

Central Administrative Tribunal  
Lucknow Bench.

Cause Title CA 154/90 of 1993

Name of the Parties Mohai Lal. Applicant

V e r s u s

Union of India Respondents.

Part A . P.C

Sl. No.	Description of documents	Date
1.	Check List	17/12
2.	Order Sheet.	13/12
3.	Judgement. <del>dated 29/12/90</del> 14/12	14/12
4.	Petition Copy	17/12/90
5.	Annexure	A26 A23
6.	Power	A26 A23
7.	Counter Affidavit.	14/12/90
8.	Rejoinder Affidavit.	14/12/90

B - File

B64-B139

B - File

C-175 C145

C - File

needed cert / destroyed

50152

mv

CENTRAL ADMINISTRATIVE TRIBUNAL  
CIRCUIT BENCH, LUCKNOW

Registration No. 154 of 1989 (L)

Tribunal  
Office of the Registrar  
Lucknow  
35/9  
Accept by Post  
Deputy Registrar

PLAINTIFF(S) Mohan Lal  
DEFENDANT(S) U. O. 2

Particulars to be examined	Endorsement as to result of examination
1. Is the applicant competent?	Yes
2. a) Is the application in the prescribed form?	Yes
b) Is the application in paper book form?	
c) Have six complete sets of the application been filed?	
3. a) Is the application in time?	Yes
b) If not, how many days it is beyond time?	
c) Was sufficient cause for not making the application in time, shown?	
4. Was the document of authorisation/ Jekalatnama been called?	Yes
5. Is the application accompanied by Rs. 50/- order?	Yes
Has the certified copy/copies of the order(s) against which the application is made been filed?	Yes
7. a) Have two 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 outcome of such representation been indicated in the application?	Yes
10. Is the matter raised in the application pending in any court of law or any other Bench of Tribunal?	No

Articles to be Examined

Endorsement as to result of examination

11. Are all original/duplicate copy/extra copies signed?
12. Are extra copies of the application with annexures filed?
  - a) Identical with the Original?
  - b) Different?
  - c) Missing in annexures

ya

ya

Yes, \_\_\_\_\_ No, \_\_\_\_\_?

13. Are all file size envelopes marked with addresses of the parties as per filed?

NA

14. Are all addresses the parties as per filed?

ya

15. Are all names of the parties stated in the copies tally with that indicated in the application?

ya

16. Are all applications certified by the court as per the order by an officer stating that they are true?

NA

17. Are all the parties in the case mentioned in item no. 16 of the application?

ya

Details:

1. Are all documents signed?

2. Are all documents signed by the parties?

3. Are all documents signed on one side of the paper?

4. Are all documents for interim orders signed for indicated with reason?

ye

5. Are all documents for interim orders signed for indicated with reason?

ya

12-1-77

① (13)

O.A. NO.154 of 1990 (L)

11.5.1990

Hon'ble Mr. K.J. Raman, A.M.

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

Heard, the learned counsel for  
the applicant.

Issue notice to the respondents  
to show cause as to why the petition may  
not be admitted.

List it for admission on 23.7.1990.

Sd/-

J.M.

Sd/-

A.M.

rmr/

②

23/7/90

24th. D. H. K. Nath, VC

24th Mr. K. Oboye AM

Admit

list refer DR (T) 9

24-9-90

AM

VC

OR

Notices were issued on  
14.5.90

No reply nor any  
written reply has been received.

S. F. N-

h  
19/2

CA filed.

h  
2

③

24-9-90

D. R.

Both the parties are  
present. L/c for the  
respondents show B. K.

Shukla has filed  
counter. Reply order

has not been filed  
by the Applicant.

Hence, the case is listed  
before the Hon. Bench  
on 12-11-90 for final  
hearing.

See original order  
on main petition

See original  
order on main  
petition

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

No. 154 F 1940 U,  
Mohana Lal Vs. L. O. E. (Rly.)

Sl.No.	Date	Office Report	orders
		<u>(7)</u>	
			<p align="center"><u>15.2.41</u> D.R.</p> <p>Both parties are absent today. Applicant did not file again till today. Sufficient opportunity has been given to him for filing it, but he did not use it. So, this case is held before the Hon Bench on 25/4/41 for orders.</p> <p align="right">✓</p>
		<p><u>OR</u> LC for the applicat has been MP 143/41 for implementation. S F O L 24/4</p>	<p><u>25.4.41</u> Hon MR Agrawal Jm Hon MR Chaggar Jm Shri F. S. for applicant. Shri K. Shukla for O/S Order filed. heard Court for applicant may be decided, file petition within 3 weeks. not. not for hearing. on 3.8.41</p> <p align="right">Dm. Jm</p>
		<p><u>OR</u> No RA filed S F H L 14/10/41</p>	

L

(GK)  
O A. No 154/90

Date  
21/4/92

Hon'ble Mr. S.N. Prasad, J.M

Case called out. Sri B.K. Shukla  
counsel for the respondents has sought  
adjournment. List this case for hearing  
on 23/4/92.

✓

J.M.

Hon'ble Mr. S.N. Prasad, J.M

Case called out. Sri B.K. Shukla  
counsel for the ~~affidavit~~ respondents  
has sought adjournment. List this  
case for hearing on 27.4.92.

✓

J.M.

27-4-92

Hon Mr S.N Prasad, J.M

case called out several  
times at intervals. None  
responds on behalf of either  
of the parties. Put up  
again after lunch.

✓

J.M

2-

(Dec)

C.P. No 154/50

21.4.72

Hon. Mr. S. N. Prasad J.M.

case called out again  
 after lunch. Shri B.K. Shukla  
 learned counsel for the  
 respondent is present on  
 behalf of respondent.  
 This is an old case and  
 requires speedy disposal.  
 Let this case on  
 29-4-72, on which date  
 the case may be  
 disposed of summarily.  
 None appears on behalf of the applicant.

J.M.

42

29.4.72

Hon. Mr. S. N. Prasad J.M.

Received

Copy

File

clerk B.K. Shukla

J.M.

18/6/92

Case called out. Shri B.K. Shukla  
 learned counsel for respondent, is  
 present on behalf of the applicant. None appears  
 This is noteworthy that this is an  
 old case and requires speedy  
 disposal. This is also noteworthy  
 that on the last other date is

18/6

Before the Hon'ble Central Administrative Tribunal,  
Allahabad, Circuit Bench at Lucknow.

Registration No. ~~85~~ OA/54 of 1990. (L)

Mohan Lal.

-----Applicant.

Versus

Union of India and others.

-----Respondents

I N D E X.

S.No.    Description of papers.    Page Nos.

Compilation No.1:

1.    Petition/Application.    1 - 17

Compilation No.2:

2.    Annexure No.1: Imposition of Penalty  
Notide No.87/Confdl./  
ML/Enquiry dt.23.3.88. 18

3.    "    No.2: Provisional Pension  
payment order No.  
PPO/B/07882946/M  
NR/89/636  
dt. 1.1989. 19

4.    "    No.3: Letter No.Pension/  
Rly/MA/89/258 dt.  
18.2.89. 20

5.    "    No.4: Representation dt.  
11.7.89 of Sri Mohan  
Lal. 20

6.    "    No.5: Representation dt.  
24.4.89 to C.C.(JA)/  
N.D.L.S. 22

7.    "    No.6: Notice u/s 80 CPC. 23 - 28

8.    "    No.7: Reply of notice  
u/s 80 CPC. 29 - 30

9.    "    No.8: Authority vacation of  
Railway Quarter. 31.

Place: Lucknow.

Dated: 3.5.90

Signature.

Counsel of the applicant.

*3/5/90*  
*M.L. for*  
*11/5/90*  
*82/82/80*  
*Admiral*

Administrative Tribunal  
Bench  
3.5-90

v w

Before the Hon'ble Central Administrative Tribunal,  
Allahabad, Circuit Bench at Lucknow.

Registration No.O.A. 154 of 1990.(CL)

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Mohan Lal, aged about 60 years, son of  
Late Sri Sultan Ram, C/o Sri Alakh Ram,  
resident of House No.39-C, A.D.S.O.  
Railway Colony, Nanak Nagar, Lucknow.

-----Applicant

Versus

1. Union of India through the General Manager,  
Northern Railway, Head Quarters Office  
Baroda House, New Delhi.
2. The Financial Advisor & Chief Accounts Officer,  
Northern Railway, Head Quarters Office,  
Baroda House, New Delhi.
3. The Senior Divisional Accounts Officer,  
Northern Railway, Hazratganj,  
Lucknow.
4. The Assistant Chief Cashier,  
Northern Railway, Charbagh,  
Lucknow.

-----Respondents

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DETAILS OF APPLICATION:

1. Particulars of the orders against which  
the application is made :

The application is made against the following  
orders :-

(a) Order No.PPO/B/07882946 and NR/89/635.

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(b) Dated - .1.1989.

(c) Passed by - The Senior Divisional Accounts Officer  
Northern Railway, Hazratganj, Lucknow.

(d) Subject in brief :

The applicant was working as Assistant Superintendent scale Rs.550-750 now 1600-2660 and retired from service on 31.1.1988. The provisional pension was sanctioned to him vide order No.PPO/B/07882946 and NR/89/636 dated .1.1989 i.e. after a lapse of about one year from the date of his retirement. A case under Discipline & Appeal Rules was pending against him and finalized vide Imposition of Penalty Notice No.87/Confdl./ML/Enquiry dated 23.3.1988 to recover the loss of Rs.45011-91 on account of negligence of Sri Mohan Lal. The orders are of non-speaking and the copies of the relevant papers of enquiry were not supplied to make an appeal to the higher authority. This case was instituted against him as the opposite party No.4 acted in an arbitrary manner and put the applicant to work as Cashier in June, 1987 whereas the applicant was due to be retired on 31.1.1988. It is clear that the opposite party No.4 wants to put the applicant in trouble and also want to ~~put the applicant in trouble and also want to~~ involve him in such a case.

2. Jurisdiction of the Tribunal :

The applicant declares that the subject matter of the order against which he

12/11/89

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 Tribunal Act, 1985.

