

FORM NO. 21

(See rule 114)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, <sup>Lucknow</sup> BENCH

OA/TA/RA/CP/MA/PT <sup>169/90</sup> of 20.....

Dhesh Mani Tripathi Applicant(S)

Versus

U.O. & Govt. Respondent(S)

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|            |                               |            |
|            |                               |            |

Certified that the file is complete in all respects.

*B/C created out. / destroyed*

Signature of S.O.

*[Signature]*

Signature of Deal. Hand

*28/8/12*

17/5/50

CENTRAL ADMINISTRATIVE TRIBUNAL  
CIRCUIT BENCH, LUCKNOW

Registration No. 169 of 1980(1)

APPLICANT(S) S M. Tripathi

RESPONDENT(S) C. C.

Particulars to be examined

Endorsement as to result of examination

1. Is the appeal competent ?
2. a) Is the application in the prescribed form ?  
b) Is the application in paper book form ?  
c) Have six complete sets of the application been filed ?
3. a) Is the appeal in time ?  
b) If not, by how many days it is beyond time ?  
c) Has sufficient case for not making the application in time, been filed ?
4. Has the document of authorisation/Vakalatnamah been filed ?
5. Is the application accompanied by B.D./Postal Order for Rs.5/-
6. 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 copies ?
8. Has the index of documents been filed and paging done properly ?
9. Have the chronological details of representation made and the outcome of such representation been indicated in the application ?
10. Is the matter raised in the application pending before any court of Law or any other Bench of Tribunal ?

Yes

Yes

Yes

Yes

Yes

Yes

Yes

Yes

Yes

Yes

Yes

Yes

No

Particulars to be Examined

Endorsement as to result of examination

11. Are the application/duplicate copy/spare copies signed ?
12. Are extra copies of the application with Annexures filed ?
  - a) Identical with the Original ?
  - b) Defective ?
  - c) Wanting in Annexures
- Nos. \_\_\_\_\_ pages Nos \_\_\_\_\_ ?
13. Have the file size envelopes bearing full addresses of the respondents been filed ?
14. Are the given address the registered address ?
15. Do the names of the parties stated in the copies tally with those indicated in the application ?
16. Are the translations certified to be true or supported by an Affidavit affirming that they are true ?
17. Are the facts of the case mentioned in item no. 6 of the application ?
  - a) Concise ?
  - b) Under distinct heads ?
  - c) Numbered consecutively
  - d) Typed in double space on one side of the paper ?

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

Whether all the remedies have been exhausted.

Yh

Yh

NO

Yh

Yh

NA

Yh

Yh

Yh

ORDER SHEET

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

DA

No.

169

OF 19

90

Vs.

| Sl.No. | Date            | Office Report                                                                                                                                                                                         | Orders |
|--------|-----------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------|
|        |                 | <p>OR</p> <p>4c for the<br/>applicant has<br/>not incorporated<br/>Amendment</p> <p>S F DA.</p> <p>L</p> <p>18/7</p>                                                                                  |        |
|        | 12.7.91         |                                                                                                                                                                                                       |        |
|        | D.R.            | <p>Applicant's side<br/>is present but<br/>He did not comply<br/>the order of HON<br/>court dt. 29.5.90<br/>so far. He is ordered<br/>to comply this<br/>by 11/7/91 case<br/>is listed on 11.9.91</p> |        |
|        | 11.9.91<br>D.R. | <p>Applicant is present<br/>in person. counsel for<br/>the applicant to incorporate<br/>the Amendment by 15/11/91.<br/>O.P. is absent.</p>                                                            |        |

14.2.91  
D.R.

Applicant did  
not turn up.  
He did not  
comply the order  
dated 29/5/90  
regarding filing  
of requisite copies  
of amendment.  
He is directed  
to file requisite  
copies by 12/3/91  
R

12.3.91  
D.R.

Both the parties are absent  
today. Applicant did not  
comply the order dated  
29.5.90 regarding  
filing of requisite  
copies of amendment.  
He is directed to file  
it, by 5/4/91  
J

5.4.91  
D.R.

Both the parties are  
present. Amended  
copies have been  
filed by applicant  
today. Case is listed  
for 25.5.91 R

29.5.91

No S.ing Adj 2 10.7.91  
J

169/90 (C)

21/5/90

Hon. Mr. Justice B.C. Mathur, V.C.  
Hon. Mr. D.K. Agrawal, J.M.

cm 350/90 (S)  
filed today. 21/5

Shri H.D. Srivastava, learned counsel for the applicant is present. He states that he has filed an amended application today. The application be put up with the file on 28/5/90.

sd

Jie  
J-M-

Signature  
V.C.

OR  
cm 350/90 (S)  
filed by the 4e for the applicant.

S.F.A.

28/5/90

Hon. Mr. P.C. Jain, A.M.  
Hon. Mr. J.P. Sharma, J.M.

No one is present for the applicant.  
List on 29/5/90.

sd

W  
J-M.

Cie.  
A-M.

29.5.90

Hon. Mr. P.C. Jain, A.M.  
Hon. Mr. J.P. Sharma, J.M.

M.P. No 350/90 moved by the applicant for amendment of OA 169/90 is allowed. The applicant may now, file requisite copies of the amended O.A. within a week. Thereafter issue notice to the respondents on admission and interim relief returnable on 23-7-90

AB

W  
J.M.

OR  
The 4e for the Applicant has not  
Cie. - Compliance with Court's order. d  
A-M -  
22.5.90 S.F.A.

OA 169/90

30.6.92

D.R.

Both the parties are  
absent. No amendment  
has been incorporated  
by applicant till today.

He is further ordered  
to amend the  
petition by 19/8/92.

19.8.92

D.R.

Both the parties are  
absent. Applicant is ordered  
to amend the petition  
by 26.10.92

Latter on Learned Counsel  
for the applicant in corpora-  
tee amendment. List for  
orders before the Honble  
Bench on 27-8-92

AKD  
19/8/92  
50

~~Amendment incorporated~~  
Amendment incorporated in  
pursuance of court's order  
dated 19-8-92  
for H.D. Srivastava  
Advocate  
19/8/92

case is submitted  
for orders.

S.F.O.

8

26/8/92

CA 163/90

22-11-92

From Mr Justice Veerasthalingam, re.  
From Mr K. G. G. G. G. G.

OK  
NOTICE issued  
on 14/12/92  
L

Issue notice to respondent  
No 1. Why this application be  
not allowed. With on 18.1.93

Am

VC

OK  
No A.D. received 18.1.93  
back S.F. C.  
14/1/93 9.2.93

No sitting of D.M. only  
to 9.2.93

No sitting of D.M. only  
to 20.3.93

OK  
No A.D. received back  
SF C.  
08/2/93

20.3.93. Hon. Justice V.C. Shrivastawa - re.

on the request of  
counsel for the applicant  
case is adjourned to  
6.4.93

VC

OK  
No A.D. received  
for  
02/2/93  
4.5.93

No sitting of D.M. only  
to 4.5.93

No sitting of D.M. only  
to 24.5.93

CA 163/99 (11)

05.1.99

or  
CA 163/99 has not been  
filed till today  
27/1/99

No sitting of D.B. case is  
adj to 01.4.99 for hearing.

1/4  
D.C.

01.4.99. Lawyers abstained from  
judicial work today. Case  
adj to 20.5.99 for  
hearing

Bac

20.5.99. Case not reached due to  
part heard. Case is  
adj. to 27.7.99 for hearing

Bac

27-7-99

Hon'ble Mr. D.C. Verma, J.M.  
Hon'ble Mr. AK Mishra, A.M.

None for parties.  
List for hearing on 01-9-99.

A.M.

J.M.

or  
CA not filed  
20.8.99

01-09-99

case not reached. Adj. to 15-11-99

4  
D.C.C.

or  
CA not filed  
11/11/99 for hearing.



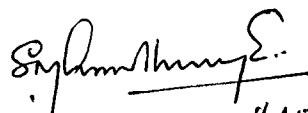
A  
/D

D.V.R.S.G. Dattatreylu,  
Member(J)

To

Sri S. Manickavasagam,  
Member(A)

Pre-delivery order of O.A. no. 169 of 1990 is  
sent herewith for consideration.

  
16/5/2000

16/5/2000  
(D.V.R.S.G. Dattatreylu)  
Member(J)

4. There is no representation for both sides. As this is the matter of the year 1990 and the same was listed before the Special Bench for disposal. We considered the material available on record.

5. The point for consideration is whether the applicant is entitled for any relief or not ?

6. The case of the applicant that he made number of representations under Annexures 2 to 5 for being appointed to the said post, but instead of his being appointed, the respondents have appointed the respondent no.4. There is nothing on record to show that the applicant had participated in the selection proceedings or not. The application appears to be mis-conceived. As the applicant in case he wanted to be appointed, he <sup>should</sup> comply with the rules. The allegations of the applicant that one Maharaj Din was handed-over charge to him, will not give him any right for being appointed by the Govt. official to the said post. His continuation appears to be quite illegal. Therefore, he has no grievance as there is no violation of any rules.

7. In view of the above discussion, there are no merit in the application and the same is accordingly dismissed. No costs.



MEMBER (A)

Lucknow : Dated : 17.5.2000

Girish/-

  
17/5

MEMBER (J)

X

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
LUCKNOW<sup>1/4</sup> BENCH, LUCKNOW

Original Application No. 169 of 1990  
this the 17<sup>th</sup> day of May'2000.

