

4.1.1996

Hon'ble Mr. K.D. Saha, Member (A)

Adjourned to 5.1.1996 for admission.



(K.D. Saha)
Member (A)

MRS.

2./ 5.1.96.

Hon'ble Mr. K.D. Saha, Member (A)

Shri M.K. Mishra, the learned counsel appearing for the applicant submits that the applicant was posted as Postmaster at Gopalganj on 10.6.1994 and the normal tenure in such postings is three years. But he has been abruptly transferred from the post of Postmaster, Gopalganj Head Post office and the respondent No. 5 Shri Chandrika Pd. Ujha at present S.P.M., Kataya Sub-post office has been posted in his place by the impuned order dated 4.12.95 as contained in "Annexure-1". The learned counsel further submits that the Superintendent of Post Offices, Siwan Division (Respondents No. 3), who has issued these orders is not competent to issue such orders of transfer and the competent authority is Director of postal services. The learned counsel also prays for staying the operation of the impuned order of transfer as contained in Annexure-1 dated 4.12.95, as far as the orders of the applicant and the respondent No. 5 are concerned.

2. Considering the submissions, I admit this application. W/S may be filed within four weeks. Rejoinder, if any, may be filed within two weeks thereaff. Requisites to be filed within one week.

OA - 4/96

I further direct that the order at Annexure-1, as aforesaid, as far as the applicant and respondent No. 5 are concerned, shall remain stayed for a period of 14 days, by which time the respondents are directed to file their show cause as to why the interim order may not be made absolute. Requisites to be filed by tomorrow. List this case on 19.1.96 for hearing on stay.

Recd by
Sri Ram Singh
Amdt. 5/1/96

/CBS/

SD
(K.D. Saha)
Member (A)

Notice issued
Perf No. 313485
On 15/1/96
Recd by
Smti [unclear]
19.1.96

3/19.01.96

Hon'ble Mr. K.D. Saha, Member (A)

.....
Awaiting SR, list this case on 16.02.1996
for hearing on stay. Interim order passed earlier shall
continue to operate till next date.

SD
(K.D. Saha)
Member (A)

4/1 16.2.96.

Hon'ble Mr. K.D. Saha, Member (A)

Adjourned to 15.3.96 for admission as prayed for

SD
(K.D. Saha)
Member (A)

Notice issued
Perf No. 485
Recd with A.D.
by Regd. with A.D.
on 17/1/96/CBS
Recd by

18.03.1996

None for the parties.

It is seen that this matter came up for admission on 05.01.1996 and the applicant obtained an interim stay for 14 days. The case was listed on 19.01.1996 for hearing on stay. Since the service acknowledgement had not come on 16.02.1996 the Bench again passed an order making the stay order applicable till the next date. On 16.02.1996 no further progress was made in this matter as no acknowledgement had come from the respondents indicating their receipt of the notices and the matter was further adjourned to 15.03.1996. Today in the Court neither the parties are available. In view of this, the stay order passed earlier is vacated ~~forthwith~~. Let this order be ~~conveyed~~ informed to the concerned parties immediately.

2. List this case on 02.04.1996 for hearing on admission.

N. K. Verma
(N. K. Verma)
Member (A)

6./ 2.4.96.

Counsel for the applicant. : Shri A. Prakash.

Shri A. Prakash prays for short adjournment for arguing the case for admission.

2. Notices in this case have been issued on 15.1.96 but the respondents have not filed any reply so far. Shri J.N. Pandey, sr. standing counsel for the respondents stated that he shall have the reply filed in the matter within three weeks. Fresh notices be also served on the private respondents who shall file reply within 3 weeks. Let this case be adjourned for hearing on admission on 17.5.96.

N. K. Verma
(N. K. Verma)
Member (A)

/CBS/

7./ 17.5.96. Counsel for the applicant : Shri A. Prakash.

Heard learned counsel for the applicant on the point of admission. Admit. Detailed reply may be filed within six weeks. List this case on 10.7.96 for hearing ~~on admission~~

/CBS/

N.K.Verma
(N.K. Verma)
Member (A)

8/10.07.96

Counsel for the applicant : None.

Counsel for the respondents : Shri J.N. Pandey.

Shri J.N. Pandey, learned Sr. Standing Counsel for the Union of India prays for three weeks time for filing W/s in the matter.

Let the case be fixed on 07.08.1996 for hearing ~~on admission~~

N.K.Verma
(N.K. Verma)
Member (A)

SKJ

9/07.08.96

Counsel for the applicant : Shri A. Prakash

Counsel for the respondents : Shri J.N. Pandey.