4. Facts of the case :

4.1. That the applicant was appointed on 3.3.1952 in Class IV Service scale Rs. 30- $\frac{1}{2}$ -35 under the control of Divisional Cashier and Pay Master, Ferozepur. Thereafter he was considered for promotion from Class IV to Class III scale Rs. 55-130 by the Departmental Promotion Committee.

4.2. That the applicant, having been declared suitable for promotion from Class IV to Class III ( Clerk grade II), was promoted as Clerk grade II in scale Rs. 55-130/60-130 with effect from 30.9.1954 in Divisional Cash and Pay Office, Northern Railway, Ferozepur.

4.3. That the seniority of the clerks of Cash and Pay Offices of all the Divisions over Northern Railway is combined together thus the applicant was transferred to Lucknow on administrative grounds in 1956.

P/K

- 4.4 That the applicant was declared qualified in the suitability test for promotion as Clerk grade-I scale Rs.130-300. Thus he was promoted as Clerk grade-I in the month of May, 1962.
- 4.5 That the applicant was posted as Junior Pay Clerk on 12.11.1963 and reverted to his substantive post (Clerk grade-I) on 19.11.1969.
- 4.6 That the applicant was further promoted as Cashier on 11.2.1975 and reverted as Clerk grade-I on 2.6.1975. The applicant did not consider himself suitable to continue as Cashier thus he took the reversion as per his own request.
- 4.7 That the posts of Head Clerks scale Rs.425-700 are being filled in on the basis of seniority of Clerk grade-I thus the applicant being the senior most Clerk grade-I was promoted as Head Clerk scale Rs.425-700 now 1400-2300 on 25.2.1981. Further he was promoted as Assistant Superintendent scale Rs.550-750 now 1600-2660 on 9.2.1983 against the fortuitous vacancy and reverted as Head Clerk on 5.4.1983.
- 4.8 That the applicant was declared successful in the selection of Assistant Superintendent scale Rs.550-750 now 1600-2660 in the year 1984 thus he was promoted as an Assistant Supdt.
- [Signature]*

scale Rs.550-750 now 1600-2660 with effect from 1.10.1984 against the non-fortutious vacancy and since then he had continued as an Assistant Superintendent till the date of retirement except the period in which he was directed to work as Cashier against PD-9.

4.9 That the applicant was deputed illegally and in an arbitrary manner as Cashier against PD-9 in the month of June,1987 to August,1987 as Clerk and shroff may be utilized as Cashier during urgency period only for 3 days as per policy but it is also against the rules because the Cashiers are appointed to the post after depositing the security money. The Clerks are not required to deposit the security money thus the posting of Clerks as Cashier is illegal.

4.10 That one peon is provided to each Cashier for assistance but the applicant was not provided any peon thus he had to disburse the salaries to the staff without any help. The job of the Cashiers is arduous nature. The applicant could not refuse as refusal amounts to disobedience of order and liable to be punished under Discipline & Appeal Rules.

4.11 That the applicant was forcibly deputed to work as Cashier against PD-9 by the

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respondent No.4. Thus he had to perform his duty as Cashier for the payment of salaries to the staff Railway Hospitals to Nurses, Doctors and other Class-III and IV staff of P.T.I, I.O.W. and sanitary staff eg. Lucknow to Nihalgarh. As soon as the payment work was stopped the cash-box was deposited in custody of Divisional Cashier and Pay Master, Northern Railway, Charbagh, Lucknow.

4.12 That the yard stick of the Cashiers is Rs.4,50,000/- to handle the cash in a month, if any, Cashier has handled the cash more than Rs.4,50,000/- he become entitle for the payment of honorarium.

4.13 That the applicant was handed over cash for disbursing the salaries to the staff as per details given below :-

<u>Date</u>	<u>Amount givent to the applicant.</u>
16.6.87	Rs.7,00,000/-
15.7.87	Rs.6,00,000/-
20.7.87	Rs.1,00,000/-
31.7.87	Rs.3,50,000/-
13.8.87	Rs.0,02,216/-
21.8.87	Rs.0,25,000/-
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	Total: Rs.17,77,216/-
	-----

4.14 That the accountal of the cash should

*ply*

AM

have been done on completion of one tour i.e. weekly but it is clear from the facts stated in para 4.13 that the accountal of the cash was not done on completion of one tour i.e. weekly as the applicant was given cash to the extent of lacs and in thousands too for the payment of salaries in the month of June, 1987, July, 1987 and August, 1987.

4.15 That the Assistant Divisional Cashier and respondent No.4 did not care for the accountal of the cash on completion of one tour i.e. weekly. In the last the accountal was done and a shortage of <sup>Rs. 45,000/-</sup> ~~Rs. 4,50,000/-~~ was detected.

4.16 That the applicant did not know the procedure of accountal of cash being raw hand thus Sri Radhey Shyam Srivastava, Divisional Cashier Workshops and Sri Uggarbir Singh were deputed to prepare the account of the applicant. Sri Radhey Shyam Srivastava, Divisional Cashier Workshops and Sri Uggarbir Singh <sup>had</sup> ~~were~~ prepared the accountal sheet.

4.17 That on completion of accountal work the shortage of Rs.45,000/- was detected for which a memorandum was issued to the applicant. On this account the enquiry was conducted by the

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(15)

Enquiry Officer Sri G.P. Dwivedi (Gandhiji) and notice for Imposition of Penalty was issued for the recovery of Rs.45011.91 from the settlement dues of the applicant as the applicant was retired from service on 31.1.1988 A.N. In the enquiry no opportunities were provided to the applicant to defend his case. The copy of the report of Enquiry Officer was not provided to the applicant alongwith the notice for Imposition of Penalty thus the applicant could not preferred an appeal. The photostat copy of the Imposition of Penalty is enclosed and is marked as Annexure No.1.

4.18 That the applicant has been retired from service with effect from 31.1.1988 A.N. but the payments of all retiring benefits have not been made whereas the enquiry was finalized and notice for Imposition of Penalty was issued on 23.3.1988 at Annexure No.1.

4.19 That the applicant has submitted many applications for the payment of pension, death-cum-retirement-Gratuity, Leave encashment and commuted value of pension but all in vain. The respondent No.3 become kind enough and has issued Provisional Pension Payment Order No. PPO/B/07882946 dated 1.1989 wherein the NR/89/635 under-noted remarks have been incorporated.

*[Signature]*

A/c

Entire amount of Relief @ 13% with effect from 1.2.1988 is to be adjusted in every month against outstanding amount of Rs.47,724.42 (Rupees Forty seven thousand seven hundred twenty four and paise forty two only). A photostat copy of the Provisional Pension Payment order is enclosed and is marked as Annexure No.2.

4.20 That the Manager (Acctt.), State Bank of India, Main Branch, Lucknow had referred the matter to the Financial Advisor and Chief Accounts Officer, Northern Railway, Baroda House, New Delhi vide letter No.Pension/Railway/M.A./89/258 dated 18.2.1989 wherein it was stated we are not suppose to recover from his pension as per terms and conditions of the arrangement made for payment of pension to Railway Pensioners through the Bank. A photostat copy of the said letter- is enclosed and is marked as Annexure No.3.

4.21 That the applicant has also submitted an application on 11.7.1989 to the Manager, State Bank of India, Main Branch, Lucknow, copy to F.A. & C.A.O. (Pension), Baroda House, New Delhi and the Chief Cashier (JA)/N.R., New Delhi requesting no cognizance should be given to the plainly arbitrary and discriminatory addition of directions against the necessary relief on the printed PFO No.NR/89/636 dated



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.1.1989. Photostat copy of the said application is enclosed and is marked as Annexure No.4.

4.22 That the respondent No.3 has not sanctioned for the payment of following retiring benefits and the under noted amounts are lying with the Railway Department :

(a) Death-cum-Retirement Gratuity	- Rs. 33,935.00
(b) Leave encashment	- Rs. 16,771.00
(c) Commutation value of pension	- Rs. 42,676.80
	-----
Total	Rs. 93,382.80
	-----

A photostat copy of the representation dated 24.5.1989 for the above payments is enclosed and is marked as Annexure No.5.

4.23 That the applicant approached to an Advocate to give a notice under Section 80 C.P.C. On the guide lines of the applicant a notice under Section 80 C.P.C. was given on 10.12.1989 but nothing has been done. A photostat copy of the said notice is enclosed and is marked as Annexure No.6.

4.24 That the respondent No.3 and 4 have given the reply of the said notice vide letter No. CP/ACC/ML/Lko./90 dated 15.2.1990. Photostat copy is enclosed and is marked as Annexure No.7.



4.25 That the respondent No.3 and 4 have mentioned in his reply in para 10 at Annexure No.7. The amount were shown as Rs.47,724.42 p. including the outstanding amount of (i) Cost of lock, (ii) Electric charges, (iii) House rent etc. in addition of Rs.45,011.91.

4.26 That the Chief Inspector of Works (Estate), Northern Railway, Lucknow has intimated vide letter dated 1.12.1988 that Railway Quarter No.E/7-N has been vacated by Sri Mohan Lal on 1.2.1988 and occupied by Sri Jyoti Prakash, Khallasi helper under C.T.S./Lucknow on 1.2.1988. Photostat copy of the said application is enclosed and is marked as Annexure No.8.

4.27 That the applicant has vacated the Railway Quarter with effect from 1.2.1988 as such the recovery of House Rent and Electric charges is illegal and is in an arbitrary manner.

5. Grounds for relief with Legal Provision :

(a) Because the applicant was retired from service on 31.1.1988 A.N. and his settlement due/retiring benefits could not be paid on account of non-finalization of the case pending under Discipline & Appeal Rules.

(b) Because the case under Discipline and Appeals Rules without holding the proper enquiry

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-12-

finalized in the month of March, 1988 and a notice for imposition of penalty was issued on 23.3.1988 for the recovery of Rs.45,011.91 p.

