

CA - 498/96

This is an application made under Section 19 of A.T. Act 1985. It is in present and paper book. It is within limitation period and jurisdiction of this Bench. It is maintainable case for being an admission.

It may be listed before Hon'ble Court on the question of being an admission on 16.10.96.

21/25/1
15/10/96

15/10/96
Sd/-

15/10/96
By Registrar.

1/16.10.96

Counsel for the applicant : Shri N.P.Sinha.
Shri I.D.Prasad.

Heard Shri N.P. Sinha, learned counsel for the applicant on the question of admission.

2. I have gone through the Annexure-A/11 of the application. It is found that the irregular posting of the applicant, Hindi Typist, Divisional Office, Ch. work as S.B.P.A., Chapra H.O. was going to be enquired and explanation has been called from the authority appointed him in the said post.

3. In view of the aforesaid circumstances, I am not inclined to admit the case for hearing without hearing of respondents.

4. Issue notices to respondents to show cause as to why the application should not be admitted for hearing. Respondents shall file their reply within 21 days from now. Requisites to be filed within a week.

5. Learned counsel for the applicant also prays for interim stay. But, in the facts and circumstances of the case, I am not inclined to grant interim stay. So, the

Receipt of notices for respondents No. 1 to 5 served to Sr. Standing Counsel filed by the Counsel of the Applicant - Receipt kept in file
15/10/96

prayer of interim stay is also rejected.

6. List on 13.11.1996 on the question of admission.

SKJ

(D. Purkayastha)
Member (J)

2./ 13.11.96. Shri I.D. Prasad, the counsel for the applicant.
Shri R.K. Choubey, the counsel for the respondents.

The learned counsel for the respondents prays for two weeks time for filing W/S. Time is allowed.

List it on 28.11.96 for hearing on admission.

/CBS/

(V.N. Mehrotra)
Vice-chairman

3/28.11.96

Shri N.P.Sinha, learned counsel for the applicant.
Shri R.K.Choubey, learned counsel for the respondents.

Learned counsel for the applicant prays for early hearing of the case since the prayer for interim relief is sought for in this case and the same was rejected by this Court. The learned Sr.Standing Counsel for the respondents prays for time to file counter. Considered and three weeks time is allowed to file counter.

List on 24.12.1996 for admission.

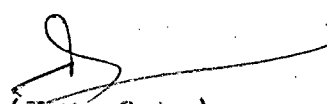
(D. Purkayastha)
Member (J)

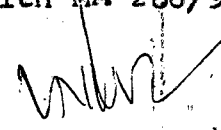
SKJ

4./24.12.96.

The learned counsel for the applicant states that he has moved an application for amendment and for that 21.1.97 has been fixed. Let this OA be also fixed on 21.1.97 for admission alongwith MA 286/96.

/CBS/

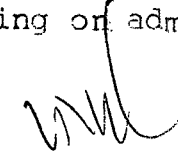

(K.D. Saha)
Member (A)


(V.N. Mehrotra)
vice-chairman

5./ 21.1.97.

List it on 28.2.97 for hearing on admission.

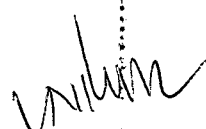
/CBS/


(V.N. Mehrotra)
Vice-chairman

6./ 28.2.97.

On the request made on behalf of the learned counsel for the respondents, four weeks time is allowed for filing reply. Rejoinder, if any, may be filed within two weeks thereafter. List it on 29.4.97 for direction.

/CBS/


(V.N. Mehrotra)
Vice-chairman

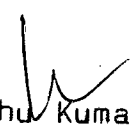
7./ 29.4.97.


Shri N.P. Sinha, the counsel for the applicant.

None for the respondents.

Shri J.N. Pandey, the learned Sr. Standing Counsel states that Shri S.C. Dubey, the Addl. Standing Counsel shall be filing W/S in this case. Some more time may be allowed. Allowed three weeks for the same. Rejoinder may be filed within two weeks thereafter. List it on 14.7.97 for direction with the name of Shri S.C. Dubey, as the counsel for the respondents.

/CBS/


(K. Muthu Kumar)
Member (A)


(V.N. Mehrotra)
Vice-chairman

O.A: 498/96

8/14.07.97

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 01.09.1997.

mul

SKJ

(V.N.Mehrotra)
Vice-Chairman

9/01.09.97

W/s has not been filed so far. Four weeks further time is allowed for the same. Rejoinder may be filed within two weeks thereafter. List for direction on 04.11.1997.

mul

SKJ

(V.N.Mehrotra)
Vice-Chairman

10./ 4.11.97. Shri J.N. Pandey, Sr. Standing Counsel for the respondents prays for and is allowed one week further time to file W/S. Rejoinder may be filed within two weeks thereafter. List it on 9.1.98 for direction.

mul

/CBS/

(V.N. Mehrotra)
Vice-chairman

states that Shri
shall be filing W
allowed. Allowed
be filed within tw
14.7.97 for direct
as the counsel for

(Munir Kumar)
(A) 20

11/09.01.98 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 for direction on 17.03.1998 before DB.

