

FORM NO. 4
(See Rule 42)
CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH :
ORDER SHEET

1. ORIGINAL APPLICATION No : -----/ 2010
2. Transfer Application No : -----/2010 in O.A. No.-----
3. Misc. Petition No : -----/2010 in O.A. No.-----
4. Contempt Petition No : 45/2010 /2010 in O.A. No. 124/2007
5. Review Application No : -----/2010 in O.A. No.-----
6. Execution Petition No : -----/2010 in O.A. No.-----

Applicant (S) : Muslim Hussain & Ors

Respondent (S) : Col. M.K. Bhuiyan & Ors

Advocate for the : Mr. M. Chanda
{Applicant (S)} Mrs. U. Dutta

Advocate for the : -----
{Respondent (S)}

Notes of the Registry	Date	Order of the Tribunal
This cp. is filed by Mrs. U. Dutta, Adv. on behalf of the applicant, praying for non-compliance of the order dt-30.11-09 passed in OA. 124/2007.	03.12.2010	Place it before the next available Division Bench. Adjourned sine die.
Laid before the Hon'ble court for favour of order.	/pg/ 03.03.2011	(Madan Kumar Chaturvedi) Member (A)
Section officer(S) 30.11.2010.	/bb/	When the matter was called for, none appears for the respondents. Mrs. U. Dutta, learned counsel for the applicants, on instruction, submits that applicants want to withdraw the CP. CP is accordingly dismissed as withdrawn.
		(Madan Kumar Chaturvedi) Member (A)
		(Bharati Ray) Member (J)

30.11.2010
15/7/2011

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Final Judgment &
Order of 03-3-2011
is prepared & sent to
B/Section for issuing
to the Ld Counselor both
parties.

M.M.D.

on

5/4/2011

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

GUWAHATI BENCH: GUWAHATI

(An application under Section 17 of the Administrative Tribunal Act, 1985)

CONTEMPT PETITION No. 45 /2010

In O.A No. 124 /2007

In the matter of:

Md. Muslim Hussain & Ors.

... Petitioner.

-Versus-

Union of India & Ors.

... Respondents/
Alleged contemnors.

-And-

In the matter of:

An application under Section 17 of the Central Administrative Tribunals Act, 1985, praying for initiation of a Contempt proceeding against the alleged contemnors for non-compliance of the order dated 30/11/2009 passed in O. A. No. 124/2007.

-And-

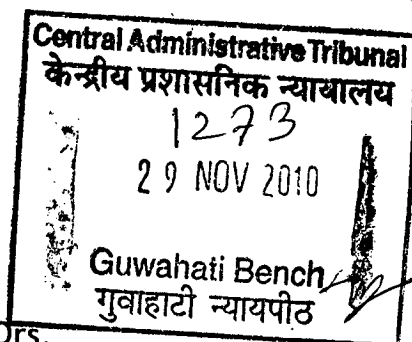
In the matter of:

1. Md. Muslim Hussain,
S/o- Mohammad Ali.
Vill- Dola Padum, P.O- Thakurbari,
P.S- Rangapara, Dist- Sonitpur (Assam).

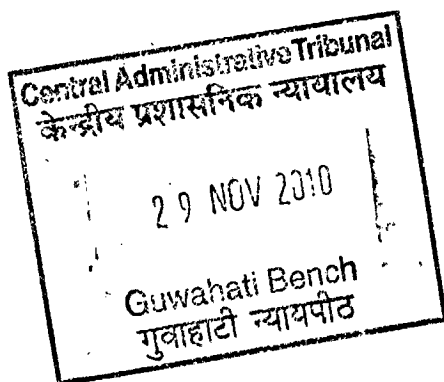
..... Contempt Petitioner.

-Versus-

Muslim Hussain



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Filed along the petitioners
through U. Datta, advocate
on 26.11.2010



1. Col. M.K.Bhuiyan
Station Staff Officer
Station Headquarter, Hatigarh
C/o HQ, 21 Mountain Artillery Brigade
C/O 99 APO.
2. Shri Pradeep Kumar, IAS,
Secretary,
Ministry of Defence
Govt. of India,
New Delhi

... Respondents/
Alleged contemnors.

The humble petition of the above named petitioner.

