

सूचना ANNEXURE No. 42

फैसल सं. ४०५०५०२४८

फैसल क्रमांक-224001- ९-५-८९

लोक सांसद राज्यवाल को सूचित किया जाता है कि शास्त्रांकियाल चित्रोई पद  
जो उपराज्यपाल दलितपात्रों जनपद के बाबाद के अन्तर्गत है वे लिए  
द्वितीय वयस्ति निर्दी रित पार्श्व पर उपना प्राप्ति वन अपने लाला ते शर कर लाए  
हुए वयस्ति निर्दी रित पार्श्व प्राप्ति वन अपने लाला ते शर कर लाए वे लिए २५-५-८९  
इस तर्कार करके डाल अद्योदास देजावृत्त के पाव इस प्रकार लिए वे लिए २५-५-८९  
तक अवश्य प्राप्त हो जाए। निर्दारित तिथि के बाद शास्त्रांकियाल चित्रोई पर्वों  
पर विवाह नहीं किया जाएगा।

चित्रोई

निर्दारित लाला जिस पर डालें करना है शास्त्रांकियाल  
एवं उपराज्यपाल दलितपात्रों के बास से दिःद्वितीय प्राप्त हो सकते हैं।

अहंकार

१. गोकुल विवाह : - अध्यर्थी को बन के कव कव ४ उत्तीर्ण होना चाहिए। हाई स्कूल  
पास से वरीयता दी जाएगी।
२. जायु विवाह : - अध्यर्थी की आयु २६वर्ष हुताह । ३४ की १८ वर्ष से कव तथा  
६० वर्ष से अपेक्षा नहीं होनी चाहिए।
३. आय : - अध्यर्थी की आसिक आय वयस्ति निर्दी नाम की बतायी आय वा आपने  
संकपत्रिक से ३०/- आसिक से बन नहीं होनी चाहिए। इस संक्षेप  
में राजस्व और कारी का प्राप्ति सम्बन्ध में पर्वों पर।
४. निवास स्थान : - अध्यर्थी को उसी वास का निवासी होना चाहिए जहाँ पर वाहदर  
बहुरु हुआ हो।
५. अन्य : - अध्यर्थी को जनता के बारा चयन किए जाये जिसे दी पद पर  
आसीन नहीं होना चाहिए एवं अदालत बारा दण्डित नहीं  
होना चाहिए।
६. अवन : - डालार रखने के लिए उचित ध्वन होना चाहिए। ध्वन का प्राप्तिकर  
लगाये।

नोट : - सभी 'आवश्यक प्राप्ति पर्वों को सहवापित शास्त्रांकियाल कूल शार्पना  
पत्र से। साथा अवश्य नहीं करें।

३५-५-८९ अधीक्षण उपराज्यपाल  
के निमाव निर्देश

तिलिपि सूचना पट पर विवाहने तथा पुंचार हेतु :-

१) शास्त्रांकियाल चित्रोई

अध्यर्थी को दिःद्वितीय वर्षे

२) उपराज्यपाल दलितपात्रों

३) प्रधान ग्राम पंचायत एवं पोस्ट चित्रोई

४) ग्राम निर्दारित अवक्षुत उत्तर

५) ग्रामांदियाम १०-१० चित्रोई पोस्ट चित्रोई

६) ग्राम अधिकारी

५- सर ग्राम प्राप्ति पर

ग्रामांदियाम

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True photo copy altered  
R. Choudhury Adm  
9/9/90

ज्ञान स० ; धी०९६०५० २१८ निवास-२२४००१-०३-२५-४९

रार्थ सीट वर्ष १९४७ को सूचित किया जाता है कि लोकतांत्रिक चुनाव के लिए दो दो उम्मीदवार उन्नीस लाख वर्ष के वाद के अन्तर्गत हैं जो नियुक्त व्यक्ति नियमित रित फार्म दर अपना प्राप्ति वन अपने लाभ के द्वारा दर लट्टा तादार के लिए डाक अधीक्षक फैजाबाद के पास इस उकार द्वारा लिए गए लिए २०-१९ तक अवृद्धि प्राप्त हो जाय। नियमित तिथि के बाद प्राप्त तथा अदृष्ट इष्टना पर्याय दर विवार नहीं किया जाता।

