

OA-494/96

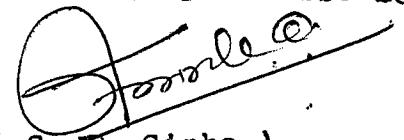
Kamal Kishore Tanti.

1/27.9.96

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

The learned counsel for the applicant is present.  
Defects in item no. 1, 21 & 22 of the Scrutiny Report must be removed by 4.10.96.

PKL

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

2/04.10.96

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

*Wrongly typed*  
Miss Hema Verma, learned counsel for the applicant is present. The instant application is free from defects. Let it be registered and listed before the Hon'ble Bench on 01.11.1996 for hearing on admission.

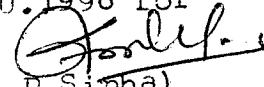
(S.P.Sinha)  
Dy. Registrar I/C

SKJ

2/04.10.96

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

*Defects to be removed by 01.10.96*  
Shri Ved Prakash, learned counsel for the applicant is present. He prays for short time for removing the defects. Prayer all wed. List on 10.10.1996 for removal of defects.

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

SKJ

OA-494/96

3/10.10.96

Sri. M. L. Paswan, Registrar I/C.

.....  
The learned counsel for the applicant is present.  
Defects in item no. 1, 21 & 22 of the Scrutiny Report  
appears to have been removed. Let it be registered and  
placed before the Hon'ble Bench for hearing on admission  
fixing 16.10.96.

PKL

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

1./ 16.10.96. Shri Ved Prakash , the counsel for the applicant.

Heard learned counsel appearing on behalf of the applicant. The applicant has challenged the fixation of seniority. He submits that he is being denied opportunity by the authority for the purpose of selection for the post of Master Craftmen allowing junior persons to appear in the selection test.

Considered. Admit. Issue notice upon the respondents asking them to show cause as to why relief as sought for in this application shall not be granted within 42 days from the date of receipt of this order and copy of the OA. The prayer of the interim stay as prayed for is hereby rejected. The applicant will get relief subject to the decision of this case and the case may be listed before the Registrar on 10.12.96 for completion of pleadings.

/CBS/

(D. Purkayastha)  
Member (J)

2/10.12.1996

None for the applicant. Mr.D.G. Dastidar Jr. to Mr.Gautam Bose, appears for the respondents. W/s has not been filed. Put up on 27.1.1997 for filing W/s.

MPS.

( M. L. Paswan )  
Registrar I/c

Power filed on  
6/10 R 1 to 5.

Kept in file

C. 1996  
10/10/96

3/27.1.1997

None for the parties. ~~XXXX~~ Written statement has not been filed. Put up on 27.2.1997 for filing W/s.

MPS.

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

4/27.2.1997

None for the applicant. Shri D.G.Dastidar, Jr. Counsel to Mr. Gautam Bose, learned counsel for the respondents is present. No W/s has yet been filed on behalf of the respondents. Put up on 7.4.1997 for filing W/s as a last chance.

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

MPS.

5./ 7.4.97.

No W/S has yet been filed, though sufficient time was given therefor. In the circumstances, let this case be placed before the Hon'ble Bench on 2.5.97 for direction.

/CBS/

( S. P. Sinha )

Registrar I/C.

power filed on  
6/10 R 1 to 5  
for respondents  
C. 1996  
Kept in file  
D. T.  
25.9.97

6.12.08.97

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 06.10.1997.

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

~~W/S on behalf of the Respondents.  
No. 1 to 5,  
filed on  
14.8.97 and  
filed on 7.10.97. W/S has been filed on behalf of the respondents  
No. 1 to 5. Rejoinder may be filed within three weeks.  
List it on 8.12.97 for direction.~~

/CBS/

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

8./ 8.12.97. Rejoinder not filed so far. Three weeks further time is allowed for the same. List it on 13.2.98 for direction.

/CBS/

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

9./ 13.2.98. List it on 24.3.98 along with MA 9/98 for hearing

~~on behalf of the Respondent~~

*(R. Rangarajan)*  
(R. Rangarajan)  
Member (A)

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

~~No. 687  
filed 10.3.98~~

~~reply on behalf of the applicant 10/10.07.98  
filed.~~

*N. Topno*

SKJ

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

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

Pleadings in the case are complete.  
Enter it in the Ready List.

