

No
Contempt

B

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
AHMEDABAD BENCH

C.A./3/92
in
O.A. No./252/91
~~IA No.~~
~~XXXXXX~~

DATE OF DECISION 23.9.1992

Inderjitsingh S. Anand Petitioner

Mr. A.M. Saiyad Advocate for the Petitioner(s)

Versus

Union of India & Ors. Respondent

Mr. N.S. Shevde Advocate for the Respondent(s)

CORAM :

The Hon'ble Mr. N.V. Krishnan : Vice Chairman

The Hon'ble Mr. R.C. Bhatt : Member (J)

1. Whether Reporters of local papers may be allowed to see the Judgement ? ✓
2. To be referred to the Reporter or not ? ✓
3. Whether their Lordships wish to see the fair copy of the Judgement ? ✓
4. Whether it needs to be circulated to other Benches of the Tribunal ? ✓

Inderjitsingh S. Anand

... Applicant

vs.

1. Union of India,
Through: Shri H. P. Mittel
The General Manager,
Western Railway,
Churchgate,
Bombay- 400 020.
2. Shri Govind Ballabh,
The Divi. Rly. Manager,
Vadodara Division,
Western Railway,
Pratapnagar,
Vadodara- 390 004.
3. Shri Ashok Kumar,
Senior Divl. Elec. Engineer (Power),
Vadodara Division,
Western Railway,
Pratapnagar,
Vadodara- 390 004.

... Respondents

O R A L O R D E R

C.A./3/1992

in

O.A./252/91

Date: 23.9.1992

Per: Hon'ble Mr. N.V. Krishnan, Vice Chairman

1. Heard Mr. A.M. Saiyed, learned advocate for the applicant and Mr. N.S. Shevde, learned counsel for the respondents. The learned counsel for the respondents submits that he has the original file from which the Annexure A/3 letter dated 19.6.1992, produced by the applicant with his rejoinder, was issued. He states that these orders were passed after

..4...

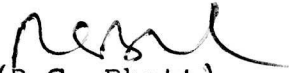
the competent authority considered a detailed note ~~read~~^{u are} was submitted to him by his office. In, other words, the reasons for the order ~~is~~ to be found in the detailed note of the office, endorsed by the respondents, but not communicated to the applicant.

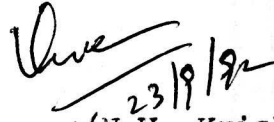
2. We have heard the parties. We notice that the original order requires the competent authority to redetermine the seniority between the applicant and the fourth respondent. It is for this purpose directions have been given in subpara (ii) and (iii) of para 9 of the original order. In pursuance of this order a notice was issued on 6.12.1991 (Annexure AV) in which the fourth respondent was placed above the applicant and the applicant was to be informed to represent as to why the seniority should ^{u not} be fixed in this manner. The applicant filed representation dated 13.12.1991, (Annexure AII).

3. In all the papers that have been produced before us we do not find any order of the competent authority on this issue of seniority. We are therefore, of the view that the respondent- No. 2 in the O.A. should now take up the matter from the stage of the Annexure

: 4 :

A II representation received from the applicant, and after giving the applicant an opportunity of being heard, dispose it of in the light of the direction given in the original order within a period of four weeks from the date of the receipt of this order. The Contempt Application is disposed of as above.


(R.C. Bhatt)
Member (J)


23/9/92
(N.V. Krishnan)
Vice Chairman

*VTC

CENTRAL ADMINISTRATIVE TRIBUNAL
AHMEDABAD BENCH
AHMEDABAD.

Application No. Contempt 3/92 of 199

Transfer Application No. _____ Old Writ Pet. No. _____

C E R T I F I C A T E

Certified that no further action is required to be taken
and the case is fit for consignment to the Record Room (Decided).

Dated : 1/12/92.



Counter-signed :



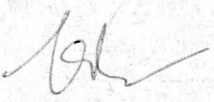
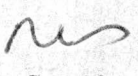
Section Officer/Court Officer

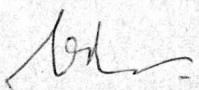

AK
18/3

Devgan
Sign. of the Dealing Assistant

M.A. 439/92
in
C.A. 3/92
in
O.A. 252/91

DATE	OFFICE REPORT	ORDERS.
<p>(12) 5.1.93</p>		<p>The Original Respondents have filed M.A. 439/92 for extension of time to comply with the order in C.A. 3/92. The M.A. does not survive ^{note} how much additional time is requested for. Mr. Shevde seeks two weeks time. Call on 19th January, 1993.</p> <div data-bbox="443 792 649 927"> (R.C. Bhatt) Member (J)</div> <div data-bbox="1074 752 1352 917"> (N.V. Krishnan) Vice Chairman</div> <p>vtc.</p>

DATE	OFFICE REPORT	ORDERS.
19.1.93 21		<p>Shri N.S.Shevde for the respondents have filed M.A.for extension of time.</p> <p>None for the original respondents applicant.</p> <p>In the circumstances, call on 04.2.93.</p> <p style="text-align: right;"></p> <p>(B.S.Hegde)  Member(J)</p> <p>(N.V.Krishnan) Vice Chairman</p> <p>*SS</p>
4.2.93		<p>The learned advocate Mr. Shevde, is present for the respondents ^{respondents} applicant. None present for the original applicant. In the interest of justice, the matter is adjourned to 23rd Feb. 1993.</p> <p>(V. Radhakrishnan)  Member (A)</p> <p>(R.C. Bhatt)  Member (J)</p> <p>*K</p>

DATE	OFFICE REPORT	ORDERS.
3.2.93 24	<p>File received Index Revised 11-3-93</p>	<p>Learned advocate for the parties submits that the order is passed by the respondents on 18.1.90, though Mr. Shevde for the respondents submits that M.A.439/92 is filed for extension of time which may be granted. As the order is already passed. Mr. Saiyed for the applicant, has no objection. Hence, M.A./439/92 for extension of time is allowed. M.A. is disposed of.</p> <div><div> (V. Radhakrishnan) Member (A)</div><div> (R. C. Bhatt) Member (J)</div></div> <p>*ss</p>

OFFICE REPORT

ORDERS.

Learned advocate for the parties submits that the order is passed by the respondents on 18.1.90, though Mr. Shevde for the respondents submits that M.A.439/92 is filed for extension of time which may be granted. As ~~the~~ order is already passed. Mr. Saiyed for the applicant, has no objection. Hence, M.A./439/92 for extension of time is allowed. M.A. is disposed of.

(V. Radhakrishnan)

(R. C. Bhatt)

Member (A)

Member (J)

*ss