HON'BLE MR D.V.R.S.G. DATTATREYULU, MEMBER (J)  
HON'BLE MR S. MANICKAVASAGAM, MEMBER (A)

---

Shesh Mani Tripathi ... Applicant

Versus

Union of India & others ... Respondents

None : Advocate for the Applicant

None : Advocate for the Respondents

O R D E R

D.V.R.S.G. DATTATREYULU, MEMBER (J)

The applicant in this case prays for the relief that the appointment of respondent no.4 is against rules and prays for appointing the applicant for the post of Branch Postmaster, Branch Post Office Mawai District Rai Bareilly.

2. The case of the applicant is that he was allowed to discharge the duty of one Maharaj Din as Post master at Branch post office Mawai District Rai Bareilly. The said Maharaj Din handed-over the charge to the applicant under Annexure-1. Maharaj Din died on 3.12.88. The applicant made an application to appoint him on the said post, but he was asked to hand-over charge to Sri Paras Singh. Therefore, he handed-over the charge on 24.2.89. The respondent no.3 invited applications to fill-up the <sup>said</sup> post. The applicant has already made number of representations to appoint him on the said post under various Annexures nos. 2 to 5, but the applicant was not appointed and the respondent no.4 was appointed, hence this application.

3. As seen from the noting of the office that no Counter affidavit has been filed in this case sofar.

2

4. There is no representation for both sides. As this is the matter of the year 1990 and the same was listed before the Special Bench for disposal. We considered the material available on record.

5. The point for consideration is whether the applicant is entitled for any relief or not ?

6. The case of the applicant that he made number of representations under Annexures 2 to 5 for being appointed to the said post, but instead of his being appointed, the respondents have appointed the respondent no.4. There is nothing on record to show that the applicant had participated in the selection proceedings or not. The application appears to be mis-conceived. As the applicant incase he wanted to be appointed, he <sup>should</sup> comply with the rules. The allegations of the applicant that one Maharaj Din was handed-over charge to him, will not give him any right for being appointed by the Govt. official to the said post. His continuation appears to be quite illegal. Therefore, he has no grievance as there is no violation of any rules.

7. In view of the above discussion, there are no merit in the application and the same is accordingly dismissed. No costs.



MEMBER (A)

Lucknow : Dated : 17.5.2000

Girish/-

  
17/5  
MEMBER (J)

17/5/90

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL  
CIRCUIT BENCH LUCKNOW

CLAIM PETITION NO. 169 OF 1990 (L,

Shesh Mani Tripathi

Applicant

Versus

Union of India and others

Respondents

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Lucknow; Dated

May 17, 1990

Presented by;

(H.D. SRIVASTAVA)  
ADVOCATE

COUNSEL FOR APPLICANT

f.t.  
sum  
17/5/90

17/5/90  
A/TU

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL  
CIRCUIT BENCH LUCKNOW

CLAIM PETITION NO. 169 of 1990 (L)

I. Details of the Applicant

Shesh Mani Tripathi, Son of Ram Sunder Tripathi  
resident of Village and Post Mawai District  
Rae Bareli.

Applicant

Versus

II. DETAILS OF THE RESPONDENTS

1. Union of India *through Ministry of Communications*  
*New Delhi*
2. Sub Division Inspector(P) South Sub-Division  
Rae Bareli.
3. Superintendent of Post Office Rae Bareilly.
4. Smt. Pushpa Singh *Lata* Resident of Village and  
*Office* Post Mawai Rae Bareilly.

~~I~~ ~~III~~. THE application is against the appointment of  
Smt. Pushpa Lata Singh.

- (2) Dated;
- (3) passed by Superintendent of post Office Rae  
Bareilly
- (4) The application of the petitioner was not  
considered by the opposite party no.3 while  
he worked on the said post for more than 7  
months and he was also the legal heir of the  
deceased Maharajdin Tripathi who was Branch  
Post Master at Mawai who died on 3.12.88.

III. JURISDICTION OF THE TRIBUNAL

The claim of the applicant is triable by the  
Central Tribunal.

21/6/90

III W. LIMITATION

The claim petition is well well within time

IV VI. Facts of the Case.

1. That one Maharaj Din was posted as Post Master at Branch Post Office Mawai District Rai Bareilly, but he could not discharged his duties well due to illness on that under the order of the opposite party no.3, the applicant was allowed to discharged the aforesaid duty on 4.2.88. It is further stated here that on the said date the said Maharaj Din handed over the charge to the applicant. The photo stat copy of the charge taken by the applicant from Maharaj Din is being filed here with as Annexure-1.

2. That the applicant discharged his duties with the full satisfaction of the authorities concern. It is further stated here that on 3.12.88 the said Maharaj Din died leaving behind to the applicant as his legal heir.

3. That the applicant moved an application before the opposite party no.3 for his appointment on the said post but the opposite party no.3 ask the applicant to hand over the charge to Sri Bharat Singh and as such the applicant handed over the charge to Bharat Singh.

4. That on 24.2.1989 the opposite party no.3 issued a circular and invited the applicants vide letter No.A-230 for appointment of Post Master at Branch Mawai District Rai Bareilly. It is further stated here that the applicant has already moved

21/04/16/134187

heir of the deceased Maharaj Din and he also work on the said post for a long time.

VII. DETAILS OF THE REMEDIES EXHAUSTED

The applicant moved the application before the authorities but the same has not

an application for appointment on the said post and when he came to know about the said circular he again moved an application on 2.3.1989 indicating therein all the facts and circumstances for his appointment on the said post. The photostat copy of the same is being filed herewith as Annexure-2

5. That the petitioner also submitted the necessary papers for his appointment.

6. That on 5.10.1989 the applicant again moved an other application for his appointment on the said post. It is also stated here that on 22.12.87 the applicant again moved another application for his appointment. The true copy of the same is being filed herewith as Annexure No.3 and 4.

7. That the applicant came to know on 9.1.90 that the opposite party no.3 appointed Smt.Pushp Lata Singh as the said post who is the relative of Bharat Singh and as such on 11.1.1990 the applicant again moved an application before the opposite party no.3 stating therein that the appointment of Smt.Pushp Lata Singh is against the E D A J conduct Rules 1964 on that the opposite party no.3 inform the applicant that he will look into the matter and he will appoint the applicant on the said post. The photostat copy of the said application is being filed herewith as Annexure No.5

8. That the opposite parties failed in not appointing the applicant on the said post inspite of this very fact that the applicant was the legal

2/4/90

heir of the deceased Maharaj Din and he also work on the said post for a long time.

VII. DETAILS OF THE REMEDIES EXHAUSTED

The applicant moved the application before the Higher Authorities but the same has not been disposed of.

VIII. MATTER HAD PREVIOUSLY FILED OR PENDING IN ANY OTHER COURT.

The applicant never filed claim petition .

VII. RELIEF SOUGHT

The applicant prayed; that this Hon'ble Tribunal be pleased to direct the opposite parties to appoint the applicant on the said post.

VIII. INTERIM ORDER IF ANY PRAYED FOR:

The opposite party no.4 may not be allowed to work as post master at Branch Post Office Hawai District Rai Baraily.

IX. PARTICULARS OF BANK DRAFT

1. No of Indian Postal order 02 614195
2. Name of issuing Post Office ; High Court  
Post Office  
Lucknow.
3. Date of issue of postal order; 16.2.1990
4. Post Office at which payable

X. List of Inclosure:

1. True copy of charged received by the applicant .
2. Application moved by the applicant.
3. True copy of Application moved by the applicant dated 5.10.89

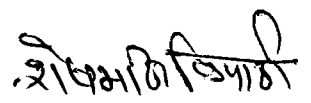
21/10/1990

4. True copy of application dated 22.12.87 moved by the applicant.
5. True copy of the application dated 11.1.90 moved by the applicant.
6. Power (Vakalatnama )
7. Postal order

VERIFICATION

I, Shesh Mani Tripathi, son of <sup>Ram</sup>/Sunder Tripathi, resident of Village and Post Mawai ,District Rai Baraily, do hereby solemnly verify that the contents of paras 1 to of this claim petition are true to my personal knowledge and that I have suppressed  $\forall$  any material fact.

Lucknow; Dated  
May 17, 1990

  
Signature of Applicant

ब अदालत श्रीमान्  
[वादी अपीलान्त]

प्रतिवादी [रेस्पाडेन्ट]

12-  
Before The Central Administrative Tribunal  
महोदय

श्री ..... का **वकालतनामा**  
Correspondent  
Civil No. 12/880



वादी (अपीलान्त)

Shresh Nath Tripathi

बनाम

प्रतिवादी (रेस्पाडेन्ट)

न० मुकद्दमा

सन्

पेशी की ता०

१६ ई०

ऊपर लिखे मुकद्दमा में अपनी ओर से श्री

H.D. Singh

High Court Udaipur

वकील

महोदय

एडवोकेट

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 वसूल करें या सुलहनामा व इकबाल दावा तथा अपील निगरानी हमारी ओर सैं हमारी या अपने हस्ताक्षर से दाखिल करें और तसदीक करे मुकद्दमा उठावे या कोई रुपया जमा करे या हारी विपक्षी (फरीकसानी) का दाखिल किया हुआ रुपया अपने या हमारे हस्ताक्षर युक्त (दस्तखती) रसीद से लेवे या पंच नियुक्त करे—वकील महोदय द्वारा की गई वह सब कार्यवाही हमको सर्वथा स्वीकार है और होगा मैं यह भी स्वीकार करता हूं कि सैं 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 ।

हस्ताक्षर.....