Most respectfully sheweth:-

1. That your applicants being highly aggrieved for non-consideration of their regular absorption in existing vacancies of Group 'D' posts even after completing their 3 years service from the date of conferment of Temporary Status, approached the Central Administrative Tribunal for redressal of their grievances through O.A. No. 124/2007.
2. That this Hon'ble Central Administrative Tribunal vide its judgment and order dated 30.11.2009 allowed the original application in part and quashed the departmental communication dated 23.09.2006. The relevant portion of the judgment and order dated 30.11.2009 is quoted below:-

“Thus, we allow O.A. in part quashing impugned communication dated 23.09.2006 and direct the Respondents to pass detailed, reasoned and speaking order highlighting the number of vacancies available in Group 'D' against which the Applicants as conservancy staff could have been regularized strictly in terms of Casual Labourers (Grant of Temporary Status and Regularisation) Scheme, 1993 particularly with reference to para 8 thereof. The aforesaid exercise shall be undertaken within a period of three months from the date of receipt of order. If there are vacancies available in Group 'D'

Muslin Hesona



cadre, in terms of para 8 of the said scheme, Respondents are expected to take necessary and required steps in the matter."

A copy of the judgment and order dated 30.11.2009 is annexed hereto as Annexure- 1.

3. That your applicants after receipt of the judgment and order dated 30.11.2009 submitted a representation through proper channel on 18.01.2010 enclosing a copy of the judgment and prayed for the implementation of the same.

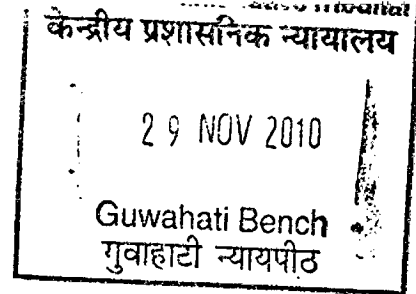
Copy of the representation dated 18.01.2010 is enclosed as Annexure-2.

4. That the humble applicants beg to state that more than 10 months have elapsed since passing of the judgment and order by the Hon'ble Tribunal, but the alleged contemnors have not initiated any action for implementation of the direction passed by this Hon'ble Tribunal in its judgment and order dated 30.11.2009 as such action of the respondents amount to contempt of court and as such the Hon'ble Tribunal be pleased to initiate necessary contempt proceeding against the willful, deliberate violation of the Hon'ble Tribunal's order dated 30.11.2009.

5. That it is relevant to mention here that it is more frustrating for the applicants that even the arrear payment, bonus as well as the salary of the applicants are not being paid regularly since then. The counsel of the petitioners sent a Lawyer's notice to the respondent authority, highlighting the abovementioned facts, but till date no steps have been taken by the respondents to this effect, inspite of having clear directions of the Hon'ble Tribunal in its judgment dated 30.11.2009, which is evident from their letter dated 26.10.2010. In the said letter dated 26.10.2010 the alleged contemnor has clearly admitted that till date no action has been initiated on the part of the respondents in this regard.

Copy of the Lawyer's notice dated 01.10.2010 as well as reply letter dated 26.10.2010 are enclosed as Annexure-3 & 4 respectively.

Muslim Hussain

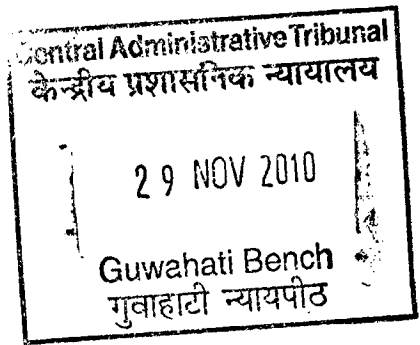


6. That it is stated that the alleged contemnors deliberately and willfully did not initiate any action for implementation of the judgment and order dated 30.11.2009 passed in O.A. 124/2007. Therefore, the Hon'ble Tribunal be pleased to initiate a contempt proceeding against the alleged contemnors for willful violation of the order dated 30.11.2009 and further be pleased to impose punishment upon the alleged contemnors in accordance with law.

Under the facts and circumstances stated above, the Hon'ble Tribunal be pleased to initiate Contempt proceeding against the alleged contemnors for willful non-compliance of the judgment and order dated 30.11.2009 passed in O.A. No. 124/2007, and be pleased to impose punishment upon the alleged contemnors in accordance with law and further be pleased to pass any other order or orders as deem fit and proper by the Hon'ble Court.

And for this act of kindness, your petitioner as in duty bound, shall ever pray.

