

1/7.11.96

Heard the learned Advocate appearing for the applicant. Admit. Issue notice upon the respondents asking them to show cause as to why the relief or reliefs as prayed for in this application be not granted within 42 days, <sup>from the date of receipt of this</sup> and Rejoinder, if any, <sup>one</sup> ~~to be filed within one week thereafter.~~

Counsel for the applicant prays for interim relief. Considering the facts of the case issue notice upon the respondents asking them to show cause as to why the stay as prayed for be not granted to the applicant within 14 days from the date of this ~~order~~ order. ~~In the~~ Applicant is directed to file requisites forthwith. List the case on 21.11.96 for hearing on stay matter.

( D. Purkayastha )  
Member (J)

SKS

2./ 21.11.96.

Sudama Pandey, the counsel for the applicant. No reply has been filed so far. Notice was issued on 19.11.96. The matter be listed on 26.12.96 for hearing on stay.

(V.N. Mehrotra)  
Vice-chairman

/CBS/

Requisites filed  
on 14/11/96  
wsp  
Notice issued  
by Pandey with A/D  
on 19/11/96  
SK

3/26.12.96 Shri S.Pandey, counsel for the applicant.

No reply has been filed on behalf of the respondents to the prayer for interim stay. Let a fresh notice be issued to the DRM, Sonapur, for filing reply in the matter otherwise the matter will be considered ex-parte.

Power filed  
for reply  
on 3.1.97  
and kept in  
file. c.  
Dec.

List on 07.02.1997 for hearing.

SKJ

(K.D.Saha)  
Member(A)

(V.N.Mehrotra)  
Vice-Chairman

4./ 7.2.97.

Shri Sudama Pandey, the counsel for the applicant.

Shri P.K. Jaipuriyar, the counsel for the respondents.  
learned

Shri P.K.Verma, the ccounsel for the respondents  
prays for two weeks time to file reply to the prayer  
for interim stay. Time is allowed. List this case on  
26.2.97 for consideration of interim matter as well as  
hearing.

/CBS/

(V.N. Mehrotra)  
Vice-chairman

5/26.02.97

Shri S.Pandey, counsel for the applicant.

Shri P.K.verma, counsel for the respondents.

Learned counsel for the respondents states that  
he is filing reply today and copy of the same has been  
served on the counsel for the applicant. Learned counsel  
for the applicant prays for two weeks time for filing  
rejoinder. Allowed.

List on 18.03.1997 for consideration on stay  
matter.

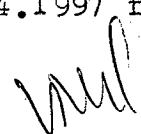
(V.N.Mehrotra)  
Vice-Chairman

S. filed on behalf  
the respondents  
M.K. Saha  
7/3/97

6/13.03.97

Shri S.N. Chowdhury, counsel for the applicant.  
None for the respondents.

On the request of the counsel for the applicant, case is adjourned to 09.04.1997 for consideration of stay matter.

  
(V.N. Mehrotra)  
Vice-Chairman

SKJ

7./ 9.4.97.


Shri S.N. Choudhary, the counsel for the applicant.

Shri P.K. Verma, the counsel for the respondents.

The learned counsel for the applicant prays for three weeks time to file rejoinder. Allowed.

2. There is no stay order in this case. The matter can be finally heard by the Single Member Bench on 13.5.97.

/CBS/

  
(V.N. Mehrotra)  
Vice-chairman


8

13.5.97

None for the parties. List on

CM

9.7.97 for hearing before Single Member Bench.

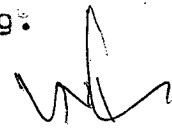
  
(V.N. Mehrotra)  
Vice-Chairman

9./ 9.7.97.

None for the parties.

List it on 22.8.97 for hearing.

/CBS/

  
(V.N. Mehrotra)  
Vice-chairman

10/28.11.97

List on 29.01.1998 for hearing.

