

CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH: GUWAHATI...5  
ORIGINAL APPLICATION NO.

MISC PETITION NO. (IN O.A.)  
✓ REVIEW APPLI. NO. 25/94 (IN O.A. 2/94)  
CONT. PETITION NO. (IN O.A.)

.....U.O.I. & ors.....APPLICANT(S)  
Vrs.  
.....A.I.P. Empl. Union & ors.....RESPONDENT(S)  
.....Mr. G. Sarma, Addl. C.G.S.C. ....ADVOCATE T(S)  
FOR APPL.  
.....  
.....Mr. B.K. Sharma, Mr. M.K. Choudhury.....  
.....ADVOCATE(S)  
FOR RESDPTS.

OFFICE NOTE

DATE

COURT'S ORDER

This Review Application is filed by Mr. G. Sarma, Addl. C.G.S.C. on behalf of Union of India & ors with a prayer for Review the Judgment and Order dtd. 17.3.94 passed by this Hon'ble Tribunal.

Laid for favour of further orders.

*Sharma*  
30/8/94  
SECTION OFFICER(J)

31-8-94

At the request of Mr. G. Sharma and by consent of Mr. B.K. Sharma this case is adjourned to 2-9-94.

*kk*  
Vice-Chairman

*GA*  
Member

1-9-94

Adjourned to 5-9-94

*kk*  
Vice-Chairman

*GA*  
Member

1m

5-9-94

Mr G. Sarma for the applicant.

To be placed for order at Shillong during the next sitting of the Bench at Shillong.

*kk*  
Vice-Chairman

*GA*  
Member

P9

Heard as G. Sharma.  
True impact of supreme ct & earlier fts of Tribunal needs to be considered. Law points are involved.  
Review petition is admitted ~~some~~ ①  
subject to objection as to limitation ~~some~~

① where the respts  
of 8 wks. for W.S.  
adj to 8.12.94 for  
further orders

*kk*  
Shillong  
21.9.94  
*GA*  
21.9.94  
M(CA)

5.10.94

Mr G.Sarma for the applicants.  
Mr B.K.Sharma for the respondents.

The matter is placed on board in view of the letter received from applicant No.1 Association dated 19.9.94. No direction is necessary as the said applicant has been represented by a counsel and as such remedies as may be available to them in accordance with law to enforce the order dated 17.3.94 would be available to them. We may mention that in the Review Application no order of stay has been granted of the original order and it will be open to the applicant to appear and contest that petition.

A copy of the minutes be forwarded to the applicant No.1 with reference to its letter mentioned above.

Copy of order be furnished to the applicant.

Bo.

SPCO

Vice-Chairman

Member

Order d. 15.10.94 pg

Wise NO. 4230-31 4/88  
A. 26.10.94

8-12-94

Adjourned to 9-1-95.

for 12/x

Vice-Chairman

Member

Remember, we need to  
consider wise NO. 4230-31 lm

10-1-95

Adjourned to 16-1-95.

2.23.10.94

Vice-Chairman

Member

Notice dated 10.10.94

Case ready as regards service

lm

11/1/95

14.2.95

It does not appear that the adjourned date is noted in the proceeding sheet after 15.1.95. Hence the above proceeding be placed for orders ~~for~~ orders for fixing date of hearing on 16.2.95.

*hbl*

Vice-Chairman

*ba*

Member

pg

16-2-95

Adjourned to 3-4-95.

*hbl*

Vice-Chairman

*ba*

Member

lm

3.4.95

None for the applicant.

Mr B.K. Sharma for the respondents.

To be placed for hearing on 3.5.95.

*hbl*

Vice-Chairman

*ba*

Member

nkm

*hbl*

6.4.95

3.5.95

Mr B.K. Sharma/Mr G. Sarma.

It appears that some other matters are pending on the same point. It is desirable that all matters are heard together. Mr B.K. Sharma and Mr S. Ali to furnish the numbers of their O.A.s so that all the matters can be placed alongwith this R.A. List on 1.6.95.

An affidavit in addition for delaying the cause of Plaintiff Review Petition was introduced.

*hbl*

*ba*

*hbl*

4 - R.A. 25/94 (OA 2/94)

31.5.95

for hearing  
on 8.6.95

By ordn.

8.6.95

To be listed for  
hearing 31.7.95.

By ordn.

