

1

Office Notice, Office)	
Memorandum, of coram)	
Appearance, Tribunal's)	Tribunal's Orders
Orders of direction &)	
Registrar's Orders.)	
)	

Fixed for A.P.
on 7/10/94.

~~NS~~
for Ex Registrations

MP 1013/94 for
not filing the
Impugned order
with the application
filed on 7/10/94.

~~NS~~
4/10/94.

Dated: 7/10/94.


Sh. G.K. Masand for
Sh. S.H. Gurbabani.
notice before admission
returnable on ~~28/10/94~~ 17/10/94.
Status quo to continue as of today
Dasti.

12/10/94

N/REL
A
7/x

DASTI NOTICES
are issue to
Respondents on
7-10-94

NO



(P.P. Shrivastava) (M.S. Deshpande)
MCA) V/C.

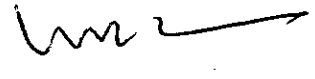
17/10/94 (2)

Shri Gursahani - learned Counsel for applicant.

Shri Gursahani requests for time to file Affidavit ~~is served~~ of service

None appears for the respondents. ~~next week~~ List for ^{orders} hearing - 24/10/94.


(P.P. Srivastava)
M(A)


(M.S. Deshpande)
V.C.

Dated: 24/10/94.

Applicant by Sh. S.H. Gururatham. Respondent No. 1. None for the Respondent No. 2.

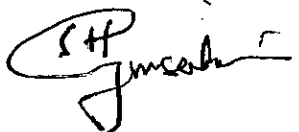
Liberty to the applicant to add State of Bihar as a party Respondent No. 3. The OA be accordingly amended today.

Liberty to serve State of Bihar with a notice to State of Bihar before admission returnable on 16/12/94 with a direction to State of Bihar to file a reply within two weeks of service of notice.

Sh. Masurkar requests for time to file reply before admission within four weeks. Affidavit of service has already been filed by the applicant in respect of R-2.

Keep the case for admission and interim relief on 16/12/94. Status quo to continue till then.

Amendment carried out on 26/10/1994 pursuant to the Court's order, dated 24/10/94.



I undertake to serve the amended copy of O.A. on Mr Masurkar Counsel for the Respondent No. 1.




26-10-94

Acknowledgement received from R-1 on 28/10/94 in duplicate kept in folder.

2/10/11



(P.P. Srivastava)
MCA



(M.S. Deshpande)
V.C.

3

Notice is issued to
State of Bihar on
26-10-94
ms


16.12.94

Applicant in person. His
counsel is not present.

Shri. Masurkar for the
respondents no. 1, has
filed reply, copy of
which has been given
to the applicant.


s.o to 27/1/95.

Reply dt 18/12/94
filed by refcon.
Rec. on 21/12/94 in
duplicate.
ms
23/12/94


(P.P. Srivastava) (B.S. Hegde)
M(A) M(S)

27.1.95

At the request of
Shri. Gursahani,
learned counsel for
the applicant, adjourned
to 10/02/95.


(P.P. Srivastava) (M.S. Deshpande)
M(A) v/c

Recd rejoinder from
applicant on 09/2/95
ms
9/2

(4)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH, 'GUESTAN' BUILDING NO.6
PRESCOT ROAD, BOMBAY 400001

O.A.NO.1069/94

Dated: 10th February 1995

TRIBUNALS ORDER:

(Per: M.S.Deshpande, Vice Chairman)

Shri S.H. Gursahani, counsel for the applicant.

Shri V.S.Masurkar, Counsel for the respondents.

1. Two preliminary objections have been raised on behalf of the respondents. One is with regard to the jurisdiction of the Tribunal to entertain this petition and secondly, that the petition is barred by time. Our attention is drawn to the relevant rules which speak about consultation in respect of insiders and outsiders quota between the Government concerned and the Central Government. The applicant was a domicile of Maharashtra and his request was for being allotted to the 'insiders quota' of Maharashtra State in the insider quota. The relevant instructions show that there has to be consultation but obviously, the consultation has to be with regard to the allotment of a candidate or a S.C. candidate for the insider quota. The consultation shall have to be with the Government to which the applicant wanted to be allotted and in the present case, it would be the State of Maharashtra which shall have to be consulted. Since the allotment shall have to be made by the Central Government after such consultation a part of the cause of action arose in the State of Maharashtra as contemplated by Rule 6(ii) of Central Administrative Tribunal (Procedure) Rules, 1987. Since a part of the cause of action shall be deemed to have been arisen in the State of Maharashtra, this Bench of the Tribunal will have the jurisdiction. The matter does not admit of any doubt in this respect and in the representation which the applicant had made his prayer was for being allotted to the State of Maharashtra. On the second point, regarding limitation, though the representation was made by the applicant who belonged to 1990 cadre on 9.11.91 and 20.11.92 the order on his representation came to be passed on 30.9.1994. The present O.A. was filed on 26.9.1994, before the order was communicated

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..2..

to him. The application would, therefore, be within time. We, reject both the objections raised on behalf of the respondents on the ground of want of jurisdiction and of bar of limitation.

