

CENTRAL ADMINISTRATIVE TRIBUNAL
CIRCUIT BENCH, LUCKNOW

Central Administrative Tribunal
Circuit Bench, Lucknow
Date of Filing: 7/12/90
Date of Receipt by Post: 7/12/90

Registration No. 397 of 1989/90

Deputy Registrar(U)

APPLICANT(S) Shri. Ram Lal

RESPONDENT(S) C. O. T. & others

Particulars to be examined application 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 application
3. a) Is the appeal in time? yes
b) If not, by how many days it is beyond time? yes
c) Has sufficient cause for not making the application in time, been filed? yes
4. Has the document of authorisation/ Vakalatnama been filed? yes
5. Is the application accompanied by B.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

A.2

Particulars to be Examined

Endorsement as to result of examination

12. Are the application/duplicate copy/spare copies signed ?
13. Are extra copies of the application with Annexures filed ?
- a) Identical with the Original ?
- b) Defective ?
- c) Wanting in Annexures.
- Nos. _____ pages Nos _____ ?

4 Sets

yes

yes

x

13. Have the file size envelopes bearing full addresses of the respondents been filed ?

No

14. Are the given address the registered address ?

yes

15. Do the names of the parties stated in the copies tally with those indicated in the application ?

yes

16. Are the translations certified to be true or supported by an Affidavit affirming that they are true ?

yes

17. Are the facts of the case mentioned in item no. 6 of the application ?

Item No. 4

- a) Concise ?
- b) Under distinct heads ?
- c) Numbered consecutively ?
- d) Typed in double space on one side of the paper ?

yes

yes

yes

yes

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

19. Whether all the remedies have been exhausted.

Findings

7.12.90

D. R.

Put up before the Hon. Bench

on 13.12.90 for order.

5/12
7/11/90

5/12
7/12

397/90 (1)

(A75)

13.12.90

Hon. Mr. Justice K. Nath, V.C.
Hon. Mr. K. Obayya, A.M.

Put up tomorrow on the request of
counsel for applicant on 14.12.90

A.M.

V.C.

14-12-90

Hon'ble Mr. Justice K. Nath, V.C.
Hon'ble Mr. K. Obayya, A.M.

Heard the applicants counsel.

Admit.

Shri V.K. Chaudhary accepts notice
on behalf of respondents 1 to 4. Copies of
the notices meant for respondents 1 to 4
may be delivered to Shri Chaudhary. Issue
notice to respondents 5 to & 6.

Counter affidavit may be filed with
in four weeks to which the applicant may file
a rejoinder within two weeks thereafter. List
before the D.R.(J) on 1.2.91 for fixing a date
for final hearing if possible after completing
the record.

In the matter of interim relief also issue
notice for the same date.

Sd/

Sd/

A.M.

V.C.

M.C. S. J. J. J.
27-12-90

Sd/

Recd four
champs. Rishant
K. Obayya only
(A.M.)
28/12/90

1.2.91 Applicant side
is present. Respondent
6 also put his
appearance through
counsel. Other OPs are
not present. Put up
on 13.3.91 for final court

ORDER SHEET
IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD/C.B. LUCKNOW

(H)

CA No. 397 OF 19 91
Vs. _____

Sl.No.	Date	Office Report	Orders
		MP 305/91 filed by Lc for the applicant for separate. CA filed duly served on the applicant. No RA filed S.F.O <u>4.7.91</u>	Honble Mr Justice U.C. Srivastava vs. Mr A.B. Gorthi DM No counter has been filed for for case is adjourned to 20.9.91 for final hearing Lr rc
		RA filed <u>12/11 20.9.91</u>	On the request of counsel for respondent case is adj. to 14.10.91 for hearing Lr v.c

O.A. 13-10-1990

(A5)

93602

Hon. Mr. Justice V.K. Rajwade
Hon. Mr. K. Chaudhary, Am.

Heard the learned Counsel for
the applicant. The Respondent
No. 6 is present in person
and has requested for
adjournment, because his
Counsel ~~is~~ ^{is} not present
left this case on 25-6-92
for hearing on which date
the case shall not be
adjourned on any ground
and if the Counsel for
the Respondent No. 6 will
be present on this very date
he should make some other
arrangement to contest his

Case.
AM.

V.C.

(mu)

25.6.92 Case will reach up to
16.7.92

cc
Mae

16.7.92 Case will reach up to
S-Q 92

cc
Mae

82
S.F.H.
B
4/10/

Case will reach up to
16.9.92

76

Stahl m. Zussw v.e. Sumpf v.
Zahl m. k. claye Dm

Q. 1. In case on

Dr

ive

L

OK
RANSEN
22/11/13

A-7

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
LUCKNOW BENCH
LUCKNOW

O.A. NO. 397 1990 (L)

I.A. NO. _____ 199 (TL)

Date of Deceasion _____

Ram Lal

Petitioner.

Advocate for the
Petitioner(s)

V E R S U S

Union of India & ors

Respondent.

Advocate for the
Respondents

C O R A M

Hon'ble Mr. Justice U. C. Sinha, V.C.

Hon'ble Mr. K. Chagga, J.M.

1. Whether Reporter of local papers may be allowed to see the Judgment ? ☒
2. To be referred to the reporter or not ? ☒
3. Whether their Lordships wish to see the fair copy of the Judgment ? ☒
4. Whether to be circulated to other benches ? ☒

Chairman / Member

(A-8)

CENTRAL ADMINISTRATIVE TRIBUNAL
LUCKNOW BENCH, LUCKNOW

Original Application No. 397 of 1990

Ram Lal

..... Applicants.

Versus

Union of India & ors.

..... Respondents.

Hon'ble Mr. Justice U.C.Srivastava, V.C.

Hon'ble Mr. K.Chayya, Member-A

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

In the Counter Affidavit the respondents have stated that Suhetera ED Post Office was opened on 15.4.1989 under administrative sanction received under Director of Postal Services, Lucknow vide order dated 6.4.1989. The appointing authority of EDBPM is the Supdt of Post Offices and that of the EDMC/EDDA is the Sub Divisional Inspector of Post offices. The nomination for the post of EDBPM were called for from the employment exchange Sitapur vide letter dated 27.4.1989 and the 3 nominations including that of the applicant were received for this post from employment exchange vide letter No. Rikth/Dhawak/89/3333 on 25.5.1989. One Laxminarain nominee of employment exchange was considered most suitable for the post of EDBPM and accordingly he was appointed as such vide order dated 8.9.1989 by the SPOs and amongst the nominees for the post of EDMC/EDDA one Shri Mohd. Fairdi (Respondent No. 6) was adjudged the most suitable by the appointing authority (SDI) out of local candidates and was appointed as such vide order dated 12.7.1989. On consideration of representation of the applicant against not ^{selected} selected as EDMC/EDDA

w

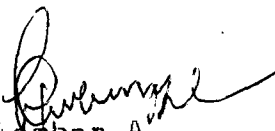
(A9)

by the SDI, instructions were issued by the SPOs vide letter N. H-175/E dated 9.3.1990/18.4.90 for terminating the appointment of respondent no. 6 and on further examination of the case following receipt of a complaint on 23.4.1990 it came to notice that the service of Shri Mohd. Faridi had been ordered to be terminated without offering him opportunity to show cause. Hence the implementation of orders dated 9.3.1990/18.4.1990 was ordered to be held in abeyance and accordingly the SDI was directed not to implement these orders vide letter dated 25.4.1990 and the case was referred to the Director of Postal Services Lucknow for further directions in the matter who held the appointment of Sri Mohd. Daridi to be in order and did not find any justification for any action to dispense with the services of the said Sri Mohd. Fairidi. In reply to the contents of para 4(V) of the application it is submitted that in the departmental enquiry by the SDI it was found that the applicant is not a permanent resident of village Suhetara and is original resident of Village Jainapur. The respondent Fairadi has also put in appearance and he has also stated the same. The applicant was a fully qualified and a better candidate than the respondent no. 6. The respondent no. 6 is only a junior High school passed candidate while the applicant is not only High School but ~~has~~ also passed Intermediate examination of Allahabad Board. The ~~respondents~~ ^{respondents} was thus, prejudiced in not considering his candidature for the post of EDDA/EDMC, to which he was a better candidate and respondent no. 6 was appointed mala fidedly and with ulterior motive by

(A/1)

- 4 -

documentary affidavits before the Superintendent of police who can make an enquiry regarding the ordinary residences of both these persons from the respective police stations also. And in case, the Superintendent of police reports after considering the evidence that the applicant is not a resident of village Suheta, then the appointment of respondent No. 6 shall be stand.


Member-A



Vice-Chairman

Lucknow Dated: 23.2.93

(jw)

A-12

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

O.A. No. 397 of 1990 (L)

Ram Lal Applicant
Versus
Union of India and others ... Respondents

Fixed for 8.1.93
2/2/93

REJOINDER TO THE COUNTER AND SUPPLEMENTARY COUNTER
FILED BY RESPONDENT NO. 6

I, Ram Lal, aged about 34 years, son of Shri Sohan Lal, alias Mulloo Ram, resident of village and Post Office Sahetara (Khairabad) District Sitapur, do hereby state on oath as under :-

1. That the deponent is the applicant in the above noted case and he is well conversant with the facts deposed to in this rejoinder. The deponent has read the counter submitted by respondent no.5, has understood its contents and is replying to the same.
2. That the contents of para ^{1 & 2} 3 of the counter need no reply.
3. That the contents of para 3 of the counter are vague denial and they are denied as such and in reply the contents of paras 4(i) to (iv) of the application are re-iterated.
4. That the contents of para 4 of the counter are denied. It is wrong to say that the deponent is not a permanent resident of village Sahetara and he belongs to village Jampur Post Paharpur, Block Khairabad, District Sitapur. The deponent is a permanent resident of village Sahetara and his

(A-15)

-2-

candidature for the post of E.D. D.A./E.D. M.C. was not maliciously and prejudicially considered by the respondents nos. 4 and 5 and the respondent no. 6 was appointed under pressure of Shri Ram Gopal Misra, a prominent congress leader of Sitapur district and for monetary consideration. It is emphatically denied that the deponent played a fraud before the postal authorities to avail the benefit of his appointment. The annexure C-1 is wrong and malicious and appears to have been manipulated by the respondent no. 6 with the help and assistance of the aforesaid Shri Ram Gopal Misra. The Gram Pradhan Sahetara has already certified by his letter dated 30.6.89 (annexure A-3 to the application) that the deponent is the resident of village Sahetara. Several Gram Pradhans and persons had also represented about the unsuitability of the respondent no. 6 and a photo copy of such representation is annexure A-10 to the application. The deponent has been living at village Suhetara from the time he was a child of 6 months only and has been permanently living there and obtained education from Primary to above. He is not a resident of village Jaurapur as falsely and maliciously alleged. The fact has been testified by the Gram Pradhan Jaurapur by his affidavit dated 13.7.92, a photo copy of which is Annexure R-1. The fact that the deponent received his primary education at village Suhetara would be apparent from the school certificate, a photo copy of which are Annexures R-2 to R-4. The deponent also purchased additional land at Suhetara on 23.1.83 and a photo copy of the receipt in this regard is Annexure R-5. An extract from the Pariwar Register

2/11/10

contd...3

of village Suhetara was obtained by the deponent on 9.9.99 which indicates that the deponent is a resident of this village and has been living there with his family members. A photo copy of the extract is Annexure R-6. The electoral roll of Suhetara was got revised in 1989 and a photo copy of the revised list is Annexure R-7. The Postmaster Sitapur made enquiries from the Tahsildar Sitapur regarding verification of the deponent's residence and the latter by his letter dated 15.10.92 has verified that the deponent is a resident of village Suhetara. A true copy of this letter is Annexure R-8. In these circumstances ~~any~~ any averment that the deponent is not a resident of village Suhetara is false, concocted, manipulated and mischievous and is emphatically denied.

5. That in reply to the contents of para 5, it is denied that the deponent did not make any representation to the higher authorities. The deponent did make various representations and the appointment of respondent was held to be irregular and illegal by the S.P.Os, Sitapur, thereviewing authority as would be apparent from Annexure A-1 to the application, but the orders were not complied with by respondents nos. 4 and 5 for ulterior motive. It is malicious to say that the appointment letter annexed with the application appears to be forged. The rest of the contents of para under reply are denied and those of para 4(vi) of the application are re-asserted.

6. That the contents of para 6 of the counter ~~xx~~ are denied, as stated. Under rule, the minimum qualification for E.D. D.A./E.D. M.C. is class VIII but High School and equivalent are to be preferred. The respondents nos. 4 and 5 acted maliciously and prejudicially in appointing the respondent no. 6 in prejudice to the claim of the deponent who possessed higher qualification and under rule was entitled to be appointed. The rest of the contents of para under reply is denied and those of para 4(vii) of the application are re-stated.
7. That the contents of para 7 of the counter are a vague denial and the same are denied and the contents of para 4(viii) are re-asserted.
8. That the contents of para 8 of the counter are denied. They are malicious and are denied as such. It is further stated that the representation was intended for the respondent no. 3 and he vide para 13 of his counter has not denied it.
9. That the contents of paras 9 to 12 are denied and the contents of paras 4(x) to 4(xvi) are re-iterate
10. That para 13 of the counter needs no reply.
11. That the contents of para 14 of the counter ~~xx~~ are partly accepted. As stated in para 6 above, the minimum qualification for the post is class VIII passed but under rules High School passed candidate is to be preferred and in view of this fact, the deponent was highly prejudiced.

amim

12. That the contents of para 15 are denied to the extent that the deponent does not belong to the local village and he cannot be appointed. The position has been clarified in the application and also in para 4 above. The deponent is a permanent resident of village Suhetara and his case was maliciously ignored by respondents nos. 4 and 5.
13. That the contents of para 16 are denied and in reply the contents of para 4 above are re-stated.
14. That the deponent is the permanent resident of village Suhetara and his claim was prejudicially ignored by the respondents nos. 4 and 5 and the orders of the reviewing authority viz. S.P.Os, Sitapur were not implemented by him.

Lucknow :

Dated : 8.1.93

अमिन्
DEPONENT

VERIFICATION

I, the above named deponent, do hereby verify that the contents of paras 1 to 14 of this affidavit are true to my knowledge and belief. Nothing material has been suppressed and no part of it is false.

Signed and verified this 8th day of January 1993 at Lucknow.

