

91
CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH: GUWAHATI...5

ORIGINAL APPLICATION NO. 170/94

MISC PETITION NO. (IN O.A.)

REVIEW APPLI. NO. (IN O.A.)

CONT.PETITION NO. (IN O.A.)

Dikash Sengupta.....APPLICANT(S)

Vrs.

Ch. O. 1st ONS.....RESPONDENT(S)

Mr. R. D. Lal.....ADVOCATE(S)
FOR APPL.

.....

Mr. S. Ali.....

for CSC.....

ADVOCATE(S)
FOR RESPNTS.

OFFICE NOTE	DATE	COURT'S ORDER
This application is in form and within time C. F. of Rs. 50/- deposited vide IPO/BD No. 806520582 Dated 30.8.94	30.8.94	Mr. R. D. Lal, learned counsel for the applicant, mentions the matter for urgent hearing for admission and stay. We find that there is no urgency of that nature because the order dated 11.8.1994 was served upon the applicant on 12.8.1994 and he had ample time since then till today to move earlier. It would not be fair in the situation to pass ex-parte order without affording an opportunity to the respondents to have their say in the matter.

Mr. Lal, however, states that the
applicant has been conveyed a message from the
Superintending Engineer orally that he may be
permitted to continue for one more month in
the present post. If any such accommodation is
in fact likely to be shown to the applicant
and since the representation is stated to be
pending we leave it to the respondents to take
appropriate decision and make it clear that
should such an offer be made and should the
applicant accept it the same shall be without
prejudice to the rights and contentions of the
respondents in respect to the order dated
11.8.94. We make it clear that we are not
passing any direction of any nature by this
order to the respondents and we have simply
recorded whatever has been conveyed to us by

*Mr. S. Ali
30.8.94
By. Magistrate (4)*

30.8.94

the learned counsel for the applicant.

The application be placed for admission on 2.9.94.

Recd. copy
R. D. Lal

31.8.94.

A copy of the order be supplied to Mr Lal. He is given liberty to serve a copy of this order upon the respondents. At this stage Mr S. Ali, learned Sr. C.G.S.C. seeks to appear and we have requested him to note that the question of interim stay will be considered on 2.9.94. A copy of this order may also be furnished to the Mr Ali.

Vice-Chairman

Member

nkm

Order dtd. 30.8.94

copies made on

Dm
119

2-9-94

Mr. Lal counsel for the applicant states that the so called assurance to continue the applicant at the present posting for one month has not proved a reality and since the relevant date that is 31-8-1994 has already elapsed and the impugned order has become effective the applicant does not desire to press the application. Hence the application is allowed to be withdrawn without prejudice to the contentions raised by the applicant if these would be relevant in future.

Application is disposed of. N.O.C.

Vice-Chairman

Member

lm

S. Ali