

**In The Central Administrative Tribunal**  
GUWAHATI BENCH : GUWAHATI

ORDER SHEET  
APPLICATION NO.

CP-13 OF 1998  
OA 279/96

Applicant(s) D.D. Bhattacharjee & ORS  
-VS-

Respondent(s) Ajit Kumar & AMT.

Advocate for Applicant(s) Mr. A. Ahmed.

Advocate for Respondent(s)

Notes of the Registry	Date	Order of the Tribunal
<p>This cp. is filed by Mr. A. Ahmed, Adv. on behalf of the applicant, praying for punishment of the contemners for non-compliance of the Judgment &amp; order dated 10-6-97 passed in OA 279/97.</p> <p>Laid for favours of orders.</p> <p><i>[Signature]</i> Section Officer 9/6/98</p> <p>সিনিয়র অফিসার (সি.সি.সি.) Central Administrative Tribunal একমাত্র প্রমাণিত অফিসার Guwahati Bench, Guwahati গুৱাহাটী বেঞ্চ, গুৱাহাটী-৬</p> <p><i>[Signature]</i> Law Officer 11e Registrar.</p>	<p>16.6.98</p> <p>pg</p> <p>17.8.98</p>	<p>Adjourn to 17.8.98 for further order.</p> <p><i>[Signature]</i> Member</p> <p><i>[Signature]</i> Vice-Chairman</p> <p>Issue notice on the alleged contemners to show cause as to why the contempt proceeding shall not be drawn up. Notice is returnable by four weeks. The alleged contemner No.2 shall also appear before this Tribunal on the next date.</p> <p>List on 23.9.98 for show cause and further orders.</p> <p><i>[Signature]</i> Member</p> <p><i>[Signature]</i> Vice-Chairman</p>

10/6/98  
29/8

(2) C.P. 13/98

Notes of the Registry

Date

Order of the Tribunal

20.8.98

Service of Notice has been receipt and issued to the respondents vide No. 2286-87 dt. 24.8.98.

In  
No  
219

2.11.98

Division Bench is not available. List for orders on 2-11-98.  
Lt. Col. N.R. Gupta, the alleged contemner No. 2, is present personally. He submits that payment had been made to all the applicants concerned except applicant No. 16 Ram Prasad, who had expired and there was no claimant on his behalf till date. Mr A. Ahmed, learned counsel for the petitioners, also confirms that payment had been received by the petitioners. Adjourned to 23.11.1998.

Member

Lt. Col. Gupta submits that in the circumstances he may be exempted from personal appearance. Heard him. He is exempted from personal appearance until further orders.

Adjourned to 23.11.1998 for further orders before the Division Bench. Member

pg

23.11.98

This petition has been filed for non compliance of the order passed by this Tribunal on 10.6.97 in O.A. No. 279/96.

Heard Mr A. Ahmed, learned counsel for the petitioner and Mr S. Ali and Mr G. Sarma, learned counsel for the alleged contemnors. Mr Ali submits that the direction has fully <sup>been</sup> complied with and Mr Ahmed also confirms the same. In view of the above we do not find any merit in the contempt petition.

Contempt petition is accordingly closed.

Member

Vice-Chairman

pg

1) Service reports are still awaited.  
2) Show Cause has not been filed.

Vakalatnama filed by Mr. G. Sarma, Advocate on behalf of the Contemner No- 2.

No. Written Statement submitted by the respondents.

27.11.98  
Copies of the order have been issued to the parties through Registry with A.P. vide No. 3367 to 3369 dt. 27.11.98.

3

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL GAUHATI BENCH,  
GUWAHATI.

C.P. NO. 13 OF 1998.

Filed by:  
Shankaradev  
MR. SHAUKAT ALI  
Sr. Central Govt. Standing Counsel  
Central Administrative Tribunal  
Guwahati Bench, Guwahati

Shri D.D. Bhattacharjee

... Petitioner

- Versus -

1. Shri Ajit Kumar
2. Shri N.K. Gupta.

... Contemners.

- AND -

IN THE MATTER OF :

Additional show cause reply submitted  
by the alleged contemners.