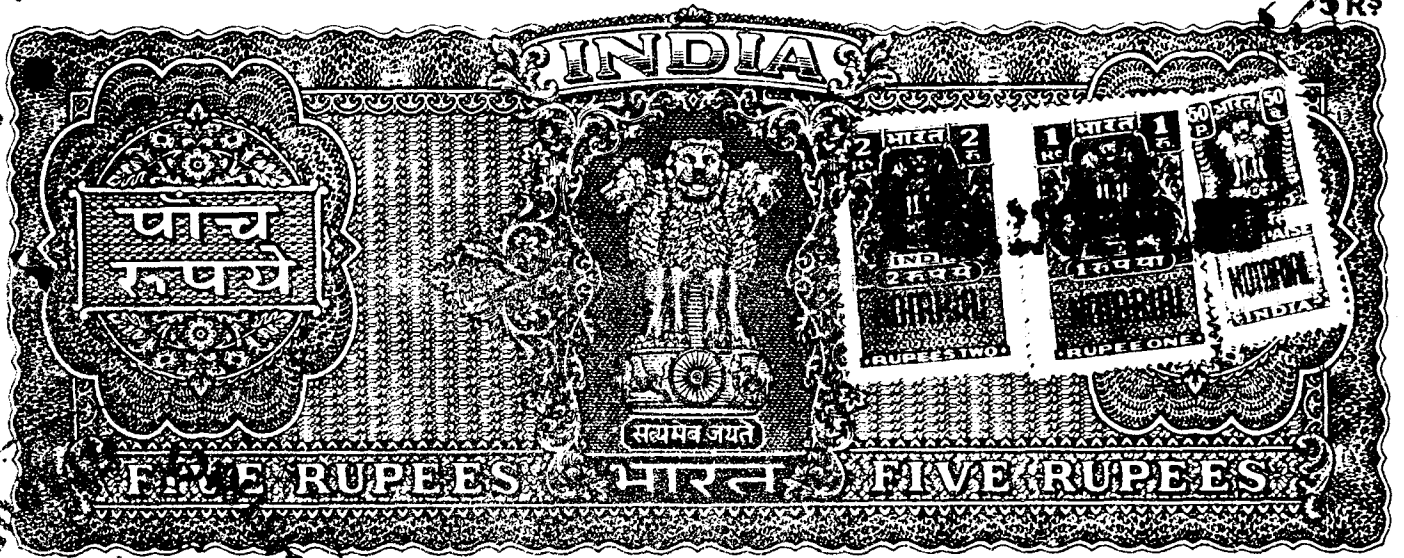
Lucknow :

Dated : 8.1.93

अमिन्
DEPONENT

I identify the deponent who has signed before me.

M. Dubey
(M. DUBEY),
Advocate.



0704 347

सम्माननीय न्यायीश तेन्दुल सडमिन्स्ट्रेटिव ट्रिबुनल कोर्ट, इलाहाबादवेन्च,
लखनऊ ।

शमथ - पत्र

मिनकि लालजी आयु 40 वर्ष लगभग पुत्र श्री बद्री प्रसाद, प्रधान ग्राम सभा जैनपुर सोहरेयाब्लाक छेराबाद तहसील व जिला सीतापुर का हैं जो कि शमथपत्रक बयान करता हैं कि इस शमथ पत्र में जो कुछ लिखा है सब सत्य व सही है और न कोई बात झिमान् जी से छिपायी गयी है, ईश्वर हमारी सहायता करें ।

धारा 1-

यह कि शमथकर्ता ग्राम सभा जैनपुर सोहरेया ब्लाक छेराबाद तहसील व जिला सीतापुर का प्रधान है ।

धारा 2-

यह कि श्री रामलाल पुत्र श्री सोहन लाल उर्फ मुल्तुराम ग्राम सुहेतारा के स्थायी निवासी है मेरी ग्राम सभा के निवासी नहीं है ।

धारा 3-

यह कि श्री रामलाल जब छः माह के थे इनकी माता का स्वर्गवास हो गया था तभी से अपने मामा श्री परमेश्वरदीन पुत्र श्री मोहन निवासी ग्राम सुहेतारा ब्लाक परसेन्डी तहसील व जिला सीतापुर के साथ रह रहे हैं ।

धारा 4-

यह कि ग्राम सुहेतारा में ही रहकर प्राइमरी से इन्टरमीडिएट तक शिक्षा प्राप्त की है। इनके नाम जमीन व निजी मकान है जहाँ अपने परिवार के साथ स्थायी रूप से रह रहे हैं ।

धारा 5-

यह कि श्री परमेश्वरदीन ग्राम सभा सुहेतारा के प्रधान रह चुके हैं इसीलिए रजिस्ट्रार वर्तमान ग्राम प्रधान श्री अजीज खॉं इनको निवासी नहीं बता रहे हैं जब कि वे यह भी प्रमाण-पत्र रामलाल को दे चुके हैं कि श्री रामलाल ग्राम सुहेतारा के स्थायी निवासी है ।

इस बारत तस्दीक:-

मैं, शमथकर्ता इस शमथपत्र की धारा 1 ताऽ को अपने निजी ज्ञान से सत्य व सही प्रमाणित करता हूँ।

स्थान तस्दीक :- सीतापुर।

दिनांक तस्दीक:-

शमथकर्ता,

मोहरी 19/11/1947

श्री लालजी उपरोक्त

श्री लालजी शमथकर्ता, उपरोक्त

Mirrored
True copy
M. S. Khan
19/11/47

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL AT ALIHAABAD,
CIRCUIT BENCH, LUCKNOW

O.A. No. 397 of 1990(L)

Ram Lal ... Applicant
Union of India & others ... Respondents

ANNEXURE No. 1

बेसिक शिक्षा परिषद दिल्ली प्रतिलिपि	
पत्र सं.	कम सं. 1
प्रधान प्रमाण पत्र	
विद्यालय का नाम	पुन-पुन सुहृदा विद्यालय सीतापुर
पंजी सं.	
नाम <u>राम लाल</u>	विशेष
विद्यालय छोड़ने के समय वय (इसकी सन् के अनुसार) <u>15-158</u>	(अ) विद्यालय छोड़ने का कारण <u>उत्तीर्ण</u>
वर्ष <u>पुन-पुन सुहृदा विद्यालय</u>	(आ) आवरण <u>उत्तीर्ण</u>
जन्म तिथि <u>31/06/91</u>	(इ) सर्वोच्च परीक्षा, जो छात्र ने उत्तीर्ण की है तथा उत्तीर्ण करने की तिथि अथवा वह कक्षा जिसमें विद्यालय छोड़ते समय वह पढ़ता था <u>कक्षा 5</u>
आत्मज <u>साहेब लाल</u>	(ई) माता-हिन्दी अथवा <u>हिन्दी</u>
जाति <u>लाल</u>	(उ) अन्य आवश्यक विवरण <u>कुछ</u>
निवास स्थान (ग्राम, तहसील तथा जिला)	
<u>पुन-पुन सुहृदा विद्यालय</u>	
उत्तर प्रदेश की निवास अवधि <u>अज्ञात</u>	
प्रथम प्रवेश-तिथि तथा प्रवेश सं. <u>22-1-64, 220</u>	
विद्यालय में अन्तिम बार प्रवेश होने की तिथि तथा प्रवेश सं. <u>220</u>	
विद्यालय छोड़ने की तिथि	
दिनांक	

2/5/91 लाल सुहृदा विद्यालय
प्रधान प्रमाण पत्र
पुन-पुन सीतापुर
8-89

Attested
True copy
of the original
11/11

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL AT ALIHAHABAD,
CIRCUIT BENCH, LUCKNOW

O.A. No. 397 of 1990(L)

Ram Lal ... Applicant
Union of India & others ... Respondents

ANNEXURE No. R-3

141116

जूनियर हाई स्कूल परीक्षा, १९७२

प्रकरण

12/1/72

प्रमाणित किया जाता है कि राम लाल पुत्र/पुत्री
श्री सोहन लाल अप्रैल, १९७२ की जूनियर हाई स्कूल
परीक्षा में जूनियर हाई स्कूल नौरातपुर व्यक्तिगत परीक्षार्थी
जका बालिका है स्टडीय श्रेणी में उत्तीर्ण हुए हैं।
न्होंने मे में विशेष योग्यता प्राप्त की।

इसकी जन्म-तिथि १९६१ जनवरी २१ नौरातपुर १२१२८ है।

अनिवार्य विषय :—

- १—हिन्दी तथा अनिवार्य संस्कृत
- २—अंग्रेजी
- ३—गणित
- ४—सामाजिक विषय
- ५—सामान्य विज्ञान
- ६—ध्यातम शिला
- ७—तृतीय भाषा संस्कृत

उप-जिला विद्यालय निरीक्षक

सोहनपुर
१ जुलाई, १९७२ ई०



बुनियादी शिल्प तथा सम्बाधित कला:—

३१/३
देकल्पक विषय :—

जिला विद्यालय निरीक्षक

सोहनपुर

Handwritten signatures and stamps at the bottom right of the page.

S. Register No. 922

स्कालर रजिस्टर तथा टी० सी० फार्म

Scholar's Register & Transfer Certificate

प्रवेश फाइल सं०

विद्यार्थी फाइल सं०

टी० सी० फाइल सं०

Admission File No.

Withdrawal File No.

T. C. File No.

छात्र का नाम तथा धर्म Name of the Scholar with caste if Hindu, otherwise religion		संरक्षक का नाम व्यवसाय तथा पता Name, occupation and address of parent or guardian		छात्र की जन्म तिथि	अन्तिम संस्था जहाँ कि विद्यार्थी ने इसके पहले शिक्षा पाई हो
राम लाल लाध		लोहन लाल (पिता) हथि ज. लहेनार के. (बेरोनाद) लहेनार		१५-१-५८ ५५६ जनक ५७ अ. ६६१५५	जि. ए. लाल (पिता)

कक्षा Class	प्रवेश तिथि Date of Ad- mission	उत्तीर्ण तिथि Date of Pro- motion	त्याग तिथि Date of Removal	अलग होने का कारण Cause of removal i. e. Non payment of dues, remo- val of family, expulsion etc.	वर्ष Year	चरित्र और कार्य Conduct and work
VI						
VII				दिलीप कुमारी लक्ष्मी कुमारी		
VIII				विष्णु लाल		
IX	१२-७-७७			७-७-७७	७७-७८	अच्छा कक्षा उत्तीर्ण Sd. V.P.S.
X	८-७-७८				७८-७९	अच्छा उत्तीर्ण लक्ष्मी कुमारी Sd. V.P.S.
XI	८-७-७८				७९-८०	अच्छा कक्षा उत्तीर्ण Sd. V.P.S.
XII	८-७-७८		३०-७-७८	लक्ष्मी लाल	८०-८१	अच्छा अनुसूची उत्तीर्ण

यह प्रमाणित किया जाता है कि उपर्युक्त छात्र लेखा पत्रक शिक्षा विभाग के विद्यार्थीानुसार त्याग तिथि तक यथोचित लिखा गया है।

Certified that above Scholar's Register has been posted up to date scholar's leaving as required by the Departmental Rules.

टिप्पणी :- यदि छात्र कक्षा में प्रथम पांच छात्रों में योग्यतानुसार हो तो कार्य कोण्ड में विवरण दे देना चाहिए। कक्षा IX से कक्षा XII के बीच अगर विद्यार्थी संस्था छोड़ता है तो उसकी उपस्थिति भी इस आदेश पत्र में अंकित कर देना चाहिए।

Ram Lal ... Applicant
Union of India & others ... Respondents

ANNEXURE NO. R

रसीद

मनोली अबदुल्ला रानी, अलादीन रानी, जानुकीन रानी पुनर्गठन मजदूरों
निवासी ग्राम सुहेतावा बरगना चोना रैबराबाद तह व जिला सीतापुर के
आज दिनांक 23.1.83 ई० को हम लोगो से आबादी के अन्दर रहित
अपनी खाली पड़ी हुई जगह, जिसकी चौड़ाई निम्नलिखित है, को
श्री रामलाल पुत्र श्री मुल्लू राम निवासी ग्राम सुहेतावा बरगना चोना
रैबराबाद तह व जिला सीतापुर के हाथ मुनीलिंग 240) दो सौ पचास रूपया
मे बेच दिया है और कुल मुतालना निजी मुनीलिंग 240) दो सौ पचास
रुपया उपरोक्त श्री रामलाल से नकद पाकर अपनी खाली जमीन
अन्दर आबादी ग्राम सुहेतावा पर कब्जा व परबल करा दिया है तथा
मेरे सभी अधिकार खरीददार श्री रामलाल को मिल गये है। यह
तहरीर (रसीद) समक्ष गवाहान स्वेच्छा से बिला किसी जेदबाव
लिख दिया कि सत्य रहे और समय पर काम आवे।

चौहद्दी जगह लम्बाई पूरव पश्चिम 9 हाथ चौड़ाई

उत्तर दक्खिन 5 हाथ। उत्तर कोलिपा व मकान मेहेश कुम्हार दीर्घ
गलिपा व सहन रामलाल पुत्र मुल्लू राम पश्चिम मकान व सहन
रामलाल पूरव रास्ता न कुआँ।

लेख

मनोली अबदुल्ला रानी

23/1/83

नि. अ.
अबदुल्ला रानी

विक्रेता

नि. अ. अबदुल्ला रानी

नि. अ. जानुकीन रानी

नि. अ. अलादीन रानी

गवाह मुहम्मद अली

शाम सुधा वि

गवाह

नि. अ. अलादीन रानी

गवाह मो. जलाल

गवाह

मो. जलाल

शाम सुधा वि

23/1/83

$$\frac{.9164}{5} \approx \sqrt{.3666} \approx 1.915$$

94

गङ्गा - रीवाया - निवाया

आपका विश्वास है कि इस विचार को भी आप सोचेंगे।

35

157.4-371

१७-८७-१७

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL AT ALIAHABAD,
CIRCUIT BENCH, LUCKNOW

G.A. No. 397 of 1990(L)

