

REGISTERED/AD

CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH

Commercial Complex(BDA),  
Indiranagar,  
Bangalore - 560 038

Application No 2/86(T)  
(W.P. No 902/85)

Dated the 26<sup>th</sup> August, 1986.

To

K. Keshavaiah,  
C/O Shri T.N. Raghupathy,  
(Advocate for Applnt)  
No. 65-68, Krishnavasa,  
1st Floor, 1st Main Road,  
Seshadripuram, Bangalore-560020

1. The Director, Indian Institute  
of Horticultural Research,  
I.C.A.R. 8025,  
255, Upper Palace Orchards,  
Bangalore - 560 080
2. Union of India, represented by  
its Secretary, Ministry of Food  
and Civil Supplies, Shastri Bhavan,  
New Delhi.

Subject: SENDING COPIES OF THE ORDER PASSEDBY  
THIS BENCH IN APPLICATION NO 2/86(T)  
(WRIT PETITION NO 902/85)

\*\*\*\*\*

Please find enclosed herewith the copy of the Order/  
~~Interim Order~~ passed by this Bench of the Tribunal on 18-8-86  
in the abovesaid application.

*incl  
to*  
Encl: As above

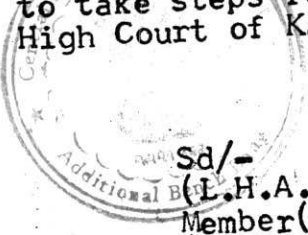
Copy to :-

Senior Central Government Counsel,  
High Court Buildings,  
Bangalore - 560 001

*R*  
SECTION OFFICER  
(JUDICIAL)  
*Sites  
R. B. Sengupta  
R.  
clear*


ORDER PASSED BY THE CENTRAL ADMINISTRATIVE  
TRIBUNAL, BANGALORE BENCH ON 18-8-86 IN  
APPLICATION NO 2/86(T) (WRIT PETITION NO  
902/85) . K. KESHAVAIAH VERSUS THE DIRECTOR  
INDIAN INSTITUTE OF HORTICULTURAL RESEARCH  
AND ANOTHER

"Counsel on both sides are agreed that this Bench has no jurisdiction over this Writ Petition transferred from the High Court of Karnataka to this Bench under Section 29 of the Central Administrative Tribunals Act, 1985, since no notification has been issued under Section 14(2) of the said Act relating to Indian Institute of Horticultural Research conferring jurisdiction on this Bench of the Tribunal to entertain the writ petition. In view of this, we direct the Registrar of this Bench to take steps for transferring the Writ Petition to the High Court of Karnataka".

Sd/-  
(L.H.A. Rego)  
Member(AM)  
18-8-86

Sd/-  
(Ch. Ramakrishna Rao)  
Member(JM)  
18-8-86

-True Copy-

  
SECTION 1  
CENTRAL ADMINISTRATIVE TRIBUNAL  
ADDITIONAL BENCH  
BANGALORE

CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH  
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FORM OF INDEX AS PER CAT (DESTRUCTION OF RECORDS) RULES, 1990

LIST OF PAPERS IN OA/TA/RA/CP NO. 2/86 /

Sl.No.	Items	Description of papers
1.	2.	3.
1.	Order sheets	Kept
2.	All orders/judgements of the Tribunal passed in the case	Kept
3.	Judgements and orders received from the Supreme Court in the case.	Not Relieved
4.	All applications including MAs/Plaints/memoranda/appeals together with annexures and all other documents whether original or copies filed with them	<del>Kept</del> File transferred to HC
5.	Counter/written statement and reply affidavits	
6.	All depositions of witnesses taken by way of affidavit	
7.	All documents or certified copies received by the Court and marked as exhibits, reports and examination of commissioners.	
8.	Notices	
9.	Letters filed by the counsel and other correspondences, vakalatnama/memo of appearance	
10.	All other papers not already specified.	



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
ADDITIONAL BENCH, BANGALORE

ORDER SHEET (contd)

Date	Office Notes	Orders of Tribunal
	<p>The Registry, Karnataka High Court, in their letter dated 31.12.85 forwarded an interlocutory application, filed before them for early hearing, to the Addl. Bench, Madras of C.A.T., for disposal and a copy thereof endorsed to this Tribunal for information. (Dy. No. 47/86)</p> <p>On 15.1.86 papers pertaining to this <sup>Main</sup> petition were obtained from the High Court in order to enable us to place them before the Tribunal on 17.1.86 (the earliest date specified for the sitting at Bangalore).</p>	
17.1.86	<p><u>I.A. II for early hearing</u> Dy. Registrar (Admn) (Sh.C.Vittal) Addl. Bench, Madras, who visited Bangalore stated that the I.A. was not received in their office. However, the matter was placed before Hon'ble Vice-Chairman of Madras Bench, where counsel for the Petitioner and the Standing Govt. Counsel were present.</p> <p>This W.P. was treated as transferred application and numbered as Appln. No. 2/86(T) in this Tribunal.</p> <p>On 21.1.86, we wrote to the Dy. Registrar (Judl) of Madras Bench, requesting him to trace the papers pertaining to aforesaid I.A. and send them to this Tribunal for record. (I.A. since recd on 31/1/86) R 22/1/86</p>	<p>"This petition for fixing a date for early hearing of the writ petition 902 of 1985. Mr. M.S. Padmarajaiah, the learned Central Govt. standing Counsel takes notice and prays for some time for filing the counter affidavit particularly dealing with this matter. Time is granted till 31st January for filing counter affidavit. Call on 31-1-1986</p> <p>sd/- (Mr. Justice Ramanujam) V.C., C.A.T., A.B., Mad 17.1.86.</p>
31.1.86	<p>Both, counsel for Applicant as well for Respondents were present.</p> <p>R 31/1/86</p>	<p>"As the statement of objection has been filed by the repdts. this petition is allowed and the main application will come up for hearing on 20.2.86.</p> <p>sd/- (G.Sreedhran Nair) Member 31.1.86.</p>
20.2.86		<p>G.S. The learned Counsel for respondent states that the statement of objections is already filed and, therefore the main applt. matter to be posted for final hearing. Post the main matter for 10.3.86 for final hearing.</p> <p>20.2.86</p>