साक्षी (गवाह)

साक्षी (गवाह)

दिनांक

महीना

सन् १६

ई०

स्वीकृत

16/5/98

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL  
CIRCUIT BENCH LUCKNOW

CLAIM PETITION NO.

OF 1990

Sheeh Mani Prigathi

Applicant

VERSUS

Union of India and others

Respondents

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| 6.         | <u>Annexure No.5.</u> True copy of application moved by applicant      |               |
| 7.         | Exhibits                                                               |               |
| 8.         | Postal order                                                           |               |

Lucknow; Dated

Presented by:

May , 1990

(H.D. SIVASUBRAVA )

ADVOCATE

COUNSEL FOR APPLICANT



CLAIM PETITION NO.

of 1960

I. Details of the Applicant

Shree Nani Tripathi, Son of Late Sunder Tripathi  
resident of Village and Post Mauai District  
Rae Bareilly.

Applicant

Verona

II. DETAILS OF THE RESPONDENTS

1. Union of India
2. Sub Division Inspector(P) South Sub-Division  
Rae Bareilly.
3. Superintendent of Post Office Rae Bareilly.
4. Smt. Pushpa Singh Resident of Village and  
Post Mauai Rae Bareilly.

III. THE application is against the appointment of  
Smt. Pushpa Lata Singh.

- (2) Dated;
- (3) passed by Superintendent of post Office Rae  
Bareilly
- (4) The application of the petitioner was not  
considered by the opposite party no.3 while  
he worked on the said post for more than 7  
months and he was also the legal heir of the  
deceased Maharajdia Tripathi who was Branch  
Post Master at Mauai who died on 3.12.58.

IV. JURISDICTION OF THE TRIBUNAL

The claim of the applicant is triable by the  
Central Tribunal.

VERIFICATION

The claim petition is well well within time

VI. Facts of the Case.

1. That one Maharaaj Dia was posted as Post Master at Branch Post Office Nawai District Rai Bareilly, but he could not discharged his duties well due to illness on that under the order of the opposite party no.3, the applicant was allowed to discharged the aforesaid duty on 4.2.38. It is further stated here that on the said date the said Maharaaj Dia handed over the charge to the applicant. The photo stat copy of the charge taken by the applicant from Maharaaj Dia is being filed here with as Annexure-1.
2. That the applicant discharged his duties with the full satisfaction of the authorities concern. It is further stated here that on 3.1.38 the said Maharaaj Dia died leaving behind to the applicant as his legal heir.
3. That the applicant moved an application before the opposite party no.3 for his appointment on the said post but the opposite party no.3 ask the applicant to hand over the charge to Sri Bharat Singh and as such the applicant handed over the charge to Bharat Singh.
4. That on 24.2.1939 the opposite party no.3 issued a circular and invited the applicants vide letter No.4-230 for appointment of Post Master at Branch Nawai District Rai Bareilly. It is further stated here that the applicant has already moved

an application for appointment on the said post and when he came to know about the said circular he again moved an application on 2.3.1989 indicating therein all the facts and circumstances for his appointment on the said post. The photostat copy of the same is being filed herewith as Annexure-2

5. That the petitioner also submitted the necessary papers for his appointment.

6. That on 9.10.1989 the applicant again moved an other application for his appointment on the said post. It is also stated here that on 22.12.87 the applicant again moved another application for his appointment. The true copy of the same is being filed herewith as Annexure No.3 and 4.

7. That the applicant came to know on 9.1.90 that the opposite party no.3 appointed Int. Pushp Lata Singh as the said post who is the relative of Phurat Singh and as such on 11.1.1990 the applicant again moved an application before the opposite party no.3 stating therein that the appointment of Int. Pushp Lata Singh is against the R B A J conduct Rules 1964 on that the opposite party no.3 inform the applicant that he will look into the matter and he will appoint the applicant on the said post. The photostat copy of the said application is being filed herewith as Annexure No.5

8. That the opposite parties failed in not appointing the applicant on the said post in spite of this very fact that the applicant was the legal

heir of the deceased Maharaj Din and he also work on the said post for a long time.

VII. DETAILS OF THE APPLICANT EXHAUSTED

The applicant moved the application before the Higher Authorities but the same has not been disposed of.

VIII. WHETHER HAD PREVIOUSLY FILED OR PENDING IN ANY OTHER COURT ?.

The applicant never filed claim petition .

IX. CLAIM SOUGHT

The applicant prayed; that this Hon'ble Tribunal be pleased to direct the opposite parties to appoint the applicant on the said post.

X. INTEREST CLAIMED IN ANY PAYABLE POST:

The opposite party no.1 may not be allowed to work as post master at Branch Post Office Rural District Rai Barailly.

XI. PARTICULARS OF BANK DRAFT

1. No of Indian Postal order
2. Name of issuing Post Office ; High Court  
Post Office  
Lucknow.
3. Date of issue of postal order; 16.2.1990
4. Post Office at which payable

XII. List of Inclosures:

1. True copy of charged received by the applicant .
2. Application moved by the applicant.
3. True copy of Application moved by the applicant dated 5.10.89

4. True copy of application dated 22.12.37  
moved by the applicant.
5. True copy of the application dated 11.1.90  
moved by the applicant.
6. Power (Vakalatnama)
7. Postal order

VERIFICATION

I, Shesh Nani Tripathi, son of <sup>Ram</sup> Sunder  
Tripathi, resident of Village and Post Hawal, District  
Bai Barailly, do hereby solemnly verify that the  
contents of paras 1 to \_\_\_\_\_ of this  
claim petition are true to my personal knowledge  
and that I have suppressed  $\frac{1}{2}$  any material fact.

Lucknow; Dated

May .1990

Signature of Applicant

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL,

CIRCUIT BENCH, LUCKNOW

C.M. Am. No. 350/90 (L)

CLAIM PETITION NO. 169 OF 1990

SHESHMANI TRIPATHI

...

APPLICANT

VERSUS

UNION OF INDIA & OTHERS

...

OPPOSITE PARTIES

APPLICATION FOR AMENDMENT

The applicant named above most respectfully  
begs to state as under:-

1. That the applicant filed the aforesaid claim petition against the appointment of opposite party No.4.
2. That due to some inadvertance, the full details of the opposite party Nos. 1 and 4 were not given in the claim petition.
3. That it is necessary that the particulars of opposite party No.1 may be corrected as "Union of India through Ministry of Communication, New Delhi" and the details of opposite party No.4 may be corrected as "Pushplata Singh wife of Rakesh Bahadur Singh, resident of Village and Post Office Mawai, District Rae Bareli.
4. That after para 8 of the facts, a new para 9 may be added:- "That the appointment of opposite party No.4 is against the Rules as Bharat Singh is

Contd...2

P.  
F.T.  
S.T.  
21/5/90

42/1  
Pushplata Singh

.2.

posted as Postman at Mawai, District Rae Bareli, while the opposite party No.4 has been given her appointment as Post Master at Branch Post Office Mawai inspite of this very fact that the father of Rakesh Bahadur Singh viz. Diwakar Singh is real nephew of Bharat Singh and Rakesh Bahadur Singh is the husband of opposite party No.4.

It is, therefore, prayed that this Hon'ble Court may kindly be pleased to allow the applicant to amend the claim petition in view of the facts, stated above.

LUCKNOW

DATED:

*H.D. Srivastava*  
(H.D. SRIVASTAVA)  
Advocate,  
COUNSEL FOR THE APPLICANT

Amended Copy *BN*

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL

CIRCUIT BENCH LUCKNOW

CLAIM PETITION NO. 169 of 1990

1. Details of the Applicant

Shesh Mani Tripathi, son of Ram Sunder Tripathi  
resident of village and post Mawai District  
Rae Bareli.

Applicant

Versus

II. DETAIL OF THE RESPONDENTS

1. Union of India, through Ministry of  
Communication New Delhi

2. Sub-Divisional Inspector(P) South-Sub-Division  
Rae Bareli

3. Superintendent of Post Office Rai Bareilly  
Lata

4. Smt. Pushpa/Singh W/o Rakesh Bahadur Singh  
resident of village and post Mawai Rae Bareli

III. The application is against the appointment of  
Smt. Pushpa Lata Singh

(2) Date;

(3) Passed by Superintendent of Post office Rai  
Barailly

(4) The application of the petitioner was not  
considered by the opposite party no.3 while  
he worked on the said post for more than 7  
months and he was also the legal heir of the  
deceased Maharajdin Tripathi who was Branch  
Post Master at Mawai who died on 3.12.88.

IV JURISDICTION OF THE TRIBUNAL

The claim of the applicant is triable by the  
Central Tribunal.

*Filed today*  
*SYW*  
*5/4/91*

V.LIMITATION

The claim petition is well within time.

VI.Facts of the Case

1. That one Maharaj Din was posted as post master at Branch Post Office Kawai District Rai Bareilly ,but he could not discharged his duties will due to illness, on that under the order of the opposite party no.3, the applicant was allowed to discharged the aforesaid duty on 4.2.88. It is further stated here that on the said date the said Maharaj Din handed over the charge to the applicant.The photostat copy of the charge taken by the applicant from Maharaj Din is being filed herewith as Annexure-1.

2. That the applicant discharted his duties with the full satisfaction of the authorities concerne. It is further stated here that on 3.12.88 the said Maharaj Din died leaving behind to the applicant as his legal heir.

