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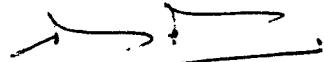
DA- 5/96

1./ 5.1.96.

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

None for the applicant. The case is adjourned to
12.1.96 for hearing on admission,

/CBS/


(K.D. Saha)
Member (A)

2/12.1.1996

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

No one appears. Adjourned to 25.1.1996 for
admission.

MPS.

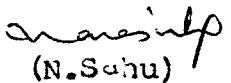

(K.D. Saha)
Member (A)

3/25.01.96

Hon'ble Mr. N.Sahu, Member (A)

.....
No one appears. Adjourned to 01.02.1996 for
admission.

SKJ


(N.Sahu)
Member (A)

6./ 1.8.96.

Counsel for the applicant : Shri B.P. Singh.

Counsel for the respondents: Mrs. P. Singh.

Heard. W/S in the matter has been filed by the respondents today, with a copy to the learned counsel for the applicant. The learned counsel for the applicants states that the amount shown outstanding in regard to GPF is not correct in view of applicant's 35 years of service. Since the learned counsel for the applicant has doubted the statement of the respondents, he has to prove that the applicant had more than this amount at his credit on the date of his retirement. He may file rejoinder within two weeks hereafter. The matter will be heard on 20.8.96 at the admission stage itself.

/CBS/

N.K. Verma

(N.K. Verma)

Member (A)

7./ 20.8.96.

Shri B.P. Singh, the counsel for the applicant.

Shri Smt. P. Singh, the learned counsel for the respondents.

Shri B.P. Singh, the learned counsel for the applicant has shown original letter from DRM office, Samastipur by which it has been certified that the applicant had 240 days earned leave and 250 days of half pay leave for which he was entitled encashment. The Rly. respondents on the other hand have stated that no leave was available at his credit and hence the question of encashment does not

arise. Since these two statement needs reconciliation, the Rly. is given another opportunity to find out and come up with a firm reply in the matter. Let this

case be fixed after three weeks from now. List this case on 6.9.96 for hearing and disposal at the admission stage itself.

Admission of the case is adjourned to 10.8.96.

On today's admission it is decided that

Mr. /CBS/ will not be present before the court on

18.9.96 and the same will be adjourned to 10.10.96 and

on 18.9.96 and Hon'ble Shri N.K. Verma, Member (A) has

consented to him and informed that he will not sit in the Court No. II

on today's date. Therefore, the case is adjourned to 4.10.96

for admission.

(V.N. Mehrotra)
Vice-Chairman

SKS

Dated 9. / 8.10.96.

Non-express

No one appears on behalf of the applicant as well as on behalf of the respondents. So case will be listed for admission on 18.11.96.

(D. Purkayastha)
Member (J)

/CBS/

10/18.11.96

On record
it appears that no
rejoinder has been
filed 20.8.96.
put for orders please
W.C.
28/11/96

Counsel for the applicant : Shri B.P.Singh.

Learned counsel for the applicant states that he has filed a rejoinder on 20.08.1996. However that is not available on record. Let it be placed on record.

List on 28.11.1996 for admission before SMB.

SKJ


(V.N. Mehrotra)
Vice Chairman

11/28.11.96

None appears.

Rejoinder filed by the applicant on 20.08.1996 has not been placed on record so far. So, rejoinder may be placed on record and the matter may be put up for admission tomorrow i.e. 29.11.1996

SKJ


(D. Purkayastha)
Member (J)

12/29.11.96

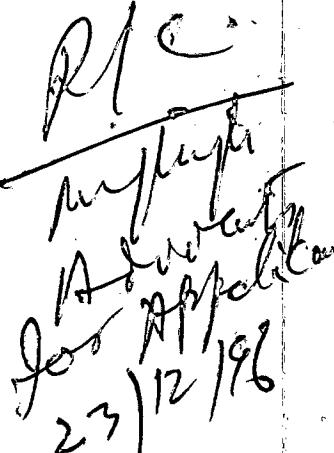
Counsel for the applicant : Shri B.P.Singh.

Counsel for the respondents : Mrs. Pronoti Singh.

Heara the learned counsel for the applicant. It is found that the grievance of the applicant is that after ~~retiring~~ being retired from the service in the year 1992 he has not yet been paid his due Provident Fund credited in his account and also Leave Encashment benefit. This claim of the applicant is disputed by the Rly. authority by filing w/s. So Rly. authority is directed to produce the record relating to the applicant regarding deduction of Provident Fund as well as the Leave Account maintained by the department within 3 weeks from now otherwise the matter will be heard ex parte.

