

MC(WA)No.260/2013
In WA No.31/2013

29.11.2013

**HON'BLE THE CHIEF JUSTICE
and HON'BLE MR. JUSTICE S.R. SEN**

Shri. SC Shyam, Senior Advocate, present for the applicants/appellants.

Shri.MF Quershi, Advocate, present for the respondent.

Heard.

By means of this application, the applicants/appellants have sought condonation of delay in filing the writ appeal against the judgment and order dated 25.04.2013 passed by the learned Single Judge of this Court in *WP(C)No.(SH)257/2012*.

The delay of 65 days has been sufficiently explained in the application supported by an affidavit of Lt. Col. K Rajasekar.

Therefore, condonation of delay is allowed. 65 days delay in filing the appeal is hereby condoned.

(Misc. Case No.260 stands disposed of).

JUDGE
(Hon'ble Mr. Justice S.R. Sen)

CHIEF JUSTICE

Lam

29.11.2013

MC(WA)No.257/2013
In WA No.30/2013

29.11.2013

**HON'BLE THE CHIEF JUSTICE
and HON'BLE MR. JUSTICE S.R. SEN**

Shri. SC Shyam, Senior Advocate, present for the applicants/appellants.

Shri.MF Quershi, Advocate, present for the respondent.

Heard.

By means of this application, the applicants/appellants have sought condonation of delay in filing the writ appeal against the judgment and order dated *10.04.2013* passed by the learned Single Judge of this Court in *WP(C)No.(SH)256/2012*.

Perused the application supported by an affidavit of Lt. Col. K Rajasekar.

The delay is sufficiently explained.

Therefore, condonation of delay is allowed. 87 days delay in filing the appeal is hereby condoned.

(Misc. Case No.257 stands disposed of).

**JUDGE
(Hon'ble Mr. Justice S.R. Sen)**

CHIEF JUSTICE

Lam

29.11.2013

MC(WA)No.346/2013
In WA No.44/2013

29.11.2013

**HON'BLE THE CHIEF JUSTICE
and HON'BLE MR. JUSTICE S.R. SEN**

Shri.SC Shyam, Senior Advocate, present for the applicants/appellants.

This is an application for condonation of delay in filing the writ appeal against the judgment and order dated 13.05.2013 passed in *WP(C)No.412/2010*.

Issue Notice to the respondent, who may also file his counter affidavit, if any, to the delay condonation application within four weeks.

List after four weeks' for Orders of delay condonation application.

JUDGE
(Hon'ble Mr. Justice S.R. Sen)

CHIEF JUSTICE

Lam

29.11.2013

PIL No.1/2011

29.11.2013

**HON'BLE THE CHIEF JUSTICE
and HON'BLE MR. JUSTICE S.R. SEN**

Shri. K Paul, Advocate, present for the petitioner.

Shri. ND Chullai, Senior Govt. Advocate, present for the respondents No.1-4.

Shri. R Deb Nath, Advocate, present for the respondent No.5.

Shri. H Kharmih, Advocate, present for the respondent No.6.

Learned counsel for the petitioner prays for and is allowed further one week's time to file rejoinder affidavit to the counter affidavit filed on behalf of the respondent No.2.

List after one week. Meanwhile, respondent No.5 may file its counter affidavit.

**JUDGE
(Hon'ble Mr. Justice S.R. Sen)**

CHIEF JUSTICE

Lam

29.11.2013

PIL No.7/2012

29.11.2013

**HON'BLE THE CHIEF JUSTICE
and HON'BLE MR. JUSTICE S.R. SEN**

Adjourned at the request of the petitioner.

List after three weeks for final hearing.

**JUDGE
(Hon'ble Mr. Justice S.R. Sen)**

CHIEF JUSTICE

Lam

29.11.2013

WA No.30/2013

29.11.2013

HON'BLE THE CHIEF JUSTICE
and HON'BLE MR. JUSTICE S.R. SEN

Shri. SC Shyam, Senior Advocate, present for the appellants.

Shri.MF Quershi, Advocate, present for the respondent.

Heard.

