

FORM NO. 21

(See rule 114)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, .....BENCH

OA/TA/RA/CP/MA/PT 01.155 of 20.90

T. R. Arora.....Applicant(S)

## Versus

.....Respondent(S)

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Certified that the file is complete in all respects.

Certified that the file is complete in all respects.

Certified that the file is complete in all respects.

Signature of S.O.

Signature of Deal. Hand

CENTRAL ADMINISTRATIVE TRIBUNAL  
CIRCUIT BENCH, LUCKNOW

Central Administrative Tribunal  
Circuit Bench, Lucknow  
Date of Filing: 3-4-90  
Date of Receipt by Panel: ...

✓ Deputy Registrar (J)

Registration No. 155 of 19890 (4) (A)

APPLICANT(S) T. R. Aora

RESPONDENT(S) O.O.C.

Particulars to be examined

Endorsement as to result of examination

1. Is the appeal competent ? *Y*
2. a) Is the application in the prescribed form ? *Y*  
b) Is the application in paper book form ? *Y*  
c) Have six complete sets of the application been filed ? *Y*
3. a) Is the appeal in time ? *Y*  
b) If not, by how many days it is beyond time ? *Y*  
c) Has sufficient cause for not making the application in time, been filed ? *Y*
4. Has the document of authorisation/ Vakalatnama been filed ? *Y*
5. Is the application accompanied by B.D./ Postal Order for Rs.50/- *Y*
6. Has the certified copy/copies of the order(s) against which the application is made been filed ? *Y*
7. a) Have the copies of the documents/relied upon by the applicant and mentioned in the application, been filed ? *Y*  
b) Have the documents referred to in (a) above duly attested by a Gazetted Officer and numbered accordingly ? *Y*  
c) Are the documents referred to in (a) above neatly typed in double space ? *Y*
8. Has the index of documents been filed and paginated properly ? *Y*
9. Have the chronological details of representation made and the outcome of such representation been indicated in the application ? *Y*
10. Is the matter raised in the application pending before any court of Law or any other Bench of Tribunal ? *N*

Particulars to be ExaminedEndorsement as to result of examination

11. Are the application/duplicate copy/spare copies signed ?

Y

12. Are extra copies of the application with Annexures filed ?

Y

(A2)

a) Identical with the Original ?

b) Defective ?

c) Wanting in Annexures

Nos. \_\_\_\_\_ pages Nos. \_\_\_\_\_ ?

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

No

14. Are the given address the registered address ?

Y

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

Y

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

Y No

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

Y

a) Concise ?

b) Under distinct heads ?

c) Numbered consecutively ?

d) Typed in double space on one side of the paper ?

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

Y

19. Whether all the remedies have been exhausted.

Y

Answer

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD

CIRCUIT BENCH, LUCKNOW

(X3)

O.A. 155/90(L)

T.R. Arora

...Applicant

versus

Union of India & ors. ...Respondents.

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

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

(By Hon. Mr. Justice K. Nath V.C.)

We have heard Shri Amit Bose, the learned counsel for the applicant. The relief claimed is a direction to the opposite parties to post the applicant as Technical Assistant in the Office of Director, of Defence Estates, Ministry of Defence, Central Command, Lucknow in the vacancy caused by the transfer of Shri H.C. Kharidhal to Ahmedabad. The learned counsel has referred to various reasons for which the applicant ought to have been posted at Lucknow as Technical Assistant. He says that representation (Annexure -3) dated 2.3.90 was made to respondent No. 2 but the applicant has not received any reply thereon.

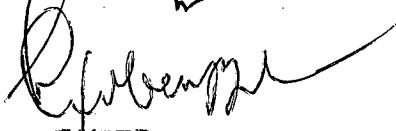
2. We think interests of justice would be served if the respondent No. 2 is directed to consider the applicant's aforesaid representation for being posted at Lucknow.

3. This petition is disposed of with the direction to respondent No. 2 to consider and dispose of the applicant's representation dated 2.3.90 contained in Annexure -3 within a period of one month from the

96

date of receipt of a copy of this judgment alongwith the paper book. We further direct that till the disposal of the representation, the appointment to the post of Technical Assistant in question in the office of Director, Defence Estates, Ministry of Defence, Central Command, Lucknow may not be made.

4. Copy of this order alongwith a copy of paper book shall be handed over by the office to the applicant ~~by~~ today and the applicant shall have it served upon respondent No. 2 at the earliest, not later than one week from ~~from~~ today.

  
ADM. MEMBER.

  
VICE CHAIRMAN.

Dated the 4th May, 1990.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL ADDITIONAL BENCH, ALLAHABAD

CIRCUIT BENCH, LUCKNOW.

ORIGINAL CASE NO. 155 of 1990 (2)

APPLICATION UNDER SECTION 19 OF THE ADMINISTRATIVE TRIBUNALS  
ACT, 1985

TILAK RAJ ARORA

Applicant

Versus

Union of India and others ...

