

93

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

1. ORIGINAL APPLICATION No : -----/ 2011
2. Transfer Application No : -----/2011 in O.A. No.-----
3. Misc. Petition No : -----/2011 in O.A. No.-----
- ✓ 4. Contempt Petition No : 1 /2011 in O.A. No. 241/2009
5. Review Application No : -----/2011 in O.A. No.-----
6. Execution Petition No : -----/2011 in O.A. No.-----
- Applicant (S) : Shri Bolo Ram Boro
- Respondent (S) : Col. J. J. S. Bhinder & Anr.
- Advocate for the : Mrs. N. S. Thakuria
{Applicant (S)}
- Advocate for the : -----
{Respondent (S)}

Notes of the Registry	Date	Order of the Tribunal
<p>This cp is filed by Mrs. N. S. Thakuria, on behalf of the applicant, praying for contempt of court against the contemners for non-compliance of the Honble court order dtd-29-4-2010 passed in OA-241/2009.</p> <p>Laid before the Honble court for favour of order.</p> <p><u>21.01.2011</u> Section Officer (S)</p> <p><u>20.1.2011</u></p>	<p>21.01.2011</p> <p>PB</p>	<p>Place it before the Division Bench at the earliest possible date.</p> <p>Adjourned sine die.</p> <p><u>d.</u> (Madan Kumar Chaturvedi) Member (A)</p> <p>07.09.2011</p> <p>Mrs. N.S. Thakuria, learn</p> <p>Petitioner appeared and su</p> <p>present, petition be</p> <p>implementation/execution of tr</p> <p>April 2010 passed by this Tribun</p> <p>2009 under Rule 24 of the Con</p> <p>1971. We accept the said state</p> <p>Issue notice to the Resp-</p> <p>11 (1) (i) of the CAT (P) Rules 1</p> <p>four weeks.</p> <p>List the matter on 25.10.</p> <p>(S.K. Kaushik) Member (J)</p> <p>PB</p>

C.P. No. 1 of 2011

(EP-17/2011)

07.09.2011

Mrs. N.S. Thakuria, learned counsel for the Petitioner appeared and submitted that the present petition be restricted for implementation/execution of the order dated 29th April 2010 passed by this Tribunal in O.A. No. 241 of 2009 under Rule 24 of the Contempt of Courts Act, 1971. We accept the said statement.

Issue notice to the Respondents under Rule 11 (1) (i) of the CAT (P) Rules 1987 returnable within four weeks.

List the matter on 25.10.2011.

(S.K. Kaushik)
Chaturvedi
Member (J)
(A)

(M.K. Chaturvedi)
Member (A)

PB

24-10-11

Cost for notice not deposited

25.10.2011

Mrs N.S. Thakuria, learned counsel for the petitioner appeared and submitted that due to oversight cost of notices could not be deposited. It is now deposited.

List the matter on 21.11.2011.

(Madan Kumar Chaturvedi)
Member (A)

/pg/

21.11.2011

Mr. K.K. Das, learned Addl. CGSC for the respondents appeared and prayed for four weeks time to file the reply. Mrs. N.S. Thakuria, learned counsel is present for the applicant.

List the matter on 21.12.2011.

(Madan Kumar Chaturvedi)
Member (A)

19-9-11

Cost for notice not submitted.

19/9

As per order dated 7-9-2011 passed in CP-1/2011, this CP is converted to EP No-17/2011.

7-9-2011

27-10-11

Notice issued on Nos. 1 & 2 with the cost of Rs. 1000/- by Regd post - with A/D.

21.11.2011

18-11-11

Service reports were awaited.

18-11-2011

Memo of appearance filed by Mr. K.K. Das, Addl. CGSC.

PB

1
-3-
E.P. 17/2011 (OA. 241/2009)

21.12.2011

Mrs. N. S. Thakuria, learned counsel for the petitioner appeared and prayed for four weeks time. Mr. K.K. Das, learned Addl. CGSC is present for the respondents.

List the matter on 24.01.2012.

(Madan Kumar Chaturvedi)
Member (A)

PB

24.01.2012

Mrs. N. Deka, proxy counsel for Mrs. N. S. Thakuria, learned counsel for the applicant is present. Mr. Kankan Das, learned Addl. C.G.S.C. prayed for four weeks time to file the reply.

List the matter on 27.02.2012. It is made clear that no further time shall be granted in the matter.

(Manjula Das)
Member (J)

(Madan Kumar Chaturvedi)
Member (A)

/bb/

27.02.2012

Both sides' Advocates are present.

Learned counsel for the Respondents Mr. Kankan Das has filed a copy of the judgment and order of the Hon'ble Gauhati High Court passed in WP(C) No.1573/2011 dated 21.12.2011 wherein judgment and orders dated 29.04.2010 passed in OA No.241 of 2009 has been set aside.

In view of the allowing the aforesaid WP (C), the EP filed by the applicant has become infructuous. Accordingly, EP is closed.

(M.K. Chaturvedi)
Member (A)

(M. Kanthaiah)
Member (J)

/bb/

20/12/11

No reply has been filed as far.

23.1.12

Replies not been filed as far.

