

50/100

**CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH
GUWAHATI-05**

5

✓ (DESTRUCTION OF RECORD RULES, 1990)

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SECTION OFFICER (Judl.)

balita
5/12/17

FORM NO.4
(See Rule 42)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWHATI BENCH ::::: GUWAHATI

ORDER SHEET
APPLICATION NO 76/2001 OF 200

Applicant (S) Keshab Chandra Choudhury

Respondent(s) Union of India and ors.

Advocate for Applicant(s) Mr D.K. Mishra,
Mr A. Dasg, Mr. R. Agarwal.

Advocate for Respondent(s) _____

Notes of the Registry

Date

Order of the Tribunal

20.2.2001

Present : The Hon'ble Mr Justice
D.N.Chowdhury, Vice-
Chairman.

Heard Mr D.K.Misra, learned Sr.
counsel for the applicant.

Issue notice to show cause
as to why the application shall not
be admitted. Returnable by six
weeks.

List on 4.4.2001 for show
cause and admission.

Mr Misra prays for an interim
order. Issue notice to show cause
as to why the interim order as
prayed for shall not be granted.
Returnable by four weeks.

List on 21.3.2001 for show
cause and further order. In the
meantime the impugned transfer
order No.A5180 dated 7.11.2000
shall not be given effect to till
the returnable date.

This application is in form
but not in the Consolidation
Petition No. 100 of 2001 vide
M.P.No. _____ C.F.
for Rs. 57 deposited vide
M.P.No. 422/167
Date 17.2.2001

94
17/2/01
Dy. Registrar.

Requisition filed.

26-2-2001

Service of Notice issued
to the respondents vide
O.No. 848-B 50 dt. 2.3.01

Show cause has not
been tried.

2/3
3.4.01

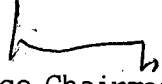
pg
1/3
22/2/01

[Signature]
Vice-Chairman

21.3.01 Heard Mr. A. Dutta, learned counsel for the applicant and Mr. A. Deb Roy, Sr. C.G.S.C. for the respondents.


List after three weeks ^{for} enabling the respondents to file written statement. Mr. Dutta has submitted that the order dated 20.2.2001 was not given effect to. The applicant may submit an application within two weeks from today.

Fix the matter on 25.4.2000 for further orders.


Vice-Chairman

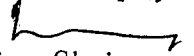
rd

4.4.2001 List it on 25.4.01 alongwith M.P.No.89/2001.


Vice-Chairman

nkm

25.4.2001 Three weeks time allowed to the respondents to file written statement. List for orders on 18.5.01.

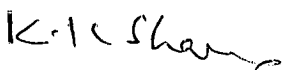

Vice-Chairman

nkm

31.5.01 (Kohima)

Four weeks time allowed to the respondents to file written statement on the prayer of Mr A. Deb Roy, learned Sr. C.G.S.C.

List for orders on 2.7.2001.


Member

5.6.2001

w/s has been submitted by respondent No. 1, 2 and 3.

Pass:

pg

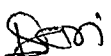
2.7.01

Written statement has been filed on 5.5.01. Applicant has not filed any rejoinder. List for hearing on 3-8-2001. In the mean time, the applicant may file rejoinder, if any.

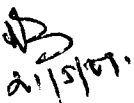

Member

02-08-2001

Rejoinder has not been filed.



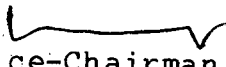
The case is fixed on Circuit sitting at Nagaland on 31.5.01.


21/5/01.

| Notes of the Registry | Date | Order of the Tribunal |
|-----------------------|------|-----------------------|
|-----------------------|------|-----------------------|

3.8.01

List the matter on 31.8.2001.


Vice-Chairman

trd

~~24.8.01~~

Heard Mr. A. Dutta, learned counsel for the applicant and also Mr. A. Deb Roy, learned Sr. CG.S.C. for the respondents.

The matter has come to us through ^{on being mentioned} Mr. A. Dutta, learned counsel for the applicant. The matter was posted to the order. Mr. A. Dutta, ^{for} ~~has sought that there is no instructions to~~ ^{stated that he was instructed not} ~~press the application.~~ ^{Prayer allowed} ~~Accordingly, the applica-~~ ^{for OA} ~~tion is dismissed on withdrawal.~~


Vice-Chairman

~~mb~~
24.8.01


Heard Mr. A. Dutta, learned counsel for the applicant and also Mr. A. Deb Roy, learned ~~xxxxxx~~ Sr. C.G.S.C. for the respondents.

The Matter has come on being mentioned Mr. A. Dutta, learned counsel for the applicant. The matter was posted for the order. Mr. Dutta, has stated that ~~he~~ ^{she} was instructed not to press the application. Prayer allowed. The O.A. is dismissed on withdrawal.


Vice-Chairman

mb

27.8.2001

Copy of the order has been sent to the office for issuing the order to the L/Adv for the Respondents


Notes of the Registry

Date

Order of the Tribunal

| Notes of the Registry | Date | Order of the Tribunal |
|--|---|--|
| <p>[Faint, illegible text in the first column]</p> | <p>[Faint, illegible text in the second column]</p> | <p>[Faint, illegible text in the third column]</p> |

188

- 20 -

WS
19/02/09

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL; GWUAHATI

(An application under Section 19 of the Administrative Tribunal Act, 1985)

Original Application No. 76 /2001

Shri Keshab Chandra Chowdhury Petitioner

-Versus-

Union of India and ors ... Respondents

I N D E X

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Filed by Amalendu A
Advocate 19.2.2001

FILED BY:
SRI KESHAB CHANDRA
CHOWDHURY
— APPLICANT
THROUGH
Dim and ors
Roh. G. G.
19. 2. 2001

An Application Under Section 19 of the Administrative
Tribunal Act, 1985.

For use in Tribunal's Office

Date of filing:

Registration No.: O.A. No. 76 /2001

Registrar.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : GUWAHATI:
GUWAHATI BENCH

BETWEEN

Shri Keshab Chandra Chowdhury

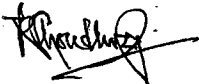
... Applicant

-Versus-

Union of India and ors.

... Respondents

1. Particulars of the Applicant:-

 Sri Keshab Chandra Chowdhury.
son of Late Kedar Nath Chowdhury,
Senior Accountant,
Assam Rifle Training Centre and School,
3rd Mile, Dimapur, Nagaland.

2. Particulars of the Respondents:

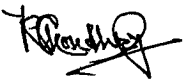
1. Union of India,
through the Secretary to the Govt. of India,
Ministry of Home Affairs,
New Delhi.

2. The Director General of Assam Rifles (DGAR),
Shillong-II,
Meghalaya.

3. The Deputy Inspector General of
Assam Rifles (DIGAR),
ARTC & School,
3rd Mile, Dimapur,

4. This application is made challenging and impugning the following:-

The present application is preferred against the transfer order/signal No. A-5180 dated 7th November, 2000 whereby the applicant has been transferred to 20 AR, Ukhrul, in the State of Manipur.



5. Jurisdiction:

The applicant declares that the subject matter of the application and the action against which he wants redressal, is within the jurisdiction of this Tribunal.

6. Limitation:

The applicant further declares that this application is made within the limitation prescribed under Section 21 of the Administrative Tribunal Act, 1985.