Ram Lal ... Applicant
Union of India & others ... Respondents
Versus

ANNEXURE No. 7

पारिवर्तन सूची

178 सूचिका क्रमांक - 178

उत्तर-प्रदेश 181 सूचिका क्रमांक - 181

मिर्जापुर

महोदय - रमेशचन्द्र

नामांकित

178 सूचिका क्रमांक - 178

सूचिका

क्रम सं. भवितव्य सं. भवितव्य का नाम - पिता/पति/माता पुत्र/पुत्री अनु. आयु
आमा

962 67 ख रामलाल - सुबोध 5 - 25

नोट:- प्रत्येक व्यक्तियों का क्रम 1-पिता 2-माता 3-पति का नाम
पिता/पति/माता का नाम 5-पुत्र का नाम 6-पुत्री का नाम 7-अनु. आयु 1985

92
1-01-84

पुत्र-014

7

महोदय

महोदय

इन् दि सेन्ट्रल अडमिनिस्ट्रेटिव टिबनल सेट इलाहाबाद

सरकिट बेंच, लखनऊ

ओ. ए. नं०- 397/ 1990 § एल§

राम लाल अपीलार्थी

बनाम

यूनियन आफ इण्डिया अन्य ----- रिसपोन्डेन्ट्स

एनेक्जर नम्बर- R-1

कार्यालय तहसीलदार,

सीतापुर।

दिनांक 15-10-92

सेवा में,

पोस्ट मास्टर,

सीतापुर।

महोदय,

आपके कार्यालय के पत्रांक सी०सी०/पत्राचार/92-93 सीतापुर/ दिनांक 12-10-92 के विषय श्री राम लाल पुत्र सोहन लाल उर्फ मुल्लू राम निवासी ग्राम व पो० सूहेतारा तहसील व जिला सीतापुर के निवास सत्यापन के सम्बन्ध में सूचना चाही गयी है के सम्बन्ध में सूचित करना है कि आपके कार्यालय के पूर्व पत्र दिनांक 20-12-89 की छाया प्रति जो साथ में संलग्न है जिस पर इस कार्यालय द्वारा लेखपाल / भूलेख निरीक्षक खैराबाद से जाचोपरान्त आख्या लेकर मेरे द्वारा अग्रसारित रिपोर्ट दिनांक 23-12-89 अंकित है, पूर्णतयः सही है ।

आपके कार्यालय द्वारा यह भी सूचना चाही गयी है कि दिनांक 20-7-92 को उपरोक्त निवास प्रमाण-पत्र जो ग्राम जैनपुर परगना खैराबाद तहसील व जिला सीतापुर से जारी किया गया है, के सम्बन्ध में सूचित करना है कि ग्राम जैनपुर में दो व्यक्ति मुल्लू बाम जाति लोध हैं। एक मुल्लू पुत्र मोलहे निवासी परागपुर मजरा जैनपुर

APPEAL IN SECTION 19 OF THE ADMINISTRATION
ACT, 1925

Parties

... Applicant

Versus

Union of India & others

... Respondents

1. Particulars of documents relied upon		Page No.
<u>Compilation No. I</u>		
1. Application		1 to 3
2. Annexure-1 : Photo copy of S.O's Gitarur letter dated 7.3.70		3
2. XXXXXXXXXXXXXXXXXXXX		
3. Annexure-4 : " Appointment order of 12.7.71 in favour of Shri Rohd. Faridi		10
4. XXXXXXXXXXXX Postal order for Rs. 50/-		
5. Vakalatnaga		
<u>Compilation No. II</u>		
6. Annexure-2 : " Representation dated 3.7.89		11 to 12
7. Annexure-3 : " Letter of 30.6.89 from Sri Pradhan, Subetara		13
8. Annexure-5 : " Re-presentation of 15.7.89		14
9. Annexure-6 : " " 7.3.89		15 to 16
10. Annexure-7 : " " 12.8.89		17
11. Annexure-8 : " " 11.3.89		18
12. Annexure-9 : " " 15.1.89		19 to 20
13. Annexure-10 : " Letter dated 3.8.89 from Sri Pradhans & others		21
14. Annexure-11 : " Representation of 6.3.90		22
15. Annexure-12 : " " 2.5.90		23 to 24

[Signature]

Signature of the Applicant

Date :

7.12.90

For use in the Tribunal's Office

Date of filing :

Registration No. :

Signature
of the Registrar

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, AT
LUCKNOW

Date of Filing 7/12/90
By Post
Deputy Registrar

7/12/90
2
7/12

Ram Lal aged about 33 years, s/o Shri Sonhan Lal alias
Mulloo Ram r/o Village & P.O. Suhetara (Khairabad)
Distt. Sitapur.

... Applicant

Versus

1. Union of India, through the Secretary to the Ministry of Communication, Department of Post, New Delhi.
2. Director Postal Services, Lucknow.
3. The Superintendent of Post Offices, Sitapur.
4. Sub Divisional Inspector of Post Offices, South Sub Division, Sitapur.
5. Shri J.P. Singh, S.D.O. of Post Offices, South Sub Division, Sitapur.
6. Shri Mohd. Faridi, E.D.V./D.P.F. . Suhetara (Khairabad) Distt. Sitapur.

... Respondents

1. Details of application :

Non-implementation of orders passed by the Supdt. of Post Offices, Sitapur, vide his letter no. H-175/E-Sitapur dated 2.3.90. (Annexure- A1)

2. Jurisdiction of the Tribunal :

The applicant declares that the subject matter of the order against which he wants redressal is within the jurisdiction of the Tribunal.

3. Limitation :

The applicant further declares that the application is within the limitation period prescribed in Section 21 of the Administrative Tribunals Act 1985.

4. Facts of the case :

i) That the applicant who belongs to Backward class had got his name registered in the Employment Exchange Office Sitapur for securing a job to better his living. On the opening of a Branch Post Office at Suhetara (Khairabad) in District Sitapur requisitions were made from the Employment

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7/12

7/12/90

Exchange, Sitapur by the respondents no. 3 & 4 for the posts of Extra Departmental Branch Postmaster and IDA/IDMP for the said office respectively.

ii) That the name of the applicant was sponsored by the Employment Exchange, Sitapur for both the aforesaid posts of Extra Departmental Branch Postmaster or briefly known as ID BPI and also for IDA/IDMP. The appointing authority for the post of ID BPI is Superintendent of Post Offices, respondent no. 3 and for that of IDA/IDMP, the appointing authority is Sub Divisional Inspector of Post Offices, respondent no. 4.

iii) That the respondents no. 4 & no. 5 maliciously prejudicially and for their vested interest did not consider the candidature of the applicant for appointment to the post of IDA/IDMP or the ID BPI Suhetara and appointed one Sri Mohd. Faridi respondent no. 6 in utter disregard of the provisions as laid down by the Postal Department and incorporated in Section III of the M. (Conduct & Service) Rules 1964 by P. Rameswamy, 4th Edition, 1970.

iv) That the respondent no. 5 visited the house of the applicant in connection with verification of his application and for offering him appointment to the post of IDA/IDMP as applied for by him, called him at his residence at Sitapur the following day. The applicant attended the house of the respondent no. 5 as directed, where he demanded a heavy amount of Rs. 10000/- as price money for the post, which the applicant was unable to offer and with folded hands told him that the applicant was a poor man of backward class and was unable to pay the amount as demanded. The respondent no. 5 expressed his displeasure and in order to oust him from the field of consideration managed to manipulate a forged and fictitious certificate purporting to be from the Gram Pradhan that the applicant was not a resident of village Suhetara and he belonged to village Jainapur (Chakrabad), Sitapur, while the applicant had already furnished certificate

AS

of his residence at Suhetara and his application on this account was considered by the respondent no. 3 for the post of IO at Suhetara but he was not found to be the most deserving candidate.

v) That the applicant is a permanent resident of village Suhetara, where he owns his own house and has landed property. The applicant received his primary education at Suhetara and he further studied upto intermediate classes in the institutions nearby village Suhetara. The fact of his being a resident of Suhetara was also certified by the Gram Pradhan, Block Pramukh and Member of Legislative Assembly of the area. The applicant apprehending the malafide and ill motive of the respondents no. 4 & 5, submitted a representation dated 3.7.89 to the respondent no. 3, which was received in his office, the same day stating the fact and the mal practices adopted by respondents no. 4 & 5. Copies of this representation was also sent to other authorities concerned. A photo copy of this representation dated 3.7.89 is Annexure A-2. The Gram Pradhan of Gram Sabha Suhetara, Shri Aziz Khan had also written to the Supdt. of Post Offices Sitapur by his letter dated 30.6.89 that forgery had been done under his name and seal in not showing the applicant a resident of Suhetara, which should be treated as null & void, as the applicant was actually a resident of Suhetara and not of village Jainapur. A true copy of this letter is annexure A-3.

vi) That while the representation preferred by the applicant to the higher authorities was pending, the respondents no. 4 & 5 passed orders appointing one Shri Mohd. Faridi respondent no. 6 for ulterior motive in prejudice to the claim of the applicant, by his memo no. A/Suhetara dated 12.7.89, a photo copy of which is annexure A-4. The claim of the applicant was maliciously and prejudicially ignored by the respondents no. 4 & 5.

vii) That the applicant was/is a fully qualified and a better candidate than the respondent no. 6. The respondent no. 6 is only a Junior High School passed candidate while the applicant is not only High School but has also passed Intermediate examination of Allahabad Board. The educational qualification as prescribed and contained in Section III of EPA (Conduct & Service) Rules 1764 compiled by Shri P. R. S. Swamy (Fourth Edition 1970) are as under :

2. Educational Qualification :

ED Sub Postmasters,	VIII Standard
ED Branch Postmasters	(Matriculation or
and ED Delivery Agents	equivalent may be
	preferred)

The applicant was thus, prejudiced in not considering his candidature for the post of EDDA/EDNP, to which he was a better candidate and respondent no. 6 was appointed mala-fidely and with ulterior motives by Annexure A-4, which is irregular illegal and liable to be quashed.

viii) That the applicant submitted his further re-presentations against the irregular and unwanted appointment of respondent no. 6, to the higher authorities by his letters dated 15.7.89, 7.8.89, 10.8.89, 11.8.89 and 16.8.89 and also contacted the respondent no. 3 personally. Photo copies of these representations are Annexure A-5, to A-9 respectively.

ix) That the Pradhans of Aman Sabha Suhetara and other neighbouring villages and a few other persons wrote to the respondent no. 3 that Shri Mohd. Faridi appointed to the post of postman (EDDA) was not a suitable and competent person who could not even read the names and addresses on the postal articles and that a suitable person be appointed in his place. A photo copy of such representation received in the office of respondent no. 3 on 3.8.89 is Annexures A-10.

x) That enquiries were made by respondents no. 3 & 4 from the Tahsildar Litanur whether or not the applicant was

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- 5 -

a resident of Village 1 Post Suhetara, Thana Khairabad, Tahsil Sitapur, Distt. Sitapur and in reply the said Tahsildar on the report of the Bhulek Virikshak Khairabad (Sitapur) verified and certified on 23.12.89 that the applicant was/is a permanent resident of village Suhetara Pargana Khairabad, Tehsil and Distt. Sitapur.

xi) That the applicant had been perusing his case vigorously and he by his representation dated 5.3.90, again represented to the respondent no. 3 against exclusion of his name and appointment of Shri Mohd. Faridi on money consideration. The applicant had earlier approached the Director Postal Services, Lucknow, who informed him that his case had been referred to the Supdt. of Post Offices, Sitapur for disposal. A true copy of the representation dated 5.3.90 is Annexure A-11.

xii) That the Supdt. of Post Offices, Sitapur, the respondent no. 3 by his letter no. A-175/E-Sitapur dated 9.3.90 directed the respondents no. 4 & 5 that the appointment of Shri Mohd. Faridi having been against rules was liable to be terminated under Rule 6 of the EBA (Conduct & Service) Rules 1954 and from the same list the applicant who was intermediate passed, deserved to be appointed. A photo copy of this order dated 9.3.90 is Annexure A-1.

xiii) That despite the orders dated 9.3.90 passed by the respondent no. 3, no action has been taken by the respondent no. 4 & 5 to terminate the services of the respondent no. 6 and to consider the appointment of the applicant. The respondents no. 4 & 5 are out to help and retain the respondent no. 6 in service for the monetary benefits taken illegally. The action of the respondents no. 4 & 5 is arbitrary, malicious, mala fide and illegal.

xiv) That the applicant has submitted further representations dated 30.4.90, 3.5.90 which were duly received in the office of respondent no. 3; besides the applicant also sent representations by ordinary post to

annexure

to the respondents no. 2 & 3; on 15.6.70, 1.9.70 and 21.12.90 but neither any reply has been given to the applicant, nor his grievance has been remedied. True copy of the representation dated 3.1.90 is Annexure A-12.

xv) That the respondents have shown apathy to the case of the applicant and they have not remedied the grievance of the applicant, despite passing of orders by the respondent no. 3 on 2.3.70 (Annexure A-1).

xvi) That the applicant has been put to irreparable loss and he has no remedy except to come before this Hon'ble Tribunal for redressal of his grievance.

5. Grounds for relief with legal provisions :

i) because the action of the respondents no. 4 & 5 in ignoring the candidature of the applicant was/is arbitrarily, malicious, prejudicial and unwarranted.

ii) because the respondents no. 4 & 5 acted mala-fid-edly with ulterior motive for monetary benefits.

iii) Because the respondent no. 3 on assessment of facts has held that the applicant was/is the best candidate entitled to be appointed to the post.

iv) Because under the rules the applicant had/has a better claim for appointment to the post.

v) Because the orders passed by the respondent no. 3 are not being implemented.

vi) Because the respondents have not been taking notice of the various representations preferred by the applicant, which they are under an obligation to do.

vii) Because the applicant has been prejudiced and discriminated on violation of Articles 14 and 16 of the Constitution.

6. Details of the remedies exhausted :

The applicant declares that the applicant has availed of the remedies available to him and submitted

21/10/70

various representation to the authorities as mentioned above and contained in Annexure A-2, A-5 to A-9 and A-11 to A-12 besides personal contacts.

7. Matters not previously filed or pending with any other Court :

The applicant further states that he has 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 of any other Bench of the Tribunal nor any such application, writ petition or suit is pending before any of them.

8. Relief(s) sought :

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

i) That the respondents be directed to consider the candidature of the applicant for the post of EDDA/EDDP Suhetara (Khairabad) Sita-pur for hisxx appointment from July, 1989, the date from which Shri Mohd. Faridi was maliciously, malafidedly and illegally appointed ignoring the claim of the applicant and allow all due benefits with arrears from that date or at least allow the said benefits from March, 1990 when the representation of the applicant was considered in his favour, and the appointment of Shri Mohd. Faridi was declared irregular and the applicant was found to be entitled to the post by Annexure A-1.

ii) That any other relief deemed just and proper in the circumstances of the case may be allowed.

iii) That the cost of the suit be allowed in favour of the applicant as against the respondents.

