

DA - 14/96

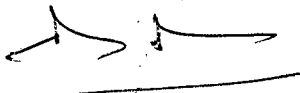
1./ 10.1.96.

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

Heard learned counsel for the applicant..

The learned counsel for the applicant prays for short adjournment to amend the relief clause of the application.

The prayer is allowed. List this case on 12.1.96 for admission.



(K.D. Saha)
Member (A)

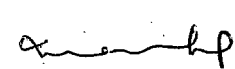
2

19.1.96

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

Learned counsel Shri Amit Srivastava initiated his arguments for admission. It is noticed that this application has already been heard for admission by Hon'ble Member(A), Shri K.D.Saha. List it before his Bench on 22.1.96 for admission.

2. Shri  Amit Srivastava, learned counsel, prayed for continuation of the status quo till 22.1.95. Prayer allowed.


(N.Sahu)
Member (A)

This case to be listed on 19/1/96 by the order of Hon'ble court in m.a. 19/96
18/1/96

/CBS/

CM

04 - 14/96

3./ 22.1.96.

Hon'ble Mr. K.D. Saha, Member (1)

Heard Shri Amit Srivasatva, the learned counsel for the applicant on the question of admission. It appears that by MA 19/96 disposed of by order dated 12.1.96, the applicant has been permitted to amend prayer in interim relief and accordingly, the interim relief para of the OA has been amended by incorporating the following:-
9 (b)" that your Lordship be graciously be pleased to restrain the respondents from evicting the applicant from the Government quarter till the final disposal of the appeal to be filed before the appellate authority."

2. By this application, the applicant has prayed for quashing the order of his compulsory retirement dated 29.12.95 as contained in Annexure 4/15 and grant of other consequential benefits.

3. This is a Division Bench matter. Presently, No Division Bench is available. There is no likelihood that the Division Bench will be available shortly. Considering the submissions of the learned counsel for the applicant and also having regard to the urgency of the case, I hereby admit this application for hearing. Issue notices to the respondents to file w/s within six weeks. Rajinder, if any may be filed within two weeks thereafter. Requisites to be filed within one week.

4. It appears that the applicant has not filed any

Received by
Order no. 3/22/1996
Appellate
Premchand Mishra
on - 23.1.96

2

DA - 14/96

appeal in accordance with the statutory provision as ~~contained~~ contained in CCS (CCA) Rules, 1965 against the order passed by the disciplinary authority vide Annexure A/15 dated 20.12.95. The learned counsel for the applicant submits that the applicant is filing the appeal against the order of the disciplinary authority as at Annexure A/15 within the prescribed period of 45 days, and accordingly, he prays for issuance of direction for early disposal of the appeal by the appellate authority and ~~he~~ also ~~prays~~ ^{at present} for interim order that till the disposal of the appeal, the respondents should not evict the applicant from the Govt. quarter which is occupied by the applicant. Considering the submissions, I hereby direct order that the respondents be restrained from ~~the~~ eviction of the applicant from the Govt. quarter which he is now occupying till the disposal of the appeal by the appropriate appellate authority. In orders passed on 12.1.96, the maintenance of status quo so far as the Govt. accommodation of the applicant is concerned was ordered. Let a copy of the order be given to the applicant's counsel. List this case on 26.2.96 for hearing on stay.

Requester filed
on 29/1/96
WJ

Notice of
on 30/1/96
/CBS/

(K.D. Saha)
Member (i)

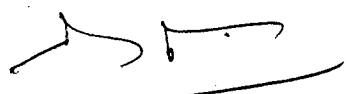
OA 14/96

4
26.2.96

CM

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

Adjourned to 10.4.96. Written statement to be filed before that date. Stay to continue till then.


(K.D.Saha)

Member(A)

5
10.4.96

CM

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

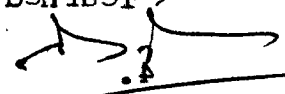
Counsel for the applicant..Shri A.Srivastava
Counsel for the respondents..None present.

Shri Amit Srivastava, learned counsel for the applicant is present. No one appears for the respondents. No written statement has been filed.

List this case on 24.5.96. Stay to continue till then.

Learned counsel for the respondents will be

handed over to me

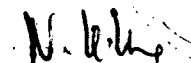

(K.D.Saha)
Member(A)

6/24.05.96
(N.K.Verma)
Member(A)

Counsel for the applicant: Shri M.P.Jit, brief holder of Shri A.Srivastava. CM

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

With consent, the case is adjourned to 27.05.1996 for hearing on stay. Stay shall continue to operate till that date.


