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CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH
GUWAHATI-05

(DESTRUCTION OF RECORD RULES, 1990)

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O.A./T.A No... 179/2004.....

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SECTION OFFICER (Judl.)

Shah
10.11.17

FORM No. 4
(SEE RULE 42)

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

ORDER SHEET

Org. App./Int. Ptn/Cont. Ptn/Rev. App. 179/04

In O.A. _____

Name of the Applicant(s) Monoranjan Roy

Name of the Respondent(s) u. O.T. For.

Advocate for the Applicant Ms. U. Das, Ms. B. Devi

Counsel for the Railway/C.G.S.C.

OFFICE NOTE

DATE

ORDERS OF THE TRIBUNAL

Application No. 206/1122/04
Date 23.7.04

31.8.2004

List the O.A. on 1.10.2004 along with the M.P.77 of 2004.

K.P. Prasad
Member (A)

bb

sd/-
Dy. Registrar

1.10.2004.

Present: Hon'ble Mr. Justice R.K. Batta, Vice-Chairman.
Hon'ble Mr. K.V. Prahladan, Administrative Member.

The learned counsel for the respondents seeks time to file reply/written statement. Stand over to 2nd Nov. 2004.

K.P. Prasad
Member

R.
Vice-Chairman

3.11.04.

Judgment pronounced in open Court. Kept in separate sheets. Application is dismissed. No costs.

K.P. Prasad
Member

R.
Vice-Chairman

lm

1.11.04
no reply has been filed so far.
In order dt. 02-11-04
Recd. M.A. 09-11-04
9.11.04
copy of the order has been sent to the office for taking the same to the H/Advocate for the Respondent.

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

O.A./R/A.No. 179 of 2004 and M.P.No. 77 of 2004

DATE OF DECISION 02.11.2004.

Shri Monoranjan Roy,

.....APPLICANT(S)

Ms.U.Das. Ms.B.Devi.

.....ADVOCATE FOR THE
APPLICANT(S).

-VERSUS -

Union of India & Ors.

.....RESPONDENT(S)

Dr.M.C.Sarma, Rly.counsel

.....ADVOCATE FOR THE
RESPONDENT(S).

THE HON'BLE MR. JUSTICE R.K.BATTA, VICE-CHAIRMAN

THE HON'BLE MR. K.V.PRAHLADAN, ADMINISTRATIVE MEMBER.

1. Whether Reporters of local papers may be allowed to see the judgment ?
 2. To be referred to the Reporter or not ?
 3. Whether their Lordships wish to see the fair copy of the Judgment ?
 4. Whether the judgment is to be circulated to the other benches ?
- Judgment delivered by Hon'ble VICE-CHAIRMAN

NO

statement of facts. In this application, it is stated that the applicant preferred a representation dated 27.3.2001. The application for condonation of delay is required to be examined in the light of the order passed in O.A.No.127 of 1992 filed by the applicant which was decided by this Tribunal vide order dated 28th March, 1995. In this judgment, this Tribunal came to the conclusion that there is no material from which the claim of the applicant that he has been a Railway employee can be upheld. It is further observed that the material produced by the applicant does not appear to be genuine and there is no reason to disbelieve the explanation given by the respondents in the written statement. This Tribunal further held that it was difficult to compel the Respondents to treat the applicant as an employee of the Respondents in the absence of any valid appointment. In the light of above observations it was clarified that the applicant may make a representation, if permissible in law, to the competent authority to consider giving him an employment on sympathetic ground. It appears from the records of M.P.No.77 of 2004 that no such representation was filed by the applicant for a period of six years after the judgment of the Tribunal and the representation was filed on 27.3.2001. Thus, the applicant was himself not diligent in filing the representation and in view of this he does not deserve any further sympathy. Moreover, the relief sought by the applicant in the Civil Application for quashing of the termination order dated 12.8.1991 reinstatement, back wages and seniority obviously cannot be granted, in the light of the decision of this Tribunal in O.A.No.127 of 1992.

In view of the above, we neither find any sufficient ground or justification to condone the delay nor any merits


R

contd/-

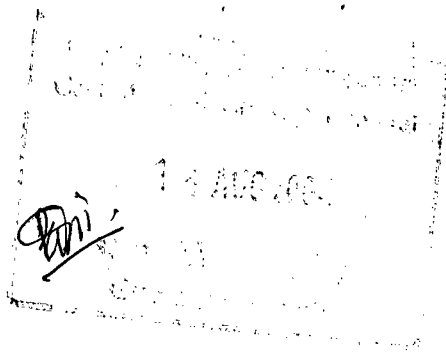
b

N in the ^{civil} ~~writ~~ application. The applicant has thus no case whatsoever for grant of reliefs sought by him in the Original Application. The condonation application and also Civil Application are hereby dismissed with no order as to costs.


(K.V. PRAHLADAN)
ADMINISTRATIVE MEMBER


(R.K. BATTI)
VICE-CHAIRMAN

LM



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BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

Title of the case : O.A. No. 179 of 2004

BETWEEN

Shri Monoranjan Roy Applicant.

AND

Union of India & ors..... Respondents.

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Filed by :Miss U.Das. Advocate.

Regn.No.:

File :MANDRANJAN

Date :

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL

GUWAHATI BENCH

O.A.No. 179..... of 2001

Monoranjan Roy

.....petitioner.

-Versus-

U.O.I & Ors.

.....Respondents.

SYNOPSIS

The applicant belongs to the lower stratum of the society and because of his poverty he could not prosecute his further study after doing matriculation. Having come to know about certain vacancies occurred in the office of the Asstt. Electrical Engineer, Guwahati, the applicant submitted his application for his appointment as Khalasi in the said office. The applicant along with his said application furnished all the necessary documents and testimonials. The aforesaid news of vacancy came to the notice of some other candidates and accordingly they have also submitted their application in the office of Asstt. Electrical Engineer, Guwahati for the post of Khalasi. The application of the applicant was forwarded by the Asstt. Electrical Engineer to the Divisional Electrical Engineer on 8.2.90 by a letter bearing No.E/227/1 dated 8.2.90. Hence this application.

Filed by 9
the applicant through
Asha Das
Advocate
24/7/04.

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

(An application under section 19 of the Central
Administrative Tribunal Act.1985)

O.A.No. ...179... of 2004

BETWEEN

Shri Monoranjan Roy
S/o Late Jitendra Kr.Roy
Resident of Railway Qtr.No.92/D
Central Gate Region, Maligaon,
Guwahati-11.

..... Applicant.