3. That the applicant moved an application before the opposite party no.3 for his appointment on the said post but the see opposite party no.3 ask the applicant to hand over the charge to Sri Bharat Singh and as such the applicant handed over the Charge to Bharat Singh.

4. That on 24.2.1989 the opposite party no.3 issued a circular and invited the applications vide letter no.A-230 for appointment of post master at Branch Mawai District Rai Bareli. It is further stated here that the applicant has already moved

an application for appointment on the said post and when he came to know about the said circular he again moved an application on 2.3.1989 indicating therein all the facts and circumstances for his appointment on the said post. The photostat copy of the same is being filed herewith as Annexure-2

5. That the petitioner also submitted the necessary papers for his appointment.

6. That on 5.10.1989 the applicant again moved an other application for his appointment on the said post. It is also stated here that on 22.12.87 the applicant again moved another application for his appointment. The true copy of the same is being filed herewith as Annexure no.3 and 4.

7. That the applicant came to know on 9.1.90 that the opposite party no.3 appointed Smt.Pushp Lata Singh as the said post who is the relative of Bharat Singh and as such on 11.1.1990 the applicant again moved an application before the opposite party No. 3 stating therein that the appointment of Smt. Pushp Lata Singh is against the E.D.A.J. conduct Rules 1964 on that the opposite party no.3 inform the applicant that he will look into the matter and he will appoint the applicant on the said post. The photostat copy of the said application is being filed herewith as Annexure-5.

8. That the opposite parties failed in not appointing the applicant on the said post inspite of this very fact that the applicant was the legal

heir of the deceased Maharaj Din and he also work on the said post for a long time.

9. That the appointment of opposite party no.4 is against the rules, as Bharat Singh is posted as post man at Mawai District Rae Bareilly while the opposite party no.4 has been given her appointment as post master Branch Post Office Mawai inspite of this very fact that the father of Rakesh Bahadur Singh Viz Diwakar Singh is real nephew of Bharat Singh and Rakesh Bahadur Singh is the husband of opposite party no.4.

VII. DETAILS OF THE REMEDIES EXHAUSTED

The applicant moved the application before the Higher Authorities but the same has not been disposed of.

VIII. MATTER HAS PREVIOUSLY FILED OR PENDING IN ANY OTHER COURT ?

The applicant never filed claim petition.

IX. RELIEF SOUGHT

The applicant prayed; that this Hon'ble Tribunal be pleased to direct the opposite parties to appoint the applicant on the said post .

X. INTERIM ORDER IF ANY PRAYED FOR:

The opposite party no.4 may not be allowed to work as post master at Branch Post Office Mawai District Rae Bareilly.

XI. PARTICULARS OF BANK DRAFT

1. No. of Indian Postal Order

2. Name of Issuing Post Office; High Court post Office Lucknow

3. Date of Issue of postal order;
4. Post Office at which payable

XIII. List of Inclosure;

1. True copy of charge received by the applicant.
2. Application moved by the applicant.
3. True copy of application moved by the applicant dated 5.10.89
4. True copy of application dated 22.12.87
5. True copy of the application dated 11.1.90 moved by applicant.
6. Power(Vakalatnama)
7. Postal order.

VERIFICATION

I, Shesh Mani Tripathi, son of Ram Sunder Tripathi, resident of village and post Mawai, District Rai Bareilly, do hereby solemnly verify that the contents of paras 1 to \_\_\_\_\_ of this claim petition are true to my personal knowledge and that I have not concealed any material fact.

Lucknow; Dated

April , 1991

Signature of  
applicant

*Amended Copy*

Bx -

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL  
CIRCUIT BENCH LUCKNOW

CLAIM PETITION NO. 169 of 1990

I. Details of the Applicant

Shash Muni Tripathi, son of Ram Sunder Tripathi  
resident of village and post Mawal District  
Rae Bareilly.

Applicant

Versus

II. DETAIL OF THE RESPONDENTS

1. Union of India, through Ministry of  
Communication New Delhi

2. Sub-Divisional Inspector(P) South-Sub-Division  
Rae Bareilly

3. Superintendent of Post Office Rai Bareilly  
Lata

4. Smt. Pushpa/Singh /o Rakesh Bahadur Singh  
resident of village and post Mawal Rae Bareilly

III. The application is against the appointment of  
Smt. Pushpa Lata Singh

(2) Date:

(3) Passed by Superintendent of Post office Rai  
Bareilly

(4) The application of the petitioner was not  
considered by the opposite party no.3 while  
he worked on the said post for more than 7  
months and he was also the legal heir of the  
deceased Maharajdin Tripathi who was Branch  
Post Master at Mawal who died on 3.12.88.

IV JURISDICTION OF THE TRIBUNAL

The claim of the applicant is triable by the  
Central Tribunal.

V. LIMITATION

The claim petition is well within time.

VI. Facts of the Case

1. That one Maharaj Din was posted as post master at Branch Post Office Kawai District Rai Bareilly, but he could not discharge his duties well due to illness, on that under the order of the opposite party no.3, the applicant was allowed to discharge the aforesaid duty on 4.2.88. It is further stated here that on the said date the said Maharaj Din handed over the charge to the applicant. The photostat copy of the charge taken by the applicant from Maharaj Din is being filed herewith as Annexure-1.

2. That the applicant discharged his duties with the full satisfaction of the authorities concerned. It is further stated here that on 7.12.88 the said Maharaj Din died leaving behind to the applicant as his legal heir.

3. That the applicant moved an application before the opposite party no.3 for his appointment on the said post but the opposite party no.3 ask the applicant to hand over the charge to Sri Bharat Singh and as such the applicant handed over the Charge to Bharat Singh.

4. That on 24.2.1989 the opposite party no.3 issued a circular and invited the applications vide letter no. 1-230 for appointment of post master at Branch Post Office Kawai District Rai Bareilly. It is further stated here that the applicant has already moved

an application for appointment on the said post and when he came to know about the said circular he again moved an application on 2.3.1989 indicating therein all the facts and circumstances for his appointment on the said post. The photostat copy of the same is being filed herewith as Annexure-2

5. That the petitioner also submitted the necessary papers for his appointment.

6. That on 5.10.1989 the applicant again moved an other application for his appointment on the said post. It is also stated here that on 22.12.87 the applicant again moved another application for his appointment. The true copy of the same is being filed herewith as Annexure no.3 and 4.

7. That the applicant came to know on 9.1.90 that the opposite party no.3 appointed Smt. Pushp Lata Singh as the said post who is the relative of Bharat Singh and as such on 11.1.1990 the applicant again moved an application before the opposite party No. 3 stating therein that the appointment of Smt. Pushp Lata Singh is against the E.D.A.J. conduct Rules 1964 and that the opposite party no.3 inform the applicant that he will look into the matter and he will appoint the applicant on the said post. The photostat copy of the said application is being filed herewith as Annexure-5.

8. That the opposite parties failed in not appointing the applicant on the said post inspite of this very fact that the applicant was the legal

heir of the deceased Maharaj Bin and he also work on the said post for a long time.

9. That the appointment of opposite party no.4 is against the rules, as Bharat Singh is posted as post man at Mawal District Rae Bareilly while the opposite party no.4 has been given her appointment as post master Branch Post Office Mawal inspite of this very fact that the father of Rakesh Bahadur Singh Viz Diwaker Singh is real nephew of Bharat Singh and Rakesh Bahadur Singh is the husband of opposite party no.4.

VII. DETAILS OF THE REMEDIES EXHAUSTED

The applicant moved the application before the Higher authorities but the same has not been disposed of.

VIII. WHETHER HAS PREVIOUSLY BEEN OR PENDING IN ANY OTHER COURT ?

The applicant never filed claim petition.

IX. PRAYER

The applicant prayed; that this Hon'ble Tribunal be pleased to direct the opposite parties to appoint the applicant on the said post .

X. INTERIM ORDER IF ANY PRAYED FOR:

The opposite party no.4 may not be allowed to work as post master at Branch Post Office Mawal District Rae Bareilly.

XI. DETAILS OF BANK DRAFT

1. No. of Indian Postal Order

2. Name of Issuing Post Office; High Court post Office Lucknow

3. Date of Issue of postal order;

4. Post Office at which payable

III. List of Inclosure:

1. True copy of charge received by the applicant.
2. Application moved by the applicant.
3. True copy of application moved by the applicant dated 5.10.89
4. True copy of application dated 22.12.87
5. True copy of the application dated 11.1.90 moved by applicant.
6. Power(Vakalatnama)
7. Postal order.

VERIFICATION

I, Shesh Nani Tripathi, son of Ram Sunder Tripathi, resident of village and post Mawal, District Rai Bareilly, do hereby solemnly verify that the contents of pages 1 to \_\_\_\_\_ of this claim petition are true to my personal knowledge and that I have no concealed any material fact.

