

CA 318/06

wed/17.05.06

None for the applicant.

Sh. M. M. Mishra, SSC for the 4 resps.


Sh. S. Singh, SC for state of Bihar

No one ~~turns~~ turns up on behalf of the applicant even on second call. However, Id. counsels for the resps. are present.

Put up on 17/07/06 for

Admission (New).

(S.N.B.N. Bha) / m(A)


(P. K. Gupta) / ro

OA 318/06

Dt. 17.7.06

Shri A.K. Sinha, Id. counsel for the applicant.
Shri Shekhar Singh, Id. S.C. for the respondents
Shri R.K. Choubey, Id. ASC for the respondents, UPSC

Heard the Id. counsel for the applicant and Shri S. Singh, Id. SC appearing for the respondents State of Bihar and its officers.

2. Issue notice to the respondents to show cause within four weeks of the receipt of notice as to why this application should be admitted.
3. Shri Shekhar Singh, Id. SC appearing for the respondents, State of Bihar submits that so far this set of respondents is concerned, he will be filing written statement today itself in the office. Let it be so filed.
4. So far other respondents are concerned, Shri R.K. Choubey, Id. ASC appears for the respondent no.4 and accepts notice, hence fresh notice need not be issued to him. So far the respondents, Union of India and its officers are concerned, notice has been received by the office of the Senior Standing Counsel, hence notices to them need not be issued.
5. In so far as Respondent No.6, State of Jharkhand and the respondents at Sl. No.7 to 9 are concerned, requisites for issuance of notice upon them by registered post, with acknowledgment, be filed within three working days.
6. Put up before the Registrar for completion of pleadings on 18.9.2006.

[S.N.P.N. Sinha] M[A]

[P.K. Sinha] JV

mps.

Requisites
of assp. No.
6 for only
6/29/06
Stamp
5/7/06
7/30
ed to
No. 6
on
1.06
5/11/06
Police could
not be issued
due to deficit
Stamp of
Rs. 45 in
each envelope
24/7/06
w/s filed on
17/7/06
R. No. 5
29/8/06

18.9.2006

The ld. counsel for the applicant is present. Shri S. Singh, ld. SC for the respondents State of Bihar is also present. W/s has been filed on behalf of the respondents State of Bihar. No w.s. has been filed on behalf of the respondents Union of India. As ordered on 17.7.2006 requisites have already been filed and notices have been issued to the respondent no.6 to 9. List it on 1.11.2006 for completion of pleadings on 1.11.2006.

[B.B. Singh]
Registrar

ordered/ci. 1.2006 Vide today's order recorded in M.A. 478/06 the prayer for inducting five more offices as pt. respondents has been allowed and the applicant has been directed to file requisites for service of notice upon them within three working days.

At this stage, Shri J.K. Kann, ld. counsel for the applicant appears and waives notice on behalf of the newly added resps. At his request four weeks time is allowed to file w/s. He also files Vakalatnama. Put up on 6/12/2006.

(S.N.P. Sinha)/M(A)

(P.K. Sinha)/M(A)

Shri J.K. Kann
for newly
added Resp.
nos. 10, 12, 13
& 14 only.
As per the
notice
issued to
Resp. No. 11 only
by Regl. Secy.
D.D. 20/7/06

Vakalatnama
in hand
3/11/06
left in file
R. No. 13, 14
8/11/06

Shri

Skj

Applicant's
counsel
was dec
rec-7, by-
adding
addres-
16 to 14 but
he did not
amend the
relief portion
as per 8 (VII)
24/12/06

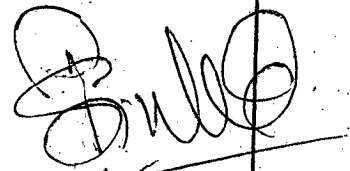
Notice
issued
to newly
Resp. No.
11 on
24.11.06

Mr. K. S. Sinha
London
by 06
kind

CA - 318/06

6.12.06

No time today: put
up on 7-1-07 for admission
on notice.



SRS

(S.N.P.N. Sinha)
M(A)


(P.S. Sinha)
V.C.


S. 1 of

- Shri. A.K. Sinha for the applicant
- Shri. S.C. Sinha for the State Public
- Shri. M. K. Sinha for U of
- Shri. S.K. Karmar for private respondent
- Shri. M. P. Sinha

The counsel for the private
respondents as well as union & ind.
seeks & granted further four weeks
time for filing Ws. Adjourned.