This writ appeal is directed against the judgment and order dated 10.04.2013 passed by the learned Single Judge in *WP(C)No.256/2012*, whereby said Court has allowed the writ petition and directed the respondents of the writ petition to grant Modified Assured Career Progression (for short '*MACP*') Scheme to the petitioner/respondent i.e. First ACP w.e.f. 20.11.2003 and 2nd ACP from 12.07.2012.

Learned counsel for the appellants argued that the learned Single Judge has wrongly interpreted *Sentimon Mathew's* case decided by the learned Central Administrative Tribunal, Ernakulam Bench and Kerela High Court (Division Bench) vide judgment dated 04.12.2008.

Admit the appeal.

List this appeal for final hearing on **21.02.2014**.

JUDGE
(Hon'ble Mr. Justice S.R. Sen)

CHIEF JUSTICE

Lam

29.11.2013

WA No.31/2013

29.11.2013

HON'BLE THE CHIEF JUSTICE
and HON'BLE MR. JUSTICE S.R. SEN

Shri. SC Shyam, Senior Advocate, present for the appellants.

Shri.MF Quershi, Advocate, present for the respondent.

Heard.

This writ appeal is directed against the judgment and order dated 25.04.2013 passed by the learned Single Judge in *WP(C)No.257/2012*, whereby said Court has allowed the writ petition in terms of order dated 10.04.2013 passed in *WP(C)No.(SH)256/2012*.

Learned counsel for the appellants argued that the learned Single Judge has wrongly interpreted ***Sentimon Mathew's*** case decided by the learned Central Administrative Tribunal, Ernakulam Bench and Kerela High Court (Division Bench) vide judgment dated 04.12.2008.

Admit the appeal.

List this appeal for final hearing on **21.02.2014** alongwith connected ***Writ Appeal No.30/2013***.

JUDGE
(Hon'ble Mr. Justice S.R. Sen)

CHIEF JUSTICE

Lam

29.11.2013

WA No.44/2013

29.11.2013

**HON'BLE THE CHIEF JUSTICE
and HON'BLE MR. JUSTICE S.R. SEN**

Shri.SC Shyam, Senior Advocate, present for the appellants.

List this matter after four weeks' for Orders on application of delay
condonation /Admission of writ appeal.

**JUDGE
(Hon'ble Mr. Justice S.R. Sen)**

CHIEF JUSTICE

Lam

29.11.2013

WA No.46/2011

29.11.2013

**HON'BLE THE CHIEF JUSTICE
and HON'BLE MR. JUSTICE S.R. SEN**

Shri. H Kharmih, Advocate, present for the appellant.

Shri. K Khan, Advocate, present for the respondents No.1-3.

Shri. P Nongbri, Advocate, present for the respondent No.5.

Shri. B Bhattacharjee, Advocate, present for the respondent No.6.

Respondent No.5 has been sufficiently served in this admitted
appeal.

List this writ appeal for final hearing after winter vacation.

**JUDGE
(Hon'ble Mr. Justice S.R. Sen)**

CHIEF JUSTICE

Lam

29.11.2013

WA No.64/2011

29.11.2013

HON'BLE THE CHIEF JUSTICE
and HON'BLE MR. JUSTICE S.R. SEN

Adjourned at the request of Shri. K Khan, counsel for the
appellants.

List on **09.12.2013** for final hearing.

JUDGE
(Hon'ble Mr. Justice S.R. Sen)

CHIEF JUSTICE

Lam

29.11.2013

WP(C) No.125/2011

29.11.2013

HON'BLE THE CHIEF JUSTICE
and HON'BLE MR. JUSTICE S.R. SEN

Adjourned at the request of Shri. H Kharmih, counsel for the
petitioner.

List on **24.02.2014** for final hearing.

JUDGE
(Hon'ble Mr. Justice S.R. Sen)

CHIEF JUSTICE

Lam

29.11.2013

WP(C) No.262/2013

29.11.2013

**HON'BLE THE CHIEF JUSTICE
and HON'BLE MR. JUSTICE S.R. SEN**

Shri. SC Shyam, Senior Advocate, present for the petitioners.

Shri. R Jha, Advocate, present for the respondent.

Learned counsel for the respondent prays for and is allowed further
three weeks' time to file counter affidavit.

List after three weeks.

**JUDGE
(Hon'ble Mr. Justice S.R. Sen)**

CHIEF JUSTICE

Lam

29.11.2013