7. Facts of the case :

7.1 That your applicant is a citizen of India and as such he is entitled to all the rights and privileges guaranteed by the constitution of India.

7.2 That your applicant is a permanent employee under the Assam Rifle and is presently posted at Assam Rifles Training Center and School (in short ARTC & S) at Dimapur, Nagaland, under the Ministry of Home Affairs, Govt. of India, New Delhi.

7.3 That your applicant joined service on 8th September 1962 as L.D.A., in the AR- Battalion Cadre

under the Assam Rifles. Since then he has been performing his duties sincerely and honestly and to the best of his abilities. The competent authority considering his good service record has promoted him to higher posts from time to time.

7.4 That your applicant has been posted to A.R.T.C & School, 3rd Mile, Dimapur vide order/signal bearing No. 2932 dated 8th July 1997 as Senior Accountant. The applicant has been discharging his duties as Senior Accountant in A.R.T.C & School, Dimapur, till date with all sincerity.

Copy of the order/signal bearing No. 2932 dated 8th July 1997 is annexed hereto and marked as Annexure:- A.

7.5 That in the year 1999 your applicant along with 67 others filed a case before the Hon'ble Central Administrative Tribunal, Guwahati Bench challenging the order of discontinuation of Special (Duty) Allowance (in short S.D.A.) as well as the threatened action of the authorities for the recovery of the same by issuing various orders. The said case was registered and numbered as O.A No. 312/99. It be stated herein that this Hon'ble Tribunal as an interim measure stayed the

impugned orders in the said case by order dated 11.11.99 passed in O.A. No. 312/99.

7.6 That your applicant states that in his Department promotion to the next higher post falls due after every 5 years of service. It be stated herein that your applicant was promoted to the post of Senior Accountant on 1.6.94 and as such he became eligible for promotion to the next higher post of Junior Accounts Officer in the month of June, 1999 itself. It may be pertinent to mention herein that a post of Junior Accounts Officer in the Department fell vacant in the month of October, 2000. However, the respondent authorities instead of giving promotion to the applicant, promoted one Shri R.B. Ram who was ~~to be~~ ^{As} much junior to the applicant as Junior Accounts Officer. It be stated herein that the said personnel who superseded the applicant was declared as medically unfit for further promotion by the same authorities earlier. Your applicant has reliably learnt that such discriminatory treatment was meted out to him because of the case filed by him before the Hon'ble Central Administrative Tribunal, at Guwahati (i.e. O.A. No. 312/99).

7.7 That your applicant states that the respondent authorities more particularly the respondent No.2

vide the impugned order/signal bearing No. A-5180 dated 7th November, 2000, transferred the applicant to 20 A.R.UKHRUL, Manipur. The impugned transfer order categorically states that no representation will be entertained by the authority.

A copy of the transfer order dated 7th November, 2000 referred to herein above is annexed hereto and marked as Annexure:- 'B'.

7.8 That your applicant states that very shortly a post of Junior Accounts Officer is likely to fall vacant at A.R.T.C & S, Dimapur, Nagaland, where he is presently serving. However, at UKHRUL, where your applicant has been transferred, by the impugned transfer order there is no vacant post of junior Accounts Officer. If your applicant joins at UKHRUL in pursuance of the impugned transfer order, his chances of promotion to the next higher post of Junior Accounts Officers will be completely jeopardised. In fact your applicant has reasons to believe that the respondent authorities by issuing the impugned transfer order are trying to withhold his promotion to the next higher post. This fact alone shows that the impugned transfer order is not in Public interest but motivated and for extraneous considerations.

7.9 That your applicant states that his service record for the last 15 years has been very good. It may be pertinent to mention herein that no adverse remarks were ever communicated to the applicant during the said period. It is further stated that in the Annual audit Report dated 29.12.2000 prepared by the Office of the Accountant General, Nagaland for the period 1.1.1999 to 30.11.2000 the performance of the office of D.I.G. ARTC & S, Dimapur, Nagaland where the applicant is presently serving as Senior Accountant has been reflected as very good.

A copy of the Annual audit Report dated 29.12.2000, referred to herein above is annexed hereto and marked as Annexure - "C".

7.10 That your applicant states that he is retiring on attaining the age of superannuation w.e.f 28th February 2003 i.e after approximately 2 years from now. Normally personnels serving in the Department are not transferred to remote areas at the fag end of their service career and are often given postings of their own choice prior to their retirement. In fact the respondent authorities have sanctioned choice posting to a large number of personnel prior to their retirement. To

illustrate the same, the names of few such personnel are given herein below :-

- (a) Shri G.C.Paul, Jr. Accounts Officer - Agartala.
- (b) Shri Niranjan Bhowmick, Sr Acctt. to Jairampur.
- (c) Shri S.R.Chowdhury, Sr Acctt.-Agartala.
- (d) Shri Niranjan Dey, Sr Acctt (Now promoted)-Dimapur.
- (e) Shri B.N.Borpujari, Sr. Acctt.

27 Assam Rifles (Ghaspani).

- (f) Shri Sree Krishna Sarma, Jr Account Officer- Jorhat.
- (g) Shri T.N.Bhattacharjee, Head Asstt. - Silchar.
- (h) Smti Geeta Chowdhury, Head Asstt.- Silchar.
- (i) Shri J P S Dhaka, Jr Accounts Officer, Kohima.
- (k) Shri (SUB/CLERK) P.R. Das, Sr. Acctt. - Agartala.

7.11 That your applicant states that he already served in various remote areas of Nagaland, Arunachal Pradesh, Manipur etc such as Tuensang, Zunheboto, Ukhrul, Thowbal, Dairang, Towang, Thungri and Along during his long service career. It be stated herein that your applicant previously served at Ukhrul for nearly 4 years, 7 months i.e. from September, 1978 to April 1983.

Your applicant further states that Ukhrul is a hard station situated at an altitude of 6000 ft. It may be pertinent to state herein that for the last ^{few} ~~several~~ ^{years} ~~months~~ your applicant has been suffering from serious

As

Chowdhury

health problems such as high blood pressure, diabetes and also facial palsy for which he has been undergoing medical treatment both at Dimapur as well as at Dibrugarh. Your applicant has not fully recovered from the aforesaid ailments. Your applicant also seriously apprehends that his health will further deteriorate if he joins at Ukhrul where cold climatic conditions prevail all throughout the year.

A Copy of the prescriptions prescribed by doctors at Dibrugarh which would go to show that the applicant has been undergoing medical treatment for the aforesaid health problems since 1998, are annexed hereto and collectively marked as Annexure:-D.

7.12 That your applicant states that on being wrongly advised by his lawyer at Dimapur he filed a Civil Suit in the Court of Hon'ble Assistant to the Deputy Commissioner, Dimapur, Nagaland, challenging the impugned transfer order dated 7.11.2000 (Annexure:- 'B') hereto to the original application). The said case was registered and numbered as C.S. No. 11/2000. It be stated herein that your applicant also filed a Misc. application under order 39 of the C.P.C. praying for temporary injunction, against the present respondent authorities restraining them from giving effect to the impugned transfer order dated 7.11.2000. The learned Court at Dimapur by order dated 4.12.2000 granted ad-interim injunction suspending the operation of the impugned transfer order.

