

FORM NO. 4
(SEE RULE 12)
CENTRAL ADMINISTRATIVE TRIBUNAL
GUAHATI BENCH

ORDER SHEET

20/04.....

Org. App. / Misc. Petn / Cont. Petn / Rev. App.

In O.A... 130/94.....

Name of the Applicant(s) Smt. Renu Majumdar & another

Name of the Respondent(s) Sri. T. K. Baruah & another

Advocate for the Applicant Mr. Chander, S. Nath.....

Counsel for the Railway / CGSC..... K.N. Chaudhury, I. Chaudhury, S. Das

ORDER OF THE TRIBUNAL

OFFICE NOTE

DATE

1.6.2004

Heard Mr. S. Nath, learned counsel for the applicant.

Issue notice to show cause as to why contempt proceeding shall not be initiated, returnable within four weeks.

List on 7.7.2004 for orders.

KV Prahadan
Member (A)

List on 23.8.2004 for orders.

KV Prahadan
Member (A)

Present: Hon'ble Mr. D. K. Verma, Vice Chairman

Hon'ble Mr. K. V. Prahadan, Administrative Member.

Mr. M. Chanda learned counsel for the petitioner prays for adjournment. Prayer is allowed.

List on 25.8.04 for orders.

KV Prahadan
Member

Vice-Chairman

Notice & Order
Sent to D/Section
Box issuing respondent
nos - 1, 2, by Regd.
with A/D post.

~~Copy~~
4/6/04.

vide D/Memo
No - 969 to 970
Dt. 4/6/04.

~~(cc) 4.~~
7/6/04.

24/8/04

Letter received from the
Dy. Director of Cadre
Operations, Assam, Guwahati
vide NO. DC(O)E) 253/2004/7678
dated 19.8.04 in connection
with exp. NO. 20/2004 which
may kindly be seen at
flag 'X'.

WS
24/8/04.

Received copy of
order for respondent NO 2.

16/8/04.

to the D CO Assam

for per 27/8.

Recd. 27/8/04

25.8.04 Present : The Hon'ble Sri D.C.Verma,
Vice-Chairman
The Hon'ble Sri K.V.Prahлад
Administrative Member.

Heard Sri M.Chanda, learned couns
for the applicant and Sri I.Choudhury,
learned counsel for the respondents.

By an additional affidavit the
applicant has filed certain documents
to show that the order of this Tribunal
has not been fully complied with. Copy
of the same has also been served on
the learned counsel for the respondents.

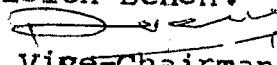
During the course of hearing the
learned counsel for the applicant sub-
mitted that though in compliance of the
Tribunal's judgment the applicants have
been given benefit of part 3(i) and
3(ii) of the order dated 12.8.04 the
respondents have given promotion to the
applicants on notional basis and have
also specifically passed an order that
the applicants will not be entitled for
arrear pay and allowances. The sub-
mission of Mr Chanda is that the Tribunal
or even the Hon'ble High Court have
not passed any direction specifically
to the effect that the respondents

could give the applicants all consequen-
tial benefits. The submission of Mr
Chanda is that the respondents could
not have promoted the applicants on
notional basis only. From the documents
and the Tribunal's direction and as
upheld by the Hon'ble High Court we
find no reason for the respondents to
pass such an order. Hence the responden-
t could not have given promotion to the
applicants on notional basis or restric-
ted to non payment of salary.

Learned counsel for the respondent
Sri I.Choudhury requests for some time
to seek instruction from the respondent
in this connection. Time is granted.

List before next Division Bench.

KV Prahлад
Member (A)


Vice-Chairman

Notes of the Registry	Date	Order of the Tribunal
	16.9.04.	<p>Present: Hon'ble Mr. Justice R.K.Batta Vice-Chairman. Hon'ble Mr.K.V.Prahldan, Adminis- trative Member.</p> <p>Heard learned counsel for both the parties.</p> <p>The Contempt Application be listed alongwith O.A.No.194 of 2004 and 195 of 2004, and O.A.130/94</p> <p><i>JKB</i> Member</p>
case is ready. N.B 23/9/04	24.9.04.	<p>Present: Hon'ble Mr. Justice R.K.Batta, Vice-Chairman. Hon'ble Mr.K.V.Prahldan, Administra- tive Member.</p> <p>Heard Mr.M.Chanda learned counsel for the applicant and Mr.I Choudhury, learned counsel appearing on behalf of the Respondents.</p> <p>The learned counsel for the Respondents has placed before us the order dated 14.9.2004 modifying earlier order dated 12.8.2004. In view of the modified order dated 14.9.2004 no further action is required to be taken in the Contempt Proceedings. Mr.M.R. Singh, Under Secretary, Government of India is present in the Court and he tendered unconditional apology. Accordingly, C.P. is closed.</p> <p><i>JKB</i> Member</p>
28.9.04 Copy of the order has been sent to the Offic. for issuing the same to the Advocates for the parties S.	lm	<p><i>R</i> Vice-Chairman</p>