OFFICE NOTE	DATE	COURT'S ORDER
	21.8.95 (Kohima)	<p><i>Addl C.G.S.C.</i> Mr G. Sarma for the applicants (original respondents.)</p> <p>Mr B.K. Sharma for the respondents (original applicants).</p> <p>The decision follows earlier decision in O.A.No.42(G) of 1989 confirmed by the Hon'ble Supreme Court. In this review application question of true impact of the said decisions has been raised. Since there are other O.A.s involving same points fixed for hearing together we think that in order to maintain uniformity in the decisions it is necessary to reexamine the claim of the applicants afresh by reviewing the order dated 17.3.94.</p>

The Review Application is accordingly allowed and the order dated 17.3.1994 is set aside<sup>③</sup>. The original application be listed for hearing alongwith O.A.No.48/91 and companion O.A.s on 22.8.95.

No order as to costs.

*WCA*  
Vice-Chairman

*DO*  
Member

③ However if any amount towards H.A. & survey fee in compliance with the order dated 17.3.94 has already been ~~paid~~ paid to the applicants or any of them shall not be disturbed by reason of setting aside of that order. not reviewed

pkm

OFFICE NOTE

DATE

COURT'S ORDER

21.8.95  
(Kohima)

Mr G. Sarma, Addl. C.G.S.C., for the applicants (original respondents).

Mr B.K. Sharma for the respondents (original applicants).

The decision follows earlier decision in O.A.No.42(G) of 1989 confirmed by the Hon'ble Supreme Court. In this review application question of true impact of the said decisions has been raised. Since there are other O.A.s involving same points fixed for hearing together we think that in order to maintain uniformity in the decisions it is necessary to reexamine the claim of the applicants afresh by reviewing the order dated 17.3.1994.

The Review Application is accordingly allowed and the order dated 17.3.1994 is set aside. However, any amount towards HRA and licence fee in compliance with the order dated 17.3.1994 has already been paid to the applicants or any of them shall not be disturbed by reason of setting aside of that order nor recovered. The original application be listed for hearing alongwith O.A.No.48/91 and companion O.A.s on 22.8.95.

No order as to costs.

*[Signature]*  
Vice-Chairman

*[Signature]*  
Member

nkm

20.11.95

Copy of order dtd. 21.8.95  
issued alongwith O.A. 2/94.

*[Signature]*

*[Signature]*  
21/11

OFFICE NOTE

DATE

COURT'S ORDER

O.A. 48/91 with O.A. 11/95 with O.A. 37/95 with R.A. 25/94  
in O.A. 2/94 with M.P. 100/94 with O.A. 105/95.

X

OFFICE NOTE	DATE	REPORT'S OWNER
	1.8.95	<p><u>O.A. No. 48/91</u></p> <p>None for the applicant.</p> <p>Mr. S. Ali, Sr. C.G.S.C. for the respondents.</p> <p><u>O.A. 11/95</u></p> <p>Mr. B.K.Sharma for the applicant/Mr. G. Sarma, Addl. C.G.S.C. for the respondents.</p> <p><u>O.A. 37/95</u></p> <p>Mr. B.K.Sharma for the applicant/Mr. G. Sarma, Addl. C.G.S.C. for the respondents.</p> <p><u>R.A.No. 25/94 in O.A. 2/94</u></p> <p>Mr. G.Sarma, Addl. C.G.S.C. for the applicants/Mr. B.K.Sharma for the respondents.</p> <p><u>M.P. 100/94 (O.A. 2/94)</u> Addl.C.G.S.C. Mr. G.Sarma/for the applicants/Mr. B.K. Sharma for the respondents.</p> <p><u>O.A. 105/95</u></p> <p>Mr. T.K.Dutta for the applicants/Mr. G. Sarma, Addl. C.G.S.C. for the respondents.</p> <p>All these matters involved common question. Arguments of Mr. B.K.Sharma, Mr. T.K.Dutta, Mr. S.Ali, Sr.C.G.S.C. and Mr. G.Sarma, Addl. C.G.S.C. are heard at length in common to all the applications. However, counsels desire to consider the legal position further and Mr. G.Sarma, Addl. C.G.S.C. also wants time to produce some O.M.s in O.A. 37/95 and O.A. 11/95. Adjourned to 3.8.95.</p>

3.8.95

Passed over for the  
Dr.

Bon

4-8-95

Adjourned to  
Kohima.

Bon

Sd/- VICE CHAIRMAN

Sd/- MEMBER (ADMN)