Muslim Rustom



AFFIDAVIT

I, Md. Muslim Hussain, S/o Md. Ali, aged about 53 years, resident of Vill-Dola Padum, P.O- Thakurbari, P.S.- Rangapara, Dist- Sonitpur (Assam) do hereby solemnly declare as follows: -

1. That I am the applicant in the above contempt petition and as such I am well acquainted with the facts and circumstances of the case and also competent to sign this affidavit.
2. That the statements made in paragraph 1 to 6 are true to my knowledge and belief and I have not suppressed any material fact.
3. That this Affidavit is made for the purpose of filing contempt petition before this Hon'ble Tribunal, Guwahati Bench, Guwahati for non-compliance of the Hon'ble Tribunal's order dated 30.11.2009 passed in O.A. No. 124/2007.

And I sign this Affidavit on this 7th day of November, 2010.

Identified by

Lahore K. Zareef

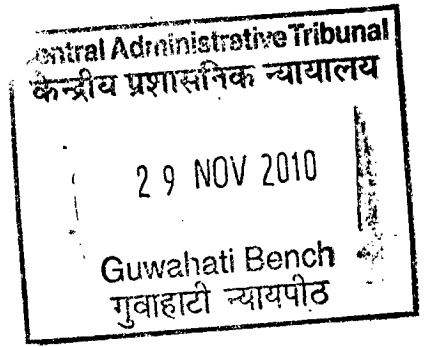
Advocate.

Muslim Hussain

Signed before me.

Dutta

Advocate.



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DRAFT CHARGE

Laid down before the Hon'ble Central Administrative Tribunal, Guwahati Bench for initiating a contempt proceeding against the contemnors for willful disobedience and deliberate non-compliance of the order of the Hon'ble Tribunal dated 16.12.2009 passed in O.A. No. 204/2008 and further to impose punishment upon the alleged contemnors for willful disobedience and deliberate non-compliance of the Hon'ble Tribunal's order dated 16.12.2009 passed in O.A. No. 204/2008.

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

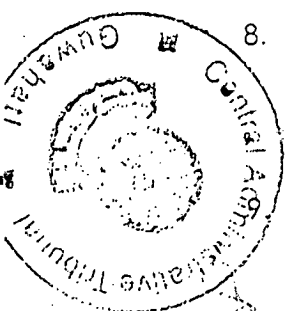
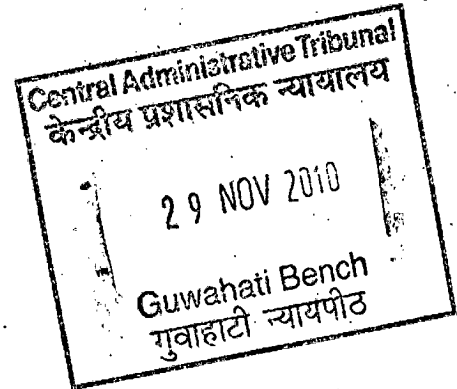
Original Application Nos. 124 of 2007

Date of Order: This, the 31st Day of November, 2009

HON'BLE SHRI MUKESH KUMAR GUPTA, MEMBER (J).

HON'BLE SHRI MADAN KUMAR CHATURVEDI, MEMBER (A).

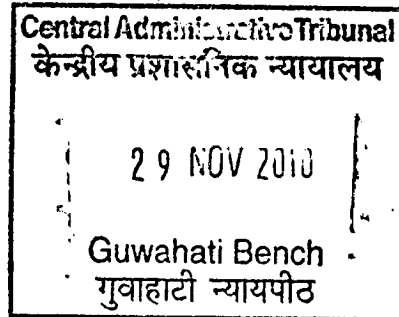
1. Md. Muslim Hussain
S/o Mohammad Ali
Vill:- Dola Padum, P.O: Thakurbari
P.S: Rangapara
Dist: Sonitpur (Assam).
 2. Smti Sumitra Daimary
W/o Sri Jogesh Daimary
Vill: Bhulimari, PO: Bengabari
Dist: Darrang, Assam.
 3. Sri Shukru Koya
S/o Late Madhy Koya
Vill: Bhulimari, P.O: Hatigarh
Dist: Darrang, Assam.
 4. Sri Biriya Orang
S/o Late Chanda Orang
Vill: Hatigarh, P.O: Hatigarh
Dist: Darrang, Assam.
 5. Sri Rakhal Paul
S/o Late Umesh Paul
Vill: Ulubari, P.O: Hatigarh
Dist: Darrang, Assam.
 6. Sri Jalandhar Tanti
Vill: Bhulimari, P.O: Hatigarh
Dist: Darrang, Assam.
 7. Sri Binod Daimari
S/o Late Dipra Daimari
Vill: Ulubari, P.O: Hatigarh
Dist: Darrang, Assam.
 8. Sri Biswanath Karmakar
S/o Pyara Karmakar
Vill: Bhulimari, P.O: Hatigarh
Dist: Darrang, Assam.
- Sri Surinder Tanti
S/o Late Nilmoni Tanti



Attested
Dutta
Adv

Vill: Bhutimari, P.O: Hatigarh
Dist: Darrang, Assam.