गिर्दारित धर्य जिस पर आ जैन करना है शास्त्र उपर्युक्त उपर्युक्त इन तपानामांज के बास से निःशुल्क गति हो जाते हैं।

अहं तार

१. जैकिंग लोर्डता : - अध्यक्षी को कब से कब तक ४ उत्तीर्ण होना चाहिए । हाई कोर्ट  
परसंपत्ति वरीयता दी जाएगी ।
२. आदु सीबा : - अध्यक्षी की आदु रुद्धि तुलाइ १९८१ की १८ वर्ष से कब तक  
६० वर्ष से अधिक नहीं होनी चाहिए ।
३. आध : - अध्यक्षी की आसिक आध बंदिस्तियत नियी नाम की जल दी जाएगी  
जब प्रतित से ५०/- आसिक से कब नहीं होनी चाहिए । इस सम्बन्ध  
में संबंधित राजस्व अधिकारी का प्रश्न पत्र जलाया दर्शा दिया गया ।
४. निवास रुद्धिनाम : - अध्यक्षी को उसी वर्ष का निवासी होना चाहिए जहाँ पर उक्तधर  
मौजूद हुआ हो ।
५. अन्य : - अध्यक्षी की जनता के बारा चयन दिए गये तिथी भी पहले पर  
आसीन नहीं होना चाहिए एवं अकाली बारा दण्डित भी नहीं  
होना चाहिए ।
६. भवन : - डाक्टर रघुनेत के लिए उत्तित भवन होना चाहिए । भवन को कानूनिक  
लगाये ।

नोट :- सभी आवश्यक प्रयोग पत्रों को सह प्राप्ति प्रतिलिपियाँ कूल ग्राहना पत्र के साथ अवश्य नहीं करें।

loop 1 (0)

## ३५५ वर अधीतः लक्ष्मी

ପ୍ରମାଣାର୍ଥ ବିବାହତା

प्रिंसिपि सूचना पट पर विषयक व्याख्या उचित है। - प्राचीन विज्ञान

- १) शास्त्र डाक्टरल चिनी वा अध्ययनी की विद्युत लकड़ी
- २) उड़ान विनियोगात्मक। सूलन साथे प्राप्ति वन
- ३) उदान व्यावरणी
- ४) कल्प निरीक्षक उनियतरात्रि (उन्नीति) विनापन। कैराजाद
- ५) उदानविधायक प्र० १० रुपीना लैस्ट लैस्ट
- ६) शाइक औवर लियर

- every attention

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27/9/90

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL

CIRCUIT BENCH, LUCKNOW

O.A. NO. 322 of 1990(L)

F.F. 14.10.91

Rafique Alam

.. Applicant

-versus-

Union of India and others .. Respondents.

COUNTER AFFIDAVIT ON BEHALF OF RESPONDENT NO. 2

1 & 2.

R.C. Mishra  
I, ~~SS Misra~~, aged about 57 years, son of

Shri SS Misra at present posted as Sr. Supdt  
FAIZABAD FAIZABAD  
of Post Offices, Sitapur Division, Sitapur do

hereby solemnly affirm and state as under:-

1. That the deponent is respondent no. 2 in  
the above mentioned application and he has been  
authorised to file this counter affidavit on  
his behalf and on behalf of respondent no. 1.

2. That the deponent has read and under-  
stood the contents of the application and he is  
well conversant with the facts of the case  
as well as the facts deposed to herein under in  
reply thereof.

*Filed today*  
*SSM*  
*17/10/91*  
3. That before giving parawise comments it  
is pertinent to give brief facts of the ~~the~~ case

R.C. Mishra  
Ex. Supdt. of Post Offices  
FAIZABAD Division  
FAIZABAD. 224001

(a) That the post of ED Branch Postmaster, Chitol fell vacant due to death of the incumbent Shri Hifazuddin on 9.10.1988. An application from widow Hawmul Nishan and other dependents was received for the appointment of Sri Alam Shah (cousin) on the post of ED BPM Chitoi. The widow and sons of late Shri Hifazuddin were not willing for the appointment on compassionate ground, because they were involved in their business in Bombay.

