

CENTRAL ADMINISTRATIVE TRIBUNAL
LUCKNOW Bench LUC NO. .INDEX SHEETCAUSE TITLE C.A. 173 of 1993

Name of the parties

S. Anwar Hussain

Applicant.

Versus.

Union of India

Respondents.

Part A.B.C.

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Notice

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1 - notice / order / copy / affidavit

Tele B/c

C.A. 173

1469-
CENTRAL ADMINISTRATIVE TRIBUNAL
CIVIL BENCH, LUCKNOW

Registration No. 192 of

Applicant(s) Shrawan Kumar

Respondent(s) UOL

Particulars to be examined

End 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, how many days it is beyond time ?
c) Was sufficient cause for not making the application in time, shown ?
4. Has the document of authorisation/ Vakalatnama been filed ?
5. Is the application accompanied by S.C./Postal Order for Rs.50/-
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

No

<u>Particulars to be Examined</u>	<u>Endorsement</u>	<u>Result of examination</u>
11. Are the application/duplicate copy/extra copies signed?	Yes	
12. Are extra copies of the application with annexes filed?	Yes	
a) in relation to the Original?		
b) otherwise		
c) including the Annexes		
13. Are the copies of the application and annexes filed?		
14. Have the five size envelopes bearing full addresses of the respondents been filed?	No	
15. Are the full addresses of the respondents filed?	Yes	
16. Do the names of the parties stated in the copies tally with those indicated in the application?	NA	
17. Are the affidavits certified as true or supported by an affidavit affirming that they are true?	NI	
18. Are the copies of the case stated in form no. 16 of the application?	Yes	
19. Are the copies?		
20. Are the copies distinct reads?		
21. Are the copies respectively?		
22. Are the copies in double space on one side of the paper?		
23. Are the particulars for interim relief prayed for indicated with reasons?	Yes	
24. Whether all the remedies have been exhausted.	Yes	

Signature

5-A 192/80

27.7.90

Hon Mr Justice K Nath, V.C.
Hon Mr K. Chagga, A.M.

Issue notice to the respondent

to show cause why the petition be
not admitted - they will produce the
record of appointment & cessation of the petition
list for admission on 27.7.90 when
the case may be finally disposed of.

AM -

or
noted & on
9/7/90
V.C.

27.7.90

Hon. Mr Justice K. Nath, V.C.
Hon Mr K. Chagga, A.M.

~~Mr S. P. Bhatia for applicant.
Dr D. Chandra appears on
behalf of respondents 1 to 4.
Notice issued to respondents
Ms. S. Bhatia~~

OR

Notices were issued
on 9.7.90.
Neither reply
nor any answer
has been

27.7.90

Hon. Mr Justice K. Nath, V.C.
Hon Mr K. Chagga, A.M.

S.F.A.

Dr Dinesh Chandra appears on
behalf of respondents 1 to 4. Notice
issued to respondent 5 is returned
unsealed. The case will proceed
ex parte against him. Dr Dinesh
Chandra says that it will be possible
for him to produce the record
as directed within a week or
so. The case may be listed
for admission on 16.8.90 when
it may be disposed of finally.

25/7/90

Received
25/7/90

Recd by
has

D. Chandra
AM.

V.C.

(14)

CENTRAL ADMINISTRATIVE TRIBUNAL, LUCKNOW
CIRCULAR SECTION

LUCKNOW

Date of decision: 16.8.90

O.A. 192/90(L)

Shrawan Kumar

...Applicant.

versus

Union of India & ors.

...Respondents.

Hon. Mr. P. Srinivasan, Adm. Member.

Hon. Mr. J.P. Sharma, Judl. Member.

(Per Hon. Mr. P. Srinivasan, A.M.)

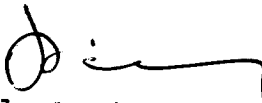
This application has been listed before us ^{today} for admission with notice to the respondents. Shri J.P. Dubey appears for the applicant. Shri Dinesh Chandra appears for the respondents. Both have been heard. We feel that the application can be disposed of at this stage itself with suitable directions to the respondents. We proceed to do so.

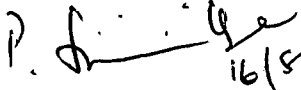
2. The applicant was appointed as Extra Departmental Pecker at Friveni Nagar branch post office by order dated 28.12.89 passed by ^{M. H.} Assistant Superintendent of Post Offices, North Sub Division, Lucknow. However, the appointment was promptly cancelled on the next date i.e. 29.12.89 by the A.S.P. (North), Lucknow on receiving instructions from the Senior Superintendent of Post Offices, Lucknow. The applicant is aggrieved with this order of cancellation, having failed before the authorities. What emerges from the arguments before

us is that ^a certain Hemnath who was working as Extra Departmental Packer at Birhana post office, was deployed to work as Extra Departmental Packer at Triveni Nagar where no such post was available but there was only a post of Mail Peon. Hemnath was promoted as peon and his post as E.D. Packer at ^{M Birhana} ~~Triveni Nagar~~ became vacant. When Hemnath relinquished the charge of E.D. Packer at ^{M Birhana} ~~Triveni Nagar~~, ^a certain Ram Dayal was engaged in his place on the responsibility of Hemnath. A regular appointment is still to be made after Hemnath's promotion at Birhana. However, Ram Dayal is working there as a temporary arrangement. The applicant's contention is that there ^{M is} ~~is~~ a post of Extra Departmental Packer at Triveni Nagar in which he should have been allowed to function. The respondents say that there is no such post and that the recruitment of the applicant for such a post by the A.S.P.O. (North) was a mistake and that was why the appointment was cancelled. In any case, there is no dispute that a regular post of E.D. Packer at Birhana ^M is lying vacant after the promotion of Hemnath and ~~certain~~ ^{therefore,} Ram Dayal is working there. Ram Dayal has been deputed to work against the ^{M post} ~~post~~ of Mail Peon ^{at Triveni Nagar.} Regular appointment is therefore to be made of E.D. packer in Birhana. We are told that the appointing authority for Birhana is different from the appointing authority for Triveni Nagar. On going through the records of the respondents, we find that the applicant was selected as E.D. Packer from a list of four persons. We, therefore, feel that he should be given preference for appointment as E.D. packer in any other place where there is such a vacancy, if there is no such post in Triveni Nagar. ^{M Steps} ~~Circumstances~~ will have to be taken now, for regular appointment of E.D. packer