9. Interim order, if any, prayed for :

Pending final decision on the application the applicant seeks the following interim relief :-

In view of the order dated 9.3.90 (Annexure A-1) passed by the respondent no. 3, the respondents be directed

22/11/90

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to treat the applicant on duty and pay to him, the current monthly wages.

10. The applicant shall be presented personally through the applicant's Counsel.

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

i) Lucknow High Court Bench, P. O. Postal Order
no. dated for Rs. 50/-
payable at Allahabad U.P.

12. List of Inclosures :

As detailed in Index from A-1 to A-12.

LUCKNOW

M. Dubey
Adv

राम लाल
Applicant

Dated : 7.12.20

VERIFICATION

I, Ram Lal, s/o Shri Sohan Lal alias Nulloo Ram, aged 33 years, r/o Village & P.O. Suhetara (Khairabad) Distt. Sitapur do hereby verify that the contents of paras 1 to 4 6 to 7, and 10 to 12 are true to my personal knowledge and paras 5, 8 and 9 are believed to be true on legal advice, that I have not suppressed any material fact.

LUCKNOW

राम लाल
Signature of Applicant

Dated : 7.12.20

Ram Lal

versus

Union of India & Others

भारत सरकार
डाक विभाग

अधीक्षक डाकघर कार्यालय सीतापुर मण्डल सीतापुर ।

सेवा में,

श्री मेधेगोत्री
अध्यापक निरीक्षक डाकघर
दक्षिण अखण्ड, सीतापुर ।

पत्रांक- एच-175/ई0 सीतापुर दिनांक 9-3-90

विषय:- शाखा अध्यापक सुहेतारा [हौराबाद] में ई0डी0डी0ए0/
ई0डी0ए0सी0के पद पर अनियमित नियुक्ति के सम्बन्ध में।

सन्दर्भ:- ~~सुहेतारा सीतापुर दिनांक-~~

शाखा अध्यापक सुहेतारा में उक्त पद पर की गयी नियुक्ति से सम्बन्धित मामले पर गम्भीरता से अध्ययन किया तथा श्री मो० पद्मीनी ई0डी0डी0ए0/ई0डी0ए0सी0 की नियुक्ति नियमों के विरुद्ध होने के कारण ~~उक्त नियुक्ति को रद्द करने हेतु उक्त सूची में सबसे उपयुक्त एवं अर्हतापूर्ण करने वाले अभ्यर्थी श्री रामलाल पुत्र श्री सोहन लाल उर्फ मुल्हुराम निवासी ग्राम पोस्ट सुहेतारा [हौराबाद] जन्मद सीतापुर को उक्त पद पर नियुक्त किये जाने का आदेश~~ तत्काल प्रभाव से दिया जाता है।

सूचना उक्त आदेशानुसार कार्यवाही करें तथा रिपोर्ट अविलम्ब तत्काल कार्यालय को भेजें।

आर०एस०गुप्ता
डाक अधीक्षक
सीतापुर।

प्रतिलिपि:-

1. निदेशक डाक सेवाएं लखनऊ क्षेत्र लखनऊ को पत्र सं० आर०डी०ए०/ई०डी०ए०/ दिनांक 25-7-89 के तन्दर्भ में।

2. श्री रामलाल पुत्र श्री सोहन लाल उर्फ मुल्हुराम निवासी ग्राम पोस्ट सुहेतारा जिला सीतापुर को उनके प्रतिवेदन दि०निल फांदा में सूचनाएँ।

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आर०एस०गुप्ता
डाक अधीक्षक
सीतापुर।

Govt. of India
Deptt. of Posts

Officer of The _____
SUB DIVISIONAL INSPECTOR OF POST OFFICES
SOUTH SUB-DIVISION STATIONER- 261001

Memorandum No. A/Suketara
Dated at Lucknow the 12/8/81
Order of Appointment

Encl. Mr. Faridi s/o Mr. Umar Khan will be
Suketara Di Chhapra is hereby appointed as EDP/EDP
with immediate effect. He shall be paid
such allowances as are admissible from time to
time. Encl. Mr. Faridi should clearly understand
that his employment as EDP/EDP shall be on the
nature of a contract liable to be terminated by him
or by the undersigned by notice of three months
and that his conduct and service shall also be gov-
erned by the Posts and Telegraph Extra Deptt. Rules
(Contractual Service) Rules 18th, as amended from time
to time. If these conditions are acceptable to him
he shall communicate his acceptance in the enclosed
performance.

To Encl. Mr. Faridi
s/o Mr. Umar Khan
will be Suketara
Di Chhapra

(Appointing authority)
SUB DIVISIONAL INSPECTOR OF POST OFFICES
SOUTH SUB-DIVISION STATIONER- 261001

Copy to - (1) Post Master Chhapra

- (2) Encl. Mr. Faridi s/o Mr. Umar Khan
will be Suketara Di Chhapra
- (3) The P.M. Suketara Di Chhapra for termination of
existing appointment.
- (4) Mr. (S) (S) Chhapra for termination
of change to new incumbent after
completing usual formalities.
- (5) Encl. Mr. Faridi.

Attested
True
M. Dubey
Dh

ब अदालत श्रीमान

CAT, Circuit Bench, Meerut

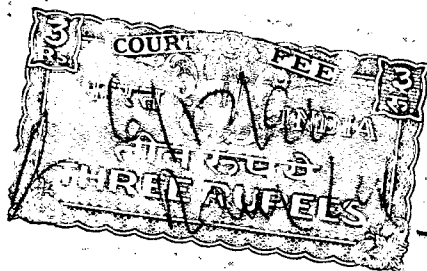
महोदय

[वादी] अपीलान्त

श्री Ram Lal

का वकालतनामा

प्रतिवादी [रेस्पॉण्डेंट]



Ram Lal

बनाम 1109 0000 प्रतिवादी (रेस्पॉण्डेंट)

मुकदमा नं०

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ऊपर लिखे मुकदमा में अपनी ओर से श्री

B. Solomon, Advocate,

High Court, Meerut and M. Duley, Advocate, 14th Lane, Nawainagar, Ganeshtiganj, Meerut

वकील

महोदय

एडवोकेट

नाम अदालत	मुकदमा नं० नाम	फरीकन	बनाम
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को अपना वकील नियुक्त करके प्रतिज्ञा (इकरार) करता हूँ और लिखे देता हूँ कि इस मुकदमा में वकील महोदय स्वयं अथवा अन्य वकील द्वारा जो कुछ पैरवी व जबाबदेही व प्रश्नोत्तर करें या कोई कागज दाखिल करें या लौटावें या हमारी ओर से डिगरी जारी करावें और रुपया वसूल करें या सुलहनामा व इकबाल दावा तथा अपील निगरानी हमारी ओर से हमारे या अपने हस्ताक्षर से दाखिल करें और तसदीक करें या मुकदमा उठावें या कोई रुपया जमा करें या हमारी या विपक्षी (फरीकासनी) का दाखिल किया हुआ रुपया अपने या हमारे हस्ताक्षर युक्त (दस्तखती) रसीद लेवें या पंच नियुक्त करें-वकील महोदय द्वारा की गई वह सब कार्यवाही हमको सर्वथा स्वीकार है और होगी मैं यह भी स्वीकार करता हूँ कि हर पेशी पर स्वयं या किसी अपने पैरोकार को भेजता रहूँगा छपर मुकदमा अबम पैरवी में एक तरफ मेरे खिलाफ फैसला हो जाता है उसकी जिम्मेदारी मेरे वकील पर नहीं होगी इसलिए यह वकालतनामा लिख दिया प्रमाण रहे और समय पर काम आवे।

हस्ताक्षर

B. Solomon

साक्षी (गवाह)

साक्षी (गवाह)

दिनांक

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BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL

CIRCUIT BENCH, LUCKNOW

O.A No. 397 of 1990(L)

Ramlal

.. Applicant

-versus-

Union of India and others .. Respondents

COUNTER AFFIDAVIT ON BEHALF OF ~~OPX~~ RESPONDENTS
NOS. 1 to 5.

1991
AFFIDAVIT
3 IM
DIST. COURT
U. P.

I, R. R. Mishra ^G aged about 54
years, son of Sri R. S. Mishra
at present posted as Supdt. of Post offices,
Sitapur do hereby solemnly affirm and state
as under:

2. That the deponent is the Respondent
No.3 in the above noted application and as such
he is fully conversant with the facts of the
case.

3. That the deponent has been authorised
to file this counter affidavit on behalf of all
the respondents, and he has read and understood
the contents of the application.

4. That before giving parwise comments

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it is necessary to give brief history of the case as below:

(a) That Suhetara ED BO was opened on 15.4.1989 under administrative sanction received under Director of Postal Services, Lucknow vide order dated 6.4.1989 with the following establishments:-

- | | |
|---------------|-----------|
| (1) EDBPM | .. 1 post |
| (2) EDMC/EDDA | .. 1 post |

As such the need for appointment of one EDBPM and one EDMC/EDDA. The appointing authority of EDBPM is the Supdt of Post Offices and that of the EDMC/EDDA is the Sub Divisional Inspector of Post offices.

(b) That the nomination for the post of EDBPM were called for from the employment exchange Sitapur vide letter dated 27.4.1989 and the 3 nominations including that of the applicant were received ~~from~~ for this post from employment exchange vide letter No. Rikth/Dhawak/89/3333 on 25.5.1989.

(c) That one Shri Laxminarain nominee of employment exchange was considered most suitable for

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the post of EDBPM and accordingly he was appointed as such vide order dated 8.9.1989 by the SPOs and amongst the nominees for the post of EDMC/EDDA one Shri Mohd. Fairdi (Respondent no.6) was adjudged the most suitable by the appointing authority (SDI) out ^{of} local candidates and was appointed as such vide order dated 12.7.1989.

(d) That on consideration of representation of the applicant against not selection as EDMC/EDDA by the SDI, instructions were issued by the SPOs vide letter N.H-175/E dated 9.3.1990/18.4.90 for terminating the appointment of respondent no.6 and on further examination of the case following receipt of a complaint on 23.4.1990 it came to notice that the service of Shri Mohd. Faridi (Respondent no.6) had been ordered to be terminated without offering him opportunity to show cause. Hence the implementation of orders dated 9.3.90/18.4.90 was ordered to be held in abeyance and accordingly the SDI was directed not to implement these orders vide letter dated 25.4.1990 and the case was referred to the Director of Postal Services Lucknow for further directions in the matter who

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who held the appointment of Sri Mohd. Faridi, to be in order and did not find any justification for any action to dispense with the services of the said Sri Mohd. Fairdi.

5. That the contents of para ^{1 to 3} ~~xxx~~ of the application needs no comments.

6. That the contents of para 4(i) of the application are admitted to the extent that the employment exchange was requested to sponsor nomination for the post of ED BPM and EDMC/EDDA by the respondent no.3 and 4 respectively..

7- That the contents of para 4(ii) of the application are not disputed.

8. That the contents of para 4(iii) of the application are incorrect as stated, hence denied and in reply it is submitted that the candidature of all the applicants were considered by the appointing authority and respondent no.6 was adjudged the most suitable by him on local residential consideration and having highest marks in the minimum educational qualification amongst the all local and eligible applicants.

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9. That the contents of para 4(iv) of the application are baseless and denied.

10. That in reply to the contents of para 4(v) of the application it is submitted that in the departmental enquiry by the SDI it was found that the applicant is not a permanent resident of village Suhetara and is original resident of vill. Jainapur.

11. That the contents of para 4(vi) of the application are admitted to the extent that the appointment of respondent no.6 was made vide order dated 12.7.1989 by the appointing authority after considering candidature of all the nominees of employment exchange.

12. That the contents of para 4(vii) of the application are incorrect hence denied and in reply it is submitted that the Respondent no.6 was adjudged most suitable amongst all ~~the~~ local applicants by the appointing authority. Subsequently the Director of Postal Services, has also held that the appointment was in order.

13. That the contents of para 4(viii) & (ix) of the application needs no comments.

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14. That the contents of para 4(x) of the application are incorrect as stated, hence denied and in reply it is submitted that as per departmental enquiry by the SDI it was found that the applicant is not a permanent resident of village Suhetara and is original resident of village Jainapur.

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

16. That in reply to the contents of para 4(xii) and (xiii) of the application it is submitted that the averements made in these paras are not admitted as stated and it is submitted that the order dated 9.3.1990 (Annexure A-1 to the application) was not issued to the applicant as exhibited. The said order was communicated under endorsement dated 18.4.1990 and vide another order dated 25.4.1990 on respondent no.3 the implementation of the order dated 9.3.90/18.4.90 for termination of services of the respondent no.6 without offering opportunity

was held in abeyance

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to show cause and the case was further referred to the Director of Postal Services for directions. The Director of Postal Services has held that that^e appointment of the respondent no.6 is in order and no justification was found for dispensing with his services.

17. That in reply to the contents of para ~~4xiv~~ 4(xiv) of the application it is submitted that the department is not bound to enter into unnecessary correspondence each and every time. A suitable reply has been sent to the party who had taken up the case with the Director of Postal services.

18. That the contents of para 4(xv) of the application are incorrect hence denied.

19. That the contents of para 4(xvi) of the application needs no comments.

20. That the grounds taken by the applicant are not tenable in the eyes of law.

21. That the contents of para 7 & 8 of the application need no comments.

22. That the applicant is not entitled to get any relief as sought by the applicant in view of the facts and circumstances stated in the preceeding paragraphs.

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S. S.

23. That in view of the facts and circumstances stated in the foregoing paragraphs the application filed by the applicant is liable to be dismissed with costs to the Respondents.

R. K. Mishra
Deponent *SPOS*
Silab-

Lucknow,

Dated: 25^{3/91} *Mar*

Verification.

I, the above named deponent do hereby verify that the contents of para 1 to 3 of the affidavit are true to my personal knowledge, those of paragraphs 4 to 19 & 21 are true on the basis of records and information gathered and those of paragraphs 20, 21 & 22 of the affidavit are also believed to be true on the basis of legal advice. No part of this affidavit is false and nothing material fact has been concealed.