Lucknow; Dated

April , 1991

Signature of  
applicant

ਮੇਰਾ ਨਾਮ ਹੈ ਜਦੋਂ 14-1

ਚਾਰਜ ਰਿਪੋਰਟ

ਜਨਮਦੀ. 133-87  
 ਡਾਕਟਰਿਕੇਟ 94-50  
 ਰਸੀਦੀ 6-20  
 ਰਕਮ, ਰਸਮ, ਸੀ. 2-00  
236-57

ਅੱਜ ਦਿ. 4<sup>ਥੀ</sup> 88 ਨੂੰ ਬੋਰਡ ਚਾਰਜ ਦਿੱਤਾ  
ਉਸਨੇ

ਮਾਨਯੋਗੀ ਰਸਮ-ਚਾਰੀ  
 ਦੇ ਦਸਤਖਤ  
 ਸ਼ਾਮਲ ਡਾਕਟਰ ਮਥੀਆ  
 ਪੂਰੀ ਕਾਰਜ ਮਾਰ ਰਾਹੀਂ  
 ਉਪਰੋਕਤ ਡਾਕਟਰ ਸ਼ਾਮਲ  
 ਪਾਸ ਵਿੱਚ  
 ਸ਼ੇਖਰਮਾਯ ਵਿਖੇ  
 4-2-88

ਮਾਨ ਮੁਕਤ ਰਸਮ-ਚਾਰੀ  
 ਦੇ ਦਸਤਖਤ  
 ਮਾਨ ਮੁਕਤ ਰਸਮ-ਚਾਰੀ  
 4<sup>ਥੀ</sup> 88



Attested

Annexure N. 2

सेवा में

श्रीमान डा० अवीर कृष्ण रायवर्मा

विषय. अतिरिक्त विभागीय शाखा डा० कल, जिला रायवर्मा  
निम्नलिखित सामान्य है।

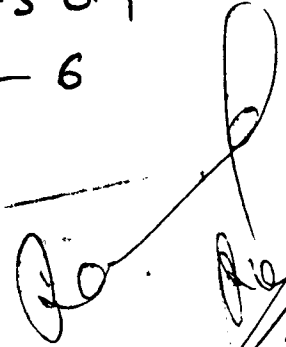
संदर्भ भाषण पत्रांक २-२३० दिनांक २५-२-८५

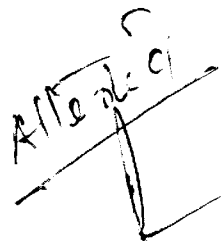
1. नमोदय  
भाषण उपर्युक्त पत्र के सम्बन्ध में निम्नलिखित प्रमाण  
पत्र की मूल क्लेरेस्टेड प्रतियाँ प्रस्तुत कर रही हैं।

1. विकास प्रमाण पत्र ग्राम प्रधान द्वारा (मूल रूप में)
2. रहस्योद्घाटन सलोन द्वारा दिया गया अग्रप्रमाण पत्र (मूल रूप में)
3. ठाकुरी और का प्रमाण पत्र (वैतनासी क्लेरेस्टेड भाषा)
4. कर्मचारी उपलब्धता का प्रमाण पत्र ग्राम प्रधान द्वारा (मूल रूप में)
5. दो-पक्षी प्रमाण पत्र 7. ग्राम प्रधान द्वारा 2. कीर्ति मेधाहार द्वारा } मूल रूप में

दिनांक 2-3-85  
संख्या - 6

डा - सी  
श्रीधरजीविनारी  
आमकी. मन्त्री  
जिला रायवर्मा

  
मन्त्री



मिशनर & वॉर (N-3)

संकेत

अतिरिक्त उच्चतर रागवैश्वर्य

विषय - अतिरिक्त विंगलिय शाला उच्चतर मर्क नानपदरायवैश्वर्य के पद पर नियुक्ति के सम्बन्ध में

महोदय

आप के द्वारा जारी की गयी किर्यात के अनुसार पार्थ

अतिरिक्त विंगलिय शाला उच्चतर मर्क के पद पर नियुक्ति हेतु - आपका भविष्य पत्र निम्नलिखित पत्र में निम्नलिखित अतिरिक्त विंगलिय शाला के साथ प्रेषित कर रहा है।

१. प्रथम पत्र
२. इन्टरमीडियट अंक पत्र (फोर्टिफिकेशन)
३. हाईस्कूल अंक पत्र (फोर्टिफिकेशन)
४. हाईस्कूल उच्चतर पत्र (फोर्टिफिकेशन)
५. चरित प्रमाण पत्र (आप प्रदान गवर्नर द्वारा)
६. चरित प्रमाण पत्र (वी. डि. गैंगार द्वारा)
७. आत्म प्रमाण पत्र (तत्कालीन दार सलाम, फोर्टिफिकेशन)
८. विनाश प्रमाण पत्र (आप प्रदान द्वारा)
९. कर्मचारी की उपलब्धता का प्रमाण पत्र (आप प्रदान द्वारा)
१०. शाला उच्चतर मर्क के पद पर कर्मचारी की चर्चा (फोर्टिफिकेशन)
११. उच्चतर मर्क (फोर्टिफिकेशन)

इसके अतिरिक्त यह भी सूचित करना है कि शाला उच्चतर मर्क के पद पर नियुक्ति हेतु पार्थ आप के मापदंड के पत्र सं. २-२३० दि. २५-२-४९ के अनुपात में निम्न प्रमाण पत्र, आत्म प्रमाण पत्र, कर्मचारी की उपलब्धता का प्रमाण पत्र, चरित प्रमाण पत्र अल रूप में भेजने का अनुरोध है तथा वे शाला के फोर्टिफिकेशन द्वारा भी भेजी जायेंगे दि. २-३-४९ को जमा का दिया जायेंगा।

K.T.O.

आप के द्वारा

प्र

प्राचीन के समस्त जागजाद व आगिलेवा श्री बी.पी. दीक्षी  
 उपमण्योत्र निरीक्षक दक्षिणी रायवरीली द्वारा संस्थापित  
 श्री विधि जा चुके थे। प्राचीन के अपने दादा स्वर्गीय श्री-  
 महाराज दीन ~~का~~ अष्टम शाखा उक्त पत्र भर्षे ~~के~~  
 समुद्र सेवा काण के समुद्र हो जाने के कारण विभागीय निधि  
 में हट देकर नियुक्ति हेतु आवेदन पत्र दिया था, परन्तु श्री  
 इस मामले में कुछ निधि से प्राचीन के अंगीतर की अंगतर  
 करवा गया है।

अतः श्रीमान जीसे पुनः निवेदन है कि प्राचीन  
 अंगतर पत्र पर विचार करने हेतु उक्त शाखा उक्त पत्र भर्षे  
 के पद पर नियुक्ति करने की कृपा करें।

संलग्नक :- 1

*[Handwritten signature]*

प्रा. श्री  
 श्रीपरीत विभाग  
 जिला रायवरीली  
 5-10-89

*[Handwritten signature]*

3

Annexes: 1, 6, 7

सेवा में

श्रीगान उ० उ० उ० उ० उ०

विषय:- शाखा उपपात गार्ड (शाखीसी) केवद पर नियुक्ति केपना-रुकि

महोदय-

गौरी देवादा स्वर्गविभूति महाराजदेव विपाठी के कृत्य दिनांक ३१/१२/१९२५  
से शाखा उरपाल गवई का पद रिक्त चल रहा है। १९२५ में अपने दादा के पद पर  
नियमों के तहत देवर शाखा उरपाल गवई के पद पर नियुक्त हेतु आवेदन पत्र  
आवेदन आगेलिखो के साथ गौरीदेव की सेवा में उपस्थित किया था जिससे जॉय  
व आगेलिखो का सत्यापन श्री गौरीदेव उरपाल विभागाध्यक्ष उपमहल गौरीदेव देवरपाल  
के करने गौरीदेव की सेवा में उपस्थित किया था पुनः सत्यापन तरीके से शायक पत्र गौरीदेव  
श्री गौरीदेव आवेदन पत्र सभी आवेदन आगेलिखो के साथ गौरीदेव के, कालीयदेव के उपस्थित  
किया जिससे जॉय श्री गौरीदेव उरपाल विभागाध्यक्ष उपमहल गौरीदेव देवरपाल  
गये हैं। निरंतर रखे से बात हुआ है कि श्री गौरीदेव पुष्पलता सिंह पति राकेश वफा डाल  
आगत वफा डाल राकेश वफा डाल के साथ उरपाल गवई पद पर नियुक्त हेतु आवेदन पत्र  
उपस्थित किया है। उस समय तक के निवेदन है कि उरपाल गौरीदेव श्री गौरीदेव पुष्पलता सिंह पति  
राकेश वफा डाल सिंह शाखा उरपाल गवई में नियुक्त श्री गौरीदेव सिंह पति  
परिवार (आनंद) की ही रख रख रहे हैं वैसे कि श्री राकेश वफा डाल सिंह के पिता श्री  
देवराज सिंह श्री गौरीदेव सिंह के E.D.M.P. गवई के साथ गौरीदेव के। श्री गौरीदेव  
गौरीदेव सिंह E.D.M.P. के ही जाता उरपाल गवई पद पर नियुक्त हेतु आवेदन पत्र  
दिया है। गौरीदेव उरपाल गवई श्री गौरीदेव सिंह पति राकेश वफा डाल

अतः सादर विनम्र विवेदन है कि ऊर्ध्व शाला उक्त पत्र गार्ड में प्रदत्त किया है। व शर्ती तस्मात् शिष्टाचार से सुकीर्ति है।

[illegible]

आर्थी  
श्रीपतिप्रिय  
गणतन्त्र। भवत् शारदा

१२/१२-२९  
 १२/१२-२९  
 १२/१२-२९

11/11/2010

सेवा में :-

श्रीमान डा. अर्पण  
रायवरेली

विषय:- निधिमैट्र दैवर शाखा डा. पाल भर्त (रायवरेली)  
के पद पर नियुक्ति के सम्बन्ध में।