at Birhana ~~itself~~^M in place of Mannath. The applicant should be considered for that post alongwith others including Ram Dayal and he should be given credit for having already ^{M been} ~~selected~~ ^{to that post M} once. If he is selected for the post at Birhana after such consideration, he may be deputed ^{M to work at} ~~anywhere else round about~~ Triveni Nagar if the respondents so deem it necessary. This should be done within two months from the date of receipt of this order.

The application is disposed of on the above terms leaving the parties to bear their own costs.


Judl. Member.


Adm. Member.

Lucknow Dated: 16.8.90

(Hc)

1-6-90

V ✓

BEFORE THE HON'BLE CENTRAL ADMINISTRATIVE TRIBUNAL AT DELHI AND
LUCKNOW BENCH.

APPLICATION UNDER SECTION 19 OF THE
ADMINISTRATIVE TRIBUNALS ACT, 1935.

O A. 192190 (2)

Title of the Case:

Shrawan Kumar Applicant
Vs.

Union of India & others Respondents.

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Sl.No.	Description of documents Relied upon	Page Nos.
1.	Application	
2.	Annexure No.1 Copy of appointment order dt. 28.12.1939	
3.	Annexure No.2 Copy of joining report dt. 29.12.1939	
4.	Annexure No.3 Copy of relieving order dt. 29.12.1939	
5.	Annexure No.4 Copy of representation dt. 2.1.1940	
6.	Annexure No.5 Copy of impugned order dt. 30.3.1940	
7.	Affidavit	
8.	Power	
9.	Application for Interim Relief.	

Filed today
1/6/90

Prabey
Advocate

Signature of the applicant.

For use in Tribunal's office

Date of filing

or

Date of receipt by post
Registration No.

Signature for Registrar.

1/6/90
5/6/90
1/6/90

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, DELHI
LUCKNOW BENCH.

SA 192 of 90

Shrawan Kumar aged about 27 years son of
late Shri Mohhey Prasad, resident of
27, D-287, Aliganj Housing Scheme,
Lucknow.

.....APPLICANT

VERSUS

1. Union of India through the Secretary,
(Post & Telegraph) New Delhi.
2. Director General (Post Offices) U.P.,
at Lucknow.
3. Senior Superintendent of Post Offices,
Lucknow Region, Lucknow.
4. Assistant Superintendent of Post Offices,
North Sub Division, Lucknow.
5. Sri K.K. Tripathi, Complaint Inspector,
Post Offices, S.D.P. Lucknow.

....RESPONDENTS.

DETAILS OF APPLICATION :

- | | |
|---|--|
| 1. Particulars of the order :
against which the appli-
cation is made . | 1. Order No. 4-2/18/2, D.
Niyukti dated 30.3.1986
(Annexure No. 5)
passed by Senior Secy
of Post Offices,
Lucknow Region, Luc |
|---|--|

2. Jurisdiction of the Tribunal:

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

3. Limitation :

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

4. Facts of the case :

(1) That the applicant was appointed as E.D.Packer in the clear vacancy by the opposite party/respondent no.3 on 23.12.1989. The true copy of the appointment letter dated 23.12.1989 is being annexed herewith as Annexure No.1 to this application.

(2) That the applicant gave his joining report on 29.12.1989 in the Forenoon. The true copy of the joining report is being annexed herewith as Annexure No.2 to this application.

Copy of the
(3) That in the afternoon the respondent no.5-Mr.K.K. Tripathi came and asked the Post Master, Triveni Nagar, Lucknow Post Office to continue the local arrangement because he belongs to a higher caste.

AS
11/6/90

- (4) That the applicant belongs to scheduled caste and he is 'PASI' by caste and he has been put to harassment by the opposite party no.-5-Mr.K.K. Tripathi.
- (5) That in the afternoon of 29.12.1989 the applicant was relieved and the charge was taken from him forcibly. The true copy of the relieving order dated 29.12.1989 is being annexed herewith as annexure No.3 to this application.
- (6) That without cancelling the appointment of the applicant the Sub Post Master, Triveni Nagar, Post Office, Lucknow, relieved the applicant from the post of E.D.Packer on 29.12.1989 without any rhyme and reasons.
- (7) That in the appointment letter it is written that if the services of the petitioner will be dispensed with then a written order will be passed but no written order has been passed nor the appointment of the applicant has been cancelled and the applicant has been illegally relieved forcibly from his post.
- (8) That the applicant made a detailed representation on 2.1.1990 to the respondent no.2 - giving the circumstances in which he has been relieved after joining the post of E.D.Packer in Post Office, Triveni Nagar, Lucknow. The true copy of the same

Pa

9/10/90 3/11/90

1/6/90

HIC

representation dated 2.1.1990 to the respondent no.2 is being annexed herewith as Annexure No.4 to this application.

(9) That on the aforesaid representation of the applicant is pending, yet the respondent no.2 has not considered and the same was still pending; but on 30.3.1990 the representation of the petitioner has been rejected by the respondent no.3 vide order dated 30.3.1990. The true copy of the rejection /impugned order is being annexed herewith as Annexure No.5 to this application.