R. K. Mishra
Deponent. *SPOS*
Silab-

Lucknow,

Dated: 25^{3/91}

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

R. K. Mishra
VK Chaudhari

(VK Chaudhari)

Addl Standing Counsel for Central Govt
(Counsel for the Respondents 1 to 5)

S. K. Chaudhari
25/3/91

No. 307 OF 1990 (L)

Ram Lal

... Applicant

Versus

Union of India and others

... Respondents

F.F. 20.9.91

REJOINDER AFFIDAVIT

I, Ram Lal, aged about 33 years, son of Shri Bohan Lal alias Gullab Ram, r/o Village & P.O. Suhetara (Khairabad) Distt. Mitapur, do hereby state on oath as under :-

1. That the deponent is the applicant in the above noted case and he is well conversant with the facts deposed to in this rejoinder affidavit. The deponent has been read over the contents of the counter affidavit given by respondent no. 3, which he has fully understood and is replying to the same.

2. That the contents of para 1 & 2 of the counter need no reply. In regard to the contents of para 3, it is stated that the respondent no. 3 has not furnished any written authority to file his reply on behalf of respondents nos. 1, 2, 4 & 5. It is also pointed out that respondent no. 5 has been impleaded in his personal capacity and for him the respondent no. 3 cannot at any rate, hold any brief. In absence of any authority and impropriety the instant reply cannot be accepted for and on behalf of respondents nos. 1, 2, 4 & 5.

4. That the contents of para 4 are irrelevant as there is no provision for giving a brief history of the case. The respondent is required, under rule to specifically admit, deny or explain the facts stated by the applicant in his application and may also state such additional facts as may be found necessary for the just decision of the case. The respondent no. 3 has attempted to prejudice the case by introducing brief history of the case which is unallowable and unwarranted. However, the deponent is replying to the

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Filed today
12/8/91

Ram Lal

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same as under :-

a) That the deponent is/aware of any administrative sanction as stated. It is however, not disputed that the opening of a Post Office at Subetara applications were called for the posts of ID 100 and ID 100/100A. It is also not disputed that for the former post the appointing authority is the Subt. Post Office and that for the latter is the Sub-Divisional Inspector of Post Offices.

b) That except the particulars of the letters which are not within the knowledge of the deponent, the contents of para 4(b) of the counter are not disputed.

c) That the contents of para 4(c) of the counter are denied. It is not specified how one Shri Laxmi Main was considered superior to the deponent and appointed ID 100 Subetara in prejudice to the claim of the deponent. It is wrong and malicious to say that one Shri Mohd. Faridi (respondent no. 3) was adjudged to be more suitable than the deponent. In fact the appointing authority Mr. E. D. M. is the Sub-Divisional Inspector who acted malafide in ignoring the claim of the deponent and he has not furnished any reply, even though he has been impleaded by name as respondent no. 5. The respondent no. 3 who has given the counter affidavit cannot hold any brief for the respondents nos. 4 & 5.

d) That in reply to the contents of para 4(d) of the counter it is admitted that in the representation of the deponent a most malicious and prejudicial appointment on the post of ID 100/100A Subetara, the matter was considered by the Subt. Post Office, Durgam as reviewing authority and by his order dated 1.3.90 he appointed the deponent by terminating the appointment of Mohd. Faridi being against rules. A copy of this order is Annexure-1 to the application. The date noted as 1.3.1990/1.4.90 in the counter is wrong and misleading. The source of receipt and the particulars of the complaint received on 25.4.1990 has not been disclosed. Even if it was required to issue a copy - same

Ram Lal

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decision to Shri Mohd. Faridi, as now stated, it should have been given to him immediately or its coming to no ice instead of delaying the case and not implementing the orders of the competent higher authority, to the prejudice of the deponent. There was hardly any necessity of referring the case to the J.P.S. Lucknow in ^{face} of the clear and ~~un-~~ un-equivocal orders passed by the Divisional Superintendent. The deponent is not aware of the circumstances under which the matter was referred to the J.P.S. Lucknow and how he did not find any justification to discontinue with the services of Shri Mohd. Faridi, which is against the decision of the Divisional Super. dated 7.3.90 (Annexure -1). The case has been prejudiced against the deponent both in the office of the SP's Sitapur and JPS Lucknow by the J.P.S. Singh, who appointed Shri Mohd. Faridi by prejudice to the claim of the deponent for ill motive and ill-gain.

5. That para 5 of the counter needs no reply.
6. That in reply to the contents of para 6 of the counter the contents of para 4(1) of the application are re-iterated.
7. That para 7 of the counter needs no reply.
8. That the contents of para 8 of the counter are vague and evasive and they are denied. The contents of para 4(iii) of the application are re-asserted. The deponent was/is a local resident of Buhara and his educational qualification was High School passed. In terms of instructions regarding method of recruitment, the educational qualification for J.P.S. is 7th standard or its articulation or equivalent is to be ^{the applicant fulfilled all the requisite conditions and he being High School or 7th standard.} Mohd. Faridi on the basis of educational qualification. But his claim was maliciously and motivatedly ignored by the respondents no. 4 & 5 who have not submitted any claim. The respondent no. 3 is not the appointing authority for the post of J.P.S. and his reply is ignored and irrelevant and unacceptable. There is no need to appoint a person having higher qualification and he is not a local resident.

Ram Lal

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9. The averments in the counter-claim, method for recruitment as aforesaid.

10. That the averments of para 10 of the counter-claim are malicious, irrelevant, immaterial and oppressive and they are denied as such and the contents of para 4(iv) of the application are reasserted.

11. That in reply to the counter-claim of para 10 of the counter-claim, it is stated that the averments made in para 4(v) of the application and the annexures mentioned therein have not been disavowed in view of the fact the finding of the

that the respondent was not a permanent resident of

Village Subetara and was original resident of village

Subetara to prove the respondent's case as malicious.

The respondent made a representation against the malicious action

of the respondent and furnished various certificates to show that

he was permanent resident of Village Subetara, but the JCC

out of malice and prejudice and for monetary consideration

ignored the case of the respondent. The contents of para

4(v) of the application are reasserted.

12. That the averments of para 11 of the counter-claim are denied as stated. The malice of the respondent was not considered as the respondent malicious assumption and presumption

by the JCC that the respondent was not a permanent resident

of Village Subetara. The contents of para 4(vi) of the

application are reasserted.

13. That the averments of para 12 of the counter-claim are denied as stated. The respondent no. 5 was appointed maliciously and illegally in violation of the claim of the respondent

and a special consideration by the respondent no. 4 & 5

for this respondent. I cannot hold any brief. The

reply to para 4(vii) of the application by para under reply

is evasive and vague. The annexure-1 to the application

would show that the respondent no. 5 was appointed

and he was irregularly appointed by the respondent

no. 4, the respondent no. 5, and his appointment was not

in accordance with the rules. The respondent no. 5 is

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15. That the contents of para 15 are vague and irrelevant and they are denied. The contents of para 4(xi) of the application are re-asserted.

16. That the contents of para 16 of the counter are denied as stated. It is wrong to say that the order dated 1.3.70 (Annexure A-1) to the application was not issued to the deponent. It was issued for the deponent and was received by him. But the order was not implemented maliciously and unofficially. The deponent is not aware of any order dated 1.4.70 and 25.4.70 and they are denied. If any opportunity of hearing was to be given to the respondent no. 6, it was the business of the respondent nos. 3, 4 and 5 and the deponent had no concern with it. There was hardly any necessity of having a reference to be made as alleged as the order dated 1.3.70 (Annexure A-1 to the application) was clear and unambiguous. The deponent is not aware of any order having been passed by the D.A. and if there is any such order, the same is unwarranted, irregular and null & void. The respondents have not submitted any such order. The contents of paras 4(xii) and 4(xiii) of the application are re-asserted.

17. That the contents of para 17 of the counter are denied as stated. The respondents have taken an arbitrary stand in saying that the department is not bound to enter into unnecessary compromise each and every time. The deponent had submitted a number of representations on re of order dated 1.3.70 (Annexure A-1) but none of them were replied to. The respondents were/are under an obligation to give a reply and to remove the grievance of the deponent. The deponent is not aware of any reply alleged to have been given to the deponent whose identity has not even disclosed. The contents of para 4(xiv) of the application are re-asserted.

18. That the contents of para 18 of the counter are denied as stated. The contents of para 4(xv) of the application are re-asserted.

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19. That the contents of para 19 of the counter need no reply. The respondents have not disputed the contents of para 4(xvi) of the application.

20. That the contents of para 20 of the counter are denied. The grounds taken by the deponent are urgent and sensible in the eyes of law. The contents of para 5 of the application are re-iterated.

21. That para 21 of the counter needs no reply.

22. That the contents of para 22 are denied as stated. The deponent is entitled to the reliefs sought for by him in the light of facts and circumstances stated in his application and this relief and affidavit and his application is liable to be allowed with costs.

23. That the contents of para 23 of the counter are denied and the averments made above in para 22 are re-stated. The application of the deponent deserves to be allowed with costs and special costs.

SUBSCRIBED

Dated : 5.8.91

Ram Lal
Deponent

VERIFICATION

I, the above named, deponent do hereby verify that the contents of paras 1 to 19 and 21 are true to my knowledge and those of paras 22, 22 and 23 are believed to be true. No part of it is false and nothing material has been concealed.

SUBSCRIBED

Dated : 5.8.91

Ram Lal
Deponent

I do certify the deponent who has signed before me.

Subul
(S. L. Jay)
Advocate

की मृत्यु हो चुकी है तथा इनके तीन लड़के § 1§ इन्दल, § 2§ श्रीराम § 3§ राधे है। क्रमांक 2- श्रीराम का कहलुआ नाम राम लाल बताया गया है जो जैनपुर के भूठे पर काम करता है। इसी का निवास प्रमाण पत्र दिनांक 20-7-92 को इस कार्यालय द्वारा जारी किया गया है। एवं दूसरा ग्राम जैनपुर में सोहन उर्फ मुल्लू पुत्र जवाहिर जाति लोध जीवित है। इनके भी तीन लड़के हैं। § 1§ विश्राम § 2§ मातादीन § 3§ रामलाल । इस कार्यालय द्वारा राम लाल पुत्र सोहन उर्फ मुल्लू का निवासी प्रमाण पत्र नहीं जारी किया गया है।

दिनांक 20-7-92 का निवास प्रमाण पत्र प्रार्थी श्री राम ने अपने कहलुवा नाम राम लाल पुत्र मुल्लू के नाम से बनवाया है एवं राम लाल पुत्र सोहन उर्फ मुल्लू ग्राम सूहेतारा का स्थाई निवासी है। इनके नाम का कोई निवास प्रमाण पत्र इस कार्यालय द्वारा नहीं जारी किया गया है। लेखपाल एवं भूख निरीक्षक खैराबाद की रिपोर्ट के अनुसार राम लाल पुत्र सोहन उर्फ मुल्लू ग्राम सूहेतारा की बाई आंख पर भस्म जले का सफेद निशान भी बताया है।

सूचना प्रेषित ।

तहसीलदार
तहसील - सीतापुर

M. S. Singh
- 11-11-92 -
M. S. Singh
H.M.

Before the CATT, Circuit Bench, Lucknow

DA No 397 of 1990 (L)

A-3

Ram Lal

V/s UO9 & others

Annexure R-1

RDL/CVO-13/21/-2-89/13

^{via} a statement of marks. This was accepted w/o verifying its genuineness. However if the marks are genuine the appointment of Sri Girish Kumar is in order.

II PARA 6-b:- APPOINTMENT OF EDMP SUHETARA:

Sri B.F.Yadav has taken up the case of Sri Ramlal who claims himself to be a local persons. The Gram Pradhan who can write his name only apparently has been badly misused by interested parties. The Gram Pradhan had once certified that Sri Ram Lal was local. In another letter he changed his stand and declared him non local. However in personal contact the Gram Pradhan stated that Sri Ram Lal is local resident maintaining family and land at Suhetara village. This was the case of one's ~~life~~ life and it was imperative on the part of the SDI to have seriously made enquiries in the matter for being definite about his residential condition. The appointee Sri Faridi Khan was only VIII standard where as Sri Jagral Singh of the delivery jurisdiction was IX standard and was therefore better than the appointee.

The SDI verbally disclosed that he was under pressure of Sri Ram Gopal Mishra, a powerful leader of the area, to favour Mohd. Faridi.

For the above reasons, the appointment has become questionable.

Ram Lal

Retested
True copy
M. Duhay
Adv.

