

TA 174/9274

Central Administrative Tribunal

Lucknow Bench

Case Title: CA No. 477/90 1993

Applicant: Banshi Dhar Pandey

Respondents: Union of India & Others

Part 1, 2, 3.

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Dt. 01-8-14 File B/closed/destroyed

SO (5)

27-8-93

Order for return of documents

24/5/90

Registration

A

CENTRAL ADMINISTRATIVE TRIBUNAL  
ADDITIONAL BENCH  
23-A, THORNHILL Road, Allahabad.  
\*\*\*\*\*

Registration No. 577 of 70

APPLICANT(S) Baneshi Khan Pandey

RESPONDENT(S) Union of India

Particulars to be examined

Endorsement as to  
result of examination.

1. Is the appeal competent? : Yes
2. (A) Is the application in the prescribed form? Yes
3. (b) Is the application in paper book form? Yes
4. (c) Have copies of the application been filed? : 7-5-86 filed
5. (a) Is the appeal in time? : Yes
6. (b) If not, by how many days it is beyond time? —
7. (c) Was sufficient reason for not making the application in time, given? —
8. Has the document of authorisation: Yes  
acknowledgement been filed?
9. Is the application accompanied by: Yes  
R.O./Postal Order for Rs.50/- (Fifty)
10. Has the certified copy/copies of : Yes  
the order(s) against which the application is made been filed : DD 514595  
5 Jan 86 set
11. (A) Have the copies of the documents/referred upon the application, been filed? Yes
12. (B) Have the documents referred to in (A) above duly attested by a Gazetted Officer and numbered accordingly? Yes
13. (C) Are the documents referred to in (A) above neatly typed in double space? Yes
14. Has the index of documents been filed and pegging done properly? Yes
15. Have the chronological details of representation made and the outcome of such representations been indicated in the application? Yes

P.T.O.

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Particulars to be Examined

Endorsement as to result of Examination.

10. Is the matter raised in the :  
application pending before any  
Court of law or any other Bench  
of Tribunal? *MC*
11. Are the application/dumps/abstracts :  
and/or copies signed? *Ext 2 Copies signed*
12. Are extra copies of the application :  
with annexures filed? *73*  
(a) Identical with the Original: *73*  
(b) Defective? :  
(c) Wanting in Annexures? : *⊗*  
Nos...../Pages Nos.....?
13. Have file size envelopes bearing :  
full addresses of the respondents :  
been filed? *NO*
14. Are the given addresses, the :  
registered addresses? *73*
15. Do the names of the Parties :  
in the copies tally with those :  
indicated in the application? *73*
16. Are the translations certified to :  
be true or supported by an Affidavit :  
it affirming that they are true? *N.A.*
17. Are the facts of the case mentioned :  
in item No. 1 of the application? *73*  
(a) Concise : *73*  
(b) Under distinct heads? : *73*  
(c) Numbered consecutively? : *73*  
(d) Typed in double space on one :  
side of the paper? *24*
18. Have the particulars for interim :  
order prayed for indicated with :  
reasons? *73*
19. Whether all the remedies have been exhausted: *73*
20. Classification of case *Bench En*
21. Cause of Action *Right of action*

Signature/  
5.2.99

Sr. No.	Date	Orders
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Sl. No. 2

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

16/7/90

Shri Anupam Shukla learned counsel for the applicant is present.  
 Issue notice to the respondents as to why the application be not admitted.  
 In the matter of interim relief also, issue notice to the respondents to show cause as to why the interim relief asked for be not granted. List this case for orders on 6-8-90, till that date the respondents shall not put off or cease the applicant from the post of E.D.M.P. at Post Office Kuchhmuchh district Sultanpur.

A copy of this order be given to the counsel for the applicant within 24 hours.  
 The applicant is given opportunity to serve this <sup>interim</sup> order on the respondent nos. 2 and 3 out-side the Court alongwith the notice of this case and submit a service report on the date fixed.

*[Signature]*  
 A.M.

*[Signature]*  
 V.C.

(sns)

6/8/90

Hon'ble Mr K. Nath, V.C.  
Hon'ble Mr K.J. Raman, A.M.

Shri K.C. Sinha, on behalf of the respondent says that he has not received notice of the case. The applicant was given opportunity to serve. Counsel for the applicant to furnish all notices to Shri K. C. Sinha within three days. Respondants may file a reply by the date fixed and list it for admission on 23.8.90.

*[Signature]*  
 A.M.  
 (KARNA)

*[Signature]*  
 V.C.

Received  
 copy of order  
 for Respondent  
 No. 2 & 3

*[Signature]*  
 23/7/90  
 counsel for applicant  
 O.R.

In compliance with  
 Hon'ble Court's order  
 dt. 16/7/90 notice is  
 served on Respondents  
 2 & 3 by post and by hand  
 on 17/7/90. By date  
 notice. No reply has been  
 received so far.

40

CAT/J/11

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH, ALLAHABAD.  
\*\*\*\*\*

C.A./ T.A. No. 477 1987

Applicant(s)

Versus

Respondent(s)

Sr. No.	DATE	Orders
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23.9.90

Hon'ble DR Agrawal, JM  
" K. Obayya, A.M.

Sri A. Shukla for the applicant and Sri K.C. Sinha for the O.A. Sri Sinha files C.A. Kapildhasekar. Let R.A. be filed within one week hereof. Put up this case for admission/hearing on 13.9.90. The file of O.A. No. 406/86 David v. UOI, decided on 29.11.89 shall also be summoned for that date for our perusal.

(A.M.)

(JM)

Hon' Mr D.K. Agrawal, J.M.

Hon' Mr K. Obayya, A.M.

13/9/90

Shri Anupam Shukla counsel for the applicant and Shri K.C. Sinha counsel for the respondent are present. Counsel for the applicant wants time to file rejoinder. Let rejoinder be filed within 3 weeks and list this case before DR(J) on 8-11-90 for completion of pleadings. Shri K.C. Sinha states that ~~one~~ stay order is operating in the case. Therefore, put up on 1-10-90 for disposal of interim matter.

C.A.T. ALLAHABAD/

Amit/

A.M.

J.M.

(sns)

T.A. 174/92 T.

OR

A9

No RA has been filed DR(T)  
for

13/8/91

16.8.91

Seen the office report.  
RA not filed inspite of  
several times. Keep  
this case in the fine  
~~the~~ die list.

pc

DR(T)

The ~~case~~ case relates to the site  
Jurisdiction of Lucknow Bench, now  
is being transferred to Lucknow  
Bench vide Hon. VC's order dated  
18.12.1991.

SO(T)

20.7.92

D.R.

Register the case at T.A.

This case has been received  
after transfer to this Bench  
from C.S.T. Bench. Give  
notice both the counsel for  
the parties. Case is listed  
for filing Reply on  
28/8/92 R

OR  
Notice issued  
on 8/8/92  
gp

Central Administrative Tribunal  
Lucknow Bench, Lucknow.

O R D E R S H E E T

C.A./T.A. No.

477/90

Date 10 Office Report 1

Order

28.9.92 - Lt. Counsel for Applicant  
does not want to  
file rejoinder. He is  
present today.

Place this  
case for reference to  
Hon'ble Bench for P.H.  
on 18-9-92

*(Signature)*

14.10.92

No sitting of D. bench  
21.10.92

d

no work  
was filed.

20/10/92

21.10.92

Hon'ble Bench for P.H.  
Hon'ble Bench for P.H.

Both the Bench of both the  
members, the case is adjourned  
to 17.11.92 for final hearing.

MANISH/-

P.M.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
(LUCKNOW BENCH)  
LUCKNOW.

...

O.A. NO 477/90 199 (L)

~~T.A. NO~~

Date of Decision 19-11-92

Bansi Dhar Pandey Petitioner.

Shri Anupam Shukla Advocate for the  
Petitioner(s)

V E R S U S

Union of India & others Respondent.

Shri K.C. Sinha Advocate for the  
Respondents

C O R A M

The Hon'ble Mr. Justice K.C. Sinhasane, V-C

The Hon'ble Mr. K. Obayya, A.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 to be circulated to other benches ?
4. Whether ~~the~~ their Lordships wish to see the fair copy of the Judgment ?

VICE-CHAIRMAN/MEMBER



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CENTRAL ADMINISTRATIVE TRIBUNAL, LUCKNOW BENCH, LUCKNOW.

O.A.No.477 of 1990.

Banshi Dhar Pandey .....Applicant.

Versus

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

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

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

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

This is a second original application filed by the applicant. The earlier one was allowed by the tribunal but as the applicant was again replaced by another person, he has approached the tribunal praying relief against the same.

2 . The applicant was engaged as a substitute Extra Departmental Mail Peon in the month of July,1987 on adhoc basis pending selection and appointment of a candidate drawn from the Employment Exchange on regular basis. A requisition was sent to the Employment Exchange and thereafter names of six candidates were sponsored and the candidates were required to submit their proforma which they did. According to the applicant his application was wrongly withheld and was delivered to the Assistant Superintendent of Post Offices after due date and a fraud was committed with the result that a charge-sheet was given to another person. One Devi Prasad Dubey was wrongly appointed at the instance of Secretary of Bhartiya Dak Karamchari Union. As the applicant was earlier appointed but aforesaid D.P.Dubey was treated to be appointed.On giving charge to him, the applicant approached the tribunal and the tribunal found the applicant's appointment valid. According to the applicant, notwithstanding the fact that he is going to the office daily but the work was not given

inc/

to him in collusion with others and that is why he is contending that the order passed by this tribunal has not been complied with..