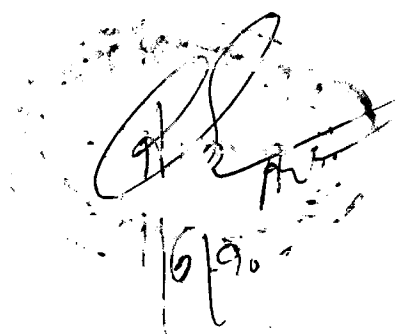
(10) That the applicant had not been paid his salary from the date of his joining on the post of L.D. Packer and the applicant is suffering irreparable loss.

(11) That the order of appointment/representation has been cancelled by the respondent no.3 on 30.3.1990.

(12) That the appointing authority of the applicant is the Assistant Superintendent of Post Offices, North Zone, Lucknow and the impugned order dated 30.3.1990 is without jurisdiction.

(13) That the post is still vacant and no body has been placed on the post of the applicant.

9/5/90



- (14) That the impugned order dated 30.3.1990 as contained in Annexure No.5 is arbitrary, perverse and without jurisdiction.
- (15) That aggrieved by the act and conduct of the respondent the applicant has got no other alternative remedy except to file this application in this Hon'ble Tribunal.

5. Grounds for relief with
legal provisions :

- I. Because the applicant was appointed in a clear vacancy in place of the local arrangement on 23th December, 1989 on the post of E.D.Packer, Post Office, Triveni Nagar, Lucknow.
- II. Because the applicant gave his joining report on 29.12.1989 in the forenoon. The applicant has full right to continue on that post (i.e. Post of E.D. Packer Post Office, Triveni Nagar, Lucknow).
- III. Because the applicant was relieved in the afternoon by the Sub Post Master, Post Office, Triveni Nagar, Lucknow on the pressure of Mr. K. V. Tripathi, the respondent no.5, forcibly.
- IV. Because the order of appointment has not been cancelled upto 29.12.1989 and the petitioner has been illegally relieved in the afternoon of 29.12.1989 forcibly.

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1/6/92

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.6.

- V. Because the applicant belongs to scheduled caste and he is Pasi by caste and he has been put to harassment by Sri K.K.Tripathi, the respondent no.5.
- VI. Because the order of relieving is bad in law.
- VII. Because there is a malafide intention of the respondent no.5 on account of which the applicant has been relieved. The man was working in the local arrangement was related to the respondent no.5 on account of which the applicant has been relieved.
- VIII. Because the applicant has made a representation to the respondent no.2 has been rejected on 30.3.1990 without hearing to the applicant.
- IX. Because the impugned order passed by the Senior Superintendent of ~~Notices~~, post offices is without jurisdiction because the appointing authority of the applicant is Assistant Superintendent of Post Offices.
- X. Because the post is still vacant and no body has been placed on the post of applicant.
- XI. Because the impugned order (Annexure No.5) is arbitrary illegal and perverse and without jurisdiction and is liable to be set aside.

Order given

ASL
1/6/90

13

6. Details of the remedies exhausted :

The applicant declares that he was availed of all the remedies available to him under the relevant service Rules etc.

The applicant made a representation on 2.1.1990 to the respondent no.2 which is annexed herewith as Annexure no.4 aforesaid and the same has been rejected on 30.3.1990 which is Annexure No.5.

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

The applicant further declares that he had not previously filed any application writ petition or suit regarding the matter in respect of which this application has been made, before any court of law or any other court or authority or any other bench of this Tribunal and nor any such application, writ petn. or suit is pending before any of them.

In case the applicant's had previously filed any application, writ or suit, the stage at which it is pending and if decided, the gist of the same decision should be given with reference to the Annexure.

8. Relief(s) sought

श्रीधर ठुंग

In view of the facts mentioned in para-6 aforesaid the applicant prays for the following relief(s):-

(1) That this Hon'ble Tribunal may allow the applicant

[Handwritten signature and stamp]

pin

to continue on the post of the L.D.Packer at Post Office, Triveni Nagar, Lucknow- 2) and the impugned order dated 20.3.1990 (annexure No.5) may kindly be set aside.

ii) Any other order or direction which this Hon'ble court may deem fit and proper under the circumstances of the case, be also passed.

iii) COST of this application may kindly be awarded in favour of the applicant.

9. Interim order, if any prayed for:-

That the appointment of petitioner may kindly be continue and stay the operation of the impugned order dated 20.3.1990 (annexure No.5) till the decision of the present application and an order may kindly be passed allowing the petitioner to continue on the post of L.D.Packer in the Post Office Triveni Nagar, Lucknow-20.

10. In the event of the application being presented by the applicant it may be stated that the applicant desires to have oral hearing at the admission stage, through his counsel engaged by him.

11. Particulars of the Bank; Draft/Postal order in respect of the application fees

1. Name of the Bank/PO on which drawn.

P.O. No. 114111 dt. 12.1.1990

(45)

-2-

G.P.O. Lucknow, fd. Rs. 50/-.

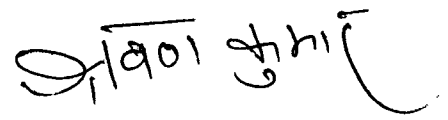
12. List of enclosures:

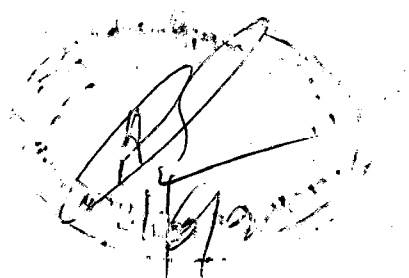
- Annexure No. 1: Copy of appointment order dt. 23.12.1989.
Annexure No. 2: Copy of joining order dt. 29.12.1989
Annexure No. 3: Copy of relieving order dt. 29.12.1989.
Annexure No. 4: Copy of representation dt. 2.1.1990
Annexure No. 5: Copy of Impugned order dt. 3.3.1990

VERIFICATION

I, Shrawan Kumar son of Sri Mohney Prasad, aged about 27 years, working as A.D. Packer, in the office of Post Office, at Thivani Nagar Post Office, Lucknow, resident of 47, D.S. 87, Aliganj Housing Scheme, Lucknow, do hereby verify that the contents of paras 1 to 12 of this application are true to my personal knowledge and legal advice and that I have not suppressed any material fact.

