

Central Administrative Tribunal  
Lucknow Bench.

Cause Title CA 154190 of 1993

Name of the Parties Mohai, Lal .. . . . . Applicant

versus

Union of India .. . . . . Respondents.

Part A . P.C.

Sl. No.	Description of documents	Page
1.	Check List, -	A1 A2
2.	Order Sheet.	A3 A6
3.	Judgement. <del>dated 29/6/92</del> in A6	
4.	Petition Copy	A7 A24
5.	Annexure	A26 A39
6.	Power	A25
7.	Counter Affidavit.	A40 A63
8.	Rejoinder Affidavit.	

B - File

B64-B139

B - File

C-170-C145

C - File

Recorded and / or destroyed

SC(52)

mv

CENTRAL ADMINISTRATIVE TRIBUNAL  
CIRCUIT BENCH, LUCKNOW

Central Administrative Tribunal  
Office No. 35/AC

Date of Receipt by Post

✓ Deputy Registrar

Registration No. 154 of 1989 (L)

PLAINTIFF(S) Mehar Lal

DEFENDANT(S) U.O.D.

<u>Particulars to be examined</u>	<u>Endorsement as to result of examination</u>
1. Is the applicant competent?	✓
2. a) Is the application in the prescribed form?	✓
b) Is the application in paper back form?	
c) Have six complete sets of the application been filed?	
3. a) Is the application in time?	✓
b) If not, for how many days it is beyond time?	
c) Was sufficient cause for not making the application in time, shown fully?	
4. Has the document of authorisation/ Declaration been filed?	✓
5. Is the application accompanied by a sum of Rs.50/-	✓
a) Has the certified copy/copies of the order(s) against which the application is made been filed?	✓
7. a) Have the copies of the documents relied upon by the applicant and mentioned in the application been filed?	✓
b) Have the documents referred to in (a) above duly attested by a Gazetted Officer and numbered accordingly?	✓
c) Are the documents referred to in (a) above neatly typed in double space?	✓
8. Has the index of documents been filed and paginated properly?	✓
9. Have the chronological details of representation made and the full name of each representation been incorporated in the application?	✓
10. Is the matter raised in the application pending before any court of law or any other Bench of Tribunal?	NO

Particulars to be ExaminedEndorsement as to result of examination

11. Are all copies of application/duplicate copy/other copies signed ? **Y**

12. Are extra copies of the application with annexures filed ?  
 a) Identical with the Original ?  
 b) Corrective ?  
 c) Unsigned, or annexures  
 b) Extra copies filed ?

13. Are two sets of the application filed in two separate envelopes ? **N**

14. Are all parts of the application filed in two copies tally with particulars given in the application ? **Y**

15. Are all the signatures certified and attested by an authority certifying that they are true ? **NA**

16. Is the case registered in item no. 5 of the application ?  
 a) Serial no. ?  
 b) Date of receipt on one sheet of paper ?  
 c) The particulars for interim are attested for indicated with signature ? **Y**

17. Whether the particulars have been signed or not. **Y**

12-2-7

11

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.

See original order on petition filed

Sd/-

J.M.

Sd/-

A.M.

rmr/

2

23/7/90

Dtan. Danti K Nath, V.C

Dtan. Mr. K. Odayya AM

Admit

list before DR(T) 9  
24-9-90

AM

VC

See original order on petition filed

OR

Notices were issued on  
14.5.90

Neither reply nor any  
unswerved copy  
has been return [been]

S. F. R.

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3

14-9-90

D.R.

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

Shukla has filed counter. Reply is not been filed by the Applicant.

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

ORDER SHEET (C.M.)  
IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD/C.B. - LUCKNOW

No. 154 Date 1990 (C.)

Mohanty vs. L.O.E (Rly.)

Sl.No.	Date	Office Report	des
		(7)	15.2.91 D.R.
			<p>Both parties are absent too. Applicant did not file answer till today. Sufficient opportunity has been given to him for filing it, but he did not do it. So, this case is set before the Hon. Bencher on 25/4/91 for orders.</p> <p>25/4/91</p> <p>Non-mot. Agreed JM Non-mot. Objection, JM Shri P. Singh for Applicant Shri K. Shukla for O.B. Petition filed. Heard the case for applicant may or may not decide, file rejoinder within 3 weeks. H.R.</p> <p>15/4/91</p> <p>25/4/91</p> <p>Non-mot. Agreed JM Non-mot. Objection, JM Shri P. Singh for Applicant Shri K. Shukla for O.B. Petition filed. Heard the case for applicant may or may not decide, file rejoinder within 3 weeks. H.R.</p> <p>15/4/91</p> <p>25/4/91</p>
			<p>OR No RA filed S.P.M. 15/4/91</p> <p>25/4/91</p> <p>Non-mot. Agreed JM Non-mot. Objection, JM Shri P. Singh for Applicant Shri K. Shukla for O.B. Petition filed. Heard the case for applicant may or may not decide, file rejoinder within 3 weeks. H.R.</p> <p>15/4/91</p> <p>25/4/91</p>

Mr. -  
JM

(R)  
O.A. No 154/90

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

date  
21/4/92

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

J.M.

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

date  
23/4/92

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

J.M.

27-4-92

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

case called out several  
times at intervals now  
responds on behalf of either  
of the parties. Put up  
again after further J

J.M.