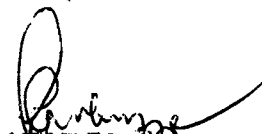
3. It is not necessary to refer the past history. But the case of the respondents is that the applicant was allowed to assume the charge of Extra Departmental Mail Peon on 25.10.89 but he did not perform the work and he himself gave the news in Amethi Samachar that he did not perform the work of Extra Departmental Mail Peon, Kuchmuch. Since the regular incumbent Shri Gaya Prasad Gupta, who was looking after the charge of Extra Departmental Mail Peon, Kuchmuch against the vacancy which was caused due to order of put off, had made several applications for his coming back to the post of E.D.M.P which post the applicant was holding temporarily and on 20.3.90, the Director Postal Services agreed with the request of Gaya Prasad Gupta and directed to the Superintendent of Post Offices i.e. the respondent no.3 to cancel the appointment of the applicant and allow Gaya Prasad Gupta to continue on the said post and he was consequently allowed to join and at that time, Shri Devi Prasad Dubey was working as a Substitute from whom he took the charge. It is true that applicant's appointment was earlier held valid but the facts, as stated above, disclose that as a matter of fact the post was not vacant. As the previous incumbent was still claiming the post and the department was interested in removing the applicant, that is why the previous incumbent was asked to come back and when the previous incumbent had taken over later on, in natural course, the applicant should go down and that is why his appointment was made temporary. Accordingly, the respondents are directed to consider the case of the applicant

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-3-

for appointment as and when the vacancy occurs and he shall be given preference and priority in view of the fact that he was appointed and he worked on adhoc basis. With these observations, the applicant stands disposed of. No order as to costs.

  
MEMBER (??)



VICE CHAIRMAN.

DATED : NOVEMBER 19, 1992

(ug)