2.2.2.12

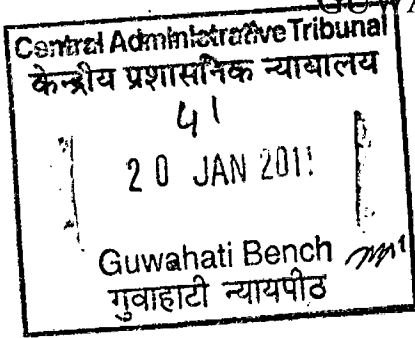
No reply filed.

Copy received
5-3-2012

for
20/1/2011

28

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH: GUWAHATI



EP-17/2011

Contempt petition No. 1/11

In O A NO241/09

Shri Bolo Ram Boro.....Petitioner

-VS-

Col. J J S Bhinder & Anr....Contemners

INDEX

	Particulars	Page
1.	Application	1 to 5
2.	DRAFT CHARGE	6
3.	AFFIDAVIT	7
4.	ANNEXURE-A	8 to 11
5.	ANNEXURE-B & C	12-a - 12-b
6.	ANNEXURE-D in series	13 to 17
7.	ANNEXURE-E in series	18 to 21
8.	ANNEXURE-F in series	22 to 23

Filed by:

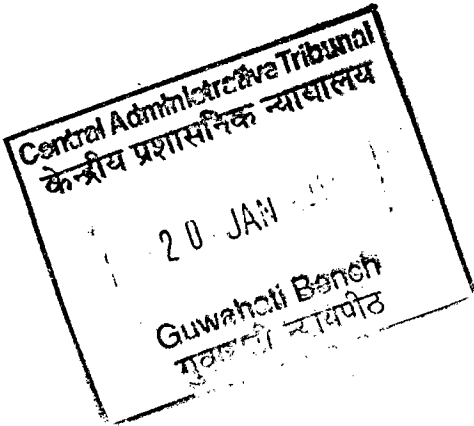
Niva Sharma Thakuria.
(NIVA SHARMA THAKURIA)

ADVOCATE

Bolo Ram Boro

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH: GUWAHATI
(AN APPLICATION UNDER SECTION 19 OF THE ADMINISTRATIVE
TRIBUNAL ACT, 1985)

Filed by -
Niva Sharma Thakuria,
Advocate
Bolo Ram Boro 28



EP-17/2011

CONTEMPT PETITION NO. 1/1011

IN

ORIGINAL APPLICATION NO. 241/09

IN THE MATTER OF:

An application under Section 17 of the Administrative Tribunals Act, 1985 praying for initiation of a proceeding for contempt of Court against the alleged contemnors for non-compliance of the order passed by this Hon'ble Tribunal on 29.04.2010 in O A No.241/2009 whereby directing the Respondents to reinstate the applicant in service within four weeks from the date of the receipt of the order with all consequential benefits.

-AND-

IN THE MATTER OF:

Shri Bolo Ram Boro

S/O: Late Lakhi Ram Boro,

Vill:Bhitorkhula, PO:Kamalpur,

PS: Kamalpur, District: Kamrup, Assam

.....Petitioner

-AND-

1. Col. J J S Bhinder

Commandant,

Central Ordnance Depot, Chheoki,
Allahabad, Uttar Pradesh-PIN-211003

2. Lt. Col Shri S K Gurung,
Administrative Officer for the Commandant,
Central Ordnance Depot, Chheoki,
C/O 56 APO, PIN: 900479

.....Contemners

The petitioner abovenamed begs to state as under:

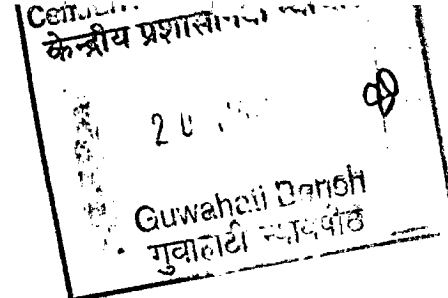
1. That the petitioner as Applicant approached this Hon'ble Tribunal challenging the impugned orders issued on 26.02.09 whereby he has been superannuated from service w.e.f, 28.02.2009 and on 13.5.09 pension papers were served to him.

2. That the petitioner approached this Hon'ble Tribunal in an Original Application being No.241/09 challenging the order dated 26.02.09 whereby he has been superannuated from service w.e.f. 28.02.09 and on 13.5.09 pension papers were served to him even before the actual date of superannuation. After hearing the parties, this Hon'ble Tribunal was pleased to pass an order on 29.04.10 in the said O A whereby directed the Respondents to reinstate him in service within a period of four weeks with all consequential benefits.

A copy of the said order dated 29.04.10 is annexed hereto as ANNEXURE-A.

3. That the petitioner begs to state that after passing of the said order dated 29.4.10, the petitioner on 26.5.2010, sent the copy of the order alongwith a representation to the Commandant, Central Ordnance Depot, Chheoki, Allahabad, Uttar Pradesh and the Record officer, A O C, Secunderabad-15, Andhra Pradesh requesting the Respondents to reinstate

Bolo Ram Boro



him in his service as per the order of the Hon'ble Tribunal.

Copies of postal receipts are annexed hereto as **ANNEXURE-B & C.**

4. That the petitioner states that thereafter he waited for their reply till the month of June, 2010. When he personally enquired about the matter, the Respondents i.e, the present Contemners informed him that they could not reinstate him in his service as no information was received from this Hon'ble Tribunal about the passing of the aforesaid order dated 29.04.10.

