

In the Central Administrative Tribunal  
Calcutta Bench  
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MA No.58 of 1998  
MA No.103 of 1998  
(CA No.1395 of 1996)

Present : Hon'ble Mr. D. Purkayastha, Judicial Member  
Hon'ble Mr. B.P. Singh, Administrative Member

C.M. Kohli & Ors.

- VS -

M. H. A.

For the Applicant : Mr. S.K. Mukherjee, Advocate

For the Respondents: Ms. U. Sanyal, Advocate

Heard on : 18-02-1999

Date of Judgement : 18-02-99

ORDER

D. PURKAYASTHA, JM

Heard Ld. Advocate of the applicant over an application for injunction prohibiting the respondents from giving further operation of the promotion order of the respondent No.8 Shri M.S. Sarna since, according to the applicant, he was erroneously promoted. Ld. Advocate Ms. Sanyal, appearing on behalf of the respondents, prays for time to file reply. But we find that 'two weeks' time was allowed to the respondents to file reply by order dated 27.8.98. It is stated by Ms. Sanyal that applicant did not furnish required application to file reply in due time. Therefore, respondents could not prepare the reply to the O.A. It is also stated by Ms. Sanyal that the officer concerned who will make affidavit of this case is out of station.

Contd....

2. We have considered the submissions of Id. Advocates of both the parties and we find that the promotion order of the respondent No.8 cannot be stayed as prayed for by the applicant. However, the fate of the applicant will ~~depend on~~ <sup>abide by</sup> the decision of this case. With this observation both the MA are disposed of.

( B.P. Singh )  
Member(A)

( D. Purkayastha )  
Member(J)

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