COMPLAINT No. 1  
IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,  
ADDITIONAL BENCH, ALLAHABAD.

~~~~~  
APPLICATION No. 477 of 1990.  
( Under Section 19 A.E. Act , 1985 )

Banshi Dhar Pandey. -----Applicant.

Ver su s

Union of India and others. -----respondents.

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Sl.No.0 Description of papers. 0 Pages.  
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- |    |                                           |         |
|----|-------------------------------------------|---------|
| 1. | Application.                              | 1 to 9  |
| 2. | Appointment order 14/10/1989. Annexure A1 | 1 to 11 |
| 3. | Vaklatnama.                               | 12      |
- 

*Anupam Shukla*  
(Anupam Shukla)  
Counsel for the applicant.

Central Administrative Tribunal  
Additional Bench A, Allahabad  
Date of Filing 23-5-90

114

CR

Date of Receipt  
By Post

23/5/90  
By Registrar

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,  
ADDITIONAL BENCH, ALLAHABAD.

APPLICATION No. 477 OF 1990.  
( Under Section 19 A.T. Act, 1985 )

1. PARTICULARS OF THE APPLICANT.

Banshi Dhar Pandey, s/o Sri Ram Karan Pandey,  
employed as E.O.M.P. in Post Office Kuchhauchh,  
district Sultanpur.

Versus

(2). PARTICULARS OF THE RESPONDENTS.

- (1) Union of India through Ministry of Communication, Delhi.
- (2) Assistant Superintendent, Post Offices, South Sub-Division  
District Sultanpur.
- (3) Superintendent, Post Offices Sultanpur Division, Sultan  
pur.

- (3). Particulars and the subject matter of the  
order against which application is made.

(4). JURISDICTION OF THE TRIBUNAL.

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

Filed to-day  
noted for  
31-5-90  
Anil  
23-5-90

115

(5). LIMITATION.

The applicant further declares that the application is within the limitation period prescribed in section 21 of the Administrative Tribunal Act, 1985.

(6). FACTS OF THE CASE.

- (1) That the applicant has been appointed on the post of Extra Departmental Male Peon ( in short E.D.M.P.) in accordance with extra Departmental Service and Conduct Rules, 1964 ( in short E.D. Rules) by the respondent no.2 on a clearly vacancy after dispensing with the substitute arrangement on the aforesaid post and the applicant has been <sup>including six other names</sup> duly selected after his name/ is being sponsored by the concern employment Exchange. It is also pointed out that his appointment is not for a specified period as such it can be treated as regular and permanent appointment on the aforementioned post. A true copy of the appointment letter dated 14-10-1989 issued by the respondent is attached herewith and marked as <sup>A</sup> ~~Annexure-1~~ to this application.

*Amey*

- (ii) That in pursuance of the aforesaid appointment order the applicant took charge of the aforesaid Post Office on 25-10-1989 and ever since he is performing his duties to the best satisfaction of his superiors.
- (iii) That it is relevant to mention here that at the time of the notification of vacancy as well as at the time of the appointment order dated 14-10-1989 Shri Bechan Ram held the charge of Assistant S.P.O. South Sub-Division Sultanpur and it was he who responsible for giving the charge of the Post Office Kuchhmuchh, District Sultanpur on 25-10-1989.
- (iv). That, however, on 27-10-1989 Shri Bechan Ram had been transverred and his place one Sri Paras Nath Pandey took the charge of the aforesaid office on 27-10-1989.
- (v). That one Devi Prasad Dubey was earlier engaged as stop gap arrangement pending regular appointment on the post of E.D.M.P. prior to the appointment of the applicant .
- (vi). That it may be mentioned here that Shri Devi Prasad Dubey was appointed due to th

*Am*

influence of Shri Ram Milan Pandey who is the Divisional Secretary of Bhartiya Dak Karamchari Sangh of Extra Departmental Agent's Sultanpur and a clear relation of Shri Devi Prasad Dubey and Shri Paras Nath Pandey, the A.S.P.O. is real brother-in-law of Shri Ram Milan Pandey as such Shri Devi Prasad Dubey was being misguided by Shri Paras Nath Pandey the A.S.P.O. of relevant division as such Shri Devi Prasad Dubey challenged the ~~appointment~~ appointment of the applicant before the Hon'ble Tribunal, Allahabad by means of Application No.906 of 1989, however, the Hon'ble Tribunal found the appointment of the applicant valid and regular by its order dated <sup>29.11.89</sup> ~~21.11.1989~~. A true copy of the order of Hon'ble Tribunal, Allahabad is attached herewith and marked as Annexure A-2 to this application.

(vii). That after brief interference due to the application filed by Shri Devi Prasad Dubey before the Central Administrative Tribunal, Allahabad (in short CAT) the applicant is going daily to his office on each and every working day and he is performing his duties assigned to his office but so far he has not been paid salary and other allowances since 25-10-1989 from the date he took charge of the aforementioned office.

(viii). That being aggrieved by the non-payment

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of salary and other allowances since 25-10-1989 the petitioner made representation to the ~~xxx~~ relevant authorities for the payment of ~~xxx~~ salary and other allowances. True copies of the representation dated 16-1-~~1989~~ 1990 to the A.S.P.O. Sub-Division(South) Sultanpur and to the respondent no.3 dated 14/2/1990 are attached herewith and marked as <sup>A</sup> Annexures <sup>A</sup> 3 and 4 to this application and the aforesaid representation are still pending.

(ix).

That the applicant has come to know that the respondent no.2 with the connivance of Shri San Milan Pandey the Secretary of Extra Departmental Agents of Sultanpur would very soon interfere with the functioning of the applicant by appointing some other person in his place for the time being and thereafter they are ~~px~~ planning to appoint Shri Devi Prasad Dubey the then substitute in the aforementioned office by taking advantage of the <sup>form of the</sup> /appointment order, however, the applicant's appointment is made on clear vacancy and his appointment is regular and valid. The form of appointment may be provisional but since it has not been made for a specific period as such his appointment should be treated as permanent since 25-10-1989, had his appointment been a provisional appointment then it should have been given in Annexure-4 ~~xxx~~ of M.O. Rules 1964 and also there was no need

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to appoint the applicant provisionally after dispensing with the stop gap arrangement of Shri Devi Prasad Dubey.

- (x). That the applicant is perfering this application under section 19 inter-alia on the following grounds:-

GROUND S.O.CALLIES

- (1). ~~Because~~ ~~that~~ the applicant's appointment dated 14-10-1989 has been held regular and valid as such any propo ed interference with the service of the applicant by the respondents is malafide , atrbitrary and discriminatory and violative of Article 14 and 16 of the Constitution of India.
- (2). ~~that~~ Because the appointment is not given in the form of Annexure A of L.D. Rules 1964 as such the appointment of the applicant could be treated as regular and permanent as there is no specific limit has been given in the appointment order dated 14-10-1989 as such it should continue till superannuation.
- (3). Because the respondents have not followed the order of the Hon'ble Tribunal, Allahabad dated 21-11-1989 by not paying the salary and allowances as such the respondents conduct speaks of arbitrariness

- (4). because the applicant is not paid salary since 25-10-1989 till today.

7. RELIEF.

That it is, therefore, most respectfully prayed that the ~~respondent~~ Hon'ble Tribunal be pleased to direct the respondents:

- (a) to treat the applicant in the as E.D.M.P. in the post office of Kuchhmuchh since 25/10/1989 and allow him to continue on the said post till superannuation.
- (b). to pay the applicant the salary and other allowances since 25-10-1989.
- (c). to pass such other and further order as may be deemed necessary in the circumstances of the case.

INTERIM RELIEF.

That in view of the facts narrated above the Hon'ble Tribunal may be pleased to direct the respondents not to interfere with the functioning of the applicant till the pendency of application and pass such other and further orders as may be deemed necessary in the circumstances of the case.

( ~~Amended~~ )  
~~Control for the applicant.~~

20.10.1989

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9. DETAILS OF THE REMEDY EXHAUSTED

- (1) The representation dtd 16-1-90  
(2) The representation dtd 14-2-90

10. MATTER NOT PENDING WITH ANY OTHER COURT.

That applicant further declares that the matter regarding which this application has been made is not pending before any court of law of any other authority or any other bench of the Tribunal.

11. PARTICULARS OF THE ENCLOSURES

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

DD 514595  
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12. LIS OF ENCLOSURES

- (i) True copy of the appointment letter dated 14/10/1989.  
(ii) True copy of the order of Tribunal 21/11/1989.  
(iii) True copy of the representation dated 16-1-1990.  