The humble Contemners submit their Additional  
show cause reply as follows :-

1. That the Contemners have already submitted their  
show cause reply stating that the dues payable to the  
Contempt petitioners have already been paid and the  
receipt of payment has been acknowledged by them.
2. That while payment was made to the petitioners  
the applicant No. 16, Ram Prasad could not be paid as  
has he expired and there was no claimant on his behalf  
till date this fact was not stated in the earlier show

show cause reply and hence this additional show cause reply has been filed before this Hon'ble Tribunal stating the actual facts of the death of Ram Prasad.

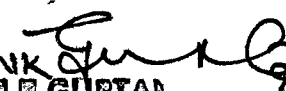
It is, therefore, respectfully prayed that in view of full implementation of the Hon'ble Tribunal judgment, the contempt petition may be closed .

And for this act of kindness the alleged contemners shall ever pray.

VERIFICATION

I, Lt. Col. N.K. Gupta, alleged Contemner No. 2, do here by solemnly declare that the statements made in paras 1 & 2 are true to my knowledge, and the rests are my humble submissions before this Hon'ble Tribunal.

And I sign the verification on this \_\_\_th day of November, 1998 at Dimapur.

  
(N K GUPTA)  
Lt Col: \_\_\_\_\_  
Officer Commanding  
310 Stn Wksp EME  
DECLARANT.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL:  
GUWAHATI BENCH AT GUWAHATI .

Filed by  
D.D. Bhattacharjee  
through  
Abil Ahmed  
Advocate S.C. 98

Central Administrative Tribunal  
8 JUN 1998  
Guwahati Bench

CONTEMPT : PETITION NO. 13 OF 1998.  
in O.A. No. 279 of 1996

IN THE MATTER OF:

A petition under Section 17 of the  
Central Administrative Tribunal Act,  
1985 praying for punishment of the  
Contemners for non-compliance of  
Judgment & Order dated 10th June ,  
1997 passed by this Hon'ble Tribunal .

- AND -

IN THE MATTER OF:

Shri D.D. Bhattacharjee & 31 others  
-Versus-  
Union of India & others .

-AND-

IN THE MATTER OF :

7/70 Labour D.D. Bhattacharjee  
Office of the Commanding Officer,  
310 Station Workshop E.M.E,  
C/o 99 A.P.G.

...Petitioner

D.D. Bhattacharjee

- Versus -

- 1) Shri Ajit Kumar  
Secretary Defence, Government of  
India, New Delhi .
- 2) <sup>Major</sup> Shri N. K. Gupta , Commanding Officer,  
~~Commandant~~, 310 Station Workshop,  
E.M.E., C/o 99 A.P.O.

.. Respondents/Contemners

The humble petition of the  
above named petitioner :

MOST RESPECTFULLY SHEWETH :

1) That your applicant and 31 others have filed the Original Application No. 279 of 1996 before this Hon'ble Tribunal Praying for payment of Riskd House Rent Allowance for which the petitioner & 31 others are legally entitled .

2) That the Hon'ble Tribunal after hearing on bothe sides was pleased to pass the Judgment & Order dated 10-06-97 directing the Respondents/Contemners to pay the Riskd Service House Rent Allowance to the applicants of the Original Application No. 279 of 1996 as early as possible at any rate within a period of 3(three) months from the date of receipt of the order .

(Contd.)

*B. Bhatnagar*

Annexure- 1 is the photocopy of Hon'ble Central Administrative Tribunal's Judgment in O.A. No. 279 of 1996 .

3) That your petitioner begs to state that the Respondents/Contemners received the copy of the Judgment & Order dated 10-06-97 of the above case from the Hon'ble Tribunal Registry and from the applicent<sup>No.1</sup> of the case .

4) That your petitioner begs to state that the Respondents/Contemners after expiry of date of implementation of the above mentioned judgment of this Hon'ble Tribunal the Respondents/Contemners filed a Misc. Case before this Hon'ble Tribunal praying for extension of another 3(three) months for implementation of the Hon'ble Tribunal judgment dated 10-06-97. Accordingly the Hon'ble Tribunal granted 3(three) months time to the Respondents/Contemners. In this period of extension of time the Respondents/Contemners did not take any steps for implementation of the judgment. But they filed another Misc. No. 83/98 before this Hon'ble Tribunal praying for another three months time for implementation of the Hon'ble Tribunal judgment. The Honble Tribunal after hearing the both parties on 06-04-98 passed the order that two months time will be sufficient for implementation of the judgment dated 10-6-97 by the Respondents. Accordingly the Hon'ble Tribunal granted two months time from 6-4-98 to implement the judgment & order and it also held by the Hon'ble Tribunal that no further extension will be granted to the Respondents Contemners.