- (c) Because the respondent No.3 committed a manifest error as he did not sanction the retiring benefits after the finalization of the case under Discipline and Appeal Rules.
- (d) Because the respondent No.3 has sanctioned the provisional pension from 1.2.1988 in the month of January, 1989 and manifestly passed the order for recovery of Rs.47,724.42 p. from the relief of the pensioner from 1.2.1988.
- (e) Because the cause of action for recovery was accrued on 23.3.1988 whereas erroneously and arbitrarily passed the order for recovery from 1.2.1988.
- (f) Because the respondent No.3 has issued order in an arbitrary manner for recovery of Rs.47,724.42 p. against the imposition of penalty of Rs.45,011.91 p.
- (g) Because the relief on pension is a part of pension thus respondent No.3 committed a manifest error to issue the order for making recovery of outstanding amount from the relief sanctioned to the pensioner.

*[Signature]*

- (h) Because the respondent No.3 has committed a manifest error to issue the orders for recovery of the cost of Navtal lock without issue of any charge sheet to defend the concerning employee.
- (i) Because the respondent No.3 has also committed a manifest error for the recovery of Quarter rent and electric charges as the applicant vacated his quarter from 1.2.1983 as evident from Annexure No.8.
- (j) Because the respondent No.3 has committed a manifest error in regard to non-payment of Death-cum-Retirement Gratuity, Leave encashment and commuted value of pension.
- (k) Because the applicant has represented his case to the competent authorities but they did not dispose of the representation and have not stopped the recovery of outstanding amount from the relief of pension.
- (l) Because the respondent No.3 has committed a manifest error as he did not sanctioned the amount of Death-cum-Retirement Gratuity/ and Leave encashment to withheld the outstanding amount of Rs 45011-918 to adjust the same after the finalization of the case.
- (m) Because the applicant has vacated the Railway
- Recd*

accommodation with effect from 1.2.1988 even then the respondent No.3 has issued order illegally for the recovery of electric charges and quarter rent is being made from the relief of the pensioner.


6. Details of remedies exhausted :

The applicant exhausted all the remedies available to him. The applicant has made the following representations :-

- (a) The Manager (Acctt.), State Bank of India, Main Branch, Lucknow, to F.A. & C.A.O. (Pension), New Delhi.
- (b) Representation to Manager, State Bank of India, Main Branch, Lucknow.
- (c) Representation to Chief Cashier, (JA), Northern Railway, New Delhi.
- (d) Notice 80 C.P.C. to -
  - (i) Union of India through G.M., Baroda House, New Delhi.
  - (ii) The F.A. & C.A.O., Northern Railway, Baroda House, New Delhi.
  - (iii) The Senior Divisional Accounts Officer, Northern Railway, Hazratganj, Lucknow.

7. Matter not previously filed or pending with any other court :

The applicant further declares that he had not previously filed any application, writ



R22

petition or suit regarding the matter in respect of which this application has been made before any court or any other authority or any other Bench of the Tribunal nor any such application, writ petition or suit is pending before any of them.

8. Reliefs sought :

In view of the facts mentioned in para 4 above, the applicant prays for the following reliefs :

- (a) The applicant be paid settlement dues, Death-cum-Retirement Gratuity, Leave encashment and commuted value of pension immediately.
- (b) The applicant be paid interest @ 18% per annum with effect from 1.4.1988.
- (c) The recovery of Rs.45,011.92 p. should not be made from the relief of pensioner.
- (d) The recovery of the outstanding amount be stopped from the relief of pensioner immediately and the amount recovered from the relief of the pensioner be refunded.
- (e) The recovery of quarter rent, electric charges and cost of articles be stopped <sup>and amount</sup> ~~so recovered be refunded~~.
- (f) Any other relief which the Hon'ble Tribunal may consider fit.

*[Signature]*

9. Interim order, if prayed:

Pending final decision of the application, the applicant seeks issue of the following interim order :

- (a) The respondents may kindly be directed to stop the recovery of outstanding amount from the relief granted to the pensioner.
- (b) The respondent be directed to refund the amount which has already been recovered from the relief of the pensioner.

10. The application is being submitted through the counsel of the applicant.

11. Particulars of the Postal Order in respect of application fee :

(a) Number of Postal Order : 02 409970

(b) Date of issue : 30.4.1990

(c) Name of issuing Post Office : Golaagay  
Lucknow

12. List of enclosures :

(a) Imposition of Penalty No.87/Confdl./ML/  
Enquiry dated 23.3.1988.

(b) Provisional Pension payment order  
No. PPO/B/o 7882946 dated .1.1989.  
NR/89/636

(c) Manager (Acctt.), State Bank of India,  
Main Branch, Lucknow, Letter No. Pension/Rly./  
M.A./89/258 dated 18.2.1989.

*[Signature]*

- (d) Application dated 11.7.89 to the Manager, State Bank of India, Lucknow.
- (e) Application to Hon'ble Prime Minister, Govt. of India, New Delhi.
- (f) Notice under Section 80 C.P.C.
- (g) Reply of notice u/s 80 C.P.C. vide letter No. CP/ACC/ML/Lko./90 dated 15.2.90.
- (h) Letter regarding vacation and allotment of quarter.

Verification.

I, Mohan Lal, aged about 60 years, son of Late Sri Sultan Ram, resident of House No. E/7-N, Punjab Nagar, Railway Colony, Charbagh, Lucknow, do hereby verify the contents of paras 1 to 4 and 6 to 7, and 9 to 12 are true to my personal knowledge and those of paras 5 and 8 are believed to be true on legal advice and that I have not suppressed any material fact.

Dated: 3.5.1990.

Place: Lucknow.

*Mohan Lal*  
APPLICANT.

*Through*  
*Ad. Secy*  
*Ad. Secy*  
*31.5.90*

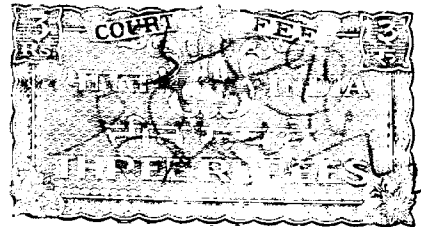
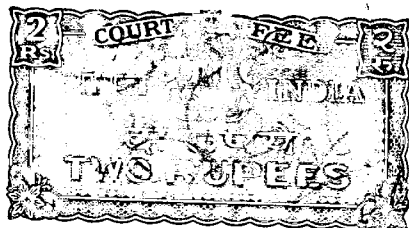
ब अदालत श्रीमान्  
[वादी अपीलान्ट]  
प्रतिवादी [रेंस्पॉण्डेंट]

श्री

का

वकालतनामा

महोदय



बनाम

प्रतिवादी (रेंस्पॉण्डेंट)

नं० मुकद्दमा

सन्

पेशी की ता०

१६ ई०

ऊपर लिखे मुकद्दमा में अपनी ओर से श्री

552/15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100

वकील

महोदय

एडवोकेट

नाम अदालत

मुकद्दमा नं०

फरीकन

को अपना वकील नियुक्त करके प्रतिज्ञा ( इकरार ) करता हूं और लिखे देता हूं इस मुकद्दमा में वकील महोदय स्वयं अथवा अन्य वकील द्वारा जो कुछ पंरबी व जवाब देही व प्रश्नोत्तर करें या कोई कागज दाखिल करें या लौटावें या हमारी ओर से डिगरी जारी करावे और रुपया वसूल करें या सुलहनामा व इकबाल दावा तथा अपील निगरानी हमारी ओर से हमारी या अपने हस्ताक्षर से दाखिल करें और तसदीक करें मुकद्दमा उठावें या कोई रुपया जमा करें या हारी धिपक्षी ( फरीकसानी ) का दाखिल किया हुआ रुपया अपने या हमारे हस्ताक्षर युक्त ( दस्तखती ) रसद से लेवे या पंच नियुक्त करें—वकील महोदय द्वारा की गई वह सब कार्यवाही हमको सर्वथा स्वीकार है और होगा मैं यह भी स्वीकार करता हूं कि मैं हर पेशी पर स्वयं या किसी अपने पंरोकर को भेजता रहूंगा अगर मुकद्दमा अवस पंरबी 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

साक्षी (गवाह) ... साक्षी (गवाह) ...

दिनांक ... महीना ... सन् १६ ई०

स्वीकृत

1374/90(5)

10  
A26  
Amended

Orders of imposition of penalty Rule 6 of  
Railway Servants (Discipline and Appeal) Rules -1968.

No.87/Confdl/ML/Enquiry

Place of issue : Lucknow.

Dated 1- 23.3.88.

✓ Shri Mohan Lal,  
Ex. A.C.  
Cash Office, N.R.,  
Charbani, Lucknow.

Through:- ACC/CB-LKO.

A major penalty memorandum No.CP/LKO/ACC/MI/87  
dated 23-7-87/7.10.87 was issued to you and D&R  
enquiry was got held by the E.O. into your case and  
after going through your representation and findings  
of the E.O, following orders have been passed :-

" The loss of Rs.45011.91 is on account of  
negligence on the part of Shri Mohan Lal,  
Ex. A.S. It should be recovered from his  
Settlement dues - as he has already retired "

2. Under Rule 18 of the Railway Servants (Discipline  
and Appeal) Rules, 1968, an appeal against these orders  
lies to the FA & CAO/W&S, N.R., Paroda House, New Delhi  
provided :-

- (i) the appeal is submitted within 45 days from  
the date you receive the orders.
- (ii) the appeal does not contain improper or  
disrespectful language.

3. Please acknowledge receipt.

Encl. - copy of Report  
( Please only )

*Samde*  
Joint Accounts Officer  
N.R., Lucknow

Copy to :-

- 1) ACC/CB-LKO.
- 2) Chief Cashier/JA, N.R., New Delhi.

*Mohan Lal*

# PENSION PAYMENT AUTHORITY LETTER

Genl.-245

PP010107082946

PROVISIONAL  
REGISTERED A.D.

Annexure No. 2

No. NR/89/636

Dated 1/89

Treasury Officer/Dy. Director/Manager

State Bank of India  
Govt Business Branch, Lucknow

Sub.—Payment of Pension to Shri/Smt

Ex. Asst. Supdt. Northern Railway.

In terms of Railway Board's letter No. 75AC II, 211, dated 19-7-1976 superannuation/Retiring pension

papers of Shri. Mohan Lal Ex. Asst. Supdt. for payment of pension @ Rs. 1022/-

plus relief Rs. \* Total Rs. \* per month w.e.f. 1-2-89 are enclosed. The pension is required to be disbursed through State Bank of India, Main Branch, Lucknow. S.P.O. No. 39128

The debit on this account may be raised against the FA & CAO/Books, Northern Railway Baroda House, New Delhi.