VERSUS

1. Union of India,
Represented by the Secretary to the Govt.of India,
Ministry of Railway, Rail Bhawan,
New Delhi-1.
2. The General Manager,
N.F.Railway, Maligaon.
3. The Divisional Railway Manager (Personnel)
N.F.Railway, Lumding.
4. The Divisional Electrical Engineer
N.F.Railway, Lumding.
5. The Asstt. Electrical Engineer
N.F.Railway, Guwahati.
6. The Asstt. Personnel Officer
N.F.Railway, Guwahati.

..... Respondents.

PARTICULARS OF THE APPLICATION

1. PARTICULARS OF THE ORDER AGAINST WHICH THIS APPLICATION
IS MADE:

This application is directed against the action of
the respondents in not considering the case of the applicant
for appointment to the post of Khalasi in terms of the

Manoranjan Roy

judgment and order dated 28.3.95 passed in OA No.127/92. This application is also directed against the action of the respondents in not considering the representation preferred by the applicant prying for his appointment in the post of Khalasi. The applicant preferred OA No.400/2001 before this Hon'ble Tribunal along with MP No.238/01 praying for his appointment in the post of Khalasi. The applicant however, withdrew the said OA as before filling of the said OA as he had not availed the alternative remedy by filling representation to that effect.

2. LIMITATION:

The applicant declares that the instant application has been filed within the limitation period prescribed under section 21 of the Central Administrative Tribunal Act.1985.

3. JURISDICTION:

The applicant further declares that the subject matter of the case is within the jurisdiction of the Administrative Tribunal.

4. FACTS OF THE CASE:

4.1. That the applicant is a citizen of India and as such he is entitled to all the rights, privileges and protection guaranteed by the Constitution of India and laws framed thereunder.

4.2. That the applicant belongs to the lower stratum of the society and because of his poverty he could not prosecute his further study after doing matriculation. Having come to know about certain vacancies occurred in the

Manoranjan Roy

office of the Asstt. Electrical Engineer, Guwahati, the applicant submitted his application for his appointment as Khalasi in the said office. The applicant along with his said application furnished all the necessary documents and testimonials. The aforesaid news of vacancy came to the notice of some other candidates and accordingly they have also submitted their application in the office of Asstt. Electrical Engineer, Guwahati for the post of Khalasi. The application of the applicant was forwarded by the Asstt. Electrical Engineer to the Divisional Electrical Engineer on 8.2.90 by a letter bearing No.E/227/1 dated 8.2.90.

A copy of the said forwarding letter dated 8.2.90 is annexed herewith and marked as Annexure-1.

4.3. That the Asstt. Electrical Engineer, Guwahati directed the applicant to report to the office of Divisional Electrical Engineer, Lunding for appointment as Khalasi and as per such direction the applicant reported the officer of the Divisional Electrical Engineer (DEE) and from there he was appointed as Khalasi in the office of the Asstt. Electrical Engineer, Guwahati. To that effect a memo was issued to the applicant directing him to submit the same in the office of Asstt. Electrical Engineer, Guwahati at the time of his reporting. Accordingly the applicant, submitted the said memo and office order was issued to him wherein it has been stated that the applicant has reported office on 23.2.90 and he has been working as Khalasi in the pay scale of Rs.750-940 against the existing vacancy.

A copy of the said order dated 23.2.90 is annexed herewith and marked as Annexure-2.

Mam Rajan Roy

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4.4. That the applicant while working as Khalasi was getting a pay scale of Rs.750-940. After such appointment applicant was working sincerely and he was allotted with the work of a Messenger. During his service tenure he had to attend the office at Lunding also however, to that effect official duly pass was issued to him.

4.5. That surprisingly enough the Asstt. Personnel Officer issued an order dated 12.8.91 by which the service of the applicant was virtually terminated. In fact the Asstt. Personnel Officer (APO) is not the Competent Authority as such the appointment of the applicant was approved by the Divisional Electrical Engineer as per the office order No.E/227/1 dated 20.12.90.

A copy of the said termination order dated 12.8.91 is annexed herewith and marked as Annexure-3.

4.6. That the applicant begs to state that from the aforesaid impugned order it is clear that the pay bills maintained by one Shri J.N.Khakhari (D.S)(P) Electrical under Asstt. Personnel Officer, Guwahati kept the payment record of the applicant and due to his long absence same could not be located and hence the order of termination has been issued. In fact prior to termination no verification of the records of the service of the applicant was made. The applicant was also never issued with any prior notice of termination of his service.

4.7. That from the Annexure-3 it is clear that due to non availability of records, the service of the applicant

Manoj Ranjan Roy

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was terminated. Again it is clear that the official records of the applicant could not be traced out as one Mr. J. N. Khakhlari O.S. remained absent from duty for long time. The respondents kept on paying him the salary for more than one year and now for want of records, the service of the applicant has been terminated. It is pertinent to mention here that service book of the applicant was opened and he was confirmed in his service. Situated thus the applicant preferred DA No. 127/92 before the Hon'ble Central Administrative Tribunal, Guwahati. The Hon'ble Tribunal was pleased to dismiss the said DA vide its judgement and order dated 28.3.95.

A copy of the said judgment is annexed herewith and marked as Annexure-4.

4.8. That the applicant begs to state that the Hon'ble Tribunal while dismissing the DA was pleased to direct the respondents to consider the case of the applicant taking into consideration the CBI Inquiry. It is pertinent to mention here that the respondents requested the CBI to investigate into the cases wherein the respondents had doubts. Pursuant to the said requests, the CBI authority charge-sheeted some of the Khalasis on 31.12.93 and basing on this a special case No. 13(e)/97 has been registered before the Hon'ble Special Judge, Assam under Section 120(B); 420 ; 468 ; 471 IPC and under section 13(I)(d) read with section 13(2) of the Prevention of Corruption Act.

A copy of the said Charge-Sheet is annexed herewith and marked as Annexure-5.

4.9. That the applicant begs to state that in the said

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case his name was not there nor he has been summoned as an witness. The Hon'ble Special Judge vide its order dated 5.8.98 has held that some of the accused are not guilty of the charges.

The applicant craves leave of the Hon'ble Tribunal to produce the copy of the said order dated 5.8.98 at the time of hearing of the case.

4.10. That the applicant begs to state that the respondents took a plea of fraudulent appointment in case of applicant and accordingly submission was made by the respondents in OA No.127/92. However, the Hon'ble Tribunal in absent of any such documentary evidence remanded back the matter to the Railway Authority to take appropriate steps taking in to consideration the CBI Inquiry. It is pertinent to mention here that CBI authority has investigated the matter and held some of the Railway officials guilty of some fraudulent appointment but, no such case has filed by CBI against the applicant. From the above, it is most surprising that the respondents have taken a plea that the applicant's appointment is also fake one and hence termination order was issued. The respondents have not issued any notice or information before issuance of the said termination and abruptly terminated his service without offering him any opportunity of hearing.