(iv) True copy of the representation dated 14/2/1990.

VERIFICATION

I, Manshi Dhar Pandey, aged about 33 years, son of Sri Ram Karan Pandey, resident of village Madhopur Kuchhmuchh, post Kuchhmuchh, district

Manshi Dhar Pandey

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district Sultanpur working as L.D.M.P. do hereby  
verify that the contents of paragraph nos. 1 to 10  
to are true to my personal knowledge, and that those  
of paragraph nos. 7 are based on perusal of the records  
and that those of paragraph nos. \_\_\_\_\_  
are based on legal advice, which I believe to  
be true, that no part of it is false and nothing  
material has been suppressed.

अंशी चार पाठे म  
Signature of the applicant.

Dated.

as

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD  
~~IN THE HIGH COURT OF JUDICATURE AT ALLAHABAD.~~

ANNEXURE NO. <sup>A</sup> I

IN

Banshi Char - - - - - Petitioner.

vs.

Union of India - - - - - Respondents.

GOVT. OF INDIA

- etc of post.

1/0

Memo No 2/ Kuchmucha dated at sol: the 14.10.89.

Where as the post of SLP Ku chmucha Sultanpur has been fallen vacant the U/s has decided to make provisional appointment for the said post.

Sri Banshihar Panley son of Sri Ram Karan Panley all Mahapur P.O. Ku chmucha is appointed as SLP Kuchmucha purely on temporary measurement subject to satisfaction police verification report.

He shall be paid such allowance as admissible for time to time. His date of birth is 27.5.1957.

Sri Banshihar panley should clearly understand that his appointment is provisional and can be terminated at any time without assign any notice or reason. The appointing authority reserves the right to terminate provisional appointment at any time.

He will be governed by BDA's conduct and

11  
A24  
-2-

service rules 1964 as amended from time to time  
and all other rules and orders applicable to BIAS.

He should note that if any thing advise notice  
against him relating to his post conduct and other  
things. He shall be replace forthwith without assign-  
ing any notice.

In the above conditions are accept he should  
sign the duplicate copy of them and return the same  
to the U/s.

Copy to:-

1. Sri Banshihar Pandey with XXXXX Mahapur P.O.  
Kuchmunchh Sultanpur.

2. S.P.A. Kuchmunchh

3. Postmaster Sultanpur

4. O/s south (Sri P.N. Dubey) should close transferred

and obtain S.B. orders Rs. 2000/- anti-ascated P.

declaration forthwith.

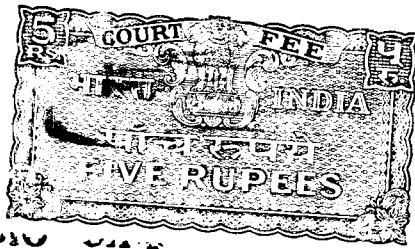
the copy

अशीचर पातेम

Shikhar -  
am (Advocate)

12

A25



हाईकोर्ट

उत्तराखण्ड

उत्तराखण्ड

दस्तावेज

रिजिस्ट्रार

नम्बर

सन् १९

जिला

निगरानी

Bansidhar Pandey

वादी प्रतिवादी

अपीलान्त

बनाम

Union of India &amp; others.

वादी प्रतिवादी

म

Bansidhar Pandey S/o Ramkaran Pandey

रेस्पान्डेन्ट

हम

Post employee as EDMP in Post Office at Kichu-mukh Desh-Selkumbar.

उपरोक्त प्रकरण — अपनी ओर के पक्ष समर्थन हेतु

हम

श्री

Anupam Shukla, एडवोकेट

Jhmer chonetra Pan

Hdhu

दस्तावेज

पत्रादि

पत्रादि

को उपरोक्त मुकदमे की पैरवी के लिए मेहबाना अदा करने का वचन देकर मैं अपना वकील नियुक्त करता हूँ/करते हैं उक्त वकील महोदय को मैं/हम यह अधिकार देता हूँ/देते हैं कि इस मुकदमे में वह मेरी ओर से पैरवी आवश्यक सवान पूछें जबाब दें, और बहस करें। दस्तावेज का कागज अदालत में दाखिल करें व वापिस लें। पंचनामा उपस्थित करें पंच नियुक्त करें यदि आवश्यक हो तो पंच के निर्णय का लिखित विरोध करे सुलहनामा दाखिल करें दावा स्वीकार करें या उठा लेवे और डिग्री प्राप्त हो जाय तो उसे जारी करावे, डिग्री का खर्चा व खर्चा व हरजाने का खर्चा व किसी तरह का खर्चा जो अदालत से मुझे/हमें मिलने वाला हो तो वसूल करें। मेरी/हमारी ओर से अदालत में दाखिल करें। कोर्ट फीस व स्टाम्प देवे या वापिस लेवे रसीद लेवे व प्रमाणित करें। नकल प्राप्त करें अदालत की अनुमति से मिसिल का मुआइना करें आवश्यकता होने पर मुकदमा स्थापित करावे व मुकदमे के सम्बन्ध में दूसरे काम काज जो जल्दी समझे करें पैरवी के लिए अपनी ओर से कोई दूसरा वकील नियुक्त करें यदि आवश्यकता हो तो अपील या निगरानी दायर करें और अपील या निगरानी अदालत में पैरवी करें।

इस अधिकार पत्र के अनुसार उक्त वकील महोदय इस मुकदमे के सम्बन्ध में जो कुछ काम करेंगे वह सब अदालत में स्वयं मेरा/हमारा किया हुआ समझा जायेगा और वह मुझे/हमें अपने ही किये के समान/सर्वथा मान्य होगा।

तारीख

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स्वीकार है।



COMPILATION No. 2

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,  
ADDITIONAL BENCH, ALLAHABAD.

APPLICATION No. 477 OF 1990.

( Under Section 19 A.T. Act, 1985 ).

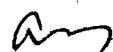
Barshi Dhar Pandey. -----Applicant.

Versus

Union of India and others. -----Respondents.

Sl. No. 0 Description of papers. 0 Pages.

1. The order of the Tribunal dated 24/11/1989. 13-18  
Annexure No. A 2
2. The representation dated 16-1-1990. 18-19  
Annexure No. A 3
3. The representation dated 14-2-1990. 20-21  
Annexure No. A 4

  
(Anupam Shukla)  
Counsel for the applicant.

IN THE CENTRAL ADMINISTRATION BOARD U.P.

ALLAHABAD.

ANNEXURE II

In

CIVIL WILCO. NO. 100 of 1980.

( District:

Banshidhar Pandey - - - - - Applicant

Versus.

Union of India and others. - - - - - Respondents.

CENTRAL ADMINISTRATION BOARD ADDITIONAL

BANCH, ALLAHABAD.

Registration No. 906 of 1989

Devendra - - - - - Applicant.

Versus.

Union of India and others. - - - - - Respondents.

Shri M. N. Chatterjee, A.M.

Shri M. N. Chatterjee, A.M.

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A27

(Hon'ble Mr. A. Chetty, I.A.S.)

In this application the applicant Devi Prasad seeks to set aside the order dated 14.10.87 of the respondents under which Shri Ganesh Datt Pandey appointed to the post of Officer - Department of Mail Room, Khanduwan, District Tultapur.

2. Briefly the facts of the case are that the applicant was employed as a subordinate officer in the Department of Mail Room, Khanduwan on 1.7.87. The appointment was made ad-hoc, pending selection and appointment of a candidate drawn from the employees' exchange on regular basis. A notification was issued by the Employment Exchange, Tultapur, to accept names of suitable candidates for this post. The employment exchange sponsored 6 candidates including the applicant who was registered in the employment exchange.

On 1.9.89, the Assistant Superintendent of Post Office sent a proforma

- 3 -

to these candidates asking them to submit their applications in the proper form duly filled in, so as to reach him on or before 11.9.89. and sent his application on 7.9.89 by registered post. His application however, was delivered to the Assistant Superintendent of Post Office on 14.9.89 after the due date i.e. 11.9.89. The applications received by 11.9.89 were tabulated and on that basis names of the candidates on Banshi Dhar Pandey was selected and appointed as extra Departmental Mail Team, Kuchimucham.

4. It is alleged by the application that one Triveni Prasad Pandey who is related to Banshi Dhar Pandey, besides being a Secretary of Kuchimucham Departmental Mail Team, in collusion with Anantlal Srivastava a Clerk was responsible for withholding his application and delivering it as late as on 14.9.89 and thus a fraud was

- 4 -

committee to deprive him of the opportunity to be considered for the Post.

5. On behalf of respondents, it is contended that the Registered letter submitted by the applicant on 7.9.89 from Phakravali Branch Office was received at Sultanpur and delivered to Assistant Superintendent Post Office on 14.9.89 and that Ariveni Prasad Pandey and the Clerk Anantlal Srivastava who were alleged to have withheld the application and are not responsible for the processing of the applications of candidates to be considered for appointment. The applications received in time were considered by the appointing authority and after evaluation particulars of the candidates a decision was taken on merits.

6. We have considered the arguments advanced on both sides and carefully perused the documents. It was doubtedly the responsibility of the applicant, It is not for the appointing authority to ensure that these applications are received in time

- 5 -

no malafide is alleged against the appointing authority. as a matter of facts the applicant was given opportunity in that application form was sent to be duly filed

on or earlier due date i.e. 11.9.89.

7. The appointing authority proceeded to consider application received in time, and after considering relative merits appointed a candidate Banshi Dhar Pandey. We find no irregularity committed by the appointing authority i.e. Assistant Superintendent of Post Offices and the facts that the application in the instant case reached the appointing authority on 14.9.89.

8. ~~But~~ We see no reason to interfere with the orders of appointing authority. Accordingly the petition is rejected with no order as to costs.

MEMBER (J)

29.11.89.

Nov. 29. 1989.

All agreed.

( TRUE COPY )

Attorney  
Anand (Advocate) 12/11/89

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A31

इन दिने सेंट्रल ट्रिब्यूनल एडीमिनिस्ट्रिय इलाहाबाद

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सने क्रम नं० ३३

इन

बंगाली धार पाण्डेय

अप्लिकैण्ट

बनाम

यूनियन आफ इण्डिया

अपोजीट

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सेवा में,

श्रीमान सहायक अधीक्षक हाकर  
सुलतानपुर दक्षिणी उप डाण्ड  
सुलतानपुर ।

विषय: कृत कार्य के परिश्रमिक के सम्बन्ध में ई वी एन पी कुम्भुस  
के पद के भात्ते के सम्बन्ध में / ४ -