27

71 4. 72-

Dear Mr. S. P. French, Jr.

case called out again  
at the lunch. She took Shukla  
Laxman & Co and for the  
yesterday & is present on  
behalf of respondents.  
The is an old case and  
requires speedy disposal.  
In the case on  
29-4-72, on which date  
the case may be  
disposed of by pre-emptively  
from without of the defendant.

JM

42  
29-4-72 - Hon. Mr S. N. Fraser - J 111

Care called out. Shri B.K. Shukla  
has now issued for recipient, is  
present: on behalf of the applicant none respond  
this is noteworthy that there is an  
old case and no longer is specifically  
disposed. This is also noteworthy  
that on the back of other date is 10

✓ 1816142

W<sub>Tc</sub>

Circuit Bench,  
Date of Filing, 3.5.90  
Date of hearing by Post

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

Registration No. 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.
<u>Compilation No.1:</u>		
1.	Petition/Application.	1 - 17
<u>Compilation No.2:</u>		
2.	Annexure No.1: Imposition of Penalty Notide No.87/Confld. / ML/Enquiry dt.23.3.88. 18	
3.	" No.2: Provisional Pension payment order No. <u>PPO/B/07882946XN</u> 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

*S. Lal*  
Signature.  
Counsel of the applicant.

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

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

Mohan Lal, aged about 60 years, son of  
Late Sri Sultan Ram, C/o Sri Alakh Ram,  
resident of House No. 39-C, R.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

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 MR/89/636.

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P.G

(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/Confld./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 involve him in such a case.

2. Jurisdiction of the Tribunal :

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

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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.30-1/2-35 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.

RMM

All

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.

*My*

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.M. 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 given 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/-
<hr/>	
Total: Rs. 17,77,216/-	

4.14 That the account of the cash should

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 ~~Rs. 4,50,000/-~~ <sup>4,50,000/-</sup> 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 <sup>had</sup> Singh ~~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

*Rey*

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 23.3.1983 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. PPU/B/07882946 dated 1.1989 wherein the NR/89/636 under-noted remarks have been incorporated.

*Alley*

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 photo stat 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 P.R.O No.NR/89/635 dated

*Parry*

.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.

*[Signature]*

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. I. 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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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 arbitrary 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.

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(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 45011.91/- to affect 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.I., 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



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 and amount so recovered be refunded.
- (f) Any other relief which the Hon'ble Tribunal may consider fit.

*Plz*

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 : Golaghat  
Lucknow

12. List of enclosures :

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

(b) Provisional Pension payment order No. PPU/B/o 7882946 dated 1.1.1989.  
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.

P.M.

- (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/NL/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.

APPLICANT.

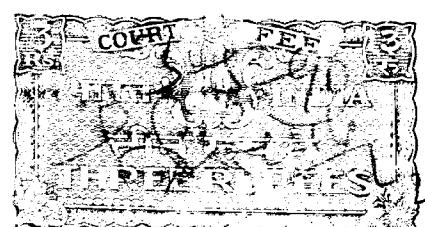
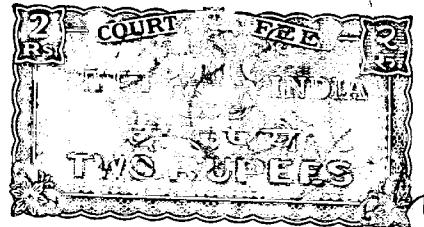
Place: Lucknow.

through  
A. Lal  
Date  
3/5/90

ब अदालत श्रीमान्  
[वादी अपीलान्ट]  
श्री प्रतिवादी [रेस्पाइन्ट]

महोदय

## वकालतनामा



Mahanal

बनाम

प्रतिवादी (रेस्पाइन्ट)

नं० मुकद्दमा

सन्

पेशी की ता०

१६ ई०

ऊपर लिखे मुकद्दमा में अपनी ओर से श्री

डॉ. एम. एम. महाना

वकील

महोदय  
एडवोकेट

नाम	अदालत
नं०	मुकद्दमा

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 पैरवी व जवाब देही व प्रश्नोत्तर करें या कोई कागज दाखिल करें या लौटावें या हमारी ओर से डिगरी जारी करावे और रुपया बसूल 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 विपक्षी ( फरीकसानी ) का दाखिल किया हुआ रुपया अपने या हमारे हस्ताक्षर युक्त ( हस्तखती ) रसायन से लेवे या पंच नियुक्त करे—वकील महोदय द्वारा की यई वह सब कार्यवाही हमको सर्वथा स्वीकार हैं और होगा मैं यह भी स्वीकार करता हूं कि मैं हर पेशी पर स्वयं या किसी अपने पैरोकर को भेजता रहूंगा अगर मुकद्दमा अदम पैरवी में एक तरफ मेरे खिलाफ फैसला हो जाता है उसकी जिम्मेदारी मेरे वकील पर नहीं होगी इसलिए यह वकालतनामा लिख दिया प्रमाण रहे और समय पर काम आवे।

Mahanal

हस्ताक्षर

साक्षी (गवाह) ... ... ... ... ... ... ... ... ... ... ... ... ... ...

दिनांक ..... .... ... ... ... ... ... ... महीना ... ... ... ... ... सन् १६/१० ई०

स्वीकृत

134/90(4)

10  
Dab

KR/10/1987

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

No.87/Confld/ML/Enquiry

Place of issue : Lucknow.