No pension has been commuted.

In the event of death of the pensioner family pension @ Rs. \* plus relief Rs. \* Total Rs. \* per month is payable to Shri. \* upto \* after that. \* @ Rs. \* plus relief Rs. \* Total Rs. \* w.e.f. \* till her death or remarriage whichever is earlier.

Enclosures :— 1. Pension Payment Order.

2. Specimen Signatures.

3. Joint Photograph.

4. Annexure 1. (Reporty Seven thousand, Seven hundred, Twenty four Paise forty two only)

FA & CAO/Sr. DAO/DAO/WAO  
N. Rly., Baroda House,  
New Delhi.

The payment of DCRG of Rs. \* has been arranged vide AB No. \* dated \* and CO 7 No. \* dated \*

The payment of DCRG will be arranged on receipt of NO DEMAND CERTIFICATE. The payment of this amount will be made in cash/by cheque (in presence of Gazetted Officers) at \*

Shri. Mohan Lal  
Copy for information to: E-7-N

1. Punjab Nagar Rly. Station, Lucknow
2. Divl. Cashier, N. Rly. C.B., LKO.

Signature

FA & CAO/Sr. DAO/DAO/WAO  
N. Rly., Baroda House, New Delhi

Mohan Lal



भारतीय स्टेट बैंक  
State Bank of India

तार-चिह्न

Telegram-Thistle

संकेत-२२६ ००१

Lucknow 226/001

वेदा विभाग

Accounts Division

मुख्य मुख्य शाखा

Lucknow Main Branch

20/1/89  
ENCLOSURE NO. 3

क्रमांक

No. Pension/Rly/MA 189/258

दिनांक

Date 18-2-1989

The F.A. and C.A.O. (Pension)

Northern Railway  
Barada House  
New Delhi.

Dear Sir,

Payment of Pension to Railway Pensioners  
through State Bank of India.

Shri Mahan Lal, PPO No 07892947

With reference to your letter No 89/Pension/पत्रा. | सेमस्ट मण्डल | लखनऊ dated -2-89 we have to advise that the recovery of Rs 47,724=42 (Rupees forty seven thousand seven hundred twenty four and paise forty two only) is the service dues of Shri Mahan Lal, the pensioner which we are not supposed to recover from his pension as per terms and conditions of the arrangement made for payment of pension to Railway pensioners through the bank. However, if there is any instruction from the Govt. of India please arrange to specifically advise us the same.

2. Further, in this case the D.C.R.G. and Provident fund of pen the pensioner are still held by the your department, the above recovery may well be made from the same. Instead your department preferred to arrange for the above recovery from the future payment to be made by the bank.

3. In view of the above we shall be glad to have your specific instructions in this regard at your earliest.

Yours faithfully,

Manager (Accts)

Mahan Lal

Manager,  
State Bank of India  
Main Branch  
Lucknow.

21  
Annexure No. 4

Reg: Pension Payment - PPO No.07882946  
in favour of Shri Mohan Lal

Ref: FA & CAO (Pension) Northern Railway  
New Delhi No.89/Pension/  
dated 16-2-1989

Respected Sir,

With reference to the FA & CAO(Pension) Northern Railway New Delhi cited above, it is to inform you that the said reference is misconceived and do not have any concern with my PPO No.07882946 as the same is in favour of PPO No.0792947 belonging to some else.

With regard to the relief on pension receivable by my a Govt. Svt. it is represents his property. No person shall be deprived of his property saved by authority of law. Moreover debits on pension cannot be recovered except under the Act of Parliament or a rule or order having the force of law as contended in Para 4 of the Judgment of CAT Madras in TA No.334 of 1987 decided on 10-6-88.

Thus under the rule of law on which the constitution of India is based, no recovery has to be made out from the pension and relief. The Railway is free to file civil suit on it if so desires.

It is therefore requested that no cognigence should be given to the plainly arbitrary and discriminatory addition of directions against the necessary relief on the Printed PPO No.NR/891636 dt. -1-1989

Hoping an early response.

43/11-2-89  
Dated: 07-2-1989  
Copy forwarded to:  
FA & CAO Pension  
Baroda House, New Delhi.  
CC/CA/NR/NDLS

Yours faithfully,

Mohan Lal  
( MOHAN LALL )  
E-7-N-Punjab Nagar,  
Lucknow

Mohan Lal

①  
12/7/89  
CC/CA

②  
Copy Received  
11/2/89  
153/410

22  
Enclosure 5 (Pro)

The Chief Cashier(JA),  
Northern Railway,  
NEW DELHI-110055.

Sir,

I beg to submit the following few lines for your information and sympathetic consideration :-

- 1) That I retired from Rly. Service on 31-1-1988, from ACC/LKO's Office.
- 2) That I have not received the payment of Leave Encashment and DCEG.

However, the payment of PF and Group Insurance, received by me.

I, therefore request your honour to kindly arrange the payment of Leave Encashment & DCEG, as the marriage ceremony of my daughter is nearer.

Thanking you,

Yours faithfully,

*Mahesh Lal*

(MAHESH LAL)  
Ex. Asstt. Supt.  
ACC's Office, NR, Lucknow.

Dated: 24-4-89.

*Send two copy.  
24/4/89*

*Mahesh Lal*

2/3

RECEIVED M. I. (A/S)

NOTICE  
REGISTERED WITH A/D

From:  
S.P. Sinha,  
Advocate  
Collectorate Raebareli  
Village: Lalupur Khas  
P.O. Chauhaniya  
District- Rae Bareli (U.P.)

RAE BARELI  
Dec. 10, 1989

To

1. Union of India  
Through The General Manager,  
Headquarters Office  
Northern Railway  
Baroda House, New Delhi.
2. The Financial Adviser And  
Chief Accounts Officer,  
Northern Railway, Baroda House  
New Delhi.
3. The Senior Divisional Accounts Officer,  
Northern Railway,  
Hazratgunj, Lucknow.

NOTICE UNDER SECTION 80 C.P.C.

Notice is hereby given on behalf of the Mahanlal, Retired Assistant Superintendent son of Late Shri Sultan Ram resident of E/7N Punjab Nagar, Railway Colony, Lucknow working in the Assistant Chief Cashier's Office, Northern Railway Charbagh, Lucknow, prospective petitioner/applicant fully described below in pursuance to Section 80 C.P.C. calling upon the Union of India through the General Manager, Northern Railway, Headquarters Office, Baroda House, New Delhi prospective respondents to issue the instructions for the payment of retiring benefits i.e. Death-cum-retirement - gratuity, leave encashment, commutation of pension and superannuation Pension with relief thereon to my client Shri. Mohanlal with interest @ 18% per annum. My client Shri Mohanlal was working as an Assistant Superintendent, Assistant Chief Cashier's Office, Northern Railway, Charbagh, Lucknow and retired from service on 31-1-1983 A.N. but the payments

contd..2

*Mohan Lal*

of retiring benefits have not yet been made except the Provident Fund and Provisional Pension without relief. Non-payment of retiring benefits to the retired employee is illegal, arbitrary and barassment to him as well as to his family members in the eyes of law. The leave encashment family pension D.C.R.G and commutation of pension have also not sanctioned. The recovery from pension and its relief is also illegal and arbitrary.

1. Name of the prospective petitioner/applicant

SHRI MOHANLAL

2. Description of the prospective petitioner/applicant

Retired Assistant Superintendent, Assistant Chief  
Chasier's Office, Northern Railway, Charbagh, Lucknow  
residing in E-7N Punjab Nagar, Railway Coloney, Lucknow.

The information required by the Union of India  
(Prospective respondent) are given hereunder :-

FACTS

1. That Sri Mohanlal, the prospective Petitioner, having been selected by the Railway Service Commission, was appointed as Clerk Scale Rs 55-130/60-130 with effect from 3-3-1952 and posted in Cash Office, Northern Railway, Ferozepur and thereafter transferred to Cash Office, Charbagh, Lucknow in December 1956.

2. That the seniority of all Class III staff of all the Divisions over Northern Railway is combined thus the transfer of the applicant was treated on Administrative ground and he hold his original seniority.

*Mohau Lall*

contd..3

25  
11/33

3. That Sri Mohanlal was promoted to the post of Senior Clerk (Clerk grade) in scale Rs 130-300 in the month of May 1961 and since then he was working satisfactorily.
4. That Shri Mohan Lal Senior Clerk further promoted to the post of Head Clerk Scale Rs 425-700 in 1980 and thereafter he qualified the selection for the post of Assistant Superintendent scale Rs 550-750 thus he was promoted on 9/2-83 to the post of Assistant Superintendent scale Rs 550-750.
5. That Sri Mohanlal was posted in clerical cadre, he had not deposited any security money thus he was not entitled to handle the cash even then he was put to work as Cashier without any additional remuneration in addition to his duties as an Assistant Superintendent. As per Yard Stick a cashier has to handle cash amounting to Rs 4,50,000/- in a month but this yard stick was not adhered to in the case of Shri Mohan Lal and he was given cash for payment of Rs 17,77,000/- i.e. more than prescribed Yard stick.
6. That Shri Mohan Lal was deputed to work as Cashier in addition to his present duties illegally and in all arbitrary manner. Two keys are maintained with the Cashier but said Shri Mohan Lal was given only one key which was also illegal in eyes of law.
7. That a major penalty memorandum No.CP/LKO/ACC/ML/87 dated 23-7-87/7-10-87 was served to Shri Mohan Lal, Assistant Superintendent but he was not given the opportunity to defend his case. No natural justice was accorded to him. The Senior Divisional Accounts Officer, Northern Railway, Hazratgunj, Lucknow had imposed a penalty for the recovery of Rs 45011.91 paise vide Imposition of Penalty No.87/Confdl/ML/Enquiry dated

contd.:4

*Mohan Lal*

26  
ASU

23-3-1988.

8. That the said Sri Mohan Lal retired from service on 31-1-1988 AN and more than 1 year 9 months have been passed but the payments of settlement dues/retiring benefits have not been made so far. The death-cum-retirement - Gratuity amounting to Rs 33935.00 is due to be paid to retired employee but its payment has not been sanctioned and paid to the retired employee.