-----

महोदय,

सेवा में सविनय निवेदन है कि श्रीमान जी के नियुक्ति पत्र

संख्या- ए/कुम्भुस दिनांक 14.10.87 के अनुपात में प्रार्थी के ई वी एन पी

पी० कुम्भुस के पद का कार्य भार दिनांक 25.10.87 को पूर्णतः

दिताया गया और तब से प्रार्थी लगातार उपस्थिति दे रहा है तथा

यथा निर्दिष्ट कार्य सम्पादित कर रहा है किन्तु प्रार्थी को अभी तक

कोई वेतन भात्ता नहीं दिया गया । प्रार्थी की नियुक्ति के विरुद्ध

दाखिल याचिका संख्या 905/1987 माननीय केन्द्रीय प्रशासनिक

19 2

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न्यायाधिकरण इलाहाबाद द्वारा दिनांक 29.11.89 के आदेश से जारीज की जा चुकी है। आपके पास उसकी प्रमाणित प्रति प्रस्तुत की जा चुकी है।

आपसे विवेदन है कि प्राथमिकी को दिनांक 25.10.89 से देतन व भात्ते का भुगतान कराने की ह्वा लें।

प्राथमिकी

दिनांक- 16.1.90 ई

बिंन धार पाण्डेय  
ई0 डी0एम0 पी0 कुमुत  
सुततानपुर।

प्रतिनिधि:- उचित कार्यवाही एवं निर्देश हेतु :

- ॥1॥ श्रीमान श्री पोस्ट मास्टर सुततानपुर
- ॥2॥ श्रीमान अधीनस्थ हाथार सुततानपुर
- ॥3॥ श्रीमान निदेशक बाल सेवा इलाहाबाद नियुक्ति पत्र चार्ज रिपोर्ट तथा निष्पत्ति की प्रति के साथ।
- ॥4॥ जे. ए. अतिरिक्त भारतीय सैनिकी सेवा पोस्ट में चतुर्थी श्रेणी एवं ई डी एम सुततानपुर।

इति प्रतिनिधि

देवी चर पांडेय  
Attn: (Attn: 1)



इस की सैन्य विद्युत संचारिणीय इ. ग. ग. ग.

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संकेत नं० 44

इस

संशोधन धार पाण्डेय

अप. लि. ट.

बनाम

यूनियन आफ इण्डिया

अपोपाट्टी

----

सेवा में,

माननीय ओ. पी. गुप्ता,  
अध्यक्ष डाक्टर सुजतानपुर,  
प्रधान सुजतानपुर - 225001

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महोदय,

प्राथमिकी निधुति ई. पी. सम. पी. कुमुद शाखा डाक्टर  
सुजतानपुर के पद पर हुई है। और प्राथमिकी अपना कार्य भार दिनांक 25.10.  
1989 को ग्रहण किया। प्राथमिकी का वेतन अभी तक नहीं दिया गया जिसके  
कारण प्राथमिकी आर्थिक कठिनाई के कारण परेशान है। वेतन रोकने का कारण  
प्राथमिकी को लोर्ड का आदेश बताया गया जब कि उसे कोई भी लिखात  
हस्ता नहीं दी गई। न्यायस्थ का फैसला भी हो चुका है परन्तु फिर भी  
प्राथमिकी को बात लीलात तथा डाक्टर निरीक्षक के घर सरकारी कार्य के  
अतिरिक्त दौरे गानगी पद रही है और उनकी बेगारी करनी पड़ी रहती है।  
और उ. पी. लोर्ड का वेतन अभी तक प्राप्त नहीं हुआ।

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अतः अभिमानही से निवेदन है कि प्राप्ति के द्वारा जा रही  
ये कार्य अन्य करने की कृपा करें। तथा उक्त प्रकारा आर्ति देवन का  
भुगतान अधिकार करने की कृपा की जाय जिससे प्राप्त भवति जीवन  
रक्षा कर सकें ।

दिनांक: 14.2.99 ई

7-1-76

॥ ॐ नमो भगवते वासुदेवाय ॥

ई० वी० सम० पी० कृष्ण

## हाल धार सुलतानपुर

प्रतिनिधि:-

॥ बाल निदेशक हाक सेवाएं ३ अगस्त २०१९ ३ अगस्त

2. चिफ पोस्ट मास्टर जनरल उ०प्र० परिमण्डल लखनऊ

दिनांक 14.2.90 ई

4TET<sup>2</sup>

॥ वंशधर पाण्डेय ॥

ई०ह० र० म० क०

हार्दिक सुतानपुर

॥ इत्युत्तरं ॥

ਕੰਡੀ-ਦਰ ਪਾਏ ੨।

Ans (Schwache)

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BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD Bench

....

CIVIL MIS. STAY VACATION APPLICATION NO. 74/18 OF 1990

On behalf of the respondents

In

Registration C.A. No. 477 of 1990

Banshi Dhar Pandey .. Applicant

vs

Union of India and others .. Respondents

To

The Hon'ble The Vice Chairman and His  
other companion Hon'ble Member of this Hon'ble  
Tribunal.

The humble application of the abovenamed  
applicant do hereby states as under:

1. THAT the humble applicant has already  
disclosed the facts of the case in the  
accompanying counter affidavit filed on behalf  
of the respondents.
2. THAT in view of the facts and circumstances  
explained in the accompanying counter affidavit,  
it is expedient in the interest of justice,  
that this Hon'ble Tribunal may be pleased to  
vacate the interim relief.

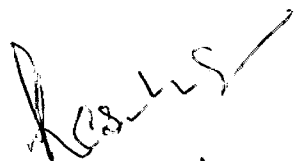
Kor

ABC

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P R A Y E R

It is, therefore, Most Respectfully  
Prayed that this Hon'ble Tribunal may graciously  
be pleased to that in view of the facts and  
circumstances explained in the accompanying  
counter affidavit, it is expedient in the  
interest of justice that the interim relief  
may kindly be vacated; or this Hon'ble Tribunal  
may be pleased to pass a suitable order or  
direction which this Hon'ble Tribunal may deem  
fit and proper.

  
( K.C. Sinha )  
Addl Standing Counsel  
Central Govt.  
COUNSEL FOR THE APPLICANTS  
RESPONDENTS

1990  
AFFIDAVIT  
74  
HIGH COURT  
ALLAHABAD

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH

...

COUNTER AFFIDAVIT

On behalf of the respondents

In

Registration C.A. No. 477 of 1990

Banshi Dhar Pandey ... Applicant

vs

Union of India and others ... Respondents

AFFIDAVIT OF Sri P. K. Singh

aged about 40 years, son of

Shri K. K. Singh, Smt. S. K. Singh

Residing at ...

(Deponent)

I, the deponent ~~dx~~ above named, do hereby solemnly affirm on oath and state as under:

1. THAT the deponent is a ~~Subordinate Officer~~ in the Office of the respondents and he has been authorised to file this counter affidavit on behalf of the respondents and as such the deponent is fully conversant with the facts of the case deposed to hereinafter.

A38

:: 2 ::

2. THAT the deponent has read over and understood the contents of the application filed by the applicant and he is in a position to reply the same.

3. THAT before giving parewise reply to the contents of the aforesaid application, the following facts are being asserted in order to facilitate this Hon'ble Tribunal in administering justice.

4. THAT consequent upon the order of put off duty of regular Extra Departmental Branch Post Master Shri Rama Shankar Dubey, Kuchmuch, the Extra Departmental Mail Peon was asked to look after the work of Extra Departmental Branch Post Master ( in short E.D.B.P. ) and the respondent no.2 has issued an order on 14-10-89, through which the petitioner was given an appointment on purely temporary measurement.

5. THAT the applicant was allowed to assume the charge of Extra Departmental Mail Peon (in short E.D.M.P. ) on 25-10-89, but in fact, he did not perform the work

Concurrence

of E.D.M.P. as per the report of the respondent no.2 dated 18-12-89 and 19-3-1990.

6. THAT in fact the petitioner has himself given a publication in the fortnightly news paper i.e. 'Amethi Samachar' from 1-5-90 to 15-5-1990 under the Column 'Chitti Patti' where he himself has stated that he did not performed the work of EDMP Kuchmuch. In his application dated 27-10-89 he has also admitted this fact that he was not allowed to have the charge. A photostat copy of the publication in the news paper as well as, the letter dated 27-10-89 are being annexed herewith and marked as Annexures-CA1 and CA-2 to this affidavit.

7. THAT since the regular incumbent Shri Ganga Prasad Gupta who was looking after the charge of EDPM Kuchmuch against the vacancy which was caused due to order of put off had made several applications for his coming back to the post of EDMP which post the petitioner was holding temporarily and on 20-3-90 the Director Postal Services agreed with the request of Shri Ganga Prasad Gupta and directed to the Superintendent of Post Offices i.e. Respondent No.3 to

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:: 4 ::

cancel the appointment of the petitioner and allow the Ganga Prasad Gupta to continue on his regular post of EDMP Kuchmuch. A photostat copy of the application of Shri Ganga Prasad Gupta dated 21.11.87 and the order dated 22-3-90 issued by the Directorate Postal Services is being annexed herewith and marked as Annexure-CA-3 kaxxx and Annexure-CA-4 to this affidavit.

ANNEXURES -CA-3 & 4

8. THAT in view of the & aforesaid fact the permanent incumbent Shri Ganga Prasad Gupta xxx was allowed to join his original post of EDMP w.e.f. 22-3-90 and the applicant's temporary appointment was disallowed with. On 22-3-90 Shri Ganga Prasad Gupta has taken over charge from Shri Devi Prasad Dhey who was working as EDMP as substitute. A photostat copy of the charge report xf is annexed herewith and marked as Annexure-CA-5 to this affidavit.

ANNEXURE - CA-5

PARAWISE REPLY

9. THAT the contents of paragraph nos. 1, 2, 3, 4 and 5 of the application xxx need thaxxx no comment.

Accepted



10. THAT the contents of paragraph 6 (i) of the application are admitted to the extent that by means of order dated 14-10-89, the applicant was given an appointment temporarily and as stated above, it was only against the vacancy which was temporarily caused due to working of Ganga Prasad Gupta as a S.D.B.P.M. for short while against a temporary vacancy.

11. THAT in reply to the contents of paragraph 6(ii) of the application, it is submitted that the petitioner did not actually performed the work of EDWP as per the report of <sup>Asst.</sup> Superintendent of Post Offices dated 18-12-89 and 19-3-90. A photostat copy of the report is annexed herewith and marked as Annexure-C<sup>1</sup>-6 to this affidavit.

ANNEXURE-C<sup>1</sup>-6 (A)

12. THAT the contents of paragraph 6(iii), 6(iv) and 6(v) of the application are matter of record, as such need no comment.

In reply it is further submitted that the 18% except that Sri Devi Prasad Dubey was engaged as substitute on the responsibility of permanent incumbent on the post.

A47

:: 6 ::