Dated 1-23.3.88.

Shri Mohan Lal,  
Ex. A.C.  
Cash Office, N.R.,  
Charbagh, 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&AR  
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/R&S, N.R., Paroda House, New Delhi

- (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. Enquiry Report  
(Pls. encly)

*Janak*  
1988. 1st Account Officer  
N.R., Lucknow

Copy to :-

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

*Mahan Lal*

19  
Annexure No. 2

PENSION PAYMENT AUTHORITY LETTER

Genl.-245

PP010107082946

PROVISIONAL  
REGISTERED A.D.

No. NR/89/636

Dated..... 1/8/9.....

Treasury Officer/Dy. Director/Manager

✓ State Bank of India

Great Business Branch, Lucknow

Sub.—Payment of Pension to Shri/Smt.....

Ex. ASST. Superlt. .... Northern Railway  
under 12/1/1988

In terms of Railway Board's letter No. 75AC II, 21.1, dated 19.7.1976 superannuation/Retiring pension papers of Shri..... Ex. ASST. Superlt. .... for payment of pension of Rs..... 1022/- plus relief Rs..... Total Rs..... per month w.e.f. 1-2-81..... are enclosed. The pension is required to be disbursed through State Bank of India Great Business Branch.

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 Smt..... upto..... after that..... Not Smt..... @ Rs..... plus relief Rs..... Total Rs..... w.e.f..... till her death or remarriage whichever is earlier.

✓ Entire amount of Rel. & w.e.f. 1/2/88

Enclosures :— 1. Pension Payment Order.  
2. Specimen Signatures. ~~and Standing account~~  
3. Joint Photograph. of Rs 17,724-42  
4. Annexure I. Report from the Head, Seven hundred, Twenty four  
Paisa forty (Rupees only)

—sd—  
21. E. ....  
H.K. ....  
.....

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 Mahan Lal

Copy for information to :— E. 7. N

1. Parijat Nagar, Rly. Colony, Lucknow

2. Civil Reg. Office, Lucknow

..... N. Rly. C.R.B., LKO

—sd—  
Br. P. ....  
H.K. ....  
.....

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

N.R.P/R.Rd. (Pb. Bg.), Delhi-35—2.084/17—07-1987—75000 F

Mahan Lal



मार्गीय स्टेट बैंक  
State Bank of India

तार-विसिन  
Telegram-Thistle  
संख्या-२२६००१  
Lucknow 226001

मेवा विभाग  
Accounts Division  
लखनऊ मुख्य बांधा  
Lucknow Main Branch

20  
PRIVILEGE NO. 3

क्रमांक  
No. Pension/Rly/M-A/189/258 दिनांक  
Date 18-2-1989

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

Northern Railway  
Baroda House  
New Delhi.

Dear Sir,

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

Shri Mahan Lal, FPO No 07892947

With reference to your letter  
No 891 प्रेसर्वेट/पंडा। समस्त मासिल। 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 per 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.

You're faithfully,

Manager (Accts)

Mahan Lal

State Bank of India  
Main Branch  
Lucknow.

21 (Rev. 4  
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  
by a Govt. Servt. 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 cognizance should be given to the plainly arbitrary and discriminatory addition of directions against the necessary relief on the

Hoping an early response.

Aug 11-3-89  
Data as of 7/31/1989

Copy forwarded to:  
FA & CAD Pension  
Baroda House, New Delhi.  
CC/SA/NR/VOLIS

Yours faithfully,

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

22  
Finance S (MDC)

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 DCRG.

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

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

Thanking you,

Yours faithfully,

Mahan Dace

(CHAN LIL)  
Ex. Asstt. Secy.  
ACC's Office, NR, Lucknow.

Dated: 24-4-89.

Recd two copy  
Mahan Dace

Mahan Dace

21  
21

NOTICE  
REGISTERED WITH A/D

From:  
S.P. Sinha,  
Advocate  
Collectorate Raebareli  
Village: Lalupur Khas  
P.O. Chauhania  
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 Coloney, 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

Mahanlal

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 harassment 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 Colony, 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 B 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.

*Mahanlal*

contd..3

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 proscribed 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/Conf d/ML/Enquiry dated

contd. 4

*Mohan Lal*

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/5/07882946 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 fortytwo 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/Conf d1/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

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 to 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.

*Nalini Dace*

contd..6

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

If within <sup>due</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-pratuity, 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.

*Mahanlal*  
10/12/29

Yours faithfully,

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

*Mahanlal*

उत्तर रेलवे

CR/Rec/ML/LKO/40 NORTHERN RAILWAY Dated 15-2-90

28 (P)

Shri SP Sinha  
Advocate

Collectorate Raebareli  
Village :- Lalupur Khas  
P.O. Chauhanpura  
Dist - Raebareli

Annexure No. 1

State - Your notice under Sec 3 of CPC

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 Ferozpur Division on 31/3/52 and was transferred to the office/LKO during 1956. He was promoted as CG II on 30/9/84.
2. No remarks
3. He was promoted as CG I on 17/5/62 in 130-300 and not in May 1961
4. He was promoted as Jr Pay Clerk on 12/11/63 and promoted to CG I on 19/11/64, Further promoted as Cashier on 11/2/75 and promoted as CG I on 2/6/75 - He was promoted as Head Clerk on 25/2/81. He was promoted as Asstt Super on 9/2/83 and promoted as Head Clerk on 5/4/83 and further promoted as Asstt Super on 10/10/84
5. As per C.C./S.A. 15 order clerk, Shroff may be utilised for payment work on the honorarium basis, Cashiers remun. is Rs 450/- in a month but due to shortage of Cashiers, all the Cashiers available in this office after making payments one Rs 200/- in a month. However Shri Mohan Lal As was utilised on payment works due to non-availability of Head Reserve Cashier Shri Mohan Lal As was not funded 17,770/- at a time. He was giving Cash as under -

(Contd.)

