

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

Second Floor,
Commercial Complex,
Indiranagar,
Miscellaneous Application No.8/94 in Bangalore-38.

Dated: 8 MAR 1994

APPLICATION NO(s) 111 of 1993.

APPLICANTS:

Smt.N.S.Nagarathna v/s.

RESPONDENTS,Secretary,Ministry of
Defence,New Delhi and Others.

TO.

1. Sri.M.Narayanaswamy, Advocate,
No.844,Upstairs,17th-G Main Road,
Fifth Block,Rajajinagar,Bangalore-10.
2. Sri.M.S.Padmarajaiah,Central Govt.Stng.Counsel,
High Court Building,Bangalore-1.
3. Sri.O.Sridharan, Advocate,Indiramahal Lodge,
Fifth Main,Gandhinagar,Bangalore-9.

SUBJECT:- Forwarding of copies of the Orders passed by
the Central Administrative Tribunal,Bangalore.

-xxx-

Please find enclosed herewith a copy of the
ORDER/STAY ORDER/INTERIM ORDER/, Passed by this Tribunal
in the above mentioned application(s) on 28-02-1994.

gm*

OLV 8-3 AM
Issued on 8-3-94
Copy
S. Shaukat 812
For DEPUTY REGISTRAR
JUDICIAL BRANCHES.

In the Central Administrative Tribunal
Bangalore Bench
Bangalore

111 Application No..... of 199 3

ORDER SHEET (contd)

Date	Office Notes	Orders of Tribunal
		<p><u>(PKS)VC/(VR)M(A)</u> FEBRUARY 28, 1994.</p> <p><u>ORDER ON M.P.NO.8 OF 1994</u></p> <p>We have heard the learned standing counsel, apropos this application seeking more time to comply with the direction of this Tribunal. The judgment of the Tribunal under reference has since been upheld by the Supreme Court. In that situation we think that the Government should be more than anxious to comply with the directions of the Tribunal subsequently affirmed by the Supreme Court. But, then from that we are told to-day and from the records produced before us there does not appear to be any anxiety on the part of the administration to comply with the orders of this Tribunal, subsequently upheld by the Supreme Court as well. While we must record our strong dissent and express our displeasure regarding the delay involved in the implementation of the Tribunal's order, we however accede to the emphatic plea made by the learned Standing Counsel for more time. Acceeding to his request for further extension of time, we grant</p>

Date	Office Notes	Orders of Tribunal
		<p>four months time to comply with the orders as from to-day. We make it clear to the learned Standing Counsel, through him to his clients, that on no account any further extension of time will be granted. Let a copy of this order be made available to the Government counsel. We direct that one more application of a similar nature said to be pending in O.A.No.9/94 but listed before the other bench is ordered to be brought before this Bench and disposed off in like terms.</p> <p>Sd- Sd-</p> <p>MEMBER(A) VICE-CHAIRMAN.</p> <p>psp.</p> <p><i>TRUE COPY</i> <i>E. Banerjee 8/3</i> <i>RECORDED</i> <i>BENCH</i></p>

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

Second Floor,
Commercial Complex,
Indiranagar,
Bangalore-560038.

Dated:

28 OCT 1993

APPLICATION NO(S) III of 1993.

APPLICANTS: Smt. N. S. Nagarathna

RESPONDENTS: Secretary, ministry of
defence, new delhi & others.

T.O.

1. Sri.M.Narayana Swamy, Advocate, No.844, Upstairs,
17th-G-Main Road, Fifth Block, Rajajinagar,
Bangalore-560 010.
2. The Director, Aeronautical Development Establishment,
C.V.Raman Nagar Post, Bangalore-560 093.
3. Sri.M.S.Padmarajaiah, Central Govt. Sng. Counsel,
High Court Building, Bangalore-560 001.
4. Sri.O.Sridharan, Advocate, Indiramahal Lodge,
5th Main Road, Gandhinagar, Bangalore-560 009.

Subject:- Forwarding of copies of the Order passed by
the Central Administrative Tribunal, Bangalore.

Please find enclosed herewith a copy of the
ORDER/STAY/INTERIM ORDER, passed by this Tribunal in the
above said application(s) on 18-10-1993.

Issued

J.W.

O/C

Deputy Registrar
DEPUTY REGISTRAR
JUDICIAL BRANCHES.

*gm**

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH : BANGALORE

DATED THIS THE EIGHTEENTH DAY OF OCTOBER 1993

Present:

Hon'ble Mr. Justice P.K. Shyamsundar ... Vice-Chairman

Hon'ble Mr. V. Ramakrishnan ... Member [A]

APPLICATION NO.111/93

Smt. M.S. Nagarathna

... Applicant

[Shri M. Narayanaswamy ... Applicant]

v.