न्यायालय श्रीमान्
(वादी) अपीलाट

Before the Central Administrative Tribunal
Lucknow Bench Lucknow

प्रतिवादी रैस्पाडेंट

श्री

का वकालतनामा

OA No 397 of 1990(L)

Ram Lal

टिकट

वादी (अपीलाट)

बनाम

प्रतिवादी रैस्पाडेंट

Union of India and others

सं० मुकदमा

मन् ९

पेशी की नं०

१९९

ई०

ऊपर लिखे मुकदमा मे अपनी ओर से श्री

1. MOHD FATEHUDDIN

for and by attorney at law

महोदय

2. Mohd Hashim Siddiqui

एडवोकेट

को अपना हित और लिख देता हूँ इस मुकदमा में वकील

महोदय स्व

कागज दा

मुलहनामा

दाखिल करे

(फरीकमाना)

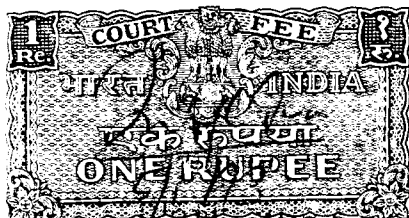
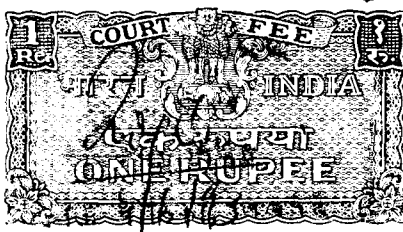
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हे और हो

भेजता रहूँ

जिम्मेदारी

पर काम आब।



नाम न्यायालय	नाम फरीकमाना
मुकदमा नं०	

Accepted

5-1-1993

हस्ताक्षर (04.06.6)

मोह फरीदी खो

साक्षी (गवाह)

साक्षी (गवाह)

दिनांक

महीना

सन् १९९

ई०

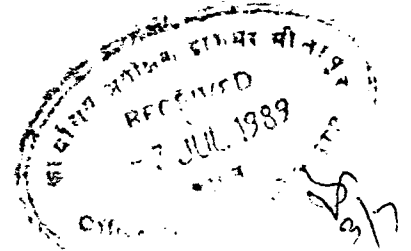
स्वीकार है

न्यायालय

जाम है

सेवा में,

श्रीमान् ठाक अधीक्षक महोदय,
सीतापुर ।



विषय:- शाखा ठाक वर सहेतारा खेराबाद में शाखा पोस्ट मास्टर व अतिरिक्त विभागीय ठाक वितरक के पद पर हचक उम्मीदवार के खिलाफ ठाक निरीक्ष श्री वी०पी० सिंह द्वारा झूठी रिपोर्ट दी जाना ।

महोदय,

उपरोक्त विषय में निम्नलिखित बातों की ओर आकर्षित करते हुए उचित न्याय की मांग की जाती है -

- 1- प्रार्थी शाखा पोस्ट मास्टर एवं ई०डी०एम०पी० के पद पर कार्य करने के लिए हचक है ।
- 2- उक्त दोनों पदों के लिए उसने सेवायोजन कार्यालय के द्वारा आवेदन पत्र प्रेषित किया ।
- 3- आवेदन पत्रों की जड़ पदताल के लिए श्री वी०पी० सिंह मेरे गाँव गये थे और नौकरी दिलाने के लिए दूसरे दिन मुझे अपने निवास पर बुलाया था ।
- 4- प्रार्थी दूसरे दिन उनके निवास पर उनसे मिला जहाँ उन्होंने सुविधा शुरू की मांग की प्रार्थी ने हाथ जोड़ कर कहा कि वह बहुत गरीब एवं पिछड़े वर्ग का आदमी है पैसे देने में असमर्थ है ।
- 5- प्रार्थी से ससया न पाने पर श्री वी०पी० सिंह ने अन्य हचक लोगों से सम्पर्क किया और कयन्त्र करके प्रधान से पर्ची शिकायत प्रार्थी के खिलाफ करवायी ।
- 6- प्रार्थी सहेतारा का मूल निवासी है जिसकी पुष्टि के लिए उसने तहसीलदार सीतापुर ग्राम प्रधान सहेतारा ब्लॉक प्रमुख व क्षेत्रीय विधायक के द्वारा आवासी प्रमाण पत्र आवेदन पत्र के साथ संलग्न किया है । ग्राम सहेतारा में उसके नाम खेती है जिसकी खतोनी भी दाखिल की है ।

गाँव में मकान है उस आशय का प्रमाण पत्र ग्राम प्रधान द्वारा दिया गया है । जेनापुर से उसका कोई वारता नहीं है ।

- 7- सेवायोजन कार्यालय से ई.डी.एम.पी. पद के लिए जितने भी आवेदन पत्र आये हैं उनमें प्रार्थी को छोड़कर अन्य सभी जूनियर हाई स्कूल ही पास हैं।
- 8- श्री वी०पी० सिंह डाक निरीक्षक ने मात्र प्रार्थी की किसी पद पर नियुक्ति न हो सके इसीलिए बिना किसी आधार व ठोस प्रमाण के उपरोक्त झूठी कहानी गढ़ी है क्योंकि प्रार्थी उनको दस हजार रुपया देने में असमर्थ रहा है।
- 9- ग्राम प्रधान सुहेता रा को जब इस पड्यन्त्र का पता चला तो उन्होंने झूठी किशकायत रद्द करने के लिए एक प्रार्थना पत्र भेजा है जिसकी एक कापी इस प्रार्थना पत्र के साथ संलग्न है।

अतः आपसे निवेदन है कि इस पूरे मामले की जांच आप अपने स्तर से करवाने की कृपा करें तथा ई.डी.एम.पी. पद की नियुक्ति के आदेश अपने स्तर से करवाने की कृपा करें क्योंकि श्री वी०पी० सिंह से न्याय की कोई उम्मीद नहीं है।
आपकी महानु कृपा होगी।

प्रार्थी,

दिनांक 3.7.89

राम लाल

॥ राम लाल ॥

पुत्र श्री सोहन लाल उर्फ मुन्नु राम
निवासी सुहेतारा

प्रतिलिपि निम्नलिखित को आवश्यक कार्यवाही हेतु प्रेषित -

- 1- निदेशक डाक सेवाएं लखनऊ।
- 2- चीफ पोस्ट मास्टर जनरल लखनऊ।
- 3- माननीय संचार मंत्री भारत सरकार नई दिल्ली।
- 4- क्षेत्रीय विधायक श्री जुनियाद हसन अंसारी।
- 5- श्रीमती राजेन्द्रकुमारी बाजोयी ससिद सदस्य, सीतापुर।

॥ राम लाल ॥

M. D. D. D.
M. D. D. D.
M. D. D. D.

RECEIVED
- 3 JUL 1989
Office of the

सेवा में नाम से

श्री मान शक आधीश्वर महोदय

सीतापुर

महोदय

मुझे यह पता चला है कि मेरे नाम
व यह मोहर से किसी व्यक्ति ने राजस्वत पुत्र
श्री सोहन लाल उर्फ मुल्लू राम निवासी ग्राम
सुहेतारा की यह शिकायत किचा है कि वह वहाँ
का मूल निवासी नहीं है/ जैनापुर का मूल निवासी
नहीं है/ सुहेतारा में उसका निजी मकान है/ रैती
है और कुछ रोगी नहीं है आल में ऊपर
जले का निशान (सग) है/ सुहेतारा का मूल निवासी है
अतः यह शिकायत रद्द समझी जाए।

दिनांक 20-6-88 अवधीय —

ग्राम प्रधान — अजीज खी
सुहेतारा

Attested
True
M. J. J. J.
12/6

सेवा में,

श्रीमान् डाक अधीक्षक
सीतापुर।

विषय- शाखा डाकघर सहेतारा {खेराबंद} में शाखा पोस्ट मास्टर
व अतिरिक्त विभागीय डाक वितरक के पद पर हल्कुक
उम्मीदवार के खिलाफ डाक निरीक्षक श्री बी०पी०सिंह द्वारा
झूठी रिपोर्ट दी जाना।

महोदय,

उक्त विषयक सम्बन्धी प्रार्थना पत्र प्रार्थी द्वारा आपके
कार्यालय में दि० 3-7-89 को दिया था। प्रार्थना पत्र के साथ
ग्राम प्रधान द्वारा दिया गया आपके नाम पत्र भी संलग्न था।
आपके कार्यालय द्वारा कोई कार्यवाही न होने के कारण श्री बी०बी०सिंह
डाक निरीक्षक ने नियोजित फयन्च के अन्तर्गत ई० डी० एम०पी० के पद
पर श्री फरीदी खा की नियुक्ति दि० 13-7-89 को कर दी है जो
जूनियर हाई स्कूल उत्तीर्ण है जबकि प्रार्थी राम लाल हाई स्कूल उत्तीर्ण
है। श्री राम लाल की ही नियुक्ति की जावे वह मूल निवासी सहेतारा
का ही है।

अतः आपसे पुनः प्रार्थना हेकिपूरे मामले की जाँच सक्षम
अधिकारी द्वारा शीघ्रकरवाने की कृपा करें और जब तक प्रार्थी के
प्रतिवेदन पर कोई निर्णय नहीं होता है तब तक डाक निरीक्षक द्वारा
की गयी नियुक्ति स्थगित रखने की कृपा की जावे।

आपकी महान् कृपा होगी।

दिनांक 15-7-89

प्रार्थी

अजीज खाँ

राम लाल

राम लाल
पुत्र श्री सोहन लाल उर्फ मुल्लूराम
ग्रामपी० सहेतारा
सीतापुर।

Attested
True
M. D. Singh
H.W.

15

18

सेवा में,
श्री मान डाक सहायक
सोनापुर मण्डल

विषय:- शाखा डाक घर सूदहारा में ई.डी.एम.ओ.
के पद पर डाक निरीक्षण द्वारा की गयी
नियुक्ति के रिक्त लाभ प्राप्ति पत्र के सम्बन्ध में

महोदय,
प्रक्षेप इस विषय में आप के समय-2 पर
प्राप्ति के वास्तविकता से अवगत करता रहा हूँ
उसी संलोक में पुनः निवेदन करना चाहता हूँ।

- 1- प्रार्थी इन्टरमीडिएट उत्तीर्ण है जबकि नियुक्ति
फरदी खां कक्षा 7 के पास है।
- 2- प्रार्थी सूदहारा ग्राप का मूल निवासी है।
- 3- डाक निरीक्षण द्वारा के रिपोर्ट आपसे जैनापुर
ग्राप में रहने की दी गयी है पूरी तरह सही है।
अपने निहित स्वार्थ कक्षा की सेवा किया गया है।
- 4- प्रार्थी द्वारा ग्राप प्रधान, क्षेत्रीय निपायक, बलाक
प्रमुख, तहसील कार सोनापुर द्वारा निवास के सम्बन्ध
में प्रमाण पत्र आवेदन पत्र के साथ संलग्न करके
भेजे गये हैं।
- 5- ग्राप सूदहारा में प्रार्थी के नाम निजी मकान व
शेरी भी है जिसके प्रमाण संलग्न किये गये हैं।
- 6- पुनः प्राइमरी पाठशाला की टी.सी., राशन कार्ड,
नोटर लिस्ट, ग्राप प्रधान जैनापुर द्वारा पदत
प्रमाण पत्र इस प्राप्ति पत्र के साथ संलग्न
करके प्रेषित किये जा रहे हैं।

16
16

आप से करवट्टा पावेगा है कि संकीर्णता को लखों
को देखकर अपने स्तर से न्याय करके पावों को
निपुणता करने को लूपा करें।

आपको महान लूपा होगी।

संलग्नक - ४

पावों - राम लाल

प्रतिलिप

आपको सूचित

- 1- निदेशक डाक सेवाएं लखनऊ क्षेत्र लखनऊ
- 2- चीफ पोस्ट मास्टर जनरल उ.प्र. लखनऊ
- 3- मन्त्री सचिव मंत्री भारत सरकार नई दिल्ली

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me copy
M. D. D. D.
D. D. D.

(17)

सिवा में -

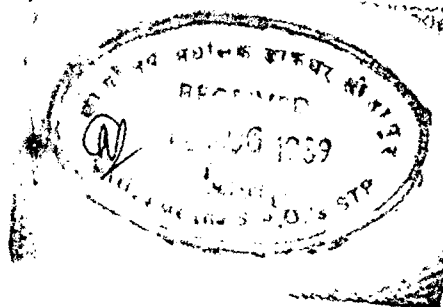
डाक नगर क्षेत्र सीतापुर

विषय - डाक निरीक्षण पोस्टाली और वी.पी. सिंडी
 द्वारा पत्रों को बाहरी निवासी दिवाकर
 कक्ष 2 पाल की पारीदी तब को ई.डी.एम.पी.
 निदेशों के बंद पर नियमित के सम्बन्ध में।

महोदय -

पत्रों द्वारा इस सम्बन्ध में जो पत्रों पर
 इसके पूर्व दिये जा चुके हैं। इसी क्रम में इस पत्रों
 पर जो सावक डुम्ब रजिस्टर की प्रमाणित कंपनी
 संलग्न करके आबद्धन लाये जा रही हैं। उचित
 भी जा रही है। पत्रों द्वारा जो प्रमाण पत्र आपकी
 सेवा में प्रेषित किये जा रहे हैं। अब जो ई.डी.एम.पी.
 गरी रह गया है कि वह ग्राम सहारा अप्रैल
 निवासी नहीं है। डाक निरीक्षण महोदय के
 पत्रों को पत्रों पर आप स्पष्ट हो गया
 है। अतः आप से पत्रों है कि पत्रों की
 नियमित आपने स्तर में कानून की कृपा करें

गृहान कृपा होगी



पत्रों - राम लाल

ग्राम - सहारा

तहसील - सीतापुर

दिनांक - 20-6-90

Attested
 True copy
 M. J. J. J.

(18)

सर्वोच्च -

श्री आर. रमलाल गुप्ता

उपनिवेशी दफ्तर सीतापुर

प्रार्थना

सर्वोच्च न्यायालय है कि प्रार्थी को जीव से
 दोपहर को घट खबर मिली है कि श्री जयदीप
 व उनके पिता श्री उमर खां बिलारी सूहेतारा के
 गैर नाम से कोई शिक्षायात्रा व्यय की है जिस
 पर प्रेश पत्रा व गैर दस्तावेज प्रजो बनाये
 वह शिक्षायात्रा रद्द समझा जाय यह भी पता
 चला है कि यह सब नाम ठीक ठीक निराकाम
 श्री बी.पी. सिंह के इशारे पर किया जा रहा
 है कि-होने जलन नियुक्ति करके उस पर
 पदा डालने का बहाना रचा है। आपसे
 यह भी निवेदन है कि इस प्रकार की
 शिक्षायात्रा जो गैर प्रजो दस्तावेज बना करके
 को गयी है बिना मुझे मालूम किये उन पर
 कार्यवाही न की जाय।

आपका प्रहारी दफ्तर है।

दिनांक ११-८-८८

प्रार्थी - रामलाल शर्मा
 श्री मोहन लाल उर्फ गुप्ता
 जयदीप सूहेतारा

Attested
 True copy
 M. Sukanya
 18/8/88

सीतापुर

सेवा में ; श्री मान डाक महाधायक.
 उच्च-परीक्षा, लखनऊ।

श्री जनक

मेरा नाम राम लाल पुत्र श्री सोहन लाल उर्फ मुल्लू राम है। मैं गांधी-सूदारा नामा रैराबाद को रखाई निवासी हूँ मेरे पिता गाम जैनापुर नामा रैराबाद में रहते हैं। जबकि मैं माया देहात जव में ६ प्राइम का तब ही गया था डाकालाल नामा माया, व उसकी नाकी ने लिखा था कि श्री सूदारा में ही रहते हैं। पूर्वी ने जका १ से जका ४ तक शिक्षा प्राप्त की है। मैं गांधी पूर्वी के नाम गांधी-सूदारा में जमीन व मजदूर है वहीं बसने वाली बच्चों के साथ रहता है।