11/16.3.1999

As the pleadings in this case are complete, let it be listed before the appropriate Bench for hearing on 18.5.1999.

MRS.

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

*Sange*  
( S. Narayan )  
Vice-Chairman

12/18.5.1999

List it for hearing on 22.7.1999 alongwith  
M.A. 9/99.

MRS.

*reco*  
( Lakshman Jha )  
Member (J)

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

13

22.7.99

For want of time, hearing is adjourned  
to 20.9.99.

CM

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

*Sange*  
( S. Narayan )  
Vice-Chairman

14/20.9.99

None for the parties.

List it for hearing on 17.11.1999

AKJ

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

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

O. A. 494/98

15/17.11.1999 List it for hearing on 12.1.2000.

MES.

(Lakshman Jha)  
Member (J)

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

16/13.1.2000 For want of time, list it for hearing

on 28.2.2000.

SKS

(L. Hmingliana)  
Member (A)

(S. Narayan)  
Vice-Chairman

17/28.2.2000

MES.

List it for hearing on 24.4.2000.

(S. Narayan)  
Vice-Chairman

18/24.04.2000 On the request made on behalf of the counsel  
for the respondents, list it on 26.05.2000  
for hearing.

SKJ

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

(S.Narayan) V.C.

19

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)

20/25.7.2000 Sh. Ved Prakash, counsel for the applicant.  
Sh. G.Bose, counsel for the respondent.  
List it for hearing on 24.8.2000

AKJ

(L.HMINGLIANA)/M(A)

(L.JHA)/M(J)

21

24.8.2000  
CM

for want of time, hearing is adjourned to  
16.10.2000.

(L.Hmingliana)  
M(A)

(L.Jha)  
M(J)

22/16.10.2000 : For want of time, the hearing is adjourned  
to 14.11.2000.

skj

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

(S-Narayan)/V.C.

23./ 14.11.2000.

None for the parties on account of resolution in  
bar today on sad demise of an advocate, Shri S.Mukharjee.  
The case is adjourned to 9.1.2001 for hearing.

CBS/

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

(S. NARAYAN)/V.C.

OA - 494/96

24./ 9.1.2001.

For want of time, hearing is adjourned to  
13.3.2001.

*for 24.1.2001*  
/CBS/ (L.R.K. PRASAD)/M(A)

*Sany*  
(S. NARAYAN)/V.C.

25

13.3.2001

shri G. Bose..Counsel for the applicant.

CM

On the request made on behalf of  
Shri V. Prakash, counsel for the applicant,  
list it on 10.4.2001 for hearing.

*After*  
(L.Jha)  
M(J)

*for 13.3.2001*  
(L.R.K. prasad)  
M(A)

26./ 10.4.2001.

For want of time, hearing is adjourned to 7.6.2001.

*for 10.4.2001*  
/CBS/ (L.R.K. PRASAD)/M(A)

*Sany*  
(S. NARAYAN)/V.C.

27/7.6.2001 Shri Ved Prakash, counsel for the applicant.

For want of D.B., let it be listed for  
hearing on 27.7.2001.

MRS.

*After*  
( L.Jha )/M(J)

28/27.7.2001

For want of D.B., list it on 5.10.2001  
for hearing.

SKS

*for 27.7.2001*  
L. Hmingliana )/M(A)

29/5.10.2001

None for the applicant.

Shri Gautam Bose, counsel for the respondents.

The learned counsel for the respondents states that the O.A. is badly hit by limitation as the applicant has challenged the seniority list of the year 1992, by which the applicant was shown junior to the private respondents no. 6 and 7, and the O.A. was filed on 20.9.1996 i.e. to say much after the limitation period as prescribed under A.T. Act.

He further pointed out that the applicant has prayed for direction to the respondents to take fresh tests, including the applicant, and for withholding the result of previous test held on 6.9.1996, vide Annexure-A/9. Prayer has also been made for direction to the respondents to permit the applicant to appear in the test after correcting his seniority.

As stated above, the tests has already been held as far back as on 6.9.1996, and the latest seniority list is of 1992 <sup>which</sup> remained unchallenged till 1996. Therefore, we are of the opinion that the O.A. is infructuous, and also, hit by limitation. Accordingly, the O.A. is dismissed.

M.S.

  
( M.P. Singh )  
Member (A)

  
( Lakshman Jha )  
Member (J)