(Contd.)

*AShaHachy*

Annexure- 2 is the photocopy of the Hon'ble Tribunal in such order in Misc. Case dated 6-4-98.

5) That your petitioner begs to state that in spite of a clear direction given by this Hon'ble Tribunal the Respondents/Contemners have deliberately not complied with the judgment and order with a motive behind and no steps have yet been taken for payment of the Allowance given by the Tribunal.

6) That your petitioner begs to state that the Respondents/Contemners have shown complete disregard, disobedience to this Hon'ble Tribunal and have not cared to carry out the judgment/order passed by the Hon'ble Tribunal and this amounts to serious contempt of court and as such, they deserve the punishment for disobedience/disregard shown to the Hon'ble Tribunal by not implementing the judgment of this Hon'ble Tribunal in O.A. No. 279 of 1996.

7) That your petitioner submits that unless the Respondents/Contemner are held up in case of contempt of court, this Contemner will not implement the judgment & order passed by this Hon'ble Tribunal and as such it is a fit case that the Contemners/Respondents should be directed to appear before the Hon'ble Tribunal to explain as to why they have not yet implemented the judgment of this Hon'ble Tribunal.

(Contd.)

*D. Bhatnagar*

8) That your petitioner submits that all the Respondents/Contemners deliberately and intentionally disobeyed and dishonoured the judgment and order passed by the hon'ble Tribunal and hence all of them are liable to be punished under the provision of Contempt of Court proceedings.

9) That your petitioner submits that he has filed this petition bona fide and for the ends of justice .

Under the facts circumstances mentioned above , it is , therefore, Respectfully prayed that your Lordship may be pleased to admit this petition and issue contempt notice to the Respondents/Contemners to show cause as to why they should not be punished under Section 17 of Central Administrative Tribunal Act, 1985 or pass such any other order or orders as the Hon'ble Tribunal may deem fit and proper .

Further , it is also prayed that in view of the deliberate negligence and

(Contd.)

*Abhattacharya*

disobedience to carry out the Hon'ble Tribunal's order the Contemners should be asked to appear in person before this Hon'ble Tribunal to explain as to why they should not be punished for contempt of court.

And for this act of kindness, your petitioner as in duty bound, shall ever pray .

.. Affi

ABhattacharya

DRAFT CHARGE

10

Ø The Applicants aggrieved for non-compliance and non-payment House Rent Allowance in terms of the Hon'ble Tribunal Judgment and order dated 10-06-987 passed in O.A. No. 279/96 . The Contemners/Respondents have willfully , deliberately, violated the judgment & order passed in O.A. No. 279/96 by not implementing the direction contained therein till date . Accordingly the Respondent/Contemner are liable for contempt of court proceedings and severe punishment thereof as provided for under the law . They may also be directed to appear in person and the charge of this Hon'ble Tribunal-

.. Affidavit.

Bhattacharya

Affidavit

I, T/70 D.D. Bhattacharjee, labour serving under the Commanding Officer, 310 Station Workshop, E.M.E., C/o 99 A.P.O. do hereby solemnly affirm and declare as follows :

1) That I am the applicant No.1 in O.A. No. 279/96 and also petitioner of the above contempt petition and as such, I am fully conversent with the facts and circumstances of the case also being authorised I am competent to swear this affidavit on behalf of the applicant Qx of the O.A. No. 279/96.

2) That the statements made in this petition in paragraphs 1, 3, 4, 5, 6, 7 are true to my knowledge, those made in paragraphs - 2 - are being matters of record are true to my information derived therefrom which I believe to be true and the rest are my humble submissions before this Hon'ble Tribunal.