महोदय:- प्राथमिक अपने दादा स्वर्गीय श्री महाराजदेव शिवाजीशाहा  
डा. पाल भर्त से सन्तु दिनांक 3-12-88 के कारण शाखा डा.  
पाल भर्त के पद पर नियुक्ति के दैवर निधिमैट्र हेतु आवेदन  
पत्र दिया था किन्तु यह मामला अभी डा. महादयका उत्तर  
पेक्षा लक्षण के महासे निर्णीत हो ही पाया नि महीदयने  
सामान्यतः निधिमैट्र करने हेतु आवेदन पत्र उद्भूत रूप में  
कोई मंजूर है। प्राथमिक सभी धार्मिक दिनांक 22-12-89 द्वारा  
उक्त सम्पूर्ण तथ्य महीदय को अवगत कराया था कि प्राथमिक  
तरीके से आवेदन पत्र प्रस्तुत करने वाले सभी महीदय के निधिमैट्र  
र शाखा डा. पाल भर्त के निधिमैट्र हेतु सुबसे सुधीन महीदयों के वृत्ति  
कि श्री गौरी पुष्प लाल सिंह महीदयों की गौरव सिंह महीदयों की  
महीदय शाखा डा. पाल भर्त के लगे जाया भी है। और  
निधिमैट्र सगे निधिमैट्र के लगे डा. पाल भर्त के निधिमैट्र नहीं  
की जाये जाये।

अतः आपसे सादर निवेदन है कि जब तक प्राथमिक का  
शाखा डा. महादयका उत्तर पेक्षा लक्षण के महासे निर्णीत न  
हो जाय आप शाखा डा. पाल भर्त के पद पर नियुक्ति न करने में  
कृपा करें।

दिनांक

10-1-90

महोदय

प्राथमिक  
श्रीमान शिवाजी  
शाखा डा. पाल भर्त  
रायवरेली

1- डा. महादयका उत्तर पेक्षा लक्षण के महासे निर्णीत न  
हो जाय आप शाखा डा. पाल भर्त के पद पर नियुक्ति न करने में  
कृपा करें। प्राथमिक सभी धार्मिक दिनांक 22-12-89 द्वारा  
उक्त सम्पूर्ण तथ्य महीदय को अवगत कराया था कि प्राथमिक  
तरीके से आवेदन पत्र प्रस्तुत करने वाले सभी महीदय के निधिमैट्र  
र शाखा डा. पाल भर्त के निधिमैट्र हेतु सुबसे सुधीन महीदयों के वृत्ति  
कि श्री गौरी पुष्प लाल सिंह महीदयों की गौरव सिंह महीदयों की  
महीदय शाखा डा. पाल भर्त के लगे जाया भी है। और  
निधिमैट्र सगे निधिमैट्र के लगे डा. पाल भर्त के निधिमैट्र नहीं  
की जाये जाये।

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,

LUCKNOW BENCH.

D.P.NO. 481 OF 1994.

APPLICATION FOR FILING ADDITIONAL DOCUMENTS.

By Respondents.

In

O.A.NO.159/90.

Shesh Mani Tripathi .....Applicant.

Versus

Union of India & Others ..... Respondents.

\*\*\*\*\*

Respectfully SHEWETH;

That the enclosed affidavit by Smt. Pushpa Lata W/O Shri Bakesh Bahadur Singh, E.O.B.P.M., Mauai Branch Post Office, District; Rae Bareilly is a material document for a fair and judicious disposal of the above case.

Wherefore it is respectfully prayed that in the interest of justice the accompanying affidavit of Smt. Pushpa Lata who is respondent No.4 in the above case may kindly be taken on record for which act of kindness the respondents shall remain grateful.

LUCKNOW.

DATED:- 15-3-95

( DR.DILESH CHANDRA ),

Counsel for Respondents.

Place before the  
Hon'ble Member  
for order on Shesh Mani Tripathi  
15/3/95  
By Registrar

File today  
15/3/95

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,

LUCKNOW BENCH.

AFFIDAVIT BY RESPONDENT NO. 4.

In

C.A.NO.169/90.

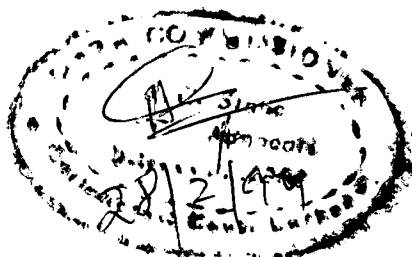
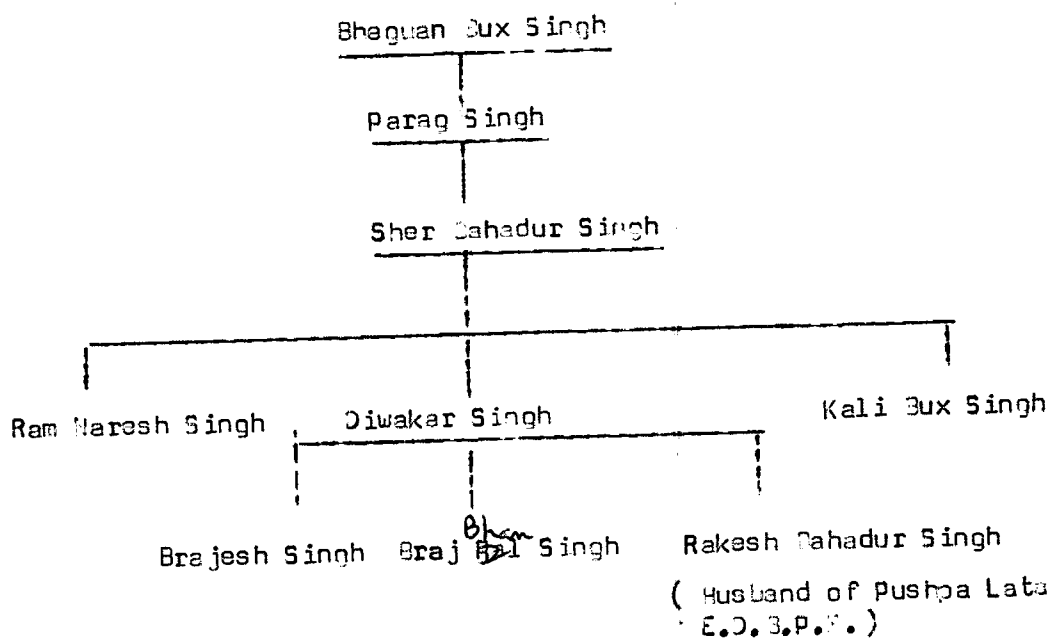
Shesh Mani Tripathi ..... Applicant.

Versus

Union of India & Others ..... Respondents.

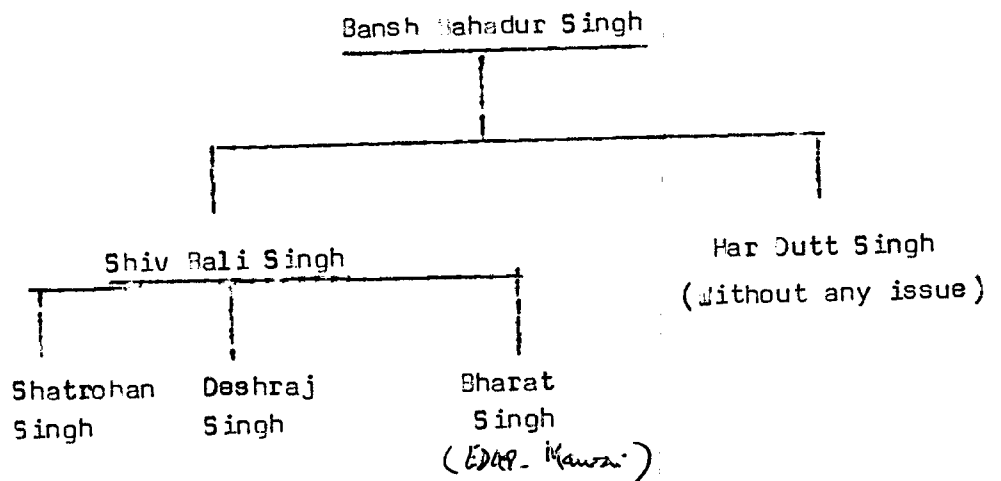
I, Smt. Pushpa Lata W/O Shri Rakesh Bahadur Singh, EDOPM,  
Mawai Branch Post Office, District, Rae Bareilly do hereby solemnly  
affirm and state on oath as under :-

1. That my husband Shri Rakesh Bahadur Singh is son of Shri  
Diwakar Singh whose family history (Shazra) is as under :-



Contd.....2/-

2. That the family history of Shri Bharat Singh, E.O.P.,  
Maui Post Office is given below :-



*x* ଫୁଲଗାଳି ତିନି

( DEPOSITION )

-; VERIFICATION :-

I, the deponent above named do hereby verify that the contents of paras 1 and 2 of the affidavit are true to my personal knowledge and those of paras X are based on records & legal advice which I believe to be true. No part of it is false and nothing material has been suppressed. So help me God.

*Ch*

*Luz* *Pisgadol*

*D. F. Chuk*

→ प्रत्यक्ष चिह्न

( DEPOSITION )

28/7/20

②

Handwritten: *Handwritten*

11. 2. 1973

VERGUE

Ministry of Defense, through Ministry of  
Communication New Delhi

Subsidiary of Post Office R 1 Parcelly  
1917

iii. The application in support the appointment of  
 Ant. Bishop as Judge.