4.11. That the applicant begs to state that the respondents have acted illegally in terminating the service of the applicant. On the other hand the respondents have virtually casted stigma on the applicant without offering any reasonable opportunity of hearing. On this score alone

ManoRanjan Roy

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the impugned order of termination is liable to be set aside and quashed.

4.12. That the applicant ventilating the grievances has been pursuing his matter before the concerned authority but till date nothing has been done so far in this matter. The applicant has been representing his matter before the concerned authority but nothing has come out in positive. Having no other alternative, the applicant filed Original Application (O.A No 400 of 2001) praying for setting aside the order of termination with a further direction to reinstate him with full back wages. It is pertinent to mention here that prior to filing of the O.A the applicant did not prefer representations and as such the O.A was withdrawn by the counsel for the applicant taking leave to agitate the matter by filing appropriate representation, and accordingly the O.A was dismissed as withdrawn vide judgment and order dated 6.12.2001.

4.13. That the applicant thereafter, preferred representation dated 16.02.2002 to the concerned authority praying for his reinstatement in the post of Khalasi. The said representation was followed by number of reminders i.e, reminders dated 27.05.2002, 17.07.2002, 20.11.2002 etc. However, the respondents have not yet initiated any action on the said representations.

Copies of some of the representations as mentioned above are annexed herewith and marked as ANNEXURE-6 colly.

4.14 That the applicant who belongs to lower stratum of the society is unaware of the legal niceties and due to his

Manoranjan Roy

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poverty he could not come before the Hon'ble Tribunal in time and as such the Hon'ble Tribunal may be pleased to condone the delay if any in filing the D.A. The respondents authority however, kept on assuring the applicant that his case would be considered at an early date and to that effect sanction has already been made by the higher authority of the respondents. However, since nothing has been communicated as on date, the applicant now left with n option than to approached the Hon'ble Tribunal by way of filing the present D.A as a last resort.

5. GROUNDS FOR RELIEF WITH LEGAL PROVISION:

5.1. For that the action/inaction on the part of the respondents in terminating the service of the applicant is illegal, arbitrary and same is violative of Principles of Natural Justice.

5.2. For that the applicant being appointed on regular basis after following the due process of law, the respondents ought not to have terminated his service in such a manner and without following the law. The applicant being a holder of Civil post is entitled to a notice before his termination. But in the instant case the respondents have chosen not to issue any such notice as required under law and as such same is not sustainable in the eye of law and liable to be set aside and quashed.

5.3. For that the impugned order of termination has been issued as a measure of punishment basing on certain complaint and as such same is not sustainable in the eye of law and liable to be set aside and quashed.

5.4. For that the impugned order of termination depicts tbtal non application of mind by the respondents as the same has been issued only on the ground that no records

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Mans Ranjan Roy

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pertaining to the service of the applicant could be found out in the office of the respondents and the person dealing with those official papers has left the office without any information. On such a ground very essence of the impugned order is not sustainable and liable to be set aside and quashed.

5.5. For that there being a judgment in favour of the applicant wherein a specific direction has been issued to look into the matter and as such the matter of the present applicant required to be considered more so when the CBI authority and Hon'ble Special Judge has given clearance regarding the mode of his appointment.

5.6. For that in any view of the matter the action/inaction of the respondents are not sustainable in the eye of law and liable to set aside and quashed.

The applicant craves leave of the Tribunal to advance more grounds both legal as well as factual at the time of hearing of the case.

6. DETAILS OF REMEDIES EXHAUSTED:

That the applicant declares that he has exhausted all the remedies available to them and there is no alternative remedy available to him.

7. MATTERS NOT PREVIOUSLY FILED OR PENDING IN ANY OTHER

COURT:

The applicant further declares that he has not filed previously any application, writ petition or suit regarding the grievances in respect of which this application is made before any other court or any other Bench of the Tribunal or any other authority nor any such

Mans Ranjan Roy

application , writ petition or suit is pending before any of them.

8. RELIEF SOUGHT FOR:

Under the facts and circumstances stated above, the applicant most respectfully prayed that the instant application be admitted records be called for and after hearing the parties on the cause or causes that may be shown and on perusal of records, be grant the following reliefs to the applicant:-

8.1. To set aside and quash the impugned termination order dated 12.8.91 and to reinstate the applicant in the post of Khalasi with full back wages and seniority w.e.f. 12.8.91.

8.2. Cost of the application.

9. INTERIM ORDER PRAYED FOR:

Pending disposal of the application the applicant prays for an interim order directing the respondents to dispose of the representations filed by the applicant and to communicate the same to the present applicant without any further delay.

10.

11. PARTICULARS OF THE I.P.O.:

- 1. I.P.O. No. : ~~47E558044~~ 206 112249.
- 2. Date : 23~~20~~1/10/04
- 3. Payable at : Guwahati.

12. LIST OF ENCLOSURES:

As stated in the Index.

Manoranjan Roy

10-A

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VERIFICATION

I, Shri Monoranjan Roy, son of Late Jitendra Kr. Roy, aged about 45 years, resident of Railway Qtr.No.92/D, Central Gotanagar, Maligaon, Guwahati-11, do hereby solemnly affirm and verify that the statements made in paragraphs 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14 & 15 are true to my knowledge and those made in paragraphs 2, 3, 5, 7, 8, 9, 11 are also true to my legal advice and the rest are my humble submission before the Hon'ble Tribunal. I have not suppressed any material facts of the case.

And I sign on this the Verification on this the 24th day of July of 2004.

Signature.

Manoranjan Roy.

N.F.

N.F. Railway.

No.E/227/1

Dated 8.02.90

From AEE

To: DEE/NF RLY

LMS

Sub: Engagement of substitute Khalasi (Sc)

Ref:

Application submitted by the following staff for engagement as substitute Khalasi are sent for your kind and disposal please.

(1) Shri M. Roy.

(2) " S. Dey.

Copy for information to:-

(1) Shri Menoranjan Roy

C/O T. Kheklary.

2) Shri S. Dev.

C/O Shri D.P.

CPO Office.

They are advised to attend office on 23.02.90 along with original certificate.

Sd/-

8.2.90

Asstt. Elect. Engineer.

Attested
Was
 Advocate.

ATTESTED

Deanna
 23/6/92
Advocate

12-

N.F. Railway

Estt. Order No. of 1990.

