

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
AHMEDABAD BENCH

St.
O.A. No. 420/90.
T.A. No.

DATE OF DECISION 5.5.1993

Smt. Harshida N. Prajapati, **Petitioner**

Mr. M.B. Buch, **Advocate for the Petitioner(s)**

Versus

Union of India & Ors. **Respondent**

Advocate for the Respondent(s)

CORAM :

The Hon'ble Mr. R.C.Bhatt, Judicial Member.

The Hon'ble Mr. M.R.Kolhatkar, Admin. Member.

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 ?

Smt. Harshida N. Prajapati,
8, Maruti Society,
Opp. Police Chowky,
Ghatlodia, Ahmedabad.

.... Applicant.

(Advocate: Mr. M.B. Buch)

Versus.

1. Union of India

Notice to be served through
Secretary, Central Board of Excise
and Customs, Department of Revenue,
Ministry of Finance, Central
Secretariate, North Block,
New Delhi.

2. The Collector of Customs,

Customs & Central Excise,
Office of the Collectorate of
Central Excise, Rajkot.

3. Assistant Collector,

Customs & Central Excise,
Office of the Customs and
Central Excise, Near Rubber
Factory, Bhavnagar.

.... Respondents.

ORAL ORDER

O.A.St. No. 420/1990

Date: 5.5.1993.

Per: Hon'ble Mr. R.C.Bhatt, Judicial Member.

None is present for the applicant.

Hence application is dismissed for default.

M.R.Kolhatkar

(M.R. Kolhatkar)
Member (A)

R.C.Bhatt

(R.C.Bhatt)
Member (J)

vtc.

Smt. Harshida N. Prajapati,
8, Maruti Society,
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.... Respondents.

ORAL ORDER

O.A.St. No. 420/1990

Date: 5.5.1993.

Per: Hon'ble Mr. R.C.Bhatt, Judicial Member.

None is present for the applicant.

Hence application is dismissed for default.

(M.R. Kolhatkar)
Member (A)

(R.C.Bhatt)
Member (J)

vtc.

DATE	OFFICE REPORT	ORDERS
5.5.93		<p>None is present for the applicant.</p> <p>Oral order pronounced in the open Court.</p> <p><i>M.R.Kolhatkar</i> <i>Res</i> (M.R.Kolhatkar) Member (A) (R.C.Bhatt) Member (J)</p> <p>vtc.</p> <p>M.A.212/93 & M.A. 213/93 in O.A.St.420/90</p>
13.5.93		<p>Heard learned advocate Mr.K.J.Thakkar for Mr. M.B. Buch for the applicant. M.A.212/93 is filed by the applicant for restoration of O.A.St. 420/90. The application for restoration is filed on 7th May, 1993. O.A. was dismissed for default on 5th May, 1993 as none was present for the applicant. The learned advocate for the applicant submits that the office objection in O.A.St.420/90 are removed except point of limitation. Registry to give regular number to this O.A. So far the question of admission is concerned, the applicant has filed M.A. 213/93 for condonation of delay in filing this application. Hence issue notice to the respondents to file reply to M.A. 213/93 by 17th June, 1993 on which date the question of limitation and the question of admission will be considered. M.A. 212/93 is disposed of. Call on 17th June, 1993.</p> <p><i>M.R.Kolhatkar</i> <i>Res</i> (M.R.Kolhatkar) Member (A) (R.C.Bhatt) Member (J)</p> <p>vtc.</p>

1 ISSUE
Copies 20th
4/15 500
copy
Ran

4
Copies
Ran
1/6

DATE	OFFICE REPORT	ORDERS.
	<p><u>Res subi.</u></p> <p>After obtaining 2erox copy of Hon Court order dt- 13/10/93 File was put rep in 17.6.93 rep Board instead of going to concerned Typist. Hence By mistake of Registry, no notice could not be issued. Hence regret. Attn: Raval 19/6/93</p>	

DATE	OFFICE REPORT	ORDERS.
17/6/93	<p><u>Res- subi</u></p> <p>Notice issued today it self ie 17.6.93 and also shown the case files to Hon. member (J) in the events</p> <p><u>AN Raval</u> 17.6.93 22.6.93</p> <p><u>RPAD</u> <u>17/6/93</u></p> <p><u>Res- subi</u></p> <p>1) RPAD for Res no 2 and 3 are received 2) Reply not recd <u>AN Raval</u> 12.2.93</p>	<p>Office has committed a great mistake complying in not / our order dated 13/5/93 till today. The office report is not accepted.</p> <p>D.R. to issue notice to the concerned staff complying for not / our order till today.</p> <p>Mr. Raval, Section Officer, is called before me and he is directed to issue notice today.</p> <p>Returnable by 15/7/93. He may show me the compliance of / our order before the end of the day.</p> <p>Call on 15/7/93.</p> <p style="text-align: right;">RCS (R.C.Bhatt) Member (J)</p> <p>ss</p>

O. A / 332 / 93

DATE	OFFICE REPORT	ORDERS
15/7/93		<p>The other Hon'ble Member is not available. Adj. to 3.0.1.219</p> <p><i>M.R.Kothekar</i> [M.R.Kothekar] Member (A)</p>

Date	Office Report	ORDER
30/7/93		Heard learned advocate Mr.K.J.Thakkar for Mr.Buch for the applicant. The respondents have not filed reply to M.A.332/93. Mr.Kureshi learned advocate for the respondents to file reply by 20/8/93 to M.A. and he may also incorporate circumstances which under the termination order was passed along with the copy of the termination order referred to by the applicant in her application which bears no.II/3- HMP/UDC/ESTT- dated 9th October, 1985. Call on 20/8/93 for further order.
		(M.R.Kolhatkar) Member (A) (R.C.Bhatt) Member (J)
		ssh
20.8.93		Mr.Variava for Mr.Akil Kureshi seeks time to file reply to M.A. to which Mr.K.J.Thakkar for Mr.Buch has no objection. Call on 9th September, 1993.
		(M.R.Kolhatkar) Member (A) (R.C.Bhatt) Member (J)
		vtc.