(3) Forwarded by Superintendent of Post Office and  
Specially

(4) The publication of the petitioner was not considered by the opposite party no. 7 while he remained in jail but for more than 7 months and he was also the legal heir of the deceased Ksharagani K. Raghathi who was the son of the petitioner at the time of his death on 3.12.88.

The claim of the applicant is triable by the Central Tribunal.

V. LIMITATION

The claim petition is well within time.

VII Facts of the Case

1. That one Maharaj Din was posted as post master at Branch Post Office Nawal District Rai Bareilly, but he could not discharged his duties will due to illness, on that under the order of the opposite party no.3, the post cont was allowed to discharged the aforesaid duty on 2.8. It is further stated here that on the said date the said Maharaj Din handed over the charge to the applicant. The photostat copy of the charge taken by the applicant from Maharaj Din is being filed herewith as

Exhibit-1.

2. That the applicant discharged his duties with the full satisfaction of the authorities concerns. It is further stated here that on 7.12.85 the said Maharaj Din died leaving behind to the applicant as his leg 1 heir.

3. That the applicant moved an application before the opposite party no.3 for his appointment on the said post but the opposite party no.3 ask the applicant to hand over the charge to Sri Bharat Singh and as such the applicant handed over the charge to Bharat Singh.

4. That on 24.2.1986 the opposite party no.3 is issued a circular and invited the applications vide letter no. 4-130 for appointment of post master at Branch Nawal District Rai Bareilly. It is further stated here that the applicant has already moved

12/31

an application for appointment on the said post and when he came to know about the said circular he again moved an application on 1.2.1989 indicating therein all the facts and circumstances for his appointment on the said post. The photostat copy of the same is being filed herewith as Annexure-2

5. That the petitioner also submitted the necessary papers for his appointment.

6. That on 1.10.1989 the applicant again moved an other application for his appointment on the said post. It is also stated here that on 21.12.87 the applicant again moved another application for his appointment. The true copy of the same is being filed herewith as Annexure-3 and 4.

7. In this connection it is known on 1.1.90 that the orders were issued by the said High Court in the said case where it was held that the said High Court is the proper authority to decide the matter. On 1.1.90 the applicant again moved an application before the opposite party No. 2 stating therein that the appointment of Mr. Ashw. Kish. Singh is against the C.P.J. conduct rules 1964 in that the opposite party No. 2 informs the applicant that he will look into the matter and he will give a final order on 1.1.90. The photostat copy of the said application is being filed herewith as Annexure-5.

8. That the orders were issued in that the said High Court in the said case in that of this very fact that the said High Court is the

89

hair of the deceased Lharaj in and he also work on the said post for a long time.

9. The appointment of opposite party no.4 is against the rules, as Lharaj Singh is posted as post man at Aawal District Rai Bareli while the opposite party no.4 has been given her appointment as post master Branch Post Office Aawal inspite of this very fact that the father of Rakesh Bahadur Singh viz Shivkar Singh is real nephew of Lharaj Singh and Rakesh Bahadur Singh is the husband of opposite party no.4.

VII. STATEMENT OF THE APPLICANT

The applicant moved the application before the higher authorities but the same has not been disposed of.

VIII. STATEMENT OF THE APPLICANT AS TO HIS IN ANY CASE COURT

The applicant never filed claim petition.

IX. PRAYER

The applicant prays that this Hon'ble Tribunal be pleased to direct the opposite parties to appoint the applicant on the said post.

X. STATEMENT OF THE APPLICANT AS TO THE FACTS

The opposite party no.4 may not be allowed to work on the said post as he is not a post man at Aawal District Rai Bareli.

11. STATEMENT OF THE APPLICANT AS TO THE FACTS

1. No. of the applicant is 123456789

2. No. of the applicant is 123456789  
Office Lucknow

3. Date of issue of postal order;

4. Post office at which pay ble

III. List of Inclosures:

1. True copy of charge received by the applicant.
2. Application moved by the applicant.
3. True copy of application moved by the applicant dated .10.89
4. True copy of application dated 22.12.87
5. True copy of the application dated 11.1.90 moved by applicant.
6. Power (Vakalatnama)
7. Post 1 order.

VERIFICATION

I, Shashi Kanti Mishra, son of Ram Sunder Mishra, resident of village and post Mawal, District of Allahabad, do hereby solemnly verify that the contents of para 1 to of this claim are true to my personal knowledge and that I have no concealed any material fact.

Lucknow, Dated

April , 1991

Signature of  
applicant

6

Amex no-1

पार्स रिपोर्ट

जफदी. 133-87  
 डाकटिकटे 94-50  
 रसीदी 6-20  
 रन.स्व.सी. 2-00  


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 236-57

आज दि. 4<sup>2</sup>/<sub>88</sub> को ब्लॉक चालू दिया  
स्वयं

भारत शाही कर्मचारी  
 के दस्तावेज  
 शा. शा. डा. क. म. व. का  
 पूर्ण कार्य भार तथा  
 उपर्युक्त डा. क. सामग्री  
 प्राप्त किया

भारत मुक्त कर्मचारी  
 के दस्तावेज  
 महाज. प्रो. व. म. म. म.

4<sup>2</sup>/<sub>88</sub>

शेपमौल विपक्ष  
 4-2-80



सेवा में

मेजर २०१

श्रीमान डा० प्रवीण रायवर्मा

विषय. मलिरिक विभागीय शाखा डा० जल मय पट  
निष्ठमहर्षि सामान्य है।

संदर्भ आपका पत्रांक २-२३० दिनांक २५-२-८५

महोदय

आपके उपर्युक्त पत्र के सम्बन्ध में निम्नलिखित प्रमाण पत्र की छल/किलेस्टेट प्रतियाँ फरार कर रहे हैं।

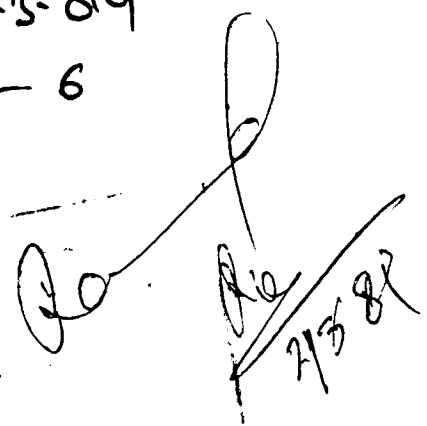
१. प्रिक्स प्रमाण पत्र गाम प्रवास द्वारा (शुद्ध रूप में)
२. रहस्योद्घाटन प्रमाण पत्र दिया गया प्रमाण पत्र (शुद्ध रूप में)
३. आगुई और का प्रमाण पत्र (बैकमाडी किलेस्टेट भाषा)
४. कर्मचारी उपलब्धता का प्रमाण पत्र या प्रमाण पत्र (शुद्ध रूप में)
५. दो प्रमाण पत्र १. गाम प्रवास द्वारा २. कीडिजी कैप्टन द्वारा (शुद्ध रूप में)

दिनांक २-३-८५

लंकन - ६

छा - सी

श्रीधरजीविगर्ग  
आमकी मयई  
जिला रायवर्मा



# Annex - 3

संवेदि

अंकीय उद्धार रागवैरली

विषय - अतिरिक्त विंगलिय शाला उद्धार मर्क नानपदरायवैरली  
द्विपदपर निपुत्रि के संवत्स मे

मतेदय

आप के द्वारा जारी की गयी विनियमन के अनुसार कार्य

अतिरिक्त विंगलिय शाला उद्धार मर्क के पदपर निपुत्रि हेतु -  
अपना मतेदय पत्र निदर्शित पत्र मे निगलित अतिरिक्त  
भागजाल के साथ प्रेषित कर रहा है।

1. प्रथम पत्र
2. इच्छा मतेदय अंक पत्र (फोटो रेट प्रति)
3. हाई स्कूल अंक पत्र (फोटो रेट प्रति)
4. हाई स्कूल प्रमाण पत्र (फोटो रेट प्रति)
5. चरित्र प्रमाण पत्र (आम प्रमाण द्वारा)
6. चरित्र प्रमाण पत्र (बी डिग्री प्रमाण द्वारा)
7. आर्य प्रमाण पत्र (तस्वीरदार सलोन फोटो रेट प्रति)
8. निवास प्रमाण पत्र (आम प्रमाण द्वारा)
9. नमोरे की उपलब्धता का प्रमाण पत्र (आम प्रमाण द्वारा)
10. शाला उद्धार मर्क के पदपर कसि कसि की चार्ज (फोटो रेट प्रति)
11. उद्धार मर्क मतेदय

इसके अतिरिक्त यह भी सचिप नमना है, कि शाला  
उद्धार मर्क के पदपर निपुत्रि हेतु पाथीने आप के मापिका  
के पत्र सं. 2-230 दि. 24-2-80 के अनुपातन मे निवास  
प्रमाण पत्र, आर्य प्रमाण पत्र, नमोरे की उपलब्धता का प्रमाण पत्र, चरित्र  
प्रमाण पत्र अल रूप मे मापिका के मापिका मे 22/1/81 को फोटो  
रेट प्रति आप के मापिका के दि. 2-3-80 को जमा का दिया गया  
K.T.O.