10. Sri Jagadish Sachini
S/o Late Manusa Singh
Vill: Bhutimari, P.O: Hatigarh
Dist: Darrang, Assam.
11. Sri Uday Ram Prasad
Son of Sri Ghora Ram
Vill: Bhutimari, P.O: Bengabari
Dist: Darrang, Assam.
12. Sri Jagdev Prasad
Son of Late Khedaru Prasad
Vill: Bhutimari, P.O: Hatigarh
Dist: Darrang, Assam.
13. Sri Devnath Lohar
S/o Sri Bindeswar Lohar
Vill: Hatigarh, P.O: Hatigarh
Dist: Darrang, Assam.
14. Sri Durga Tosha
S/o Late Sivnath Tosa
Vill: Bhutimari, P.O: Hatigarh
Dist: Darrang, Assam.
15. Sri Rupa Sutradhar
Son of Pabiram Sutradhar
Vill: Utta Krishnapur, P.O: Hatigarh
Dist: Darrang, Assam.



...Applicants

(All the Applicants are working as temporary status casual worker at Station Headquarter, Hatigarh, C/o 99 APO.)

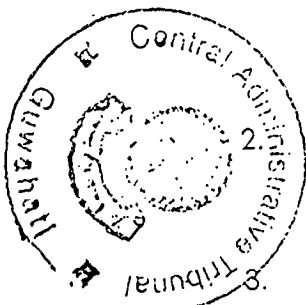
By Advocate: Mr.M.Chanda

-Versus-

1. Union of India
Represented by the Secretary
To the Government of India
Ministry of Defence, South Block
New Delhi-110 001.

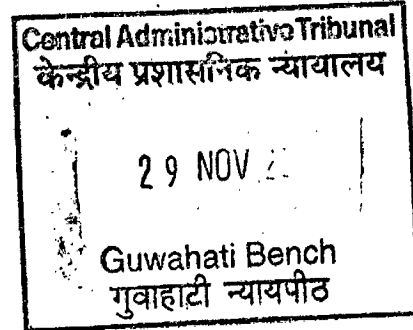
2. The Additional Director General of Staff Duties (SDGE)
General Staff Branch, Army Headquarters
DHQ, P.O: New Delhi-110 011.

3. The Administrative Commandant
Purav Kaman Mukhyalaya



Headquarters, Eastern Command
Fort William, Kolkata-21.

4. The Commanding Officer
Adhoc Station Headquarter, Haligarh
C/o HQ 21 Mountain Artillery Brigade
C/O 99 APO.
5. The Station Staff Officer
Station Headquarter, Haligarh
C/o HQ 21 Mountain Artillery Brigade
C/O 99 APO.



...Respondents

By Advocate: Mr. M.U.Ahmed, Addl. C.G.S.C.

ORDER

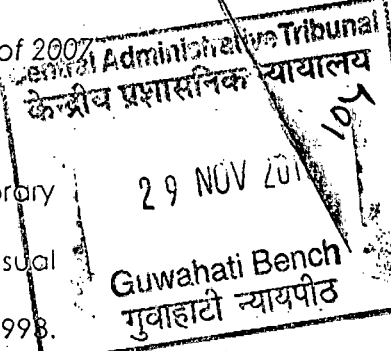
.11.2009

MUKESH KUMAR GUPTA, MEMBER (J) :

15 Applicants in this O.A. challenge validity of communication dated 23.09.2008 (Annexure-8) rejecting their claim for regularization in Group 'D' posts, stating that presently there is a ban imposed by the Govt. of India on recruitment, of Conservancy Staff (Group 'D') and further their said claim can be considered as and when ban is lifted and Group 'D' vacancies are released by the Ministry of Finance. They also seek direction to the Respondents to absorb them on regular basis in the existing Group 'D' vacancies with retrospective effect at least from the date of completion of three years with temporary status to enable them to derive pension and pensionary benefits in the event of retirement on superannuation with all other consequential service benefits.