Respondents.

I N D E X

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1.	Application	1-11
2.	Annexure No.1 True copy of letter dated 9.2. 1990	12-13
3.	Annexure No.2 True copy of order dated 16.2.1990	14-18
4.	Annexure No.3 True copy of representation dated 2.3.1990	19-20
5.	Annexure No.4 True copy of Telegram dated 9.3.1990 received from Director General Defence Estates, Govt. of India, Ministry of Defence, New Delhi.	21
6.	Postal Order	
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Filed today  
3/3/90

Noticed for  
U.S. 90

Tilak Raj Arora

SIGNATURE OF THE APPLICANT

For use in Tribunal's Office

Date of filing

or

Date of receipt by post  
Registration No.

Signature  
for Registrar

Central Administrative Tribunal  
Circuit Bench Lucknow  
Date of Filing 24.9.90  
Date of Receipt 24.9.90  
AP

Deputy Registrar

IN THE CENTRAL ADMINISTRATIVE ADDITIONAL BENCH, ALLAHABAD  
CIRCUIT BENCH, LUCKNOW.

Claim No. 155 of 1990 (L)

TELAK RAJ ARORA, aged about 54 years son of Late  
Shri Nihal Chand Arora, resident of 364-A, Subhash  
Mehal, Sadar Bazar, Lucknow Cantt, at present  
posted as Upper Division Clerk in the office of  
the Director, Defence Estates, Ministry of Defence  
Headquarters Central Command, Lucknow Cantt. ... Applicant

Versus

1. The Union of India, through the Secretary  
Ministry of Defence, Govt of India, New Delhi.
2. The Director General, Defence Estates, Ministry  
of Defence, R.K.Puram, New Delhi.
3. The Director, Defence Estates, Ministry of Defence,  
Central Command, Lucknow Cantt.

... Respondents

DETAILS OF APPLICATION.

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

The instant application is made under section  
19 of the Administrative Tribunals Act for a  
direction to be issued ~~by the applicant~~ to the  
respondents to post the applicant as Technical  
Assistant in the existing vacancy of the said post  
in the office of the Director, Defence Estates,  
Ministry of Defence Central Command, Lucknow Cantt.

2. Jurisdiction of the Tribunal: The applicant declares that

Telephone set up

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of application  
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Chander  
30/10/90

APR

(2)

subject matter against which he wants redressal is within the jurisdiction of the Hon'ble Tribunal.

3. Limitation :

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

4. Facts of the case:

(I) (A) That the applicant was initially appointed as a Lower Division Clerk in October 1957 and having served as such for a period of about 10 years, with is utmost devotion to duty, honesty and efficiency, the petitioner was considered fit to be promoted as Upper Division Clerk and he was duly promoted as such in January 1967 and eversince then he is serving as such till date without any break whatsoever.

(II) That during his entire till date service, the petitioner has served the Defence Estates Department of the Government of India with his utmost devotion to duty honesty and efficiency and there has been no occasion of any complaint against him from either any member of the public or his superiors in office so much so that he has <sup>not</sup> receivdd a single adverse entry or remarks in his entire till date Character Roll.

(III) That on 17.1.1990, a Departmental Promotion Committee of the Defence Estates Department of the Government of India held its meeting for drawing up a pannel for promotion to the post of Office Superintendent Grade-I,

*Yilalay Kalyan*

(3)

Office Superintendent Grade-II, Technical Assistant, Upper Division Clerks and Civilian Motor Driver of Group 'C' Clerical ~~Cadre~~ of Defence Estates Department and after considering various candidates for promotion to the aforesaid posts, including the applicant, drew a panel of successful candidates for promotion to the various posts mentioned above. According to the recommendations of the aforesaid Departmental Promotion Committee, the applicant was found fit to be promoted on the post of Technical Assistant.

*Same copy to*

(IV) That the aforesaid panel was circulated by an order/letter dated 9.2.1990 of the Director General Defence Estates, Ministry of Defence New Delhi. A true copy of the concerned order/letter is being annexed hereto as ANNEXURE NO.1.

(V) That consequent to the aforesaid panel being drawn up, by means of an order dated 16.2.1990, issued by the Director General, Defence Estates, Ministry of Defence, Govt. of India, New Delhi the various officers selected in the aforesaid panel were posted <sup>and</sup> on the promoted post ~~and~~ the petitioner by means of the aforesaid order was posted as Technical Assistant in the office of the Director General, Defence Estates, Ministry of Defence, New Delhi in place of Shri P. C. Sharma, who was posted as Office Superintendent Grade II in the office of the Director Defence Estates, Central Command, Lucknow Cantt. A true copy of the concerned order is annexed hereto as ANNEXURE NO. 2.