13. THAT in reply to the contents of paragraph 6(vi) of the application, it is submitted that this Hon'ble Tribunal did not find any reason to interfere with the orders of the appointing authority in case No.OA. 906 of 1989 filed by Shri Devi Prasad Dubey. It is further submitted that the petitioner was allowed to assume duty on 25-10-89, but he did not perform the work of the post as detailed in comment of foregoing paragraph. Moreover, the permanent incumbent of the post of EDMP Kuchnach Sri Ganga Prasad Gupta has joined the post under order of the higher authorities as his request was accepted. A detailed in this record has already been narrated above.

14. THAT the contents of paragraph 6(vii) and 6(viii) of the application are incorrect as stated and hence are denied. A reply has been submitted in the foregoing paragraph, hence need not repeat again.

15. THAT the contents of paragraph 6(2x) of the application are incorrect and hence are denied. The plea of malafide has been raised against one Shri Ram Milan Pandey who

A43

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is not arrayed as a party. Moreover, Sri Ram Milan Pandey has not to do anything in the matter and as such the plea of malafide is not tenable in this matter. The appointment of the applicant was purely temporary and provisional, since the permanent incumbent has joined the post and as such it is the applicant who ought to make room.

16. THAT the contents of paragraph 6 (x) of the application are not correct as stated. In reply it is submitted that none of the grounds taken by the applicant are sustainable in the eye of law and the petition is devoid of merit, hence it is liable to be rejected.

17. THAT in reply to the contents of paragraph 7 of the aforesaid application it is submitted that averments made above, and in view of the facts and circumstances mentioned above, the application is not maintainable. &x It is further submitted that since Sri Ganga Prasad Gupta has already taken over charge of E.D.M.P. from

Accepted

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Shri Devi Prasad Dubey on 22-3-1990 and as such the question of granting any interim order in the present case does not arise.

I, the deponent above named do hereby verify and declare that the contents of paragraph nos. 1, 2 and 3

\_\_\_\_\_ of this affidavit are true to my personal knowledge and those paragraph nos. 4 to 17 \_\_\_\_\_

\_\_\_\_\_ of this affidavit are based on the information received from the record, and the contents of paragraph nos. \_\_\_\_\_

\_\_\_\_\_ of this affidavit are based on legal advice, to which all the ~~xxxxxxxx~~ ~~xxxxxxxx~~ deponent believes to be true and that no part of this affidavit is false and nothing material has been concealed in it.

So help me God.

(Signature)  
(Deponent)

71/750  
9318/50

Amethi Samachar 1 May 1990

Annexure - C-A-1

Avi

## चिट्ठी पत्री!

### डाक विभाग सुलतानपुर की कहानी

श्रीमान् सम्पादक महोदय,  
अमेठी समाचार, गौरीगंज  
मानव्यर,

प्राथी निम्न निवेदन करता है,  
कृपया आप अपने अखबार अमेठी  
समाचार में इसे प्रकाशित कराने की कृपा  
करें तथा सुलतानपुर मंडल के डाक विभाग  
में हो रहे अन्यायों का भंडाफोड़ करें।

मैं वंशीधर पाण्डेय पुत्र रामकरन  
पाण्डेय ई.डी.एम.पी. कुछमुछ सुलतानपुर  
हूँ। मेरी नियुक्ति मेमो नं. ए/कुछमुछ  
दिनांक १४.१०.८९ के अनुसार  
ई.डी.एम.पी. कुछमुछ के पद पर सहायक  
डाक अधीक्षक (दक्षिणी) सुलतानपुर द्वारा  
कराया गया था। २५.१०.८९ को चार्ज  
रिपोर्ट भी पूर्वाह्न बना कर मैं इपूटी करने  
लगा। डाक सर्वेक्षक श्री प्रसिद्ध नारायण  
दुबे ने मुझसे उसी दिन कहा कि तुम्हें  
भत्ता मिलेगा चाहे घर में मेरे काम करो या  
डाकघर में मैं कभी-कभी डाकघर से उनके  
घर धान आदि काटने जाने लगा।

ता. २६.१०.८९ को श्री पारसनाथ  
पाण्डेय सहायक डाक अधीक्षक दक्षिणी  
सुलतानपुर के पद पर कार्यभार ग्रहण  
किया जो अभी छः माह पहले सुलतानपुर  
से स्थानान्तरित होकर केराकत जौनपुर  
गये थे। इस वर्ष वे लगातार तीसरी बार  
सुलतानपुर आये हैं वे ई.डी.एम.पी.

कुछमुछ श्री वंशी धर पाण्डेय से कहा कि  
तुम मेरे घर पर ही कार्य करो पैसा मैं  
दूंगा। मैं स.डा. अधीक्षक तथा डाक  
सर्वेक्षक के घर पर कार्य करने लगा। मेरे  
स्थान पर मुझसे पहले वाले ई.डी.एम.पी.  
श्री देवी प्रसाद से कार्य ई.डी.एम.पी.  
कुछमुछ का लेते रहें।

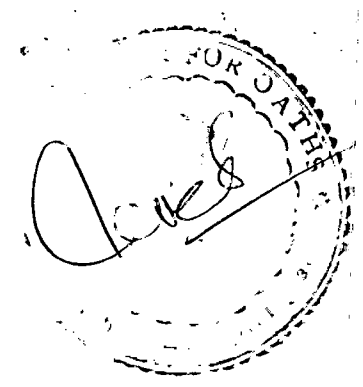
इसी समय सहायक डाक अधीक्षक श्री  
पारसनाथ पाण्डेय तथा डाक सर्वेक्षक श्री  
प्रसिद्ध नारायण दुबे ने मेरे पहले के  
ई.डी.एम.पी. जो मात्र जिम्मेदारी पर लगा  
था। मेरी नियुक्ति के खिलाफ सी.ए.टी.  
इलाहाबाद में केश नं. ९०६/१९८९ देवी  
प्रसाद बनाम यूनियन आफ इण्डिया के  
नाम दायर करा दिया। दिनांक  
२९.११.८९ को सी.ए.टी. ने मेरी  
नियुक्ति उचित ठहराया तथा जजमेन्ट दे-  
दिया। परन्तु उक्त अधिकारी मेरे पद पर  
उसी से काम लेते रहे और मुझसे अपने  
घर पर काम लेते रहें तथा मेरा भत्ता भी  
मुझे नहीं दिया प्राथी श्री पारसनाथ पाण्डेय  
के घर का चौका बरतन कपड़ा साफ  
करना, तथा डाक सर्वेक्षक श्री प्रसिद्ध  
नारायण केयर परहल आदि जोतता रहा।  
जब मैं इस दोहरी बेगारी से ऊबा और  
अपना भत्ता मांगा तो श्री पारसनाथ तथा  
श्री प्रसिद्ध नारायण मुझे काफी डाटे और  
कहा कि जब तक हम को पांच-पांच हजार

रुपया सहायक डाक अधीक्षक तथा डाक  
सर्वेक्षक को नहीं दोगे तब तक डाक घर में  
कार्य नहीं करने दिया जाएगा। प्राथी  
अपनी गरीबी तथा मजबूरी के कारण  
उक्त अधिकारियों की पांच-छः माह खूब  
सेवा किया तथा मेरे स्थान पर कोर्ट से  
निकले गये ई.डी.एम.पी. से कार्य कराया  
जाता रहा। पुनः बीच-बीच में दोनों  
अधिकारी अपने पैसे की मांग करते तथा  
कहते कि यदि पैसा नहीं दोगे तो नौकरी  
से निकाल दूंगा।

+ मैं अपने भत्ता हेतु पोस्ट मास्टर  
जनरल लखनऊ, डायरेक्टर आफ पोस्टल  
सर्विसेज इलाहाबाद तथा डाक अधीक्षक  
सुलतानपुर को दिनांक १६.१.९० तथा  
१२.२.९० को प्रार्थनापत्र दिया। परन्तु  
आज तक न भत्ता मिला न डाकघर का  
कार्य। सहायक डाक अधीक्षक दक्षिणी  
तथा डाक सर्वेक्षक पी.एन. दुबे के प्रभाव  
के कारण डाकघर के अधिकारियों ने न  
कोई विचार किया न कोई कार्यवाही ही की  
गई।

प्राथी,  
वंशीधर पाण्डेय पुत्र श्री रामकरन  
पाण्डेय  
ई.डी.एम.पी. कुछमुछ  
सुलतानपुर

74/750  
24/1/90



# Annexure C A-2

A46

श्रीमान

श्रीमान सहायक डाक अधीक्षक

डाकघर दादिलो (मुल्तानपुर)

महोदय

निवेदन है कि प्रार्थी की नियुक्ति E.D.M.P. कुदमुद की पद पर आपके शासन संख्या A/ कुदमुद दि. 18-10-72 के द्वारा की गयी है। प्रार्थी E.D.M.P. पर आर ग्रहण कर कार्य करने लगा। प्रार्थी 25 व 26-10-72 की कार्य छोड़ा। उस में दि. 26-10-72 की राख डाक पाल से डाक ले जाने हेतु मांगने लगा तो उन्होंने ने डाक की नयी सहायक डाक अधीक्षक श्री वांडेव जी से कोई आदेश और लाये तो मैं तुम्हें कार्य दूंगा। मैं दिन आ कुदमुद डाकघर में रहा, किन्तु मुझसे डाकघर का कोई कार्य नहीं लिया। मैं लिखित मांग ले उन्होंने देने से इन्कार किया।

हाल निवेदन है कि मुझे E.D.M.P. कुदमुद की कार्य करने हेतु शाखा डाक पाल कुदमुद की आदेश नहीं जाय

दि 29-10-72

प्रार्थी -  
वजीर वांडेव  
E.D.M.P. कुदमुद  
मुल्तानपुर

प्रतिलिखित अधीक्षक डाकघर मुल्तानपुर को प्रेषित है।  
श्रीमान जी निवेदन है कि शाखा डाक पाल कुदमुद की निर्देशिका जाऊ के वे मुझसे E.D.M.P. का कार्य कराये। क्योंकि वे किसी के बहकावे में आकर मुझसे कार्य नहीं ले रहे हैं।  
शाखा डाक पाल कुदमुद प्रार्थी की सुझाव पढ़ने की गयी है कोई सड़कन का सगी अकार सकते हैं।

प्रार्थी - वजीर वांडेव E.D.M.P. कुदमुद  
मुल्तानपुर

74/750

27/11/72

Amrapur C A-3 147

सेवा में

श्रीमान डॉ. अधीक्षक महोदय  
मुलतानपुर प्रखण्ड 228001

मान्यवर

प्रार्थी शारदा डॉ. डॉ. कुंद मुंद के पद पर,  
श्री रमा शंकर द्वे कार्य पृथक होने के बाद के कार्यरत है।  
प्रार्थी को शारदा डॉ. डॉ. पद पर कार्य करत हुए लगभग  
चार वर्ष हुए परन्तु मातृ माह 145-00 एलिसो पैतालिस मध्ये  
भर्ती में शुद्ध होने है जिससे प्रार्थी के पोस्टर पर बुरा असर  
पड़ रहा है प्रार्थी को शारदा डॉ. डॉ. पद के पद पर किसी प्रकार  
के कार्य करने को वैध नहीं है ?

अतः श्रीमान जो से निवेदन है कि  
प्रार्थी को शारदा डॉ. डॉ. पद से भार मुक्त करा कर अपने  
पहले वाले स्थान पर (डॉ. रमा शंकर कुंद मुंद) कार्य करने  
को अनुमति प्रदान करने को कृपया को जाय।

प्रार्थी +

जंगा प्रसाद कुंदा

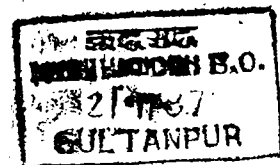
शारदा डॉ. डॉ. कुंद मुंद

मुलतानपुर  
दिनांक 21-11-87

Amrapur

प्रतिलिपि :-

1- श्रीमान सहायक डॉ. अधीक्षक  
दक्षिण मुलतानपुर /  
228001



*(Signature)*

*(Signature)*

21/11/87



पुष्पी राज कुमार

P. R. Kumar  
DIRECTOR

उप ई. ए. ए. / D.O. NO. 7-9/90  
स्टाफ/7-9/90  
मिस्ट्रस डक सेव  
इलाहाबाद, उ.प्र., इलाहाबाद-211001  
DIRECTOR POSTAL SERVICES  
ALLAHABAD REGION, ALLAHABAD-211001  
दिनांक / Dated 2-3-90

Amarendra C.A. 4  
AY8

विद्यमान

ई0डी0एम0पी0 कुमुवर्तुल्लानपुर के निम्नलिखित के संबंध में आपने अपने अध्यापक वी-3/206-ए/कुमुवर्तुल्लानपुर दिनांक 7 मार्च 1990 का तन्त्रम ले, मैंने अपने अध्यापक वी-3-90 में यह स्पष्ट आदेश दिया था कि श्री गंगा प्रसाद गुप्त ई0डी0एम0पी0 जो शाखा डाकमाल के पद पर अस्थायी तौर पर कार्य कर रहे थे, को तुरन्त उनके मौलिक पद पर लगा दिया जाय। यह आदेश इतने स्पष्ट है कि इसमें किसी प्रकार के तन्त्रम की गुंजाइश नहीं थी। फिर भी आपने अनावश्यक तन्त्र व्यवहार किया और आदेश के बालन में विलम्ब किया।

अतः मैं यह स्पष्ट कर देना चाहूंगा कि इस विलम्ब के कारण कोई भी किसी प्रकार की वैधानिक वा अन्व व्यवधान उत्पन्न होता है तो उसके लिए आप जिम्मेदार होंगे। पूरे मामले के अवलोकन से यह स्पष्ट होता है कि श्री गंगा प्रसाद गुप्त ई0डी0एम0पी0 कुमुवर्तुल्लानपुर ने अपने पद से इस्तीफा नहीं दिया और उनके शाखा डाकमाल के पद कुमुवर्तुल्लानपुर का पद अस्थायी तौर पर दिया गया। श्री गंगा प्रसाद गुप्त ने अपने स्थान पर श्री देवी प्रसाद दूबे को अपनी जिम्मेदारी पर सवजी के तौर पर लगा रखा है। इससे यह स्पष्ट है कि ई0डी0एम0पी0 कुमुवर्तुल्लानपुर का पद खाली नहीं था क्योंकि श्री गंगा प्रसाद गुप्ता ने न तो इस पद से त्याग पत्र दिया और न ही उन्हें इस पद से हटाया गया। अतः ई0डी0एम0पी0 कुमुवर्तुल्लानपुर के पद पर नियुक्ति करना वैधानिक अनियमित है। अगर इस पद पर नियुक्ति की गई है तो उसको तुरन्त निरस्त करके श्री गंगा प्रसाद गुप्ता को उसके मौलिक पद पर अविलम्ब लगाया जाय। जिस अधिकारी ने इस पद पर नियुक्ति की है उसका स्पष्टीकरण लेकर इस कार्यालय को वापसी डाक से भेजे।