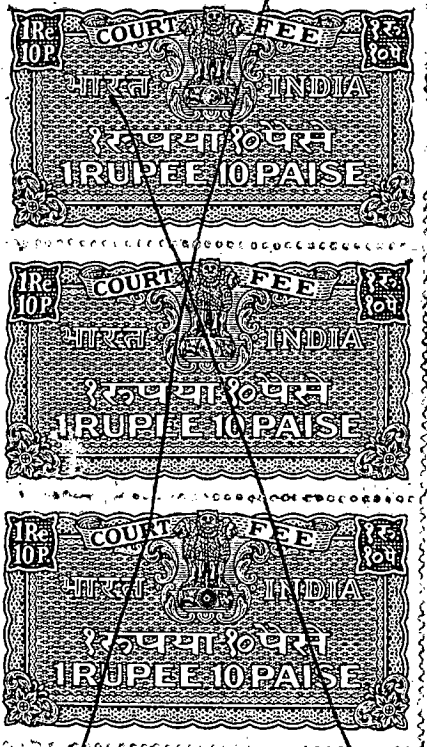
And I sign this affidavit on this 5th day of June, 1998 at Guwahati.

Identified by me  
*[Signature]*  
Advocate *(ADIL AHMED)*

*[Signature]*  
Deponent

Solemnly affirmed before me be the Deponent who is identified by Mr. Adil Ahmed, Advocate.

*[Signature]*  
Advocate  
5/6/98



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ANNEXURE - 1 ✓

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH

Original Application No.266/96 and series

Date of decision: This the 10th day of June 1997  
(AT KOHIMA)

The Hon'ble Mr Justice D.N. Baruah, Vice-Chairman

The Hon'ble Mr G.L. Sanglyine, Administrative Member

.....

1. Original Application No.266 of 1996  
Shri Ram Bachan and 14 others .....Applicants  
By Advocate Mr A. Ahmed

-versus-

Union of India and others .....Respondents  
By Advocate Mr S. Ali, Sr. C.G.S.C.

✓ 2. Original Application No.268 of 1996  
Shri Nomal Chandra Das and 55 others .....Applicants  
By Advocate Mr A. Ahmed

-versus-

Union of India and others .....Respondents  
By Advocate Mr S. Ali, Sr. C.G.S.C.

3. Original Application No.279 of 1996  
Shri D.D. Bhattacharjee and 31 others .....Applicants  
By Advocate Mr A. Ahmed

-versus-

Union of India and others .....Respondents  
By Advocate Mr S. Ali, Sr. C.G.S.C.

4. Original Application No.18 of 1997  
Shri Hari Krishan Mazumdar and 24 others .....Applicants  
By Advocate Mr A. Ahmed

-versus-

Union of India and others .....Respondents  
By Advocate Mr S. Ali, Sr. C.G.S.C.

5. Original Application No.14 of 1997  
Shri Jatin Chandra Kalita and 19 others .....Applicants  
By Advocate Mr A. Ahmed

-versus-

Union of India and others .....Respondents  
By Advocate Mr S. Ali, Sr. C.G.S.C.

03  
A. Ahmed  
S. Ali  
A. Ahmed

710-

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6. Original Application No.91 of 1996

Shri Daniel Sangma and 81 others

By Advocate Mr S. Sarma and Mr B. Mehta.

.....Applicants

-versus-

Union of India and others

By Advocate Mr G. Sarma, Addl. C.G.S.C.

.....Respondents

7. Original Application No.87 of 1996

Shri C.T. Balachandran and 32 others

By Advocate Mr S. Sarma and Mr B. Mehta

.....Applicants

-versus-

Union of India and others

By Advocate Mr G. Sarma, Addl. C.G.S.C.

.....Respondents

8. Original Application No.45 of 1997

Shri L. Shashidharan Nair and 10 others

By Advocate Mr S. Sarma and Mr B. Mehta

.....Applicants

-versus-

Union of India and others

By Advocate Mr G. Sarma, Addl. C.G.S.C.

.....Respondents

9. Original Application No.197 of 1996

Shri C. George and 66 others

By Advocate Mr S. Sarma

.....Applicants

-versus-

Union of India and others

By Advocate Mr A.K. Choudhury, Addl. C.G.S.C.

.....Respondents

10. Original Application No.28 of 1996

Shri Hiralal Dey and 8 others

By Advocate Mr A.C. Sarma and Mr H. Talukdar

.....Applicants

-versus-

Union of India and others

By Advocate Mr A.K. Choudhury, Addl. C.G.S.C.