O.A./332/93

9/9/93

Mr.Kureshi seeks time to file reply
to M.A. to which learned advocate for the applicant
has no objection.

Call on 23/9/93.

(M.R.KOLHATKAR)
Member (A)

(R.C.BHATT)
Member (J)

ss

23/9/93

Heard learned advocates. Oral order
pronounced in open court.

(M.R.KOLHATKAR)
Member (A)

(R.C.BHATT)
Member (J)

ee.b.

Date	Office Report	ORDER
30/7/93	<p>Res. sub.</p> <p>1) no reply filed by Shri Kureshi.</p> <p>2) Memo of appearance not filed.</p> <p>DR 18/8/93</p>	<p>Heard learned advocate Mr. K.J. Thakkar for Mr. Buch for the applicant. The respondents have not filed reply to M.A. 332/93. Mr. Kureshi learned advocate for the respondents to file reply by 20/8/93 to M.A. and he may also incorporate circumstances which under the termination order was passed along with the copy of the termination order referred to by the applicant in her application which bears no. II/3-HMP/UDC/ESTT- dated 9th October, 1985.</p> <p>Call on 20/8/93 for further order.</p> <p><u>M.R.Kolhatkar</u></p> <p>(M.R. Kolhatkar) Member (A)</p> <p><u>R.C.Bhatt</u></p> <p>(R.C. Bhatt) Member (J)</p>
20.8.93		<p>ssh</p> <p>Mr. Variava for Mr. Akil Kureshi seeks time to file reply to M.A. to which Mr. K.J. Thakkar for Mr. Buch has no objection.</p> <p>Call on 9th September, 1993.</p> <p><u>M.R.Kolhatkar</u></p> <p>(M.R. Kolhatkar) Member (A)</p> <p><u>R.C.Bhatt</u></p> <p>(R.C. Bhatt) Member (J)</p>
		<p>vtc.</p>

O.A./332/93

9/9/93

Mr.Kureshi seeks time to file reply to M.A. to which learned advocate for the applicant has no objection.

Call on 23/9/93.

MR Kolhatkar

(M.R.KOLHATKAR)
Member (A)

N
(R.C.BHATT)
Member (J)

ss

23/9/93

Heard learned advocates. Oral order pronounced in open court.

MR Kolhatkar

(M.R.KOLHATKAR)
Member (A)

N
(R.C.BHATT)
Member (J)

Maximum liability not evinced. in

Rs. 6.00

Majority of A.M. of value of 50% of sum claimed

not based on any house and self residential land

CCII, acknowledged date on 11.9

(S. S. D. S. O.)
(C) medium

(notified A.M.)
(a) regular

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
AHMEDABAD BENCH

O.A. No. /332/93
T.A. No.

DATE OF DECISION 23rd September, 1993

Smt. Harshida N. Prajapati Petitioner

Mr. M. B. Buch Advocate for the Petitioner(s)

Versus

Union of India & others Respondent

Mr. Akil Kureshi Advocate for the Respondent(s)

CORAM :

The Hon'ble Mr. R.C. BHATT : JUDICIAL MEMBER

The Hon'ble Mr. M.R. KOLHATKAR : ADMINISTRATIVE MEMBER

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 ?

Smt.Harshida N.Prajapati,
8,Maruti Society,
Opp.Police Chowky,
Ghatlodia,
AHMEDABAD

...APPLICANT

Advocate : Mr.M.B.Buch

VERSUS

1. Union of India,
Notice to be served through:
Secretary,
Central Board of Excise and Customs,
Department of Revenue,
Ministry of Finance,
Central Secretariate,
North Block,
New Delhi

2. The Collector of Customs,
Customs & Central Excise,
Office of the Collectorate of
Central Excise,
Rajkot.

3. Assistant Collector,
Customs & Central Excise,
Office of the Customs and
Central Excise,
Near Rubber Factory,
Bhavnagar

...RESPONDENTS

Advocate : Mr.Akil Kureshi

O R A L O R D E R

O.A.332/93

Date: 23/09/1993

Per : Hon'ble Shri R.C.Bhatt,
Judicial Member

Mr.Rupen Shah for Mr.M.B.Buch for
is present for the applicant. Mr.Variava for Mr. Akil
Kureshi is present for the respondents.

2. Learned advocate for the applicant withdraws M.A.213/93 and O.A./332/93, because according to him the applicant would file representation before the respondents within 3 weeks. The applicant at liberty to make representation and on receipt of the same, the respondents' competent authority to dispose it of according to rule sympathetically within 3 months thereafter. The application is allowed to be withdrawn with these directions. Application is disposed of. No order as to costs.

M.R.Kolhatkar

(M.R.KOLHATKAR)
Administrative Member
Date: 23/09/1993

R.C.Bhatt

(R.C.BHATT)
Judicial Member.
Date: 23/09/1993

SSH

CENTRAL ADMINISTRATIVE TRIBUNAL
AHMEDABAD BENCH
AHMEDABAD.

Application No. 07/332/43 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 ift for consignment to the Record Room (Decided).

Dated : 05/10/43

Countersigned : 05/10/43

gn Section Officer/Court Officer

Sign. of the Dealing Assistant.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

AT AHMEDABAD BENCH

INDEX SHEET

CAUSE TITLE CM 332/93 OF 19

1. NAMES OF THE PARTIES Govt. of H. N. Poyagapati.

VERSUS

4.0.2.2cm.