(VI) That immediately on coming to know of the aforesaid

(4)

order, in view of the fact that the applicant had some personal/family problems/difficulties in proceeding to New Delhi and also in view of the fact that he had only recently joined at Lucknow on 3.6.1988, i.e. a little over a year and half back, and one post of Technical Assistant was lying vacant at Lucknow, the applicant submitted a representation dated 2.3.1990 addressed to the Director General, Defence Estates, Government of India, New Delhi praying therein that he be posted as Technical Assistant in the office of the Director Defence Estates, Central Command, Lucknow itself in the existing vacancy of Technical Assistant in view of the reasons and circumstances stated above or his promotion to the said post may be considered as declined if the applicant's request for his retention in Lucknow itself was not acceded to. A true copy of the concerned representation is annexed hereto as ANNEXURE NO. 3.

*Telate copy Ac.*

(VII) That soon after the applicant submitted the aforesaid representation, a telegram was received from the Director General Defence Estates, Ministry of Defence New Delhi addressed to the Director Defence Estates, Central Command, Lucknow stopping the movement of the applicant to New Delhi as Shri P.C. Sharma, in whose place the applicant was being posted as Technical Assistant had declined his promotion. A true copy of the concerned telegram is being annexed hereto as ANNEXURE NO. 4.

(VIII) That consequent to the receipt of the aforesaid telegram the applicant was not relieved from the

(5)

Office of the Director Defence Estates, Central  
Command, Lucknow Cantonment.

(IX) That it is pertinent to point out here that Shri Bramha Nand, Upper Division Clerk in the office of the ~~Director~~ Defence Estates Officer, Ambala Cantt. was transferred on the same post and posted in the office of the Director Defence Estates, Central Command, Lucknow in the vacancy caused due to the promotion of the applicant. The aforesaid posting of Shri Bramhanand was made by the aforesaid order dated 16.2.1990, as contained in Annexure No.2 hereto.

(X) That though it was clearly stipulated in the aforesaid order dated 16.2.1990 that any of the officers who wanted to refuse promotion could intimate such refusal within 30 days of the issue of the aforesaid letter, which meant that the officers concerned had time upto 19.3.1990 to intimate their refusal by which date the period of 30 days expired and it is also obvious from the aforesaid stipulation that the posting made by the aforesaid order could not be given effect to till 19.3.1990, not only was Shri Bramhanand relieved from Ambala on 28.February 1990 but he also reported for duties in the office of the Director Defence Estates, Central Command, Lucknow on 1.3.1990.

(XI) That in fact the petitioner declined his promotion by means of his representation dated 2.3.1990 since he ~~then~~ was not in a position to move on posting to New Delhi and if he had not declined his promotion, he would have been relieved since Shri Bramhanand had reported for duties.

(6)

(AII)

(XII) That in fact the order of posting of the applicant in the office of the Director General, Defence Estates New Delhi had become redundant and ineffective after the Telegram dated 9.3.1990 contained in Annexure No.4.

(XIII) That the obvious consequence of that Telegram and the joining of Shri Bramhanand, at Lucknow on the Post of Upper Division Clerk would have been that the respondents would have been compelled to post the applicant as Technical Assistant in the office of the Director Defence Estates, Central Command, Lucknow itself as a vacancy of Technical Assistant was created due to promotion of Shri H.C.Kharidhol as Technical Assistant in the office of the Director Defence Estates, Central Command, Lucknow as Office Superintendent Grade II in the office of the Defence Estates Officer, Gujarat Circle, Ahmedabad.

(XIV) That, however, instead of posting the applicant as aforesaid, the respondents hereto in a most arbitrary and illegal manner, taking advantage of the so called conditional refusal of promotion by the applicant through his representation dated 2.3.1990, did not post the applicant at Lucknow and instead the applicant has come to know that an order has been issued by the DIRECTOR GENERAL, Defence Estates, Ministry of Defence, New Delhi, posting Shri Laxman Chaturvedi, who is at present posted as Upper Division Clerk in the office of the Defence Estates Officer, Agra Circle Agra Cantt., as Technical Assistant in the office of the Director Defence Estates, Ministry of Defence, Central Command, Lucknow instead of the applicant. Despite his best efforts, the applicant could not

*Laxman Chaturvedi*

(7)

obtain a copy of the aforesaid order and as such he is not in a position to file a copy of the same alongwith this application but he craves indulgence of this Hon'ble Court to summon the said order from the respondents concerned for perusal.

(XV)

That in fact as already pointed out herein above, the applicant had submitted his representation on 2.3.1990 against his posting to New Delhi and one of the ground raised by him in the said representation was that he had been subjected to frequent transfers in his entire service, sepcailly the last five years and he had never been allowed to remain posted at a station for any longer period of time and invariably he was transferred within 2 or 3 years despite the fact that several persons who had much longer periods of posting than the applicant had been allowed to continue to remain posted at a particular station. The posting of the applicant on promotion to New Delhi was a further step to harass the applicant and uproot his family.