In terms of DEN(P) Elect./Lunding Office
Order No.E/227/1 dt. 20.02.90 Sri Manaranjan Roy
(SC), S/Khalashi is reported to the office on
23.02.90 and since then Sri Roy has been working
under Assistant Elect. Engineer in office, Guwahati
as Khalashi in scale of Rs.750-940- in existing
vacancy.

This issue approved by APO/GHY.

No.E/227/1

Copy for information and necessary action:-

1. FA & CAO/MLG
2. Staff concerned.

Sd/-

Attested
W.Dan
Advocate.

ATTESTED
B. Bama
23/6/92
Advocate

13-

N.F.Railway.

22

No. CS/P/CHY/1

Dated 12-8-91

From

To

Sub:

Ref:

To whom it may concern.

Sri Monoranjan Roy claims to be a railway employee in electrical Department and says that his records and pay bills were maintained by Sri J.N.Khakhari, OS(P) Electrical under APO/CHY. However, Sri Khakhari has been absenting for a long time and the undersigned has not been able to locate any records regarding appointment, Pay etc. of Sri Roy, So there is no question of making payment in his favour at this moment. Sri Roy is not working now as per my instruction.

Sd/-

Asstt. Personnel Officer.

ATTESTED
Bama
23/8/92
Advocate

Attested
Wiser
Advocate.

14-

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CENTRAL ADMINISTRATIVE TRIBUNAL, GUWAHATI BENCH.

Original Application No.127 of 1992.

Date of Order : This the 28th Day of March, 1995.

Justice Shri M.G.Chaudhari, Vice-Chairman.

Shri G.L.Sanglyine, Member (Administrative)

Shri Monoranjan Roy,
son of late Jitendra Kumar Roy,
Aged about 37 years,
resident of Railway Qr.No.92/D,
Central Gotanagar, Maligaon,
Guwahati-11.

. . . Applicant.

By Advocate Shri H.Rahman.

- Versus -

1. Union of India
represented by the General Manager,
N.F.Railway, Maligaon, Guwahati-11.

2. General Manager,
N.F.Railway, Maligaon, Guwahati-11.

3. Jvl Railway Manager, (Personnel)
N.F.Railway, Lumding.

4. Divisional Electrical Engineer,
N.F.Railway, Lumding.

5. Asstt. Electrical Engineer,
N.F.Railway, Guwahati.

6. Asstt. Personnel Officer,
N.F.Railway, Guwahati.

. . . Respondents.

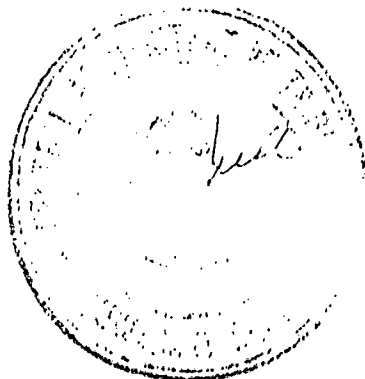
By Advocate Shri B.K.Sharma.

ORDER

CHAUDHARI J (V.C)

The applicant applied for the post of Khalasi (Group IV) and he was directed by the Assistant Electrical Engineer, Guwahati to the office of the Divisional Electrical Engineer, Lumding for appointing him as Khalasi. Accordingly he reported and was ^{purportedly} appointed as Khalasi. It is stated by the applicant that he submitted the memo

contd... 2/-



Attended
W.S.R.
Advocate.

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issued by the Divisional Electrical Engineer in the office of the Asstt. Electrical Engineer's office at Guwahati and in exchange of the memo the formal office order was handed over to him. His scale of pay was Rs. 750-940/-. While he was working at the office of Asstt. Electrical Engineer at Guwahati he was being sent to work at Lunding office.

According to him he has worked in this manner since the date of his appointment i.e. 23.2.90 without any break. He was however, instructed by the Asstt. Personnel Officer, Guwahati not to come to the office from 12.8.91. A memo to that effect was issued to him on the same day i.e.

12.8.91. He was not thereafter allowed to perform duty nor his pay bill was prepared or salary paid. Aggrieved by the same he submitted an appeal to the appropriate authority but did not received any reply. He has challenged the said

action of the respondents namely ^{keeping him} off duty from 12.8.91 in this application which was filed on 30.6.92. The applicant

prays that the respondents be directed to allow him to continue in service together with full benefit of backwages from the date of termination and to give him continuous service benefit from the date of his appointment. He also prays for quashing the order dated 12.8.91.

2. The application is resisted by the respondents. The main contention of the respondents is that the applicant was never employed as an employee of the Railway Administration and he has misrepresented the facts in this application. It is stated that the applicant had not crossed the channel of selection nor he was appointed

contd... 3/-

Attested
[Signature]
 Advocate.

with the railway administration. The claim of the applicant that he has worked with the railways is based upon forged documents. In that connection it is stated that many cases of fraudulent appointments had come to surface beginning with the case of one Sajal Kr. Deb (who had filed O.A.174/87) and after investigating into the matter one J.N.Khakhari an employee of the railways has been suspended and a disciplinary enquiry is started against him on a grave suspicion of his involvement in the fraud. Mr B.K.Sharma now informs that the said person has since been compulsorily retired by way of punishment. It is contended that the Annexures produced alongwith the application are incomplete and they are denied. It is denied that any memo was issued or any formal order of appointment was issued to the applicant as alleged. The memo produced by the applicant Annexure-3 is a fraudulent document. It is also contended that the record in the office of DRM(P), Luming does not show that the applicant had worked under AEE at Guwahati as Khalasi. It is also contended that there is no approval to the appointment of the applicant by the APO, Guwahati. It is contended that there is no record to support the fact that the applicant worked as Khalasi in AEE, Guwahati's office. It is also contended that there is no post of Khalasi in the office establishment of AEE.

