

CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH:

O.A No. 197/1997

Shri M. Yamthan

Applicant(s)

Union of India & Ors

Respondent(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)

C. 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.

This application is in form and within time

G. F. of Rs. 50/-

deposited vide

IPO/BD No 7117.65

Dated ... 4-9-97

Ad. 5/9/97  
D. Registrar

281

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.

W/S. has not been filed

60  
Member

SB  
Vice-Chairman

PG

519

2  
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

Member

  
Vice-Chairman

14-10-97

pg

3/10

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.

  
Member

  
Vice-Chairman

W.S. was met. term b/w

lm

AS

EFII

6-11-97

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

nkm

AS  
21/11

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

  
Member

(3)

04/12/97

Office Note Date County's Order

3.12.97

4.12.97

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

Respondent No 1  
Ans ad. bar  
Smt. D. K. Misra  
Statement

Member

Vice-Chairman

nkm

NS  
6/12

18.12.97

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.

Bar  
16-12-97

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

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

KA

pg

jg  
19/12

Member

Vice-Chairman

5-1-98

Case is adjourned till 17-2-98 for orders.

Member

Vice-Chairman

lm

5/6/1998

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

O.A. 197/97

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.

2-1-98

The case is ready for hearing as regards W/S 2 rejoinder.

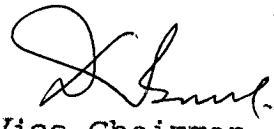
12/2/98

Office Note Date

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

Notes of the Registry	Date	Order of the Tribunal
<p><u>10.3.98</u></p> <p>Copy of the letter has been sent to the D/Sec for issuing the same to the parties.</p> <p>Ref. file number 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> <p style="text-align: center;">(S)</p> <p>Member</p>

  
Vice-Chairman

Notes of the Registry	Date	Order of the Tribunal