5. That the petitioner states that he was really surprised to know about it. Finding no alternative he visited the Office of this Tribunal and enquired about it. The Office informed him that on 24.5.2010 the matter has already been communicated to the Secretary, Ministry of Defence, New Delhi, the Commandant, Central Ordnance Depot Chheoki, Allahabad, Uttar Pradesh, the Personnel Officer, Central Ordnance Depot. Chheoki, Allahabad, Uttar Pradesh and the Record Officer, A O C, Secunderabad-15, Andhra Pradesh.

Copies of Office Communications are annexed hereto as **ANNEXURE-D** in series.

6. That finding no alternative, the petitioner on 07.08.2010, again sent copies of the order-dated 29.04.10 and the Official Communications dated 24.5.10 along with a representation to the Cotemners by registered post whereby requested them to reinstate him in service as per the order of this Hon'ble Tribunal.

Copies of the representation-dated 07.8.10, the letter of the Sr.C G S C dated 22.7.10 and the postal receipt are annexed hereto as **ANNEXURE-E** in series.

7. That after receipt of the aforesaid representation along with the order and the Office communication, the Contemner No.2 wrote a letter to the petitioner on 26.8.2010 whereby he acknowledged the receipt of the representation of the petitioner dated 07.08.10 and informed him that his

Bolo Ram Boro

papers have been sent to the Higher Head Quarters for examination and advice thereon and also informed that further course of action regarding reinstatement of the service of the petitioner would be intimated accordingly.

A copy of the letter dated 26.8.10 along with the envelop is annexed hereto as ANNEXURE-F.

8. That though Your petitioner has submitted representation along with the order of this Hon'ble Tribunal twice to the Contemner, till date the Contemner did not take any action even though this Hon'ble Tribunal directed the Respondents to reinstate the petitioner within four weeks from the date of receipt of the order dated 29.4.10. As such the action of the Contemner is highly illegal, arbitrary and the same is violative of Hon'ble Tribunal's order dated 29.4.10. As such the Hon'ble Tribunal be pleased to initiate contempt proceeding against the alleged contemner and further be pleased to impose punishment upon the alleged contemnors in accordance with law.

9. That the contemner No.2 after receipt of the second representation along with order dated 29.4.10 informed the petitioner by his letter dated 26.8.10 that regarding reinstatement, the petitioner would be informed accordingly. But till date no action has been taken from their end to reinstate the petitioner as per the order of this Hon'ble Tribunal. Therefore, in the circumstances stated above the contemner No.1 deserves severe punishment for willful violation of the Hon'ble Tribunal's order dated 29.4.10.

10. That almost nine months have passed by since the Hon'ble Tribunal has passed the order. But the Contemner has not taken any step to reinstate the petitioner in his service even though the petitioner took step and submitted representations alongwith the order of this Hon'ble Court on 26.5.10 and 07.08.10. Therefore it appears that the alleged Contemner has deliberately violated the Hon'ble Tribunal's order dated 29.4.10. Therefore the Hon'ble Tribunal be pleased to initiate a contempt proceeding against the

Balo Ram Boro

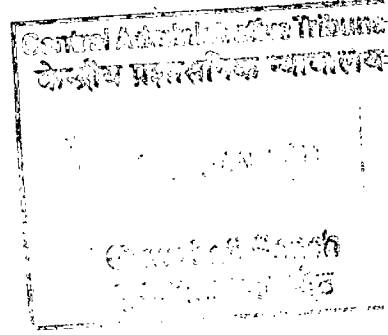
alleged contemnors for non-appliance of the order of this Tribunal dated 29.4.10 and further be pleased to impose punishment upon the alleged contemnors in accordance with law.

11. That this petition is filed bonafide and for securing the ends of justice.

In the premises aforesaid it is prayed that this Hon'ble Tribunal may be pleased to initiate a proceeding of contempt against the alleged contemnors for willful violation and total disregard to the order of the Hon'ble Tribunal dated 29.4.10 and after hearing the parties be pleased to punish the alleged contemnors as per provision of law.

And for this act of kindness the petitioner shall everpray.

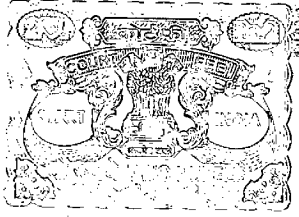
Belo Ram Boro



DRAFT CHARGE

Col. J J S Bhinder, Commandant, Central Ordnance Depot Chheoki, Allahabad, Uttar Pradesh and Lt.Col. Shri S K Gurung, Administrative Officer for the Commandant, Central Ordnance Depot, Chheoki, C/O 56 APO, Allahabad, Uttar Pradesh are liable to be punished under Rule 17 of the Contempt of Court (CAT) Rule 1992 R/W Section 24 of the Contempt of Court Act, 1971 for their willful and deliberate violation of the order dated 29.4.10 passed in O A No.241/09 by this Hon'ble Court.

Balo Ram Boro



AFFIDAVIT

I, Shri Bolo Ram Boro, S/O: Late Lakhi Ram Boro, aged about 58 years, resident of Vill:Bhitorkhula, PO:Kamalpur, PS: Kamalpur do hereby solemnly affirm and solemnly affirm and declare as follows:

1. That I am the petitioner in the instant petition, conversant with the facts and circumstances with the case. As such, I am competent to swear this affidavit.

2. That the statements made in this affidavit and in the accompanying application in paragraphs 1 to 11 are true to my knowledge and belief and the rest are my humble submissions before this Hon'ble Tribunal.