स्पष्टीकरण मैं यह स्पष्ट करवा लिया जाय कि इस ई0डी0एम0पी0 की जगह रिक्त ही नहीं है तो इस पद पर नियुक्ति क्यों कर दी गई तथा अतिरिक्त शाखा डाकमाल कुमुवर्तुल्लानपुर के पद पर नियुक्ति नियमानुसार क्यों नहीं की गई।

अतः मैं यह चाहूंगा कि यथा निर्दिष्ट आवश्यक कार्यवाही करके अपग्री आया तुरन्त मेरे कार्यालय को भेजे।

आपका आज्ञाकारी

मार्गदर्शक

Excuse

श्री ओ0पी0 गुप्त  
अधीक्षक डाकघर  
तुल्लानपुर

Excuse

Excuse

7/4/750  
27/01/90  
Excuse



Exhibit C 4 5

149

पत्र रिपोर्ट

प्रमाणित किया जाता है कि ई. जे. धन. को.  
 कुचकुच का-पत्र ओ देवे प्रत्यक्ष से ओ गंग-  
 प्रसाद मुखाने सहायक डाक कक्ष में दक्षिणी के  
 पत्र संख्या ४/कुचकुच दिनांक सु. २२-३-९० के अनुसार  
 दोपहर के काय-पत्र किया। ✓

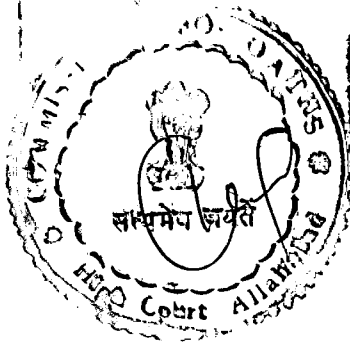
पत्र १२ नं. का पत्र

ओ देवे प्रत्यक्ष से  
 ई. जे. धन. को. कुचकुच  
 दिनांक - २२-३-९०

पत्र १२ नं. का पत्र

राजा प्रसाद मुखाने  
 E. J. धन. कुचकुच  
 दिनांक - २२-३-९०

Open



KUSHAL B.O.  
 २२-३-९०  
 SULTANPUR

High Court Allahabad  
 Sl. No. 74/750  
 Date 22/8/90

भारतीय डाक विभाग

Air mail C.A. 6  
ABC

प्रेषक,

सहायक अधीक्षक डाकघर  
दक्षिणी उप मण्डल,  
सुलतानपुर।

सेवामें,

अधीक्षक डाकघर  
सुलतानपुर।

पत्रांक: स/कुछमुछ /सुलतानपुर दिनांक 18.12.89.

विषय: ई डी एम पी कुछमुछ की नियुक्ति के सम्बन्ध में।

सन्दर्भ: आपका पत्रांक स/कुछमुछ दिनांक 27.10.89.

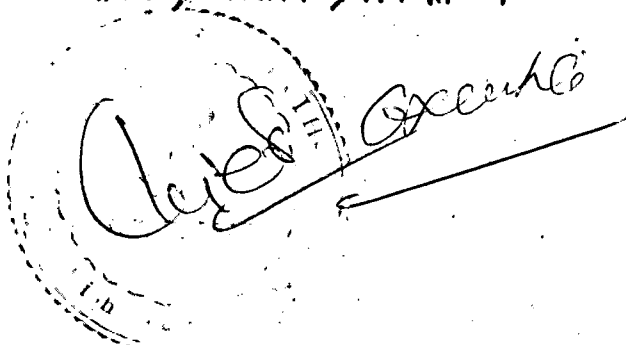
मामले की जांच श्री उमाशंकर श्रीवास्तव ओवर सियर दक्षिणी से कराई गई। शाखा डाकमाल कुछमुछ ने अपने दिनांक 10.11.89 के बयान में बताया कि उसके पास एक दुबला पतला आदमी आया था जिसने बताया कि वह एस डी आई उत्तरी का जमादार है। पुनः 25.10.89 को वह व्यक्ति आया और कहा कि वह सादी चार्ज रिपोर्ट लिये है उसने उसे अटेस्ट करने को कहा और कहा कि ऐसा नहीं करोगे तो आपके खिलाफ कार्यवाही होगी जिसके डर से उसने सादी चार्ज रिपोर्ट को प्रमाणित कर दिया और मुहर लगा दी। उसने वह भी कहा कि वह दिनांक 25.10.89 से शाखा डाकमाल के साथ ई डी एम पी का भी कार्य कर रहा था क्योंकि श्री देवी प्रसाद दुबे ई डी एम पी ने दिनांक 24.10.89 को मेडिकल दे दिया था। वह पुनः 7.11.89 को फिटनेस देकर पुनः ई डी एम पी के पद पर कार्य कर रहे हैं।

सूचनार्थ रिपोर्ट प्रेषित है।

ह0/-

सहायक अधीक्षक डाकघर  
दक्षिणी उप मण्डल  
सुलतानपुर- 228 001.

सत्य प्रतिलिपि प्रमाणित।





7/11/89  
24/11/89

Anne vna. 17-7

Department of Posts India

From,

Asstt. Supdt. of post offices,  
South Sub Division,  
Sultanpur- 228001.

To

The Supdt. of post offices,  
Sultanpur.

No.

A/Kuchmuchh Dated at Sultanpur the 19.3.90.

Sub:

Drawal of allowance of Shri Bansidhar Pandey, EDMP  
Kuchmuchh.

Ref:

Your no. B-3/206.A/Kuchmuchh/Ch.II Dated 13.3.90.

A reference is invited towards this office letter no. even dated 18.12.89 in which detail report has already been furnished. Shri Devi Prasad Dubey worked upto upto 24.10.89 and was on medical from 25.10.89 to 6.11.89 and again joined from 7.11.89. Therefore he was allowed to draw his allowance from 1.10.89 to 24.10.89. Shri Ganga Prasad Gupta has informed that he worked as EDMP from 25.10.89 to 6.11.89 in addition to his duty as B.P.M..

I have already informed your honour that Shri Ganga Prasad Gupta working BPM is not in opinion for transferring the charge of EDMP. He has applied for his return to his original post of EDMP as he has not resigned from his post. He has furnished several application to you but nothing has been decided in his case. Kindly see your file in which all the facts are available. But the BPM has not been informed with your decision so far. He is also taking meeting with you and discussed this issue from the platform of Union. Even though your honour is pressing to the undersigned for this purpose. I have several time informed that BPM has created nuisance in transferring charge of EDMP but nothing has been heard by you nor BPM has been asked for transferring charge by you. Your honour is competent to take suitable notice against BPM. I therefore again request you kindly to take action against BPM so that charge of EDMP may be easily transferred to Shri Bansidhar Pandey.

SD/-

Asstt. Supdt. of post offices  
South Sub Division,  
Sultanpur-228001.

True copy attested.

*[Signature]*

*[Signature]*

14650  
22/5/90

AS2  
Court Officer Court Master  
of Court I  
to place it with the file for  
purpose of the Hon'ble Court,

P-1319  
D. R.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH

CIVIL MISC. APPLICATION NO 243/9 OF 1990

On behalf of the

Union of India and others .... Applicants/Respondent

In

Registration C.A. No. 477 of 1990

Banshi Dhan Pandey ... Applicant

versus

Union of India and others ... Respondents

To

The Hon'ble the Vice Chairman and His  
company Hon'ble Members of this Hon'ble Tribunal.

The humble application of the above  
named applicants Most Respectfully Sheweth:

1. THAT on 23-8-90 when the case was taken  
up a counter affidavit was filed on behalf of  
the respondents contesting the aforesaid petition.

2. THAT certain facts could not be brought  
on the record and certain queries were made by

Kor

AS3

§§ 2 §§

Hon'ble Court with the deponent.

3. THAT in order to give a clear picture of the case a brief history of the case of the respondents is narrated below, which may be read as part of the record in addition to parawise reply given from the paragraph 9 of the counter affidavit.

4. THAT paragraphs 4 to 8 of the counter affidavit may not be read and in its place the accompanying supplementary counter affidavit may be read which will give a clear chronological picture of the case.

5. THAT in the interest of justice this Hon'ble Tribunal may be pleased that the accompanying supplementary counter affidavit may be made as part of the record.

#### P R A Y E R

It is, therefore, Most Respectfully Prayed that this Hon'ble Court may graciously be pleased that the paragraph nos. 4, 5, 6, 7 and 8 of the counter affidavit may be deleted and in place the supplementary counter affidavit may be read

*for*

AS4

:: 3 ::

as part of the counter affidavit; AND  
or may pass such suitable & orders/directions  
which this Hon'ble Court may deem fit and  
proper in the circumstances of the case.

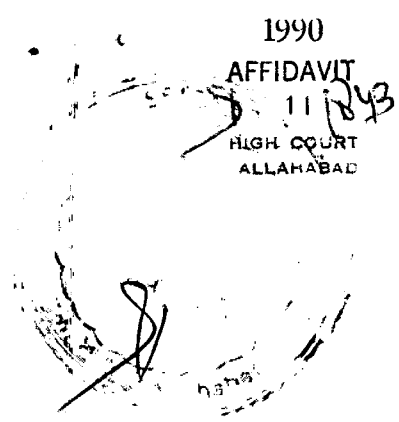
September 3, 1990.

( K.C. SINHA )  
ADDL. STANDING COUNSEL

CENTRAL GOVT.

COUNSEL FOR THE RESPONDENTS/APPLICANTS

ASS



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH

\*\*\*\*

SUPPLEMENTARY COUNTER AFFIDAVIT

In

Registration O.A. No. 477 of 1990

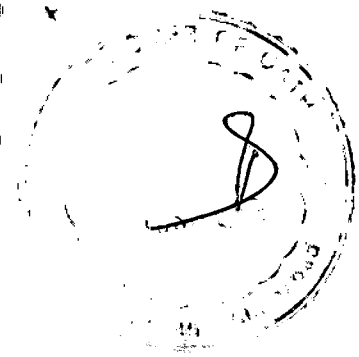
Banshi Dhar Pandey ... Applicant

versus

Union of India and others ... Respondents

Affidavit of Shri C.P. Gupta  
aged about 49 years, son of  
Shri Ram Ugrah Gupta, Superintendent  
of Post Offices, Sultanpur.

(Deponent)



I, the deponent as above named, do  
hereby solemnly affirm on oath and state as  
under:

Executed

1. THAT the deponent is the Superintendent  
of Post Offices, Sultanpur in the Office of the  
Respondents and he has been authorised to file  
the supplementary counter affidavit and as such

156

3

he is fully conversant with the facts of the case deposed to hereinafter.

2. THAT one regular Extra Departmental Branch Post Master Rama Shankar Dubey , Kuchmuch, was ordered to be put off duty on 25-7-83. and one Sri Ganga Prasad Gupta who was working as Extra Departmental Mail Peon in the said Post Office was ordered to work on the post of Extra Departmental Branch Post Master and he has accordingly taken over charge of the Branch Post Master on 30-11-83. In fact no appointment order was issued in favour of the Ganga Prasad Gupta appointing him as E.D.B.P.M. but only at the direction of Assistant Superintendent of Post Offices, Sultanpur, the charge of EDBPM Kuchmuch was given to Shri Ganga Prasad Gupta.

Geetika

3. THAT a decision was taken that the post of Ganga Prasad Gupta should be filled up by way of making a substitute arrangement on the responsibility of certain employees of the



157

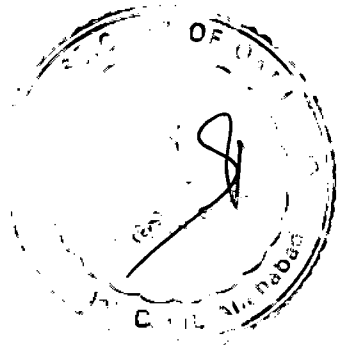
88 6 88

postal Department as Ganga Prasad Gupta was not very much willing to work as EDBPM and he was representing his case that he should be allowed to work as E.D. Mail Peon, Kuchmuch.

4. THAT accordingly one Sri Devi Prasad Daubey was allowed to work as E.D. Mail Peon as substitute on the responsibility of Sri Ganga Prasad Gupta.

5. THAT on 11-9-85 Sri Ganga Prasad Gupta was given provisional appointment also on the Post of E.D.B.P.M.

6. THAT as stated earlier Shri Ganga Prasad Gupta was not satisfied with the job of EDBPM Kuchmuch as such, he made several representations that he may be allowed to work as E.D. Mail Peon Kuchmuch and one of the application is being filed as Annexure-3 to the counter affidavit which is dated 21-11-1987.



Collected

7. THAT it is also pertinent to mention here that in view of the appointment of Ganga Prasad Gupta on the post of Branch Post Master, Kuchmuch on 11-9-83. The steps were taken to make a ~~regular~~ <sup>provisional</sup> appointment on the post of E.D. Mail Peon vice Ganga Prasad and the applicant was given the said appointment on 14-10-89.

8. THAT though the applicant was allowed to resume charge of E.D. Mail Peon on 25-10-89, but the reason best known to him, he did not report for duty as evident from the report of respondent no. 2 dated 18-12-89 and 19-3-90. A photostat copy of the reports are annexed herewith and marked as Annexures-SCA-I and II to this supplementary counter affidavit.