[Handwritten signature]

It is further stated that subsequently your application on coming to learn that the learned Court at Dimapur is not the right forum for pursuing his remedies, he filed an application before the learned Court at Dimapur praying for withdrawal of the aforesaid Civil Suit. Accordingly the suit was ^{dismissed} withdrawn on 12.2.2001 and the same is evident from a bare perusal of the order dated 12.2.2001 passed by the learned Court, at Dimapur.

A copy of the order dated 12.2.2001 passed by the learned Assistant to Deputy Commissioner, Dimapur, Nagaland in C.S. No. 11/2000 is annexed hereto and marked as Annexure:- 'E'.

7.13 That your applicant states that the impugned transfer order dated 7.11.2000 is absolutely arbitrary, oppressive and unreasonable and as such it liable to be set aside and quashed by this Hon'ble Tribunal.

7.14 That the impugned action of the Respondent authorities in the instant case disclose malice in law and facts. Such actions are motivated and prompted by extraneous considerations and as such are liable to be interfered with by this Hon'ble Tribunal.

7.15 That in view of the facts narrated herein above the present is a fit case for interference by the Hon'ble Tribunal by setting aside the impugned transfer order dated 7th November, 2000. It may be pertinent to mention herein that the impugned transfer order has not been given effect to by the respondent authorities till date and the applicant is still continuing to serve as Senior Accountant in A.R.T.C. & S, Dimapur, Nagaland. The applicant has a good Prima facie case and balance of convenience is also in his favour. The applicant will suffer irreparable loss and injury if the impugned transfer order dated 7th November, 2000 is not stayed by this Hon'ble Tribunal. In that view of the matter, the present is a fit case for granting adequate interim relief to the applicant during the pendency of the instant application.

7.16 That this application has been filed bonafide and for the ends of justice.

8. That being highly aggrieved by the impugned transfer order dated 7.11.2000, the humble applicant begs to move this application before this Hon'ble Tribunal, on the following grounds amongst others:-

G R O U N D S

18

A) For that the transfer order is not a normal transfer order but has been passed to penalise the applicant for filing O.A. No. 312/99 before the Hon'ble Central Administrative Tribunal, Guwahati. Further the applicant has already served at Ukhrul for nearly 4 years ^{7 months} w.e.f. September 1978 to April 1983 and as such transferring the applicant for the second time to the same place which is a hard station that too when he is about to be retired in less than 2 years time can by no ^{stretch he} ~~standard~~ ^{As} called a normal transfer order in public interest.

B) For that the applicant is retiring on attaining the age of superannuation w.e.f. 28th February, 2003 i.e. after approximately 2 years from now. It is the pleaded case of the applicant that personnel serving in his department are not transferred to remote areas at the fag end of their service career and normally postings of their own choice are given to personnel prior to their retirement. It is stated herein that the applicant also previously served at Ukhrul for nearly 4 years 7 months i.e. from September, 1978 to April, 1983. The Respondent authorities in the instant case ought to have taken into consideration the aforesaid facts while issuing the impugned transfer order dated 7.11.2000.

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C) For that the applicant's promotion to the next higher post of Junior Accounts Officer is due since June, 1999. Your applicant has reliably learnt that very shortly a post of Junior Account Officer is likely to fall vacant of A.R.T.C & S., Dimapur, Nagaland, where the applicant is presently serving. However at Ukhrul where your applicant has been posted by the impugned transfer order, there is no vacant post of Junior Account Officer. If your applicant joins at Ukhrul in pursuance of the impugned transfer order dated 7.11.2000, his chances of promotion to the next higher post of Junior Accounts Officer will be completely jeopardised. Your applicant has reasons to believe that the Respondent authorities have issued the impugned transfer order in the instant case with the sole intention to harass him and to deprive him of his promotion. The impugned transfer order is not in public interest but motivated and for extraneous considerations and such the same is liable to be set aside and quashed by this Hon'ble Tribunal.

D) For that Ukhrul is a hard station situated at an altitude of 6000 ft. Further for the last several years your applicant has been suffering from serious health problems such as diabetes, high blood pressure and also facial paralysis for which he has been undergoing medical treatment both at Dimapur as well as at Dibrugarh. Your applicant has not yet

recovered from the said ailments. In Ukhrul where cold climatic conditions prevail all throughout the year, the health of the applicant is further likely to deteriorate in which case he will suffer irreparable loss and hardship. In the aforesaid circumstances, the Respondent authorities ought not to have issued the impugned transfer order.

E) For that the impugned action of the respondent authorities in the instant case is in utter violation the Articles 14 and 16 of the Constitution of India.

F) For that the impugned transfer order dated 7.11.2000 is absolutely arbitrary, oppressive and unreasonable and as such is liable to be set aside and quashed by this Hon'ble Tribunal.

G) For that the action impugned in the present application smacks of arbitrariness on the part of the Respondent authorities and as such is liable to be interfered with by this Hon'ble Tribunal.

H) For that in the instant case, the impugned actions of the Respondent authorities disclose malice in law and malice on facts. Such action are motivated and prompted by extraneous considerations and as such are liable to be interfered with by

this Hon'ble Tribunal.

I) For that the impugned transfer order dated 7.11.2000 is bad in law as well as on facts and as such the same is liable to be suitably interfered with by this Hon'ble Tribunal.

J) For that in any view of the matter the impugned transfer order dated 7.11.2000 is liable to be interfered with by this Hon'ble Tribunal.

K) For that the application craves indulgence of this Hon'ble Tribunal to allow him to take and argue such additional grounds as may be considered appropriate at the time of hearing of the present application.

9. Details of remedies exhausted.

The applicant begs to state that on being wrongly advised by his lawyer at Dimapur, he filed a Civil Suit being C.S. No 11/2000 in the Court of Learned Asstt. to the Deputy Commissioner, Dimapur, Nagaland challenging the impugned transfer order dated 7.11.2000. On realising his mistake, ~~state~~ the applicant filed an application before the learned Court at Dimapur praying for withdrawal of the aforesaid Civil Suit and accordingly the suit was withdrawn on 12.2.2001. Your applicant further

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states that there is no other alternative and efficacious remedy available to the applicant.

10. Matters not previously filed or pending.

Although your applicant filed a Civil Suit in the Court of learned Asstt to the Deputy Commissioner, Dimapur, Nagaland challenging the impugned transfer order, the said Civil Suit has now been withdrawn on 12.2.2001 as already stated in the preceding paragraph of the present application. The applicant further declares that the matter regarding which the instant application has been made is not pending before any Court of law or in any other Bench of the Central Administrative Tribunal.

11. Relief sought for:

In the facts and circumstances of the case the applicant prays that Your Lordships may be pleased to issue Notice on the Respondents to show cause as to why the reliefs sought for by the applicant shall not be granted, call for the relevant records of the case and on perusal of the records and after hearing the parties on the cause or causes that may be shown be pleased to grant the following reliefs:-

11.1 To direct and command the Respondents more particularly the Respondent No. 2 to recall, restrain and/or otherwise forbear from giving effect to the impugned transfer order dated 7.11.2000 (Annexure:-B hereto).

11.2 To set aside and quash the impugned transfer order dated 7.11.2000 (Annexure:-B hereto).

11.3 Cost of the application.

11.4 Any other relief/reliefs to which the applicant is entitled to under the facts and circumstances of the case and as may be deemed fit and proper by the Hon'ble Tribunal.