And I sign this affidavit on this the ~~20th~~ day of January 2011 at Guwahati.

Identified by me:

Bidisha Roy
Advocate

Bolo Ram Boro

Solemnly affirm and declare before me who is identified by Advocate *Bidisha Roy* on this the ~~20th~~ day of January 2011 at Guwhati.

Nira Sharma Thakuria,
Advocate



[Signature]
20/1/2011

[Signature]
Nira Sharma Thakuria
Advocate
Guwahati

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH, GUWAHATI :

O.A. Nos.241 of 2009

DATE OF DECISION : THIS IS THE 29th DAY OF APRIL, 2010.

THE HON'BLE MR MUKESH KUMAR GUPTA, MEMBER (J)
THE HON'BLE MR MADAN KUMAR CHATURVEDI, MEMBER (A)

Shri Bolo Ram Boro
S/O Late Lakhi Ram Boro
Vill. Bhitorkhula, P.O. Kamalpur,
P.S. Kamalpur, District. Kamrup, Assam.Applicant

By Advocate Mrs N.S.Thakuria

Versus -

1.The Union of India
represented by the Secretary to the
Government of India, Ministry of Defence.
New Delhi - 110001.

2.The Commandant,
Central Ordnance Depot, Chheoki,
Allabahad, Uttar Pradesh-211003.

3. The Personnel Officer,
Central Ordnance Depot, Chheoki,
Allabahad, Uttar Pradesh-211003.

4.Record Officer,
A O C, Secunderabad-15,
Andhra Pradesh -- 500003.

.....Respondents

By Advocate Mrs M. Das, Sr. C.G.S.C

ORDER

MR MADAN KUMAR CHATURVEDI (A)

By this O.A applicant makes a prayer that respondent
authorities be directed to take into account the applicant's correct date
of birth and orders dated 26.2.2009 and 13.5.2009 by which applicant



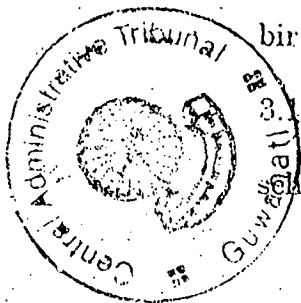
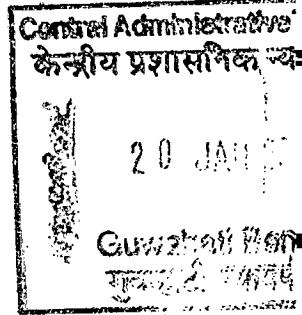
certified to be true.

N.S. Thakuria

was superannuated from service and pension papers were served, be quashed.

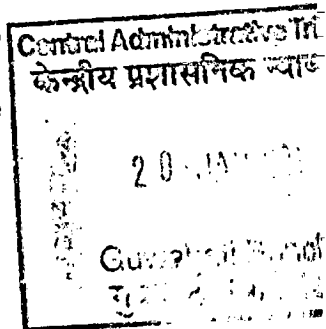
2. The applicant was working as Foreman in the Central Ordnance Depot, Chheoki, Allahabad, Uttar Pradesh. He was initially appointed on 4.2.1972 as Vocal Mechanic in the one Advance Base Workshop, E.M.E, Narengi, Guwahati. In the year 1973 he was appointed as Fitter in the aforesaid workshop. After serving there for 3 years in the year 1976, he was transferred to 65 Core Ordnance Maintenance Prop, Ganganagar. In the year 1983 he was transferred to 11 Field Ordnance Depot, Bhatinda, Punjab. Thereafter, on 10.9.87, he was transferred to Central Ordnance Depot, Chheoki, Allahabad.

3. At the time of joining the service applicant produced his school leaving certificate to prove the date of birth. This certificate was issued by the Head Master, Dorakahara Govt. Aided M.E.School vide Sl.No.317 dated 31.12.1971. In the certificate the age of the applicant was mentioned 18 years 2 months and 28 days. We find that the copy of said certificate is available in the service Card of Civilian Personnel. On the basis of this certificate the age of the applicant in the service record was stated to be shown as 28.6.1952. We have examined the service book Part-II of the applicant. The Commandant, Central Ordnance Depot, Chheoki, Allahabad vide his letter dated 27.6.08 asked the applicant to make some clarification as regard the date of birth. Applicant requested that his date of birth to be rectified as 3.10.1952 instead of 28.6.1952 as per the calculation based on the school leaving certificate. At that point of time it is stated that



[Handwritten signature]

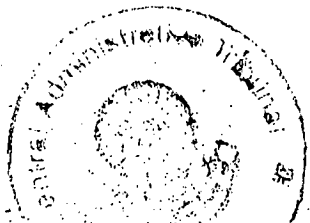
Personnel Officer (Civil), pressurized him to state his date of birth as 4.2.1949. On 4.11.2008 respondent No.3 asked the applicant to visit his office and there he forcefully took his signature on a typed letter where it was written that applicant requested the Personnel Officer (Civilian) to correct his date of birth as 4.2.1949 which was recorded as 28.6.1952.



4. Respondent No.3 stated to be misbehaved with the applicant and threatened him to take action against him. On 15.2.2008 applicant submitted representation before the Commandant, Central Ordnance Depot, Chheoki, Allahabad stating how he was forcefully compelled by the respondent No.3 to sign a letter dated 4.11.08, wherein it was stated that applicant's date of birth be accepted by the authority as 4.2.1949 and not as 28.6.1952.