.....Respondents

B

Attorney  
A.K. Choudhury  
Advocate

11. Original Application No.190 of 1996

- 1. National Federation of Information and Broadcasting Employees, Doordarshan Kendra, Nagaland Unit, represented by Unit Secretary - A. Beso.
  - 2. Mr A. Beso, working as Senior Engineering Asstt. (Group C), D.D.K., Kohima. ....Applicants
- By Advocate Mr S. Sarma and Mr B. Mehta

-versus-

Union of India and others .....Respondents  
By Advocate Mr A.K. Choudhury, Addl. C.G.S.C.

12. Original Application No.191 of 1996

- Shri Kedolo Tep and 16 others .....Applicants
- By Advocate Mr S. Sarma and Mr B. Mehta

-versus-

Union of India and others .....Respondents  
By Advocate Mr A.K. Choudhury, Addl. C.G.S.C.

13. Original Application No.55 of 1997

- 1. Shri Ranjan Kumar Deb, Secretary, All India R.M.S. & Mail Motor Service Employees Union and 32 others.
  - 2. Shri Prasenjit Deb, S.A., Railway Mail Service, Dimapur Railway Station, Dimapur, Nagaland. ....Applicants
- By Advocate Mr N.N. Trikha

-versus-

Union of India and others .....Respondents  
By Advocate Mr G. Sarma, Addl. C.G.S.C.

14. Original Application No.192 of 1996

- 1. National Federation of Information and Broadcasting Employees, All India Radio, Nagaland Unit, represented by Unit Secretary - Mr K. Tep.
  - 2. Mr Kekolo Tep, Transmission Executive, All India Radio, Kohima, Nagaland. ....Applicants
- By Advocate Mr S. Sarma and Mr B. Mehta

-versus-

Union of India and others .....Respondents  
S.A.L., Sr.  
By Advocate Mr ~~A.K. Choudhury~~, Addl. C.G.S.C.

AB

Attorney  
S.L.L.  
Advocate

121-  
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15, Original Application No.26 of 1997

Shri Jagdamba Mall,  
General Secretary, Civil Audit & Accounts  
Association, and 308 other employees of  
the Office of the Accountant General,  
Kohima, Nagaland.

....Applicants

By Advocate Mr N.N. Trikha

-versus-

Union of India and others

....Respondents

By Advocate Mr G. Sarma, Addl. C.G.S.C.

.....

ORDER

Date of decision: 10-6-1997

Judgment delivered in open court at Kohima (circuit sitting). All the applications are disposed of. No order as to costs.

Sd/-VICE CHAIRMAN

Sd/-MEMBER (A)

Attended  
Sd/-  
Advocate

- 13 -  
ORDER

BARUAH.J. (V.C.)

All the above applications involve common questions of law and similar facts. Therefore, we propose to dispose of all the applications by this common order.

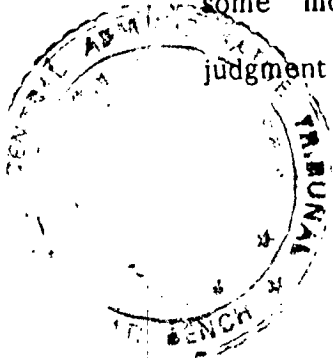
2. Facts for the purpose of disposal of the applications are:

The applicants are employees of the Government of India working in various departments including Defence Department. O.A.Nos.266/96, 268/96, 279/96, 18/97 and 14/97 are Defence Civilian employees under the Ministry of Defence, O.A.Nos.91/96, 87/96, 45/97, 197/96 and 28/96 are employees in the Subsidiary Intelligence Bureau Department under the Ministry of Home Affairs, in O.A.No.190/96 the members of the applicant Association are employees under Doordarshan, Ministry of Information and Broadcasting, and at present posted at Kohima, in O.A.No.191/96 the applicants are employees of the Department of Census, Ministry of Home Affairs, in O.A. No.55/97 the applicants are employees under Railway Mail Service under the Ministry of Communication, in O.A.No.192/96 the members of the applicant Union are employees of All India Radio, and in O.A.No.26/97 the applicant is an employee under the Comptroller and Auditor General.