2. List on 24.12.1996 for admission.
3. A copy of the order may be given to the learned counsel for the applicant.

SKJ


R.P.C.
Multiplication
Admitted
for Appeal
23/12/96


(D. Purkayastha)
Member (J)

13./ 24.12.96. Shri B.P.Singh, the counsel for the applicant.
None for the respondents.

Heard learned counsel for the applicant.
Admit. Pleadings in this case are complete. List
it on 10.2.97 for hearing.

/CBS/


(K.D. Saha)
Member (A)


(V.N. Mehrotra)
vice-chairman

14
10.2.97

Applicant is present in person.
None for the respondents. List on
28.2.97 for hearing.

EM


(V.N. Mehrotra)
Vice-Chairman

15/28.02.97

None for the applicant.

Smt. P.Singh, counsel for the respondents.
List it on 07.04.1997 for hearing.

SKJ


(V.N. Mehrotra)
Vice-chairman

16./ 7.4.97. Shri M.P. Dixit, proxy counsel for Shri B.P. Singh
the learned counsel for the applicant
Smt. P. Singh, the counsel for the ~~respondents~~ respondents
On the request made on behalf of the learned
counsel for the applicant, the case is adjourned to
28.4.97 for ~~admissio~~ hearing.

/CBS/


(V.N. Mehrotra)
Vice-chairman

17/28.4.97

Mrs. P. Singh, counsel for the respondents.

The case is adjourned to 3.7.97
before Single Bench for hearing.

SKS-

(K. Muthu Kumar)
Member (A)

(V.N. Mehrotra)
Vice-Chairman

18/03.07.97

Mr. B.P. Singh, counsel for the applicant.

Mrs. Pronati Singh, Counsel for the respondents.

Heard the learned counsel. It appears that in the rejoinder filed on behalf of the applicant, two documents have been filed. The documents indicate that 240 days earned leave was credited to his account and, further, amount of GPF in his account is Rs.45,020.19. During the ~~sub~~ course of arguments the learned counsel for the respondents states that all the dues have already been paid to the applicant and nothing ~~is~~ remained payable. Full details of the payments made have not been indicated in the copy of the letter ~~dated~~ ^{filed today or} dated 19.11.96 in reply to the allegations made in the rejoinder. In the circumstances it is ^{will be} proper that Respondents should file a supplementary written statement in reply to the rejoinder filed on behalf of the applicant. The Respondents will specifically mention the amount of GPF which was due to be paid to the applicant and the amount actually paid along with documents in proof of the same. Respondents will also file relevant documents to show the leave due to the credit of the applicant and the amount, if any, paid for the encashment of earned leave, if any. The

DA-5/96

supplementary written statement should be filed within four weeks. The applicant thereafter, ^{may} ~~should~~ file supplementary rejoinder within two weeks. List for hearing on 22.8.97.

V.N.M.
(V.N. Mehrotra)
Vice-Chairman

SKS

19./ 22.8.97. Shri B.P. Singh, the counsel for the applicant. Shri Smt. P. Singh, the counsel for the respondents. Reply to the rejoinder has been filed. During the course of argument, the learned counsel for the respondents states that the documents filed by the applicant alongwith his rejoinder are forged and are seriously disputed by the respondents.

2. In view of the controversies about the amount of GPF which was payable to the applicant and also the leave which may be due in his account, it will be proper if the respondents produce relevant records in respect of the same for perusal of the Court. List this case on 23.9.97 for hearing.

V.N.M.
(V.N. Mehrotra)
Vice-chairman

20/23.09.97 Since Bench is not available today, case is adjourned to 13.11.1997 for hearing.

V.K.S.
(V.K. Srivastava)
Dy. Registrar

SKJ

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PATNA BENCH PATNA

Order Sheet

Application No.... OA- 5/96 199 in....

Applicant (s) Respondent (s)

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

Note of Registry

Orders of the Tribunal

21./ 13.11.97.

On the request made on behalf of Shri B.P. Singh, the learned counsel for the applicant, the case is adjourned to 16.1.98 for hearing.

V.N. Mehrotra
(V.N. Mehrotra)

Vice-chairman

/CBS/

22/16.01.98 Shri B.P.Singh, counsel for the applicant.

Mrs. P.Singh, counsel for the respondents.

The respondents was in this case required to file supplementary w/s in reply to the rejoinder filed on behalf of the applicant. Though the supplementary affidavit has been filed but in the same reference has been made only to the leave account and not to the second paper filed by the applicant relating to GPF account. It will be just and proper if the respondents file specific supplementary affidavit regarding the documents filed by the applicant with the rejoinder relating to his GPF account.

Let the same be filed within three weeks.
The matter be listed for hearing on 02.03.1998.