अभी हाल में गांधी शाखा डाक घर खोला गया पूर्वी ने शाखा के मास्टर ईश्वरजी दोनों पदों के लिए आवेदन पत्र भेजा कि डाक निरीक्षक श्री वी.पी. सिंह नियुक्ति के पूर्व गांव कोपे के और पुझे दूसरे दिन अपने निवास सीतापुर बुलाया था कि दूसरे दिन के निवास पर गया कि उन्हे पुझे १०००० रु. की मात्रा में मेने उन्को अपनी खेती खेत के आगत कराया सपना न दे पाते कि कारवा डाक निरीक्षक के पुझे रखाई निवासी गाम जैनापुर को दिखाकर इसे धोखा की फरीदी सा से ६००० रु. लेकर गो-बद्धा ८ पाल है नियुक्ति के. उन्को की पद पर लगे दो जवामे पूर्वी उर सीटिंग पाल है सूदारा में रखाई निवास के लखनऊ में मेने गाम जैनापुर सीतापुर, मेरी विधान

बलात्कृत, डा. पा. सुंदरराजी ए. सी., पोलीस स्टेशन
 कोर्ट लिखत आदि उमरा पत्र आवदन फर के साथ प्रस्तुत
 किए हैं। परन्तु उनको खर्च देना लिखा जाता।

निम्नलिखित के विरोध में प्रार्थना है कि प्रार्थना पत्र
 उक्त अपराध के लिए तत्पुत्र व निदेशक उक्त सेवाएं लावतक
 की भी आवश्यकता के लिए मिलेगी है। परन्तु
 अभी तक कोई कार्यवाही नहीं की जा रही है

अतः आप के प्रार्थना है कि प्रार्थना के साथ
 उचित कार्यवाही की जाय।

दिनांक १३-८-८२

प्रार्थी - राम लाल पुत्र

श्री सोहन लाल उमरापुत्र

अभि. सुंदरराजी

तेलंगाना सीतापुर

Attested

The 17

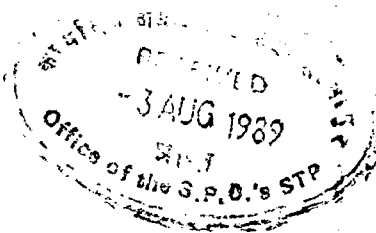
M. Dubey

Adv

सेवा में

श्रीमान् छक अधीक्षक ,

अकादमिक विभाग सीतापुरा



Recd

विषय: = मे० फरीदी पुत्र मे० उमर खान निवासी सुहेतारा
की योग्यता का 8 उत्तीर्ण है पोस्ट में के पद पर
नियुक्ति हेतु योग्यता का व्यक्तिनियुक्तिकी कृपा करें

मलेदय

निवेदन यह है कि हम समस्त ग्राम प्रधान एवं सम्पूर्ण जनता की
फरीदी पुत्र मे० उमर खान निवासी सुहेतारा का कक्षा 8 उत्तीर्ण है जो कि
पत्रों के नाम से पते भी नहीं पढ़ सकता है ऐसी स्थिति में आप से अनुरोध है
कि इन्टर या हाई स्कूल उत्तीर्ण व्यक्ति को पोस्ट में के पद पर नियुक्ति
करने की कृपा करें जिससे आम जनता के लिए अच्छे व्यक्ति द्वारा सुविधा मिल
सके।

श्रीमान् जी से अनुरोध गर्तना है कि हम लोगो की गर्तना
पर उचित कार्य बाही करके उचित व्यक्ति को तैनाती करने की कृपा करें।

गार्तना

दिनांक 20/08/89

ग्राम प्रधान

सुहेतारा

प्रधान

ग्राम सभा अधीक्षक
कक्षा परसेडी (सोतापुरा)

श्रीमान्

वातावरण

दयाराम

श्रीमान्

Ref: 1111

वसीयत सेवा

वि. 31

20/8/89

गंगाराम



श्रीमान्

Attested
M. Duley

सेवा में,

श्रीमान अधीक्षक डाकघर
सीतापुर मण्डल, सीतापुर

विषय: शाखा डाकघर सुहेतारा में श्री मोहम्मद फरोदी खाँ
की ई०डी० एम०पी० पद पर अनियमित नियुक्ति ।

महोदय,

आपका ध्यान निम्नीलिखित तथ्यों की ओर,
दीक्षिते हुये शीघ्र न्याय की मांग करता है:

1. शाखा डाकघर सुहेतारा में ई०डी० एम०पी० के पद हेतु जिला सेवायोजन कार्यालय सीतापुर द्वारा आवेदन पत्र मांगे गये थे । प्रार्थी ने भी आवेदन पत्र भेजा था ।
2. सभी आवेदकों में प्रार्थी ही एक ऐसा व्यक्ति था जो हाईस्कूल पास था परन्तु निरीक्षक डाकघर महोदय ने प्रार्थी की नियुक्ति न करके कक्षा आठ पास उ त श्री मोहम्मद फरोदी खा की नियुक्ति लम्बी धरती पर घुस लेकर/रिज/ कर दिया ।
3. जुलाई 89 में प्रार्थी ने इस नियुक्ति के खिलाफ एक प्रतिवेदन आपको दिया था जिस पर आज तक कोई कार्यवाही नहीं की गई है ।
4. प्रार्थी इस सम्बन्ध में निदेशक डाक सेवायें, लखनऊ से मिला था जिनके द्वारा यह बताया कि मामले के निस्तारण के लिये अधीक्षक डाकघर सीतापुर को लिखा गया है उन्हो रे सम्पर्क करें ।
5. प्रार्थी तब से कई प्रार्थना पत्र आपको लिखे गये हैं तथा व्यक्तिगत रूप से भी मिला है परन्तु 8 माह होने वाले हैं आज तक प्रार्थी के प्रतिवेदन पर कोई कार्यवाही नहीं की गई है ।

कार्यालय निदेशक
डाक सेवाएं लखनऊ क्षेत्र

6-8-1990

26/8/90

अतः आपसे प्रार्थना है कि प्रार्थी के प्रतिवेदन पर विचार करके उचित निर्णय करने की कृपा करें । प्रार्थी आपका आभारी होगा ।

प्रार्थी

राम लाल

॥ राम लाल पुत्र श्री मुल्लूराम ॥

उप सोहन लाल

ग्राम व पोस्ट सुहेतारा,

जिला सीतापुर

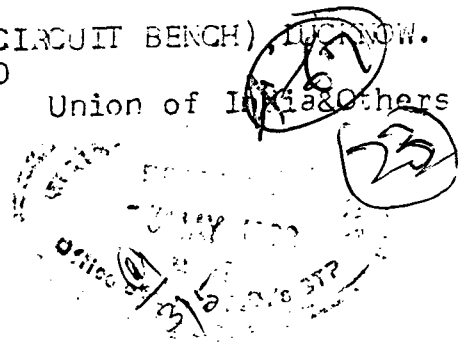
दिनांक

5-3-90

प्रतिलिपि:

1. निदेशक डाक सेवायें, लखनऊ क्षेत्र, लखनऊ को दिनांक 3-7-89 व अन्य भेजे गये प्रार्थना पत्रों के सम्बन्ध में ।

Noted
me only
M. J. J. J.
12/8



सेवा में,

श्री आर. लाल के पिता

श्री अ. लाल

लीलापुर।

विषय :- पीडीएसपी 0 बंदोबस्त में अंतराक्षर ! के पद पर कार्यभार ग्रहण करने के सम्बन्ध में।

महोदय,

सन्निव शिष्ट के शाब्दिक निर्देशों के अन्तर्गत आपका ध्यान आकृष्ट करने के लिये कार्यभार ग्रहण करने की सूचना करता है :-

1] यह कि शाब्दिक निर्देशों में उक्त पद पर कार्य करने हेतु प्राप्ति के पद पर कार्य करने के लिये निर्देशित किया गया था।

2] यह कि तत्कालीन शाब्दिक निर्देशों में श्री बी.पी. सिंह ने निर्दिष्ट स्वाक्षर उक्त पद पर कार्य करने के लिये निर्देशित किया था।

3] यह कि प्राप्ति के पद पर कार्य करने के लिये निर्देशित किया गया था।

4] यह कि प्राप्ति के पद पर कार्य करने के लिये निर्देशित किया गया था।

5] यह कि प्राप्ति के पद पर कार्य करने के लिये निर्देशित किया गया था।

6] यह कि प्राप्ति के पद पर कार्य करने के लिये निर्देशित किया गया था।

7] यह कि प्राप्ति के पद पर कार्य करने के लिये निर्देशित किया गया था।

8] यह कि प्राप्ति के पद पर कार्य करने के लिये निर्देशित किया गया था।

24 18 33

14

अतः आपसे कृपया यह दि. ग्रा. में ले उक्त पद पर कार्यभार
भरवा करने की कृपा करें
आपकी आज्ञा आज्ञा होगी।

ग्रा. दि., राम लाल

दिनांक - 3-5-90

समस्त कुत्री रोड मार्ग

उर्फ सुत्तराम

निपति प्राम - प. न. ज. देवारा

हरा करीब 100 रु

शर्तिकाः

- 1- श्रीमान निदेशक उक्त रोड मार्ग पर लम्बाई के समान ले सपनाई एवं आवायक
करवायी ह. प्रेषित ।
- 2- श्रीमान पीक पोस्ट मार्ग पर लम्बाई के समान ले आवायक
करवायी ह. प्रेषित ।

M. S. S. S.
True
M. S. S. S.
M. S. S. S.

12/11/90
- (A) (A)

Ann Lal Applicant.

Versus

Union of India & Others Respondents.

Deposition of Ann Lal in Court of District Judge No. 6

I, Mohd. Farid, aged about 23 years son of
Sri Umar Khan, resident of Village Suhetara (Jhainabad)
Distt. Sitapur, do hereby solemnly affirm and state on
oath as under :-

1. That deponent is the respondent no. 6 in the
aforesaid application and is well conversant with
the facts deposed hereinunder.
2. That the contents of para 1 to 3 being the matter
of record need no reply.
3. That the contents of para 4(1) to (iv), are denied
as stated.
4. That the contents of para 4(v) are denied. It is
submitted that the applicant is not a permanent
resident of Village Suhetara. In fact the applicant
belongs to Village Samapur Post- Baharpur, Block-
Jhainabad, District- Sitapur. The applicant played
a trick before the postal authorities only to avail
the benefit of his appointment. In support of this

contd....2

2/11/90
Mohd. Farid

A-74

Submission of letter written by above person and a check made to different authorities is enclosed which is Annexure No. 3-1 totals and is as follows.

5. That in reply to the para 4(vi) of the application it is submitted that a point did not come before the higher authorities. It is true that the respondent was appointed on the said post of 17-7-47 and he is still continuing on the said post. The point put before the applicant as to whether the appointment was to be treated as valid or not because it was never given to the respondent and respondent was never notified by the appointing authority that his appointment was illegal.
6. That in reply to the contents of para 4(vii) of the application it is submitted that the respondent possess requisite qualifications for the said post and was rightly appointed. The rest of the contents needs no reply.
7. That contents of Para 4(viii) of the application is denied.
8. That in reply to the contents of para 4(ix) of the application it is submitted that Annexure annexed by the applicant with the application is forged and self made.
9. That the contents of para 4(x) of the application is absolutely wrong.
10. That the contents of para 4 (xi) and (xii) is denied.

contd...3.

Handwritten signature

A71

11. That the contents as stated in para 4(xiii) of the application is denied as the deponent has no knowledge about the said fact.
12. That the contents as stated in para 4(xiv), (xv) and (xvi) is denied.
13. That the paras 5, 6, 7, 8, 9, 10 and 11 need no reply.

ADDITIONAL PLEA

14. That according to the P.D. conduct rule the educational qualification for P.D. branch post master and for P.D. delivery agent is matriculation (VIII) and the candidate must be resident of local village. In this case the deponent undi putely got as both qualifications and was appointed by the appointing authority after considering all the formalities for the appointment.
15. That the applicant although possesses the educational qualification but does not belong to the local village so he is not to be appointed on the said post.
16. That the applicant belongs to Village Jainapur District Patna. In support of the aforesaid fact an affidavit known by Mr. Pashan, Subdivisional Magistrate and District Registrar and extract of Voter List of Village Jainapur is annexed herewith as Annexure No. C-2, C-3 and C-4 respectively.

I declare
that

26-5-92
25-6-92

[Signature]
Deponent.

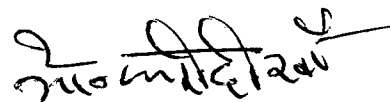
contd....4.

A-72

Verification

I, the abovenamed deponent, do hereby verify that the contents of paras 1 to 16 of this affidavit are true to my personal knowledge and belief, nothing material has been concealed, so help me God.

Lucknow 26-5-92
Dated : 25-6-92.


Deponent.

I identify the deponent who has signed this affidavit in my presence.


Advocate.

Solemnly affirmed before me on at a.m./p.m.
by Sri Mohd. Faridi, the deponent who is identified
by Sri D.S. Pandey, Advocate, High Court, Lucknow
Bench, Lucknow.

I have satisfied myself by examining the deponent that he understands the contents of this affidavit which have been read over and explained to him by me.

Oath Commissioner.

C.A. No - 397 of 1990 (1)

सेवा में,

-1-

Administrative No - C-1

श्रीमान डाक अधीक्षक महोदय,

सीतापुर।

महोदय,

अधीक्षक, डाक विभाग

सावन निवेद यह है कि शाखा डाकदार सुहेतारा

कृ० प्रणी केम्पन में श्रीमान डाक अधीक्षक के आदेशानुसार सुहेतारा में जो शाखा पर सक्षमभूतिपूर्वक

विचार करें

महोदय

काम व ई०डी०एम०पी० को जगह निकली थी उसमें काम भरे गये

उच्चगण

जि एच 6

9-2-90

जो लोगों का नियुक्ति हो गया थी। अतः उसमें अन्य दोषों के

लोग काम भरे थे अतः जिनमें से राम जाल पुत्र मुल्लू जो ग्राम जैनपुर

के रहने वाले हैं प०० पहाड़पुर ब्लॉक छौराबाद न्याय पंचायत धारवा

ग्राम जैनपुर के मूल निवासी हैं में पाँचों प्रधान व ब्लॉक प्रमुखा सभा

प्रमाणित करते हैं कि मेरा ग्राम सभाओं के निवासी नहीं है कोई

उल्टा सोधा क्या होवे पर मेरा ग्राम सभाओं से आपको क्या

कहना होगा और सारा कार्य डाक अधीक्षक सीतापुर आपको देना पड़ेगा

में आपको सूचित करता हूँ कि विभाग के हवाले ग्राम सुहेतारा को

महोदय सुविधों ग्राम जैनपुर की महोदय सुधी संस 1983 से 83 तक

संपादन रजिस्टर की नकल ग्राम प्रधान जैनपुर उनका प्रमाण पत्र

ग्राम सभा सुहेतारा के प्रधान का प्रमाणपत्र आपके हवाले है ग्राम

सुहेतारा में ठोटे डाइरेक्टर रवाना जाकर जाँच की थी।

महोदय

8

Shrine Lane H/O C-13

राष्ट्र (क) (वेदियो निरुध २)

1954

1972

पुस्तक संख्या

.. गीत का मर्म

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21/12/2020

Ram Lal vs. Union of India
and others.