3. All the applicants are now posted in various parts of the State of Nagaland. They are, except the applicant in O.A.No.55/97, are claiming House Rent Allowance (HRA for short) at the rate applicable to the employees of 'B' class cities of the country on the basis of the Office Memorandum No.11013/2/86-E.II(B) dated 23.9.1986 issued by the Joint Secretary to the Government of India, Ministry of Finance (Deptt. of Expenditure), New Delhi, on the ground that they have been posted in Nagaland.

Attested  
Signature  
Advocate

The President of India issued an order dated 8.1.1962 to the effect that the employees of P&T Department in the Naga Hills and Tuensang Area who were not provided with rent free quarters would draw HRA at the rate applicable to the employees of 'B' class cities of the country on the basis of O.M.No.2(22)-E.II(B)60 dated 2.8.1960. However, the authorities denied the same to the employees ignoring the circular of 1986. Situated thus, being aggrieved some of the employees approached this Tribunal and the Tribunal gave direction to the authorities to pay HRA to those applicants with effect from 18.5.1986. Being dissatisfied with the aforesaid order passed by this Tribunal in O.A.No.42(G) of 1989, S.K. Ghosh and others -vs- Union of India and others the respondents filed SLP and in due course the Supreme Court dismissed the said SLP (Civil Appeal No.2705 of 1991) affirming the order of this Tribunal passed in O.A.No.42(G) of 1989 with some modification. We quote the concluding portion of the judgment of the Apex Court passed in the above appeal:



"We see no infirmity in the judgment of the Tribunal under appeal. No error with the reasoning and the conclusion reached therein. We are, however, of the view that the Tribunal has not justified in granting arrears of House Rent Allowance to the respondents from May 18, 1986. The respondents are entitled to the arrears only with effect from October 1, 1986 when the recommendation of the IVth Central Pay Commission were enforced. We direct accordingly and modify the order of the Tribunal to that extent. The appeal, therefore, disposed of. No costs."

From the judgment of the Apex Court quoted above, it is now well established that the employees posted in Nagaland would be entitled to get HRA as indicated in the aforesaid judgment.

4. The said judgment relates to the employees of the Telecommunication and Postal Department. Later on, the civilian employees of the Defence Department as well as employees of the other departments of the Central Government who were not paid HRA, therefore, being aggrieved by the action of the respondents.....

*Attended  
S.K. Ghosh  
delivered*

— *h*

respondents in refusing to give the benefit of the HRA in terms of the judgment of the Apex Court quoted above, some employees approached this Tribunal by filing several original applications. All the applications were disposed of by this Tribunal by a common order dated 22.8.1995. In the said order this Tribunal allowed the original applications and directed the respondents to pay HRA to those applicants. The Tribunal, in the aforesaid order, among others observed as follows:



"1.(a) House rent allowance at the rate applicable to the Central Government employees in 'B' (B1-B2) class cities/towns for the period from 1.10.1986 or actual date of posting in Nagaland if it is subsequent thereto, as the case may be, upto 28.2.1991, and at the rate as may be applicable from time to time as from 1.3.1991 onwards and continue to pay the same."

Thereafter the civilian employees of Defence Department also claimed HRA on the basis of the said judgment of the Apex Court and circular dated 23.9.1986 by moving various applications, namely, O.A.No.124/95 and O.A.No.125/95. This Tribunal by yet another common order dated 24.8.1995 passed in O.A.Nos.124/95 and 125/95 allowed the applications directing the respondents to pay HRA to the Defence civilian employees posted in Nagaland in the same manner as ordered on 22.8.1995 above. These orders were, however, challenged by the respondents before the Apex Court and the said appeals alongwith some other appeals were disposed of by the Apex Court in C.A.No.1592 of 1997 dealing with Special (Duty) Allowance and other allowances. However, the Apex Court did not make any reference to HRA in the order dated 17.2.1997. Therefore, it is now settled that the employees posted in Nagaland are entitled to HRA.

*DB*

5. In view of the above and in the line of the Apex Court judgment and this Tribunal's order dated 22.8.1995 passed in O.A.Nos.48/91 and others we hold that all the applicants in the above original applications are entitled to HRA at the rate applicable.....

*Attested*  
*[Signature]*  
*[Signature]*  
*[Signature]*

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applicable to the Central Government employees of 'B' class of cities and towns for the period from 1.10.1986 or from the actual date of posting in Nagaland if the posting is subsequent to the said date, as the case may be, upto 28.2.1991 and at the rate as may be applicable from time to time from 1.3.1991 onwards and continue to pay the same till the said notification is in force.

