

M.A./532/88
in
O.A./493/87

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CORAM : HON'BLE MR. P.M.JOSHI : JUDICIAL MEMBER
HON'BLE MR. P.K.MALLICK : ADMINISTRATIVE MEMBER

25.08.1988

Learned advocates Mr. K.K.Shah and Mr. N.S.Shevde present. Mr. Shevde has no objection against the amendment being allowed. Hence, the application is allowed. Applicant to carry out amendment on or before 12.09.1988. M.A./532/88 is disposed of.

Fixed for further direction before the Registrar on 12.09.1988.

P.K.Mallick

(P K MALLICK)
ADMINISTRATIVE MEMBER

PMJ
(P M JOSHI)
JUDICIAL MEMBER

M.A./848/88

in

O.A./493/87

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CONAM : Hon'ble Mr. P.H. Trivedi .. Vice Chairman
Hon'ble Mr. P.M. Joshi .. Judicial Member

18/11/1988

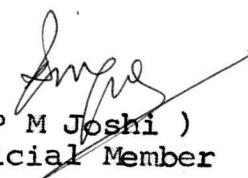
Heard learned advocates Mr. K.K. Shah and Mr. N.S. Shevde for the petitioner and respondents respectively. The subject of this petition has been earlier dealt with in our orders in M.A./485/88 dt. 14.6.1988 thereafter the impugned orders in this misc. petition dated 4.11.1988 have been passed, these orders referred to O.M. dated 7.9.1988 which has not been produced. Learned advocate for the petitioner stated that the respondents' conduct in passing repeated reversion which orders shows vindictiveness against the petitioner should be protected by allowing relief prayed for in this misc. petition. Mr. N.S. Shevde for the respondent has argued that our orders in M.A./485/88 in fact did not allow the interim relief to the petitioner and only required the respondents to inform in terms the persons likely to be affected by orders passed or likely to be passed regarding selection and that the respondent should be given an opportunity for producing the O.M. dated 7.9.1988 in order to appreciate the import of the order dated 4.11.1988 which is impugned in this misc. petition. Learned advocate for the petitioner Mr. Shah stated that by taking repeated adjournments, the respondent has created the situation in which the merits of the case are not being decided indefinitely and that the case is now due for disposal on merits when the reply having been filed. Mr. Shah referred the transfer of the post from Rajkot Division

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to Baroda Division to accomodate the petitioner by order dated 1.11.1988 and wanted that this order be produced by the respondents. Any documents that the petitioner wants to ask the respondents to produce should be the subject of the misc. petition with copy to the respondent for a decision. Mr. Shah also stated that the petitioner be allowed to continue on leave for which she has applied. Learned advocate Mr. Shevde for the respondents stated that the leave has not been allowed to the petitioner as there is no leave to her credit.

After hearing the learned advocates, the petitioner be allowed leave if admissible. No other interim relief justified. The respondent allowed 10 days time to produce the O.M. dated 7.9.1988. Registry to post the case thereafter for M.A./848/88 and for the hearing in O.A./493/87 on suitable dates.


(P H Trivedi)
Vice Chairman


(P M Joshi)
Judicial Member

*Mogera