

FORM NO. 4

(See Rule 42)

In The Central Administrative Tribunal

GUWAHATI BENCH : GUWAHATI

ORDER SHEET

APPLICATION NO. OA 226 OF 1998

Applicant(s) All India postal employees Union & Ors
-vs-

Respondent(s) Union of India & Ors

Advocate for Applicant(s) Mr. B.K. Sharma
Mr. Dr. Sharma
Mr. C.K. Nair

Advocate for Respondent(s)

Mr. S.Ali, Sr.
C.G.S.C

Notes of the Registry	Date	Order of the Tribunal
Case registered as in form 1 within time limit of Rs. 50/- deposited vide T.P. No. 030644 14-9-98 Sarma 14-9-98	21-10-98 1m	Mr. S. Sarma learned counsel for the applicant prays for one month time to seek instructions from the applicants. List for consideration of Admission on 25-11-98. 60 Member
Requisite 4 copies have been filed. Sarma 21-9-98 21-9-98 Registration Page 61 & 62 is not legible.	25.11.98	Heard Mr B.K. Sharma, learned counsel for the applicants and Mr S.Ali, learned Sr.C.G.S.C for the respondents for admission. The applicants Union prays that the members of the Union may be allowed to file this application jointly under the provision of Central Administrative Tribunal (Procedure) Rules 1987, Rule 4(5) (b). Prayer allowed. Application is admitted. Issue notice on the respondents by registered post. List on 6.1.99 for written statement and further orders. 60 Member

(2)

Notes of the Registry

Date

Order of the Tribunal

27.11.98

6.1.99

On the prayer of Mr A. Deb Roy, learned Sr.C.G.S.C 3 weeks time is granted to file written statement.

List on 27.1.99 for written statement and further orders.

60
Member

Bon5-1-99

pg
NS
6.1.99

1) Service reports are still awaited.

2) NO. Written statement has been filed.

5/1/99

27.1.99

The written statement has been submitted. The case is otherwise ready for hearing. List for hearing on 17.3.99.

60
Member

18.1.99

nkm

21-4-99

On the prayer of counsel for the parties case is adjourned to 19-5-99 for hearing.

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Member

19-5-99

On the prayer of Mr. S. Sarma, learned counsel for the applicant case is adjourned to 4-8-99.

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Member

Notice duly served on R. No. 1, 2 & 4.

21.1.99

1m

60
19/5/99

4.8.99

On the prayer of Mr. S. Sarma, learned counsel for the applicant the case is adjourned to 17.11.99 for hearing.

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Member

20-4-99

There was a circuit Bench at Jyothi - a 15-3-99 to 17-3-99 so it was not placed before the court.

nkm

18-5-99
20/4/99 W/Statement - Mr. Sarma
filed RA 18/5

(3)

(CA. 226/98)

Notes of the Registry	Date	Order of the Tribunal
16-11-99 w/ statement - vs seen filed	17.11.99	On the prayer of Mr U.K.Nair on behalf of Mr B.K.Sharma, learned counsel for the applicants the case is adjourned to 24.11.99 for hearing. <i>6</i> Member
22-11-99 w/ statement - vs seen filed	24.11.99 pg	On the prayer of the learned counsel for the parties the case is adjourned to 12.1.2000 for hearing. <i>6</i> Member
11-1-2000 w/ statement - vs seen filed	12.1.2000 nkm	It is submitted by the learned counsel for the parties that SLP is pending before the Hon'ble Supreme Court. Accordingly the case is adjourned to 23.2.2000 for hearing. <i>6</i> Member
22-2-00 w/ statement - vs seen filed	23.2.00 nkm	On the prayer of the learned counsel for the parties the case is adjourned to 29.3.00 for hearing. <i>6</i> Member
28-3-00 w/ statement - vs seen filed	29.3.00 nkm	Mr. A. Deb Roy, learned Sr. C.G.S.C. submits that he has no information whether the SLP is pending before the Hon'ble Supreme Court has since been disposed of and prays for adjournment. Prayer allowed. List on 6.6.2000 for hearing. <i>6</i> Member