**5. Grounds for relief with legal provisions:**

A. Because the action of the respondents hereto in posting the applicant as Technical Assistant in the office of the Director General, Defence Estates, New Delhi is arbitrary and illegal as the post of Technical Assistant in the office of the Director Defence Estates, Central Command Lucknow was vacant due to the posting of Shri H.C.Kharidhal as Office Superintendent Grade-II at DEO Ahmedabad and the applicant could have been easily posted at Lucknow itself.

B. Because there was no reason, whatsoever, for the

J. L. S. / J. L. S. / J. L. S.

(8)

applicant to have been posted at New Delhi since the vacancy of the post of Technical Assistant was existing at Lucknow itself.

C. Because since Shri P.C.Sharma, in whose place, the applicant was posted at Delhi had refused promotion, the applicant aught to have been posted as Technical Assistant in Lucknow itself but the respondents hereto instead of doing so, and taking advantage of a CONDITIONAL refusal for promotion submitted by the applicant through his representation dated 2.3.1990 have posted Shri Laxman Chaturvedi as Technical Assistant at Lucknow thereby preventing the applicant from being promoted at all.

D. Because as is evident from the order dated 16.2.1990 itself, it is not that every officer on promotion has been shifted from his place of posting as Shri R.R.Sharma has been promoted and posted as Office Superintendent Grade I at Ambala itself where he was already posted, Smt. Jaswant Bajwa has also been promoted and posted as Upper Division Clerk at Panchkula and Shri Keemti Lal Sharma has also been promoted and posted as Upper Division Clerk in Meerut itself where he was formerly posted.

E. Because refusal for promotion expressed by the applicant in his representation dated 2.3.1990 is only limited to the contingency of his being posted outside Lucknow and it cannot be treated also to be refusal for promotion if posted at Lucknow itself. and as such the respondents hereto acted illegally in treating the said refusal of the applicant to be a

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refusal for all purposes resulting in posting of Shri Laxman Chaturvedi at Lucknow.

F. Because the posting of the applicant as Technical Assistant at New Delhi is a continuation of the harassment already meted out by the department to the applicant in the shape of frequent transfers throughout his service and as such also it is illegal and arbitrary.

6. Details of Remedies exhausted:

That as already pointed out above, the applicant had submitted a representation dated 2.3.1990 addressed to the Director General, Defence Estates, Ministry of Defence, New Delhi praying for being posted as Technical Assistant in the Lucknow itself which representation has not been disposed of till date and instead it has been treated to be a refusal for promotion on the part of the applicant.

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

The applicant further declares that he has not previously filed any application, Writ Petition or suit regarding the matter in respect of which this application has been made before any other 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 the Court.

8. Reliefs sought:

In view of the facts, circumstances and reasons mentioned above (in paragraphs 6) the applicant prays for the following reliefs:

(i) A direction be issued to the respondents hereto to

*Please keep me informed*

(10)

immediately post the applicant as Technical Assistant in the office of the Director Defence Estates, Ministry of Defence, Central Command, Lucknow in the vacancy caused by posting and transfer of Shri H. C. Kharidhal Technical Assistant office of the Director Defence Estates, Central Command, Lucknow as Office Superintendent, Grade II in the office of the Defence Estates, Officer, Ahmedabad ; and

- ii) a direction be issued to the respondents hereto not to post any person as Technical Assistant in the vacancy caused by posting of Shri H.C.Kharidhal Technical Assistant in the office of the Director Defence Estates, Central Command, Lucknow As Office Superintendent Grade-II in the office of the Defence Estates Officer Ahmedabad; and
- iii) Any other relief be granted to the applicant deemed fit and proper in the circumstances of the case, including an order awarding the costs of this application in favour of the applicant and against the respondents.

9. Interim Order, if any, prayed for:

Pending final disposal of the instant application, the applicant seeks the following interim reliefs:

- (i) The respondents hereto may be directed not to post any other person as Technical Assistant in the office of the Director, Defence Estates, Central Command, Lucknow Cantt. in the vacancy caused by the posting of Shri H.C.Kharidhal Technical Assistant, office of the Director Defence Estates Central Command Lucknow as Office Superintendent Grade II in the office of the Defence Estates Officer, Ahmedabad.

Tilak Ley/AC

(11)

10. In the event of application being sent by registered post, it may be stated whether the applicant desires to have oral hearing at the admission stage and if so, he shall attach a self-addressed Postcard or Inland letter, at which intimation regarding the date of hearing could be sent to him.

NOT APPLICABLE

11. Particulars of Bank Draft/Postal Order filed in respect of the application fee:

Postal Order for Rs.50/- issued by the

Post Office \_\_\_\_\_, Lucknow dated April '90

12. LIST OF ENCLOSURES:

1. Annexure No.1 - True copy of letter dated 9.2.1990
2. Annexure No.2 - True copy of order dated 16.2.1990
3. Annexure No.3 - True copy of ~~representation~~ representation dated 2.3.1990.
4. Annexure No.4 - True copy of Telegram dated 9.3. 1990 received from Director General Defence Estates, New Delhi.
5. Postal Order No. 02 414158

I, TILAK RAJ ARORA, Son of Shri (Late) Nihal Chand Arora) aged about 54 years, resident of House No.364-A, Subhash Mohal, Sadar Bazar, Lucknow Cantt., working as Upper Division Clerk in the office of the Director Defence Estates, Central Command, Lucknow Cantt. do hereby verify that the contents of paragraphs 1 to 4 and 6 and 7 and 11 are true to my personal knowledge and those of paras 5, 8 and 9 are believed to be true on legal advice and that I have not suppressed any material fact.