पार्थी के समस्त जागजाद व अंगलैव श्री बी.पी. दीक्षि  
 उपमण्यलीय निरीक्षक दक्षिणी रायवरीली द्वारा संतपात्रित  
 श्री बिबि जा चुके हैं। पार्थी ने अपने दादा स्वर्गीय श्री-  
 महाराजदीन ~~का~~ अंतर्धर्म शाखा जाम्ना मर्क ~~से~~  
~~स्वयं~~ सेवा जाण के स्वयं ही जर्म के कारण विशाशीय निम्न  
 ने छूट देकर निपुवित हेतु आवेदन पत्र दिया था, परन्तु श्री  
 इस मामले में कुछ निमित्त से पार्थी को अंगी नरु की अवगत  
 कराया गया है।

अतः जे मान जोसे पुनः निवेदन है कि पार्थी के  
 अधिना पत्र पर विचार करने हुए उही शाखा जाम्ना मर्क  
 के पद पर निपुवित करने की कृपा करें।

संलग्नक:- 1

पार्थी

विपरीत विपरीत

पार्थी मर्क

जिला रायवरीली

5-10-89

(3)

10.7.89



Annexure 5

सेवा में :-

श्री मान डा. अर्धाम

राखरली ।

विषय :- नियमबद्ध दैवर शाखा डा. पाल भर्त (राखरली)  
के पद पर नियुक्ति के सम्बन्ध में ।

महोदय :- प्रार्थी ने अपने दादा स्वामी श्री महाराजदेव विष्णुशाखा  
डा. पाल भर्त से सन् १-१२-४४ के मरण शाखा डा.  
पाल भर्त के पद पर नियुक्ति के दैवर नियुक्ति हेतु आवेदन  
पत्र दिया था किन्तु यह मामला अभी डा. महादयका उत्तर  
पेरा लब्ध नक के महासे निर्णीत नहीं हो पाया नि प्रार्थी ने  
सामान्यतः नियुक्ति करने हेतु आवेदन पत्र उद्भूत कृपार्थी  
की मांग है । प्रार्थी ने अपने पार्थिव पत्र दिनांक २२-१२-४९ द्वारा  
उक्त सम्पूर्ण लेख प्रार्थी को भर्तक रखा था कि प्रार्थी सामान्य  
तरीके से आवेदन पत्र भरकर करने वाले सभी कृपार्थी के नियमावली  
र शाखा डा. पाल के नियुक्ति हेतु अपने सुकीर्ण कृपार्थी है वही  
कि श्री गौरी उषा लाल सिंह कृपार्थी श्री गौरा सिंह कथित श्री  
समय शाखा डा. पाल भर्त के लगे जाया भोज है । और -  
नियमावली लगे सिंह के लगे डा. पाल के नियुक्ति नहीं  
की जाने जाये ।

अतः आपसे सादर निवेदन है कि जब तक प्रार्थी का  
मामला डा. महादयका उत्तर पेरा लब्ध नक के महासे निर्णीत न  
हो जाय आप शाखा डा. पाल भर्त के पद पर नियुक्ति न करने की  
कृपा करें ।

दिनांक

copy

प्रार्थी

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
LUCKNOW BENCH, LUCKNOW

3482

NO. CAT/CB/LKO/JUDL/

14.12.92  
DATE

O.A. No. 155/92  
REGISTRATION NO ..... of 199

Shash Nani Tripathi

Applicant (s)

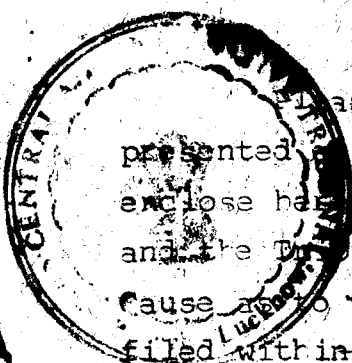
VERSUS

U.S. & others

Respondent(s)

- 4- Smt. Ramesh Pushpa Singh W/O Late Sri Ramesh Chander Singh  
Resident of Village & post office - Bani Rai Bani.

" ISSUE NOTICE TO RESPONDENT No. 4 WHY THIS APPLICATION BE  
NOT ALLOWED. LIST ON 18-1-93."



Please take notice that the applicant above name, has  
presented application a copy of which is therefore is  
enclosed herewith which has been registered in this Tribunal  
and the Tribunal has fixed 18th day of Jan 93 to show-  
cause as to why the petition be not admitted. Counter may be  
filed within \_\_\_\_\_ weeks. Rejoinder, if any to be filed within  
\_\_\_\_\_ weeks thereafter.

It, no appearance is made on your behalf, your pleader  
of by some one duly authorised to act and plead on your behalf  
on the said application, it will be heard and decided in your  
absence. Given my hand and the seal of the Tribunal this day  
of 3-12-92. 199

  
FOR THE REGISTRAR

M.P.

# वकालतनामा

न्यायालय श्रीमान् (Central Administrative Tribunal)  
HOCKNEY BENCH

8/11

fixed 26

न्यायालय  
वाद संख्या

वाद संख्या

169 / 90

सन १६ ई०

वादी

अभियोजक

प्राप्ति

अपीलार्थी

प्रतिवादी

अभियुक्त

प्रतिपक्षी

कारेस्पाउन्डेन्ट

श्री क्षेत्रमणि त्रिपाठी

विरुद्ध

यूनियन आफ इंडिया स्वं अन्य

मैं/हम श्री क्षेत्रमणि त्रिपाठी वीरवारि रजिस्ट्रार  
श्रीमान् श्री क्षेत्रमणि त्रिपाठी

वकील/एडवोकेट

को अपना वकील नियुक्त करके उक्त वकील महोदय को अधिकार देता/देते हैं कि वह इस मुकदमे की पंरवी संधिप्रसन्नोत्तर बहस तथा अन्य सम्पूर्ण आवश्यक कार्यवाही प्रारम्भिक न्यायालय तथा अपील आदि मेरी/हमारी ओर से करें। मेरी/हमारी ओर से शपथ पत्र दस्तावेज तथा अन्य कागजों को न्यायालय या कार्यालय में प्रस्तुत करें। या वापस लें। कोर्ट फीस स्टाम्प आदि ब्रय करें। न्यायालय कार्यालय में प्रस्तुत करें अथवा वापस लें। न्यायालय में प्रतिलिपि प्राप्त करें। साक्षियों के लिए भोजन तथा मार्ग व्यय न्यायालय में जमा करें अथवा वापस लें। समस्त कागजों के निरीक्षण के बारे में पूर्णज्ञापन, पक्षीय डिग्री बिराकरण के लिए प्रार्थना पत्र प्रस्तुत करें स्थगित करने हेतु प्रार्थना पत्र बाद प्रबन्ध तथा लिखित वक्तव्य आदि न्यायालय में प्रस्तुत करें और वाद की डिग्री हो जाने पर उसके कार्यान्वित होने के लिए प्रार्थना पत्र मेरी/हमारी प्राप्य न्यायालय अथवा पक्षी से अपनी हस्ताक्षर द्वारा प्राप्त करें सारांश यह है कि इस मुकदमे से सम्बन्धित हर प्रकार की कार्यवाही करें, अथवा अपनी ओर से किसी वकील को उपयुक्त व अधिष्ठत करें यह समस्त कार्य वकील/एडवोकेट महोदय को मेरा/हमारा किया हुआ समझा जायेगा और मुझको/हमको स्वीकार होगा अतएव प्रमाण हेतु वकालतनामा लिख दिया।

Supdt. of Post Offices

Rae Bareilly Div. 229001

दिनांक

मास

सन १६ ई०

राजेन्द्र प्रेस, रायबरेली

Sl. No. 50

**Vakalatnama**  
**In the High Court of Judicature at Allahabad**

SITTING AT LUCKNOW

In the Central Administrative Tribunal Circut Bench LKO.

50

O.A. No 169 of 1990

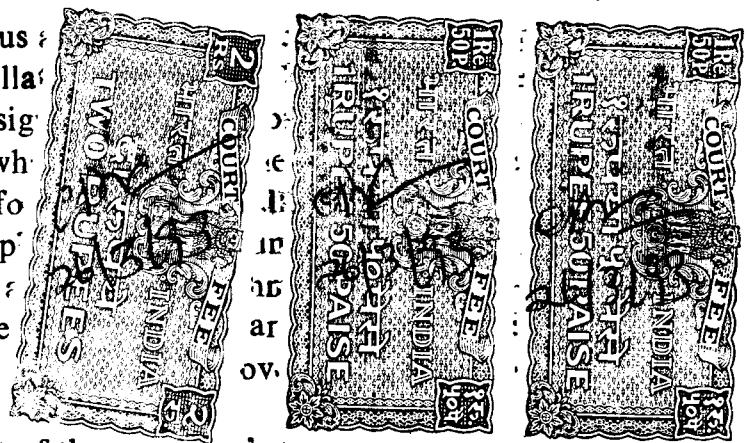
Shesh Mani Tripathi **VERSUS** Union of Indis As  
on behalf of OP. No 4

No.

of 19

I/We the undersigned do hereby nominate and appoint Shri.....  
and Shri..... Chandra Bhan Verma Adv. 4/1034 Vikas Nagar LKO.  
Farooq Ahmad Advocate, to

be counsel in the above matter, and for me/us  
and answer in the above Court or any Appella  
is transferred in the above matter, and to sig  
exhibits, compromises or other documents wh  
arising there from, and also to apply fo  
documents, depositions, etc, etc, and to app  
subpoena and to apply for and get issued  
warrant or other and to conduct any proce  
for and receive payment of any or all sums



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

ACCEPTED :

1. Accepted by Advocate  
Advocate  
14/9/93  
2. Advocate

Signature of Client.....  
.....  
.....  
.....