(b) That later on, the employment exchange Faizabad was asked to sponsor the name of local candidates upto 11.5.1989. A list of five candidates was received from employment exchange on 2.5.1989. Among five candidates only two candidates were local. Hence direct vigyapti was issued on 9.5.89 and the applications from suitable candidates were called for upto 25.5.1989. Only two applications were received from the village Chitoi. As per departmental rule at least three applications are essential for the appointment. Hence, again direct vigyapti was issued on 3.7.1989 and applications from eligible candidates were called for upto 20.7.1989. Four applications were received

  
R.C. Misra  
Sr. Super. of Post Office,  
Faizabad Division  
FAIZABAD 224001

from the local candidates. Including all, five applications from the following candidates were found for the appointment ~~for~~ of the said post:

1. Shri Jameel Ahmed
2. Shri Firdaus Alam
3. Shri Jang Bahadur Lal
4. Akhri Alam Shah
5. Shri Jiya Lal.

(c) That as per departmental rules, the genuineness of the documents and locality etc. were got verified and Shri Jiya Lal was found suitable being a S.C. candidate, among all the candidates, mentioned above. Consequently, he was appointed as Branch Postmaster, Chitoi vide office letter No. PFA-248 dated 13.8.1990. The police verification report of Shri Alam Shah shows that he is of criminal nature and not fit for Government service.

4. ~~4.1~~ That the contents of para 1 to 3 of the application are formal as such need no comments.

5. That the contents of para 4(i) of the

*R.C. Misra*  
Sr. Secy. of Post Office,  
Faizabad Division  
FAIZABAD 224001

application needs no comments.

6. That the contents of para 4(ii) of the application are admitted to the extent that Shri Hifazuddin was working on the post of ED BPM, Chitoi.

7. That in reply to the contents of para 4(iii) of the application it is submitted that the applicant was engaged as a substitute by Shri Hifazuddin (Ex-BPM Chitoi) on his responsibility from 7.9.88 to 11.10.88. He was not appointed on the post of as alleged.

8. That the contents of para 4 (iii) of the application are admitted to the extent that he worked from 7.9.1988 to 11.10.88 only as a substitute.

9. That the contents of para 4(iv) of the application are admitted to the extent that the applicant was ordered to work as Extra Departmental D.A. The applicant was engaged as ED D.A by the appointing Extra Departmental Delivery Agent in the place of the appointed

EDDA Shri Jang Bahadur Lal.

*R.C. Misra*  
Sr. Super. of Post Offices  
Fazlabad Division  
FAIZABAD 224001

10. That the contents of para 4(v) of the

of the application are not disputed.

11. That in reply to the contents of para 4(vi) of the application it is submitted that the applicant does not come under family as such he is not dependent. More over the applicant's police verification report showed that he is not fit for Government job as there are several cases against him under section 147, 148, 335, 308, 323 DPC 82/77 and so many in 83/77, 120/77 etc.

12. That in reply to the contents of para 4(vii) of the application it is submitted that the application for compassionate appointment was not considered justified, hence not appointed.

13. That ~~xxxxxx~~ the contents of para 4(viii) of the application are not disputed.

14. That in reply to the contents of para 4(ix) of the application it is submitted that the appointment on compassionate ground was not found justified as described in para 12 above, as his request was not acceded.

*Q.C. Mysra*, 15.

That the contents of para 4(x) of the appli-

Dr. Supdt. of Post Offices ~~xxxxxxxx~~ cation needs no comments.

Fazlabad Division  
FAIZABAD, 224001

16. That in reply to the contents of para 4(xi) of the application it is submitted that the case of the applicant was not considered due to not being found justified. There was no question of dispute.

17. That the contents of para 4(xii) of the application are admitted to the extent that the applicant was applied for the post.

18. & (xiv) That the contents of para 4(xiii) of the application are ~~incorrect~~ as stated, hence ~~denied~~ admitted.

19. That the contents of para 4(xv) of the application are incorrect as stated, hence denied.

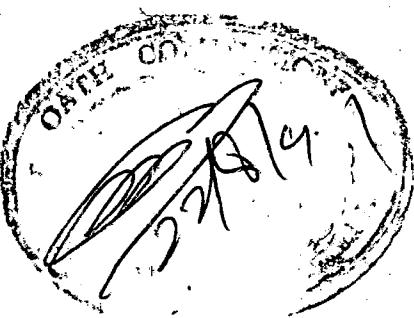
20. That the contents of para 4(xvi) of the application are admitted to the extent that there is no departmental provision for interview.