List this case on P. 3 of
under the same heading.


(S.N.P.N. Sinha) M(A)


(P.S. Sinha) V.C.

CA-318/06

8-3-07

No time left. List it
on 23-5-07 for admission
on notice.

SKS

(S. N. P. N. Sinha) (S. ^A Srivastava)
M(A) M(J)

Dated 23.5.2007

No one appears on behalf of the parties. A resolution
received from the Secretary General of the C.A.T. Bar
that owing to a telecast by "India T.V." since morning,
position to attend the judicial work. Let the case be adjourned.

[^A Sadhna Shivastava] M[J]

mps.

[^h Shankar Prasad]

OA 318 of 2006
Thur/23.08.2007

None for the applicants.


Shri Sarwesh Kr. Singh, ASC for the official respondents.

Shri J.K.Karn, counsel for the private respondents.

JC to Shri Shekhar Singh, for State of Bihar.

Learned counsel for the official respondent submits that w/s is going to be filed by tomorrow. Learned counsel for the applicants is not present though learned counsels for the private respondents are present.

This case be listed on 03.09.2007 for hearing on admission.


[P.K.Sinha]/VC

skj.

OA 318/2006
Dated 3.9.2007

Shri Niranjan Kumar, Id. counsel for the applicant

Shri S.K. Singh, Id. ASC for the respondents.

Shri J.K.Karn, Id. counsel for the private respondent

Shri S.K.Dixit, Id. counsel for the private respondent

The Id. counsel for the applicant states that in a similar matter, i.e. O.A. No. 821 of 2005 is fixed for hearing on admission on 11.9.2007, therefore, this case may also be listed on that date.

Shri J.K.Karn, Id. counsel for the private respondents states that on 30.8.2007 he has received supplementary petition. He seeks some time to file reply to that. The Id. counsel for the applicant states that he will not

press the supplementary petition. The supplementary petition is filed on 30.8.2007. List this case under the same heading on 11.9.2007.

[Ankit Kushari]MJA]

[Sadhna Srivastava]MJJ]

OA 318/2006
Dated 3.9.2007

Shri Niranjana Kumar, ld. counsel for the applicant
Shri S.K. Singh, ld. ASC for the respondents.
Shri J.K. Karn, ld. counsel for the private respondent
Shri S.K. Dixit, ld. counsel for the private respondent

The ld. counsel for the applicant states that in a similar matter, i.e. O.A. No. 821 of 2005 is fixed for hearing on admission on 11.9.2007, therefore, this case may also be listed on that date.

Shri J.K. Karn, ld. counsel for the private respondents states that on 30.8.2007 he has received supplementary petition. He seeks some time to file reply to that. The ld. counsel for the applicant states that he will not press the supplementary petition which he has filed on 30.8.2007. List this case under the same heading on 11.9.2007.

[Amit Kushari] [MIA]

mps.

[Sadhna Srivastava] [MIJ]

11.9.07

For want of time adjourned to
1.10.07.

"By order"
[Signature]
Court officer

OA 318/06
(MA 312/06)

1.10.07

For want of time adjourned
to 05.11.07.

"By order"
J.P. Sinha
Court Officer

5.11.07

For want of time, list this case
on 29.11.07 under the same heading.

"By order"
J.P. Sinha
Court Officer

Thur/29.11.07 Vide today's order recorded in
M.A. 477/06, list this OA on 03/12/07.

(Amrit Kishore)/M(A)

(P.K. Sinha)/M

^{slg}
Mon/03.12.07 Vide today's order recorded in OA 321/06,
list it on 06/12/07 along with aforesaid OA.

^{slg}
(Amrit Kishore)/M(A)

(P.K. Sinha)/M

OA 821 of 2005
Mon/03.12.2007

Shri N.Kumar, counsel for the applicant.

Shri Shekhar Singh, SC for State of Bihar.

Shri Sarwesh Kr. Singh, ASC for Union of India.

Shri D.Mukherjee, for State of Jharkhand.

Shri M.P.Dixit, for private respondent.

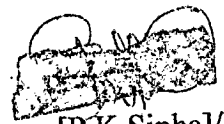
Shri J.K.Karn, for private respondent.

By the last order this Tribunal had expressed desire to hear the learned Sr. Standing Counsel about the stand of the Union of India vis-a-vis the Annexures-3 & 5 to the application. It is submitted that owing to illness in family the learned Sr. Standing Counsel was out of station and had come back only today, hence could not prepare himself.