Heard the learned counsel for the applicant.

The application stands admitted by order dt. 05.01.1996.

Respondents are yet to file a reply : Learned Sr. Standing Counsel for the Union of India prays for 10 days time for filing reply in this matter. Prayer granted. Respondents shall file reply within 10 days with a copy in advance to the learned counsel for the applicant ~~for filing rejoinder~~ within a week thereafter.

2. Place this case for completion of pleadings before Registrar on 02.09.1996.

N.K.Verma
(N.K. Verma)
Member (A)

A.V.Haridasan
(A.V. Haridasan)
Vice-Chairman (J)

SKJ

2.9.96

Counsel for the applicant is present
list this case on 26.9.96 for filing W.S.

Sinha
Dy. Registrar

11/26.9.96

Sri. S. P. Sinha, Dy. Registrar I/C.

....

The learned counsel for the applicant is absent.
Respondents are represented by junior counsel to Senior
Standing Counsel and prays for time for filing the W/s.
Prayer allowed. Put up on 30.10.96 for filing the W/s.

Date
20/9

PKL

S. P. Sinha
(S. P. Sinha)
Dy. Registrar I/C

12/1.11.96

Sri. M. L. Paswan, Dy. Registrar.

....

None for the parties. W/s has not been filed on
behalf of respondents. Let 4.12.96 be fixed for filing the
W/s.

PKL

M. L. Paswan
(M. L. Paswan)
Dy. Registrar

3/16.12.1996

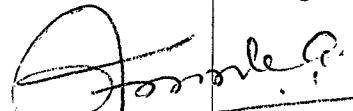
None for the parties. W/s has not been
filed. Put up on 21.1.1997 for filing W/s.

MPS.

M. L. Paswan
(M. L. Paswan)
Registrar I/C

14/21.1.1997

None for the parties. W/s has not been filed so far. Put up on 5.3.1997 for filing W/s as a last chance.

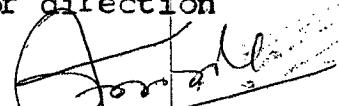


(S.P.Sinha)
Dy.Registrar I/c

MPS.

15/5.3.1997

None for the parties. W/s has not yet been filed as yet though sufficient time was given to the respondents. In the circumstances, let it be listed before the Hon'ble Bench for direction on 01.4.1997.

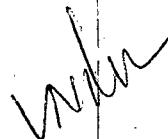


(S.P.Sinha)
Dy.Registrar I/c

MPS.

16/1.4.97.

W/S not filed by the respondents so far. Four weeks further time is allowed for the same. Rejoinder, if any, may be filed within two weeks thereafter. List it on 15.5.97 for direction.



(V.N. Mehrotra)
Vice-chairman

17/15.05.97

W/s not filed so far. Four weeks further time is allowed for the same. Rejoinder may be filed within two weeks thereafter. List on 01.08.1997 for direction.

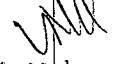


(V.N. Mehrotra)
Vice-Chairman

SKJ

18/01.08.97

W/s not filed so far. Four weeks further time is allowed for the same. Rejoinder may be filed within two weeks thereafter. List for direction on 22.09.1997.



(V.N. Mehrotra)
Vice-Chairman

SKJ

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PATNA BRANCH PATNA

Order Sheet

Application No. 4/96 199 in.....

Applicant (s) Respondent (s)

Advocate for Applicant (s) Advocate for Respondent (s)

Note of Registry	Orders of the Tribunal
	19/22.09.97 Since Bench is not available today, case is adjourned to 25.11.1997 for direction. SKJ (V.K.Srivastava)/Dy. Registrar XXXXXX
20./ 25.11.97.	Shri J.N. Pandey, Sr. Standing Counsel states that W/S is ready but as the counsel for the applicant is not available, the same was could not be served on him. The respondents are allowed three weeks further time to file W/S. Rejoinder may be filed within one week thereafter. List it on 4.2.98 for direction. UR (S. Das Gupta) Member (A)
	VM (V.N. Mehrotra) Vice-Chairman
21/04.02.98	Shri J.N. Pandey, the learned SSC for the respondents prays for one week time to file reply. Allowed. Rejoinder, if any, may be filed within two weeks thereafter. List on 14.04.1998 for direction. RR (R. Rangarajan) Member (A)
	VM (V.N. Mehrotra) Vice-Chairman
22./ 15.4.98.	None for the applicant. W/S not filed so far. Shri J.N. Pandey, Sr. Standing Counsel for the respondents states that he has received instructions from the Department. He will be able to file W/S within four weeks. List it on 7.7.98 for direction. GN (G. NARASIMHAM) MEMBER (J)
	LRP (L.R.K. PRASAD) MEMBER (A)

23/8.7.98 None for the applicant. WS has not filed so far. 3 weeks further time is allowed for the same. Rejoinder, if any, may be filed within 2 weeks thereafter. List on 9.9.98 for direction.