21. That the contents of para 4(vii) of the application are incorrect as stated, hence denied.

22. That the contents of para 4(xviii) of the application are incorrect as stated, hence denied.

23. That in reply to the contents of para 4(xix) of the application it is submitted that the applicant was not fit for appointment on the ground in para 11 above.

24. That in reply to the contents of para 4(xx)

  
R.C. Misa,  
Sr. Supdt. of Post Offices  
Faizabad Division  
FAIZABAD 224001

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of the application it is submitted that the order has been implemented and Shri Jiya Lai taken over charge of Extra Departmental Branch Postmaster Chitoi.

25. That the grounds taken by the applicant are not tenable in the eyes of law in view of the facts stated above.

26. That the contents of para 6 & 7 of the application need no reply.

27. That the reliefs sought by the applicant in para 8 & 9 of the application are not entitled in view of the facts and circumstances stated in the preceding paragraphs.

28. That in view of the facts, reasons and circumstances stated in the foregoing paragraphs, the application filed by the applicant is not entitled to get any relief from this Hon'ble Tribunal and is liable to be dismissed with costs to the Respondent No. 1 & 2.

  
Q.C. Misra  
Deponent  
Sr. Secy. of Post Office  
Faizabad Division  
FAIZABAD. 224001

Lucknow,

Dated: 22 August 1991.

u

(SA)  
(SD)

Verification.

I, the above named deponent do hereby verify that the contents of para 1 & 2 of the affidavit are true to my personal knowledge,, those of paragraphs 3 to 24 & 26 of the affidavit are believed to be true on the basis of records and information gathered and those of paragraphs 25 & 27 of the affidavit are also believed to be true on the basis of legal advice. No part of this affidavit are false and nothing material fact has been concealed.

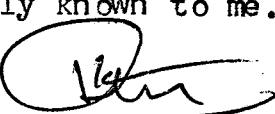
- R.C. 107282  
Deponent.

Lucknow,

Dated: 22 August 1991.

Er. Supdt. of Post Offices  
Faizabad Division  
FAIZABAD 224001

I identify the deponent who has signed before me is also personally known to me.



(VK Chaudhari)  
Addl. Standing Counsel for Central  
Government  
(Counsel for the Respondent  
No.1 & 2)

Lucknow,

Dated:

22/08/91

11:35 AM

R. Chaudhari  
V. K. Chaudhari

Jugal Kishore Sinha

22/08/91

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL

CIRCUIT BENCH, LUCKNOW

C.A. NO. 322 of 1990(L)

F.F. 14.10.91

Rafique Alam ... Applicant

-versus-

Union of India and others ... Respondents

COUNTER AFFIDAVIT ON BEHALF OF RESPONDENTS NO. 3

1991  
AFFIDAVIT  
25 IM  
DIST. COURT  
U.P.

I, B.N. Singh aged about 48 years, son of Shri Narvar Singh, Sub Divisional Inspector, Akbarpur North, District Faizabad do hereby solemnly affirm and state as under:-

1. That the deponent is Respondent no. 3 in the above noted application and he has been authorised to file this counter affidavit on his behalf and on behalf of all other Respondents.
2. That the deponent has read and understood the contents of the application and he is fully conversant with the facts of the case as well as the facts deposed to herein under in reply thereof.
3. That before giving paravise comments it is pertinent to give brief history of the case as detailed below:

B.N. Singh

(a) That the post of ED Branch Postmaster, Chitol fell vacant due to death of the incumbent Shri Hifazuddin on 9.10.1988. An application from widow Hawmul Nishan and other dependents was received for the appointment of Sri Alam Shah (cousin) on the post of ED BPM Chitoi. The widow & sons of late Shri Hifazuddin were not willing for the appointment on compassionate ground, because they were involved in their business in Bombay. Later on, the employment exchange Faizabad was asked to sponsor the name of local candidates upto 11.5.1989. A list of five candidates was received from employment exchange on 2.5.89. Among five candidates only two candidates were local. Hence direct vigyapati was issued on 9.5.89 and the applications from suitable candidates were called for upto 25.5.1989. Only two applications were received from the village Chitoi. As per departmental rule at least three applications are essential for the appointment. Hence again direct vigyapati was issued on 3.7.89 and applications from eligible candidates were called for upto 20.7.89. Four

*B.N. Singh*

applications were received from the local candidates. Including all, five applications from the following candidates were found for the appointment of the said post.