With consent of the parties, this case be listed on 06.12.2007 along with OA 318 of 2006.

[Amit Kushari]/M[A]

skj.




[P.K.Sinha]/VC

~~OA 318/06~~

A 318/06
06-12-07.

List this OA on 17.12.07
along with OA No. 821/05.

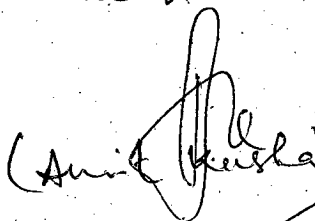
(Anita Kushari) M(A)

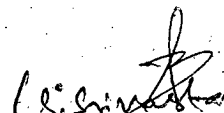

(P. K. Sinha) M(A)

Mon/17.12.07

Sri A. K. Sinha for the applicant.
Sri S. K. Singh, Asst for the U.O.
Sri S. K. Datta for pub. respn.
Sri J. K. Karm, for pub. respn.

List this OA along with OA 821/05
as & when the aforesaid OA is listed.


(Anita Kushari) M(A)


(S. Sinha) M(A)
~~(P. K. Sinha) M(A)~~

w/s Firdaus
9/1/08

R. N. K.
9/1/08

w/s Firdaus
6/2/08

R. N. 8 sec
AT. 4.30 PM
6/2/08

17. 01. 2008

Shri A.K. Sinha, counsel for the applicants
Shri S.K. Singh, ASC for the UOI.
Shri M.P. Dixit, counsel for pvt. Respondent
Shri J.K. Karn, counsel for pvt. Respondent.

The learned counsel for the respondents UOI submits that as per previous query of the Tribunal, instructions have been received, but since the matter is already part-heard and it would take more time if affidavit by one of the respondents is filed, he seeks permission of the Tribunal to file instructions as that have come. Permission is granted.

Put up before this Bench as and when the same is available along with OA No. 821/2005.

[Amit Kushari] M[A]
srk.

[P.K. Sinha]/VC

Thun/07.02.08

Vide today's order recorded in OA 821/05, list this OA along with on 06.03.08 at the top of the list.

(Amit Kushari) M[A]

(P.K. Sinha) VC

First
Supplementary
Counter
w/s filed on
3/3/08
R-2008
3/3/08
slaf

00 No 318/06

04.4.08
Dated 9th Jan, 2008

On the call of Bar Association, lawyers have decided to abstain from working.

Put up on16.4.08.....

By order
Court Officer

OA 318 of 06

26.05.2008

Shri A.K. Sinha, counsel for the applicants
Shri Sarwesh Kr. Singh, ASC for UOI
Shri Shekhar Singh, S.C for State of Bihar
Shri M.P. Dixit & Shri J. Karn, counsel for pvt. Respondents.

We find that the verification sheet column is unsigned by the deponent and there is also no column regarding the names and father's name and which paragraphs are matter of record and which one is based on legal advice are incomplete. Let the Central Government file a proper affidavit and serve copy thereof on all the contesting parties so as to enable them to give their version of the events also. List this case after six weeks along with OA 821 of 065.

[S. Srivastava] M [J]

[S. Prasad] M [A]

/cbs/

OA 318/06
Dated 5.8.2008

Shri M.P.Dixit, Id. counsel for the applicant
Shri S.Singh, Id. counsel for the respondents, State of Bihar.

The Id. counsel for the applicant submits that a week before he has received a supplementary written statement filed on behalf of the respondents, Union of India. He seeks time to seek instructions from the applicant. Prayer allowed.. List this case case under the same heading after two weeks.

[Amit Kushari] M[A]

[Sadhna Srivastava] M[J]

mps.

Additional
w/1 A11-100
23/7/08
R- Nee1
Shy

OA No. 318/2006

21.08.2008

In view of order passed today in OA No. 821/2005 , list it on
03.09.2008 along with OA No. 821/2005 under the same heading.


[Amit Kushari]/M[A]


[Sadhna Srivastava]/M[J]

srk.


OA 318/2006

03.09.2008

Shri S. Ranjan, ld. counsel for the applicant.
Shri S.K.Singh, ld. counsel for the Union of India.
Shri S.K. Dixit, ld. counsel for private respondent.
Shri J.K.Karn, ld. counsel for private respondents.
Shri Shekhar Singh, ld. counsel for the State of Bihar.
Shri D. Mukherjee, ld. counsel for the State of Jharkhand.