2. The petition is ADMITTED.

Respondents counsel requests for time to file reply to the rejoinder which has been filed by the applicant. Issue notice to Respondent Nos. 2 and 3 with a direction to file their reply and also in respect of interim relief within six weeks of service of notice on them.

3. List the case on 25.4.1995.

M.R. Kolhatkar

(M.R. Kolhatkar)
Member(A)

M.S. Deshpande

(M.S. Deshpande)
Vice Chairman

(21)

Erk

Notice issued to the respondents on 14-2-95

Jali

Recd. reply on behalf of Resp. no. 2 on 7-4-95

185
10/4

Dated: 25-4-95

None for the applicant. Mr. V.S. Masurkar Counsel for respondent has filed his note of appearance today. They have already filed their reply in the matter.

None for R-3, they have also not filed their reply in the matter.

S.O. to 3-7-95 on the left-chance.

Registration

Date: 3-7-95

Applicant in person. Mr. V.S. Masurkar Counsel for respondent no. 1 & 2.

None for R-3, though deemed to have been served. They have also not filed their reply in the matter.

Applicant who is present says that, he is coming from Bihar and there is urgent interim relief. Also there is no order of the Court for keeping the case in the sine-die list.

The matter be placed before the Tribunal for order on 28-7-95. Copy of this order be given to both sides.

order/interim order despatched to ... (3)
On 16/7/95

Registration

(3) [Signature]

J-5/10

(7)


Dated: 28.7.95

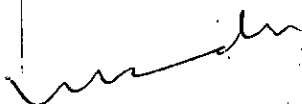
Sl No. 23

Shri S.H. Gurusahani,
Counsel for the applicant.

The learned Counsel
for the applicant has filed
affidavit of service of the
order on respondent No 2
and 3.

List the case for
order on interim on 4.8.95


(P.P. Srivastava)
M(A)

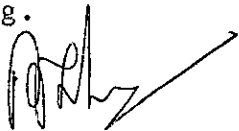

(M.S. Deshpande)
Vc


Date: 4.8.95

Mr. Gurusahani, Senior Counsel, for the applicant. Mr. V.S. Masurkar, counsel for the respondents. It appears that the arguments in respect of the interim relief which is being sought by the applicant would also cover the question of final relief that is to be granted in this matter because that will be based on the same legal position.

Shri Masurkar for the respondents states that he should be granted two months time in this case.

The application for interim relief will be taken up on 13.10.95 peremptorily for hearing the matter on interim relief and also for final hearing.


(P.P. Srivastava)
Member(A)


(M.S. Deshpande)
Vice Chairman

Per Tribunal

Date: 8/11

Applicant in person by
Advocate / Respondent by
Council.

The matter adjourned to
for

Dy. Registrar

40) 13-10-1995

Shri G.K. Masand
for S.H. Gurusatani, counsel
for the applicant. &

Shri V.S. Masurkar,
counsel for the respondents.

Shri Gurusatani is
reported to be ill and seeks
for an adjournment.

S.O. till 27/11/1995.

(P.P. Srivastava)
MCA

(B.S. Hegde)
MCA

Per Tribunal

Date: 27.11.95

Applicant in person by None
Advocate / Respondent by V.S. Masurkar
Council. for want of time!

The matter adjourned to
for Hearing 31/1/96

Dy. Registrar

Per Tribunal

Date: 31/1/96

Applicant in person by
Advocate / Respondent by Mr. Masurkar
Council. for want of time!

The matter adjourned to
for trial hearing 4/6/96

Dy. Registrar

Vakalatnamu filed
by Shri V.S. Masurkar
Adv. to all respondents.

2
1912

25) 04.06.1996.

Shri G.K. Masand for
Shri S.H. Gursahani, Counsel
for the applicant.

Shri V.S. Masurkar for
the respondents.

Adjourned to 23.10.1996.

M. Kolhatkar
(M.R. KOLHATKAR) (B. S. HEGDE)
MEMBER (A). MEMBER (J).

ost*

12/2/97

Per Tribunal

Date: 23/10/96

Applicant in person by None
Advocate / Respondent by V.S. Masurkar
Counsel. For want of time
The matter adjourned to 12-2-97
for F.H.

f. Registrar
By Registrar
23/10/96

By Registrar

for
The matter adjourned to
Advocate / Respondent by
Applicant in person by
Per Tribunal
Date

Per Tribunal

Date: 12/2/97

Applicant in ~~person~~ by None
Advocate / Respondent by Mr. Masurkar
Counsel for want of time
The matter adjourned to 25/6/97
for final hearing

n
By Registrar

Memo of Appearance
Filed by Sh. V.S. Masurkar
Counsel for Respd. No. 182.

filed
19/12

Per Tribunal Date: 25.6.97
Applicant in person by None
Advocate / Respondent by VS Masunkar
Council. ~~Person of firm~~
The matter adjourned to 8.10.97
for final hearing
Dy. Registrar

8(102) PT

Applicant by None
Respondent by Mr Masunkar
for want of firm adjd to
16/12/97 for final hearing

By
Co

19) 16.12.1997.