(From pre page)

Date	Office notes	Orders of Tribunal
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10.3.86

Adjourned for 11-3-86.

10/193

*[Signature]*  
10-3-86  
(L.H.A. Rego)

*[Signature]*  
10-3-86  
(E.H. Ramakrishna Rao)

11.3.86.

Shri M.K. Srinivasa, son of K. Keshaviah, the applicant, present on behalf of the applicant. Shri M. Vasudeva Rao, <sup>Counsel</sup> ~~Advocate~~ present for the respondents.

Shri Srinivasa, son of the applicant brings to our notice, that the Counsel for the applicant is pre-occupied in the High Court of Karnataka and he is expected at any moment. After two hours of waiting, he has not turned up. In view of this, the application is adjourned. The parties will be informed of the next date of hearing in due course.

10/193

*[Signature]*  
Member (RR)  
11.3.86

*[Signature]*  
Member (R)  
11.3.86

I. A III for early hearing

Advocate for the Applicant has filed an application and affidavit Praying to hear the case early for the reasons stated therein.


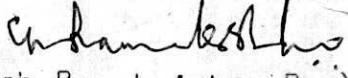
In this case the Respondents have entered appearance and the Counter <sup>has also</sup> ~~has~~ been filed.

For order phase.

8  
24/7/86

Registrar  
None were present through the advocate  
Post-4-  
betarben 8  
on 18.86  
R 25/2

ORDER SHEET (contd)

Date	Office Notes	Orders of Tribunal
2.8.86	<p>Notice dt 1.8.86 issued to the Applicant &amp; Respondents through their Advocates is called.</p> <p>Notice served to the Applicant this in Advocate. dt C.G.S.C.</p>	<p>Counsel on both sides are agreed that this bench has no jurisdiction over this writ Petition transferred from the High Court of Karnataka to this Bench under Section 29 of the central Administrative Tribunals Act, 1985, since no notification has been issued under Section 14(2) of the said Act relating to Institute of Horticultural Research conferring jurisdiction on this Bench of the Tribunal to entertain the writ petition. In view of this, we direct the Registrar of this Bench to take steps for transferring the writ Petition to the High Court of Karnataka.</p>
18.8.86	/Indian	<p>   (L.H.A. Regd)  Member (AM)  18.8.86 </p> <p>   (Ch. Ramakrishna Rao)  Member (JM)  18.8.86 </p>
	<p>Copy of the paper returned is added to the file.</p>	
	<p>419</p> <p>WP handed over to High Court. Of added.</p> <p>order issued to the Applicant &amp; Respondents &amp; to their Advocates.</p> <p>order served to R-1.</p>	



GRJ

~~M.P. No. 1 of 1986~~  
~~In~~ ~~Appen~~ ~~No. 2 of 1986 (T)~~  
(W.P. 902 of 1985 in H.C. of Kar)

~~I.A. I~~

I.A. I

This petition for fixing a date for  
early hearing of the writ petition 902 of  
1985.

Mr. M.S. Padmarejaiah, the learned  
Central Government Standing Counsel takes  
notice and prays for some time for filing the  
counter affidavit particularly dealing with  
this matter. Time is granted till 31st  
January for filing counter affidavit.  
Call on 31st January 1986.



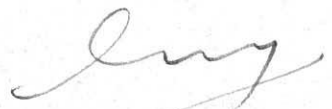
17.1.1986

bsv

GSN

Application No. 2 of 1986.

As the statement of objections has been  
filed by the respondents, this petition is  
allowed and the main application will come  
up for hearing on 20.2.1986.



31.1.1986

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REGISTERED/AD

CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH

Commercial Complex(BDA),  
Indira Nagar,  
Bangalore-560 038.

Dated the August , 1986,

REF: APPLICATION NO. 02/86(T)

To

The Registrar,  
High Court of Karnataka,  
High Court Building,  
Bangalore.1.

Subject: Returning of W.P.No. 902/85  
to the High Court of Karnataka.

Sir,

Writ Petition No. 902/85 on the file of the  
High Court of Karnataka, Bangalore, transferred to this  
Tribunal under Section 29 of the Administrative Tribunal  
Act, 1985, is returned herewith for necessary action, in  
pursuance of this Tribunal's Order Dated 18.8.1986,  
copy of which is enclosed herewith.

*Pole*  
REGISTRAR  
*o/c p/j*

Encl: Entire Records of the Case.

KRM

*Deputy Registrar*  
Deputy Registrar,  
High Court of Karnataka, Bangalore  
*4/9/86*