SKJ

(S.Das Gupta)  
Member (A)

  
(V.N. Mehrotra)  
Vice-Chairman


OA - 540/96

10./ 22.8.97.

Shri Sudama Pandey, the counsel for the applicant.

On the ground of illness of Shri P.K. Verma,  
the counsel for the respondents, the case is adjourned  
to 25.9.97 for hearing.

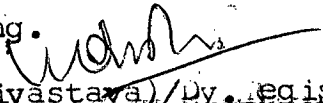
/CBS/

  
(V.N. Mehrotra)  
Vice-chairman

11/25.09.97

Since Bench is not available today, case is  
adjourned to 28.11.1997 for hearing.


SKJ


  
(V.K. Srivastava) Dy. Registrar  
(V.N. Mehrotra)  
Byx

12/28.11.97

List on 29.01.1998 for hearing.

SKJ

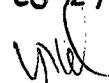
  
(S. Das Gupta)  
Member(A)

  
(V.N. Mehrotra)  
Vice-Chairman

13/29.01.98

On the request of Shri S. Pandey, counsel for  
the applicant, case is adjourned to 27.03.1998 for  
hearing.

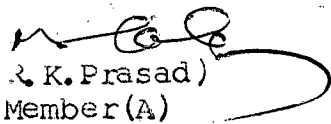
SKJ

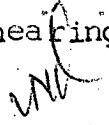
  
(V.N. Mehrotra)  
Vice-Chairman

14/27.03.98

List on 04.06.1998 for hearing.

SKJ

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

  
(V.N. Mehrotra)  
Vice-Chairman

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
PATNA BENCH PATNA

Order Sheet

..... Application No. Q. A. 540/96 ..... 199 in.....  
Applicant (s) ..... Respondent (s) .....  
Advocate for Applicant (s) ..... Advocate for Respondent (s) .....  
.....

Note of Registry

Orders of the Tribunal

15/4.6.1998

Shri Sudama Pandey, learned counsel for the applicant.

List before the Single Member Bench for  
hearing on 24.8.1998.

MBS.

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

( V.N. Mehrotra )  
Vice-Chairman

16/24.08.98 List on 09.11.1998 for hearing.

SKJ

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

17/9.11.98

List it on 25.1.1999 for hearing.

AM.

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

18./ 25.1.99. Shri Sudama Pandey, the counsel for applicant.

List it on 26.4.99 for hearing.

/CBS/

(LAKSHMAN JHA)  
MEMBER (J)

19/26.04.99 Shri S. Pandey, counsel for the applicant.

List it on 29.06.1999 for hearing.

SKJ

(Lakshman Jha)  
Member (J)

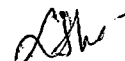
(L.R.K. Prasad)  
Member (A)

20/29.6.1999

Shri Sudama Pandey, counsel for the applicant.

The learned counsel for the applicant states that he has to file some departmental circular orders in support of the claim of the applicant for refund of damage rent deducted from his salary. List it for hearing as part-heard on 18.8.1999.


MPS.

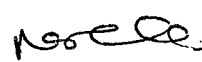
  
( Lakshman Jha )  
Member (J)

21/18.8.1999 None for the parties.

Wrongly listed. As it is a part-heard matter, let it be listed for hearing as part-heard appropriate before the Single Member Bench when constituted.

MPS.

  
( Lakshman Jha )  
Member (J)

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

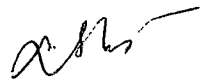
22/5.11.1999 None for the applicant.

Shri P.K. Verma, counsel for the respondents.

The circular as required to be filed by the applicant has not been filed as yet.

As a last chance, list it for hearing on 10.12.1999 as part-heard.

MPS.

  
( Lakshman Jha )  
Member (J)

23/10.12.99 Sh. S.Pandey, counsel for the applicant.  
None for the respondents.