12. Interim reliefs prayed for:

During the pendency of this application, the applicant prays for an interim order staying/suspending the impugned transfer order dated 7.11.2000(Annexure-B hereto) and/or to pass any such further or other order/orders as to Your Lordships may deem fit and proper so as to give adequate interim relief to the applicant.

13. Particulars of postal order: 422167 dt. 17.2.2011

14. An Index with particulars of enclosures is enclosed.

15. Particulars of documents.

As per Index.

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VERIFICATION

I, Shri Keshab Chandra Choudhury, son of late Kedar Nath Choudury, aged about 58 years, presently working as Senior Accountant under Assam Rifles Training Centre and School, Dimapur, Nagaland, do hereby solemnly verify that the statements made in this verification and in paragraphs 4, 5, 6, 7.1, 7.2, 7.3, 7.5, 7.6, 7.8 and 7.10 - 7.16. of the application are true to my knowledge and those made in paragraphs 7.4, 7.7 and 7.9. being matters of records are true to my information derived therefrom and I have not suppressed any material facts.

Date. 19.2.2001.

Shri Keshab Chandra
 Signature. Choudhury
 19.2.2001

From : DGAR (A Branch)

DTG:

UNCLAS

To :

A-2932

Posting/tfr JAO/SA/HA/Nb/Sub Clk/Hav/Clk/UDA (.)

Firstly (.) Following posting/tfr approved (.)

- alfa (.) Shri D Ram comma JAO NLR(S) posted to ARTC & S (.) indvl to perform duties of SAO and to be released by Jul 15 (.)
- bravo (.) Shri Vidya Sagar Sharma comma SA 8 AR posted to NLR(S) (.) indvl perform duties of JAO and to be released by Jul 15 (.)
- charlie (.) Shri H K Bhattacharjee comma SA 4 AR posted to 8 AR (.) to be released by Aug 05 (.)
- delta (.) Shri D C Adhikari comma HA 3 MGAR posted to 4 AR (.) to perform duties of SA (.) indvl to be released by Jul 31 (.)
- echo (.) Shri P K Roy comma UDA 15 AR posted to 3 MGAR (.) to perform duties of HA (.) indvl to be released by Jul 31 (.)
- foxtrot (.) Shri K C Choudhary comma SA 11 AR posted to ARTC & S (.) indvl to be released by Sep 15 (.)
- golf (.) Shri J K Bhattacharjee comma HA 30 AR posted to 11 AR (.) to perform duties of SA (.) indvl to be released by Sep 10 (.)

Lastly (.) all ack and info -

Col GPS Bedi, DDA A-II A Branch Dated : 08 Jul 97

Sd/- xxx xxx
Col
ToR _____ hrs

*Attended July 21
Dml and Uda
Beds at
19.2.2001*

-2026-

ARTC&S

FROM : DGAR

DTG:

UNCLAS

TO : ARTC&S

MP RANGE

B RANGE

TRIPURA RANGE

INFO : 21 AR/20 AR/23 AR

A 5180

Posting/tfr Senior Accountants(.)

firstly (.) following posting/tfr senior Accountants:
hereby ordered (.)

alfa (.) Shri K C Choudhury comma SA comma
ARTC&S posted to 20 AR (.)

bravo (.) Shri S S Bordoloi comma SA comma 21 AR
posted to 23 AR (.)

secondly (.) mov both SA will be carried out to report new
unit by 15 Dec 2000 (.)

thirdly (.) ARTC&S only (.) Shri Niranjan Dey comma HA
your centre coming up for promotion to SA will
perform duties of SA your centre (.)

fourthly (.) MP Rg/21 AR only (.) SA post of 21 AR will be
madeup separately (.)

fifthly (.) NO representation will be entertained (.)

lastly (.) ack -

Maj A Ganesan JAD(Rec) Adm-IV Dt 07 Nov 2000

Tele No : 705109
Rec/(Adm-IV)/posting/2000/

Maj
TOKel _____ hrs

Copy by post in confirmation to :-

Assam Rifles Training Centre
and School PO - Dimapur, Nagaland

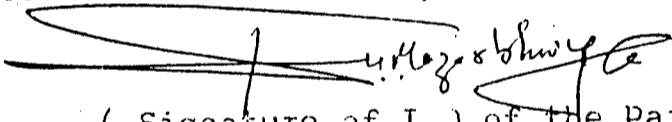
Sahoo/*

Checked by
Amal and
Rehmat
19.2.2001


Appraisal of the Auditee Organisation ANNEXURE-C

Name of office :- D.I.G. of A.R.T.C. & S. Dimapur - 1-99 to 30-11-2009

1. Is there exists any internal check system? If so, in what manner? if not state reasons. Yes. 21-
2. How is the overall maintenance of books of accounts? Very Good.
3. Is the accounting matter handled by trained personnel? Yes, all the Accounting Staffs are well trained.
4. Is existing staff strength justified admn. Set up and field work? NO, Comment
5. Whether Loans & advances to Govt. servants are adjusted in regular way? Yes
6. Is there any suspected misappropriation or misappropriation of cash or store? If so, indicate. NO, please
7. Is there any case of theft/robbery? If so give in detail. NO, please
8. Whether irregularities/defects pointed out by previous audits are still continuing? If so, Please indicate. NO, please
9. Is there any instances of non-furnishing of first reply to earlier Audit Notes/ Inspection Report? (Report on the matter may directly be sent to Group Officer). NO, please
10. Is submission of records to audit willfully delayed or refused to produce? NO, please
11. Whether full Co-operation is extended by the office? If not, please indicate. Yes, please
12. Whether the party experienced any threat or misbehaviour in course of audit work or otherwise in or outside office? If so, indicate in detail. NO, please
13. Whether the party had faced any difficulties constraints for getting accommodation or transportation? NO, please


(Signature of I.J. of the Party)
29/12/2009

Forwarded to the
Hon'ble D.I.G. ARTC & S
Dimapur, for
kind information and
necessary action


29/12/2009

29/12/09
Audited by
Amalendu
Dey
19.2.2009

Dr. M. C. DUTTA

ANNEXURE-D

MD (DIB); MRCP (LON); FRCP (GLASS); FICA (USA); FIAMS
Formerly : PROFESSOR & HEAD, MEDICINE
ASSAM MEDICAL COLLEGE, DIBRUGARH

CLINICS :
H. M. HOSPITAL (Opp. Jyotsna Cinema)
Jalan Nagar, Dibrugarh
Consultation :
Weekdays : 9 a.m. to 3 p.m.
Sundays : 9.30 a.m. to 12.30 p.m.

Residence :
Lachit Nagar
Near old D. C.'s Bungalow
DIBRUGARH - 786 001
Consultation :
4 P. m. to 6 p. m.
(Except Sunday)

22-

Dr. M. C. Dutta

R. ① Erythromycin 400 - p
1 cap - day - 5 days
② Macrolid 1000 - 1000
2 caps - day - 10 days

~~M.C. Dutta~~
M.C. Dutta

Attended by
Amal Das
19.2.2001

4.19.08 2.14.08

1.19.08 2.14.08

1.19.08 2.14.08

Sen

K. C. Dreddy 55

Fenced lodge
BP +
Dreddy +

See 8/1/05

Presos - 1/2
over 100's
~~of~~
after war 1 1/2

BP 130/60 10

BP 120/80 10

BP 120/80 10

BP 120/80 10

All over by
Ami and
Bok at
19.2.2001

Dr. Sanjeeb Kakati, M.D. (Medicine)
Asstt. Professor of Medicine.