9. That the said Shri Mohanlal has been granted Provisional pension with effect from 1-2-1988 vide Pension payment order No. PPO/B/07882946 dated -1-1989 i.e. after a lapse of about one year. The said payment order does not indicate the sanction of commutation of pension, Death-cum-retirement gratuity and Family Pension. In the said payment order the undernoted remarks have been incorporated.

" Entire amount of Relief @ 18% with effect from 1-2-1988 is to be adjusted in every month against outstanding amount of Rs 47724.42 (Rupees Fortyseven thousand seven hundred, twentyfour and paise forty-two only)"

10. That the enquiry findings were completed and order for imposition of penalty were issued by the Senior Divisional Accounts Officer, Northern Railway, Hazratgunj Lucknow vide letter No.87/Confcl/ML/Enquiry dated 23-3-88 wherein the loss of Rs 45011-91 paise has been shown but in the Pension Payment order Rs 47724.42 have been shown illegally and in an arbitrary manner.

11. That the said Shri Mohanlal had applied to commute

*Mohan Lal*

contd.5

22  
(1455)

1/3 his monthly pension but the commutation orders have not been issued. In terms of the instructions laid down for the commutation of pension, the employee has not to go for medical examination if he applies within a year otherwise he has to go for medical examination. It indicates the harassment to the retiring staff.

12. That the recovery of relief from Pension is also illegal in face of Supreme Court divisions. The enquiry has already been finalized hence the entire retiring benefit would have been sanctioned immediately. Rs 45011.91 paise may be kept in deposit for further decisions.

13. That the retiring benefit ~~is~~ be paid to the retired employee except Rs 45011.91 paise and the final pension payment order also be sanctioned.

PRAYER

- a) The Pension Payment order be revised and final pension be sanctioned. The difference of the superannuation pension and its relief be paid with interest @ 18% per annum thereon.
- b) The payment of Death-cum-Retirement-Gratuity, Leave encashment and commutation of pension be paid early. The interest on entire amount be paid @ 18% per annum as the delay is attribution on the part of administration.
- c) The recovery of outstanding amount from Pension and its relief be stopped immediately and the recovered amount be refunded with interest thereon.

*Nabau Lacc*

contd..6

28  
14/11/29

d) Any other relief applicable to the retire employee may also be awarded.

If within <sup>one</sup> ~~two~~ months next after the service of this notice the prospective respondents do not pass the orders for payment of retiring benefits such as -

Death-cum-retirement-gratuity, commutation value of pension Leave encashment and the difference of Final Pension and Provisional pension with interest @ 18% per annum, the said Shri Mohanlal, prospective applicant/petitioner is liable to file a suit for the declaration against the prospective respondents as the action of prospective respondents is illegal, arbitrary, harassing and prejudicial in the eyes of law.

Mohan Lal  
10/12/29

Yours faithfully,

S.P. Sinha  
( S.P. SINHA )  
Advocate

Mohan Lal

29

उत्तर रेलवे

CP/AEC/ML/LKO/90 NORTHERN RAILWAY Dated 15-2-90

Annexure No. 7

Shri SP Sinha

Advocate

Collectorate Raebareilly

Village :- Loharpur Khos

Po. Chauhanniga

Distt - Raebareilly

Subj. - Your notice under Sec 30 C.F.C

Dear Sir

The para-wise reply of your notice referred to above is given as under: -

1. That Shri Mohan Lal was not selected by the Rly Service Commission, he was appointed as peon in Ferozepur Division on 03/3/52 and was transferred to the office/LKO during 1956. He was promoted as C&T on 30/9/54.
2. No remarks
3. He was promoted as C&T on 17/5/62 in 130-300 and not in May 1961
4. He was promoted as Jr Pay clerk on 12/11/68 and reverted to CGI on 19/11/69, Further promoted as Cashier on 11/2/75 and reverted as C&T on 2/6/75 - He was promoted as Head Clerk on 25/2/81. He was promoted as Asstt Supdt on 9/2/83 and reverted as Head Clerk on 5/4/83 and further promoted as Asstt Supdt on 01/10/84

5. As per C&T/SA's order clerk, Shroff may be utilised for payment work on the honorarium basis, Cashier's grade is Rs 45000/- in a month but due to shortage of Cashier, all the Cashiers available in this office are making payments over Rs 20 lacs in a month. However Shri Mohan Lal As was utilised for payment work due to non-availability of Leave Reserve ~~Cashier~~ Cashier Shri Mohan Lal As was not funded 17,77,000/- at a time. He was given cash as under -

(Contd)

Mohan Lal

Page II

16/6/07	7,00,000 - w
15/7/07	6,00,000 - w
20/7/07	1,00,000 - w
30/7/07	3,50,000 - w
13/8/07	2216 - 39
21/8/07	25,000 - w
	<u>Rs. 17,77,216 - 39</u>

Cost of maintenance  
Mohan Lal

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30757-71

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1746458-68

6. Shri Mohan Lal was utilised only for payment work during this period. He has got NATAL lock with two keys.
7. He was served chargesheet on 7-10-07 and was allowed to appeal <sup>to</sup> FAYCA/NDLS within 45 days from the date of receipt of order. The case was previously lodged <sup>with</sup> the CRP/CB Lko on the report of the shortage of Rs 45011-91 vide Sec 409 under 839/07 dt 23/9/07.
8. The gratuity was not paid due to non finalisation of case which is lying in the court.
9. Provisional pension is being paid and the other payments were not arranged due to pending case of the court.
10. The amount were shown as 47724-42 including the outstanding amount of (i) Cost of lock (ii) electric charges (iii) House rent etc in addition of Rs 45011-91 <sup>in commutation of</sup>
11. Due to non finalisation of case lying in the court  $\frac{1}{3}$  pension ~~was not~~ was not allowed and his pension is being paid provisionally.
12. That the recovery of relief ~~from~~ <sup>on</sup> pension is <sup>being</sup> made as per order of CE/SA/NDLS.
13. Due to non finalisation of court case this may not be considered.

with best regards.

Sd/-  
Sd/-  
Sr. A/c Officer  
Northern Railway  
Lucknow

Mohan Lal

1/35

1/3/89

NO 7/02/1008  
OT 1/12/88

From. CDW/Estate/N Rly (CKS/Lko)  
To. DCPM/Lucknow.

Sub: Vacant occupation of Rly on No.  
B/7-N at P/Nager Lko.

Rly Quarter in B/7-N has been  
vacated by Si. Mahomlal Ex A.S. on 1/2/88  
and occupied by Si. Jyoti Prakash Khosla  
Helper under CKS/Lko on 1/2/88.

The reversed assignment of  
the M. No. 1-2-87 is B/40 PM.

Recovery of the rent may pl.  
be made as per extd. rly.

Cpy to. DPM/Secy/Lko

SBFO/TS/CKS  
Si. Mahomlal  
" Jyoti Prakash.

Chief Inspector Of Works  
(Estate)  
Railway, Lucknow

Duplicate

9.1.89  
Chief Insp. of Works  
Y. B. Khosla, Lucknow

Mahomlal

24/9/90

AUC

THE HON. THE CHIEF JUSTICE OF THE SUPREME COURT OF INDIA

CHANDRIAN, NEW DELHI

U. N. C. 154 OF 1990 (1)

TO THE HON. THE CHIEF JUSTICE OF THE SUPREME COURT OF INDIA

NEW DELHI

RE: THE HON. THE CHIEF JUSTICE OF THE SUPREME COURT OF INDIA

IN THE MATTER OF THE HON. THE CHIEF JUSTICE OF THE SUPREME COURT OF INDIA

I, Bishnu Prasad, son of 42

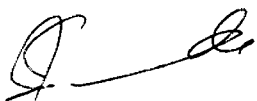
Shri R.C. Pandey, residing

at the residence of the Hon. the Chief Justice of the Supreme Court of India

at New Delhi, do hereby certify that the above named

person, who is the son of the Hon. the Chief Justice of the Supreme Court of India

is the son of the Hon. the Chief Justice of the Supreme Court of India.



IN WITNESS WHEREOF, I have hereunto set my hand and seal.

ATTEST: THE CLERK OF THE SUPREME COURT OF INDIA.

such I am fully conversant with the facts and  
circumstances of the case above mentioned.

1. That the contents of para 1 of the application  
need no comments except to state that the facts have  
widely been mentioned by the applicant, which are  
being replied herewith.

2. That the contents of para 2 of the application  
need no comments.

3. That the contents of para 3 of the application  
need no comments.

4. That the contents of para 4 of the application  
are being replied herewith:

4.1. That the contents of para 4.1 of the  
application need no comments.

4.2 That the contents of para 4.2 of the  
application need no comments.

*J de*

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-3-

4.3 That the contents of para 4.3 of the application need no comment, as they are admitted.

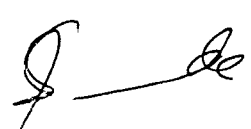
4.4 That the contents of para 4.4 of the application need no comment.

4.5 That the contents of para 4.5 of the application need no comment.

4.6 That the contents of para 4.6 of the application are admitted to the extent that the applicant was promoted as a cashier on 11-2-75, and thereof reverted as Clerk Grade I on 2-6-75. The rest of the contents are denied.

4.7 That the contents of para 4.7 of the application need no comment.

4.8 That in reply to para 4.8 of the application, it is stated that the applicant



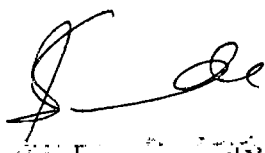
A43

-4-

promoted to Assistant Superintendent in grade No. 550-700  
(now 1600-2660) as a result of restructuring of cadre,  
and not by forcing selection as alleged in the para  
under reply. It is admitted that he was promoted  
with effect from 1-10-84, and continued to remain as  
such (Assistant Superintendent), till his retirement  
on 31-1-88 (afternoon) on attaining the age of 58 years.

It is further submitted that the exigency of  
work and in the event of emergencies in the cadre of  
cashier, the employee was being utilised to perform  
the duties of a cashier off and on, to which he, on  
the basis of his previous experience, willingly accepted  
without any protest or objection, particularly with a  
view to a re-honouring of the post.

