

FROM No. 4.
(See Rule 42)

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH:

ORDERSHEET

1. original Application No. _____

2. Misc Petition No. _____

3. Caveat ~~Contempt~~ Petition No. 3 / 2006 IMCOA 125/06

4. Review Application No. _____

Applicant(S) U.O.I. represented by the Comptroller and Auditor General India New Delhi - Caveator

Respondants Civil Audit Association, office of the A.G. (audit) Room

Advocate for the Applicant(S) Mr. L. Das, Addl. C.A. Prospective Petitioner

Advocate for the Respondant(S).....

Notes of the Registry	Date	Order of the Tribunal
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An application W/S 148A 29.05.2006
of the Code of Civil Procedure
Code has been filed by
the counsel ~~for~~ on behalf
of the Caveators, i.e. U.O.I.
represented by the Comptroller **mb**
and Auditor General of India
New Delhi against the 06.06.2006
prospective petitioner, i.e.
Civil Audit Association
office of the A.G. (audit) Room.

The matter will
be placed before the
Honble Court alongwith
the prospective O.A.

Section Officer

Post on 06.06.2006 alongwith
O.A. No. 125/2006.


Vice-Chairman

Post on 14.06.2006 alongwith O.A.
125/2006.


Vice-Chairman

14.6.2006 **mb** Post on 20.6.2006 alongwith O.A.
125/2006.


Vice-Chairman

bb

29.05.2006

Post on 06.06.2006 alongwith
O.A. No. 125/2006.

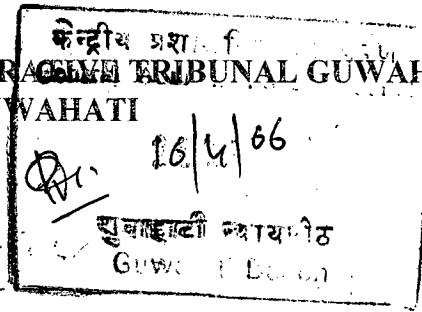
Vice-Chairman

mb

CAVEAT 3/2008

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BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL GUWAHATI
BENCH, GUWAHATI



Filed by 173
The Caveatons Through
Alsha Das.
Addl CHSC
10/4/06

MISC. CAVEAT PETITION NO 3 2006

CODE NO

To

The Vice Chairman,
Central Administrative Tribunal,
Guwahati Bench and his companion Administrative Member.

IN THE MATTER OF:

An application under Section 148 A of the code of civil procedure code.

- And -

IN THE MATTER OF:

1. Union of India,
Represented by
The Comptroller and Auditor General of India,
10, Bahadur Shah Zafar Marg,
New Delhi.

2. Principal Accountant General (Audit), Assam,
Maidamgaon, Beltola, Guwahati - 29

- Versus -

Caveators

1. Civil Audit Association AAO's/SO's (Civil)
Office of the Pr. Accountant General (Audit), Assam,
Beltola, Guwahati - 29
Represented by its General Secretary
Shri Pradip Kr. Dutta, A.A.O.
Office of the Pr. Accountant General (Audit), Assam,
Beltola, Guwahati - 29
2. Shri Madan Ch. Nath, A.A.O., President
Office of the Pr. Accountant General (Audit), Assam,
Beltola, Guwahati - 29

Prospective
Petitioner/
Opposite party

The humble petition on behalf of the Caveators above-named

Most respectfully sheweth:

1. That the petitioner above named is a Government of India Organization and for the purpose of public interest it became necessary to separate the existing common cadre of Group "B" officers of Audit and Account & Entitlement Offices in the North East Region functioning under Comptroller and Auditor General of India for the purpose of conducting audit and account & entitlement function of each of the State of North Eastern Region.
2. That the policy for allocation of Group "B" Officers in Audit and Account & Entitlement Offices of North East Region has been framed by the CAG of India vide CAG Office letter No. 144 NGE/(App)/17-2004 dated 24.03.2006.
3. That the Caveator reasonably apprehend that the Group "B" Officers either through their Association or in individual capacity may challenge the transfer policy contained in the above mentioned letter and institute proceedings.

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4. That the Caveator at this stage are not in a position to identify the individual Group "B" Officer who may institute proceeding against the Caveator and therefore mentioned the association as the prospective petitioner.

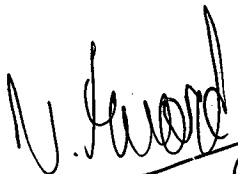
5. That the prospective petitioner on misrepresentation of fact may approach before this Hon'ble Court without any reasonable cause and lawful justification for not to give any effect of policy vide letter dated 24.03.2006 and action pursuant thereto as a result Caveator would suffer from irreparable loss and injury if any petition of the prospective/opposite party is admitted without notice to the Caveator.

6. That the Caveator now apprehends that the prospective petitioner/opposite party now may likely to move this Hon'ble Court against the Policy letter dated 24.03.2006 and may obtain an exparte order for the same. The Caveator, therefore, begs to prfer this instant caveat so as to ensure itself of a prior notice and hearing before any such application/suit/cases filed moved by the prospective petitioner and exparte order passed by the Ho'ble Court.

7. That the notice of the Caveat has been dispatched to the prospective petitioner/opposite party by registered post.

8. That the instant application is made bonafide for the ends of justice.

In the premises aforesaid the Caveator humbly prays that the prospective petitioner may be directed to give your Caveator prior notice of any application/writ petition that may be filed by prospective petitioner before this Hon'ble Court against the Caveator and also to hear the Caveator before this Hon'ble Court before any order passed against the caveator, for which your Caveator shall ever pray.


09.06.06.
Humble Caveator

Particulars of the Caveat:-

1. Name and Address of the Caveator:-

1. Union of India, represented by the Comptroller and Auditor General of India, 10, Bahadur Shah Zafar Marg, New Delhi.

2. Name and Address of prospective petitioner:-

2. Principal Accountant General (Audit), Assam, Maidamgaon, Beltola, Guwahati - 29

1. Shri Pradip Kr. Dutta, A.A.O.
General Secretary
Office of the Pr. Accountant General (Audit),
Assam, Beltola, Guwahati - 29

2. Shri Madan Ch. Nath, A.A.O.
President,
Office of the Pr. Accountant General (Audit),
Assam, Beltola, Guwahati - 29

3. Particulars of the orders Against which writ petition may be filed

Challenging the Policy Letter dated 24.3.2006 issued by CAG for Policy for Separation of common cadre of Group "B" Officer in the A&E and Civil audit offices in N.E.

4. Nature of the case/petition which may be filed

Original Application under Section 19 of the Administrative Tribunal Act, 1985

5. Relief which may be prayed

Restraining the caveator from giving effect to Policy vide Letter dated 24.3.2006

6. Name and address of Counsel for the Caveator

Miss Usha Das.
Advocate,
Central Govt. Counsel
Guwahati High Court, Central Administrative Tribunal.

7. Particulars of the registered post by which the notice of the Caveat has been sent to the Prospective petitioner

Registered Post

GUWAHATI GPO <781001>
RL A 6533
Counter No:1, OP-Code:PDAS
To: MADAN CH NATH,
GHY 29
Wt:30grams,
Amt:27.00, 10/04/2006, 13:18



GUWAHATI GPO <781001>
RL A 6534
Counter No:1, OP-Code:PDAS
To: CIVIL AUDIT ASSOCIAT,
GHY 29



Wt:30grams,
Amt:27.00, 10/04/2006, 13:19