1. Shri Jameel Ahmed
2. Shri Firdaus Alam
3. Shri Jang Bahadur Lal
4. Shri Alam Shah
5. Shri Jiya Lal.

(b) That as per departmental rules, the genuineness of the documents and localality etc. were got verified and Shri Jiya Lal was found suitable being a S.C. candidate, among all the candidates, mentioned above. Consequently, he was appointed as Branch Postmaster, Chitoi vide office letter No. PFA-248 dated 13.8.90.

The police verification report of Shri Alam Shah shows that he is of criminal nature and not fit for Government service.

4. That the contents of para 1 to 3 of the application are formal as such needs no comments.
5. That the contents of para 4(i) of the application needs no comments.

B.M. Singh

6. That the contents of para 4(ii) of the application are admitted to the extent that Shri Hifazuddin was working on the post of ED BPM, Chitoi.

7. That in reply to the contents of para 4(iii) of the application it is submitted that the applicant was engaged as a substitute by Sri Hifazuddin (Ex BPM Chitoi) on his responsibility from 7.9.88 to 11.10.88. He was not appointed on the post as alleged.

8. That the contents of para 4(iii) of the application are admitted to the extent that he worked from 7.9.88 to 11.10.88 only as a substitute.

9. That the contents of para 4(iv) of the application are admitted to the extent that the applicant was ordered to work as Extra Departmental ~~Branch/Reserve~~ D.A. The applicant was engaged as ED DA by the appointed Extra Departmental Delivery Agent in the place of the appointed EDDA Shri Jang Bahadur Lal.

10. That the contents of para 4(v) of the application are not disputed.

11. That in reply to the contents of para 4(vi) of the application it is submitted that the applicant does not come under family as such he is not

PAN Singh

not dependent. More over the applicant 's police verification report showed that he is not fit for Government job as there are several cases against him u/s. 147, 148, 336, 308, 323 & I.P.C. 82/77 and so many in 83/77, 120/77 etc.

12. That in reply to the contents of para 4(vii) of the application it is submitted that the application for compassionate p appointment was not considered justified, hence not appointed.

13. That the contents of para 4(viii) of the application are not disputed.

14. That ~~the~~ in reply to the ~~contents~~ of para 4(ix) of the application it is submitted that the appointment on compassionate ground was not found justified as described in para 12 above, as his request was not acceeded.

15. That the contents of para 4(x) of the application needs no comments.

16. That in reply to the contents of para 4(xi) of the application it is submitted that the case of the applicant was not considered due to not being P.N. Singh found justified. There was no question of dispute.



17. That the contents of para 4(xii) of the application are admitted to the extent that the applicant has applied for the post.

18. That the contents of para 4(xiii) & (xiv) of the application are admitted.

19. That the contents of para 4(xv) of the application are incorrect as stated, hence denied.  
and xixxx reply

20. That the contents of para 4(xvi) of the application are admitted to the extent that there is no departmental provision for interview.

21. That the contents of para 4(vii) of the application are incorrect as stated, hence denied.

22. That the contents of para 4(xviii) of the application are incorrect as stated, hence denied.

23. That in reply to the contents of para 4(xix) of the application maxxx it is submitted that the applicant was not fit for appointment on the ground mentioned in para 11 above.

24. That in reply to the contents of para 4(xx) of the application it is submitted that the order has

PML Singh

27/8/91

been implemented and Shri Jiya Lal taken over charge of Extra Departmental Branch Postmaster Chitoi.

25. That the grounds taken by the applicant are not tenable in the eyes of law in view of the facts stated above.

26. That the contents of para 6 & 7 of the application need no reply.

27. That the reliefs sought by the applicant in paras 8 & 9 of the application are not entitled in view of the facts and circumstances stated in the preceding paragraphs.

28. That in view of the ~~pan~~ facts, reasons and circumstances stated in the foregoing paragraphs, the application filed by the applicant is not entitled to get any relief from this Hon'ble Tribunal and is liable to be dismissed with costs to the Respondents.

