

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

O.A.No. 163 of 1997

DATE OF DECISION.....1.9.1999.....

Shri Paban Kumar Barthakur, IAS (PETITIONER(S))

Mr B.K. Sharma, Mr M. K. Choudhury and

Mr S. Sarma ADVOCATE FOR THE
PETITIONER(S)

-VERSUS-

The Union of India and others RESPONDENT(S)

Mr A. Deb Roy, Sr. C.G.S.C.,

Dr Y.K. Phukan, Sr. Government Advocate, ADVOCATE FOR THE
RESPONDENTS.

Assam and Ms M. Das, Government Advocate, Assam

THE HON'BLE MR JUSTICE D.N. BARUAH, VICE-CHAIRMAN

THE HON'BLE MR G.L. SANGLYINE, ADMINISTRATIVE MEMBER

1. Whether Reporters of newspapers may be allowed to see the Judgment ?
2. To be referred to the Reporter or not ?
3. Whether their Lordships wish to see the fair copy of the judgment ?
4. Whether the Judgment is to be circulated to the other Benches ?

Judgment delivered by Hon'ble Vice-Chairman

[Signature]

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

Original Application No.163 of 1997

Date of decision: This the 1st day of September 1999

The Hon'ble Mr Justice D.N. Baruah, Vice-Chairman

The Hon'ble Mr G.L. Sanglyine, Administrative Member

Shri Paban Kumar Barthakur, IAS,
Deputy Commissioner,
Cachar District, Silchar.

.....Applicant

By Advocates Mr B.K. Sharma, Mr M.K. Choudhury
and Mr S. Sarma.

- versus -

1. The Union of India, represented by the
Secretary to the Government of India,
Ministry of Personnel, Public Grievances
and Pension,
Department of Personnel and Training,
New Delhi.

2. The State of Assam, represented by the
Chief Secretary to the
Government of Assam,
Dispur, Guwahati.

3. The Deputy Secretary to the
Government of India,
Ministry of Personnel, Public Grievances
and Pension,
Department of Personnel & Training,
New Delhi.

4. The Under Secretary to the
Government of Assam,
Department of Personnel, Personnel(A),
Assam Secretariat (Civil),
Dispur, Guwahati.

.....Respondents

By Advocates Mr A. Deb Roy, Sr. C.G.S.C.,
Dr Y.K. Phukan, Sr. Government Advocate, Assam,
and Ms M. Das, Government Advocate, Assam.

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O R D E R

BARUAH.J. (V.C.)

The grievance of the applicant is that he wants to remain in Assam - Meghalaya Cadre. He was offered the Nagaland Cadre. He submitted a representation. As nothing was done he has approached this Tribunal by filing the



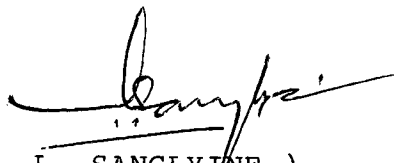
present application.

2. Heard both sides. Mr M. K. Choudhury, learned counsel for the applicant submits that the State Government has taken up the matter with the Central Government and the Central Government is also seriously considering the matter. In all probability the prayer of the applicant may be acceded to by both the State Government and the Central Government. Ms M. Das, learned Government Advocate, Assam, also confirms the same. Mr A. Deb Roy, learned Sr C.G.S.C., however, has no instructions in this matter.

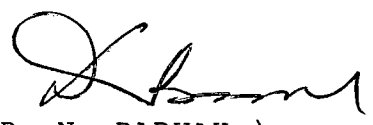
3. Considering the submissions of the learned counsel for the parties, we direct the authority to take a decision in this matter. The applicant may also file a fresh representation to the respondent No.1 giving details of his grievances. On receipt of the representation the respondents may consider the same and dispose of the matter.

4. We make it clear that if the applicant is still aggrieved he may approach the appropriate authority, if so advised.

5. The application is accordingly disposed of. No order as to costs.



(G. L. SANGLYINE)
ADMINISTRATIVE MEMBER



(D. N. BARUAH)
VICE-CHAIRMAN