SAT

(V.N. Mehrotra)
Vice-Chairman

12./ 17.3.98. List it on 27.4.98 for direction before the DB.

/CBS/

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

2/27.4.1998 Shri I.D. Prasad, counsel for the applicant
Shri J.N. Pandey, Sr. Standing Counsel for the respondents.

At the request of the learned counsel for the respondents, two weeks time is allowed. List the M.A. on 29.6.1998 for hearing alongwith O.A.498 of 1996.

(G. N. resimham)
Member (J)

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

MRB.

3./ 27.8.98. Shri I.D. Prasad, the counsel for the applicant.
Shri J.N. Pandey, Sr. Standing Counsel for the respondents.

Shri J.N. Pandey, the learned Sr. Standing Counsel prays for and is allowed four weeks further time to file W/S. Rejoinder may be filed within three weeks thereafter. List it on 24.11.98 for direction.

/CBS/

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

(V.N. Mehrotra)
Vice-chairman

4/24.11.1998

Shri I.D.Prasad, counsel for the applicant.

Four weeks further time is allowed to file W/s. Rejoinder, if any, may be filed within a week thereafter. List it for direction on 5.2.1999.

MPS.

(Lakshman Jha)
Member (J)

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

5/5.2.1999

Shri I.D.Prasad, counsel for the applicant.

Heard the learned counsel for the applicant. Notices were issued to the respondents in October, 1996. However, in spite of so many opportunities given, the respondents have not filed their W/s. Four weeks further time is allowed, as a last chance, for filing the W/s. Two weeks for rejoinder, if any. If the W/s is not filed by then, the matter may be posted for hearing ex-parte. List it for direction on 29.4.1999.

MPS.

(Lakshman Jha)
Member (J)

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

6/29.4.1999

For want of time, list it for direction

on 12.5.1999.

MPS.

(L. Hmingliana)
Member (A)

(S. Narayan)
Vice-Chairman

7./ 12.5.99.

Since pleadings in the case are complete, let it be listed on 10.8.99 for hearing.

/CBS/

(L. HMINGLIANA)
MEMBER (A)

(S. NARAYAN)
VICE-CHAIRMAN

W/s filed
on 10.5.99
Rejoinder
filed on 11.5.99

OA - 498/96

8./ 10.8.99.

For want of time, list it on 7.10.99 for hearing.

/CBS/

(L. HMINGLIANA)

MEMBER (A)

(S. NARAYAN)

VICE-CHAIRMAN

9/07.10.99 For want of time, the hearing is adjourned
to 24.11.1999.

(L. Hmingliana)

Member (A)

(S. Narayan)

Vice-Chairman

SKJ

10

24.11.99

CM

List on 4.1.2000 for hearing.

(S. Narayan)
Vice-Chairman

11/4.1.2000

Shri I.D. Prasad, counsel for the applicant.

List it for hearing on 1.2.2000.

(Lakshman Jha)
Member (J)

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

MBS.

12/1.2.2000

Shri N.P.Sinha, counsel for the applicant.

List it for hearing on 27.3.2000.

MPS.

(Lakshman Jha)
Member (J)

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

~~13/xx~~

13/27.3.2000

~~XXXXXX~~ As DB is not available, list it for
hearing on 4.5.2000

AKJ

(L.JHA)
MEMBER(J)

14./ 4.5.2000.

On the request, let it be listed on 10.7.2000
for hearing.

/CBS/

(L. HMINGLIANA)
MEMBER (A)

(L. JHA)
MEMBER (J)

14/10.7.2000

Shri I.D.Prasad, the counsel for applicant
None for the respondents

As D.B. of Court No.I is not available,
list it for hearing on 7.8.2000.

SKS

(L. Hmingliana)/M(A)

(L. Jha)/M(J)

7.8.2000

CM

List it for hearing on 12.9.2000.



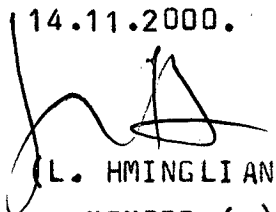
(S. Narayan)
V.C.

16./ 12.9.2000.

For want of time, hearing is adjourned to

14.11.2000.

/CBS/



(L. HMINGLIANA)
MEMBER (A)



(S. NARAYAN)
VICE-CHAIRMAN

17./ 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.

18./ 1.12.2000.

Shri N.P. Sinha, the counsel for the applicant.

The learned counsel for the applicant prays on instructions for withdrawal of the OA as well as MA. The prayer is allowed. This OA together with MA is dismissed as withdrawn.

/CBS/

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

(S. NARAYAN)/V.C.