

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.)

Bikash Sengupta.....APPLICANT(S)

Vrs.

U. O. 1.2 ORB.....RESPONDENT(S)

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

Mr. S. A. S.....

S. C. S. C.....ADVOCATE(S)
FOR RESPDTS.

OFFICE NOTE

DATE

COURT'S ORDER

This application is in
form and within time
C. F. of Rs. 50/-

deposited vide

PO/BD No. 806520582

Dated 30.8.94

6 *M. S. Sengupta*
30.8.94
Sr. Registrar (4)

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

30.8.94

the learned counsel for the applicant.

The application be placed for admission on 2.9.94.

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.

hille
Vice-Chairman

bo
Member

nkm

Order dt. 20.8.94

issued vide no.

Don
1/9

Don
24/8/94

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

hille
Vice-Chairman

bo
Member

lm

27.10.94

copy of order dt.
2.9.94 issued to
all concerned by
Regd. Post vide S.No.
4284-90 dt. 1.11.94

ghn

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