Date: 8th April 1990

Place: Lucknow

Tilak Raj Arora

Signature of the  
Applicant.

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R12

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL ADDITIONAL BENCH, ALLAHABAD  
CIRCUIT BENCH, LUCKNOW  
Claim No. Of 1990.

Tilak Raj Arora ..... Applicant

Versus

The Union of India and others.... Respondents

ANNEXURE NO. -----

NO: 102/195/ADM/DE

Government of India,

Ministry of Defence,

Dte General Defence Estates

New Delhi -110066.

9 Feb 1990.

To

The Director,  
Defence Estates,  
Ministry of Defence,  
Central/Eastern/Western/Northern/Southern Command/NIMA  
Lucknow/Calcutta/Panchkula/Jammu/Pune/Meerut.

SUBJECT: PANEL FOR PROMOTION TO THE POST OF OFFICE  
SUPDT. GRADE I & III, TECHNICAL ASSISTANT,  
UPPER DIVISION CLERK AND CIVILIAN MOTOR DRIVER.

The Departmental Promotion Committee in their meeting held on 17th January, 1990 drew up the following panel for promotion to the posts of Office Supdt. Grade-I, Office Supdt. Grade-II, Technical Assistant, Upper Division Clerk and Civilian Motor Driver of Group 'C' Clerical Cadre of Defence Estates Organisation. This panel Shall be operative upto 31st July, 1991 or till the new panel is drawn up. The promotion shall be made as and when vacancies occur in the grade of Office Supdt Grade I, Office Supdt Grade-II, Technical Assistant and Upper Division Clerk:-

Office Supdt Grade I

1. Shri R.R. Sharma
2. Shri P.L. Patel

...2...

T.C.  
Smt. Mohan  
Bala

Office Supdt Grade II.

- \* 1. Shri U.P. Mehta
- \* 2. Shrimati S. Thukral
- 3. Shri H.C. Kharidal
- 4. Shri P.C. Sharma
- \* 5. Shri V.B. Joshi
- 6. Shri R.S. Sharma
- 7. Shri D.C. Chakraborty

\* Offer of promotion will be issued only after 8.3.90, 23.3.90 and 2.11.90 respectively having refused promotions earlier.

Technical Assistant.

- 1. Shri T.R. Arora
- \* 2. Shri KN Parmeshwaran
- \* 3. Miss A. Ferness
- 4. Shri HR Sachdeva
- 5. Shri BS Gussain
- 6. Shri B.C. Dutta
- 7. Shri G.M. Khan
- 8. Shri K.M. Sinha
- 9. Shri Laxman Chaturvedi
- 10. Smt. C. Sarbajna
- 11. Shri H.R. Kalia
- 12. Shri S.S. Katyal

\* Promotion order will be issued only after 15-2-90 and 9.2.90 respectively having refused promotion orders earlier.

Upper Division Clerk

- 1. Shri T.P. Kori, S/C
- 2. Smt. Jaswant Bajwa
- 3. Shri Kuldeep Singh
- \* 4. Shri Ram Das Rawat, S/C
- 5. Shri DR Lama, S/T
- 6. Shri ENC Pillai
- 7. Shri M.C. Godge, S/C
- 8. Shri H.N. Rai, S/C
- 9. Shri Dhani Ram, S/C
- 10. Shri Premu Ram, S/C
- 11. Shri Abdul Quam Bhatt
- 12. Shri VK Kamle, S/C
- 13. Shri K. Haridasan
- 14. Shri BC Hazarika, S/C
- 15. Shri B. Satyanarayana
- 16. Shrimati R.K. Lamba
- 17. Shri PK Vasu

\* Offer of promotion will be issued only after 31.5.90 having refused promotion earlier.

Civilian Motor Driver

- 1. Shri Mohan Lal, S/C
- 2. Shri Aya Singh

Sd/- x x x  
DIRECTOR GENERAL  
DEFENCE ESTATES.

Copy to:-

Joint Director,  
Shillong/Srinagar.

