

CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI SECTOR

C.A. No. 212/97

Shri Bidyay Sarker & Ors. ....  
vs.

Applicant(s)

Union of India & Ors. ....

Respondent(s)

Mr. A. L. Loch, Mr. S. Chanda  
Advocates for the Applicant(s)

Mr. G. Sharma, Addl.  
C.G.S.C. Advocate for the Respondent(s)

Office Note	(X) Date	Court Orders
	10-7-97	Notified Mr. Loch, Mr. S. Chanda & Mr. G. Sharma learned Addl. C.G.S.C. for the Respondents.
		Application is admitted. Mr. G. Sharma learned Addl. C.G.S.C. receives notice on behalf of respondent Nos. 1, 2 & 3. Issue notice to the respondent No. 4 by registered post. Copy of the application shall have to be furnished during the hearing of the case.
		Mr. A. L. Loch learned Addl. C.G.S.C. also learns for an interim order to the effect that during the pendency of this application the applicant may not be removed from service.
		Issue notice, probably for 4 weeks. Meanwhile, to show cause why the interim prayer for stay should not be granted. If granted, the applicant may not remove from service.
		List it on 31-10-97 for hearing.
		60
		12/97
		27/9
		27/9

Notice has been  
receipt on 22.9.97  
issued to the  
respective parties  
respondent No 1-4 by  
Registered post vide  
dispatch No. Bi 86-3289  
of 21.9.97.

Service Reports are filed on 31.10.97. Direction Bench is not  
sitting. List on 18.11.97  
3. pm.

  
Mr. G. Sharma

29/10

(3)

18.11.97 Two weeks further time granted for filing of written statement on the prayer of Mr G. Sarma, learned Adv. & S.C.

81.10.97

Notice duly served on Respondent No. 4.

62 Member

Vice-Chairman

pg

5-11-97

✓  
19/11

by Mr N. Choudhury and  
Adv. P. Bhawmik Adv.  
on behalf of respondent

No. 2 X 3.

2.12.97

The learned counsel for the respondents  
pray for further extension of time for filing  
written statement. One week's time allowed.  
List it on 9.12.97.

62 Member

Vice-Chairman

17-11-97

nkm

✓  
1/12

- 1) Notice duly served on respondent No. 4.
- 2) Show cause has not been filed.
- 3) No. Memo of appearance.

19.12.97

Mr M. Chanda, learned  
counsel for the applicant, submits  
that the case is ready for  
hearing. Let this case be listed  
for hearing on 24.3.1998.

62 Member

Vice-Chairman

nkm

✓  
8/12

12.12.97  
written statement  
filed on 12.12.97  
Case No. 2229.

③ CA 212/97

Notes of the Registry	Date	Order of the Tribunal
1) WPS has been filed at R-Nos 2 & 3. The R-Nos 1 & 4 are still awaited.	24.3.98	<p>Let this case be listed for hearing on 1.7.98.</p> <p>6 Member</p> <p>pg 25/3</p>
2) Service reports are ready on R-Nos 1 & 4. The others are still awaited.	25-5-98	<p>The grievance of the applicants in this application is against the Air- port Authority of India, namely respondent Nos. 2 to 4. Respondent No. 1 is only a formal party. In the Airport Authority of India Act, 1994 it has been mentioned that the Airport Authority of India is constituted under a statute. Therefore, a notification under Section 14 of the Administrative Tribunals Act, 1985 was necessary to bring it within the jurisdiction of this Tribunal. But learned counsel for both sides submit that there is no such notification. Therefore, the Tribunal has no jurisdiction to entertain the application. Accordingly, this Original Application is disposed of. Return to the applicant keeping a photocopy of the application. Interim order stand vacated.</p> <p>Member</p>

Notes of the Registry	Date	Order of the Tribunal
	25-5-98	<p>The grievance of the applicants in this application is against Airport Authority of India and Controller of Aerodrome, Airport Authority of India, Agartala Airport the respondent No.2 &amp; 3 respectively. Respondent No.1, the Union of India, is only a formal party. The Airport Authority of India is constituted under the Airport Authority of India Act 1994, therefore the respondent No.2 the Airport Authority of India is a creature of a Statute. To invoke the Jurisdiction of this Tribunal, a notification under Section 14 of the Administrative Tribunal Act 1985 is necessary. The learned counsel for the parties submit that there is no such notification. Therefore, the Tribunal has no jurisdiction to entertain the application. Accordingly, the Original Application is returned to the applicant. Office is directed to return the same after keeping a photocopy of the Application.</p>
11/6/98		<p>Interim order earlier granted shall stand vacated.</p> <p>60 Member</p> <p>1m NS 9/6</p>
<p>• Copies of the order have been sent to the D/ree. for sending the same to the parties through Regd. M/s A/S.</p> <p>Pl.</p> <p>Received by the Clerk for the original application two copies</p> <p>Winder Advocate</p>		<p> Vice-Chairman</p>