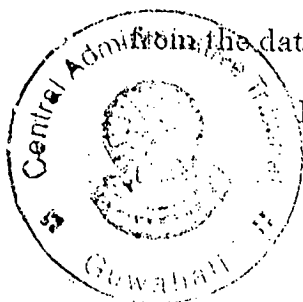
5. Mrs M.Das, learned Sr. Standing counsel submitted that the applicant did not produce the educational certificate before the RMO at the time of medical examination in support of his date of birth, Major Deveshvar, RMO, 1 Advance Base Workshop assessed his age as 23 years on 4.2.1972 and put this remark on medical examination certificate. According to Mrs M.Das assessed date of birth was accepted by the applicant and he put a signature thereon.

6. On completion of 25 years of service the Service Book of the applicant was referred to audit authority for service verification. During the course of audit it was observed that as per medical examination report dated 4.2.1972 the date of birth of the applicant was 4.2.49, it was taken as 28.6.1952 without any documentary proof and without the permission of competent authority.



7. We have heard rival submissions and examined the relevant records. Pass No.D00476 bearing Personal No. 66491 dated 2.8.2007 of the applicant was produced before us wherein the date of birth of the applicant is mentioned as 28.6.1952. On the first page of the service book Part II the date of birth of the applicant is mentioned as 28.6.1952. Thereafter this is rounded and on the top of it somebody made a correction by inserting the date as 4.2.1949. What is the basis of the correction and who did that correction are some of the questions which we raised at the time of hearing but no proper reply could be given in this regard. We do not know whether at the time of joining school leaving certificate was given or not but it is quite clear that the date of birth was recorded as 28.6.1952. School Leaving Certificate which is also placed in the service book also supports this fact. Therefore we find no reason to make a change in this regard at the far end of the career of the applicant by putting a new date of birth which is not supported by any cogent material. After taking into consideration entirety of factual details we are convinced that the superannuation of the applicant was based on incorrect date of birth as such we direct the respondents to reinstate the applicant in service within four weeks from the date of the receipt of this order with all consequential benefits.

In the result O.A stands allowed. No costs.



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

TRUE COPY

प्रतिलिपि

JK 10

05/05/2010

अनुभाग अधिकारी

Section Officer (Judl)

Central Administrative Tribunal
Guwahati Bench

certified to be true.

N. S. Thakur
Advocate

Central Administrative Tribunal
केन्द्रीय प्रशासनिक न्यायालय

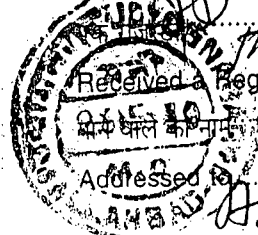
20 JAN 2011

Guwahati Bench
गुवाहाटी न्यायालय

बीमा नहीं / NOT INSURED

लगाये गये डाक टिकटों का मूल्य रु० 30 पै०

Amount of Stamps affixed Rs. 30 P.



Received a Registered

Addressed to

The Commander

COD

H. Mahabadi

क्रमांक / No.

340

तारीख - मोहर

Date-Stamp

Chhooki



बीमा नहीं / NOT INSURED

लगाये गये डाक टिकटों का मूल्य रु० 30 पै०

Amount of Stamps affixed Rs. 30 P.

Received a Registered

पाने वाले का नाम

Addressed to

Record Officer

D. C. Secunderabad-15

Signature of Receiving Officer

क्रमांक / No.

341

तारीख - मोहर

Date-Stamp

Certified to be true.

N. S. Thakur
Advocate

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH: GUWAHATI

Applicant 90

DESPATCH NO. CAT/GHY/RI/1151 to 1156 DATED GUWAHATI 26-5-2010

ORIGINAL APPLICATION NO: 241/2009 /200

MISC PETITION NO: /200

CONTEMPT PETITION NO: /200

REVIEW APPLICATION NO: /200

ANNEXURE - D

in series

Shri Bolo Ram Bor.

APPLICANT (সহকারী প্রশাসনিক ন্যায়)

VERSUS

Union of India & Ors.

RESPONDENT(S)

20 JAN 2011

Guwahati Bench
গুৱাহাটী ন্যায়পীঠ

To

Shri Bolo Ram Bor.

S/o Late Lakhi Ram Bor.

Vill: Bhidokhula

P.O. Kamalpur, P.S. Kamalpur,

Dist. Kamrup (Assam).

Please find herewith a copy of Judgment/Final order dated 29/4/2010 passed by the Bench of

this Hon'ble Tribunal comprising of Hon'ble Shri. Mr. Gopinath Murmu (T) Vice-Chairman and

Hon'ble Shri. Mr. Lalitendra Member(A) in the above noted case for

information and necessary action if any.

Please acknowledge the receipt of the same.

Encl: As above

(Copy of Original Application in O.A.No. /200)

By Order

SECTION OFFICER (J)

Memo. No. dated.

Copy for Information to:-

1. Mr/Mrs/Ms.

Advocate Gauhati High Court.

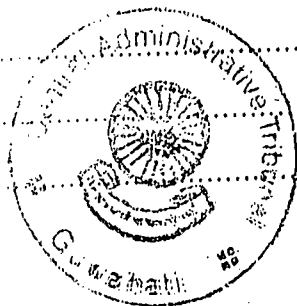
2. Mr/Mrs/Ms.

