



भारत सरकार /Government of India

खान मंत्रालय/Ministry of Mines

भारतीय खान ब्यूरो /Indian Bureau of Mines

विविक कक्ष/Legal Cell

संख्या : C-18023(16)/1/2022-LGL-IBM_HQ

इंविरा भिन, वसव्हिल लाईन्स,

नागपुर - 440 001

विनांक 04/09/2023.

To,

Section Officer, M-
III, Ministry of Mines,
Shastri Bhavan,
New Delhi-110001

Subject :- Statement of pending court cases for the month of August, 2023- Reg.

Sir,

I am directed to enclose herewith the statement of court cases related to service matters which are pending in different Courts/ Tribunals as at the end of August, 2023. Latest status up to 31.08.2023 has been given.

Yours faithfully,

Encl : As stated

(A. Mishra)
Chief Administrative Officer

Copy to :-

1. The PA to CCOM (MDR), IBM, Nagpur.
2. The Superintending Mining Geologist & Technical Secretary, IBM, Nagpur, with reference to his U.O. No. T-0024/CGBM/16, Nagpur, dated 29.09.2016 for kind information.
3. Officer in Charge, TMIS, IBM, Nagpur with a request to kindly upload in the website at download - Administration – Court Cases.

STATEMENT OF PENDING COURT CASES FOR THE MONTH OF AUGUST, 2023 IN INDIAN BUREAU OF MINES

Sl. No	Applicant's Name & Case No.	Name of Tribunal/ Court	Brief details of the case	Action taken so far by department	Next date of hearing	Name of Govt. Counsel and Mobile No	Action required from Ministry (Yes / No)
1.	2.	3.	4.	5.	6.	7.	8.
01	Union of India –Vs- Shri Anupam Nandi, DCOM WP(C) No.654/2010, CMAPL No.627/2019	High Court of Orissa, Cuttack	Shri A. Nandi filed OA requesting Super-session in promotion to the post of DCOM by three officers. The CAT allowed the OA and directed for promotion w.e.f. the date of his junior so promoted.	Disposed of vide Order dated 21.08.2019. Interlocutory Application sent to the ASGI, Cuttack vide R.O. IBM, Bhubaneswar letter dated 23.09.2019 to recall the Order dated 21.08.2019. CMAPL No.627/2019 has been filed for restoration of the W.P.(C).	Last date of hearing was 21.08.2019. Next date of hearing is yet to be received.	Shri Janmejaya Katikia 9437062828	No
02.	UOI & 03 others Vs Jaweed Ashraf and another. W.P. No. 14119/2015	High Court of Telangana	Against CAT Order dated 27.06.2014 in OA No. 63/2014.	Reply filed, vide interim order dated 02.11.2016, the High Court of Telangana, Hyderabad granted interim stay on the CAT order dated 27.06.2014 and the case to be finally disposed of. Draft rejoinder to the reply received from learned DSG has been sent to Ministry.	Disposed of on 21.06.2023. Review Petition is under preparation.	Shri G. Praveen Kumar, DSG 9849620900	Yes
03.	M.A. No. 308 of 2016 in O.A. No. 63 of 2014 filed by Shri Jaweed Ashraf, Ex RCOM.	CAT, Hyderabad	To implement the order dated 27.06.2014 of the Hon'ble Tribunal in O.A. No. 63 of 2014 by issuing proceedings of granting the consequential benefits.	The Hon'ble CAT, Hyderabad vide Order dated 23.07.2021 adjourned sine die the MA. The matter will be relisted after the Writ Petition is decided by the Hon'ble High Court.	Last date of hearing was 23.07.2021. Next date of hearing is awaited.	Mrs. K. Rajitha, Sr. CGSC	No

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04.	Smt. D. H. Vairagare, ALIO Vs UOI and others. O.A. No. 211/2226 of 2016	CAT, Mumbai Bench, Circuit Bench at Nagpur	Challenging the order dated 15.07.2009 passed by SAO, IBM, Nagpur, regarding granting financial up gradation under 1999 ACP Scheme.	Sur- Rejoinder filed before Hon'ble CAT, Nagpur on 27.05.2021.	Next date of hearing is 16.10.2023.	Shri R.A. Gupte 9422124516	No
05.	Smt. H.K. Kumudini, W/o late N. Raju V/s UOI & others. W.P. No. 24416 of 2016	High Court of Telangana	Regarding sanctioning of family pension to the petitioner and declare that the petitioner is entitled to family pension of her late Husband Shri Late N. Raju.	Letter dated 11.09.2020 sent to the ASGI, Hyderabad from RO, IBM, Hyderabad for getting present status of the case.	Next date of hearing is awaited.	Shri N. Rajeswar Rao 9948094769	No
06.	Smt. D.H. Vairagare, ALIO Vs UOI and others. OA No. 388 of 2013.	CAT, Mumbai Bench, Circuit Bench at Nagpur	Regarding counting her service w.e.f. 06.04.1984 and grant benefits of ad-hoc/temporary service.	Approved counter on behalf of Respondents filed in Hon'ble CAT, Nagpur.	Next date of hearing is 16.10.2023.	Shri R.A. Gupte 9422124516	No
07.	Umakant K. Bokade and 15 others Vs. UOI & 4 others.W.P. No.5181/2015	Bombay High Court, Nagpur Bench.	Fixation of pay scale as per 6th CPC.	Counter reply to the W.P. approved by the Ministry has been filed. The matter is for final hearing.	Last date of hearing was 20.01.2020. Next date is yet to be received.	Mrs. Mugdha Chandurkar 9689850005	No
08	Shri Vijay Jatyan V/s Union of India & others. WP (C) No. 6460 of 2018	Delhi High Court	Regarding restraining Shri N.K.Singh, JS and CVO, Ministry of Mines from acting as CVO for the Ministry of Mines and from taking any decision/acting as the CG, IBM.	Copy of the WP was sent to Ministry vide letter dated 12.07.2018 to defend the case.	Next date of hearing is 06.09.2023.	Shri Ritu Daman Bhardwaj	Case is being dealt by the Ministry.