Mahan Lal

16/6/87	700000 - a
15/7/87	600000 - a
20/7/87	100000 - a
30/7/87	350000 - a
13/8/87	2216 - 39
21/8/87	25000 - a
	<u>Rs. 1777216 - 39</u>

Cost of labour by  
Mohan Lal

30757 - 71  
1746458 - 68

6. Shri Mohan Lal was utilised only for payment work during this period. He has got NANTAL lock with two keys.
7. He was served charge sheet on 7-10-87 and was allowed to appeal to FARCAT/NDLS within 45 days from the date of receipt of order. The case was previously lodged <sup>with</sup> to the GRP/CR LKs on the report of the shortage of Rs 45011-91 made see log under 839/87 at 23/9/87.
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 <sup>commutation of</sup> addition of Rs 45011-91
11. Due to non finalisation of case lying in the court <sup>1/3</sup> pension ~~commuted~~ was not allowed and his pension is paid provisionally.
12. That the recovery of relief ~~on~~ pension is being made as per order of CCA/SA/NDLS
13. Due to non finalisation of court case this may not be considered.

With best regards.

Mohan Lal

Stated  
Srone A/cs Officer  
Northern Railway  
Lucknow

11/3

P.M. 11/3/1889

No 7/92/102

Or 1/12/88

From. COW/Estate/N Rly (C.R.S/1420)

To. DPM/Lucknow.

Subject. Vacation &amp; occupation of Rly on R.C.

B17-N at P1 Nager 1120.

Rly Quarter 6. B17-N has been  
vacated by Sir Mahomed Ex P.S. on 1/2/88  
and occupied by Sri Jyoti Prakash khalsa  
Helper under C.R.S (1420) on 1/2/88.

The revised assessed rent of  
the property 1.287 & Rs 4c. P.M.

Recovery of the rent may be  
demanded by the Estate only.

Copy to. DPM/Salt 1420

S.C.

S.B.R.C/T.S/ C.R.S

Chief Inspector Of Works

Sir Mahomed

Esttia

n Jyoti Prakash.

D. application

D. 1/1

Chst Inspect. 9.1.89

V.B.R.C. 1420

Mahomed

2018.8.24/9/9.

210

2021-04-10 10:00:00

... 104 1100 (3)

..... policy at

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## APPENDIX B. *CONTINUATION*

I, Bushy Bradley, age 42 yrs.

Mr. : Sri R.C. Pandey, M.A.

## THE NATIONAL INSTITUTE OF STATISTICS, BUCHAREST

2000-2001 THE STATE



such I am fully convinced with the facts and  
circumstances of the case about the application.

1. That the contents of part 1 of the application  
hold no communia except to the effect that French would  
widely be mentioned by the applicant, which are  
being applied hereinafter.
2. That the contents of part 2 of the application  
hold no communia.
3. That the contents of part 3 of the application  
hold no communia.
4. That the contents of part 4 of the application  
hold no communia.
  - 4.1. That the contents of part 4.1 of the  
application hold no communia.

*J. de*

- 4.2. That the contents of part 4.2 of the  
application hold no communia.

AM 2'

-3-

4.3 That the contents of para 4.3

of the application are as contained, as they are  
submitted.

4.4 That the contents of para 4.4 of

the application are as contained.

4.5 That the contents of para 4.5 of

the application are as contained.

4.6 That the contents of para 4.6 of

the application are admitted to the extent that  
the applicant was promoted to 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 are as contained.

 4.8 That in reply to para 4.8 of the

application, it is submitted that the application is

-4-

Promoted to Assistant Superintendent in grade 1650-700 (now 1600-2660) as a result of restructuring of cadre, and not by fair 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 disabilities in the cadre of earlier, the applicant was being utilised to perform the duties of a senior officer and on, to which he, on the basis of his previous experience, willingly accepted without any protest or objection, particularly with a view to earn honorarium on the part.

4.9 At the same time para 4.9 of the application is denied. It is further submitted that a telephone licence, the cost of which is Rs. 100/-, is issued by the Government of India, and the holder is allowed to make use of telephone facilities in a full house and nowhere

  
Mr. S. De

and the same is not available in a half house and nowhere

AM

-3-

RECEIVING DATED SEPTEMBER 26, 1953. FROM THE CIVILIAN DEFENSE  
COMMITTEE APPLICANT IN THE PERSON OF ERIC L. WILSON, JR.  
1953, AS CHARGED FROM DEPOSITING THE SECURITY MONEY.