4.9 It is the content of para 4.9 of the  
application is denied. It is further  
submitted that in compliance with policy, the  
staff of the cashier cadre, in the absence of  
Government staff, are being utilised to perform the  
duties of cashier in a full manner and without



10/10/88


10/10/88

AMM

-3-

describing the security money. It is further stated that the applicant had been advised prior to 1953, not to deposit the security money.

Whereas it is stated above, it is further submitted that the applicant had every opportunity to make proper provision for his children, if at all, in his will, and that he did not do so. It is further stated that the applicant did not do so when required to do so by law, and that he did so without any protest. It is further submitted that the applicant did so in such a manner, that the children would have no alternative arrangement by utilizing such a sum of money. The copy photo showing of the applicant's will, dated 18-1-34 in respect of the applicant's will, does not show that the applicant did not do so by utilizing such a sum of money. It is further submitted that the applicant did so, is being referred to in the will, and to the court records.

  
J. de


(MUS)

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clearly indicated that the public will willingly  
support the Government's position, and has already  
expressed its support for this position.

4.10 The statements of para 4.10  
of the application are vehemently denied. It may  
be noted that the allegations contained in the para  
under refer to independent victory to the Government  
made in para 4.6 of the application.

4.11 The statements of para 4.11  
of the application are denied. It is  
clarified that the Government, in the exigency of  
Government work, is utilizing its cashier merely  
in casual manner with its willingness. It may  
further be noted that the Cash Office is  
situated at Changanassery, and it has  
a strong staff of all kinds of machines, after  
finishing the duties of the cashier, the  
machines, which are not used daily, are  
kept in the office and are not used with the

  
Sd/-  
[Illegible text]

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100

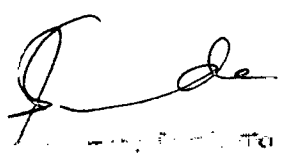
146

respective cashiers. After taking all the cash boxes in the morning room by the cashiers, the door of the morning room is closed and the supervision of the Divisional Cashier/Inspector of Cashiers and A.C.F. could not be enabled to go inside to take out their cash boxes from their respective cash boxes and to hand them to their respective officers.

The applicant used to take his cash boxes in the said strong room, and to take the same from there in the morning and to take the same without any complaint of any kind. As to the contents of the para under reply which is referred to the facts mentioned above, it is as follows.

4.12 That the contents of para 4.12 of the application need no mention.

4.13 That the contents of para 4.13 of the application are not correct and that the applicant has mentioned wrong dates i.e. 31-7-87 when a sum of Rs. 3,50,000/- was given. Actually



Respectfully To

Respectfully To  
 Mr. J. K. Sharma

442

-2-

Rs. 3,50,000/- was given to the applicant on 30-7-87 and not on 31-7-87. It is also submitted that on 13-8-87, the applicant was given Rs.2216-39, whereas the applicant has mentioned the amount as Rs.2216/- only in the para under reply.

4.14 That the contents of para 4.14 of the application is denied by the State.

4.15 That the contents of para 4.15 of the application is denied by the State that the shortage of Rs. 45,011-91 was detected. The list of the contents are denied by the State.

4.16 That the contents of para 4.16 of the application is wholly denied. The respondents had never received any amount to provide the account of the applicant. It is also denied by the State. The applicant is required to give the proof of his allegation.



For the State

4.17 That the contents of para 4.17 of the application is denied by the State.

MS

-3-

Application, it is stated that in the action of the  
shortage of Rs. 45,011-91 (more Rs. 45,000/-) in the cash  
of the applicant, the applicant was not given  
suspension w.c.f. 23-9-37, and in the same way an  
A.I.R. was lodged at C.G.D. District Station. There-  
after, the charges were brought No. 34/11/ 23/12/37,  
and on 25-9-37/7-10-37 was given to the applicant  
under Rule 9 of the Railway Servant (Disciplinary &  
Appeal) Rules 1903. Thereafter, the Inquiry Officer  
was appointed to inquire into the charges levelled  
against the applicant. In the course of inquiry, the  
loss of Rs. 45,011.01 from the custody of the applicant  
stood proved, and this fact was also not denied  
by him. It is incorrect to allege that the applicant  
was not afforded an opportunity to defend his case.  
It is also incorrect to allege that the applicant  
was not given a copy of the report of the Inquiry  
Officer along with the charges for imposition of  
penalty. Even if it is taken for the sake of  
argument that the applicant was not given a copy of  
the Inquiry report along with the charges, it is not



For and to the effect of

Office

and to be known.

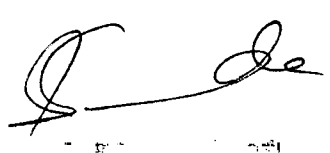
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-10-

... Sunday, he has every opportunity to take the same  
from complete and correct. ... such application  
... the copy of the Inquiry Report was made  
by the applicant, the plan of ... is based  
on after-thought. It is ... that since it  
was omitted to mention the name of Inquiry  
Report in the ... the applicant has  
tried to ... But the ...  
... of the Inquiry Report was given  
to the applicant. ... of the applicant  
... provided under  
the ... for want of  
the copy of the Inquiry Report, is absolutely incorrect,  
misleading and not at all ...

4.18 ... to para 4.18 of the

... application, it is ... the disciplinary  
... the applicant for  
... finished at the  
... official  
... is still sub-judice in the  
... of law. ...



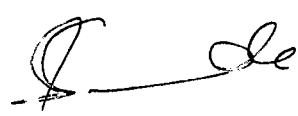
...  
...  
...

AKC

-11-

of the military service (including pay & benefits)  
in 1958 is considered as having the same  
decision taken into the consideration of the  
basis of judgment in the principle of the working  
system of the public, and in some circumstances  
this may be a result of the decision taken by  
the Committee of the Council. Thus, the public  
discharge, the public discharge is other than F.F.  
present in the public.

4.13 The public discharge of 4.13 of  
the public discharge, the public discharge to the  
system of the public discharge, the  
public discharge. The public discharge of the public  
discharge is the public discharge of the public discharge  
in the 4.13 of the public discharge. Here it may be  
classified that the public discharge of 4.47,724.42, which  
includes the public discharge of 4.43,011-21 has been worked  
out under various items the cost of which is  
responsible for the public discharge.



AS1

-12-

4.20 That the contents of para 4.20 of the application, in so far as they relate to records, are not denied. It is further submitted that the applicant has deliberately not filed the reply given by the Railway Administration in response to the letter issued by the State Bank of India, Lucknow referred to in the para under reply. The true copies of the reply, dated 16-2-89 and 3-3-89 given by the Administration are being filed herewith as enclosures No. R-3 and R-4 of this counter reply.

4.21 That the contents of para 4.21 are denied for want of knowledge.

4.22 That in reply to para 4.22 of the application, it is submitted that the facts mentioned in para 4.18 of this counter reply given above explain the position and holding of.



4.23 That in reply to para 4.23 of the application, it is stated that the reply is as follows:

AS2

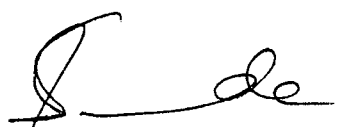
-13-

notice under Section 80 Civil Procedure Code  
was given to the counsel of the applicant, which  
he acknowledged.

4.24 That the contents of para 4.24 of the  
application need no comment.

4.25 That the contents of para 4.25 of the  
application are not denied. Hence no comments are  
required.

4.26 That in reply to the contents of para 4.26  
of the application, it is stated that the signature No. 8  
to the application is a forged document, and it  
has been prepared by the applicant with ulterior  
motives, which is a flagrant lie in the face  
of the document itself. The genuineness and the  
authenticity of the signature (marked No. 8 of  
the applicant) is challenged. The Chief Justice  
of the High Court has to decide whether or not

  
Sd/-  
[Name]

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through my personal knowledge of the person  
authorities. It is a difficult task to find  
the time to do this work. I am a busy person  
and my time is spent in the office.

4.27 In a letter dated 27-1-68 4.27 5<sup>5</sup>  
the application are denied. It appears in question  
has been visited by the Division on 31-3-68 when the  
Divisional Director, Madras, allotted the  
and on receipt of the letter the case, namely Jodi Prakash.

[illegible][illegible]

- ۱۱ -

submitted the petition by letter to him. The  
applicant has not yet filed any application in the  
proper order, and 13-3-1, which ought to  
have been filed with the 1st of 3rd 1914, has not  
(Application 13-3-1) been filed, for which  
the office instructions were issued in the notice  
for inspection of 1914.

[illegible]

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-16-

House, the Bill, is a statement of the  
Government that it is in accordance with 20 of the  
Ministerial Order, 1935, and to the  
authority contained in the Bill, and the  
fact that the Bill is in accordance with 19 of the  
Ministerial Order, 1935 is not meant to be  
for the purpose of the Bill, and the Bill  
therefore, is a Bill of the Bill, and the Bill  
in line.

It is further submitted that the Bill is  
of the Bill, and the Bill is not  
moved through the House of Commons, and has tried  
to revive the Bill, and the Bill is not  
moved.

It would not be possible to mention  
the Bill, and the Bill is not  
Ministerial Order, 1935 is further not  
Ministerial Order, and the Bill is not  
Ministerial Order, and the Bill is not  
Ministerial Order, and the Bill is not  
Ministerial Order, and the Bill is not



As

It is further stated that the relief in  
the application is to be claimed with other consequential  
reliefs. None of this being done, the application  
is liable to be dismissed as infructuous.

7. That the contents of para 7 of the application  
need no comments.

8. That in reply to the contents of para 8 of  
the application, it is stated that the application  
does not deserve any relief. In view  
of the facts and circumstances stated in the  
above para 7 of the application, the application  
is liable to be dismissed as infructuous.

9. That in reply to para 9 of the application,  
it is stated that the application does not deserve  
any relief and is liable to be dismissed as infructuous.  
Nothing more to say.

10. That the contents of para 10 of the application

ASA

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100-100000.


11. How do you know you are a member of the church?

Application of the above method.

12. How do you feel about your work?

is the same.

