is further stated that as applicant does not fall within the category of elected candidate of Intermediate Apprenticeship quota, as such question of regularising the applicant with other candidates of Intermediate apprenticeship quota does not arise.

3(xv) That the contents of para 4(xv) of the original application are not admitted. It is submitted that the averments made in para 3(xiv) of the present reply are reiterated.

3(xvi) That in reply to para 4(xvi) of the original application it is submitted that applicant officiated purely on adhoc basis as ELC in grade Rs.425-700 from 30.12.81 as clearly indicated in Annexure I to original application. Any averment contrary to it is denied.



3(xvii) That in reply to paras 4(xvii) & 4(xviii) of the original application it is submitted that applicant's representation has been

(45)

entertained and considered by the competent authorities and has been finally disposed of by L/No. 759 gr.2-6 Dt.29.11.89 A copy of which is enclosed as Annexure No. 4 to original application.

3(xviii) That in reply to para 4(xix) of the original application it is submitted that applicant's representation has already been finally disposed of by competent authorities as stated in para 3(xvii) OF THE PRESENT reply. It is further submitted that no further representation has been received by the office of the answering respondent as alleged by the applicant. Also making representation again and again for same cause which has been heard and decided by competent authority is not justified.

Yoo

3(xix) That the contents of para 4(xx) of the

Contd.....9

original application are admitted to the content that representation of the applicatn has been rejected and rest of the contents are denied.

3(xx) That in reply to para 4(xxi) of the original application, it is submitted that no such representation is pending before the authorities concerned.

3(xi) That the contents of para 4(xxii) of the original application are misleading in the circumstances mentioned above and as such denied. It is further submitted that averment made in para 3(xvii) of the present reply are reiterated.

4. That in reply to para 5 of the original application it is submitted that grounds taken in the application are vague, mischievous, irrelevant, misleading and devoid of any merit, and such, the present application is liable to be dismissed against the applicant and in favour of answering respondents.

5. That in reply to para 6 of the original application it is submitted that applicant's representation dated 6-6-89 & 28-8-89 have already been considered by the competent authorities and has been finally disposed off. As far as the representation dated 22.2.90 is concerned, it has not been received by the respondents.
6. That the contents of para 7 of the original application needs no comments.
7. That in reply to para 8 & 9 of the original application it is submitted that on the facts and circumstances mentioned in the above paragraphs applicant's claim for relief is without any base to it rather devoid of merits. As such present application is liable to be dismissed against the applicant and in favour of the answering respondents with costs.


Lucknow;

Dated : 22.1.91


APPLICANT

52 ✓
:: 11 ::

VERIFICATION

I, the official above ~~named~~ named
do hereby verify that the contents of para
1 of this reply is true to my personal &
knowledge and those of paras 2 to 7 of
this reply are believed to be true by me
based on record and legal advice. No part
of it is false and nothing has been
concealed. So help me God.

Lucknow.

Dated : 22-1-91


APPLICANT.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
CIRCUIT BENCH

Gandhi Bhawan, Opp. Presidency, Lucknow

No. C.A.T./A.I./J.L. 5104 - 2 dated the 10.9.90

Registration No. 278 of 1990 (L)

Sri Ram Anand

APPLICANT

VERSUS

Union of India

RESPONDENT

(1) A.O.I through Secretary
(2) to Railway Board, Rail Bhawan, New Delhi.
(3) General Manager, N.M.Y. - Baroda House, New Delhi.
(4) D.O. No. N.Y. Lucknow Division, Hazrat Gajl K.
Sd. Divisional Personnel Officer,
N.Y. Lucknow Division,
Hazrat Gajl, Lucknow.

Please take notice that the applicant abovenamed has presented an application, a copy whereof is enclosed herewith, which has been registered in this Tribunal, and the Tribunal has fixed 7 day of 11 1990 for the hearing of the said application.

If no appearance is made on your behalf by yourself your pleaser or by 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 14 day of 9 1990.

DEPUTY REGISTRAR

Encl - copy of Petition with ver 12
Order dated 10-9-90

(2)

CENTRAL ADMINISTRATIVE TRIBUNAL
CIRCUIT BENCH, LUCKNOW

No. 278 of 199 (L)

Shri. Ram Anand	..	Applicant.
	Versu	
Union of India (Rly. Board)	..	Respondents.

12.9.1990

Hon'ble Mr. Justice K.Nath, J.C.

Hon'ble Mr. S.M. Singh, J.M.

Admit.

Issue notice to respondents to file counter within four weeks to which the applicant may file rejoinder within two weeks thereafter. List before the J.C.(J) on 7.11.90 is fixing a date for final hearing after the counter and rejoinder are exchanged.

sd/
J.C.

sd/
V.C.

// RUE CDR //

14/9/90

Mar Khan

Administrative Tribunal,

Circuit Bench,

LUCKNOW.

14/9/90

3/5

CENTRAL ADMINISTRATIVE TRIBUNAL
CIRCUIT BENCH LUCKNOW.

No. 272 of 1990(L)

Shri Ravi Anand	...	Applicant.
Union of India	Versus	
(Sly. Board)	...	Respondents.

12.9.1990

Present Mr. Justice K.N. Singh, V.C.

Present Mr. A.M. Singh, A.M.

Admit.

Issue notice to respondents to file counter within four weeks to which the applicant may file rejoinder within two weeks thereafter. List before the ... (L) on 2.11.90 for fixing a date for final hearing after the counter and rejoinder are exchanged.

sd/
A.M.

sd/
V.C.

PERUSE COPY //

[Signature]
16/9/90

Mohd. Umar Khan
Administrative Tribunal,
Circuit Bench,
LUCKNOW.

sd/
[Signature]
14/9/90

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UPA L. ADMINISTRATIVE TRIBUNAL
CIRCUIT BENCH, LUCKNOW.

No. 278 of 1990(L)

Shri Ram Anand	...	Applicant.
	Versus	
Union of India (Rly. Board)	...	Respondents.

12.2.1990

File No. Justice A. Nath, V.C.

File No. J. S. Singh, A.M.

Admit.

Issue notice to respondents to file counter
within four weeks to which the applicant may file
rejoinder within two weeks thereafter. List before
the ... on ... for fixing a date for final
hearing after the counter and rejoinder are
examined.

d/

Sd/

..

V.C.

// P. H. G. P //

14/9/90
Md. Umar Khan

Administrative Tribunal,
Lucknow.

Chaudhary

14/9/90