*BN Singh*  
Deponent.

*22/8/91*  
Lucknow,

Dated: 22 - August, 1991.

Verification.

I, the above named deponent do hereby verify that the contents of para 1 & 2 of the affidavit are true to my personal knowledge,

*BN Singh*

36

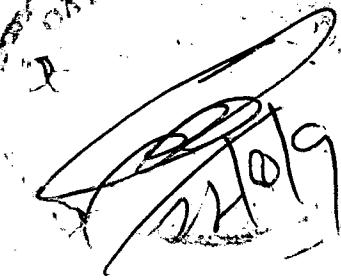
those of paragraphs 3 to 24 & 26a of the affidavit are believed to be true on the basis of records and information gathered and those of paragraphs 25, 27 & 28 are also believed to be true on the basis of legal advice. No part of this affidavit are ~~are also~~ false and nothing material fact has been concealed.

P.N. Singh  
Deponent.

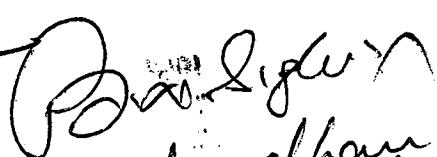
Lucknow, ✓  
Dated: 22 - Aug. 1991.

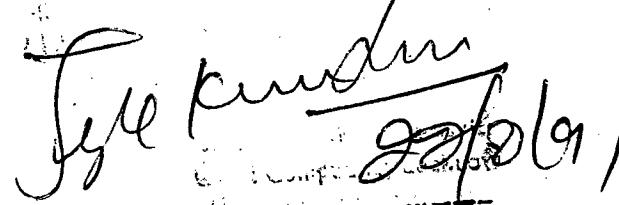
I identify the deponent who has signed before me is also personally known to me.

  
VK Chaudhari,  
Addl. Standing Counsel for Central Govt  
(Counsel for the Respondents)

  
Lucknow,

Dated: 22-8-1991

~~As 25 Dm  
or 5.30 A.M.~~   
V.K. Chaudhari  
Adv

  
22/8/91

व अदालत श्रीमान  
[प्राप्ति] अपीलान्ट  
प्रतिवादी

Central Administrative Tribunal Bench LLC  
महोदय

श्री Rishabhendu का वकालतनामा

A 31

(टिकट) वादी (अपीलान्ट)  
Rafiq Alam

बनाम Union of India प्रतिवादी (रेस्पान्डेन्ट)

मुकदमा नं. ३२२ सन् १० पेशी की ता० १५.१०.१६ न। ई०

ऊपर लिखे मुकदमा में अपनी ओर से भी वी० के० चौधरी एडवोकेट हाईकोर्ट  
ऊपर स्थायी अधिवक्ता भारत सरकार लखनऊ वेन्य, निवास- १४/६२६  
बरफखाना, नईबस्ती अलंकार सिनेमा के पास लखनऊ टेली. न. २३४६८६  
हाईकोर्ट चैम्बर न. १४ टेली. न. २४०६०७

( नाम अदालत नाम अपील नाम अपील )

को अपना वकील नियुक्त करके प्रतिज्ञा (इकरार) करता हूं और लिखे देता हूं कि इस मुकदमा में वकील महोदय स्वयं अथवा अन्य वकील द्वारा जो कुछ पैरवो 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 (फंरीकासनी) का दाखिल किया हुआ रुपया अपने या हमारे हस्ताक्षर युक्त (दस्तखती) रसीद लेवें या पंच नियुक्त करें वकील महोदय द्वारा की गई वह सब कार्यवाही हमको सर्वथा स्वीकार है और होगी मैं यह भी स्वीकार करता हूं कि हर पेशी पर स्वयं या किसी अपने पैरोकार को भेजता रहूँगा अगर मुकदमा अदम पैरवी में एक तरफ मेरे खिलाफ फैसला हो जाता है उसकी जिम्मेदारी मेरे वकील पर नहीं होंगी इसलिए यह वकालतनामा लिख दिया प्रमाण रहे और समय पर काम अवै।

स्वीकृत  
(वी० के० चौधरी)  
एडवोकेट हाईकोर्ट

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16 ..... महीना ..... सन् १६ १८ ई०