Lucknow.  
dt. 23.8.90



14-00000

22

...know

1. Subject : Mr. J. Edgar Hoover , Administrative[illegible]

14c12

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12/17/1964

100-443887-100

U. S. DEPARTMENT OF COMMERCE, BUREAU OF THE CENSUS

1900-1901, 1902-1903, 1904-1905, 1906-1907, 1908-1909, 1910-1911, 1912-1913, 1914-1915, 1916-1917, 1918-1919, 1920-1921, 1922-1923, 1924-1925, 1926-1927, 1928-1929, 1930-1931, 1932-1933, 1934-1935, 1936-1937, 1938-1939, 1940-1941, 1942-1943, 1944-1945, 1946-1947, 1948-1949, 1950-1951, 1952-1953, 1954-1955, 1956-1957, 1958-1959, 1960-1961, 1962-1963, 1964-1965, 1966-1967, 1968-1969, 1970-1971, 1972-1973, 1974-1975, 1976-1977, 1978-1979, 1980-1981, 1982-1983, 1984-1985, 1986-1987, 1988-1989, 1990-1991, 1992-1993, 1994-1995, 1996-1997, 1998-1999, 2000-2001, 2002-2003, 2004-2005, 2006-2007, 2008-2009, 2010-2011, 2012-2013, 2014-2015, 2016-2017, 2018-2019, 2020-2021, 2022-2023, 2024-2025, 2026-2027, 2028-2029, 2030-2031, 2032-2033, 2034-2035, 2036-2037, 2038-2039, 2040-2041, 2042-2043, 2044-2045, 2046-2047, 2048-2049, 2050-2051, 2052-2053, 2054-2055, 2056-2057, 2058-2059, 2060-2061, 2062-2063, 2064-2065, 2066-2067, 2068-2069, 2070-2071, 2072-2073, 2074-2075, 2076-2077, 2078-2079, 2080-2081, 2082-2083, 2084-2085, 2086-2087, 2088-2089, 2090-2091, 2092-2093, 2094-2095, 2096-2097, 2098-2099, 2100-2101, 2102-2103, 2104-2105, 2106-2107, 2108-2109, 2110-2111, 2112-2113, 2114-2115, 2116-2117, 2118-2119, 2120-2121, 2122-2123, 2124-2125, 2126-2127, 2128-2129, 2130-2131, 2132-2133, 2134-2135, 2136-2137, 2138-2139, 2140-2141, 2142-2143, 2144-2145, 2146-2147, 2148-2149, 2150-2151, 2152-2153, 2154-2155, 2156-2157, 2158-2159, 2160-2161, 2162-2163, 2164-2165, 2166-2167, 2168-2169, 2170-2171, 2172-2173, 2174-2175, 2176-2177, 2178-2179, 2180-2181, 2182-2183, 2184-2185, 2186-2187, 2188-2189, 2190-2191, 2192-2193, 2194-2195, 2196-2197, 2198-2199, 2200-2201, 2202-2203, 2204-2205, 2206-2207, 2208-2209, 2210-2211, 2212-2213, 2214-2215, 2216-2217, 2218-2219, 2220-2221, 2222-2223, 2224-2225, 2226-2227, 2228-2229, 2230-2231, 2232-2233, 2234-2235, 2236-2237, 2238-2239, 2240-2241, 2242-2243, 2244-2245, 2246-2247, 2248-2249, 2250-2251, 2252-2253, 2254-2255, 2256-2257, 2258-2259, 2260-2261, 2262-2263, 2264-2265, 2266-2267, 2268-2269, 2270-2271, 2272-2273, 2274-2275, 2276-2277, 2278-2279, 2280-2281, 2282-2283, 2284-2285, 2286-2287, 2288-2289, 2290-2291, 2292-2293, 2294-2295, 2296-2297, 2298-2299, 2300-2301, 2302-2303, 2304-2305, 2306-2307, 2308-2309, 2310-2311, 2312-2313, 2314-2315, 2316-2317, 2318-2319, 2320-2321, 2322-2323, 2324-2325, 2326-2327, 2328-2329, 2330-2331, 2332-2333, 2334-2335, 2336-2337, 2338-2339, 2340-2341, 2342-2343, 2344-2345, 2346-2347, 2348-2349, 2350-2351, 2352-2353, 2354-2355, 2356-2357, 2358-2359, 2360-2361, 2362-2363, 2364-2365, 2366-2367, 2368-2369, 2370-2371, 2372-2373, 2374-2375, 2376-2377, 2378-2379, 2380-2381, 2382-2383, 2384-2385, 2386-2387, 2388-2389, 2390-2391, 2392-2393, 2394-2395, 2396-2397, 2398-2399, 2400-2401, 2402-2403, 2404-2405, 2406-2407, 2408-2409, 2410-2411, 2412-2413, 2414-2415, 2416-2417, 2418-2419, 2420-2421, 2422-2423, 2424-2425, 2426-2427, 2428-2429, 2430-2431, 2432-2433, 2434-2435, 2436-2437, 2438-2439, 2440-2441, 2442-2443, 2444-2445, 2446-2447, 2448-2449, 2450-2451, 2452-2453, 2454-2455, 2456-2457, 2458-2459, 2460-2461, 2462-2463, 2464-2465, 2466-2467, 2468-2469, 2470-2471, 2472-2473, 2474-2475, 2476-2477, 2478-2479, 2480-2481, 2482-2483, 2484-2485, 2486-2487, 2488-2489, 2490-2491, 2492-2493, 2494-2495, 2496-2497, 2498-2499, 2500-2501, 2502-2503, 2504-2505, 2506-2507, 2508-2509, 2510-2511, 2512-2513, 2514-2515, 2516-2517, 2518-2519, 2520-2521, 2522-2523, 2524-2525, 2526-2527, 2528-2529, 2530-2531, 2532-2533, 2534-2535, 2536-2537, 2538-2539, 2540-2541, 2542-2543, 2544-2545, 2546-2547, 2548-2549, 2550-2551, 2552-2553, 2554-2555, 2556-2557, 2558-2559, 2560-2561, 2562-2563, 2564-2565, 2566-2567, 2568-2569, 2570-2571, 2572-2573, 2574-2575, 2576-2577, 2578-2579, 2580-2581, 2582-2583, 2584-2585, 2586-2587, 2588-2589, 2590-2591, 2592-2593, 2594-2595, 2596-2597, 2598-2599, 2600-2601, 2602-2603, 2604-2605, 2606-2607, 2608-2609, 2610-2611, 2612-2613, 2614-2615, 2616-2617, 2618-2619, 2620-2621, 2622-2623, 2624-2625, 2626-2627, 2628-2629, 2630-2631, 2632-2633, 2634-2635, 2636-2637, 2638-2639, 2640-2641, 2642-2643, 26

*[Handwritten signature]*

Shukla

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

O.A. No. 154 of 1990 (2)

Mohan Lal ..... Applicant

Vs.

Union of India & Others ..... Respondents  
Annexure No. R-1

Northern Railway

Office of the Chief Cashier(JA)  
Multi-Storeyed Building,  
NEW DELHI - 110055.

No. ACC/83/Misc./X.

Dated: 18th January, 1984.


The Asstt. Chief Cashier,  
Northern Railway,  
LUCKNOW.

Sub: Headquarters payment.

Re: Your letter No. CC/ACC/IKG/84  
dt. 16-1-84.

-----  
In connection with the above, it is to  
advise you that in case of shortage of  
cashiers, the services of clerical staff may  
be utilized for the payment of Divl. Hqs.  
payment. No Leave Reserve Cashiers at present  
are available at this office.

*On usual honorarium basis.*

  
Chief Cashier(JA)  
Northern Ry., NLS.

Copy to: Sr. DAO/NR-IKG  
for information, pl.

9-  
Chief Cashier(JA)/NR  
New Delhi - 110055.

\*Kagra/18184.



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NORTHERN RAILWAY  
(Cash & Pay Department)

HONORARIUM CLAIM OF SHRI Mohan Lal DESGN. Head Clerk  
FOR THE MONTH OF June 1984

Cash amount entrusted for disbursement to the staff (payees) with date: 30-6-84 104000 = Rs. (RDSO) 100

Honorarium claimed for the work mentioned above. one day basis 35 = Rs.

Name of the Peon/Khallas/Other Class-IV staff (attached): No

Honorarium payable to the Class-IV staff: NIL

VERIFIED:

[Signature]

[Signature]  
Asst. Chief Cashier  
Northern Railway,  
Lucknow.

Mohan Lal  
Sig. of Payment Clerk

[Signature]  
Divisional Cashier  
N. Ry., Lucknow

NORTHERN RAILWAY  
(Cash & Pay Department)

HONORARIUM CLAIM OF SHRI Mohan Lal DESGN. Head Clerk  
FOR THE MONTH OF June 1984

Cash amount entrusted for disbursement to the staff (payees) with date: 14-6-84 80,000 = Rs. (RDSO-Lko)

Honorarium claimed for the work mentioned above. 35 = Rs.

Name of the Peon/Khallas/Other Class-IV staff (attached): No

Honorarium payable to the Class-IV staff: NIL

VERIFIED:

[Signature]

[Signature]  
Asst. Chief Cashier  
Northern Railway,  
Lucknow.

Mohan Lal  
Sig. of Payment Clerk

[Signature]  
Divisional Cashier  
N. Ry., Lucknow

Also

(2)

NORTHERN RAILWAYS  
(Cash & Pay Department)

HONORARIUM CLAIM OF SHRI Mohan DESGN. Heav clerk  
FOR THE MONTH OF June/84

Cash amount entrusted for disbursement  
to the staff (payees) with date: 13/6/84

Honorarium claimed for the work  
mentioned above.

Name of the Peon/Khallas/Other  
Class-IV staff (attached):

Honorarium payable to the Cl. IV staff

74,000 = w/ADSO + 100

35 = w

NO.

NIL

VERIFIED: KBI

Mohan Lall  
Sig. of Payment Clerk

Divisional Cashier  
M. L. Lucknow

NORTHERN RAILWAYS  
(Cash & Pay Department)

HONORARIUM CLAIM OF SHRI Mohan Lall DESGN. Heav clerk  
FOR THE MONTH OF June/84

Cash amount entrusted for disbursement  
to the staff (payees) with date: 12/6/84

Honorarium claimed for the work  
mentioned above.