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Compared by *Handwritten signature*

2-जुलाई 2011

IN THE HONBLE CENTRAL ADMINISTRATIVE TRIBUNAL.

CIRCUIT BENCH LUCKNOW:

O.A. No. 397 of 1990 (L)

Ram Lal Applicant.

Versus

Union of India & others.....Respondents.

SUPPLEMENTARY AFFIDAVIT OF DEPOSEE OF RESPONDENT
No.6

I, Mohd. Farid aged about 23 years son of Sri
Mehar Khan resident of village Suhetara (Khalirabad)
District Sitapur do hereby solemnly affirm and
state on oath as under:-

1. That the deponent is the respondent no.6 in
the aforesaid application and is well conversant
with the facts deposed hereunder.
2. That deponent has obtained a certificate
made by Tahsildar Sitapur dated 20.7.92 in which
it is clearly shown that the applicant Ram Lal
is the resident of village Jainpur Fargana,
Khalirabad, Tehsil 2 District Sitapur. The aforesaid
certificate is being annexed herewith as Annexure
No.S-1 to this affidavit.

Place: Lucknow:

August 05, 1992


Deponent.

18-11-92

14-78

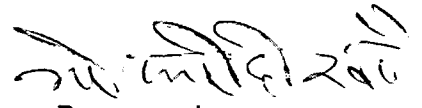
Verification

I, the above named deponent do hereby verify that the contents of paras 1 and 2 of this affidavit are true to my personal knowledge, no part of it is false and nothing material has been concealed. So help me God.

Signed and verified today on 5-8-1008 within court's Compound, Lucknow:

Place: Lucknow:

August 05, 1992


Deponent

I, identify the deponent who has signed before me.


(N.S. Pandey)
Advocate,

Solemnly affirmed before me on

at

axm/px

Ramlal vs. Union of India and others

संलग्नक का प्रमाण पत्र प्रारूप

कार्यालय तहसीदार --- सीतापुर / ति 25/3/92

आय, निवास, व जाति प्रमाण पत्र

1. भूलेख निरीक्षण के आख्यानानुसार प्रमाणित किया जाता है कि श्री/कुमारी/

अ. मतो

सुपुत्र/सुपुत्री/श्री

निवासी

परगना

तहसील

जिला

उ. प्र.

राज्य की

जाति के हैं जो

अनुसूचित जातीय अभिनियम 1955 के अन्तर्गत पंजीकृत हैं। जो शासनादेश सं. 1111-26-95-1855 दिनांक 17 सितम्बर 1955 को अन्तर्गत विद्यही जाति को है

2. प्रमाणित किया जाता है कि

राम लाल

सुपुत्र/सुपुत्री/श्री

सुलाल

निवासी

जिला

परगना

सीतापुर

तहसील

व

जिला

सीतापुर

को/को/कुमारी/मूल/अमृत से निवासी है।

3. प्रमाणित किया जाता है कि श्री

सुपुत्री/सुपुत्री/श्री

निवासी

परगना

तहसील

जिला सीतापुर

की/की/पता को समस्त शीतों से शब्दों में

बाकि आय होती है।

राम लाल

तहसीलदार

सीतापुर

20/7/92

सीतापुर तहसील

IN THE HON'BLE CENTRAL ADMINISTRATIVE TRIBUNAL
CIRCUIT BENCH LUCKNOW;

A-80

O.S. No. 397 of 1990 (L)

Ram Lal Applicant.
Versus
Union of India & others.....Respondents.

SUPPLEMENTARY AFFIDAVIT ON BEHALF OF RESPONDENT

No.6

I, Mohd. Faridi aged about 23 years son of Sri Umar Khan resident of village Suhetara (Khairabad) District Sitapur do hereby solemnly affirm and state on oath as under:-

1. That the deponent is the respondent no.6 in the aforesaid application and is well conversant with the facts deposed hereunder.
2. That deponent has obtained a certificate made by Tahsildar Sitapur dated 20.7.92 in which it is clearly shown that the applicant Ram Lal is the resident of village Jainpur Bargaon, Khairabad, Tahsil District Sitapur. The aforesaid certificate is being annexed herewith as Annexure No.2-1 to this affidavit.

Place: Lucknow;

Deponent.

August 05, 1992

A 81

Verification

I, the above named deponent do hereby verify that the contents of pages 1 and 2 of this affidavit are true to my personal knowledge, no part of it is false and nothing material has been concealed. So help me God.

Signed and verified today on _____ within court's
Compound, Lucknow:

Place: Lucknow:

Deponent

August 15, 1992

I, identify the deponent who has signed before me.

(D.S. Pandey)
Advocate,

~~Signature of Advocate~~

at

~~Signature~~

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH Lucknow

27/12/90

Regd. A/D
23-A, Thornhill Road
Allahabad, 221 001

Registration O.A. No. 397/91(4) of 199

No. CAT/Alld/Jud

.....Ram..Lal.....

Applicant(s)

Versus

.....Union of India & other.....

Respondent(s)

- 5- Sri B.P. Singh, S.D.O. of Post Offices South
Sub Division, Sitapur.
6- Sri Mehdi Faridi, EDDA/EDMP P.D.
Sitapur (Khairabad) Dist. H. Sitapur.

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 1-2-91 Day of _____ For.

If, no appearance is made on your behalf, your pleader of ny sone 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.

For Deputy Registrar
(Judicial)

Encl = copy of Court's
Order dated 14-12-90

O.A.NO. 397 of 1990(L)

Versus

Union of India & Others., Respondents.

14.12.1990

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

Non'ble Mr. K.Obayya, A.M.

Heard the applicants counsel.

Abstract

Shri V.K.Chandhary accepts notice on behalf of respondents 1 to 4. Copies of the notices meant for respondents 1 to 4 may be delivered to Shri Chandhary. Issue notice to respondents 5 to & 6.

Counter affidavit may be filed with
in four weeks to which the applicant may file
a rejoinder within two weeks thereafter. List
before the D.R.(J) on 1.2.91 for fixing a date
for final hearing if possible after completing
the record.

In the matter of interim relief also issue notice for the same date.

5d✓

sd✓

A.M.

V.C.

//True Copy//

sd/

(Mohd. Umar Khan)
Joint Officer,
Central Administrative Tribunal,
Circuit Bench,
LUCKNOW.

checked by

20/12/90

CENTRAL ADMINISTRATIVE TRIBUNAL

CIRCUIT BENCH, LUCKNOW.

O.A.NO.397 of 1990(L)

Ram Lal

...

Applicant.

Versus

Union of India & Others..

Respondents.

14.12.1990

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

Hon'ble Mr. K.Obayya, A.M.

Heard the applicants counsel.

Admit.

Shri V.K.Chaudhary accepts notice on behalf of respondents 1 to 4. Copies of the notices meant for respondents 1 to 4 may be delivered to Shri Chaudhary. Issue notice to respondents 5 to 6.

Counter affidavit may be filed with in four weeks to which the applicant may file a rejoinder within two weeks thereafter. List before the D.R.(J) on 1.2.91 for fixing a date for final hearing if possible after completing the record.

In the matter of interim relief also issue notice for the same date.

Sd/

Sd/

A.M.

V.C.

//True Copy//

Sd/

**Md. Umar Khan)
Clerk,
Central Administrative Tribunal,
Circuit Bench,
LUCKNOW.**

*checked by
26/12/90*

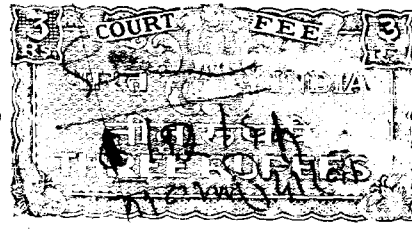
ब अदालत भीमान सेन्ट्रल एडमिनिस्ट्रेटिव डिप्युजल महोदय

[सली] अपीलान्ट

प्रतिवादी [रेस्पान्डेन्ट]

श्री मो. फरीदी रव

वकालतनामा



रोगालात

बनाम

प्रतिवादी (रेस्पान्डेन्ट)

नं० मुकदमा 397 सन 90(2) पेशी की ता० 12 1991 ई०

ऊपर लिखे मुकदमा में अपनी ओर से श्री 200 के दौल, रटेलो के

वकील

महोदय

एडवोकेट

नाम अदालत	मुकदमा नं० नाम	वनाम

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 पेंरवी व जवाबदेही व प्रश्नोत्तर करें या कोई कागज़ दाखिल करें या लौटावें या हमारी ओर से डिगरी जारी करावें और रुपया बसूल करें या मुलहनामा व इकबालदावा तथा अपील निगरानी हमारी ओर से हमारे या अपने हस्ताक्षर से दाखिल करें और तसदीक करें या मुकदमा उठावें या कोई रुपया जमा करें या हमारी या विपक्षी (फरीकासनी) का दाखिल किया हुआ रुपया अपने या हमारे हस्ताक्षर युक्त (वस्तुवती) रसीद लेवें या पंज नियुक्त करें-वकील महोदय द्वारा की गई वह सब कार्यवाही हमको सर्वथा स्वीकार है और होगी मैं यह भी स्वीकार करता हूं कि हर पेशी पर स्वयं या अपने किसी पैरोकार को भेजता रहूंगा अगर मुकदमा अदम पेंरवी में एक तरफ मेरे खिलाफ फैसला हो जाता है उसकी जिम्मेदारी मेरे वकील पर नहीं होगी इसीलिए यह वकालत नामा लिख दिया प्रमाण रहे और समय पर काम आवे।

हस्ताक्षर 200/91 रव

साक्षी (गवाह)

साक्षी (गवाह)

दिनांक

महीना

सन 1991 ई०

For of No 6

(4)

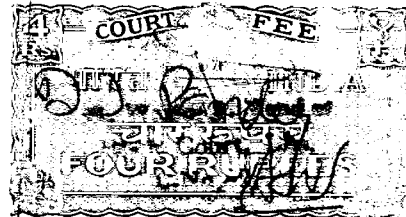
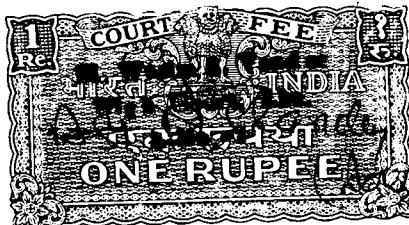
VAKALATNAMA

Central Adm. Tribunal

in the High Court of Judicature at Allahabad
SITTING AT LUCKNOW

Received

Unrecorded



No. 3407
Shri D. S. Pandey (Advocate)
R/o 40 - Sarvodaya Nagar, Lucknow

of 1990 (1)

We the undersigned do hereby and appoint SHRI D. S. PANDEY ADVOCATE HIGH COURT to nominate be counsel in the above matter, and for me/us and on my/our behalf to appear, plead, act and answer in the above Court or any Appellate Court or any Court to which the business is transferred in the above matter, and to sign and file petitions statements, accounts, exhibits, compromises or other documents whatsoever, in connection with the said matter arising there from, and also to apply for and receive all documents or copies of documents, depositions, etc, and to apply for issue of summons and other writs or subpoena and to apply for and get issued any arrest, attachment or other execution, warrant or other and to conduct any proceeding that may arise thereout and to apply for and receive payment of any or all sums or submit the above matter to arbitration.

Provided, however that if any part of the Advocate's fee remains unpaid before the first hearing of the case or if any hearing of the case be fixed beyond the limits of the town, then, and in such an event my / our said advocate shall not be bound to appear before the court and if my/our said advocate both appear in the said case he shall be entitled to an outstation fee and other expenses of travelling, lodging, etc. Provided ALSO that if the case be dismissed by default, or if it be proceeded ex parte, the said advocate (s) shall not be held responsible for the same. And all whatever my / our said advocate (s) shall lawfully do, I do here by agree to and shall in future ratify and confirm.

ACCEPTED.

1. D. S. Pandey Advocate

Signature of Client

Shri Gram. 2 Post - Surhetara
Distt. Sitapur

Advocate

प्रतिवादी

Central Tribunal ^{Adm.} Kharab Bazar

महोदय

वकालतनामा

(टिकट)

वादी (अपीलान्ट)

बनाम

प्रतिवादी (रेस्पान्डेन्ट)

मुकदमा नं०

सन्

पेशी की ता०

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ऊपर लिखे मुकद्दमा में अपनी ओर से श्री बी० 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 चेम्बर न. १४ टेली. न. २४०६०७

नाम अदालत
मुकद्दमा नं० नाम.....
फरीकनबनाम.....

को अपना वकील नियुक्त करके प्रतिज्ञा (इकरार) करता हूं और लिखे देता हूं कि इस मुकद्दमा में वकील महोदय स्वयं अथवा अन्य वकील द्वारा जो कुछ पैरवो व जबाबदेही व प्रश्नोत्तर करें या कोई कागज दाखिल करें या लौटावे 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 मुकद्दमा 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 हूं कि हर पेशी पर स्वयं या किसी अपने पैरोकार को भेजता रहूंगा अगर मुकद्दमा अदम पैरवी में एक तरफ मेरे खिलाफ फैसला हो जाता है उसकी जिम्मेदारी मेरे वकील पर नहीं होगी इसलिए यह वकालतनामा लिख दिया प्रमाण रहे और समय पर काम अवे ।

स्वीकृत

(बी० के० चौधरी)
एडवोकेट हाईकोर्ट

हस्ताक्षर

साक्षी (गवाह).....साक्षी (गवाह).....

दिनाङ्कः महीना सन् १९८३