(L.R.K. Prasad)

AKJ. Member (A)


(V.N. Mehrotra)

Vice-Chairman

24/09.09.98 W/s not filed so far. Four weeks further time is allowed for the same. Rejoinder, if any, may be filed within two weeks thereafter.

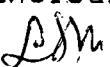
List on 04.12.1998 for direction.


SKJ

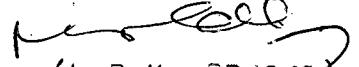
(L.R.K. Prasad)
Member (A)


(V.N. Mehrotra)
Vice-Chairman

25./ 4.12.98. W/S not filed so far. Four weeks further time is allowed for the same. Rejoinder; if any, may be filed within two weeks thereafter. List it on 15.2.99 for direction.


/CBS/

(LAKSHMAN JHA)
MEMBER (J)


(L.R.K. PRASAD)
MEMBER (A)

26/15.2.1999

None for the applicant.

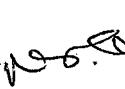
Shri V.M.K. Sinha, Sr.S.C. for the respondents.

The learned Sr.S.C. for the respondents

states that W/s is ready but he is not able to serve the same on the counsel for the applicant as he is not available. He is allowed to file the W/s in the registry. List it for direction on 20.4.1999.

MPS.


(Lakshman Jha)
Member (J)


(L.R.K. Prasad)
Member (A)

27/20.04.99 None for the applicant.

Shri V.M.K.Sinha, SSC for the respondents.

W/s is not available on the record. The learned SSC for the respondents, however, submits that it has already been filed in the office. Office is directed to place it on the record.

Let it be fixed for hearing on 23.04.1999 with the name of Shri V.M.K.Sinha, SSC for the respondents, mentioned in the cause list. In case no body represents the applicant even on that day, this case would be finally disposed of.

*Pl make w/s
available on
the record
shortly
22/4/99
T/bro
for*

L.Hmingliana
SKJ Member (A)

S. Narayan
Vice-Chairman

28/23.04.99 Shri A.Prakash, counsel for the applicant.

Shri V.M.K.Sinha, SSC for the respondents.

Adjourned to 09.07.1999 for hearing.

*W/S is
not fixed
till the
date
PL T/bro
22.4.99*

L.Hmingliana
SKJ Member (A)

S. Narayan
Vice-Chairman

29/8.7.99 None for the parties. List it for hearing on 24.8.99

AKJ

L.HMINGLIANA
MEMBER (A)

L.JHA
MEMBER (J)

30./ 24.8.99.

For want of time, list it on 15.9.99 for hearing.

/CBS/

L. HMINGLIANA
MEMBER (A)

S. NARAYAN
VICE-CHAIRMAN

31/15.09.99 As the DB is not available today, the hearing is adjourned to 12.10.1999.

SKJ

L. Hmingliana
Member (A)

32./ 12.10.99.

For want of time, list it on 3.12.99 for hearing.

/CBS/

(L. HMINGLIANA)

MEMBER (A)

Sury
(S. NARAYAN)

VICE-CHAIRMAN

33/03.12.99. Nobody turns-up on behalf of the applicant.

W/S filed.
 N. Topro
 9.12.99

The learned SSC for the respondents submits that the requisite number of W/s are available with him but the counsel for the applicant is not available so as to make over a copy thereof. Let all the copies of the W/s ~~be~~ be filed in the office during the course of the day and the matter be listed after two weeks hence on 14.12.1999 for hearing. In case no-one turns-up on behalf of the applicant on the next date, this O.A. will be dismissed for default.

SKJ

(L. Hmingliana)

Member (A)

Sury
(S. Narayan)
Vice-Chairman

34./ 14.12.99.

For want of time, hearing is adjourned to

21.1.2000.

/CBS/

(L. HMINGLIANA)

MEMBER (A)

Sury
(S. NARAYAN)
VICE-CHAIRMAN

22

21.1.2000 Shri H.P. Singh..counsel for the respondents.

XMM

In view of the order dated 3.12.99,
this O.A. is dismissed for default.(L. Jha)
Member (J)Sury
(L.R. KKPrasad)
Member (A)