

GENERAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

G.A No. 118 /97

Sri. S. G. MeominAPPLICANT (S)

VERSUS

Union of India & Ors.RESPONDENT (S)

Mr. M. Chanda, N. D. GoswamiADVOCATE FOR APPLICANT (S)

Mr. J. L. Sarker, Rly. S.C.ADVOCATE FOR RESPONDENT (S)

Office Note	Date ()	Court Orders
This application is in form and within time C. F. of Rs. 50/- deposited vide IPO-BD No 607871, Dated 4/8/97 → 27-5-97 Dy. Registrar.	4.6.97	Heard Mr M.Chanda, learned counsel for the applicant and Mr J.L.Sarkar, learned Railway counsel for the respondents. Application is admitted. Issue notice on the respondents by registered post. Written statement within one month. List for written statement and further orders on 9.7.97.
Deputy Registrar (A) Central Administrative Tribunal Guwahati Dy. Registrar	27/6/97	
pg		
9.7.97 Notice has been received on 4.4.97 as issued to the concerned parties by registered post on 9.2.97.	9-7-97	None is present. Written statement has not been submitted. List on 6-8-97 for written statement and further order.

6
Member

Recon

- 1) Service reports are still wanted.
- 2) W.F.B. is not from A.I.W.

File 8/7

N

6.8.97

Adjourned to 20.8.97.

By order

20.8.97

Mr M.Chanda for the applicant.

Written statement has not been submitted.

21.7.97

Notice duly served
on respondent No. 4, 3, 4.

List on 10.9.97 for written statement and further orders.

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Member

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W/S. has not been filed

10.9.97

On the prayer of Mr J.L.Sarkar, learned Railway counsel further time allowed to file written statement.

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5/8

List on 29.10.97 for written statement and further orders.

W/S. has not been filed

19/10

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Member

pg

W/S. has not been filed

29/10

On the prayer of Mr J.L.Sarkar learned Railway counsel adjourned to 26.11.97 for filing written statement.

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7/9

No W/S has been filed

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28/10

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Member

No. 29/S has been filed

pg

3/11

Learned counsel Mr M. Chanda for the applicant. Mr J.L. Sarkar, learned Railway Counsel, prays for further time to file written statement. Allowed. List for written statement and further orders on 31.12.97.

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25/11

W/S has not been filed

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6/11

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Member

nkm 31.12.97 Adjudged to 7.1.98
370

W/S has not been filed: 24.6.98 Mr S. Sengupta prays for adjournment on behalf of Mr J.L. Sarkar, learned Railway counsel. Mr M. Chanda has no objection.

List on 1.7.98 for hearing.

6
Member

pg

25/6

1.7.98

Written statement filed on behalf of the respondents No-1 to 4, with a prayer for acceptance w/s vide MP-165/98.

Learned counsel Mr M. Chanda, for the applicant. Mr J.L. Sarkar, learned Railway Counsel, again prays for adjournment for one month on the ground that he has not received the written statement. Mr Chanda has no objection. Adjournded for hearing to 22.7.98.

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Member

nkm

2/7

15-7-98

Written statement has been submitted. Copy duly served on counsel of the applicant. Hearing of the Original Application will take place on 27-7-98 which has already been fixed.

6
Member

lm

22.7.98

Mr M. Chanda, learned counsel for the applicant prays for adjournment. Mr J.L. Sarkar, learned Railway counsel has no objection.

Hearing adjourned to 29.7.98.

6
Member

pg

28/6
23/7

7.1.98 Mrs N.D.Goswami for the applicant. Mr J.L.Sarkar, learned Railway counsel prays that he may be allowed last opportunity to file written within one month. Prayer allowed.

List on 4.2.98 for written statement and further orders.

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Member

3.2.98
No written statement
filed by the
respondents

pg
1811

4.2.98

Mr M.Chanda, learned counsel for the applicant and Mr J.L.Sarkar, learned Railway counsel are present.

Written statement has not yet been submitted.

List for hearing on 6.5.98. In the meantime the respondents may file written statement with copy to the applicant.

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Member

pg

6.5.98

Mr J.L. Sarkar, learned Railway Counsel, prays for an adjournment. Mr M. Chanda, learned counsel for the applicant, has no objection. The case is adjourned for hearing to 10.6.98.

6
Member

nkm

10.6.98

Ms N.D. Goswami, learned counsel for the applicant prays for short adjournment. Hearing adjourned to 24.6.98.

6
Member

nkm

Notes of the Registry	Date	Order of the Tribunal
Rejoinder filed on behalf of the applicant at page 31 do. 87.	29.7.98 17 pg S 64 31	Mr S. Sarma prays for adjournment on behalf of Mr M. Chanda due to his personal difficulty. List on 12.8.98 for hearing. <i>6</i> Member
w/s and rejoinder by been filed do. 11/8	12-8-98 1m	Heard counsel of both sides. Hearing concluded. Judgment reserved. <i>6</i> Member
	28-10-98 1m	On the prayer of Mr. M. Chanda learned counsel for the applicant list on 25-11-98 for hearing. <i>6</i> Member
	25.11.98 1m	On the prayer of the counsel for the parties the case is adjourned to 2.12.98 for order. <i>6</i> Member
	2.12.98 pg S 64 25/11	The applicant was retired with effect from 1.8.1995. According to him he was due to retire on 31.7.1996. He submitted an Original Application No. 16/96 against the order retiring him from service on alleged attainment of superannuation. In the order dated 19.8.98 the Division Bench of this Tribunal had allowed the contention of the applicant and set aside the order dated 31.8.95 retiring the applicant from service with effect from 1.8.1995 due to attaining the age of superannuation.

contd..

Notes of the Registry	Date	Order of the Tribunal
4	2.12.98	<p>The respondents were also directed to pay the dues to the applicant and the applicant shall be allowed to draw consequential service benefits including pensionary benefits. In the present application No.118/97, the applicant prays for 18% interest on the amount of commutation of pension, Death-cum-retirement-gratuity, transfer benefit etc. with effect from the date of retirement i.e. 1.8.1995 till the date of actual payment. In view of the order in O.A. 16/96 the present O.A. has been placed for order.</p> <p>Mr M.Chanda, learned counsel for the applicant has submitted that in view of the order dated 19.8.98 in O.A.16/96 passed by the Division Bench of this Tribunal he may be allowed to withdraw the present O.A.118/97 with liberty to raise the same contentions as has been raised in the present O.A. if occasion arises. None present for the respondents. Heard Mr Chanda. His prayer is allowed.</p> <p>The O.A. is dismissed on withdrawal. No order as to costs.</p> <p style="text-align: right;">69 Member</p>
<p><u>17.12.98</u></p> <p>Copies of the order have been sent to the D/Secy. for Secy. to the concerned parties through Regd. with A.P.O.</p> <p>KL Issued wide D.Nos. 3511 to 3515 Dtd 18/12/98</p> <p>KL 29/12/98</p>	pg	