

FORM NO. 4

(See Rule 42)

In The Central Administrative Tribunal

GUWAHATI BENCH : GUWAHATI

ORDER SHEET

APPLICATION NO.

218

OF 199 8

Applicant(s) Sri Mominul Haque Chandra Deb

Respondent(s) Union of Employees of C.P.S.

Advocate for Applicant(s) Mr. A. D. Deb
Mr. A. D. Deb

Advocate for Respondent(s) Mr. B.C. Pathak
Adil. Chatterjee

Notes of the Registry	Date	Order of the Tribunal
<p>704005</p> <p>17.10.98</p> <p>4) Perquisite 11 copies have been filed.</p> <p>5) This case is meant for court, as shown in the list of matters.</p> <p>11/9/98</p> <p>11/9/98</p> <p>Notice prepared & sent to despatch from 11/9/98</p> <p>passed to R-1-18</p>	<p>11.9.98</p> <p>26-10-98</p>	<p>Application is admitted. Issue notice on the respondents by registered post immediately.</p> <p>List on 26.10.1998 for written statement and further orders.</p> <p>Records shall be produced on the next date.</p> <p>Member</p> <p>Vice-Chairman</p> <p>Mr. M. Chanda learned counsel prays for adjournment on behalf of Mr. S.K. Deb. Case is adjourned to 9-11-98 for production of records. List on 9-11-98 for orders.</p> <p>Member</p> <p>Vice-Chairman</p>

Notes of the Registry

Date

Order of the T

Extra copy of Services
Deposit Rs. 30/- vide
NO. 389 dtd 11.9.98
in R-6-11.

IVS

14/9/98

① Service report are
still awaited.

② No. Wls has been
filed.

23.10

Service of Notice Receipts
issued to the respondents by
Regd ADP post. vide despatch
No. 2774 to 2784 dt. 18-9-98

3.11.98

Service of Notice
duly served on
respondent NO. 5, 6, 3, 7.
9.

Boon

Vakalatnama filed
by Mr. M. Chandra, Adv
and Mrs. N.D. Goswami,
Adv. on behalf of
the applicant.

24.11

1) Notice duly served on
R Nos 5 & 8. The other are
still awaited.

2) Wls has not been
filed. 2.12.98

Vakalatnama filed by
Mr. A.K. Choudhary, Addl. C.G.S.C
on behalf of respondents
BRO No. 1

9.11.98

No written statement has been
filed. Mr S.K. Deb, learned counsel
appearing on behalf of the applicant
submits that the applicant is retiring
in the month of December, 1998. There-
for early date of hearing may be fixed.
Mr G. Sarma, learned Addl. C.G.S.C has
no objection and prays for two weeks
time to file written statement. Two
weeks time allowed for filing of
written statement. Written statement
shall be filed within 24.11.1998 with
copy to the opposite party. Records
shall also be produced on 24.11.1998,
failing which consequence will follow
as per law.

Thereafter the case is listed for
hearing on 14.12.1998 as first item.



Vice-Chairman

pg

24.11.98

Mr G. Sarma, learned Addl. C.G.S.C
for the respondents prays for further
time for production of records. Two
weeks time allowed for production of
records. He also submits that all the
connected records are with the State
Government, i.e. with the State of
Tripura. If that is so the State of
Tripura shall produce the same.

List on 8.12.98 for production
of records.


Member


Vice-Chairman

pg

25.11


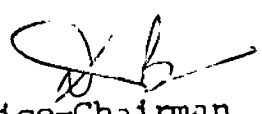
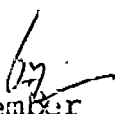
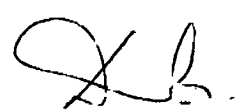