V.N. Mehrotra
(V.N. Mehrotra)
Vice-Chairman

SKJ

23/02.03.98 On request of the learned counsel for the applicant, case is adjourned to 22.05.98 for hearing.

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

V.N. Mehrotra
(V.N. Mehrotra)
Vice-Chairman

SKJ

OA-5/96

24/22.5.98 Shrimati P.Singh, counsel for respondents.

Adjourned for hearing to 10th of
August, 1998.

SKS

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

(V.N. Mehrotra)
Vice-Chairman

25./ 10.8.98. Shri B.P. Singh, the counsel for the applicant.

Mrs. P. Singh, the counsel for the respondents.

Mrs. P. Singh, the learned counsel representing respondents is present in the Court. It ~~also~~ appears from the records that supplementary affidavit as directed by order dated 16.1.98 has not been filed on behalf of the respondents so far. Respondents are allowed three weeks further time to file the same. The OA be listed on 28.9.98 for hearing.

/CBS/

(V.N. Mehrotra)

Vice-chairman

26./ 28.9.98. None for the parties.

The applicant is present in person. He states that his counsel has gone out of station. Let it be adjourned to 9.11.98 for hearing.

/CBS/

(LAKSHMAN JHA)

MEMBER (J)

27/9.11.98 None for the parties.. List it on
11.1.1999 for hearing.

AM:

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

28./ 11.1.99. Shri B.P. Singh, the counsel for the applicant.
None for the respondents.

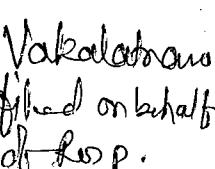
Heard learned counsel for the applicant. Vide order dated 10.9.98, Mrs. P. Singh , the counsel for the respondents was directed to file supplementary affidavit in terms of order dated 16.1.98. It is unfortunate that in spite of direction, the concerned respondents have not yet filed the same, though the case was listed for hearing today. This case relates to 1995 and cannot be allowed to linger on like that. Therefore, the respondents are directed to file the above supplementary affidavit within three weeks on receipt of copy of this order, otherwise the case will be heard and decided in absence of the said supplementary affidavit.

2. Let a copy of this order be given to the learned counsel for the applicant who should communicate the same to the learned counsel for the respondents.
3. List it on 22.2.99 for hearing as part-heard matter.

/CBS/

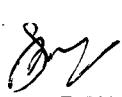

(L.R.K. PRASAD)
MEMBER (A)

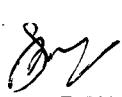
29/22.02.99. List on 22.03.1999 for hearing as part-heard matter.


SKJ


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

30./ 22.3.99. List this part-heard matter on 23.3.99 for hearing before the appropriate Bench.


/CBS/


(S. NARAYAN)
VICE-CHAIRMAN

31/23.3.1999

None for the parties.

List it as part-heard on 10.5.1999,
as Member (J) could not attend office due to
unavoidable reason.

MPS.

no case
(L.R.K.Prasad)
Member (A)

32/10.5.99

None for the applicant.

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

List it for hearing on 21.7.99 as part heard in my
chamber at 3.30 pm.

AKJ

no case
(L.R.K.Prasad)
Member-A

33/22.07.99

None for the applicant.

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

Since this is a part-heard matter of a
SMB, let it be placed before the said Bench on
30.07.1999 for hearing as P.H. case.

SKJ

no case
(L.R.K.Prasad)
Member (A)

Sury
(S.Narayana)
Vice-Chairman

34./ 30.7.99.

For want of time, list it on 9.8.99 for direction.

/CBS/

no case
(L.R.K. PRASAD)
MEMBER (A)

Sury
(S. NARAYAN)
VICE-CHAIRMAN

O.A 5/96

35/9.1999

None for the parties.

Since this is a part-heard matter, let it be listed before the appropriate Bench for further hearing, when appropriate Bench is constituted.

MPS.

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

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

36/24.11.2000 None for the applicant.

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

It appears from the record that nobody appeared for the applicant on last several occasions. Even today nobody is present to represent the applicant. In view of the aforesaid, list it before the appropriate Bench as part-heard on 22.12.2000. If nobody appears on behalf of the applicant, this O.A. will be dismissed for default.

MPS.

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

37./ 22.12.2000.

Let it be listed on 15.1.2001 before the appropriate bench for hearing.

/CBS/

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

OA 5/96

38./ 15.1.2001.

None for the parties. It appears from the order sheet that the applicant has been absenting for the last several dates, which shows that he has no interest in pursuing the matter. In view of the above, this OA is dismissed for default.

/CBS/

(L. AMINGLIANA)/M(A)

PLW
(SL. JHA)/M(J)