

8. Preethi

Adv: K.P. Dandapani

D.O. filing 5-7-05

D.O. Regn 5-7-05

Sub. Transfer

D.O. posting 5-7-05

(Today)

Y/S M/o HRD, Delhi & Ors.

OA 512/2005

6.7.05

C-I

(10) Mr. KP Dandapani (rep.)

Mr. MK Damodaran

When the matter came up counsel for the applicant states that the applicant has been transferred by Annexure A-1 order but has not been relieved yet and requested for a stay of the order in the light of similar orders granted in other cases related to Navodaya Vidyalaya on account of filing of SLP in the Hon'ble Supreme Court. Post this case on 13.7.2005 along with other cases.

In the meanwhile Annexure A-1 order is stayed and the applicant is allowed to continue at the present station till the next date of hearing.

SN
SN(VC)

asp

रजिस्ट्री के टिप्पणी Notes of the Registry

अधिकरण के आदेश Orders of the Tribunal

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रजिस्ट्री के टिप्पण
Notes of the Registryअधिकरण के आदेश
Orders of the Tribunal13.7.05. Mr.KP Dandapani
Mr.MK Damodaran (rep)

C-II

When the matter came up before the Bench, after hearing the parties for some time learned counsel for the applicants submitted that they have already filed a SLP (Civil) No.11895/2005 before the Hon'ble Supreme Court against the orders of the Hon'ble High Court in Writ Petition (C) No.34875/2004 and the communications A3 and A3(2) have also produced by the counsel for the parties. A3(2) is a certificate which has been issued by the Advocate, Shri Wills Mathews states as follows :

"This is to certify that we have filed a special leave petition (Civil) No.11895 of 2005 before Hon'ble Supreme Court of India against the impugned judgment and final order dated 15th April, 2005 passed by the Hon'ble High Court of Kerala at Ernakulam, in Writ Petition (Civil) No.34875 of 2004 titled as C.D.Joy and Ors. (12 Nos) Vs. Union of India and Others."

It further states that:

"I had a discussion with Senior Advocate Mr. P.P.Rao, on 11.7.2005 at 8.00 pm and he suggested me to inform the petitioners to move an application praying for extension of stay in the interest of justice. Before the Hon'ble judges of the Bench hearing this matter, as the matter is pending before Hon'ble Supreme Court of India and is posted for 25.7.2005."

Learned counsel for the applicant submitted that since the matter has already taken before the Hon'ble Supreme Court, the case may be posted immediately after 25.7.2005, as last chance.

Learned counsel for the respondents Shri M.K.Damodaran persuasively argued that, if the interim order is extended, it will prejudice the interests of the students and hence, he objected to grant the same. However, considering the entire aspects and the fact that the matter is pending before the Hon'ble Supreme Court, we are of the considered view that the stay which has been granted to the applicants should be extended upto 27.7.2005. It is also made clear that, the applicants if they are interested, pursue the matter before the Hon'ble Supreme Court and come with the result positively on that date, otherwise, no further adjournment will be given and all these matters would be disposed of. Call on 27.7.05. (Copy of the order may be given to the counsel for respondents).



NR(AM)

13.7.05



KVS(JM)

रजिस्ट्री के टिप्पणी
Notes of the Registryअधिकरण के आदेश
Orders of the Tribunal

An MA to adopt reply
Statement filed in
OA 479/05 has been
returned to cure defect
on 18.7.05.

27.7.2005

Mrs. Sumati Dandapani
Mr. MK Damodaran (rep)O.A. is dismissed. Detailed order will
follow.MA 723/05: The interim order issued on
13.7.2005 is vacated. MA is allowed.

26/7/05

KVS (JM)

Saw

SN (VC)

1. O. dt: 27.7.05

issued

28.7.05

Original order
kept in OA 479/05

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

O.A.NOS. 479/2005, OA 484/2005,
O.A.485/2005, OA 486/2005
OA 487/2005, OA 490/2005, OA 492/2005,
OA 509/2005 & OA 512/2005

Wednesday this the 27th day of July, 2005

CORAM

HON'BLE MRS. SATHI NAIR, VICE CHAIRMAN
HON'BLE MR. K.V.SACHIDANANDAN, JUDICIAL MEMBER