Lucknow, dated
18/6/90
June 18: 1990


signature of the applicant



इन दि आनरेबल सेन्ट्रल एडमिनिस्ट्रेटिव प्रिन्सिपल जल्लाबाय
लखनऊ क्षेत्र लखनऊ

केस नं०

आफ 1990

श्रवणकुमार

एप्लीकेन्ट

युनियन आफ इन्डिया आदि

बनाम

--

अपो०पार्टीज

अनेक्सर नं०-5

भारतीय डाक विभाग

रजिस्टर्ड ए. डी.

प्रेम्बर, ६

प्रवर डाक अधीक्षक
लखनऊ मंडल,
लखनऊ-3

सेवामें,

श्री श्रवण कुमार पुत्रत्व० मोतते

डी. एस. 87 नवीनगला पंडी

सीलापुर रोड

लखनऊ-20.

संख्या: ए-2/18/ई०डी० नियुक्त

30.3.90

विषय: ई०डी० पेकर त्रिवेणी नगर की नियुक्ति करके भार मुक्त

मुक्त करने के संबंध में प्रतिवेदन।

आपके प्रतिवेदन दिनांक 1.1.90 पर विचार किया गया और पाया गया कि ई०डी० पेकर त्रिवेणी नगर डाकघर को कोई पद नहीं है। अतः आप अक्त पद के लिये सहायक डाक अधीक्षक उदतरी द्वारा जारी नियुक्ति क्षमन संख्या ए/त्रिवेणी ---

श्री श्रवण कुमार

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1/6/90

9/6/90

(11)

A12

=2-

नगर दिनांक 28-12-89 के प्रवेस नहीं है। आज उपरोक्त
प्रतिवेदन निरस्त रजिस्ट्र किया जाता है।

डा।

मुख्य डाक अधीक्षक

महानगर मंडल महानगर

228003

प्रतिलिपि :- सहायक डाक अधीक्षक उत्तरी उप मंडल महानगर-6 को
सूचनाार्थ।



सहायक डाक अधीक्षक

12/1/90

(12)

BEFORE THE HON'BLE CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD
LUCNOW Bench Lucknow.

APPLICATION NO.

OF *1990

Shrawan Kumar - - - - - Applicant

vs.

Union of India and others - - - - - Opp. Parties.

ANNEXURE NO. I

Office of the Asstt. Supdt. of Post Offices,
North Sub Division, Lucknow-226005.

Memo A/Triveninagar dated 28.12.89.

Shri Shrawan Kumar son of Shri Mahesh Prasad
R/o 27 B.S.87 in front of Havin Galla Mandi, Sitapur
Road, P.O. Alijanj, Luc no -20 is hereby appointed as B.D.
Packer Triveninagar with immediate effect terminating
local arrangement. He shall be paid such allowances as
are admissible from time to time.

Shri Shrawan Kumar should clearly understand
that his employment as B.D. Packer Triveninagar shall
be in the nature of a contract liable to be terminated
by him or by the undersigned by notifying the order
writing and that he shall also be governed by the PAF

(13)

(Aid)

2.

EDAs (conduct & service) Rule 1934 as are admissible
from time to time.

Thereof the report should be submitted to all
concerned.

sd. 28.12.89

Asstt. Supdt. of Post Offices
North Sub Division
Lucknow-226005.

Copy to:-

1. Shri Shrawan Kumar son of Shri Mohney Pd. r/o
D.7 D.S.87 in front of Main Galla Mandi, Lucknow.
He will retain the enclosed for favour of information
and n.e. please.
2. The SPH Trivenigar Lucknow-20 for favour of local
arrangement.
3. S.P.M. Lucknow.
- 4.
- 5.



श्री १०१ ३०११
T.S. Singh
Dau

(15)

(114)

Transacted

ए.सी.जी.-61) भारतीय डाक-तार विभाग
C. G.-61 INDIAN POSTS AND TELEGRAPHS
DEPARTMENT

कानूनी नं. 267, डाक-तार वित्त पुलिस (द्वितीय संस्करण)
2716
C.G. 267, Post and Telegraphs Financial Police
Part I (Second Edition)

कार्य की प्रतिलिपि पर ज्ञान रिपोर्ट और नकल प्रेषित होती है
जो रखा है

Charge Report and Receipt for cash and stamps on transfer
of Charge

प्रमाणित किया जाता है कि E. H. Parker
Certified that the charge of the office of

राज्य ~~...~~ (नाम) ने
was ~~...~~ by (name) ~~...~~

(नाम) को
to (name) ~~...~~

तारीख 29/12/29 का प्रमाणित मे

on the (date) ~~...~~ hood in accordance

राज्य ~~...~~ ~~...~~

No. ~~...~~
Date ~~...~~
Relieved Officer ~~...~~
4-2716

from ~~...~~
Relieving Officer ~~...~~
(P. 1. 11)

~~...~~

~~...~~

~~...~~

15

420

Application to

of 1950

Shrawan Kumar

Applicant

VOISIN

Union of India and others

Respondents

AMERU - No. 3

CAMP P.O.

4 - 27 16

044022 220030

Certified that the change of the office of

2. D.Packer was relinquished by Shri Shrawan Kumar at Triveni Nagar P.O. on 29.12.89 afternoon vide L.S.P.O.D.Lko, Dn.Lko-3 memo no.

sd.
Relieved officer

sd. Shrawan Kumar
29.12.89

SEAL

Copy to Shri Shrawan Kumar

ad. Sub Post Master

Triveni Nagar
Lucknow.