3. At Annexure-1 to the application is a memo issued by Assistant Personnel Officer with the statement 'To whom it may concern' states that although the applicant claims to be a railway employee in Electrical department and

contd..... 4/-

Wem
Attested
Wem
Advocate.

sec
TRIN
F.
vest
con
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says that his records and pay bills are maintained by J.N. Khakhlari, Office Superintendent (P), Electrical department under APO, Guwahati but the APO was not able to locate any record regarding his pay bills and other documents etc. It is also mentioned that Shri Khakhlari has been absent for a long time. This is also denied by the respondents. At Annexure-2 to the application is purported to be a copy of a letter issued by AEE to DEE, N.F. Railway, Lumding on the subject of engagement of substitute Khalasi; forwarding application purported to be made for engagement as substitute Khalasi with an endorsement against the name of the applicant in which he is advised to attend the office on 23.2.90 alongwith original certificates. This is denied by the respondents in para 6 of the written statement. Annexure-3 to the application is purported to be issued in terms of DRM(P)Elect./Lumding office order No.E/227/1 dated 20.2.90 stating that the applicant reported to the office on 23.2.90 and since then he has been working under the AEE, Guwahati as Khalasi in the scale of Rs.750-950/- in an existing vacancy. It is also stated that its issue is approved by APO/Guwahati. The applicant has relied on this Annexure to support his contention that he was appointed. The respondents deny in para 8 of the written statement having issued any such letter or order by any competent authority and allege that it seems to be a fraudulent document. They also state that the records do not show the applicant to have been working under AEE, Guwahati nor any approval of his appointment by the APO, Guwahati. The respondents have produced copies of letters dated 30.1.92

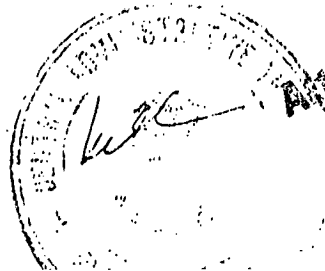
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Attested

hll
Advocate.

and 31.1.92 as Annexures to the written statement. By the letter dated 30.1.92 the office of APO, Guwahati made enquiries from DRM(P)Lumding and asked him to furnish information as to whether the letter dated 20.2.90 was in fact issued by DRM(P)Lumding's office, whether the applicant worked as substitute Khalasi in Lumding Division prior to 23-2-90 and to send such documents if any as were available in support of the status of the applicant as substitute Khalasi. The letter dated 31.1.92 is the reply from the Divisional Personnel Officer, Lumding to APO, Guwahati to the aforesaid letter. It is stated in that letter that there was no file bearing No.E/227/1 maintained in his office and the applicant seems to have joined with a forged document. Similar information was given in respect of other employees mentioned in that letter. Out of those other persons the persons mentioned at serial No.4 and 5 had also filed O.As in this Tribunal being O.A.36/92 and 47/92 respectively which have already been dismissed by us. The respondents have also annexed a letter addressed by APO, Guwahati dated 27.5.92 to the Assistant Labour Commissioner(Central), Guwahati. It appears that the applicant had raised a dispute before the Assistant Labour Commissioner in respect of his being allegedly put off from the duty. It was explained in the letter of APO that the application of the applicant for engagement as substitute Khalasi was only forwarded to DEE but that no file bearing No.E/227/1/290 in connection with which the letter relied upon by the applicant ^{was purported to be issued} was maintained by the office of DRM(P)/Lumding and consequently the conciliation proceedings were requested to be dropped.



Advocate

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4. The applicant belongs to scheduled caste community. The fact that he had applied for engagement as Khalasi is clear even from Annexure-2 to the written statement. The question however, is whether in pursuance of that application the applicant was factually appointed or not? According to the respondents he was not so appointed at all. It is also their case that the appointment order purported to be produced by the applicant at Annexure-3 is not genuine because there was no order passed by DRM(P)Elect./Lumding office bearing No.E/227/1 dated 20.2.90 as no such file was in existence in that office. The applicant has however, not produced any order of appointment. Same question arose before us in other petitions one of them being O.A.33/92 which was disposed of by us by order dated 10.8.94. The case of the applicant in that case was similar to the case of the present applicant. It was his contention that after he had submitted an application to AEE he was directed to report to duty and was engaged as Khalasi though no formal appointment letter was issued to him and he continued to work as Khalasi and was being paid salary. However, he was served with a notice to explain as to why his appointment should not be terminated because it had been done in a fraudulent manner and it was not in accordance with the recruitment rules. The case of the respondents in that case was that the very entry of the applicant was not in pursuance of any order of appointment and a case of fraud had surfaced and enquiry was being made in that connection. The appointment of the applicant (in that case) thus was not an appointment and

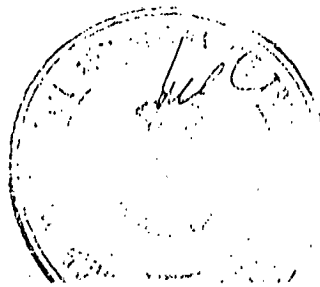
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Wan contd... 7/-
Advocate.

the applicant had no locus standi to seek relief. The relief sought by the applicant was similar namely, that the order of termination of his service be quashed and he be allowed to continue in service in the post where he was working. We have examined the circumstances of alleged fraud as well as the question as to whether the appointment of the applicant in that case could be regarded as void ab-initio not being valid at the inception itself which did not create any right in the applicant as was urged by Mr B.K.Sharma. We have noticed the relevant case law on the point. We held that although having regard to the various circumstances noted by us the applicant in that case may not be directly responsible for the illegality or irregularity in the appointment and could have been himself a victim of fraud on the part of some officers, since the termination of service of the applicant was not based on the ground of fraud it amounted only to termination simpliciter. That was not a case where we would be inclined to interfere. We therefore maintained the order of termination and dismissed the application. The facts and circumstances and the points that arise in the instant case are similar and in fact the applicant appears to be one of those persons who were removed on similar ground at about the same time. The decision in that case would squarely apply to the instant case.

5. In the instant case there is no order of termination as such. By Annexure-1 to the application dated 12.8.91 the respondents had refused to recognise the claim of the applicant to have been in their service. Assuming therefore

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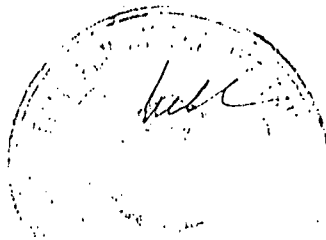


Attested
Wan
Advocate.

that the allegation of the applicant that he was orally told by the ACE(P) not to come to the office that does not amount to passing an order of termination and the question of it being punitive in nature does not arise. This is a case where somebody is claiming to be an employee of the railways whereas the railways deny that fact. There is no material from which the claim of the applicant that he has been a railway employee can be upheld. All that the documents produced and the averments made in the application would go to show is only that the applicant had made an application seeking an employment but there is no material to show that that was accepted by the respondents by making an appointment in his favour. The material produced by the applicant does not appear to be genuine and there is no reason to disbelieve the explanation given by the respondents in the written statement. The applicant has not denied the statements made by the respondents in the written statement. It is thus difficult for us to hold that the applicant has been an employee of respondents and has been illegally prevented from working so as to grant the relief as prayed by him. In addition to the material in the instant case as considered above and in the light of the order in O.A.33/92 we are inclined to dismiss the application.