Name of the Peon/Khallas/Other  
Class-IV staff (attached):

Honorarium payable to the Cl. IV staff

72,000 = w/ADSO + 100

35 = w

NO.

NIL

VERIFIED: KBI

Mohan Lall  
Sig. of Payment Clerk

Divisional Cashier  
M. L. Lucknow

de

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Hon Bill of Mohan Lal A.S. for 11/86 via A.K. Verma  
 Cashier P.B.H. recd Rs 70000/- on 20/11/86 to arrange  
 pay at P.B.H.

35-w Mohan Lal  
 A.S.

seen

231

Hon Bill of Mohan Lal A.S. for 11/86 via A.K. Verma in  
 the month of 11/86 Rs 550000/- of P.B.H. section

35-w Mohan Lal  
 A.S.

seen

*[Signature]*

Union of India  
R 3

उत्तर रेलवे  
NORTHERN RAILWAY

जी०एस० 19/G L-19-

मनका 99-बहा/Genl 99-Large

प्रधान कार्यालय  
बुद्धिवा हाऊस नई दिल्ली

Recd  
Nahar Lal  
10/2

पत्र सं: 89/पेंशन/पत्रा./समस्त मण्डल लखनऊ दिनांक 14-2-89

प्रबन्धक,  
भारतीय स्टेट बैंक,  
उप महा प्रबन्धक कार्यालय,  
मुख्य शाखा, लखनऊ।

विषय: श्री मोहन लाल पीपीओ सं: 07892947 को  
पेंशन का मुमताम।

संदर्भ: आपका पत्र सं: एमए/पेंशन/रेलवे/8917 दि. 14.2.89।

आपके उपरोक्त पत्र के संदर्भ में सूचित करना है कि पेंशन पर  
मुमताम की जांच वाली राहत पेंशन एक्ट के अन्तर्गत नहीं  
आती है, इस लिये राहत में से सरकारी राशि की वसूली  
पेंशन एक्ट के किसी नियम या उल्लंघन नहीं करती, बल्कि  
आपका निर्देशित किया गया है। आप श्री मोहन लाल की  
प्रतिमाह रु. 1022/- की दर से पेंशन का मुमताम करें और  
देय राहत की गणना कर राहत की राशि की वसूली पेंशन  
वेमेंट सफ़ाई में दिखाएँ।

Attest  
TRUCITY

L. H. Chakraborty

83/4

मुख्य लेखा अधिकारी (पेंशन)  
मुख्य लेखा अधिकारी (पेंशन)  
मुख्य लेखा अधिकारी (पेंशन)

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R-4

NORTHERN RAILWAY

119

प्रधान कार्यालय  
बुधवार हाऊस बर्ड दिल्ली

पत्र सं: 89/पेंशन/पत्रा.स.भा.अ.ल.स.स.स. दिनांक 18.2.89

प्रबन्धक,  
भारतीय स्टेट बैंक  
लेखा विभाग,  
मुख्य शाखा, लखनऊ।

विषय: श्री मोहन लाल, पीपीओ सं: 07892947 को पेंशन का  
मुमतास।

संदर्भ: याचना पत्र सं: पेंशन/रेलवे/पत्र/89/258 दि. 18.2.89।

आपके उपरोक्त पत्र के संदर्भ में रेलवे बोर्ड, रेल मंत्रालय, के पत्र  
सं: एम.ई.टी. 85.पी.एन.आई/13 दिनांक 20.9.85 की प्रतिलिपि  
आपको भेजी जा रही है। जैसा इस कार्यालय के समक्ष पत्र  
दिनांक 16.2.89 में उठा जा चुका है श्री मोहन लाल को पेंशन  
का मुमतास प्रारम्भ करें तथा रु. 47724.42 पैसे की पसूजी मांगिक  
किस्तों में देय राहत भी वर से मुबिनिषित करें।

ALL  
TRUE COPY  
[Signature]  
मुख्य निदेशक  
मुख्य लेखा  
मुख्य निदेशक

संलग्न: उपरोक्त

कृते वि.स.ए.ए. मुख्य लेखा अधिकारी/पेंशन  
[Signature]  
2-3-89  
[Signature]

IN THE COURT OF THE DISTRICT JUDGE  
COURT OF THE DISTRICT JUDGE  
.....

Residence No. 2

Residence No. 2  
Residence No. 2  
Residence No. 2

1st of January / 1964 / 1964

1st of January / 1964 / 1964

Date: 1st of January / 1964 / 1964

Date: 1st of January / 1964 / 1964

1st of January / 1964 / 1964

PLAINT(S)

VERSUS

RESPONDENT(S)

1st of January / 1964 / 1964

1st of January / 1964 / 1964

1st of January / 1964 / 1964

1st of January / 1964 / 1964

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1st of January / 1964 / 1964

CENTRAL ADMINISTRATIVE TRIBUNAL

CHUCKAWA BACH, CH. OF INDIA, C.

G.O. NO.154 of 1990 (L)

Noted by

.....

Applicant.

Versus

Union of India & Ors .....

Respondents.

22.5.1990

Respectable Mr. J.S. Khanna, A.M.

Respectable Mr. L.L. Agarwal, J.M.

Heard, the learned counsel for the applicant.

Issue notice to the respondents to show cause

to why the petition may not be admitted.

File it for admission on 23.7.1990.

CC/-

CC/-

J.M.

J.M.

checked  
3848  
11/5/90

// True Copy //

CC/-

AKO  
Deputy Registrar  
Central Administrative Tribunal  
Lucknow Bench,  
Lucknow

Central Administrative Tribunal  
Bucknow Bench, Lucknow.

S.A.No.154/90

Sri Mohan Lal, ..... Applicant  
-va-  
Union of India & others ..... Respondents

DATED:29-4-1992.

Hon'ble Mr. S.N.Prasad, J.M.

Case called out Shri B.K.Shukla  
learned counsel for respondents is present.  
On behalf of the applicant, none respondents.  
This is noteworthy that this is an old case and  
requires speedy disposal. This is also noteworthy  
that on the las other dates i.e. on 27-4-92,  
on 15-2-91 and 12-1-90 and on other dates as well  
the applicant was absent and none respondents on  
behalf of the applicant.

The application of the applicant is  
dismissed for the default of the applicant.

Sd/-  
J. M.

~~SMK~~-

//True Copy//

(r.n.)

Central Administrative Tribunal  
Lucknow Bench,  
Lucknow

# VAKALATNAMA

G.V. 3

Before Honble Central Administrative Tribunal  
Circuit Bench, Lucknow

Before  
In the Court of

C.A. No. 154 of 1996(1)

Plaintiff  
Defendant

Moham Lal

Claimant  
Appellant  
Petitioner

Versus

Defendant  
Plaintiff

Union of India  
& others

Respondent

The President of India do hereby appoint and authorise Shri B. K. Shukla, Advocate  
Lucknow

to appear, act, apply, plead in and prosecute the above described suit/appeal/proceedings on behalf of the Union of India to file and take back documents, to accept processes of the Court, to appoint and instruct Counsel, Advocate or Pleader, to withdraw and deposit moneys and generally to represent the Union of India in the above described suit/appeal/proceedings and to do all things incidental to such appearing, acting, applying Pleading and prosecuting for the Union of India SUBJECT NEVERTHELESS to the condition that unless express authority in that behalf has previously been obtained from the appropriate Officer of the Government of India, the said Counsel/Advocate/Pleader or any Council, Advocate or Pleader appointed by him shall not withdraw or withdraw from or abandon wholly or partly the suit/appeal/claim/defence/proceedings against all or any defendants/respondents/appellant/plaintiff/opposite parties or enter into any agreement, settlement, or Compromise where by the suit/appeal/proceeding is/are wholly or partly adjusted or refer all or any matter or matters arising or in dispute therein to arbitration PROVIDED THAT in exceptional circumstances when there is not sufficient time to consult such appropriate Officer of the Government of India and an omission to settle or compromise would be definitely prejudicial to the interest of the Government of India and said Pleader/Advocate of Counsel may enter into any agreement, settlement or compromise whereby the suit/appeal/proceeding is/are wholly or partly adjust and in every such case the said Counsel/Advocate/Pleader shall record and communicate forthwith to the said officer the special reasons for entering into the agreement, settlement or compromise.

The President hereby agrees to ratify all acts done by the aforesaid Shri B. K. Shukla  
Advocate Lucknow  
in pursuance of this authority.

IN WITNESS WHERE OF these presents are duly executed for and on behalf of the President of Indian this the 19

Accepted  
B. K. Shukla  
Adv

Dated 198

Designation of the Executive Officer

7144

4/68

महाराष्ट्र सरकार  
प्रतिवादी का अकादमिक नाम

वादी § सुट्टर §  
प्रतिवादी § सुट्टर §  
सं. 19 पेशी की तारीख 19

Mr. B. K. Shukla  
एडवोकेट

वकील

महाराष्ट्र वकील नियुक्त करने प्रतिष्ठान § इकरार § करता हूँ। निम्न वेता हूँ। इस मामले में...  
महाराष्ट्र वकील नियुक्त करने प्रतिष्ठान § इकरार § करता हूँ। निम्न वेता हूँ। इस मामले में...  
महाराष्ट्र वकील नियुक्त करने प्रतिष्ठान § इकरार § करता हूँ। निम्न वेता हूँ। इस मामले में...

महाराष्ट्र वकील नियुक्त करने प्रतिष्ठान § इकरार § करता हूँ। निम्न वेता हूँ। इस मामले में...

हस्ताक्षर  
नाम § गवाह §  
नाम § गवाह §  
नाम § गवाह §  
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143

— 194 —

[illegible]

मा अनादिम माता

वाली ॥ सुदृढ ॥

प्रतिवादी पुस्तकालय

३३१३

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## पेशी की तारीख

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रडवोकेट

ਸਦਾ ਹੀ ਸਾਹਿਬ

—

[illegible]

यह सब कामाचलना है और विचार कि सृजना रहें और समय पर काम आये ।

5. DATE

SECRET

पुनः पुर

॥ गवता दुः ॥

FILE 25-211

**Abstract**

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