A request for adjournment has been made on behalf of Sr. Standing Counsel Shri Ashutosh Ranjan Pandey on the ground that today he has taken over the charge of Sr. Standing Counsel, therefore, he has not gone through the brief. However, learned counsel Shri S.K.Singh is present on behalf of Union of India and submits that on the direction of the Court, he has already been filed additional written statement. Learned counsel on behalf of private respondents Shri M.P.Dixit has also filed reply to the additional supplementary written statement. Shri M.P.Dixit, learned counsel for the private respondents is directed to serve a copy of the reply of supplementary affidavit to Shri S.K.Singh during the course of the day. On request of Sr. Standing Counsel, we have adjourned the matter.

List this matter alongwith OA 821/05 on 19.09.2008 under the same heading. It is made clear that no further adjournment shall be granted.


[Amit Kushari]M[A]


[Sadhna Srivastava]M[J]

pkl/

19.9.08

2005 813 AO

Shri S. Ranjan, ... for the applicant.

Shri D. Mukherjee, ... for the State of Jharkhand

Shri J. K. Karm, ... for the pvt. respondent.

Shri M. P. Dixit, ... for the pvt. respondents.

On the request of the sr. standing

Counsel Shri A. R. Pandey, the case is

adjudged. A request for adjournment has been made by the applicant. The ground that today the Standing Counsel Shri Ashutosh Ranjan is not present for the hearing of the case is not taken into consideration. The case is put up this case along with O.A. 821/2005 on 23.09.08 under the same heading.

None through the brief. However, learned counsel Shri S. R. Singh is present on behalf of Union of India and submits that in the direction of the Court he has already been filed additional written statement. Learned counsel on behalf of private respondent Shri M.P. Dixit has also filed reply to the

additional supplementary written statement. Shri M.P. Dixit learned counsel for the private respondents is directed to file a copy of the reply to the

supplementary affidavit to Shri S.R. Singh during the course of the hearing with O.A. 821/05. List this case for 23/9/08. 2nd Supplementary Counter W/S R-vec 8

Fit on 23/9/08. List this matter along with O.A. 821/05 on 19.09.2008 under O.A. 821/05. It is directed that no further adjournment shall be granted. (A. Kushan) M(A) (S. Srivastava) M(G)

[Sadhna Srivastava] M(G)

[Amit Kushan] M(A)

14

OA 318/06

21.10.08

Both sides are present.

List this case along with OA 821/05 on
14.11.08.

cas

(A. Kushari) M(A)

(S. Srivastava) M(J)

14.11.08

Shri A.K. Sinha - - for applicant -
S/Shri J.K. Karn, M.P. Dixit - - for respondents

Adjourned. List this case on 10.12.08
under the same heading.

cas

(A. Kushari) M(A)

Thun/11.12.2008

Vide today's order recorded in

OA 821/05, list it on 15/12/2008 along with
as part heard matter at the top of the list
under the heading 'Admission on Notice'.

subj.

(A. Kushari) M(A)

(S. Srivastava) M(J)

OA 821 of 2005
w i t h
OA 318 of 2006
Tue/16.12.2008

Shri S.Ranjan with Shri A.N.Jha, for the applicant [OA 821/05]

Shri A.K.Sinha, for the applicant [OA 318/06]

Shri A.R.Pandey, SSC for the U.O.I. [OA 821/05]

Shri R.K.Choubey, ASC for the U.O.I. [OA 318/06]

Shri Dhruba Mukherjee, SC for State of Jharkhand[OA 821/05]

Shri Binod Jee Verma, SC for State of Jharkand [OA 318/06]

Shri R.K.Choubey, ASC for the UPSC [OAs 821/05 & 318/06]

Shri R.K.Singh with Shri M.P.Dixit & Shri S.K.Dixit, for
respondents no. 9 & 10. [OAs 821/05 & 318/06]

Shri J.K.Karn with Shri H.K.Karn, for respns. 11 to 16 in
OA 821/05 and for respns. 10 to 15 in OA 318/06.

Heard learned counsel for the parties.

Arguments concluded.

Orders Reserved.

[Amit Kushari]/M[A]


[S.Srivastava]/M[J]


skj.

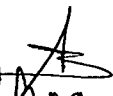
O.A. NO. 318/2006 with

O.A. NO. 821/05

30.04.09

Common order in O.A. NO. 821/05
along with O.A. 318/06 pronounced as
per separate sheets.


(Amit Kushari) / M(A)


(Sadhana Srivastava) / M(A)

Srn.