Sr. CGSC/Addl. CGSC

3. Mr/Mrs/Ms/Dr.

Rly. Standing Counsel/ Govt. Advocate Assam /
Meghalaya / Manipur / Nagaland / Tripura

/Arunachal Pradesh



Certified to be true.

N.S. Thakur

Advocate

14 -
CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH: GUWAHATI

P. NO-1. 91

DISPATCH NO. CAT/GHY/JUDL _____ DATED GUWAHATI _____
ORIGINAL APPLICATION NO. 241/2009 /200
MISC PETITION NO. _____ /200
CONTEMPT PETITION NO. _____ /200
REVIEW APPLICATION NO. _____ /200

Shri Bolo Ram Boro

APPLICANT(S)

VERSUS

Union of India & Ors.

RESPONDENT(S)

To

The Secretary,
Ministry of Defence,
New Delhi - 110001.

20 JAN

Guwahati Bench

Please find herewith a copy of Judgment/Final order dated 29/4/2010 passed by the Bench of this Hon'ble Tribunal comprising of Hon'ble Shri Mr. Gupta Member (J) Vice-Chairman and Hon'ble Shri Mr. Chakravarty Member(A) in the above noted case for information and necessary action if any.

Please acknowledge the receipt of the same.

Encls: As above

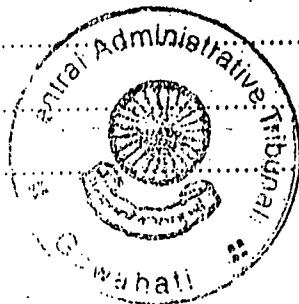
(Copy of Original Application in O.A. No. 241/2009)

By Order
24/5/2010
SECTION OFFICER (J)

Memo. No. _____ dated _____

Copy for Information to:-

1. Mr/Mrs/Ms. _____ Advocate Gauhati High Court.
2. Mr/Mrs/Ms. _____ Sr. CGSC/Addl. CGSC
3. Mr/Mrs/Ms/Dr. _____ Rly. Standing Counsel/ Govt. Advocate Assam / Meghalaya / Manipur / Nagaland / Tripura / Arunachal Pradesh



Certified to be true

Bidisha Roy
Advocate

- 15 -
CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH GUWAHATI

R. 110-2
92

SPATCH NO. CAT/GHY/JUDL. _____ DATED GUWAHATI _____

ORIGINAL APPLICATION NO: 241/2009 /200

MISC PETITION NO: _____ /200

CONTEMPT PETITION NO. _____ /200

REVIEW APPLICATION NO. _____ /200

Central Administrative Tribunal
केन्द्रीय प्रशासनिक न्यायालय
20 JAN 2011
Guwahati Bench
गुवाहाटी न्यायपीठ

Shri Balo Ram Boroi

APPLICANT(S)

VERSUS

Union of India & Ors.

RESPONDENT(S)

To

The Commandant

Central Ordnance Depot, Chhoxi

Allahabad, Uttar Pradesh 211003

Please find herewith a copy of Judgment/Final order dated 29/4/2010 passed by the Bench of

this Hon'ble Tribunal comprising of Hon'ble Shri. Mr. Gupta N. C. (J) Vice-Chairman and

Hon'ble Shri. Mr. P. C. N. (J) Member(A) in the above noted case for

information and necessary action if any.

Please acknowledge the receipt of the same.

Enclos: As above

(Copy of Original Application in O.A. No. _____ /200)

By Order
[Signature]
24/5/2010
SECTION OFFICER (J)

Memo No. _____ dated _____

Copy for Information to:-

1. Mr/Mrs/Ms. _____

Advocate Gauhati High Court.

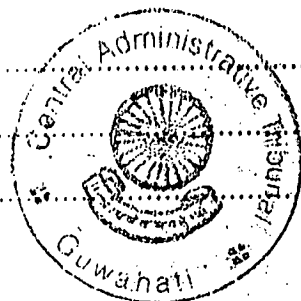
2. Mr/Mrs/Ms. _____

Sr. CGSC/Addl. CGSC

3. Mr/Mrs/Ms/Dr. _____

Rly. Standing Counsel/ Govt. Advocate Assam /
Meghalaya / Manipur / Nagaland / Tripura

/Arunachal Pradesh



certified to be true

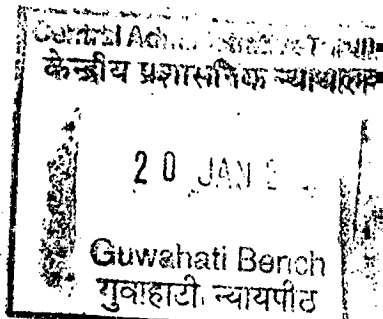
Bidisha Roy
Advocate

- 16 -

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH: GUWAHATI

P. No. 31

ATCH NO. CAT/GHY/JUDL _____ DATED GUWAHATI _____
ORIGINAL APPLICATION NO: 241/2009 /200
MISC PETITION NO: _____ /200
CONTEMPT PETITION NO. _____ /200
REVIEW APPLICATION NO. _____ /200



Shri Bolo Ram Boroi

APPLICANT(S)

VERSUS

Union of India Govt.

RESPONDENT(S)

To

The Personnel Officer,

Central Ordnance Depot Chokei,

Allahabad, Uttar Pradesh - 211003.