Assam Medical College
Dibrugarh - 786 002
23022
24055

Mr. K. C. Chandly

AD MIDDM
E Atorvast
LMD 1/2 kg
Fruit table
Dishes
for health
HTN

✓ 1. Presolay 100

one tablet daily

✓ 2. Trandol 100

one tablet twice daily

✓ 3. Glucosid 10

one tablet twice daily
4- hour after dinner

✓ 4. Famb-D 10

one tablet daily

Att. note by
Ambarish
Advocate
19.2.2001

Fluoride (35) (3)
one cup (30)

-25-
31

Ciprodin (50)

no. have (100)

150

Betadine (100)

T. drops (100)

T. drops (100)

100

100

100

T. drops (100)

100

100

Bactroban (100)

T. drops (100)

Checked by:
And out at
19.2.2001

32

Protein

Terminal

Glucose

Glucose

5 + 500
b-h

Factors

Bacterium

To (H) level

Part of the skin

Account by
Amalendu
Advocate
A-2-2001

HIGH COURT FORM NO. (J) 13
FORM OF ORDER SHEET + 1.

IN THE COURT OF G.H. RAMLIA, ASST. TO D.C. AT DIMAPUR
NAGALAND CASE NO. C.S. 11/2000
MR. KESHAB CH. CHOUDHURY VERSUS UNION OF INDIA & 2 ORS.

| | | |
|--------------------------|---------------------------|---|
| Date of order proceeding | order of other proceeding | Signature of pleader or parties when necessary. |
|--------------------------|---------------------------|---|

12.2.2001

ORDER



Received an application filed by the plaintiff. The plaintiff expressed his unwillingness to pursue and proceed with the Suit No. C.S. 11/2000 and prayed to allow withdrawal of the suit.

Perused the application and heard the plaintiff. The plaintiff's prayed is allowed.

The suit No. C.S. 11/2000 is accordingly dismissed as withdrawn.

Let extract of the order be furnished to the plaintiff as prayed for.

JUDGE.

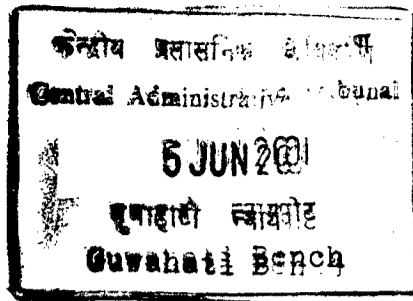
Asst. to the Deputy Commissioner
Dimapur : Nagaland

Certified to be true copy

15/2/2001
- PESHKAR

Asst. Dy. Commissioner (Judicial)
Dimapur, Nagaland

Attested by:
Amalendu P
Dy. Secy
19.2.2001



Filed by 93
4/6/01
Dr. C. S. S.C.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL :
GUWAHATI BENCH: GUWAHATI

OA NO 76 OF 2001

Shri KC Choudhury

.....Applicant

-Versus-

Union of India & Others

.....Respondent

-AND-

IN THE MATTER OF :
REPLY BY RESPONDENT NO 1, 2
AND 3 OA NO 76/ 2001

The humble Respondent beg to submit
their Written Statement as follows:-

Preliminary Objections

1. That it is submitted that the petitioner has not approached the Hon'ble CAT with clean hands. The petitioner herein has submitted in the OA that he is still serving in ARTC & S which is factually incorrect. The petitioner was transferred to 20 Assam Rifles vide HQ DGAR Order No A 5180 dated 07 Nov 2000 (Annexure -B of the OA). The petitioner then filed a case No 11/2000 in the court of Assistant to DC at Dimapur On 04 Dec 2000. The petitioner narrating the same fact as brought out in the ibid OA obtained a stay order

against the posting. The respondent immediately filed a reply before the Hon'ble Court at Dimapur and informed that the said court is not having jurisdiction the said petition. The Hon'ble Court vide its order dated 12 Feb 2001 disposed off the case as the petitioner has filed the application for withdrawal the same.

A true copy of the order of Asst to DC Dimapur dated 04 Dec 2000 is attached as ANNEXURE A to this Written Statement.

A True copy of the order of Asst to DC Dimapur dated 12 Feb 2001 is attached as ANNEXURE B of the written statement.

2. That the petitioner was discharged from his duties and handed over the Movement order (Release Order) to rejoin the new place of posting on 17 Feb 2001. The petitioner handed over the charge on 17 Feb 2001.

A true of copy of the handing taking over of the charge of Senior Accountant is attached as ANNEXURE C of the Written Statement.

A True copy of the movement order (release order) dated 17 Feb 2001 is attached as ANNEXURE D of the Written Statement.

35

2 3

3. That the petitioner on his posting to 20 Assam Rifles did not rejoin new unit showing clear defines the orders to given to him.

A true copy of the apprehension role issued by IGAR (N)
is attached as ANNEXURE E of the Written Statement.

4. That the petitioner has not yet joined his new place of posting. That the posting of petitioner was done on completion of his stipulated tenure at ARTC & S Dimapur. The petitioner was fully aware that he has completed his tenure however he did not made any representation to the competent authority. The petitioner has not exhausted the remedy available to him by making a representation to the Directorate General Assam Rifles. Thus the OA is the premature and to be dismissed on above grounds.

Parawise Reply

5. That with regard to that statement made in Para 1 to 6, the deponent begs to offer no comments being matter of records.

6. That with regards to averment made in Para 7.1, the deponent admits the same.

7. That with regards to that averments made in Para 7.2. the deponents hereby submit that petitioner at the time of filing of OA was not posted at ARTC & S Dimapur (Nagaland). The petitioner was relieved of the duties on 17 Feb 2001. The contention of petitioner that he is serving at ARTC & S Dimapur is false and made to mislead to Hon'ble Tribunal.

4

8. That with regards to that statements made in Para 7.3 the deponent s hereby submit that it is expected from every Govt servant to serve the best of his ability and it is the call of duty to perform in a exceptional manner.

9. That with regard to that statements made in Para 7.4 the deponents hereby submit that the petitioner has made a false statement before the Hon'ble Tribunal. The petitioner on the date of filing of this application was not serving at ARTC & S Dimapur but he was released from ARTC & S and posted to 20 Assam Rifles, Ukhrul (Manipur). The petitioner was posted to Dimapur in 1997 and has been posted out after completing of his tenure.

10. That with regards to statement made in Para 7.5, the deponents hereby submit that the OA No 312/99 filed by the petitioner has got no bearing with this case. The said OA was filed to claim Special Duty Allowance (SDA). The said OA has already been disposed off in favour of petitioner. The contents of said OA are not related with the present case, hence no comments are being offered.

11. That with regards to statement made in Para 7.6 the deponent herein begs to submit that the contention is incorrect, hence denied. Shri RB Ram, being a Scheduled (SC) candidate was promoted to Senior Accountant (SA) on 01 Mar 91 under the reservation roster for Scheduled Caste, whereas the applicant being a general candidate, though senior to Shri RB Ram , was promoted to Senior Accountant only on 01 Jun 94,. Thus, the applicant became junior to Shri RB Ram.