शिवरात्रि शुभम्

72
75
82 ✓

1/6/91

(16)

(421)

बिफोर दि अनरेबल सेन्ट्रल एडमिनिस्ट्रेटिव ट्रिब्यूनल इलाहाबाद

लखनऊ बैन्च, लखनऊ

रजिस्ट्रेशन नं०-----आफ 1990

श्रवण कुमार

वादी

कनाम

यूनियन आफ इन्डिया आदि

प्रतिवादी

अनेक्जर नं० 4

सेवा में,

श्रीमान डाक निदेशक सेवार्थ

लखनऊ।

विषय :- ई0डी0पेकर त्रिवेणी नगर लखनऊ 20 के अधीन एवं
जबरिया भार मुक्त करने के संबंध में।
अनुपस्थिति

महोदय,

प्रार्थी निम्न प्रकार से निवेदन करता है :- प्रार्थी अनुसूचित जाति का है जिसकी उप जाति "पासी" है :-

- 1- यह कि प्रार्थी श्रवण कुमार पुत्र श्री एच 0 मोलहे प्रसाद निवासी मोहल्ला ई-7, डी0एल0 -87, नवीन गल्ला मन्डी, लखनऊ सीतापुर रोड का निवासी है।

यह कि प्रार्थी का अपोइन्टमेंट ई.डी. पेकर त्रिवेणी नगर पोस्ट आफिस लिये दिनांक : 20.12.1989 को हुआ था।

- 3- यह कि प्रार्थी अपना अपोइन्टमेंट लेकर त्रिवेणी

नगर पोस्ट आफिस में गया और 29.12.1989 को

पोस्ट मास्टर त्रिवेणी नगर में प्रार्थी को 11 बजे जवाबन करा लिया।

श्रवण कुमार

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4- यह कि उसके बाद क्रीब 3 बजे ती०आई०, रत०रत०नी० आफिस से श्री के०के० त्रिपाठी आये । और उन्होंने पोस्ट मान्द साहब से कहा कि ई०डी० पैकर त्रिवेणी नगर लखनऊ में मेरा रिश्तेदार तख्तीछूट पर लगा है । इसी को यहाँ पर लगवाना है और दूसरे आदर्शों को यहाँ नहीं लगाना । तब पोस्ट मान्द साहब ने कहा कि यहाँ पर श्रवण कुमार का अमोहन्तमेन्ट हो गया है । और उसको मैंने आज ही तुमसे 11 बजे ज्वाइन करवा लिया है ।

5- यह कि ती०आई० श्री के०के० त्रिपाठी के कहने पर और विशेष फोर्स डाकने पर प्रार्थी को उती समय पुनः 3 बजे रिलीव कर दिया गया है ।

6- जब कि ब्रह्म प्रार्थी को विविधता अमोहन्तमेन्ट हुआ फिर भी श्री के०के० त्रिपाठी के कहने पर जबरदस्ती चार्ज ले लिया है । गया है ।

चूँकि प्रार्थी निम्न जाति का है और विगत वर्ग का है । इसलिये श्री के०के० त्रिपाठी नाराज होकर किसी उच्चवर्ग के जाति की नियुक्ति नहीं हो सकती इसीलिये यह अत्यन्त रचकर हटा दिया मेरी नियुक्ति तब 22/7 आर गृह्य करने के बाद अनुचित ढंग से कार्य करने से रोक जा सकता है ।

अतः श्रीमान जी से निवेदन है कि प्रार्थी के प्रार्थना पत्र शीघ्रातिशीघ्र विचार कर प्रार्थी को त्रिवेणी नगर लखनऊ -20 के पोस्ट आफिस में ई०डी० पैकर की पोस्टपर

श्रीमान जी

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ज्वाइन कराने की कृपा की जाये। अतः प्रार्थना को न्याय मिल सके। प्रार्थी जीवन भर आभारी रहेगा।

दिनांक 2-1-1990

प्रार्थी

हो
श्रवण कुमार
फैजिओ पैकर, दिवेर्गनगर
पोस्ट आर्गिस लखनऊ-20

प्रक्षित प्रतिलिपियाँ:-

1-प्रवर डाक अधीक्षक लखनऊ-3

2-पीएमजीओ लखनऊ।

5-हरिजन कल्याण मन्त्री, जोगडा बासन लखनऊ।

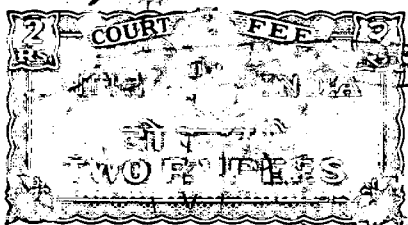


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BEFORE THE HON'BLE CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD
LUCKNOW Bench LUCKNOW.

Application No. of 1990



Shrawan Kumar - - - - - Applicant

vs.

Union of India and others - - - - - Respondent.

AFFIDAVIT

I, Shrawan Kumar aged about 27 years son of late
Shri Mohney Prasad, resident of 127 D.S.87 Alijanj Housing scheme,
Lucknow, do hereby solemnly affirm and state on oath as under:-

1. That the deponent himself is the applicant, as such he
 is fully conversant with the facts of the case as under:-
2. That the contents of paras 1 to 12 of the accompanying
 application are true to my personal knowledge.

That annexure Nos. 1, 2, 3, 4, & 5 of the accompanying
application are true copies of their respective originals.

Deponent

Lucknow, dated
~~22-07~~ 1990
June 18th

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Verification

I the above named deponent do hereby verify that the contents of paras 1 to 3 of this affidavit are true to my personal knowledge. No part of it is false and nothing material has been concealed, so help me God.

[Signature]
Deponent

Lucknow, dated

May 1990
June 1st

I identify the deponent who has signed before me.

S. P. Dubey
Advocate *[Signature]*

AS
1/6/92

I solemnly affirmed before me on 1/6/92 at 10/8 am/pm by the deponent who has been identified by *En S. P. Dubey* an Advocate High Court Lucknow.

I have fully satisfied myself by examining the deponent who has understood the contents of this affidavit which have been readout and explained to him by me.