ब अदालत श्रीमान

Central Administrative Tribunal Allahabad  
Court Bench Lucknow महोदय

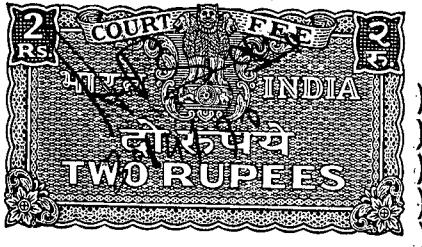
[वादी] अपीलान्ट

Applicant श्री Tilak Raj BORRA का वकालतनामा

प्रतिवादी [रेस्पान्डेन्ट]

O.A. No.

of 1990



वादी (अपीलान्ट)

TILAK RAJ BORRA

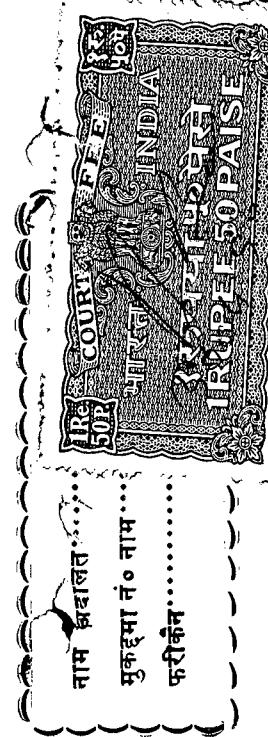
वकाल बनाम

प्रतिवादी (रेस्पान्डेन्ट)

मुकदमा नं०

सन् १९९० पेशी की ता० ३०.५.१९९१ ई०

ऊपर लिखे मुकदमा में अपनी ओर से श्री



Accused Book

वकील  
महोदय  
एडवोकेट

32/33 Chandnigarh, Old Chandigarh  
मैं अपना वकील नियुक्त करके प्रतिज्ञा (इकरार) करता हूँ और लिखे इता हूँ कि इस मुकदमा में वकील महोदय स्वयं अथवा अन्य वकील द्वारा जो कुछ पैरवी व जबाबदेही व प्रश्नोत्तर करें या कोई कागज दाखिल करें या लौटावें या हमारी ओर से डिगरी जारी करावें और रुपया वसूल करें या सुलहनामा व इकबाल दावा तथा अपील निगरानी हमारी ओर से हमारे या अपने हस्ताक्षर से दाखिल करें और तसदीक करें या मुकदमा उठावें या कोई रुपया जमा करें या हमारी या विपक्षी (फरीकासनी) का दाखिल किया हुआ रुपया अपने या हमारे हस्ताक्षर युक्त (दस्तखती) रसीद लेवें या पंच नियुक्त करें-वकील महोदय द्वारा को गई वह सब कार्यवाही हमको सर्वशा स्वीकार है और होगी मैं यह भी स्वीकार करता हूँ कि हर पेशी पर स्वयं या किसी अपने पैरोकार को भेजता रहूँगा अगर मुकदमा अदम पैरवी में एक तरफ मेरे खिलाफ फैसला हो जाता है उसकी जिम्मेदारी मेरे वकील पर नहीं होगी इसलिए यह वकालतनामा लिख दिया प्रमाण रहे और समय पर छाम आवे।

Tilak Raj

हस्ताक्षर

साक्षी (गवाह)

साक्षी (गवाह)

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL ADDITIONAL BENCH, ALLAHABAD  
CIRCUIT BENCH, LUCKNOW.

CLAIM NO. OF 1990

TILAK RAJ ARORA

Applicant

....

Versus

The Union of India and others .... Respondents

ANNEXURE NO. 2

NO: 102/195/ADM/DE

Government of India,

Ministry of Defence,

Dte, General Defence Estates,

R.K.Puram, New Delhi- 110066.

16 February, 1990.

To

The Director,  
Defence Estates,  
Ministry of Defence,  
Central/Eastern/Western/Northern/Southern Commands/NIMA  
LUCKNOW/CALCUTTA/PANCHKULA/ JAMMU/ PUNE / MEE RUT.

SUBJECT: PROMOTION/POSTING/TRANSFER OF GROUP 'C'  
CLERICAL STAFF OF DEFENCE ESTATES ORGANISATION.

Reference panel for promotion to Office Supdt. Grade-I  
Office Supdt. Grade-II, Technical Assistant Upper Division  
Clerk and Civilian Motor Driver issued vide this Office letter  
No. 102/43/ADM/DE, dated 9th February, 1990.

2. The following Office Supdt Grade-II, Technical  
Assistant, Upper Division Clerk, Lower Division Clerk and  
Civilian Driver Grade-I are hereby promoted as Office Supdt.  
Grade-I, Office Supdt Grade-II, Technical Assistant

Division

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL ADDITIONAL BENCH, ALLAHABAD  
CIRCUIT BENCH, LUCKNOW.

CLAIM NO. OF 1990

TILAK RAJ ARORA .... Applicant

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Central/Eastern/Western/Northern/Southern Commands/NIMA  
LUCKNOW/CALCUTTA/PANCHKULA/ JAMMU/ PUNE / MEERUT.

SUBJECT: PROMOTION/POSTING/TRANSFER OF GROUP 'C'

CLERICAL STAFF OF DEFENCE ESTATES ORGANISATION.