5

Shri RB Ram was downgraded to Medical category BEE (P) (i.e unfit for further promotion) wef 22 Sep 93. However, he was upgraded to medical category 'AYE' (i.e fit for further promotion), Subsequently wef 13 Mar 97, by a medical Board. (Photocopy of medical board proceedings is attached). Shri RB Ram was later on promoted to Junior Accounts Officer (JAO) wef 01 Oct 2000 by virtue of his seniority vide DGAR promotion order No Rec(Adm-IV)/3-95/Vol-I/2000/279 dated 27 Oct 2000.

That the contention of petitioner that he is being subjected to discriminatory treatment because he filed OA No 312/99 is false, frivolous and misleading. It is submitted that the complete civilian staff except four persons of Assam Rifles have filed the case to claim the benefits of the SDA. This HQ does not discriminate anyone because he has moved to the court to obtain some relief. As a citizen of India the petitioner can approach the Hon'ble Tribunal if aggrieved. The respondents in no way take such aspects into consideration.

12. That with regards to that statement made in Para 7.7, the deponent herein begs to submit that the applicant was posted to ARTC & S Dimapur (Nagaland) on 19 sep 97 (a soft station) in accordance with posting policy. On completion of his tenure in the soft sector at Dimapur (Nagaland) the applicant was ordered for posting to 20 AR, Ukhrul (Manipur) (a hard sector) vide HQ DGAR posting order No A 5180 dt 07 Nov 2000. The stipulation in the posting order as "No representation will be entertained" is being mentioned invariably in all posting orders to avoid representation from affected personnel who do not

8

want to move to a hard sector. The applicant being an educated person is fully aware of this fact.

13. That with regards to that statement made in Para 7.8, deponent herein begs to submit that ARTC & S, Dimapur (Nagaland) is not authorised the post of Junior Accounts Officer (JAO). Hence, contention of the applicant for absorption in ARTC & S, Dimapur (Nagaland) on promotion to JAO (i.e in-situ promotion) is incorrect. Promotions are authorised against the specific rank and appointment given in the Peace establishment by the Govt. The applicant will also be posted against an authorised appointment on promotion to the rank of Junior Accounts Officer. There is no ill-intention to withhold his promotion while ordering posting to 20 AR, Ukhrul (Manipur). The contention of the petitioner that his chances of promotion will be jeopardizes is baseless and a mere apprehension. If the petitioner is found fit for further promotion in accordance with the policy he will be given the promotion due to him.

14. That with regards to that statement made in Para 7.9, deponent herein begs to submit that posting/transfer of staff are done after taking into account of their sector profile. There is no relevance with individual's past performance and records in the matters of posting/transfer as stated by the applicant. The Govt servant is expected to work in exceptional manner, as it is the call of duty. The deponent humbly submits that the petitioner has not yet joined his new duty station and still absent. The petitioner claims to be a sincere and hard working then his this act shows that he has got no regards for the orders issued to him.

⊛ (7)

15. That with regards to that statements made in Para 7.10, deponents begs to submit that the applicant is attaining the age of superannuation on 28 Feb 2003 and will be struck off the strength wef 28 Feb 2003 (Afternoon). The applicant had not put his request in writing for last leg posting. Instead, the applicant has moved to the court of Assistant to DC, Dimapur (Nagaland) and obtained stay order against operation of posting order No A 5180 dt 07 Nov 2000, thus by passing the official channel of correspondence with intention to stay at Dimapur (Nagaland) for a longer duration. Further, it is not always possible to accommodate request of each individual for posting to choice stations due to various administrative constraints. The allegation of the petitioner that personnel listed vide Para 7.10 of the application have been given choice posting, prior to their retirement is incorrect. In fact, a few of them have been posted to their choice stations for one tenure only and they will be posted out according to their sector profile, on completion of normal tenure. In the instant case, the applicant had no any request for last leg posting prior to filing his case in the Court.

16. That with regards to that statements made in Para 7.11, deponents begs to offer that it is true that the applicant had served in various places of Manipur, Nagaland, Arunachal Pradesh earlier. Assam Rifles Battalions/Formation Headquarters are generally confined to the North East part of the country. The applicant being an employee of the Assam Rifles is also ought to serve for one or more tenure in the same place wherever vacancy exists.

Since, the applicant had not applied for last leg posting, his posting to 20 AR, Ukhrul (Manipur) was ordered as per his sector profile vide HQ DGAR Posting order No A 5180 dt 07 Nov 2000, to fill up an existing vacancy. The prescription slip issued by Dr MC Dutta, Dibrugarh on 23 Sep 98 attached as Annexure D to Para 7.11 of the application is not valid to justify his physical fitness.

17. That with regards to that statements made in Para 7.12 deponents herein begs to submit that the petitioner filed the said petition in Dec 2000 and obtained a stay against the said order. The posting order could not comply for two months thereby causing administrative inconvenience to the respondents.

18. That with regards to that statements made in Para 7.13, deponents begs to offer that transfer order No A 5180 dt 07 Nov 2000 has been issued, considering all facts of the case. The respondents have taken all aspects of case into consideration before issuing to the posting order of the petitioner. The actions of respondents is very much in order and in consonance with the policy on the subject.

19. That with regards to that statement made in Para 7.14, deponent begs to submit that the petitioner has stated the facts without having any reasonable basis for such allegation. The petitioner has not listed even a single reason which can be said to be extraneous nature. The posting of the petitioner was issued as he has completed his tenure and the same was due.

~~8~~ (9)

20. That with regards to that statement made in Para 7.15, deponent begs to offer that it is incorrect. The applicant has already been released from ARTC & S Dimapur (Nagaland) wef 18 Feb 2001 and issued with Movement Order to report to 20 AR, Ukhrul (Manipur, the unit where he stands posted vide ARTC & S, Dimapur (Nagaland) Movement Order No 6011/62/2001-A dt nil Feb 2001 (Copy attached). Another Senior Accountant has taken over the charge of the post in ARTC & S, Dimapur (Nagaland). Hence, the applicant cannot be retained in ARTC & S, Dimapur (Nagaland). The applicant has not reported to 20 AR, Ukhrul (Manipur) and this Directorate do not know his whereabouts. The application was filed in the Hon'ble Tribunal on 19 Feb 2001 i.e after struck off from the strength of ARTC & S, Dimapur (Nagaland), hence the order dated 20 Feb 2001 passed by Hon'ble Tribunal needs re-consideration.

21. That with regards to that statement made in Para 7.16, deponent begs to offer no comments.

22. That with regards to that statement made in Para 8 (A), deponent herein begs to submit that as per terms and conditions of the service the applicant is liable to serve wherever the Assam Rifles units/formations are located. His posting to 20 AR, Ukhrul (Manipur) was issued according to his service profile and terms and conditions of service. Since the post of Senior Accountant is a single post authorised in an Assam Rifles battalion, the individual has to serve for one or more tenure in the same stations. Besides above, the applicant had served in 20 AR, Ukhrul (Manipur) about 18 years back and hence the present posting has no relevance with the previous tenure in the same station.