(4)

O.R 226/98

Notes of the Registry	Date	Order of the Tribunal
<u>6.6.00</u> <u>This was shown wrong</u> in 273. Similar matters are fixed on 22.8.00. Therefore it is also placed alongside them.	6.6.00	There is no Bench adjourned to 22.8.00. by by
<u>18.9.2000</u> <u>The case is ready for hearing.</u>	19.9.00	Present : Hon'ble Mr. Justice D.N. Chowdhury, Vice-Chairman List it after vacation to enable the learned counsel for the parties to obtain instructions as to the decision of the Supreme Court. List on 6.11.00 for orders.
<u>mk</u>		<u>Vice-Chairman</u>
	6.11.00	Heard Mr S.Sarma, learned counsel for the applicants and Mr A.Deb Roy, learned Sr.C.G.S.C for the respondents. Adjourned on the prayer of the counsel for the parties as to enable them to ascertain the position pertaining to S.L.P pending before the Hon'ble Supreme Court. List on 5.1.2001 for hearing.
<u>pg</u>		<u>Vice-Chairman</u>
(3)	5.1.2001	The matter pertains to payment of House Rent Allowance and Licence Fee payable to the Group 'C' and 'D' employees. These issues were already adjudicated upon by this Bench in O.A.Nos. 48/1991, 2/1994, 11/1995, 37/1995 and 105/1995 disposed of on 22.8.1995. The applicants stated that their case is squarely covered by the aforesaid decision of the Tribunal, and therefore, they have sought for a direction to the respondents for release

Notes of the Registry

Date

Order of the Tribunal

5.1.2001

of House Rent Allowance and Licence Fee in the light of the order of the Tribunal dated 22.8.1995. It has been now stated that one of the parties of the aforementioned O.A.s has already approached the Apex Court and the matter is pending before the Apex Court. It has also been stated that the Apex Court has stayed the operation of the Judgment and Order of the Tribunal dated 22.8.1995, passed in the aforesaid O.A.s. In the circumstances it would be appropriate to take up the matter after disposal of the SLP by the Apex Court.

List the matter on 12.2.2001 to enable the parties to obtain instructions as to the stage of the case before the Apex Court.

Written statement
has been filed.


Vice-Chairman

By
28.3.01

nkm

VIS
28/1/01

12-2. No S.M. Adjourneed to 28-3-2001.

Mo
A.K.Tay
12-2

28-3. List it on 2/5 to enable the parties to obtain necessary instructions.

Mo
A.K.Tay
28/3

2-5. Passover to 11-5-2001.

Mo
A.K.Tay
2-5

11-5. These are a reference.
List on 18/5/2001.

Mo
A.K.Tay

11-5

list for circuit sitting
at Mohma.

VIS
28/1/01

Notes of the Registry	Date	Order of the Tribunal
<p><u>14.6.2001</u> <u>Copy of the order</u> <u>has been sent to the Office</u> <u>for issuing the same to</u> <u>the L/ Advocates for the</u> <u>parties.</u> <u>at</u> <u>14/6/2001</u></p>	<p>31.5.2001 (Kohima)</p>	<p>In this application the applicants have claimed relief in respect of compensation in lieu of rent free accommodation at the revised rates with effect from 1.1.1996. The relief was also claimed in respect of othermembers of the Union who were not being paid compensation in lieu of rent free accommodation. Mr. S. Sarma, learned counsel for the applicants mentioned that the relief claimed in this application has been allowed by the department to the applicants as well as to other members of the Union who were not earlier being allowed this compensation. He has prayed for permission to withdraw the application.</p> <p>In view of theprayer made on behalf of theapplicants the application stands dismissed as withdrawn. The applicants will be free to agitate the matter, if so advised, in future.</p> <p>No order ss to costs.</p> <p style="text-align: right;"><u>I C U Shrivastava</u> Member</p> <p>nkm</p>