

## FORM NO. 4

(See Rule 42)

**In The Central Administrative Tribunal**

GUWAHATI BENCH : GUWAHATI

**ORDER SHEET**

APPLICATION NO. 09 213

OF 199 8

Applicant(s) Shri K. S. P. V. Dasmun Kumar  
VS

Respondent(s) Union of India &amp; Ors

Advocate for Applicant(s) Mr. P.K. Goswami  
Mr. B.K. Sharma  
Mr. S. Sharma

Advocate for Respondent(s) Mr. U.K. Nair

Mr. A.K. Choudhury, Addl.  
C.S. & C  
Dr. Y.K. Phukan, Sr.  
G.A. Assam,  
Mrs. M. Das  
G.A. Assam.

Notes of the Registry	Date	Order of the Tribunal
This application is in form and within the sum of Rs. 50/- Admitted vide LPO BD No. 858732 858733 628657 Dated 8.9.98	10.9.98	Heard Mr P.K. Goswami, learned counsel for the applicant. The application is admitted. Mr Goswami prays for an interim order. Dr Y.K. Phukan, learned Sr. Government Advocate, Assam, submits that he has no instructions today. Accordingly we adjourn the case till tomorrow to enable Mr Phukan to receive instructions.
Requisite copies have been filed.		<p>6 Member</p> <p>Vice-Chairman</p> <p>Heard Mr. P.K. Goswami learned Sr. Advocate and Mr. B.K. Sharma learned counsel and also Dr. Y.K. Phukan, learned Government Advocate Assam, for the respondents.</p>

Contd/-

Notice prepared & send  
to Despatch for issuance  
R-1-4

15.9.

Notes of the Registry	Date	Order of the Tribunal
1) Service reports are still awaited. 2) Show cause is not sent back.	11-9-98	<p>Heard Mr.P.K.Goswami, learned Sr. Advocate and Mr.B.K.Sharma appearing on behalf of the applicant and Dr.Y.K.Phukan learned Sr.Government Advocate Assam for the respondents.</p> <p>Mr.P.K.Goswami prays for an interim order to stay the order of suspension dated 29-8-98. We granted time to Dr.Y.K.Phukan, Government Advocate, Assam, to receive instructions. To-day Dr.Phukan informs that he has not received any instruction; as copy of the application was not available with the Government.</p> <p>Issue notice to show cause, why the interim order dated 29-8-98 shall not be granted. Notice is returnable by 7 days. Meanwhile, the order of suspension dated 29-8-98(Annexure II) shall remain suspended until further orders.</p> <p>List on 18-9-98 for Admission.</p>
Memo of appearance filed by Dr. Y.K. Phukan, Sr. G.A. Assam.		<p>60 Member</p> <p>18-9-98</p>
Written statement filed on behalf of the respondents-4 (state of Assam)		<p>18-9-98</p> <p>Heard Mr.S.Sarma learned counsel appearing on behalf of the applicant and Dr.Y.K.Phukan, learned Sr.Government Advocate, Assam for the respondents.</p> <p>Written statement has been filed. Mr.S.Sarma learned counsel for the applicant prays for 2 weeks time to file rejoinder if so advised. Prayer is allowed. Dr.Phukan prays for 2 weeks time file for filing objection against the interim order.</p> <p>List on 21-10-98 for orders. The interim order dated 11-9-98 shall continue until further orders.</p>
Pl. comply order dtd 18-9-98. NS 18-9-98 21.9.98 Copy of order dtd 18.9.98 issued to the counsel of parties.		<p>60 Member</p> <p>18-9-98</p>
Rec'd copies of the order issued & d. No. 9745-2348 dtd 18-9-98 21.9.		<p>60 Vice-Chairman</p>

21.10.98

Dr. Y.K. Phukan, learned Sr. Govt. Advocate, Assam submits that in the facts and circumstances of the case stay order dated 11.9.98 should not continue. However, if the Tribunal is inclined to continue the stay order, the matter should be disposed of as early as possible.

We have heard Dr. Y.K. Phukan learned G.A., Assam, Mr. A.K. Choudhury, learned Addl. C.G.S.C. and Mr. B.K. Sharma appearing on behalf of the applicant. We agree with the submission of Dr. Phukan. Accordingly we fix the matter for hearing on 5.11.1998. Mr. B.K. Sharma prays for two days time to file rejoinder. Dr. Phukan does not oppose the prayer of Mr. Sharma. Rejoinder may be filed by 23rd October, 1998 by giving copies on the other sides.

List on 5.11.1998.

6  
Member

  
Vice-Chairman

trd

5.11.98

Division Bench is not available. The case is adjourned to 27.1.99

pg  
27.1.99

  
Vice-Chairman  
Case is ready for hearing. List for hearing on 5.4.99.

Member

  
Vice-Chairman

1.4.99 V

Case is ready for hearing.

Bom

5.4.99

The case is ready for hearing.  
List for hearing on 17.6.99.

Member

Vice-Chairman

pg

17.6.99

6/4/99

Bench is not available.  
placed the order on  
17.6.99.

6.7.99

Let this case be listed for hearing  
on 24.8.99.

Member

Vice-Chairman

5-7-99

pg

The case is ready  
for hearing.

24.8.99

Leftover. Ad. no. 30.5.98

B/o

10.

SFT

28-8-99

The case is ready  
for hearing.

23/8

29-9-99

The case is ready  
for hearing.

S/29/9

30.9.99

Ms M. Das, learned Government

Advocate, Assam has placed the order  
No.FRE.64/94/161 dated 8.3.1999, promoting  
the applicant to officiate as Deputy  
Conservator of Forests. As per the order,  
the applicant, on promotion, has been  
placed under the disposal of N.C. Hills  
Autonomous Council for posting as  
Divisional Forest Officer, Consolidation  
Division, Haflong relieving Shri M.E.  
Alam, Divisional Forest Officer, FRS  
Division.We have perused the order dated  
8.3.1999. This order itself indicates that  
the order of suspension of the applicant  
has been revoked. Ms also submits that the  
disciplinary.....

Notes of the Registry	Date	Order of the Tribunal
<p>3,10,95 Copies of the order are being sent to the C.C. for issuing to the parties.</p> <p><del>Issued vide O.N.O.</del> <del>26 to 428181</del> <del>11.95.</del></p> <p>Issued vide O.N.O. 66 to 4270 d, 22.11.95.</p>	30.9.99  nkm	<p>disciplinary proceeding initiate against the applicant has since bee dropped.</p> <p>In view of the above the application has become infructuous. Accordingly the application is dismissed as infructuous.</p> <p> Member</p> <p> Vice-Chairman</p>

Notes of the Registry	Date	Order of the Tribunal