The counsel for the applicant states that the circular required as in the manual, the copy of which is going to file. He further states that there is a decision of the Tribunal which covers the instant case. He is directed to file the same, on the next date. The arguments concluded. List it for direction on 14.1.2000 .

AKJ

*LJH*  
(L.JHA)  
MEMBER(J)

24/14.1.2000 List it Before the appropriate Bench for direction as and when the Bench is constituted.

MPS.

*LJH*  
( Lakshman Jha )  
Member (J)

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

25/27.1.2000 As the concerned Bench is not available,  
list it for hearing on 15.2.2000 as part-heard  
at 2.30 hours.

MPS.

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

26/19.04.2000 . None for the either side.

Wrongly listed before this Bench. This is a part-heard matter. Argument had already been concluded before a SMB as per order dated 10.12.1999.

Let it be listed before the said Bench on 28.04.2000 for direction.

SKJ

(L.R.K. Prasad)/M(A)

(S.Narayan)/V.C.


26/15.2.2000

Sh. S.Pandey, counsel for the applicant.

Sh. P.K.Verma, counsel for the respondents.

In course of argument it transpired that the respondents Railway has taken a categorical stands in the WS, that the applicant was transferred to various places with different Hqrs. for which he was paid transfer advance also. He was never allowed to retain his quarter in question at Sonapur as his permanent residence, during the period he was transferred to other places. The counsel for the applicant, on the other hand ~~xxxx~~ submitted that the applicant, of course, was transferred to other places but ~~this~~ transfers were not permanent in nature and he was not required to change his Hqrs.. It appears from the record that the applicant has not filed rejoinder refuting the ~~xxxx~~ aforesaid averment of the respondents Railways. Considering the aforesaid facts and circumstance the applicant is directed to file supplementary application rejoinder to the WS in <sup>respect</sup> ~~xxxxxx~~ of the aforesaid averment in the WS. He is also directed to file transfer order to ascertain as to whether the transfer to various places was in the nature of deputation transfer or permanent transfer. List it for hearing on 29.3.2000 at 2.30 pm.

AKJ


  
(L.JHA)  
MEMBER(J)

27/29.3.2000. None for the applicant.

Shri P.K.Verma, counsel for the respondents.

List it for hearing on 19.4.2000.

MPS.

  
(Lakshman Jha)  
Member (J)



28/19.04.2000, None for the either side.

wrongly listed before this Bench. This is a part-heard matter. Argument had already been concluded before a SMB as per order dt. 10.12.1999.

Let it be listed before the said Bench on 28.04.2000 for direction.

SKJ (L.R.K.Prasad)/M(A)

(S.Narayan)/V.C.

29/28.4.2000 Sh. S.Pandey, counsel for the applicant.  
None for the respondent.

Order dated 15.2.2000 not complied. The respondents is directed to comply with the order. List it for hearing on 26.5.2000 .

AKJ

(L.HMINGLIANA)  
MEMBER(A)

(L.JHA)  
MEMBER(J)

30

26.5.2000

CM

Due to non-availability of Division Bench, list it on 25.7.2000 for hearing.

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

31/25.7.2000 Sh. S.Pandey, counsel for the applicant.  
Sh. P.K.Verma, counsel for the respondent.

Sh. Pandey, states that he has not received any instructions from the applicant and therefore prays for withdrawal of his power. The prayer is allowed. List it for hearing on 28.8.2000 .

AKJ

(L.HMINGLIANA)  
MEMBER(A)

(L.JHA)  
MEMBER(J)

31/28.08.2000 : For want of time, the hearing is adjourned  
to 08.11.2000.

skj

(L. Hingliana)/M(A)

(L. Jha)/M(J)

32/8.11.2000 None for the applicant.

Shri P. K. Verma, counsel for the respondents.

The learned counsel for the applicant Shri Sudama Pandey has already withdrawn his power, as it appears from the order dated 25.7.2000. In view of the above, the O.A. is dismissed for default.

MES.

( Lakshman Jha )  
Member (J)