Reference panel for promotion to Office Supdt. Grade-II  
Office Supdt, Grade-II, Technical Assistant Upper Division  
Clerk and Civilian Motor Driver issued vide this Office letter  
No. 102/43/ADM/DE, dated 9th February, 1990.

2. The following Office Supdt Grade-II, Technical  
Assistant, Upper Division Clerk, Lower Division Clerk and  
Civilian Driver Grade-I are hereby promoted as Office Supdt.  
Grade-I, Office Supdt Grade-II, Technical Assistant, Upper  
Division Clerk and Civilian Motor Driver till further orders.

From Office Supdt Grade II to Office Supdt Grade-I

1- Shri R.R. Sharma

From Technical Assistant to Office Supdt. Grade-II

1- Shri H.C. Kharidal

2- Shri PC Sharma

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T. C.  
This have been

From Upper Division Clerk to Tech Asstt.

- 1- Shri TR Arora
- 2- Shri HR Sachdeva
- 3- " BS Gussain
- 4- " PC Dutta
- 5- " GM Khan

From Lower Division Clerk to Upper Division Clerk

- 1- Shri TP Kori
- 2- Shri Jaswant Gajwa
- 3- Shri Kuldip Singh
- 4- Shri DR Lama
- 5- Shri ENC Pillai
- 5- Shri MC Gogde
- 7- Shri HN Rai
- 8- Shri Dhani Ram
- 9- Shri Premu Ram
- 10- Shri Abdul Quam Bhat

From Civilian Driver Grade I to Civilian Motor Driver

- 1- Shri Mohan Lal X In the pay Scale of Rs.1320-2040
- 2- Shri Aya Singh X and they will be upgraded at the same places.

3. Consequent to the above promotions, it has also been decided to make the following posting/transfers with modification relating to transfer of Shri Keemti Lal Sharma issued vide this office letter of even Number dated 6th December, 1989:-

Sl. No:	Name S/Shri	From	To
<u>Office Supdt Grade I</u>			
1.	RR Sharma	DEO Ambala	DEO Ambala
<u>Office Supdt Grade II</u>			
1.	HC Kharidal	Dte DE CC Lucknow.	DEO Ahmedabad against existing vacancy.
2.	PC Sharma	DG DD	Dte, NE CC Lucknow against existing vacancy.

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(Signature)

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Technical Assistant.

1.	TR Arora	Dte DE CC Lucknow	DG DE vice Shri PC Sharma promoted.
2.	HR Sachdeva	DEO Meerut	DG DE against/Existing vacancy.
3.	BS Gussain	DEO Jaiput	Dte DE WC Panchkula against existing vacancy.
4.	PC Dutta	DEO Tezpur	Dte DE CC Lucknow vice Shri HC Kharidal promoted
5.	GM Khan	A.D.E.O. Baramulla	Dte DE NC Hamma against existing vacancy.

Upper Division Clerk

1.	TP Kori	DEO Mhow	DEO Pathankot against the vacancy restored from DEO Meerut.
2.	Brahma Nand	DEO Ambala	Dte DE CC Lucknow vice Shri TR Arora promoted.
3.	Banta Ram	Dte DE WC Panchkula	DEO Ambala vice Shri Brahma Nand transferred.
4.	Smt. Jaswant Bajwa	-do-	Dte DE WC Panchkula vice Shri Banta Ram transferred
5.	Kuldeep Singh	DEO Pathankot	J.D. Srinagar against existing vacancy.
6.	DR Lama	DEO Siliguri	DEO Tezpur vice Shri PC Dutta Promoted.
7.	ENC Pillai	Dte DE SC Pune	DEO Bombay against existing vacancy.
8.	GP Banskar	DEO Jabalpur	JD Srinagar against existing vacancy.
9.	JN Dubey	DEO Mhow	DEO Jabalpur vice Shri G P Banskar transferred.
10.	MC Gogde	ADEO Bhopal	DEO Mhow vice Shri JN Dubey transferred.
11.	HN Rai	DEO Danapur	ADEO Udhampur against existing vacancy.
12.	Dhani Ram	DEO Delhi	DEO Jaipur vice Shri BS Gussain promoted.
13.	Premu Ram	DEO Pathankot	DEO Madras against existing vacancy.

Leave has been

T.C.  
Sunit Kachru

14. Abdul Quam Bhar D.E.O. Srinagar ADEO Baramulla vice  
Shri GM Khan promoted.

15. Keemti Lal DEO Meerut DEO Meerut vice Shri HR  
Sharma Sachdeva promoted.

4. Any of the above officials not willing to accept the promotion on posting be informed that he/she has to bear the consequences of such refusal as stated in Govt. of India, Ministry of Home Affairs (PP&R) O.M. No. 22034/3/81/Estt(D), dated 01 Oct 81. The intimation of such refusal, if any, must reach this Dte. General within thirty days from the date of issued of this letter.