6. Mr Rahman strenuously urged that the applicant has been made a victim by some officers of the Railways for which he cannot be blamed and it is harsh upon him to be deprived of the employment which was the source of his livelihood and the Railways cannot deprive him of the

Attested
W.D.S.
 Advocate.



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employment for some mischief of their own officers. We do appreciate the force of this submission and sympathise with the applicant for his plight. However, we find it difficult to compel the respondents to treat him as their employee in the absence of any valid appointment. It is not therefore possible to accept the submission of Mr Rahman that an order of reinstatement should be passed. Mr Rahman also submitted that the respondents may hold a proper enquiry and give an opportunity to the applicant to establish his innocence as the allegation of fraud would attach a blemish to him. We think that what we propose to observe in the next paragraph will suffice to meet the end of justice.

7. We would like to observe as follows with the hope that the respondents will try to do the maximum for the applicant in the light of these observations in as much as the applicant deserves sympathy to be shown.

8. In our opinion, the whole thing having developed in a haphazard manner and the possibility of some amount of prejudice having been caused to the applicant does not stand completely ruled out having regard to the circumstances interalia that he may not be directly responsible for the illegality or irregularity in the appointment and could have been himself a victim of fraud on the part of some officers, that rightly or wrongly he has worked with them and it has not as yet been proved in any proceeding or enquiry that he was a party to the fraud the allegation of fraud contained in the written statement may not come in the way of the applicant for being considered for appointment in future if any regular post would be available

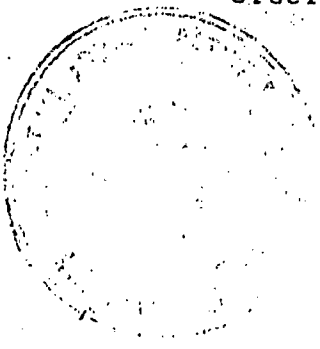
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Attested
V. S. S.
 Advocate.



with the respondents and if the applicant would be eligible and applies in the prescribed and regular manner. In other words in considering such application if and when occasion arises it shall not be thrown out merely on the ground that there was an allegation of fraud made against him. This clarification will enable the applicant to make a representation if it would be permissible in law to the competent authorities of the Railways to consider giving him an employment on sympathetic ground. However, we make it clear that our observations above shall not be construed as clothing the applicant with any right of employment with the Railways. Likewise the respondents will be at liberty to initiate any criminal or departmental proceedings relating to the alleged fraud against the applicant and further that this judgment shall not in any manner come in the way of the CBI enquiry which appears to be initiated. So also, in the event of he being considered for any appointment before any finding of fraud against him at an enquiry is reached and if such a finding is made thereafter, the respondents will be at liberty to take such steps for termination of the service of the applicant as may be open to them in accordance with the law.

9. In the result, the application is dismissed. No order as to costs.



Sd/- VICE CHAIRMAN

Sd/- MEMBER (ADMN)

TRUE COPY

प्रतिलिपि

[Handwritten signature]
 20/4/95

Section Officer (A)

General Manager, Railway Board, New Delhi

General Manager, Railway Board, New Delhi

General Manager, Railway Board, New Delhi

General Manager, Railway Board, New Delhi

General Manager, Railway Board, New Delhi

Attested

[Handwritten signature]
Advocate.

CHARGESHEET

File No. CBI/ACB/SHILLONG AT GRV. District KAMRUP Charge Sheet No. 28 Date 31/5/93
 Station SOURCE First information report No. RC-31(A)/93-SIK Date 31/12/93

Name, address & occupation of complainant or informant.

Name & address of accd. persons sent up for trial.	Names & addresses of accd. persons not sent up for trial, whether arrested or not arrested, including absconders (show absconders in red ink)	Property (including weapons found with particulars) of where, when & by whom found and whether forwarded to Magistrate.	Names & addresses of witnesses	Charges or information offence and circumstances with it, in case of charges that need charge.
In Custody	On bail or recognizance	3.	4.	5.
1. Sri Jitendra Nathani, the then GS/P/ILF. Rly/Grv. (Retired) Vill & P.O. Ualguri, P.S. Ualguri, Dist:- Darrang (Assam). (On bail)		As per list enclosed	As per list enclosed.	Index.
2. Sri Krishna Kr. Das, the then Hd. Clerk under C/O/G/ILF/FR/Haligaon. (not arrested)				
3. Sri Ramostti Das, S/O Sri Jagon Dovi, Vill:- Pub-Pipala, P.O.-Mittanaria, P.S. Patsala, Dist:- Darrang (Assam) (Arrested, now on bail)				
4. Sri Sunil Malakar, S/O Lt. Abani Malakar, Pandu New Colony (near P.C. Store), Guwahati, Tr. No. BB-83C C/O, (Arrested, now on bail)				
5. Sri Ithiram Rajbanshi, S/O Lt. Deb ram Rajbanshi, Vill:- Nakuchi Bargaon, P.O.:- Borakohara, P.S. :- Kamalpur, Dist:- Kamrup (Assam). (Arrested, now on bail)				
6. Sri Swapan Kr. Das, S/O (Lt) Suren Das, Pandu New Colony (near P.C. Store), Guwahati. (Arrested, now on bail)				
7. Sri Siba Prasad Rajbanshi, S/O Sri Chandra Rajbanshi, Haligaon Baripara, P.O.:- Pandu, Guwahati. (Arrested, now on bail)				

Arrested
 Was
 Process

- 8. Sri Rajan Rajbanshi,
S/O Sri Sonaram Rajbanshi,
Maligson Baripara, P.O. Pandu,
Gowahati.
(Arrested, now on bail)
 - 9. Sri Sankar Gowala,
S/O Lt. Taiz Narayan Gowala,
Loco Colony, Pandu, Gauhati-12,
(Arrested, now on bail)
 - 10. Md. Ramesh Ali,
S/O Sana uddin Ali Bepari,
Vill & P.O. - Changa,
P.S. Tarahari,
Dist :- Barpeta (Assam).
(Arrested, now on bail)
 - 11. Sri Sunil Sarkar,
 - 12. Sri Kalindra Ch. Biswas,
 - 13. Sri
 - 14. Batu
 - 15. Sri Ranjit Pathak,
- (Addresses are not available)

Attested
[Signature]
 Advocate.

