

| Serial No. of Order | Date of Order | Order with Signature  |
|---------------------|---------------|---|
| 9                   | 4.1.89        | <p><u>O.A. Nos. 52 to 54, 76 to 80, 89 to 92 and 97 of 1988.</u></p> <p>This common order would govern all the cases mentioned above. We have separately heard each of the cases mentioned above from Mr. R. B. Mohapatra, Mr. G. K. Mohanty and Mr. S. C. Roy, learned Standing Counsel (Income-Tax) at some length. There is no time for the day. Hence, all these cases are adjourned to 11.1.1989 for further arguments. It was pointed out to us that three cases of similar nature have not been listed and are still pending. Office is directed to find out the cases of this nature and put up those cases for hearing along with these cases on 11.1.1989.</p> <p style="text-align: right;"><i>[Signature]</i><br/>Vice-Chairman</p> <p style="text-align: right;"><i>[Signature]</i><br/>Member (Judicial)</p>  |
| 10.                 | 11.1.89       | <p><u>O.A. Nos. 52, 53, 54, 57, 76, 77, 78, 79, 80, 89, 90, 91, 92 and 97 of 1988.</u></p> <p>Though we have heard Mr. R. B. Mohapatra, learned Counsel for the applicant and Mr. G. K. Mohanty, learned Counsel for the applicant in O.A. No. 57 of 1988 and also Mr. S. C. Roy, learned Standing Counsel (Income-Tax) separately in each of the cases mentioned above, in view of the fact that common question of facts are involved in all the above mentioned cases, we think a common judgement would suffice to govern all the cases mentioned above. Hearing is concluded. Judgement is dictated and pronounced in open court viae separate sheets attached to the record. This application is accordingly disposed of leaving the parties to bear their own costs.</p> <p style="text-align: right;"><i>[Signature]</i><br/>Vice-Chairman</p> <p style="text-align: right;"><i>[Signature]</i><br/>Member (Judicial)</p> |

Item No. 17

Court No. 8

Section XIA

197096

SUPREME COURT OF INDIA  
RECORD OF PROCEEDINGS

Petition(s) For Special Leave To Appeal (Civil/ ~~Exempted~~) No. (s) 8503-16 of 1989

Central Administrative Tribunal  
(From the judgment and order dated 11-1-1989 of the ~~Exempted~~ Cuttack.  
in O.C. No. 52, 53, 54, 57, 76, 77, 78, 79, 80, 89, 90, 91, 92 and 97 of 1988.  
Union of India & Ors. .. PETITIONER (S)

VERSUS

Bishnu Charan Acharya & Ors.  
(With appln. for ex parte stay)

.. RESPONDENT (S)

Date : 21.8.89 : This/These petition (s) was/were called on for hearing today

CORAM :

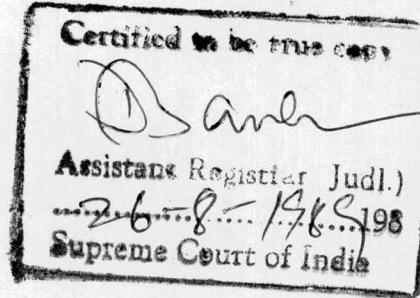
Hon'ble Mr. Justice K.JAGANNATHA SHETTI

Hon'ble Mr Justice S.RATNAVEL PANDIAN

Hon'ble Mr. Justice

For the Petitioners : Mr. V.B. ~~Mallick~~, Sr. Adv.  
Ms. Indu Goswami, Adv.  
Mr. C.V. Subba Rao, Adv.

For the Respondents :



UPON hearing counsel the Court made the following

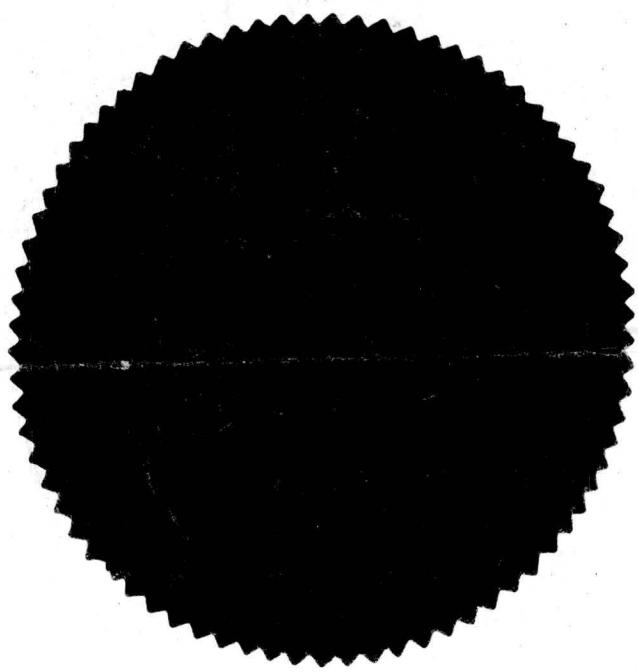
ORDER

The Special Leave Petitions are dismissed. However, we do not approve of the relief granted by the Tribunal because this Court has since held in Union of India vs. Parmanand (1989) 1 Judgement Today 132 that the Tribunal has no jurisdiction to interfere with the penalty imposed in the departmental enquiry.

The authorities have debarred the respondents from appearing for examination for the years 1988, 1989 and 1990. There is now no question of appearing for examination for the years 1988 and 1989. We however, make it clear that they be permitted to appear in the ensuing examination.

N. Sahita  
( N. Sahita )  
Court Master  
P.S.

Recd  
Pl. send Court Master  
K. T. Acharya  
23/3/89  
O.S.



John  
28/8/87

John  
28/8/87

SEALED IN MY PRESENCE