(N.K.Verma)
Member(A)

216/96 was
filed by the
counsel of applicant
for amendment
may be
placed before
Court on 20/3/96
for consideration.
and orders please.
50(5)

O.A.: 14/96

7/27.05.96

Counsel for the applicant : Shri Amit Srivastava.

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

Heard Shri Amit Srivastava, learned counsel for the applicant and Shri J.N. Pandey, learned Sr. Standing Counsel for the Union of India. Shri Pandey stated that the W/s in the matter has not been filed as yet, however, he has been instructed by his client that the applicant himself is not staying in the quarter and he has sub-let the same. Shri Amit Srivastava stoutly denied this allegation. He stated that the applicant himself is staying in the quarter which was affirmed by the applicant who was available in person in the Court today. The stay in this circumstances is allowed to continue till the final disposal of the appeal preferred by the applicant on the ground that the quarter allotted to him is physically occupied by him for his personal

use.

The stay order shall continue to operate till the disposal of the appeal as clarified above.

3. A copy of this order may be given to the learned counsel for the parties.

4. Since, this is a Division Bench matter, list this case before a Division Bench as and when the same is available.

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

SKJ

*Read
Ram Prakash Pandey
11/7/96*

*Written Statement
Filed on behalf
of the Respondent
2.
tup
31/10/96*

MA - 216/96 (OA 14/96)

8./ 20.9.96. Shri Amit Srivastava, the counsel for the applicant.
Shri J.N. Pandey, Sr. Standing Counsel for the
respondents.

Heard. Prayer has been made for amending ^{the OA} in order
to add certain interim relief as mentioned in this
application. Prayer is allowed. Amendments be carried
out accordingly. MA is disposed of accordingly.

2. The applicant has also prayed for interim relief
relating to restraining the respondents from evicting
the applicant from the quarters occupied by him till the
disposal of the review application which he has allegedly
filed on 14.9.96. In our opinion, it will be proper
if the applicant is ^{not} evicted from the quarters
occupied by him till disposal of the review petition
filed by him on 14.9.96. We direct accordingly.

3. Shri J.N. Pandey, the learned Sr. Standing
Counsel states that he shall be filing written statement
in the OA today. The learned counsel for the applicant
shall be at liberty to file rejoinder, if any, within
two weeks from now. List this case (OA 14/96) on
14.11.96 for hearing. Let a copy of the order be given
to both the parties.

(K.D. Saha)
Member (A)

(V.N. Mehrotra)
Vice-chairman

/CBS/

*Review. Copy
of the bench order of the applicant
sent to the counsel for the respondent
Ram Prakash Pandey
21/11/96
Authority also kept
in file
neg*

OA - 14/96

9./ 14.11.96. List it on 2.1.1997 for hearing.

/CBS/

(V.N. Mehrotra)

Vice-chairman

10/02/01.97 Since DB is not available, the case is adjourned
to 14.02.1997 for hearing.

(V.N. Mehrotra)

vice-Chairman

SKJ

11

14.2.97

CM

List on 29.4.97 for hearing.

(V.N. Mehrotra)

Vice-Chairman

12./ 29.4.97. List it on 16.7.97 for hearing as prayed for.

/CBS/

(K. Muthu Kumar)

Member (A)

(V.N. Mehrotra)

Vice-chairman


OA-14/97

13

15.7.97

CM

List on 25.8.97 for hearing.



(V.N. Mehrotra)
Vice-Chairman

14

26.8.97

CM

List on 24.10.97 for hearing.


(V.N. Mehrotra)
Vice-Chairman

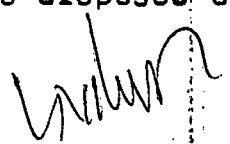
15./ 24.10.97.

Shri Amit Srivastava, the counsel for the applicant.
Shri J.N. Pandey, Sr. Standing Counsel for the
Union of India respondents.

The learned counsel for the applicant states that the order of compulsory retirement of the applicant, Shri Prem Chandra Mirdha has been set aside by the appellate authority. He does not want to press this OA. He seeks permission to withdraw this OA.

2. In view of the above statement, the applicant is permitted to withdraw this OA. This OA is disposed of as withdrawn.

/CBS/


(V.N. Mehrotra)
Vice-chairman