2. Admitted facts are that on earlier occasion Applicants along with others approached this Tribunal vide O.A. 398/1999 seeking regularization, which was disposed of vide order dated 24.01.2001

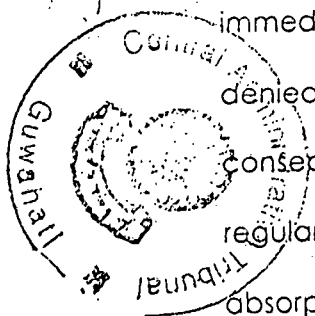


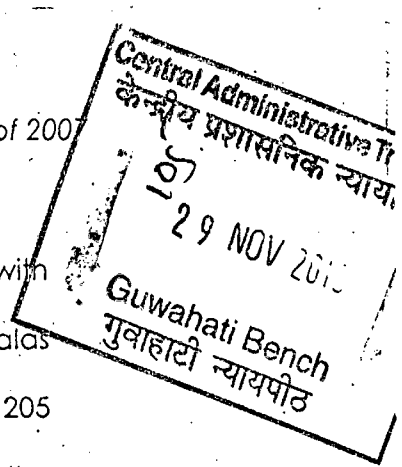


directing the Respondents to consider their case for grant of temporary status and thereafter for regularization under the Scheme, namely, Casual Labourers (Grant of Temporary Status and Regularization) Scheme, 1998.

Pursuant thereto, they have filed representation dated 13.02.2001 (Annexure-2) and vide communications dated 08.09.2003 (Annexure-3 colly) they were appointed as casual labourers (conservancy safaiwala) and granted temporary status in terms of said scheme. Their grievance is that vide legal notice dated 27.09.2004 (Annexure-4) they had required the Respondents to grant temporary status with all consequential benefits at least w.e.f. 24.01.2001 i.e., the date of judgment in earlier proceedings, followed by another notice was issued on 05.09.2006 and in reply to latter, the impugned communication dated 23.09.2006 was issued. Their contention is that though they had completed more than four years of service with temporary status yet the Respondents have not regularized them though direction was issued to consider their regularization upon grant of such status.

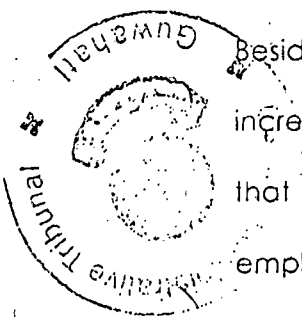
3. Mr.M.Chanda, learned counsel for the Applicants assisted by Mrs.U.Dutta vehemently contended that pursuant to direction issued by this Tribunal vide order dated 24.01.2001 in O.A.398/1999, the Respondents were duty bound to regularize their service but unfortunately no steps have been taken in said direction. By granting temporary status with immediate effect vide series of order dated 08.09.2003, they have been denied various pay benefits in terms of the Scheme of 1993 and consequently made to suffer financially, besides denial of timely regularisation. They have acquired valuable legal right for regular absorption/regularization. Placing strong reliance on Respondents'





communication dated 08.07.2003 (Annexure-3) filed along with Respondents' reply it was pointed out that conservancy staff/safaiwalas are being recruited by Defence Formations on the authority of para 1205 and 1206 of Defence Services Regulations and the Army HQrs was of the opinion that category of conservancy staff is excluded from the purview of ban on creation of posts. It was pointed out that Respondents who have placed reliance on Department of Expenditure letter dated 05.08.1999 was in specific noticed vide aforesaid communication dated 08.07.2003 and in view of clarification Station Headquarter and other lower formations were required to take up the matter with the Ministry of Finance with reference to conservancy staff/safaiwala for regularization. Thus, it was canvassed that Applicants who have been discharging permanent nature of works are entitled to be absorbed or regularized with all consequential benefits in terms of Scheme of 1993.

4. By filing written statement, Respondents have emphasized on the communication dated 08.07.2003 as well as Ministry of Finance, Department of Expenditure letter dated 05.08.1999 to state that there has been ban on filling up vacant posts and Ministry of Finance advised not to take unilateral decision to create posts. By granting temporary status to the Applicant in September 2003 direction of this Tribunal vide judgment dated 24.01.2001 had been fully complied with. They have been allowed leave and other entitled dues strictly in terms of said Scheme of 1993. Besides this, they have been allowed Basic Pay, DA, HRA, CCA including increment. Conferment of temporary status does not automatically imply that casual labourer would be appointed as a regular Group 'D' employee within any fixed time frame. No regularization has taken place



after 1999. Same can be done only when ban on recruitment is lifted by the Government of India, emphasized Mr.M.U.Ahmed, learned Addl. Standing counsel for the Respondents.

5. We have heard Mr.M.Chanda, learned counsel for the Applicant and Mr.M.U.Ahmed, learned Addl. C.G.S.C. for Respondents, perused the pleadings, and other material placed on record.