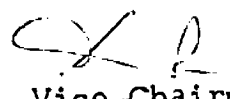

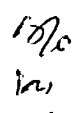


Notes of the Registry	Date	Order of the Tribunal
<p>7-12-98</p> <p>No ice duly served on R. Nos 3, 5, 7, 8, and 9 the other are all awaited.</p> <p>Written statement has not been filed.</p> <p>7.12.98</p> <p>Written statement lodged by the petitioner Respondent No. 4. at Page - 147.</p> <p>The case is ready for hearing.</p> <p>ns 9/12/98</p>	<p>8-12-98</p> <p>1m</p> <p>ns 9/12/98</p> <p>15.12.98 (Agartala)</p> <p>pg</p> <p>17.12.98 (Agartala)</p>	<p>Let this case be listed in the Circuit Bench at Agartala. Date will be notified lately.</p> <p><i>[Signature]</i> Member</p> <p><i>[Signature]</i> Vice-Chairman</p> <p>Present : Hon'ble Justice Sri M.N. Baruah, Vice-Chairman and Hon'ble Sri G.L. Sanglyine, Administrative Member.</p> <p>Let this case be listed for hearing on 17.12.98.</p> <p>Government Advocate, Tripura shall produce the records as ordered earlier.</p> <p><i>[Signature]</i> Member</p> <p><i>[Signature]</i> Vice-Chairman</p> <p>Notices were sent by registered Post. Service reports have been received from the respondents 2, 4, 6, 10 and 11. However, Sarma, learned Addl. C. appearing on behalf of respondent No. 1, Mr. B.P. Kataki, learned Govt. of Tripura, is appearing on behalf of respondent No. 2. Respondent No. 4 has entered appearance by writing a letter to Registrar, C.A.T., Guwahati dated 25.11.98. As the notices were sent to the respondents by registered post it is presumed that service has been made in respect of respondent nos 1, 2, 3, 5, 6, 7, 8, 9, 10 and 11.</p> <p>Mr. S. Deb, learned counsel appearing on behalf of the applicant arguing some length has made a request for adjournment of the case according to him certain amendment in Original Application is necessary.</p> <p><i>[Signature]</i> C.A.T.</p>

Notes of the Registry	Date	Order of the Tribunal
<p>28-12-98</p> <p>written statement - by an b/w or 2. No 4. other respondents is not been b/w.</p> <p>12/98</p> <p>No amendment application filed</p> <p>499</p> <p>Amendment Petition b/w</p> <p>induly served 2, 3, 7, 8, 9 by S.C. New</p> <p>3/99</p> <p>Petition b/w</p>	<p>29.12.98</p> <p>nkm</p> <p>30/12/98</p> <p>8.1.99</p> <p>pg</p> <p>9.2.99</p> <p>pg</p>	<p>On the prayer of Mr M. Chanda, learned counsel for the applicant the case is adjourned till 8.1.1999 for filing of amendment application as the same could not be filed today due to the personal difficulty of the senior counsel. No further adjournment shall be granted.</p> <p>Member</p> <p>Vice-Chairman</p> <p>List on 9.2.99 for order alongwith M.P.4/99.</p> <p>Member</p> <p>Vice-Chairman</p> <p>List on 23.2.99 for order alongwith M.P.4/99.</p> <p>Member</p> <p>Vice-Chairman</p>

Notes of the Registry	Date	Order of the Tribunal
<p><i>No. Amendment Petition has been filed.</i></p> <p><i>24-3-99</i></p>	24-3-99	<p>Let this case be listed alongwith M.P.No.4/99 on 1-4-99.</p> <p><i>lm</i></p> <p><i>for 25/3/99</i></p>
<p><i>No. Amendment Petition has been filed.</i></p> <p><i>24-4-99</i></p>	1.4.99	<p>Let this case be listed on 22.4.99 alongwith M.P.No.4/99.</p> <p><i>nkm</i></p>
	22.4.99	<p>List on 11.5.99 for order alongwith EXA M.P.4/99.</p> <p><i>pg</i></p> <p><i>NS 23/4/99</i></p>
<p><i>M.P. No. 4/99</i></p> <p><i>The applicant has filed Amendment petition.</i></p>	11.5.99	<p>In view of the order passed in Misc. Petition No.4/99 the prayer for amendment is allowed. The applicant shall file a consolidated application within ten days from today. Fix it on 31.5.99.</p> <p><i>nkm</i></p>
<p><i>22-6-99</i></p> <p><i>Requisite 10 copies received.</i></p>	31-5-99	<p>Two weeks time is allowed on the prayer of Mr.B.V.Pathak, learned Addl. C.G.S.C. Consolidated petition has been filed.</p> <p>List on 16-6-99 for orders.</p>
		<p><i>lm</i></p>

Notes of the Registry	Date	Order of the Tribunal
16.6.99 1/2 in a 5 in 7 available. placed in order on 6.7.99.	6.7.99	Written statement has not been filed. Two weeks time allowed for filing of written statement. List on 23.7.99 for written statement and further orders.
24.6.99 Notice (consolidated application) prepared and sent to D. Section for issuing of the same to the respondents through Registered post with A/D. D No 2140-2948 dt 30-6-99 5-7-99 32.6.99.	23.7.99	List on 10.8.99 for written statement and further orders on the prayer of Mr A. Deb Roy, learned Sr.C.G.S.C.
Inter Reports are still awaited.	10-8-99	Mr. A. Deb Roy, Sr.C.G.S.C once again prays for adjournment for filing of written statement. In spite of several adjournment. We are not inclined to grant any further extension of time. The learned counsel Government of Tripura also prays for adjournment. The prayer is rejected. The case will proceed without written statement. List on 8-11-99 for hearing.
22-7-99 1) No D/statement is sent to D on Amendment Petition. 2) Inter Reports are still awaited.	8-11-99	
27-7-99 1) Notice received back. for 2. No 2. as postal remarks "Referred". Control despatched.	7.11.99	There was a reference made to 2.11.99 on 2/11 is available. Since 1.11.99