WHEREAS, I, ERIC L. WILSON, JR., AM A MEMBER OF THE CIVILIAN DEFENSE COMMITTEE SUBMITTED THE CHARGES OF SECURITY  
CONCERNING ERIC L. WILSON, JR., AND HIS UTILIZATION AS  
A STAR, IF I WERE, IN INFORMATION, AND I AM NOT  
ACCUSED IN ANY WAY OR FORM. TO THE POINT THAT  
I AM NOT GOING TO BE ACCUSED AND WHEN ACCUSED  
DO NOT WANT TO BE, I WOULD BE GOING TO THE  
COURT IMMEDIATELY AND WITHOUT ANY PROTEST. IF I BE  
ACCUSED BY ERIC L. WILSON, JR. IN A CIVIL MANNER, THE  
MANUFACTURE AND BREWING COMPANY WILL NOT BE ACCUSED  
BY UTILIZING ERIC L. WILSON, JR. IN A CIVIL CIRCUIT. ERIC  
<sup>COPY</sup>  
L. WILSON, JR. IS THE LEADER OF CIVIL ACTION, NUMBER 13-1-34  
IN ACCORDANCE WITH THE CIVIL ACTION ACT, ACCORDING  
TO ERIC L. WILSON, JR. HE IS GOING TO BE UTILIZED AS  
A STAR, IF I WERE, IN INFORMATION, AND IF I, AM BEING  
ACCUSED BY ERIC L. WILSON, JR. IN A CIVIL MANNER.

  
ERIC L. WILSON, JR.

RECEIVED IN THE CIVIL ACTION NUMBER 13-1-34  
CIVIL ACTION NUMBER 13-1-34

Ans

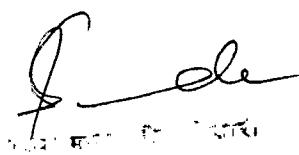
clearly indicated. But it might not willingly  
accept the authority of a solicitor, and this is where  
a warrant for search and seizure is

4.10      *Revolving door of part 4.10*

of the application are vehemently denied. It may  
be noted that the illustrations contained in the para  
under reply are self-explanatory to the averments  
made in para 4.6 of the application.

4.11      *Revolving door of part 4.11*

of the application are vehemently denied. It is  
clarified once again, that, in the exigency of  
Government work, a solicitor is ordinarily rarely  
in contact with him with his willingness. It may  
further be mentioned that the D.C. Office is  
situated at Ch. Bhawan, Bhopal, and it has  
not been possible to furnish a list of solicitors, after  
sufficient documents of the disbursing the  
warrant, which in my opinion is duly settled, and  
which is to be submitted together with the

  
Justice S. L. Patel

Now

in the morning I went to the club house, the door of the  
recreational room is open, I went inside and received an offer of the  
international championship after 5 cash in and 1000.  
I said no, I am not able to do this because I have to take out their  
last horses from the racing track to make room for  
the track renovation, before

the public educated with his old books in  
the first strong & clear, and it is at the same time  
there in the man's handwriting above without any  
complaint of any kind. The first contents of  
the paper uniformly which is proper to the facts  
and good above, & before.

4.12      ~~Re: the application of s. 1 4.12 of~~  
the application read in paragraph 10.

4.13 Find the outcome of part 4.13 of  
the application if not tenth and twelve the  
application date is mentioned writing to us i.e. 31-7-87  
when sum of Rs. 3,50,000/- was given. Actually



— 10 —

202

JULY

.....

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 In the contents of para 4.14 of the application it is denied as under:

4.15 In the contents of para 4.15 of the application it is denied to the extent that the shortage of Rs. 45,011-91 was due to G. The rest of the contents are denied as under.

4.16 In the contents of para 4.16 of the application it is denied as under. The reason is that never he used any subject to pay for the account of the defendant as he is not the party. The applicant is required to give the true proof of his application.

  
P. De

Notary Public

4.17 In reply to para 4.17 of the

ANS

12

application, it is alleged, on the occasion of the  
shortage of Rs. 45,011.91 (Rupees 45,000/-) in the cash  
of the applicant, the applicant was called under  
investigation W.C.F. 23-9-87, and on 25-9-87, he  
was arrested at C.C.I. B. Branch Section. There-  
after, the investigating officer (S/o. C.I.D. / 23/12/ 87,  
on 25-9-87/7-10-87) issued a warrant of arrest against  
under Article 319 of the Indian Penal Code (Disciplinary &  
Sec 1) Act. n 1908. Thereafter, investigating officer  
was continued to investigate and other levied  
against the applicant. In the course of inquiry, the  
loss of Rs. 45,011.91 from the custody of the applicant  
was proved, but this sum has also not been clarified  
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 investigating  
officer failed to copy of the warrant of the investigating  
officer levied against him for investigation of  
punalty. Even if it is true for a want of  
any record, the investigating officer is not  
obliged to furnish it to the accused. The

29

-10-

So, however, he has every opportunity to look the file over completely and thoroughly. According to such a procedure, examining the copy of the lengthy report as made by the applicant, the plan of which is handed in after-dinner. It is natural to expect that since it is omitted to mention the nature of inquiry report in the application itself, the applicant has tried to keep the copy of it secret. But the fact remains that the copy of the lengthy report was given to the applicant. According to what the applicant told the author, he would not be allowed to provide under the rules of procedure written notice for want of the copy of the lengthy report, is absolutely incorrect, misleading and not at all the true.