Please find herewith a copy of Judgment/Final order dated 29/4/2010

passed by the Bench of

this Hon'ble Tribunal comprising of Hon'ble Shri. NK Gupta Member (J)

~~Vice Chairman and~~

Hon'ble Shri. NK Chakravarti

Member(A) in the above noted case for

information and necessary action if any.

Please acknowledge the receipt of the same.

Encl: As above

(Copy of Original Application in O.A. No. 241/2009)

By Order

[Signature]
SECTION OFFICER (J)

Memo. No. _____ dated _____

Copy for Information to:-

1. Mr/Mrs/Ms. _____

Advocate Gauhati High Court.

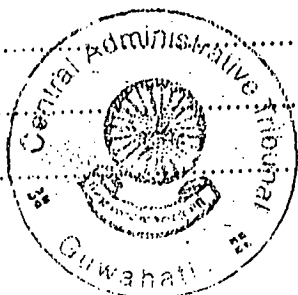
2. Mr/Mrs/Ms. _____

Sr. CGSC/Addl. CGSC

3. Mr/Mrs/Ms/Dr. _____

Rly. Standing Counsel / Govt. Advocate Assam /
Meghalaya / Manipur / Nagaland / Tripura

/Arunachal Pradesh



Certified to be true

Priyanka Roy

Advocate

CATCH NO. CAT/GHY/JUDL

DATED GUWAHATI

ORIGINAL APPLICATION NO.

/200

MISC PETITION NO.

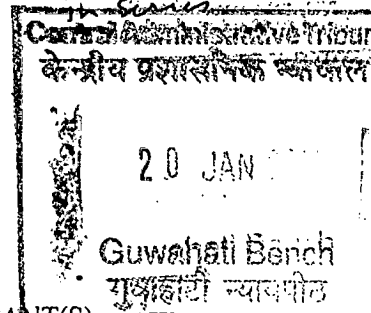
/200

CONTEMPT PETITION NO.

/200

REVIEW APPLICATION NO.

/200



Shri Bolo Ram Bom.

APPLICANT(S)

VERSUS

Union of India Shri.

RESPONDENT(S)

To

Jac Record Officer

AOC Secunderabad - 15

Andhra Pradesh - 500003

Please find herewith a copy of Judgment/Final order dated 29/4/2010 passed by the Bench of

this Hon'ble Tribunal comprising of Hon'ble Shri. MK Prasad Murthy Vice-Chairman and

Hon'ble Shri. MK Prasad Member(A) in the above noted case for

information and necessary action if any.

Please acknowledge the receipt of the same.

Encl: As above

(Copy of Original Application in O.A.No. /200)

By Order

SECTION OFFICER (J)

Memo No. dated.

Copy for Information to:-

1. Mr/Mrs/Ms. Advocate Gauhati High Court.

2. Mr/Mrs/Ms. Sr.CGSC/Addl.CGSC

3. Mr/Mrs/Ms/Dr. Rly.Standing Counsel/ Govt. Advocate Assam / Meghalaya / Manipur / Nagaland / Tripura

Date of Application : 21-7-2010

Date on which copy is ready : 21-7-2010 / Arunachal Pradesh

Date on which copy is delivered : 21-7-2010

Certified to be true copy

Section Officer (Judl)

G. A. T. Guwahati Bench

Guwahati-5

certified to be true.

N.S. Thakur
Advocate

To

The Commandant,
Central Ordnance Depot, Chheoki,
Allahabad, Uttar Pradesh.

Date: 07.08.10.

- Ref: 1. Order dated 29.04.10 of Hon'ble Central Administrative Tribunal,
Guwahati Bench, passed in O A No. 241/09 .
2. Letter of the Learned Central Govt. Standing Counsel, C A T, dated
22.7.10.
3. Official communication of the Hon'ble Central Administrative
Tribunal, Guwahati Bench dated 28.5.2010.
4. Postal receipts dated 26.5.10.

Subject: Prayer for reinstatement in service as per order of the Hon'ble
Central Administrative Tribunal, Guwahati Bench, Guwahati.

Respected Sir,

Being aggrieved of the order of superannuation dated 26.2.09 and the
service of pension papers on 13.5.09, I approached before the Hon'ble
Central Administrative Tribunal, Guwahati Bench, Guwahati by filing an
Original Application being NO. 241/09 (Bolo Ram Boro-VS-Union of India
& Ors).

The Hon'ble Central Administrative Tribunal, after hearing the parties
was pleased to pass an order on 29.04.10, whereby a direction was given to
reinstate me in service within four weeks from the date of the receipt of the
order with all consequential benefits.

I had already approached before Your Honour along with the copy of
the application and the original order dated 29.04.10. But Your Honour did
not accept the same.

certified to be true

N. S. Thakur,
Advocate

Bolo Ram Boro

Finding no alternative, I sent those through registered post on 26.05.10.

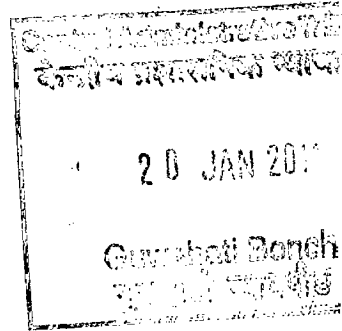
But till date I have not been re-instated in service.

The above referred copies have been enclosed herewith.