6. The short question which arises for consideration is as to whether there is any justification for non-regularization of conservancy staff/safaiwala due to ban on creation of such posts, as projected by the Respondents.

7. On bestowing careful consideration to all aspects of the matter, particularly Respondents' own reply and the documents appended thereto we find that their entire emphasis that the Government of India, Ministry of Finance letter dated 05.08.1999 imposed ban on creation of non-plan posts for regularization of conservancy staff is totally misconceived and unjustified. Ministry of Defence Army Headquarters as well as office of GCDA issued order dated 08.07.2003 (Annexure-3) wherein it has been strongly observed that category of conservancy staff is excluded from ban on creation of posts. We may note that Integrated Headquarters of Ministry of Defence (Army) vide communication dated 19.03.2007 (Annexure-5) issued detailed instructions/procedures for outsourcing conservancy services in the Indian Army Units/Formations, which is itself would indicate that there is necessity to require such person and work is of perennial in nature. It is not in dispute that pursuant to direction issued by this Tribunal vide judgment dated

29 NOV 2007

Guwahati Bench
गुवाहाटी न्यायपीठ

24.01.2001 and in terms of the Scheme known as Casual Labourers (Grant of Temporary Status and Regularisation) Scheme, 1993, Applicants have already been granted temporary status vide communications dated 08.09.2003 (colly). Para 8 of said scheme provides for procedure for filling up of posts in Group 'D' on regular basis. Two out of every three vacancies in Group 'D' cadre in respective offices where casual labourers are working are required to be filled up as per extant Recruitment Rules as well as in accordance with instructions of DoPT from amongst casual labourer with temporary status. Para 9 thereto specified that on regularization of casual labours with temporary status no substitute would be appointed as he was not holding any post and violation of said Scheme was to be viewed very seriously inviting even disciplinary action. The principal contention of the Respondents in not regularizing the services of the Applicants had been so-called ban imposed vide Ministry of Finance communication dated 05.08.1999 which according to Respondents' own understanding is inapplicable in the category of conservancy staff. In this view of the matter, we do not find any justification in the impugned communication dated 23.09.2006 and accordingly, the same is quashed and set aside to the extent which denied them regularization based on so-called ban. But the matter does not rest here. For regularization, there has to be available regular vacancies. It has not been stated in specific that no vacancy were available since 1999. According to Respondents' own averments noticed, hereinabove, no regularization has been taken place after 1999, but at the same time the Respondents have issued direction/procedure for outsourcing conservancy services.

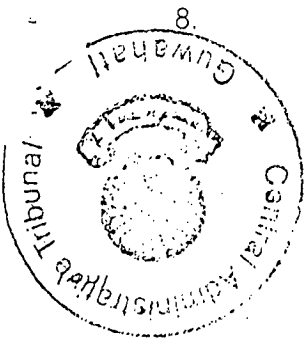
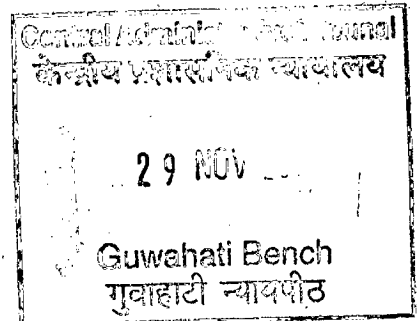
Thus, we allow O.A. in part quashing impugned communication dated 23.09.2006 and direct the Respondents to pass detailed, reasoned and speaking order highlighting the number of vacancies available in Group 'D' against which the Applicants as conservancy staff could have been regularized strictly in terms of Casual Labourers (Grant of Temporary Status and Regularisation) Scheme, 1993 particularly with reference to para 8 thereof. The aforesaid exercise shall be undertaken within a period of three months from the date of receipt of order. If there are vacancies available in Group 'D' cadre, in terms of para 8 of the said scheme, Respondents are expected to take necessary and required steps in the matter.

O.A. is disposed of accordingly. No costs.

Sd/- M.K.Gupta
Member (J)
Sd/-M.K.Chaturvedi
Member (A)

TRUE COPY

प्रतिलिपि
अनुभाग अधिवक्ता
Section Officer (Judl)
Central Administrative Tribunal
गुवाहाटी न्यायपीठ
Guwahati Bench
सदर अदालत, गुवाहाटी

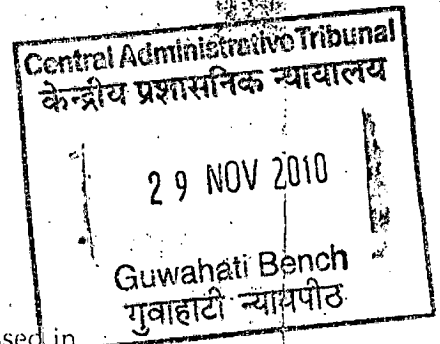


To,

The Secretary,
Govt. of India,
Ministry of Defence,
South Block, New Delhi- 110001.

