

CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH:

O.A. No. 197 /1997

Shri M. Yanthan

Applicant(S)

Union of India & Ors

Respondant(S)

M. P. K. Goswami, B. K. Mishra Advocate for the Applicant(S)

M. S. Ali, Sr. C.G.S.C. Advocate for the Respondant(S)

G.A. Nagaland.

Office Note

Date

Court Orders

This petition is 5.9.97  
mentioned in Court.

Heard Mr P.K.Goswami, learned  
senior counsel appearing on behalf  
of the applicant.

Application is admitted. Mr  
A.K.Choudhury, learned Addl.C.G.S.C  
receives notice on behalf of  
respondent No.1, Mr G.Sarma, learned  
Addl.C.G.S.C receives notice on  
behalf of respondents No.3 & 4 and  
Mr C.T.Jamir, learned Government  
Advocate, Nagaland receives notice  
on behalf of respondents No.2, 5  
and 6.

List on 3.10.1997 for written  
statement and further orders.

This application is in  
form and within time

C. F. of Rs. 50/-

deposited vide

IPO/BD No. 7117/65

Dated ... 4-9-97

Dy. Registrar

2/11

Member

Vice-Chairman

pg

5/9

W/S. has not been filed

1/10

O.A. 197/97

3.10.97

There is no representation on behalf of the applicant. Mr G.Sarma learned Addl.C.G.S.C prays for one month time for respondents No.3 &4 for filing written statement. Mr A.K. Choudhury, learned Addl.C.G.S.C also makes similar prayer. Accordingly time allowed till 5.11.97.

List on 5.11.97 for written statement and further orders.

8.10.97  
Notice duly served on all respondents

Boon.

Member

Vice-Chairman

14-10-97

Memo of appearance filed by Mr. G. Sharma Addl. C.G.S.C.

5-11-97

Two weeks further time is granted for filing of written statement as last chance.

List it on 20-11-97 for

orders.

Member

Vice-Chairman

W/S has not been b/w

6-11-97

Counter Affidavit filed on behalf of respondent No. 3, 4, & 5. at page 29 to 48.

20.11.97

Written statements have been filed by respondent Nos.2, 3, 4, 5, and 6. Only respondent No.1- The Union of India, has not filed written statement. The Union of India has prayed for further extension of time. As a last chance we allow 2 weeks further time to respondent No.1 for filing written statement. No further extension of time will be granted. List it on 4.12.97.

Member

Vice-Chairman

19-11-97  
Written statement filed on behalf of respondent No-2 and 6. at page 49 to 57.

nkm

3

04/12/97

Office Note

Date

Chairman's Order

3.12.97

4.12.97

Respondent No 1  
has not been  
filed written  
statement.

Two weeks further time allowed for  
filing of written statement as a last chance.  
List it on 18.12.97.

Member

Vice-Chairman

nkm

NS  
8/12

Don

16-12-97

18.12.97

1) Reply filed on  
behalf of the respondent  
No-1.

Mr G.Sarma and Mr A.K.Choudhury,  
learned Addl.C.G.S.C submit that the  
written statements have been filed by  
respondents No.1, 2, 3, 4 & 6. Mr D.K.  
Misra, learned counsel for the applicant  
prays for some time to file rejoinder.  
This may be filed on 5.1.98.

List on 5.1.98 for rejoinder and  
further orders.

Member

Vice-Chairman

2) Memo of appearance  
filed by Mr A.K.choudhury  
Addl. C.G.S.C.

pg

19/12

5-1-98

Case is adjourned till

17-2-97 for orders.

Member

Vice-Chairman

3) Reply filed on  
behalf of respondent  
No-2.

lm

6/1/98

17.2.98

Await service reports. Mr C.T.

Jamir, learned Government Advocate Nagaland  
prays for time to file additional written  
statement. Prayer allowed.

List on 4.3.98 for further orders.

Member

Vice-Chairman

pg

Office Note

Date

Court's Order

2-1-98

27.2.98

Rejoinder filed on behalf of the applicant against the w/s filed by the respondents No-2 to 6.

24  
2.1.98

The case is ready for hearing as regards w/s & rejoinder.

12/2/98



Office Note

O.A. 197/97

This application has been filed for non selection of the applicant in the selection process for promotion to the Indian Administrative Service (for short IAS) in the year 1996-97 of the Nagaland Cadre. The application was admitted on 5.9.1997. The selection process for the year 1996-97 has already been completed and the select list has been published and for the year 1997-98 new selection process is about to start. In view of this the applicant does not want to press the application so far his selection in the year-1996-1997 is concerned. However, he insists that he should be considered in the next year i.e. 1997-98. As the present application was for non-selection of the applicant for the year 1996-97 the application to that extent has become infructuous.

Heard Mr P.K.Goswami, learned senior counsel appearing on behalf of the applicant, Mr C.T.Jamir, learned Government Advocate, Nagaland for respondents No.2 and 6, Mr G.Sarma, learned Addl.C.G.S.C for respondents No.3 & 4 and Mr A.K.Choudhury, learned Addl.C.G.S.C for respondent No.1. It is agreed by the counsel for the parties that for all practical purposes the present application so far the non selection of the applicant for the year 1996-97 has become infructuous but in view of the facts and circumstances mentioned above, the counsel appearing on behalf of the applicant submits that the applicant should be considered in the next selection i.e. for the year 1997-98. The counsel appearing on behalf of the respondents have no objection to the submission of Mr. Goswami that

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Notes of the Registry	Date	Order of the Tribunal
<p>10.3.98</p> <p>Copy of the case has been sent to the D/Sec for issuing the same to the parties.</p> <p>vide memo No. 652 to 657 dated 12-3-98.</p>	27.2.98	<p>the applicant should be considered for the next selection i.e. for the year 1997-98. Considering the submissions of the counsel for the parties we dispose of this application with a direction to the respondent No.2-Chief Secretary to the Government of Nagaland, Kohima to reconsider the case of the applicant for correct assessment of his grading before sending the records to the Selection Committee for selection of the officers for recruitment to the IAS for the year 1997-98.</p> <p>Application is disposed of.</p> <p>Considering the entire facts and circumstances of the case however, we make no order as to costs.</p> <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div data-bbox="786 1262 949 1380">   Member </div> <div data-bbox="1284 1236 1588 1393">   Vice-Chairman </div> </div>

Notes of the Registry	Date	Order of the Tribunal