4.10 It is only to part 4.1B of the application, it is to be a confidential library indicating information that the applicant for committing disclosure to the public in the department's jurisdiction. The disclosure of original offend-  
ing information under 1.1.C. is still subject to a



400

PAK

-11-

of the following facts in California on April 1,  
1968, in answer to your question concerning  
condition of the San Joaquin River at the  
basis of judgment in the claim for damages  
against the public for, in the circumstances  
existing at the time of the judgment, the  
elimination of the project. Thus, such  
circumstances, the San Joaquin River, the public  
and the project.

4.10. A copy of copy of 4.19 of  
the 1968 claim, as follows, is hereto annexed  
symbole 4.10. Copy of copy of 4.19, the  
fourth page of the original copy of the  
claim, relating to the elimination of the project  
in copy 4.19 of the original copy. Here it may be  
stated that the project of 47,724.42, which  
includes the amount of 45,012.01 has been work  
out under various forms of account of which is  
enumerated in the following.

*S. de*

-12-

4.20      In the opinion of para 4.20  
of the application, in so far as they relate to  
record, 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 Annexures No. A-3 and R-4 of this  
counter reply.

4.21      As the documents of para 4.21 are  
denied for want of knowledge.

4.22      As in reply to para 4.22 of  
the application, it is submitted that the information  
ed in para 4.18 of this Counter reply given above  
and in the opinion without add.

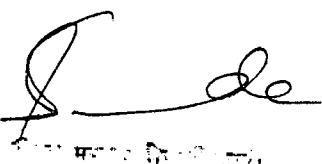


4.23      As in reply to para 4.23 of the  
application, it is submitted that by so

notice under Section 80 Civil Justice Act  
are given to the counsel of the licensee, which  
he acknowledges.

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

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

4.26 That in reply to the contents of para 4.26  
of the application, it is noted that the documents to be sent  
to the application is a forged document, and it  
has been prepared by the applicant with ulterior  
motives, which is a forged document with the face  
of the document itself. The genuineness and the  
authenticity of the documents submitted, such  
as the documents in question, the Office of the  
Commissioner of Revenue, and the  
  
Signature of Commissioner of Revenue  
Date: 10/10/2007

-14-

4.21 In a decision of May 4.27 56  
the application was denied. The reason is given in  
the decision as follows: "It is noted on 31-3-33 when the  
Division of Family Welfare, Fredericton, allowed the  
application of the wife, namely Jean Erickson,

5. Based on the following information, calculate the  
cost of the public utility facility in the amount of per 5  
for residents, which is to be covered by the  $\text{Rs. } 125$  per, i.e.  
6.25% of  $\text{Rs. } 2000$ , according to the table. Sketch  
the following table in the following form. The  
cost of the facility is to be calculated on the basis of the  
number of residents.

*John Deere*  
John Deere Co.

۵۰. **فَلَمَّا** **أَتَى** **الْمُرْسَلُونَ** **بِمَا** **أَنْهَى** **اللَّهُ** **بِهِ** **أَنْهَى** **الْمُرْسَلُونَ** **أَنْهَى** **اللَّهُ** **بِهِ** **أَنْهَى** **الْمُرْسَلُونَ**

-13-

It is therefore, to be considered that  
the above statement is a first symptom of  
mental disease, and that, in view of the circumstances,  
it should be done, issuing by the Financial  
Division of the account officer (C. O. & C. O.)  
to the immediate superior authority that he has  
been discharged on 11-7-22  
to the Manager, Central Bank of India (Main Branch)  
Lucknow, and a copy of the same is enclosed with the  
order addressed to the Collector of Jalandhar, Northern  
Wing, P. I. C. S., dated 11-7-22.

*Paul de*

-16-

REED HOLLOW, THE D.L&I, is a violent & lawless  
place where the law is not enforced. Section 20 of the  
Ministerial Act of 1905 gives the Minister of the  
Interior the authority to issue a license to  
any authority concerned to do what is necessary to  
protect the public health and safety. Section 10 of the  
same Act, as amended by the Act of June 1, 1906, is now valid in this  
country as follows: "It is unlawful to be licensed  
for more than one year by regulation of the  
Minister, and the license shall be revocable.  
Therefore, a license shall not be granted  
in limine."

It is further submitted that the application  
of the license to be issued by him, is to him not  
moved through the proper channels, and has tried  
to revive the same by an application to  
the Commissioner.

It would not be out of line to mention  
that the license is valid for a period of 10 of the  
Minister's own act of June 1, 1906 is further not  
admissible, because the license has been  
various applications for the same granted  
under the same law.

A4

-27-

It is further to the effect that relief in  
application can be obtained with other consequential  
relief. Also on this ground, also, the application  
is liable to be dismissed.

7. After consideration of the application  
and no comment.

8. Also in reply to the content of point of  
the application, it is ruled that the application  
does not interfere with 2014-2015. In view  
of the circumstances mentioned above it is  
also ruled that in so far as the application  
is concerned, the relief is discharged.

9. After consideration of the application,  
it is ruled that the application does not interfere  
with 2014-2015. In view of the facts and circumstances  
mentioned above.