9 (10)

23. That with regards to that statement made in Para 8(B), deponent herein begs to offer that the applicant cannot be retained in ARTC & S, Dimapur (Nagaland) till his retirement on superannuation since he has availed a full tenure in the same station. The contention of petitioner that he has earlier served in Ukhrul in 1978 does not debar the respondents to post him again to the same station. The petitioner has earlier served in Ukhrul in different capacity and now he has been posted as Senior Accountant. All the facts were taken into consideration when the posting order was issued. The petitioner as such can only be posted in battalions/ranges of Assam Rifles in North-East, hence, the posting has to be issued in a manner so that every member of the force is given equal opportunity to serve in soft and hard areas.

24. That with regards to that statements made in Para 8(C) deponents submit that the contention is incorrect in the light of comments at Para 7.8 above. It is further submitted that the posting of the petitioner to Ukhrul shall not in any manner affect his promotion if he is found fit.

25. That with regards to that statement made in Para 8(D) deponent begs to offer that the applicant is required to prove his medical disability from the Authorised Medical Attendant (AMA) in the light of comments offered vide Para 7.11 above.

26. That with regards to that statements made in Para 8(E) deponent herein begs to submit that there has no violation of Article 14 or 16 of the Constitution of the India.

~~10~~ (11)

27. That with regards to that statements made in Para 8(F) deponent herein begs to submit that the posting order is neither illegal nor arbitrary. It is inconsonance with the policies on the subject. Moreover the transfer is an incident of service and the petitioner is duty bound to comply the same.

28. That with regards to that statements made in Para 8(G & H) deponent herein begs to submit that there is no malice of law or facts. The posting order was issued as the petitioner has completed his tenure at Dimapur. There has been no extraneous.

29. That with regards to that statements made in Para 8(I, J & K) deponent herein begs to submit that it is settled law that in the matter of posting/transfer the Hon'ble can only interfere unless it is shown by the petitioner that it was made with malafide intents or is in violation of statutory rules. The petitioner herein has failed to show even remotely that there has been any such intention. It is once again submitted that the posting of petitioner was done as he has completed his tenure and same was due.

30. That with regards to that statements made in Para 9 and 10 deponent has no comments to offer.

31. That with regards to that statements made in Para 11 & 12 deponent herein begs to submit that the relief claim by the petitioner is not maintainable.

VERIFICATION

I, Shri Sandeep Kumar, Major, JAD (Legal) in the office of the Directorate General Assam Rifles, Shillong, do hereby solemnly declared that he is competent to verify the Written Statements and as such it is solemnly declared that the statements made above in the Written Statements are true to my knowledge, belief and information and I sign this verification today on 3/5 day of May 2001 at Shillong.

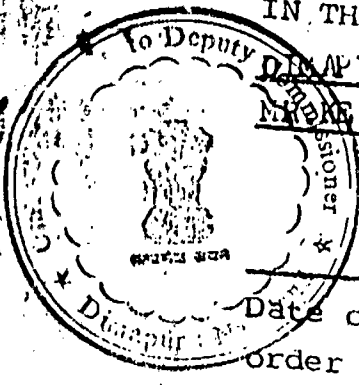

Declarant

R 13 6029

ANNEXURE A

HIGH COURT FORM NO. (J) 13
FORM OF ORDER SHEET + 1.

IN THE COURT OF G.H.RAMLIA, ASST. TO D.C. AT DIMAPUR
DIMAPUR, NAGALAND
KESHAB CH. CHOUDHURY CASE NO. C.S.11/2000 & CIVIL MISC.36/2000
VERSUS UNION OF INDIA & 2 (TWO) ORS.



| | | |
|--------------------------|---------------------------|---|
| Date of order proceeding | order of other proceeding | Signature of pleader or parties when necessary. |
| 4.12.2000 | ORDER | |



Received plaint filed by Mr. Keshab Chandra Choudhury, Sr. Accountant, ARTC & School, 3rd Mile, Dimapur, Nagaland, praying for declaring the impugned order/signal No. A-5180 dated 7.11.2000 of I.C.A.R, Shillong, as void being bad in law & procedure, as the opposite-parties intend to transfer the plaintiff to Ukhrul although the plaintiff has already served in Ukhrul and such other remote and high altitude places of Manipur, Nagaland and Arunachal Pradesh. The plaintiff also states that he is to go superannuation approximately after 2 (two) years and at such event he deserve to be at ARTC & School, Dimapur, exercising his right to option of choice posting before 2 (two) years of retirement. The plaintiff's further contention is that his promotion to next higher post as Junior Accounts Officer has fallen due in the month of June, 1999 and such post is not available at Ukhrul, as such, he deserve to be promoted and to continue to serve in the ARTC & School, 3rd Mile, Dimapur, Nagaland, till he retires on superannuation. The plaintiff prayed to allow to file the suit without serving notice U/S 89 C.P.C. as the matters involves

Certified True Copy

[Signature]
FISHYK

to
Commissioner

to
Commissioner

Contd...

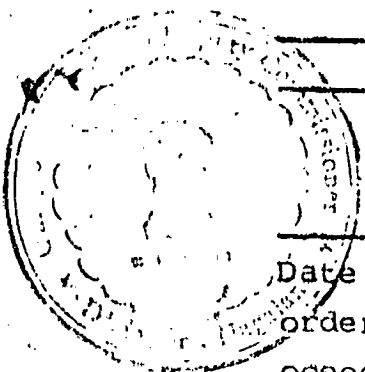
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HIGH COURT FORM NO. (J) 13
FORM OF ORDER SHEET + 11.

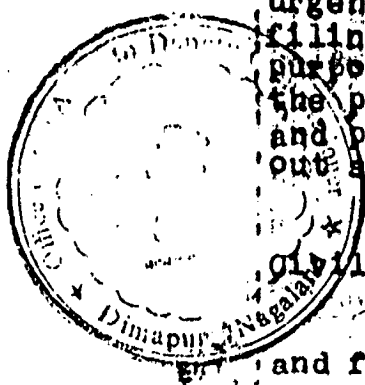
IN THE COURT OF _____ AT DIMAPUR
CASE NO. _____
VERSUS _____



| | | |
|--------------------------|---------------------------|---|
| Date of order proceeding | order of other proceeding | Signature of pleader or parties when necessary. |
|--------------------------|---------------------------|---|

- 2 -

urgency and issue of notice shall delay filing of suit which shall defeat the purpose of the suit. Heard and perused the plaint and annexures. I am satisfied and prayer allowed to file the suit without serving statutory notice.



Let the plaint be registered as Civil Suit. Issue summon to the defendants.

Fix 4, 1, 2001 for written Statement and further order.

The plaintiff also filed a Misc. Petition praying for Temporary injunction under order 39, C.P.C. against the defendants/opposite-parties restraining the opposite-parties from giving effect to impugned order/signal No. A-5180 dated 7.11.2000 till disposal of Main Suit. The plaintiff/petitioner also prayed for ad-interim order of injunction restraining the opposite-parties from giving effect to the said impugned order/signal during pendency of the injunction petition (Misc. Case) else the opposite-parties will transfer the plaintiff/petitioner to Ukhrul interms

Certified True Copy

Handwritten signature

to _____ (Medical)

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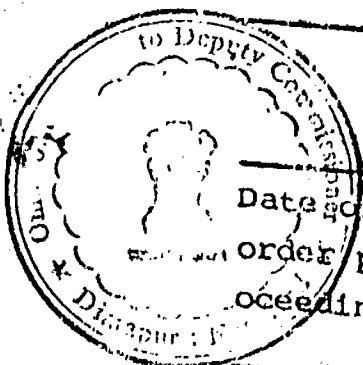
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47

HIGH COURT FORM NO. (J) 13
FORM OF ORDER SHEET 11.