Investigation further revealed that on being doubted Sri C. Saikia, the then APO/HR/Chy in the July '91 made a thorough enquiry about the genuineness of their appointment/posting orders and ultimately it was detected that the appointment of these 13 no. Khalasis were not genuine but fake one. Accordingly show cause notices were served on them for termination vide letter no. CS/P/Chy/Ord/1 all etc. 21/9/91 and ultimately termination of services were issued and served on them vide letter no. CS/P/Chy/Ord/1 all etc. 10/1/92 no. 127/1/Pt-11-170-177 all etc. 12/2/92 & no. E/227/1/Pt-11/165-169 all etc. 11/12-2-92 respectively. Hence, an enquiry was conducted against Sri Jitendra Khakhlari the then GS(P)/Filly/Cumhathi under the enquiry of Sri A. Saikia, the then APO/HR/G. During enquiry Sri Jitendra Khakhlari was found guilty and penalty of retirement from service was awarded to Sri Khakhlari by the then Sr. Divisional Personnel Officer (D.P.O.) vide order no. 19(E)/325(9) etc. 17/12/93 with immediate effect about 6(six) years before retirement.

Investigation revealed that the name of the said 13 no. persons who joined as Khalasis in Electrical Dept. on the strength of fake posting orders are not figured in the serial list of candidates selected for post in Elect. Deptt. by I.F. Bly. Maligaon and their original appointment files and documents are also not in the official almirah of Sri J. Khakhlari, the then GS(P) under APO/HR/Cumhathi who was the control officer. The almirahs were checked in presence of witness and no documents/files were recovered in r/c said almirahs. Posting orders of Khalasis in Electrical Deptt. in this development was informed to the then Sr. Divisional Personnel Officer (D.P.O.) vide letter no. CS/P/HR/Cumhathi/1 etc. 25/9/91.

During investigation, it has further revealed that Sri Krishna Kumar Das, the then Head Constable in I.F. Bly. Maligaon in connection with Sri Jitendra Khakhlari took Rs. 12,000/- in the name of one Sri Durga Das Mandal of Bahupota Road (Asam) promising him for a job in Railway Department. Sri K.K. Das issued a fake and forged appointment order no. E/227/substitute/105v. etc. 3/92 in favour of Sri Durga Das Mandal as Khalasi in the scale of pay Rs. 750/- to Rs. 940/- and signed in the name of Sri K.K. Das (for General Manager (V), I.F. Bly. Maligaon). Sri K.K. Das alongwith the said fake and forged appointment order of Sri Durga Das Mandal to the then APO/HR/Chy/Chy. and he had handed over the said fake and forged appointment order to Sri Mandal to join there. Sri Mandal did not join in his service on that day. On 22/12/92 Sri Mandal came to the APO/HR/Chy. office to report his duties. Sri J. Khakhlari, the then APO/HR/Chy. on being doubted to touch the genuineness of the said appointment order and it was confirmed from GS(P)/HR/Maligaon's office vide letter no. CS/P/HR/Maligaon/1 etc. 22/12/92 that no such letter was issued from this office in the name of Sri Durga Das Mandal. It is also confirmed that the name of Sri Durga Das Mandal does not appear in the screening list published vide letter no. CS/P/HR/Chy/1 etc. 22/7/90. A statement U/s. 164 Cr.P.C. was recorded from Sri Durga Das Mandal.

The residential premises of Sri K.K. Das and Sri J. Khakhlari were searched on 2/10/94 and 3/10/94 respectively. During search some incriminating documents including one private letter etc. 23/11/92 of Bahupota Road and 3 no. different I.F. Bly. official rubber stamps were recovered from the premises of Sri K.K. Das and were taken into possession. Therefrom it is evident that Sri K.K. Das also took money from Sri J. Khakhlari promising him a job in Railway Deptt. and he misused his official rubber stamps for this purpose. On the premises of Sri J. Khakhlari some incriminating documents were recovered and seized from the premises. The above mentioned facts are in evidence.

Investigation of Sri Jitendra Khakhlari, the then GS(P) under APO/HR/Cumhathi. Siba Prasad Rajbanshi, Pithiram Rajbanshi, Sunil Malakar, Brajesh Ali, Swapan Pr. Das, Sarker, Swale and Arupat Prasad were produced before the Hon'ble Special Judge, Assam, for their production in custody. Vigorous efforts were made during investigation for arresting of Sri Sunil Sarker, Sri Arupat Prasad, Sri Aronjan Das, Rajit Pathak & Patel Dargachain but could not arrest due to the lack of their addresses. The above mentioned 5 no. accused persons are absconding. During investigation the opinion of G.P.O. Calcutta was sought on the fake appointment/posting orders of 13 Khalasis. Positive opinioners have been offered by the G.P.O. Calcutta on the said documents. During investigation, a prima facie case is made out against the said suspects. It is well established against the said suspects.

I, therefore, send them to face trial in the court of law under the said sections of law. The witnesses and documents as per list enclosed will prove the case. It is, therefore, prayed that process may kindly be issued to ensure their attendance in the court. Prosecution sanction order etc. 6/5/96 given by competent authority against Sri Krishna K. Das alongwith additional oral or/and documentary evidence/evidences if found, will be adduced.

Submitted :-
 [Signature]
 Inspector of Police, S.I. A. S.
 Cumhathi.

[Handwritten signature and initials]

In brief fact of the case as alleged in the FIR is that while Sri Jitendra Khakhlari posted and functioning in office of (CS/P), N.F. Rly, Guwahati under Asstt. Personnel officer (APO) N.F. Rly, Guwahati during the year 1990-91 entered into a criminal conspiracy with Sri Krishna Kumar Das, the then Head clerk under CG/O/N.F. Rly, Maligaon and pursuant thereof issued/got issued fake and forged appointment/posting orders in favour of 14 nos. persons and sent the letter to them and thereafter those persons got appointed as khalasi in Electrical Deptt. on the strength of fake and forged documents.

On investigation it was revealed that a panel list of selected candidates for appointment in Group-D category under the electrical department in Pandu, Maligaon, Guwahati during the period from June '90 onwards was prepared and approved by CPO on 31/8/89 and no candidates for appointment in electrical department was arranged from the office of the Asstt. Personnel officer (APO), N.F. Rly, Guwahati.

Investigation has revealed that Sri Jitendra Khakhlari the then office Supdt. in O/O the APO/N.F. Rly/Guwahati in connivance with the persons had issued the following 5 Nos. fake posting orders in favour of their names as under.