Government of India and others

... Respondents

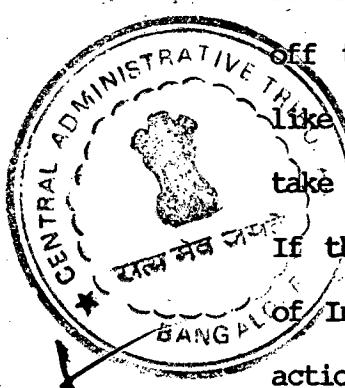
[Shri M.S. Padmarajaiah for R-1 to 3 and
Shri O. Sridharan for R-6 to 9]

This application having come up before this Tribunal for consideration of M.A. and admission Hon'ble Vice-Chairman, made the following:

ORDER

1. This matter which was disposed off earlier along with a batch of other matters is once again recalled and posted for further hearing. Accordingly we have heard the same once over. The learned counsel for the respondents 6 to 9 Shri O. Sridharan maintains that in the light of the latest decision of the Supreme Court in INDER SAWHNEY V. UNION OF INDIA AIR 1992 SCW 3682, the decision in Pinto's case which we have followed while disposing off the other connected cases is no more good law. We would like to take this opportunity to direct the Administration to take this aspect of the matter also into consideration as well.

If they think that Pinto's case has become honest in the light of Inder Sawhney's case it is open to them to take appropriate action following the same but otherwise if they think that Pinto's case is still good law and has not become honest in the light



of Inder Sawhney's case they will have to follow the decision in Pinto's case and will regulate the rights of the parties accordingly. In this view of the matter we dispose off this application directing the department to consider the cases by following Pinto's case subject to the impact of the decision in Inder Sawhney's case. If the result of such consideration is not favourable to respondents 6 to 9, it will be open to them to approach this Tribunal for relief, if any. We make it clear that the department will follow the decision in Pinto's case subject to whatever impact made by the Court in the case of Inder Sawhney. All this will have to be done within three months. Let a copy of this order be sent to the respondents for their information.

Sd- .

Sd- .

MEMBER [A]

VICE-CHAIRMAN

bsv

TRUE COPY

B. M. S.
SECTION OFFICER
CENTRAL ADMINISTRATIVE TRIBUNAL
ADDITIONAL BENCH
BANGLORE
28/10/83



CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

Second Floor,
Commercial Complex,
Indiranagar,
Bangalore-560 038.

Dated: 1 SEP 1993

APPLICATION NO(s). 111 of 1993.

Applicant(s) Smt. N.S. Nagarathna v/s. Respondent(s) Secretary, Ministry of Defence, New Delhi & Others.

To

1. Smt. N.S. Nagarathna, Senior Scientific Assistant, Aeronautical Development Establishment, C.V. Raman Nagar, Bangalore-560 093.
2. Sri. M. Narayana Swamy, Advocate, 844, Upstairs, 17th 'G' Main, Fifth Block, Rajajinagar, Bangalore-560 010.
3. The Secretary, Ministry of Defence, South Block, New Delhi-11.
4. The Scientific Adviser & Director General, R& D, South Block, New Delhi-11.
5. The Director, Aeronautical Development Establishment, C.V. Raman Nagar, Bangalore-93.
6. Sri. D. C. Aher, Senior Scientific Assistant, ARDE, Pashan, Pune-477021.
7. Sri. Suresh Chandras, Senior Scientific Assistant, NCML, Post Bag No. 10012, GPO, Pune-400 001.
8. Sri. M. Parthiban, Senior Scientific Assistant, GTRE, Bangalore-93.
9. Sri. S. Narendrakumar, Senior Scientific Assistant, GTRE, B'llore-93.
10. Sri. A. G. Pratap Sinha, Sr. Scientific Asstt. GTRE, Bangalore-93.
11. Sri. Mangam Babu Rao, Sr. Scientific Asstt. ADE, Bangalore-93.
12. Sri. M. S. Padmarajaiah, Central Govt. Stng. Counsel, High Court Bldg, Bangalore-560 001.

SUBJECT:- Forwarding of copies of the Order passed by the Central Administrative Tribunal, Bangalore Bench Bangalore.

Please find enclosed herewith a copy of the ORDER/ STAY/INTERIM ORDER passed by this Tribunal in the above said application(s) on 18-08-93.