None for the
applicant.

Shri vs. Masunkar
for the Respondents.

This matter may
not be placed before
a Bench in which
Hon. Shri B.S. Hegde, M(J)
is a member.

Put up on 14.1.1998.

~~MR Kolhatkar (MCA) vs B.S. Hegde (M(J))~~

OS

Per Tribunal Date: 14/1/98
Applicant in person by None
Advocate / Respondent by Mr Masunkar
Council. Time over
The matter adjourned to 4/3/98
for final hearing

ft
24/6/98

Per Tribunal Date: 4/3/98
Applicant in person by None
Advocate / Respondent by V.S. Masister
Counsel for want of time
The matter adjourned to 24/6/98
for Final Hearing
Dy. Registrar

Per Tribunal Date: 24/6/98
Applicant in person by none
Advocate / Respondent by Mr. Mesurken
Counsel for want of time
The matter adjourned to 24/6/98
for final hearing
Dy. Registrar

Per Tribunal Date: 24/6/98
Applicant in person by none
Advocate / Respondent by Mr. Mesurken
Counsel for want of time
The matter adjourned to 24/6/98
for final hearing
Dy. Registrar

24/6/98

PT. 22/12/198

As no DB is available
the matter is adjourned
to 23/3/99
for Dy. Registrar

Per Tribunal (44) Date: 23/3/99
Applicant in person by Mr. Masister
Advocate / Respondent by Mr. V.S. Mesurken
Counsel for want of time
The matter adjourned to 27/7/99
for final hearing
Dy. Registrar

Dated: 27/7/1999.

The case is called out for final hearing. Applicant and Counsel absent. Respondents represented by Mr. V.S. Marurkar. This is an old case of 1994. The application is dismissed for non-prosecution. In view of the disposal of the O.A., all pending M.P.s stand disposed of. No order as to costs.

B.N.B

(B.N. Babdur)
MCAJ

R.G.
(R.G. Vaidyanatha)
V/c

Order judgement despatched
Order judgement despatched
Respondent (s)
Respondent (s)
17/8/99

12/8

M.P. No. 550/99 for
interim, from a
17-7-99 for order

16/8

OA 1069/94 (46) Dated: 17.9.1999

Shri S.H. Gursahani,
counsel for the applicant.
Shri V.S. Masurkar counsel for
respondent No.2.

M.P. 550/99 has been
filed by the applicant making
a prayer for restoration of the
OA which has been dismissed by
order dated 27.7.1999. In view
of the position explained, the
prayer for restoration of OA
is allowed. The Registry is
directed to restore the OA to
the original Number. List the
case for final hearing on
3.11.1999. Registry will also
send notices to respondent No.1 and
3 regarding the next date of
hearing. M.P. stands disposed of.

(S.L. Jain)
Member (J)

(D.S. Baweja)
Member (A)

NS

Not

At

17
Members of

5/10/99

ho

O.A.NO.1069/94.

Dated: 3.11.1999.

Heard Shri S.H.Gursahani, counsel
for the applicant and Mr.V.S.Masurkar,
counsel for the respondents. The learned
counsel for the applicant prays for time
since he wants to take instructions.

Adjourned to 8.12.1999.

(D.S. BAWEJA)
MEMBER (A)

(R.G. VAIDYANATHA)
VICE-CHAIRMAN

B.

16) 8.12.1999.

Both counsel present.

On the request of applicant's counsel that he is unable to get instructions from the applicant, finally adjourned to 20.1.2000.

(B.N. Bahadur)
MCA)

(R.G. Vaidyanatha)
V/c.

05.

OA 1069/94 (17) Dated: 20.1.2000

None for the applicant.
Shri V.S. Masurkar counsel for the respondents.

As a last chance adjourned to 25.1.2000.

S.L.Jain
(S.L. Jain)
Member (J)

B.S.
~~(B.N. Bahadur)~~
Member (A)

NS

OA 1069/94 (25) Dated: 25.1.2000

Shri N.H. Gursahani for
Shri S.H. Gursahani counsel for
the applicant. Shri V.S. Masurkar
counsel for the respondents.

As a last chance adjourned to 4.2.2000.

S.L.Jain
(S.L. Jain)
Member (J)

B.S.
~~(B.N. Bahadur)~~
Member (A)

NS

4.2.2000 (19)

Shri J.S. Chandwani appears on behalf of Shri S.H. Gursahani and presents an application form Shri Gursahani stating that the Advocate for applicant has made several attempts to contact the applicant through various means and he has not been able to establish contact. This application comes in the background of time taken by learned counsel Shri Gursahani on a few occasions prior to today to make such efforts. In the circumstances, this OA is hereby dismissed in default for non-prosecution. Shri V.S. Masurkar present on behalf of respondents.

B.N. Bahadur

04/02/00
(B.N. Bahadur)
M(A)

J.S. Chandwani
(S.L. Jain)
M(T)

J.S. Chandwani
order/Judgment despatched
to Applicant
on 10/2/2000
19/2/2000