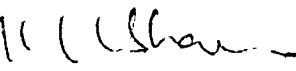
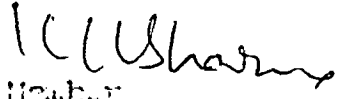

(7)

Note of the Registry	Date	Order of the Tribunal
	4-1-2000	On the prayer of Mr. M. Chanda learned counsel for the applicant case is adjourned to 31-1-2000 for hearing. <div style="display: flex; justify-content: space-around;"> <div>  Member </div> <div>  Vice-Chairman </div> </div>
lm		
	31.1.2000	On the prayer of Mr. M. Chanda, learned counsel for the applicant the case is adjourned to 24.2.2000. <div style="display: flex; justify-content: space-around;"> <div>  Member </div> <div>  Vice-Chairman </div> </div>
PJ		
	24.2.00	None appears for the parties. List on 6.4.00 for hearing. <div style="display: flex; justify-content: space-around;"> <div>  Member </div> <div>  Vice-Chairman </div> </div>
mk		
	6.4.00	No Division Bench is available today. List for hearing on 15.5.00. <div style="text-align: right;">  Member </div>
nkm		
	15.5.00	There is no Division Bench available. No 15.5.00 <div style="text-align: right;">  Member </div>
	10.7.00	Present: Hon'ble Mr S. Biswas, Administrative Member Learned counsel Mr M. Chanda for the applicant mentions that if it is inconvenient this case may be posted on 21.8.00 for hearing at Guwahati. Accordingly the case is posted for hearing on 21.8.00 at Guwahati. <div style="text-align: right;">  Member (A) </div>
nkm		
	21-8-00	There is no Division Bench available. 18.9.00 <div style="text-align: right;">  Member </div>

23-2-00
w/statement - 1. no nat-
we - 6-2-00

No. w/statement
has been filed.

5.4.2000

Notes of the Registry	Date	Order of the Tribunal
	18.9.2000	Present : Hon'ble Mr. Justice D.N. Chowdhury, Vice-Chairman. On the prayer of Mr. M. Chanda, learned counsel for the applicant, the case is adjourned till 6.11.2000.  Vice-Chairman
	mk 6-11	No D.B. Adjourned to 4/12/2000 All A. Chandra
No. Written Statement not been filed. 24 15.12.2000	4-12	No D.B. Adjourned to 18/12/2000. Mr. Chandra 4/12
	18.12.0	No representation. List on 5.2.2001 for hearing.  Member
	trd 28.3.01	As agreed by the learned counsel for the parties case is fixed for hearing on 24.4.01.  Member
Circuit Court. Re Application was filed & Cancelled. So, this case was not listed in due time. It was before the Hon'ble Court. In order fixing a date of hearing on 28.3.01. 18-4-2001	lm 24.4.01	The date is pending since 1993. Whenever the matter came up for hearing prayer was made for adjournment. They also prayer was made for adjournment. We are not happy. The litigation is unnecessarily prolonged. So that as a may as a last chance the case is adjourned to 15.5.01 for hearing.  Member
The applicant of this OA prays for adjournment to 15.5.01. Dated 2 June, 2001. Plg 'A' placed before the court for order. b.l.		 Vice-Chairman

Notes of the Registry	Date	Order of the Tribunal
	15.5.01	<p>We have heard Mr B.K.Sharma, learned senior counsel assisted by Mr M.Chanda, learned counsel for the applicant, Mr B.C.Pathak, learned Addl.C.G.S.C on behalf of respondents No.1 and 1A and Mr M.R. Pathak, learned counsel appearing on behalf of Mr B.P.Kataki, learned Sr. Government Advocate, Tripura representing respondents No.2 and 2B at length.</p> <p>From the materials available before us it appears that the main relief sought for in this application is inextricably connected with the issues raised in the Writ Petition by the applicant in Civil Rule No.86/96 which is yet to be disposed of by the Agartala Bench of Gauhati the High Court. Considering all the aspects of the matter we are of the view that it will be premature for the Tribunal to adjudicate upon the issues raised without adjudication of the issues raised before the High Court.</p> <p>The application stands disposed of keeping it open to the applicant to move the Tribunal if circumstances so demands.</p> <p>It is also needless to say that it would always be open to the applicant to move the concerned authority by way of representation and ventilate his grievances as per law.</p> <p>There shall however, be no order as to costs.</p>
		<p>16.5.2001</p> <p>Copy of the order has been sent to the Dy Sec. for the issues in line to L/Adv. for the Respondent</p> <p>18/5</p>
	pg	<p>16.5.2001</p> <p>Member</p> <p>Vice-Chairman</p>