IN THE COURT OF _____ AT DIMAPUR
CASE NO. _____
VERSUS _____



Date of
order pro-
ceeding

order of other proceeding

Signature of
pleader or
parties when
necessary.

- 3 -



of the said impugned order and at such event petitioner's suit will be infructuous and meaning less whereby plaintiff/petitioner shall suffer irreparable damages. The plaintiff/petitioner's prayer for ad-interim injunction is granted, accordingly the operation of impugned order/signal No. A-6180 dated 11.2.2000 is hereby suspended till hearing and disposal of Misc. Petition and/or till further order.

Fix 4.1.2001 for filing Show Cause by the opposite-parties and for hearing of the injunction petition.

Issue Show Cause Notice with copy of this order to the opposite parties for compliance.

Certified True Copy

JUDGE.

11/12/00
Asstt. to the Deputy Commissioner
Dimapur, Nagaland

[Handwritten signature]

Asstt. to the Commissioner (Judicial)
Dimapur, Nagaland

HIGH COURT FORM NO. (J) 13
FORM OF ORDER SHEET & 1.

IN THE COURT OF G.H. RAMLIA, ASST. TO D.C. AT DIMAPUR
NAGALAND
CASE NO. C.S. 11/2000
MR. KESHAB CIL CHOUHURY VERSUS UNION OF INDIA & 2 ORS.

| | | |
|--------------------------|---------------------------|---|
| Date of order proceeding | order of other proceeding | Signature of pleader or parties when necessary. |
|--------------------------|---------------------------|---|

12.2.2001

ORDER



Received an application filed by the plaintiff. The plaintiff expressed his unwillingness to pursue and proceed with the ~~Suit No.~~ G.S. (CS) 11/2000 and prayed to allow withdrawal of the suit.

Perused the application and heard the plaintiff. The plaintiff's prayed is allowed.

The suit No. C.S. 11/2000 is accordingly dismissed as withdrawn.

Let extract of the order be furnished to the plaintiff as prayed for.

JUDGE

Asst. to the Deputy Commissioner
Dimapur ; Nagaland

PLEADER

Asst. Dy. Commissioner (Justice)
Dimapur ; Nagaland

(17)

ANNEXURE C

49

3

HANDING/TAKING OVER CHARGES OF SENIOR ACCOUNTANT

We, the undersigned, have jointly handed/taken over the charges of Senior Accountant at Akash Rifles Training Centre and School, Dimaapur (Hugaland) alongwith all the Old and New files, Registers, all books, Cheque books (Current and Old), cheque issue Register, Cash book of imprest and Public account with pay cheque and receipt cheque books held on charge of Senior Accountant (Shri K C Choudhury). All the duties of senior Accountant are explained and understood. *Nothing to report.*

Handed Over By

Taken Over By

K Choudhury
(Shri K C Choudhury, SA)

M Dey
(Shri M Dey, SA)

17 Feb 2001

17 Feb 2001
1145h

Recommended
By
SAO
17/2/2001

COUNTERSIGNED

[Signature]
Col
Training & Disbursing Officer
Akash Rifles Training Centre

[Signature]
Dimaapur

ANNEXURE D
18

RESTRICTED

ASSAM RIFLES TRAINING CENTRE & SCHOOL, DIMAPUR : NAGALAND

MOVEMENT ORDER

1. No NYA Rank SR Capt Name R C Choudhary and XXXX Ors of Assam Rifles Training Centre & School will proceed to 20 Assam Rifles
2. Purpose of Journey Point Posting
3. Date of departure 17 Feb 2001 (AM)
4. Date of SOS 18 Feb 2001
5. Auth for move DOAR signal no. A 5189 dated 07 Nov 2000.
6. (a) On arr at the destination he/they will report to Adjt
- (b) Warrant No XXXX of XXXX issued from XXXX to XXXX and back from XXXX to XXXX
- (c) I/Card No XXXX is in possession of the individual
- (d) The debit/credit balance of the individual as per QSA XXXX is Rs XXXX (Rupees XXXX)
- (e) Medical Cat of the individual is N/A as per Service Book
- (f) The individual has availed leave for the current years :-
 (i) Availed E/L XXXX days;
 (ii) Availed C/L XXXX days;
 (iii) Leave accumulated to date is XXXX
7. In case of any difficulty, he will report to R T O or to nearest CPO, if neither is available, to the station master or assistance producing this movement order.
8. Any report on non-observation of discipline by him enroute will be fwd to the Adjt, Assam Rifles Training Centre & School Dimapur.
9. Matters pertaining to the Assam Rifles or the Army (if under OP Control) will not be discussed with any unauthorised persons.
10. Assam Rifles pers are entitled to med treatment in Military Hospital vide HQ (DHQ P.O. New Delhi 110011) letter No 3212/DHSS (b) doted 03 Apr 80
11. Assam Rifles pers are auth to use Army Transit Camps :- auth Army HQ letter No 48506 (b) dated 15 Jan 87.
12. He is entitled to avail/not avail joining time as per existing rule.
13. The holder or the Identity card hap been instructed regarding safe custody/security of identity card during transit/journey of the identity card has been retained with the unit as case may be (Para 1] of SAO 10/S/79 refers):
14. XXXX days EL/CL has been granted wef XXXX to XXXX with permission to Perfix/Suffix/Interfix beina Sunday/Holiday. (Auth XXXX AR sig No XXXX dt XXXX)

No 6011/62/2001-A/

Assam Rifles Training Centre & School
Dimapur (Nagaland)

Dated : 18 Feb 2001

Distribution

1. Individual/Party Commander concerned - As movement order:
2. The Commandant XXXX Assam Rifles.
3. XXXX Trg Bn/Branch/Coy.
4. DGAR Shillong
5. Office Copy,
6. QM Branch - Please issue PW as per para 6 (b) above.

Kapil Sood
)
Maj
Adjutant
for DIG, ARTC & school

RESTRICTED

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248005

ANNEXURE E

RECOPY

SHG ZXY 2/4

OO DTG 231500

FROM IGAR[N]

TO B RGE

INFO DGAR [D&V]/ 20 AR /ARTC & S

BT

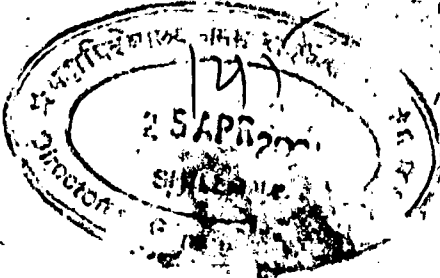
UNCLAS A 1972

OA NO 76/2001 FILED BY SHRI KC CHOUDHARY COMMA SA VS UOI AND OTHER . REF DGAR A-4013 DT APR 20 . INTER UNIT TO ISSUE APPREHENSION ROLL DECLARING ABSENCE OF INDL WEF DT HE WAS SUPPOSED TO REPORT . REQST METTER URGENT /--

BT

CFN A 1972

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TOR/23/2355/MDZ/SJN

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