Issued by
Date

My
Date

N. Deo S
for DEPUTY REGISTRAR
JUDICIAL BRANCHES.
19/9/93

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH, BANGALORE

DATED THIS DAY THE 18TH OF AUGUST, 1993

Present: Hon'ble Justice Mr. P.K. Shyamsundar Vice-Chairman

APPLICATION NO. 111/1993

Smt. N.S. Nagarathna,
Senior Scientific Assistant,
A.D.E.,
C.V. Raman Nagar,
Bangalore - 560 093

Applicant

(Shri M.N. Swamy - Advocate)

v.

1. The Government of India,
rep. by its Secretary,
to Government,
Ministry of Defence
South Block,
New Delhi - 110 011
2. The Scientific Adviser &
Director General,
R&D, South Block,
New Delhi - 110 011
3. The Director,
Aeronautical Development Establishment,
C.V. Raman Nagar,
Bangalore - 560 093
4. D.C. Aher,
Senior Scientific Assistant,
A.R.D.E.,
Pashan,
Pune - 411 021
5. Suresh Chandra,
Senior Scientific Assistant,
N.C.M.L.
P.B. No. 10012, GPO, Pune-400 001
6. M. Parthiban
Senior Scientific Assistant,
G.T.R.E.,
Bangalore - 560 093
7. S. Narendra Kumar
Senior Scientific Assistant,
G.T.R.E.,
C.V. Raman Nagar,
Bangalore - 560 093



8. A.G. Pratap Sinha
Senior Scientific Assistant,
G.T.R.E.,
C.V. Raman Nagar,
Bangalore - 560 093

9. Mangam Babu Rao,
Senior Scientific Assistant,
A.D.E.
C.V. Raman Nagar,
Bangalore - 560 093

Respondents

(Shri M.S. Padmarajaiah - Advocate)

This application has come up today
before this Tribunal for orders. Hon'ble
Justice Mr.P.K. Shyamsundar, Vice Chairman made
the following:

ORDER

This case was posted for hearing on
20.9.93. Since similar cases have been disposed
off today i.e. in O.A.No.320/93, 322/93, 323/93
and 324/93, with the consent of both parties,
I have re-posted this case to today and treated
it as listed for today. Following the order made
in OAs referred to supra, I direct the Department
to consider the claim of the applicant for awarding
the benefit of the judgment rendered in Pinto's
case referred to in OA's referred to supra. The
Department will take a decision in this behalf
within three months from the date of receipt of a
copy of this order. No costs.



TRUE COPY

R. Alles
N. Alles
SECTION OFFICER
CENTRAL ADMINISTRATIVE TRIBUNAL
ADDITIONAL BENCH
BANGALORE

11/9/93

VICE CHAIRMAN

Set

Second Floor,
Commercial Complex,
Indiranagar,
Bangalore-560 038.

Dated:- 20 JUL 1994

Miscellaneous Appn No. 174/94

IN

APPLICATION NUMBER: 111 of 1993

APPLICANTS:

RESPONDENTS:

Sri. M. Parthiban and Others vs. Smt. N. S. Nagarathna and Others
T.O.

- ① Sri. O. Sreedharan,
Advocate Indira Mahal, Lodge, 5th Main Road,
Gandhinagar, Bangalore-560009.
- ② Sri. M. Narayana Iyer, Advocate
No. 844, upstairs, 1715-G-Main,
5th Block, Rajajinagar, Bangalore-10.
- ③ Sri. M. S. Padmanabiah
Sri. C.G.S.C. High Court Bldg,
Bangalore-1

Subject:- Forwarding of copies of the Orders passed by the
Central Administrative Tribunal, Bangalore.

Please find enclosed herewith a copy of the ORDER/
STAY ORDER/INTERIM ORDER, passed by this Tribunal in the above
mentioned application(s) on 11-07-94.

Issued on

20/7/94

R

of

S. Shanthi
for DEPUTY REGISTRAR
JUDICIAL BRANCHES.

Applicant: Sri. M. Paithiyanathan vs. Smt. N. S. Nagarathna ~~vs. Govt.~~

-18-

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MA 174/94

Date	Office Notes	Orders of Tribunal
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PKS (VC) / VVR (MA)
11.7.94

Having heard Shri D. Sreedharan, learned counsel for the applicants, we think it appropriate to direct the applicants to file a fresh application if they are aggrieved by the Government's dispensation found in R-4 produced along with the application now projected for consideration. All the points and contentions raised in this application are left open for de-novo consideration in the event of a fresh original application being made. With this observation, this application stands disposed of finally. In the light of the above order, MA No. 174/94 does not survive and is disposed of as having become infructuous.

sd-

M(A)

sd-
VC

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S. Sreedharan
SECTION OFFICER 2017
CENTRAL ADMINISTRATIVE TRIBUNAL
ADDITIONAL BENCH
BANGALORE