6. Accordingly we direct the respondents to pay the applicants HRA as above and this must be done as early as possible, at any rate within a period of three months from the date of receipt of the order.



In O.A.Nos.91/96, 87/96, 190/96, 191/96, 45/97, 192/96, 197/96 and 55/97, the applicants have also claimed 10% compensation in lieu of rent free accommodation. The learned counsel for the applicants submit that this Tribunal in O.A.No.48/91 and others have already granted such compensation. Mr S. Ali learned Sr. C.G.S.C. and Mr G. Sarma, learned Addl. C.G.S.C., do not dispute the same.

8. We have gone through the order dated 22.8.1995 passed in O.A.No.48/91 and others. In the said order this Tribunal, among others, passed the following order:

"2.(a) Licence fee at the rate of 10% of monthly pay (subject to where it was prescribed at a lesser rate depending upon the extent of basic pay) with effect from 1.7.1987 or actual date of posting in Nagaland if it is subsequent thereto, as the case may be, upto date and continue to pay the same until the concession is not withdrawn or modified by the Government of India or till rent free accommodation is not provided."

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The aforesaid judgment covers the present cases also. Accordingly, we hold that the applicants are entitled to get the compensation in lieu of rent free accommodation in the manner indicated

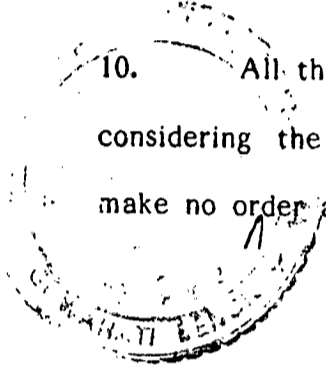
in.....

*Handwritten signature/initials*

in the said order.

9. Accordingly we direct the respondents to pay to the applicants 10% compensation in lieu of rent free accommodation as above. This must be done as early as possible, at any rate, within a period of three months from the date of receipt of this order.

10. All the applications are accordingly disposed of. However, considering the entire facts and circumstances of the case we make no order as to costs.



Sd/-VICE CHAIRMAN  
Sd/-MEMBER (A)

**TRUE COPY**

प्रतिलिपि

*[Handwritten signature]*  
11/9/97

Deputy Registrar (C)  
Central Administrative Tribunal,  
Guwahati Bench

*[Handwritten notes]*  
Attent  
J.S.  
Dawant

FORM NO. 4  
(See Rule 42)

**In The Central Administrative Tribunal**  
GUWAHATI BENCH : GUWAHATI

ORDER SHEET  
APPLICATION NO.

MP. 83 OF 1998  
CA 279/96

Applicant(s) Union of Judges & Officers

Respondent(s) D. D. Bhattacharya & ORS.

Advocate for Applicant(s) Mr. S. Ali, Sr. Counsel

Advocate for Respondent(s) Mr. A. Ahmed

6.4.98

This Misc. Petition has been filed by the petitioner/respondents praying for extension of time to implement the order dated 10.6.1997 passed by this Tribunal in O.A.No.279/96. Mr S. Ali, learned Sr. C.G.S.C. submits that the respondents have accepted the judgment. However, it requires three months more time from today to implement the judgment. Mr A. Ahmed, learned counsel for the opposite party/applicants, on the other hand, opposes the prayer. He submits that already one extension was given for three months and another three months will be too long a period. He further submits that if at all the Tribunal is inclined to grant time it may be for one month only.

Considering the submission of the learned counsel for the parties, we feel that two months will be sufficient for implementation of the order. Accordingly we grant two months time from today to implement the order. No further extension will be granted.

The Misc. petition is accordingly disposed of.

Sd/VICECHAIRMAN

Sd/MEMBER (A)

Memo.No. 1024

Dated 22/4/98

Copy for information and necessary action to :

1. Mr.S.Ali, Sr.C.G.S.C., CAT, Guwahati Bench, Guwahati.
2. Mr.A.Ahmed, Advocate, Gauhati High Court, Guwahati.

SECTION OFFICER(J).

*Handwritten signature and text:*  
Advocate

*Handwritten date:* 22/4/98