5. The above mentioned officials may, please be relieved of their duties immediately with directions to report to the office of their posting as per para 3 above.

6. Posting Orders in respect of S/Shri Brahma Nand, Banta Ram, JN Dubey, UDC'S have been issued considering their requests and hence they are not entitled for the benefits of TA/DA and joining time.

7. The ~~dates (FN/AN)~~ The dates (FN/AN) of relinquishment  
assumption of charges are to be reported to this Dte,  
General after the events.

8. The Director, Defence Estates are hereby authorised to fill the following temporary vacancies of LDC's in the office indicated against each vacancy by recruiting suitable candidates through permissible channels:-

Vacancy No.	Communal Composition	Office where to be filled.
1.	Unreserved	DEO Mhow
2.	Unreserved	Dte, DE WC Panchk
3.	Reserved for S/T	DEO Pathankot
4.	Unreserved	Dte, DE SC Pune
5.	Unreserved	ADEO Bhopal
6.	Reserved for S/C	DEO Danapur
7.	Unreserved	DEO Pathankot

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8.	Unreserved	DEO Srinagar
9.	Unreserved	DEO Bikaner
10.	Reserved for S/C4	DEO Secunderabad

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9. The particulars of the candidates recruited against the above said vacancies may, please be forwarded to this Dte. General for records.

Sd/-x x-x x-

Director General  
Defence Estates

Copy to :-

Joint Director, DE  
Srinagar/Shillong.

All DEOs/ADEO's.

All CDAs

The General Secretary,  
AIDESS Association,  
C/O Dte. D.E.N.C. JAMMU CANTT.

*Teleng Jay Jay*

*T. L.*  
*Aut. Date*  
*Meen*

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL ADDITIONAL BENCH, ALLAHABAD

CIRCUIT BENCH, LUCKNOW

CLAIM NO. OF 1990

TILAK RAJ ARORA

....

APPLICANT

Versus

The Union of India and others .... Respondents

ANNEXURE NO.

3

To

The Director General  
Defence Estates, Ministry of Defence,  
Block-4, Sector-I, R.K. Puram,  
New Delhi - 110066.

THROUGH PROPER CHANNEL

SUBJECT: PROMOTION/POSTING/TRANSFER OF GROUP 'C'  
CLERICAL STAFF OF DEFENCE ESTATES  
ORGANISATION.

....  
Sir,

Reference promotion to the post of TA from UDC issued vide letter No. 102/195/ADM/DE dated 16-2-1990.

2. In this connection I am to submit as under:-

- (a) This promotion was due to me in the year 1976.
- (b) I have been transferred from one station to another station without giving thought to the miseries suffered by me due to these transfers as UDC to the various stations. I have joined this station i.e. Lucknow only on 3-6-1988 from Patiala.
- (c) Now the post of TA against which I am promoted exists at Lucknow, the reasons for promotion and transfer from Lucknow to New Delhi are not known.
- (d) Similarly one post of Office Supdt. is also vacant at this office, but the promotion has been shifted to Ahmedabad. The reasons are best known to you.

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1. C  
Smt. Balwari

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(e) I can only accept the so called promotion in case I am not shifted from Lucknow otherwise my promotion to the post of T.A. may kindly be considered declined.

(f) This is final acceptance.

Thanking you.

Yours faithfully,

Sd/x-x-

(T.R.Arora)

UDC office of the Director,  
Defence Estates,  
Central Command, Lucknow.

2nd March 1990.

Copy in advance to :-

The Director General,  
Defence Estates, Ministry of Defence,  
Block-4, Sector-I,  
R.K.Puram, New Delhi -110066.

--- to avoid the delay in transmission to your goodself advance copy is sent to you.

T.C.  
Smt. Smt. Smt.

Shakti Devi A/S

(APD) 21

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL ADDITIONAL BENCH, ALLAHABAD

CIRCUIT BENCH, LUCKNOW.

Claim No. of 1990

ITILAK RAJ ARORA ... Applicant

Versus

The Union of India and others ... Respondents

ANNEXURE NO. 4

IN LIEU OF MESSAGE FORM

STATE/EXPRESS

DEBIT ARMY

LAND CANTT

LUCKNOW.

PROMOTION/POSTING/TRANSFER GROUP 'C' CLERICAL STAFF(AAA) REFER LETTER NO 102/195/ADM/DE DATED FEB/16 (AAA) PC SHARMA DECLINED PROMOTION (AAA) STOP MOVEMENT OF TR ARORA (AAA)

RAKSHA SAMPADA

Not to be telegraphed

NO: 102/195/ADM/DE  
Government of India

Ministry of Defence

Dte, Genl. of Defence Estates  
RK Puram, New Delhi-110066.

09 March, 1990.

Copy in Confirmation by post to :

Director,  
Defence Estates  
Ministry of Defence  
Central Command,  
Lucknow

Sd/-  
For Director General  
Defence Estates.

*Telec Sent Its*

*1-6*  
*Surit Patel*