10. After consideration of the application, it is ruled

ASX

— 1 —

הַלְּבָנָן וְהַלְּבָנָן

## 11. After the Committee of 9 - 24 - 1861

### Aplicaciones y conclusiones

12.  $\sin 30^\circ = \frac{1}{2}$   $\sin 60^\circ = \frac{\sqrt{3}}{2}$

### • What is a "Chimera"?

Lucknow.  
dt. 23.8.90



1. *Efficiency* is the ratio of the output to the input.

✓ *Leucostoma* *luteum* (L.) *W. D. J. Koch*

## Independent Variable Effect on Quality of

## Chap. 10. — The Second Stage of the War.

*F. de*

Robert E.

IN THE HON'BLE CENTRAL ADIVIN OF THE P.L.J. TRIBUNAL  
CIRCUIT BENCH, LUCKNOW  
O.A. NO. 154 OF 1980 (L)

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.

Subject: Headquarters payment.

Re: Your letter No. LOK/ACC/IKO/84  
dt. 16-1-84.

In connection with the above, it is to  
advise to 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.

*8/1/84*  
Chief Cashier (JA)  
Northern Rly., NLS.

Copy to: Sr. DAD/NR-IKO  
for information, pl.

④ -  
Chief Cashier (JA) / NR  
New Delhi - 110055.

Agra/18/84.

*S. Deo*

Union of India  
Northern Railway

AFI

NORTHERN RAILWAY  
(Cash & Pay Department)

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

Cash amount entrusted for disbursement  
to the staff (payees) with date: 30-6-84 10,400 = a/c (RDSO) 110

Honorarium claimed for the work  
mentioned above. One Day basis 35 = a/c

Name of the Peon/Khalla si/Other  
Class-IV staff (attached): NO -

Honorarium payable to the Cl-IV staff SIGNED - NIL -

VERIFIED:

T. Biju

Surj  
Asstt. Cashier  
Northern Railway,  
Lucknow.

Mohan Lall  
Sig. of Payment Clerk

Abu

Divisional Cashier  
N. Rly. Lucknow

NORTHERN RAILWAY  
(Cash & Pay Department)

HONORARIUM CLAIM OF SHRI Mohan Lall 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 = a/c (RDSO-110)

Honorarium claimed for the work  
mentioned above. 35 = a/c

Name of the Peon/Khalla si/Other  
Class-IV staff (attached): NO -

Honorarium payable to the Cl-IV staff SIGNED - NIL -

VERIFIED:

T. Biju

Surj  
Asstt. Cashier  
Northern Railway,  
Lucknow.

Mohan Lall  
Sig. of Payment Clerk

Abu  
Divisional Cashier  
N. Rly. Lucknow

100

(2)

NORTHERN RAILWAY  
(Cash & Pay Depar...

HONORARIUM CLAIM OF SHRI Mohan Lal DESGN. Head Clerk  
FOR THE MONTH OF June/84

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

74,000 = w/ADSO + 10%

Honorarium claimed for the work  
mentioned above.

35 = w

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

NO.

Honorarium payable to the Cl.IV staff

NIL

VERIFIED: T.Bil - Ver. - Officer

Mohan Lal  
S/o of Payment Clerk

Div. of Cashier  
W.L.C. Lucknow

NORTHERN RAILWAY  
(Cash & Pay Depar...

HONORARIUM CLAIM OF SHRI Mohan Lal DESGN. Head Clerk  
FOR THE MONTH OF June/84

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

72,000 = w/ADSO - 10%

Honorarium claimed for the work  
mentioned above.

35 = w

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

NO.

Honorarium payable to the Cl.IV staff

NIL

VERIFIED: T.Bil - Ver. - Officer

Mohan Lal  
S/o of Payment Clerk

Div. of Cashier  
W.L.C. Lucknow

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Hon Bill of Mahan Lacc H.S. for 11/86 via A.R. Venka  
 Cashier P.B.H. recd Rs 70000/- on 20/11/86 Bangalore  
 pay at P.B.H.

35-w Mahan Lacc  
 H.S.

Recd

231

Hon Bill of Mahan Lacc H.S. for 11/86 via A.R. Venka in  
 the month of 11/86 Rs 55000/- of P.B.H. section

35-w

Mahan Lacc  
 H.S.

Recd



राजनीति विषय का अधिकारी  
राजनीति विषय का अधिकारी R 3

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उत्तर रेलवे  
NORTHERN RAILWAY

जी०प्र० 19/G.L.-19.

क्रमांक 99-वा/Genl 99-Large

17

पूर्णांग शायलिय  
बड़ी राज्य बड़ी विवाही

16/2  
16/2

पत्र सं: 89/पेशब/पत्रा./समर्त मण्डल/लक्ष्मण विवाह 1-2-89

पूर्ण बैंक,  
शारती, स्टेट बैंक,  
उप महापूर्ण बैंक विवाही,  
मुख्य शाहाना लक्ष्मण

विवाह: श्री मोहन लाल पीपीओ सं: 07892947 फो  
पेशब वा श्रुताब्द।

संदर्भ: अपार्टमेंट सं: ५८८/पेशब/रेलवे/8917 दिन 14.2.89।

श्रापके उपरोक्त पत्र के संक्षमी में सूचित फरवार के द्वा रेशब पर  
श्रुताब्द श्री जागे वाली राहत पेशब एट के अन्तर्गत अहों  
श्राती है, इस लिये राहत में से मरणारी राजी श्री वसुली  
पेशब एट के लिया श्रुताब्द अहों अहती, अत  
प्राप्त विवेदिता भवा वया है। श्री श्री मोहन लाल वो  
प्राप्तिक ५.१०२२-५१ वर से पेशब श्रुताब्द अर्द्ध अर्द  
देव राहत श्री गणेश द्वारा राहत श्री राजी श्री वसुली पेशब  
प्रेमपत्र अक्षोल में दिया गया।