ANNEXURES-SCA-I & II

9. THAT on 7-6-90 when the petitioner did not join his services, the original appointment of the petitioner was cancelled on the post of Extra Departmental Mail Peon. A photostat copy of the order dated 7-6-90

Exhibit

ASG

88 0 88

is being annexed herewith and marked

ANNEXURE SCA-III

as Annexure-SCA-III to this supplementary counter affidavit.

10. THAT as stated earlier Shri Ganga Prasad was not happy with this appointment as E.D. Brnabh Post Master and he requested for his original post of E.D.M.P. and ultimately his request was acceded to by the Director, Postal Services, Allahabad by means of an order dated 20-3-90. A true copy of the said order has been filed as Annexure-SCA-IV to this supplementary counter affidavit.

ANNEXURE-SCA-IV



Executed

11. THAT since the applicant did not ~~work~~ <sup>work</sup> ~~assume charge~~ by virtue of his appointment dated 14-10-89, the substitute arrangement i.e. Devi Prasad Douby was continuing on his post as a substitute.i.e. on the post of E.D. Mail Peon vice to Shri Ganga Prasad Gupta.

12. THAT in fact the petitioner has himself given a publication in the fortnightly

news paper i.e. 'Amethi Sanschar'  
from 1-5-90 to 15-5-1990 under the Column  
'Chitti Patti' where he himself has stated  
that he did not performed the work of  
EDMP Kuchmuch. In his application dated  
27-10-89 he has also admitted this fact that  
he was not allowed to have the change. A  
photostat copy of the same is annexed with  
the counter affidavit and marked as Annexure-  
CA-1 & 2.

13. THAT SINCE THE regular incumbent  
Shri Ganga Prasad Gupta who was looking after  
the charge of EDBPM Kuchmuch against the  
vacancy which was caused due to order of put  
off had made several applications for his  
coming back to the post of EDMP which post  
the petitioner was holding temporarily and  
on 20-3-90 the Director Postal Services agreed  
with the request of Shri Ganga Prasad Gupta  
and directed to the Superintendent of Post  
Offices, i.e. Respondent No.3 to cancel the  
appointment of the petitioner and allow the

Dec 4/90

Ganga Prasad Gupta to continue on his regular post of EDMF. Kachhuch. A photostat copy of the application of Shri Ganga Prasad Gupta dated 21-11-87 and the order dated 20-3-90 issued by the Director Postal Services is already annexed as Annexures-CA-3 & 4 with the counter affidavit.

14. THAT in view of the aforesaid fact the permanent incumbent Shri Ganga Prasad Gupta was allowed to join his original post of EDMF w.e.f. 22-3-90 and the applicant's temporary appointment was dispensed with. On 22-3-90 Shri Ganga Prasad Gupta has taken over charge from Shri Devi Prasad Dubey who was working as EDMF as substitute. A photostat copy of the charge report is already annexed as annexure-CA5 to the counter affidavit.

15. THAT in view of the aforesaid facts and circumstances stated above, since the applicant has not assumed the charge by virtue of his appointment order dated 14-10-89

Accepted

and ultimately his appointment was cancelled by means of an order dated 7-6-90 and as such no relief can be granted to the petitioner.

16. THAT it is well settled law that unless the appointment order is given effect and the incumbent has joined his duty no right is accrued to him.

I, the deponent above named do hereby verify and declare that the ~~deponent's~~ contents of paragraph nos.

of this affidavit are true to my personal knowledge and those paragraph nos.

of this affidavit are based on perusal of record and the contents of paragraph nos.

of this affidavit are based on legal advice, to which in all, the deponent believes to be true and that no part of this affidavit is false and nothing material has been concealed in it.

So help me God.

(Deponent)

A63

: 12 :

I, D.S. Chaubey, Clerk to Shri K.C. Sinha  
Advocate, declare that the person making this  
affidavit is known to me <sup>personally</sup> ~~from the perusal of~~  
~~record in his possession~~ and I am satisfied  
that he is the deponent.

(108)  
Clerk

Solemnly affirmed before me on this 13<sup>th</sup>  
day of September, 1990 at 12.00 p.m. by the  
deponent, who is identified by the aforesaid  
Clerk.

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

OATH COMMISSIONER.

S. S. Sinha  
11/8/93  
13/9/90

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
LUCKNOW BENCH : LUCKNOW.  
OPP. RESIDENCY, GANDHI BHAWAN, LUCKNOW.

NO. CAT/LKO/JUDL/

DATED

REGISTRATION NO. C.A. 174/92 (200 F \* 199 (L)

in O.A. 477/90

Sri ~~Harshidhar Pandey~~

APPLICANTS

VERSUS

Union of India & ors.

RESPONDENTS.

- 1- Sri K.C. Sinha, Advocate, Central Administrative Tribunal,  
C.A.T. Bar Association, 23-A, Thern hills Road, Allahabad.  
2- Sri Anupam Shukla, Advocate

Bar Association  
C.A.T. Allahabad  
23-A Thernhill Rd

Please take notice that the applicant abovesigned has presented an application a copy 1 thereof is enclosed herewith which has been registered in this Tribunal and the Tribunal has fixed 28th day of August-1992 for filling rejoinder.

If, no appearance is made on your behalf, your pleader of by some one duly authorised to act and plead on your behalf in the said application, it will be heard and decided in your absence. Given my hand and the seal of the Tribunal this 29th day of July 199 2

FOR DEPUTY REGISTRAR

(RN)



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH

Regd. A/D

23-A Thornhill Road

Allahabad. 211001

Registration O.A.No. 477 Of 1990  
No. CAT/Alld/Jud.

Union of India

Vrs

Union of India

APPLICANT.

RESPONDENT.

- (1) Union of India through W/O Communication, Delhi. *By Registrar*  
(2) Assistant Superintendent, Post Offices, South Sub-Divisional District, Sultanpur. *Doct.*  
(3) Superintendent, Post Offices, Sultanpur Division, Sultanpur.

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

6th Day of August 1990. For:-

Orders, in the matter of interim relief, has been filed in such cases as to why the interim relief should not be granted, as to why the ~~interim~~ application be not granted.

If, no appearance is made on your behalf, your pleader or by someone 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 30th Day of July 1990.

*[Signature]*  
For Deputy Registrar  
(Judicial)

C-119

**In the Central Administrative Tribunal Allahabad.**

No. 477 of 19 90

Banerjee Pandey ..... Petitioners  
Appellant  
Applicant

VERSUS

Union of India & others ..... Respondent  
Opposit Party

I, S. C. Gupta in the above matter hereby appoint and retain  
SHRI KRISHNA CHANDRA SINHA, Advocate High Court Allahabad  
to appear, act and plead for me/us in the above matter and to conduct/prosecute and defend  
the same in all interlocutory or miscellaneous proceedings connected with the same or with  
any decree or order passed therein, appeals and or other proceedings there from and also in  
proceedings for review of judgment and for leave to appeal to Supreme Court and to obtain  
return of any documents filed therein, or receive any money which may be payable to me/us.

2. I/We further authorise him to appoint and instruct any other legal practitioner  
authorising him to exercise the powers and authorities hereby conferred upon the Advocate  
whenever he may think fit to do so.

3. I/We hereby authorised him/them on my/our behalf to enter into a compromise in the  
above matter, to execute any decree order therein, to appeal from any decree/order therein  
and to appeal, to act, and to plead in such appeal or in any appeal preferred by any other  
party from any decree/order therein.

4. I/We agree that if/we fail to pay the fees agreed upon or to give due instruction at  
all stages he/they is are at liberty to retire from the case and recover all amounts due to  
him/them and retain all my/our monies till such are paid.

5. And I/we, the understand do hereby agree to ratify and confirm all acts done by  
the Advocate or his substitute in the matter as my own acts, as if done by me/us to all  
intents and purposes.

Executed by me/us this                      day of                      19                      at

S. C. Gupta  
Signature

Executant/s are personally known to me he has/they                      have/signed                      before me  
Satisfied as to the identity of executant/s signature/s.

( where the executant/s is/are illiterate blind or unaquainted with the language of  
vakalat )

Certified that the content were explained to the executant/s in my presence  
in.....the language known to him/them who appear/s perfectly to  
understand the same and has/have signed in my presence.

Accepted

K. C. Sinha  
K. C. SINHA  
Advocate

High Court, Allahabad  
Counsel for Applicant/Respondents  
No.....

ACB

सुभासपुर - दफ्तरी ३०१५०  
सुभासपुर - २२८००१

०/०

Memorandum No A-Kuchh much dated 7-6-90

The appointment of the Banshidhar Pandey made by this office memo even dated 14.10.89 is hereby cancelled.

Copy to L.

सुभासपुर - दफ्तरी ३०१५०  
सुभासपुर - २२८००१

Exhibit

1. The Banshidhar Pandey s/o Sri Ram Karai Pandey Hill Mathewpur P. Kuchh much Distt. Sultapur for information
2. S.P. Sultapur w/o to be no. 2/206 A/Kuchh much dated 12.4.90
3. S.P. Sultapur
4. S.P. Sultapur

11/843  
13/9/90