(Through proper channel)

Sub:- Intimation regarding judgment and order dated 30/11/09 passed in
OA No. 124/2007 (Md. Muslim Hussain Vs. Union of India and Ors.)
passed by the Hon'ble CAT, Guwahati Bench.



Sir,

We have the honour to inform you that we had approached the Hon'ble Central Administrative Tribunal, Guwahati Bench, Guwahati through OA No. 124/2007 praying for regular absorption/regularization of our services in the existing Gr. 'D' vacancies w.e.f. the date of completion of 3 years services from the date of conferment of Temporary status. The Hon'ble Tribunal was pleased to dispose of the OA No. 124/2007 with the direction to consider our absorption/regularization within a time frame stipulated in the judgment and order dated ___ in OA No. 124/2007. Therefore you are requested to implement the judgment passed in OA No. 124/2007.

A copy of the judgment dated ___ in OA No. 124/2007 is enclosed herewith for your perusal and necessary action for implementation of the said judgment.

Encls: As stated above.

Yours faithfully

Muslim Hussain

1. Md. Muslim Hussain
2. Smti Sumitra Daimary.
3. Sri Shukru Koya
4. Sri Biriya Orang.
5. Sri Rakhal Paul.
6. Sri Jalandhar Tahti
7. Sri Binod Daimari
8. Sri Biswanath Karmakar
9. Sri Surinder Tanti
10. Sri Jagadish Sachini
11. Sri Uday Ram Prasad
12. Sri Jagdev Prasad
13. Sri Devnath Lohar
14. Sri Durga Tosha
15. Sri Rupa Sutradhar

Date: 18 JAN 2010

जगदेव प्रसाद

SUKRUMIA

बीरया

राकhal Paul

Sumitra

BINOD

जगदिस

Jagdish

Uday Prasad

DURGATOSA

रुपा सुत्रधर

Sumitra Daimary

विनय

Attested
Durga
Tosha

6/01/10

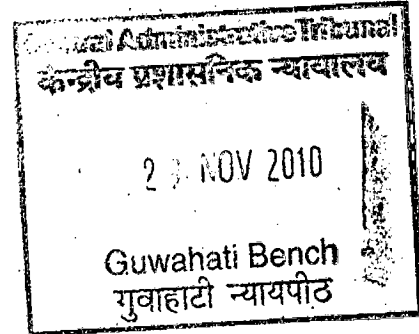
Phone: 2522998, 9435116253

*Manik Chanda*Advocate
Guwahati High Court

Bye Lane-7, Lachit Nagar, Guwahati-781007_

Dated: 01/10/2010

Ref. No.

LAWYER'S NOTICEFrom :- Shri Manik Chanda,
Advocate.To,
The Station Staff Officer,
Station Headquarter, Hatigarh.
C/o HQ 21, Mountain Artillery Brigade
C/O 99 APO.

Subject: Judgment and order dated 30.11.2009 in O.A. No. 124/2009 of Central Administrative Tribunal, Guwahati :: Non implementation of.

My Clients: Md. Muslin Hussain and 14 (fourteen) others as named in the judgment and order dated 30.11.2009 enclosed herewith.

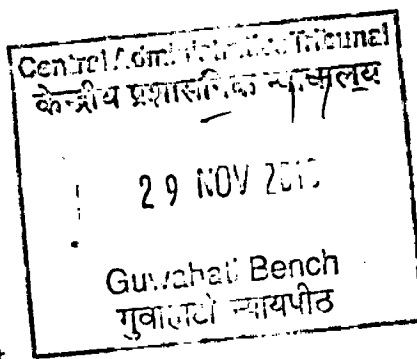
Sir,

As instructed by my clients above named, I have to refer to the judgment and order dated 30.11.2009 in O.A. No. 124/2009 passed by the Hon'ble Central Administrative Tribunal, Guwahati and state as follows:-

- My clients being aggrieved due to non-consideration of their regular absorption in existing vacancies of Group 'D' posts even after completing their 3 years service from the date of conferment of Temporary status, approached the Central Administrative Tribunal for redressal of their grievances.
- The Hon'ble Central Administrative Tribunal vide it's judgment and order dated 30.11.2009 (copy enclosed) in O.A. No. 124/2009 allowed the O.A. and quashed the departmental communication dated 23.09.2006. In the said order, the Hon'ble Tribunal directed the Respondents to pass detailed, reasoned and speaking order highlighting the number of vacancies available in Group 'D' against which my clients as conservancy staff could have been regularized strictly in terms of Casual Labourers (Grant of Temporary Status and Regularization) Scheme, 1993. The time stipulated under the said order for completion of the exercise as directed, was three months from the date of receipt of the order.

