

NOTES OF THE REGISTRY

ORDERS OF THE TRIBUNAL

Or. Dr. 18.8.04

Order dated 18.08.04

This Original Application No.1484/03 was dismissed for non-compliance of interim order dated 28.01.04. By filing M.A. No.364/04 the applicant has prayed for restoration of the O.A. Having perused the same and upon hearing the Counsel for the applicant, the M.A No.364/04 is hereby allowed restoring the Original Application NO.1484/03.

Member (Judicial)

Common AD

for R-1 such a
is kept in OA 1204/03
AD for R-2 nor
back.

App. Steno/Court
nor for.

Order dated 11.10.04

parties are absent
on call. AD returned
after service from
R-1 who is absent
and no step has
been taken by him
to file counter.

AD not yet returned
from R-2 although
notice was sent to
him on 24.08.04.
Hence service is treated
sufficient on him.
Call on 23.11.04 for
appearance and filing
of counter if any.

11/10/04

Order dated : 9.3.05

None appears for the applicant nor
the applicant is present in person nor any
formal request for adjournment of the matter
has been made. However, Mr. U.B.Mohapatra,
Ld. Sr. Standing Counsel is present and heard.

This O.A. has been filed by the
applicant being aggrieved by the order of the
Respondents declining to carry out correction
in his date of birth which he had furnished
to the said authority at the time of his
appointment in descriptive particulars under
his own signature and finger print and have
ordered his superannuation from service on

Member (Judicial)

completion of 65 years of age w.e.f. 4.3.02 taking his date of birth as 5.3.37 as stated earlier.

The Respondents by filing the counter has disclosed that while the applicant has come before this Tribunal in this O.A. ventilating his grievance as stated earlier, he has also, at the same time, had filed a suit No. 24/02 and Misc. Case No. 23/02 in the Court of CJ (JD), Bhadrak on 25.1.02 challenging the order of Respondent No. 2 which was dismissed by the said learned CJ (JD), Bhadrak on 13.9.02. Again, against that order of CJ (JD), Bhadrak, he has filed an appeal before the Additional District Judge, Bhadrak in RFA Appeal No. 62/02 which is still pending in that Court.

The Ld. Sr. Standing Counsel has submitted that the applicant can not be pursuing the matter simultaneously before two judicial forums and that view of the matter, this O.A. deserves to be dismissed.

Having heard the Ld. Sr. Standing Counsel, I am of the view that the objection raised by him is justified and accordingly this O.A. is disposed of being misconceived. No costs.

[Signature]
Vice-Chairman

Counter not filed.
Regd way
Mf
22/11/04

Order dt. 23.11.04
Parties are absent on call. The matter is adjourned to 04.01.05 for hearing of Counter.

[Signature]
23/11/04

Copy to Counter not send.

Order dt. 18.1.05
Applicant is absent on call. At the request of Ld. SCCG, adjourned to 25.1.05 for service of copy of counter.
[Signature]
18/1/05
REGISTRAR

Counter copy not served.
[Signature]
20/1/05