- Letter No. E/227/1 dtd. 12/3/91 issued to SRF/AC, Ghy. in favour of Sri Latul Borgohain as khalasi from A.P.O., Ghy.
- Letter No. E/227/1 dtd. 12/11/90 issued to Sr. EF/N.F. Rly, Pandu in favour of Sri Senker Gowala as Khalasi from A.P.O., Guwahati.
- Letter No. E/227/1 dtd. 15/3/91 issued to Electrical Foreman/TL, Pandu in favour of Sri Hiranjan Bismas (SC) as khalasi from A.P.O., Guwahati.
- Letter No. E/227/1 dtd. 27/3/91 issued to SRF/Now Guwahati in favour of Sri Hanjit Pathak as Khalasi from APO, Guwahati.
- Letter No. E/227/1 dtd. 13/11/90 issued to EF/EPK(P), in favour of Sri Swapan Kr. Das as Khalasi (Power) from Asstt. Electrical Engineer, Guwahati.

All the above mentioned letters were prepared and signed by Sri J. Khakhlari the then CG/O/N.F. Rly, Guwahati. Sri J. Khakhlari had also issued the following fake posting orders in connivance with the persons concerned in favour of their names with the genuine signature of Sri S.C. Das, the then ADE/FA/Guwahati as under:-

- Estt. order of 1990 under endst. No. E/203/2 dtd. 11/12/90 signed on 10/12/90 in favour of Sri Haten Rajbharbi as khalasi posted under EF/SEM/TLG.
- Estt. order of 1991 under endst. No. E/203/2 dtd. 20/1/91 signed on 21/1/91 in favour of Sri Sibs Prasad Rajbharbi as khalasi posted under Sr. EF/AC/Ghy.
- Estt. order of 1990 under endst. No. E/203/2 dtd. -11-90 in favour of Sri Jyesh Ali as Khalasi posted under A.P.O.
- Letter No. E/227/1-102 dtd. 20/10/90 issued in favour of Sri Tithivan Rajbharshi as Khalasi address to SRF/Pandu dated on 22/10/90.
- Letter No. E/227/1-103 dtd. 10/5/90 in favour of Sri Nabindra Ch. Misra as Khalasi addressed to EF/Guwahati signed on 10/5/90.
- Letter No. E/227/1-104 dtd. 18/10-11-90 addressed to EF/GHY in favour of Sunil Sarkar as Khalasi posted under EF/AC/Ghy.

Letter No. E/227/1-105 dtd. 16/22-10-90 in favour of Sunil Malakar (SC) as Khalasi posted under EC/AWJ.

Investigation has revealed that two appointment letters were issued by Sri J. Khakhlari in favour of Sri S.P. Chaki (C) and Sri Senker Gowala (SC) vide letter No. E/227/1 dtd. 12/11/90 and letter No. E/227/1-102 dtd. 11, as Khalasi posted under EF/SEM/TLG and SRF/PNO respectively under the genuine signature of Sri S.P. Chaki, the then Asstt. Electrical Engineer, N.F. Rly, Maligaon. Moreover Sri Khakhlari, the then CG/P/NFR/GHY had issued another fake posting order Estt. order No. 10 of 1990 under endst. No. E/203/2 dtd. 29/1/91 in favour of Sri Rampati Das as Khalasi showing Sri Rampati Das was working under EF/DIV and directed to report to EC/AWJ. under the genuine signature of Sri Malachar Das, the then APO/N.F. Rly, Guwahati.

Investigation has revealed that all 13 nos. persons mentioned above had joined in their respective places of posting and continued their services till 12/2/92 on the strength of the said fake appointment/posting orders mentioned above. Most of the Khalasis were shown as speared from other deptt/units as per reference given in their respective fake posting orders.

Attested
W. S.
Advocate

Contd...4/..

To,
The General Manager,
N. F. Railway/Maligaon - 11.

Sub: Prayer for re - instatement in service as Electrical Khalashi or any Group D post in scale Rs. 750 - 940/-

Sir,

With due respect I beg to draw your kind attention for under mentioned few lines.

That Sir, I was appointed as Electrical Khalashi in scale Rs. 750 - 940/- under AEE/Guwahati vide letter No. E/227/1 dt. 20.02.1990.

That Sir, I was terminated from service with effect from 12.08.1991 after working satisfactorily from the date of joining.

That Sir, against above termination I seek justice in Honourable "CAT" vide application No. OA-127 of 1992.

That Sir, the Hon'ble "CAT" has delivered the judgement on 28.09.1995 and passed the following order :

1. The charges of fraud has not proved against me.
2. I shall not be thrown out merely on the ground of alligation of fraud made against me prior to termination of my service.
3. It would be permissible in law to consider giving me an employment on sympathetic and humanitarian ground.

That Sir, considering above all facts I request your honour to provide me in any group 'D' service in any department in any place under your control so that a poor family may survive fasting.

Sir, once again I request you to go in to the case sympathetically and passed your valuable order infavour of undersigned for which act I and my family members will remain grateful to you for ever.

With regards,

Yours faithfully,

Dated, Maligaon,
The 22.12.1995.

Rly. Or. No. - 92/D
Central Gotanagar,
Maligaon, Guwahati - 11.

ENCLOSE COPIES ARE :-

1. Original Order of DRM(P)/Elect/LMG. bearing No. E/227/1 dt. 20.02.1990.
2. AEE/GHY's letter addressed to DEE/LMG bearing No. E/227/1 dt. 08.01.1990.
3. Two 2nd Class duty pass No. 687709 & 685467 issued by AEE/GHY & OS/GHY in favour of me.
4. Letter bearing No. CS/P/GHY/1 dt. 12.08.1991 issued by APO/GHY. With best regards, Yours faithfully,
5. Copy of CAT
6. Copy of C.B.1.

(MANORANJAN ROY)

Attested
W
Advocate.

To

The G.M.(P)
N.F.Rly, Maligaon

29-

Annexure - 6
(copy)

Sub:- APPLICATION FOR THE POST OF KHALASI (REMINDER).

Sir,

With due respect, I beg to lay the following few lines for your kind consideration and necessary action thereof.

That Sir, I being aggrieved by non consideration of my case for absorption as Khalasi, Preferred representations dtd. 16-02-2002 followed by reminders dtd. 27-05-2002 but till date I have not yet received any suitable reply from your end. In fact I approached the Hon'ble CAT/GHY seeking redressal of my grievances but said case was withdrawn by me taking into consideration the fact that I had not availed the alternative remedy available to me. (Copy enclosed for ready reference). In that case counsel for Rlys has assured me that I will get Justice if I make appropriate application in this regard. However till date I have not received any reply.

In that view of the matter I request your honour to look into the matter and absorb me in the post of Khalasi.

Thanking you,

Sincerely Yours,

Copy enclosed:-

(M. ROY)

- 1) Judgement dtd. 06-12-2001,.
- 2) Representation dtd. 16-02-2002.

(M. ROY)

Attested
Wsan
Advocate.