[Faint, mostly illegible text]

Oath Commissioner.

AS
1/6/92

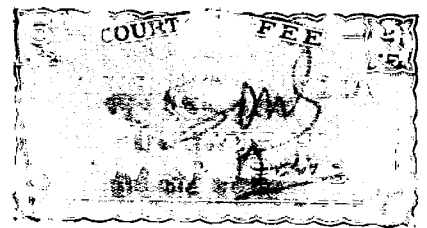
ब जदालत बीमान

[दादी अपीलान्ट]

प्रतिवादी [रेस्पाडेन्ट]

महोदय

का वकालतनामा



टिकट

दादी (अपीलान्ट)

बनाम

प्रतिवादी (रेस्पाडेन्ट)

नं० मुकद्दमा

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ऊपर लिखे मुकद्दमा में अपनी ओर से श्री

वकील

व..... महोदय

एडवोकेट

High Court, Bar Association,
C-51, Sector A, Mayapuri, New Delhi

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 जवाबदेही व प्रश्नोत्तर करें या कोई कागज दाखिल करें या लौटावे या इसारी ओर से डिगरी जारी करावे और रुपया लसूब करें या सुलहनामा व इज्जाल दावा तथा अपील निगरानी हमारी ओर से 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 होमा में यह भी स्वीकार करता हूं कि हर पेशी पर स्वयं या किसी अपने पैरोकार 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 ।

नाम लयाजत

मुकद्दमा नं०

नाम करीकन

हस्ताक्षर.....

आक्षी (गवाह) साक्षी (गवाह)

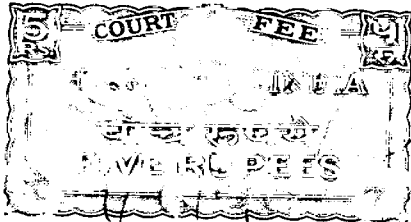
दिनांक महीना — — — — सन् १६ ई०

स्वीकृत

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BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
LUCKNOW Bench.

APPLICATION NO. OF 1990



Shrawan Kumar Applicant.

vs.

Union of India and others Respondent.

APPLICATION FOR INTERIM RELIEF.

For the facts, reason and under the circumstances as stated in the accompanying application, it is prayed that the operation of the impugned order dated 30.3.1990 passed by the respondent no.3 contained in Annexure No.5 may kindly be stayed and an order may kindly be passed allowing the applicant to continue on the post of S.D. Packer in the Post Office, Triveni Bagh, Lucknow, till the final decision of this case.

S. P. Dubeey
Adv
(S.P. DUBEY)
Advocate
Counsel for the applicant.

Lucknow, dated
May 1, 1990
Shrawan Kumar

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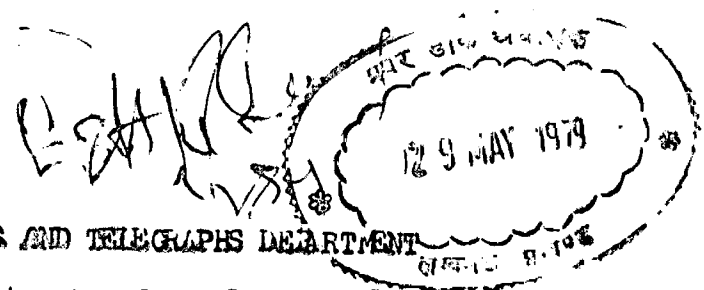
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INDIAN POSTS AND TELEGRAPHS DEPARTMENT

From: The Postmaster General, U.P. Circle, Lucknow. To: The Sr. Supt. of P.O.

No: HLG/E-2022/18/M-45 dated at Lucknow, the 24-5-1979.

Sub: Opening of a Non Delivery T.S.O. at TRIVENI NAGAR in District: LUCKNOW

Ref: Your letter No. H/G/Triveni Nagar dated 9.3.79.

Your proposal to open a S.O. at Triveni Nagar in account with Mirala Nagar and under H.O. is approved with establishment noted below:

S.S.P.M. 1 @ Salary of Rs. 260/p.m. By creation

20000 M. Fock Lof. Rs. 196/232/p. l. By creation

EDEN. Rs.

A.C. to S.P.M. Rs.

P.O. Building rent. Rs. 200/p.m.

Charge allowance to S.P.M. Rs. 20/p.m.

20000 P.O. Rs. 6.50/p.m.

Please open the above P.O. immediately. The seals and stamps bearing actual name of the P.O. or Camp P.O. stamps will be supplied to the account office by Supt. Forms & Seals and the articles of stock by the Supt. Postal Stores Depot, Lucknow. The date of opening the P.O. should be intimated to this office within 3 days of actual date of opening of the Post Office.

In case, for any reason, the office is not opened upto 29.2.80. the sanction will lapse and fresh orders will have to be obtained for its opening in the next financial year.

The Govt. spelling of the name of the P.O. both in Hindi and English may be noted early.

The expenditure incurred in opening of the P.O. will be shown under the head "Plan Expenditure".

for, Postmaster General, U.P.

Copy forwarded for information and necessary action to:-

1. The Supt. Postal Store Depot, Lucknow for supplying articles of stock to the Account Office of above proposed office.

2. The Supt. Forms and Seals, Aligarh for supplying the seals & stamps bearing the actual name of the P.O. as early as possible. in the camp P.O. stamp the Govt. spelling of the name of

English: TRIVENI NAGAR

Hindi.

Lucknow The P.M. will please ensure that the expenditure incurred in opening of the P.O. is booked under the head "Plan Expenditure"

The Manager R.L.O. Lucknow.

The Sorting section C.O. Lucknow. 6. The I.P.Os. Lucknow.

Distt 'A' Section, C.O. Lucknow.

9. Budget Section.

Attested

For, Postmaster General, U.P.