Attested
By
Adv

Manik Chanda
Advocate
Guwahati High Court



Phone: 2522998, 9435116253

Bye Lane-7, Lachit Nagar, Guwahati-781007_

Dated:

Ref. No.

2

3. Thereafter my clients submitted representation through proper channel to you on 18.01.2010 enclosing therewith a copy of the judgment and order dated 30.11.2009 aforesaid with prayer for implementation of the same.
4. A period of 8 (eight) months have elapsed since submission of the copy of the judgment, but the directions of the Hon'ble Tribunal have not been complied with till date. It is more frustrating that even the salary of my clients are not being paid regularly since then.
5. Non-compliance of the order of the Hon'ble Tribunal is contemptuous and liable to legal action which may please be noted.
6. Needless to say that due to inaction of the respondents, my clients have been suffering great losses.

I, therefore, serve this NOTICE and urge upon you to take immediate action for implementation of the judgment and order dated 30.11.2009 within the earliest, failing which my clients will have no other option, but to seek for legal remedy before the forum of law.

You are requested to confirm your action to the undersigned within 30 (thirty) days of the receipt of this NOTICE.

Thanking you,

Yours sincerely,


(MANIK CHANDA).

Encls: copy of judgment and order
Dated 30.11.2009

ULLAHARI SUB OFFICE 781007
FL A 9347
Counter No:1, DP-Code:03
To: THE STATION STAFF OF, STATION H Q
99 AFO

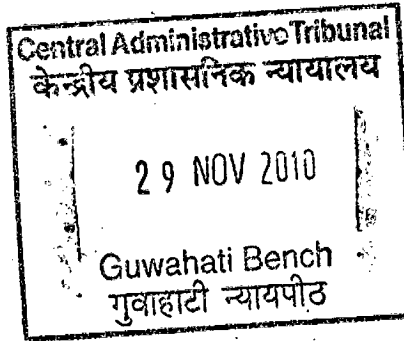
Wt: 50grams,
Amt: 32.00, 20/10/2010, 13:01
<>

-18-

ANNEXURE - 4

759/3/2010(Q)(PC)

HQ 51 Sub Area (Legal Cell)
PIN-908651
C/o 99 APO

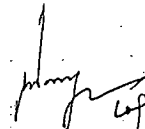


Stn HQ Hattigor
PIN-900275
C/o 99 APO

26 Oct 2010

JUDGEMENT AND ORDER DATED 30 NOV 2009 IN O.A NO 124/2009 OF CENTRAL ADMINISTRATIVE TRIBUNAL, GUWAHATI : NON IMPLEMENTATION OF

1. Ref Lawyer Notices dt 23 Sep 2010 and 01 Oct 2010 (Copy enclosed).
2. It is submitted that based on court order (copy enclosed) recd at this office on 20 Feb 2010 Mr Motin-Ud-Din Ahmed the Central Govt Standing Counsel was informed to file appropriate reply to the honourable court vide Stn HQ Hattigor letter No 759/3/17/Q(PC) dt 11 May 2010 (copy encl) alongwith a copy of Court Order and Peace Establishment No IV/226/1946/6 (Stn HQ CI-II) dt 24 Jul 2010, however till date no intimation/action has been initiated and in the meantime the defence council has been sending Lawyer's notice to all concerned as ref in Para 1 above.
3. In view of above, you are requested to advice further action please.


(MK Bhuyan)
Col
Adm Comdt
for Stn Cdr

Ks/-

Enclosures - As above.

Copy to :-

Mr. Motin-Ud-Din Ahmed
Additional Central Govt Standing Counsel
Central Administrative Tribunal
Lakhimi Nagar, Hatigaon Road, Dispur
Guwahati-781006

For info and necessary action please

Manik Chanda
Advocate, Guwahati High Court
Bye Lane-7, Lachit Nagar
Guwahati-781007

DG Arty (Arty-10)
General Staff Branch
Integrated HQ of MoD (Army)
DHQ PO, New Dehli-110011

For info please.

HQ 21 Mtn Arty Bde (A)

*Attended
putta
for*