प्राप्तिक  
प्राप्तिक

16/2  
16/2

16/2

प्रेमपत्र श्री मोहन लाल पीपीओ  
प्राप्तिक द्वारा दिया गया (प्राप्तिक)  
राहत, श्रुताब्द ५८८, दिन 14.2.89

רַיִדְתִּי אֶת־יְהוָה בְּבָבֶלְן R-4

Alc<sup>3</sup>

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THE NORTHERN RAILWAY

ପ୍ରଥାବ ପାର୍ଶ୍ଵାଲ୍ୟ  
ବୁଦ୍ଧିକା ପାତ୍ରାବଦ୍ଧ ଦିଲତି

पत्र सं: ८९/पेश्य/पत्रा. x स. मात्रा लघु दिनांक १ मार्च १९८९

ਪ੍ਰਾਣੇਦਾਨ  
ਮਾਦਤੀ ਧੰ ਸਟੈਟ ਕੇਂਦ  
ਤੇਰਾ ਧਿਮਾਮ, ਸੁਖ ਧ ਭਾਖਾ, ਲੁਭਾ ।

વिषय: શ્રી મૌદ્દુલાલ, પીપીઓ ફોન: 07892967 નો વેશા ગત  
સ્થાનાં.

● બેન્ફ : ભાવાત એ બાબે મેન્ટ/રેન્ટ/એસે/ 89/258; ફિ. 18.2.89 ।

Attest  
John C. O'Neil

1/100  
निष्ठा विद्या लय  
स्व लेखन  
स्व देवधर्म

संस्कृतः उपरोक्त

fig

1. THE GOVT. OF INDIA AND THE  
STATE OF UTTAR PRADESH

Regd. No. 12

81  
A/64

2. M. J. BAWAL  
3. RESIDENCY  
LUCKNOW.

4. DATE OF ISSUE/REG. NO. 18/11/1960 100.

5. DATE/11/1960/ 7-60 Int. No. \_\_\_\_\_  
6. Mr. Bawal Dated. 11/11/60

7. PLATE(s)

8. 60 VEHICLES

9. PERMIT(s)

10. 1. THIS PERMIT IS FOR THE USE OF MOTOR VEHICLES  
2. THE VEHICLES ARE TO BE USED FOR THE FOLLOWING PURPOSES.

3. THE VEHICLES ARE TO BE USED FOR THE FOLLOWING PURPOSES.

4. THE VEHICLES ARE TO BE USED FOR THE FOLLOWING PURPOSES.

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39. THE VEHICLES ARE TO BE USED FOR THE FOLLOWING PURPOSES.

40. THE VEHICLES ARE TO BE USED FOR THE FOLLOWING PURPOSES.

C 192  
Ex-65

CENTRAL ADMINISTRATIVE TRIBUNAL

LETTER OF 1000. W.

Case No. 154 of 1990 (I)

Plaintiff

versus

Applicant.

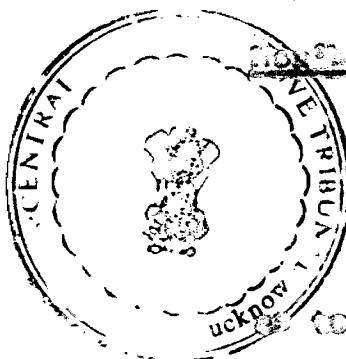
State of India & Ors. versus

Respondents.

12.6.1990

Hon'ble Mr. Justice Ranjan, A.M.

Hon'ble Mr. Justice Parimal, J.J.



Hence, the learned counsel for the applicant  
is given notice to the respondents to show cause  
why the petition may not be admitted.

Fix it for hearing on 23.7.1990.

66/-

66/-

66/-

66/-

II True Copy II

200/-

*[Signature]*  
Deputy Registrar  
Central Administrative Tribunal  
Lucknow Branch,  
U.P., India

Central Administrative Trib.  
Lucknow Bench, Lucknow.

S.A. No. 154/90

Sri Mohan Lal, .... Applicant  
-vs-  
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 last 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.

Shukla

//True Copy//

(r.n.)

Central Administrative Tribunal  
Lucknow Bench,  
Lucknow

N.2.

**VAKALATNAMA**

G.V.3

Before Hon'ble Central Administrative Tribunal  
Circuit Bench, Lucknow

Before  
in the Court of

C.A. No. 154 of 1990(L)

Plaintiff  
Defendant

Mohan Lal

Claimant  
Appellant  
Petitioner

Versus

Defendant  
Plaintiff

Union of India  
& others

Respondent

The President of India do hereby appoint and authorise Shri. I.S. K. Shukla, A.O., Addl. A.D.C.

..... 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.

I.S. K. Shukla

By his Agent, 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

Dated.....

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Accepted  
I.S. Shukla  
Adv.

11. C. C. T  
Designation of the Executive Officer



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