Shachin Kumar 2/3 6.0.10 PM

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Jmm- R.2

DEPARTMENT OF POSTS.
OFFICE OF THE SR. SUPDT. OF POST OFFICES LUCKNOW DIVISION LUCKNOW-3.
Memo No. A-2/3.

Dated at LW-226003, the 12-2-1987.

The following officials are hereby re-deployed in the interest of service as a temporary measure with effect from 20.2.87:-

Group 'D' Triveninagar S.O. to be Group 'D' Aliganj Extension S.O. Lucknow.

E.D. Packer-II Birhana PO to be E.D. Packer Triveninagar SO.

E.D. M. P. Naveen Mandi PO to be EDDA Aliganj Extension P.O.

E.D. M. C. Aliganj P.O. to be EDDA Aliganj Extension P.O.

E.D. P-II Ghaziou PO to be EDDA R.S.M. Nagar P.O. Lucknow.

E.D. Packer-II D.M. Road PO to be EDDA R.S.M. Nagar P.O. LW.

CDMP Nadwa PO to be EDDA R.S.M. Nagar P.O. LW.

E.D. M. C. C. I. D. Colony PO to be EDDA R.S.M. Nagar P.O. LW.

EDPKR-II Military Hospital PO to be EDDA Alambagh P.O. LW.

EDMC R.A. College PO to be EDDA R.S.M. Nagar P.O. LW.

EDMC Roberts Lines PO to be EDDA Poon Munda'nagar P.O. LW.

EDMC Sujampur PO to be E.D. L. B. Poon Sarojininar PO LW.

Handwritten signature

(MEERA HANDA)
Sr. Supdt. of Post Offices
Lucknow Division-226003.

Copy forwarded for information and necessary action to:-
The Director Postal Services, Lucknow Region Lucknow-7 for information w.r.t. his D.O. Letter No. RDL/EST/S-445 dt. 24.1.87.

The Chief Postmaster, Lucknow G.P.O./Senior Postmaster, Lucknow Chowk HO. They will please confirm to draw allowances of the officials of their jurisdiction and arrange payment at the offices, where they are re-deployed. Amount so paid will be treated as remitted to other Head Office.

The ASPs North/South/West Sub-Division Lucknow. They will please create new post office for the EDDAs redeployed and see that they are relieved at once.

The S.P.M. Triveninagar PO/Naveen Mandi PO/Birhana PO/Aliganj/Ghazipur/D.M. Road PO/Nadwa PO/C.I.D. Colony PO/R.A. College PO/M. Hospital PO/Roberts Lines PO and Sujampur PO, Lucknow. They will please relieve the staff in question and direct them to join their new place of work. Mail Motor Arrangement of these offices is being

The SPM Aliganj Extension PO/R.S.M. Nagar PO/Alambagh P.O./Triveninagar PO/Mundaknagar P.O. Lucknow.

The Mail Douling Assistant, Divisional Office, Lucknow. All please make arrangement for mails exchange through Mail Douling Assistant, Divisional Office Lucknow.

7. The Planning Douling Assistant, Divisional Office Lucknow.

Handwritten signature

Post 226003

12-2-1987

आवासीय/Office of the

Asstt. Supdt. of Post Office
North Sub Division; Lucknow-226006

(127) A36

मानु ~~A~~ Trevedi Nagar
at 31004

अवगत

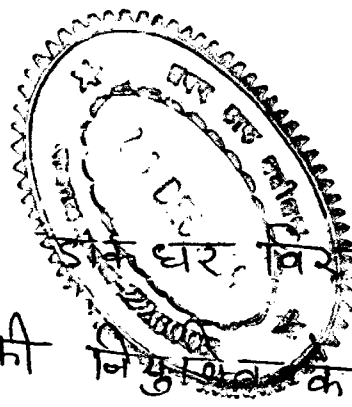
✓ ~~Mr~~ ~~Shri~~ Ram Dayal Mishra
is hereby allowed to work
as Extra Trevedi Nagar.
He has been with promoted
to 1st man Cadda at ~~the~~ ^{his}
work & responsible
till further order terminated
local arrangement
large exp. Shm. be

MGIPAR-1-10-1987-20,00,000 Pads.

- 1000
Copy to 1. The Shm. Trevedi Nagar
2. The Sr. Secy. Lucknow
3. 4 others -

सेवा में,

श्रीमान प्रवर अधीक्षक
डाक घर लखनऊ मंडल
लखनऊ - 3.



विषय:- डाक घर विरहना के रिक्त डी० डी० पैकर
की नियुक्ति के सम्बन्ध में-

भारतीय
सेवा

महोदय, विश्वस्त सूत्र से ज्ञात हुआ है कि

डाक घर विरहना का एक डी० डी० पद जो
विवेणी नगर डाक घर में रिक्त है। श्री हेमनाथ के
परीक्षा में उत्तीर्ण हो जाने के कारण रिक्त है। प्राची डाक
विभाग में इसी पद पर जनवरी 89 से सणी श्रृष्ट के रूप
में कार्य कर रहा है। श्री हेमनाथ के उत्तीर्ण हो जाने के
बाद भी इस रिक्त पद पर मैं ही कार्य कर रहा हूँ।
प्राची को बेलन विरहना डी० डी० पैकर के पद से प्राप्त
होगा है। परन्तु इतने दिन कार्य करने के पश्चात् ऐसा
लगता है कि श्री महेश डाक ~~अधीक्षक~~ व सहाय अधी-
(उत्तरी) की कारगुजारी से मैं ~~नियुक्ति~~ से वांचित रह
जाऊंगा। जबकि उक्त पद की नियुक्ति यस० डी० अधी-
क्षक होनी थी।

अतः निवेदन है कि प्राची के शाय-चारिक कार्यवाही
की जाय ताकि एक गरीब के साथ अन्याय न हो सके।
प्राची की योग्यतायें इस प्रकार हैं।