Therefore, I request Your Honour kindly to reinstate me in my service.

Thanking you.

Yours faithfully,



Enclosed:

1. Order dated 29.04.10 of Hon'ble Central Administrative Tribunal, Guwahati Bench, passed in O A No.241/09.
2. Letter of the Learned Central Govt. Standing Counsel, C A T, dated 22.7.10.
3. Official communication of the Hon'ble Central Administrative Tribunal, Guwahati Bench dated 28.5.2010.
4. Postal receipts dated 26.5.10.

Certified to be true.
N. S. Thakuria,
Advocate

Balo Ram Boro

Manjula Das, B.Sc. (Hons.), LL.B.
SENIOR CENTRAL GOVERNMENT STANDING COUNSEL
CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH
BHANGAGARH, GUWAHATI-781005

CHAMBER CUM RESIDENCE in Series
HOUSE NO. 1, BYE LANE NO. 12
OPP. 9TH BYE LANE, LACHIT NAGAR
GUWAHATI-781007
TEL : 0361 - 2521581 (R)
098640 - 68357 (M)

Date: 22.07.10/Guwahati

To

The Commandant,
Central Ordinance Board,
Chheoki, Allahabad

Sub: OA No. 241/09 (Sri BR Boro v. UOI)

Sir,

I would like to inform you that the Hon'ble Tribunal was pleased to allow the
aforementioned case filed by the applicant vide order dated 29.04.10. I would advice you
to implement the said judgement and order dated 29.04.10 by reinstating the applicant in
service within four weeks from the date of receipt of the copy of the order with all
consequential benefits as directed by the Hon'ble Tribunal.

Thanking you,

Yours faithfully,

Mrs. Manjula Das,

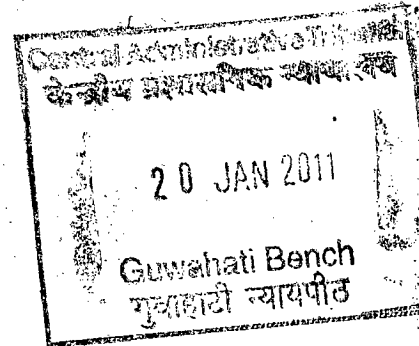
Sr. CGSC,

CAT, Guwahati Bench

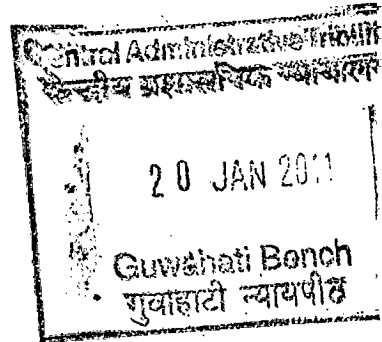
certified to be true.

N. S. Thakur

Advocate



in series



GUWAHATI GPO <781001>
FLAD A 4602
Counter No:1, OP-Code:NSAIK
To: COMMANDANT, COB/
ALAHABAD



Wt:66grams,
Amt:40.00, 07/08/2010, 12:21
<<Have a nice dr

Certified to be true.

N. S. Thakur
Advocate

Telex: 2697001/6321

Regd by Post

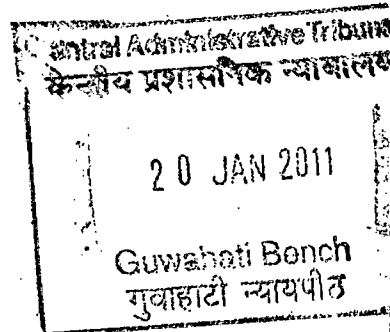
in series

Cent Ord Dep Chheoki
PIN - 900479
C/O 56 APO

181442/CC/B R Boro/Est(I)

26 Aug 2010

Shri Bolo Ram Boro
S/O Late Lakhi Ram Boro
Vill. Bhitorkhula, Post - Kamalpur,
District Kamrup (Assam)



**PRAYER FOR REINSTATEMENT IN SERVICE AS PER ORDER
OF THE HON'BLE CENTRAL ADMINISTRATIVE TRIBUNAL,
GUWAHATI BENCH, GUWAHATI**

Dear Sir,

1. Please ref your representation dt 07 Aug 10.
2. In this context, the whole case including Hon'ble Tribunal, Guwahati judgment dt 29 Apr 10 passed in OA No 241/09 Bolo Ram Boro Vs UOI & Others have been referred to our Higher Headquarters for examination and advice thereon.
3. On receipt of further course of action regarding reinstatement of your service, you will be intimated accordingly.

Yours faithfully,

A handwritten signature in black ink, appearing to be 'S K Gurung'.

(S K Gurung)
Lt Col
Adm Officer
For Commandant

Certified to be true.

N. S. Thakur
Advocate

Central Administrative Tribunal
केन्द्रीय प्रशासनिक न्यायालय
20 JAN 2011
Guwahati Bench
গুৱাহাটী ন্যায়পীঠ

To,

REGISTERED

SHRI BOLO RAM BORO
S/o late LAKHI RAM BORO
Vill- BHITORIKHULA, Post-KAMALPUR,
DISH- KAMRUP (ASSAM)



Do-Dogadong
RI-1116
2010

For Late
Changam

For Const
Personal Officer (Cm)
For Commandant

181442/CM/BR Boro/Est(U)
Dtd: 26 Aug 2010

certified to be true
N.S. Thakuria
Advocate