- 1:- प्राची कक्षा 9 पास है।
- 2:- प्राची उत्तम चरित्र का व्यक्ति है।
- 3:- प्राची उक्त पद पर वर्षों से कार्यरत है। अतः अनुभव है।
- 4:- प्राची की जन्म तिथि 16.9.66 है।
- 5:- प्राची एक स्वस्थ जवान व्यक्ति है।
- 6:- प्राची किसी भी डाक घर में नियमित कर्मचारी की
जिम्मेदारी भी दे सकता है।

आवश्यक प्रमाण पत्र संलग्न किये जाते हैं। प्राची: 11
दिनांक 26.12.89.
x-----x-----

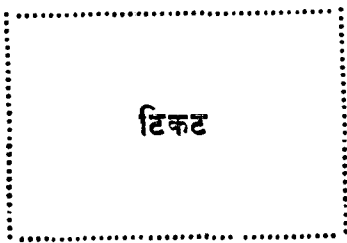
प्रतिवादी [रेस्पाडेंट]
प्रतिवादी [रेस्पाडेंट]

Civil & District Tribunal
Civil Bench, Lucknow

वकालतनामा

महोदय

39



टिकट

वादी (अपीलान्ट)

Sarwan Kumar vs. ... प्रतिवादी (रेस्पाडेंट)

न० मुकद्दमा 192 सन् 1990 पेशी की ता० १६ ई०

ऊपर लिखे मुकद्दमा में अपनी ओर से श्री J. Jivish Chandra
Adv. Gen. Gopal Standing Counsel
Lucknow वकील महोदय एडवोकेट

नाम अदालत
मुकद्दमा न०
नाम फरीकन

को अपना वकील नियुक्त करके प्रतिज्ञा (इकरार) करता हूं और लिखे देता हूं इस मुकद्दमा में वकील महोदय स्वयं अथवा अन्य वकील द्वारा जो कुछ 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 से 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 अपवे 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 मैं हर पेशी पर स्वयं या किसी अपने पैरोकर को भेजता रहूंगा अगर मुकद्दमा अदम पैरवी में एक तरफ मेरे खिलाफ फैसला हो जाता है उसकी जिम्मेदारी मेरे वकील पर नहीं होगी इसलिए यह वकालतनामा लिख दिया प्रमाण रहे और समय पर काम आवे ।

Handwritten signature and date 22/1/92.

हस्ताक्षर ...

साक्षी (गवाह) साक्षी (गवाह)

दिनांक सहीना सन् १६ ई०

स्वीकृत

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
CIRCUIT BENCH

Gandhi Bhawan, Opp. Residency, Lucknow

No. C.A.T./Adm/Jud/

4797-4801

dated the

2/7/90

Registration No. 172/90 of 1990

S. K. Singh APPLICANT

VERSUS

State of India RESPONDENT

For removal of Sd/- through the Secretary
(by Post/Teligram) New Delhi
to the General (Post) Office (G.O.) Lucknow
on the subject of removal of Post Office Lucknow
Region Lucknow

Please take notice that the applicant abovenamed has
presented an application, a copy whereof is enclosed herewith,
which has been registered in this Tribunal, and the Tribunal
has fixed 27/7/90 day of _____ 1990 for the
hearing of the said application.

If no appearance is made on your behalf by yourself
your pleader or by some one duly authorised to act and plead
on your behalf in the said application, it will be heard
and decided in your absence.

Given under my hand and the seal of the Tribunal this
2/7/90 day of _____ 1990.

DEPUTY REGISTRAR

Sd/- District Superintendent of Post Offices North
West Division, Lucknow

Sd/- K. K. Tripathy, Complaint Inspector
Post Office, S. S. A. Lucknow

Enclosed copy of notification with the Court's order dated on
27/7/90 at Lucknow.

(2)

(1)

(2)

(3)

19. Sri Ram Adhar Bhargawa, EDSV. C. Hotel Lucknow.
20. " Ram Dass, EDDA Khalispur, Lucknow.
21. " Ram Nath. ED Packer, Triwaninagar, Lucknow.
22. " Hari Shankar Teivedi ED Packer, Sunderbagh, Lucknow.
23. " Balraj Ram. ED S.V. Lalbagh, Lucknow.
24. Ram Kewal. E.D. Packer, T. Tib, Lucknow.
25. Kalloo Ram. Group & D' Indaurabagh, Lucknow.
26. Jagdish Prasad. EDDA Umrawal, Lucknow.
27. Sant Lal. EDDA Amaniganj, Lucknow.
28. Surendra Kumar. Group 'D' Dilkusha, Lucknow.

Unsub
5/9/89
Sr. Supdt. of Post Offices,
Lucknow Division,
Lucknow- 226003.

Copy to :-

1. All the officials concerned.
2. C.P.M.G.U.P. Circle, Lucknow.
3. D.P.S. Lucknow Region, Lucknow.
4. All the ASPOs /SDI East, Lucknow.
5. C.P.M. Lucknow G.P.O./Sr. P.M. Chowk H.O. Lucknow.
6. All the S.P.Ms concerned.
7. All the Union Secretaries, Lucknow Division.
8. Office copy/Spere.

कार्यालय/Office of the

1927-

R-5

Shri ...
To

A SP (Nadh)

Lucknow 22606

Senior Supdt. of Post Offices
Lucknow Division-226003

No. - A2/18/EDA/Appointment dt 28/2/27

Subj. - Regarding Appointment for
the post of ED Packer, Triveni
Nagar (redeployed post Birkhara)

Attested

Post Office
Lucknow-226003

No appointment

Should be finalised for the
post of ED Packer, Triveni Nagar
(redeployed post Birkhara) till
further order of this office

Handwritten signature

Senior Supdt. of Post Offices

Copy to: (1) SPM Niyat, Lucknow for information for not terminated
of present arrangement

(2) SPM Triveni Nagar, Lucknow
for similar action

Senior Supdt. of Post Offices
Lucknow Division