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09	Shri Ganesh S. Sonekar V/s UOI and others. W.P. No. 3489/2019	Bombay High Court, Nagpur Bench	Regarding protection of service.	Approved reply on behalf of the Respondents has been handed over to the Counsel on 22.06.2020 for filing before the Hon'ble High Court.	Last date of hearing was 26.07.2022. Next date of hearing is yet to be received.	Shri U.M. Aurangabadkar, ASGI 9822225145	No
10	Shri U.K. Bokade V/s UOI and others. W.P. No. 6795/2019	Bombay High Court, Nagpur Bench	For quashing and setting aside the Order dated 22.07.2019 passed by Hon'ble CAT Nagpur in O.A. No. 359/2014.	Approved sur-rejoinder filed before Hon'ble High Court on 11.06.2021	Last date of hearing was 06.12.2021. Next date of hearing is yet to be received.	Mrs. Mugdha Chandurkar 9689850005	No
11	Shri Ranjan Sahai V/s UOI and others. W.P.(C) No. 13494/2019.	High Court, New Delhi	Regarding charge-sheet served to Shri Ranjan Sahai one week before his retirement.	Leave encashment in r/o Shri Ranjan Sahai has been released as per directives of Hon'ble High Court Order dated 31.01.2020.	Next date of hearing is 12.10.2023.	W.P. is yet to be received in IBM from Hon'ble Court/ASGI.	Case is being dealt by the Ministry.
12	Shri R.K. Choudhary UDC (Now Assistant) O.A.No.200/00406/2014	CAT, Jabalpur Bench, Jabalpur	Grant of MACP in the promotional hierarchy.	Reply filed in CAT, Jabalpur. Further progress awaited from RO, Jabalpur.	Next date for final hearing is 04.09.2023.	Shri S.K. Mishra 9826153510	No
13	Ku. Maya Baburao Korde MTS (Sau. Maya Bhanudas Chivhane Vs STCS Committee & 2 others W.P.No.227/2018	Bombay High Court, Nagpur Bench	Verification of caste status.	Approved counter on behalf of the Respondents has been handed over to counsel on 07.01.2021 for filing.	Next date of hearing is awaited.	Mrs. Mugdha Chandurkar 9689850005	No
14	Shri R.R. Sadawarte, Stenographer V/s DoPT & 3 others. W.P. No. 858 of 2019	Bombay High Court, Nagpur Bench	Against invalidation of caste certificate by the scrutiny committee.	Approved counter on behalf of the Respondents have been filed before Hon'ble High Court, Nagpur on 01.09.2021.	Next date of hearing is awaited.	Mrs. Mugdha Chandurkar 9689850005	No

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15	Vanita Jadhav Vs UOI & another O.A.No.2070 of 2019	CAT, Mumbai Bench, Circuit Bench at Nagpur	For grant of family pension to alleged wife (second)	Approved counter on behalf of the Respondents has been handed over to the counsel vide this office letter dated 29.11.2019 for filing.	Next date of hearing is during Circuit sitting of the Hon'ble CAT at Nagpur in November, 2023.	Shri B.D. Pandit 9422114255	No
16	Ku. Chhaya d/o Jaswantsingh Hajari Vs Committee for Scrutiny and verification of Tribe Claims & others. SLP No.4037/2019 (CA No. 2541/2022 registered on 28.03.2022)	The Supreme Court of India	Against the order of the High Court of Bombay, Nagpur bench, vide which her writ petition has been dismissed. Admitted on 10.12.2019 and referred to larger Bench vide Order dated 24.03.2022.	As per legal opinion received from the Central Govt. Standing Counsel, in view of the interim relief granted by the Hon'ble Supreme Court of India, no adverse action can be taken against the Petitioner. Counter Affidavit is filed on 05.03.2021.	Reference judgment pronounced on 24.03.2023. Next date of hearing of CA is awaited.	Central Agency Section.	No
17	Sandeep Kumar & Others Vs UOI & others. O.A.No.100/3814/ 2018	CAT, Principal Bench, New Delhi	For appointment to the post of LDC.	The applicants are employed in GSI. Information received from GSI has been sent to the Govt. Counsel for appraising the Hon'ble Tribunal.	Next date of hearing is 20.11.2023.	Anil Kumar Singh 9212778289	No
18	Shri Chetan Savita Vs UOI and others O.A.No.621/2018	CAT, Jaipur	Appointment on compassionate grounds.	Counter Affidavit on behalf of the Respondents have been sent to the Counsel for filing the same before Hon'ble CAT, Jaipur vide letter dated 13.05.2020.	Computer generated next date of hearing is 29.09.2023.	Shri Rajendra Vaish 9414066099	No
19	Shri M. Gunesh Vs UOI and others. O.A. No. 40 of 2020	CAT, Hyderabad	For revision of pension and family pension in higher grade pay than that of AME.	Counter Affidavit filed on 24.11.2020.	Last date of hearing was 30.08.2022. Next date of hearing is awaited.	Smt. K. Rajitha 9848243514	No

20	Shri Prem Prakash Vs UOI and others. O.A. 241/2020.	CAT, New Delhi	Regarding promotion to the post of RCOM.	As per daily order dated 16.03.2021 of CAT, the reply was stated to have been filed on 16.03.2021.	Next date of hearing is 09.10.2023.	Shri Rajeev Kumar 9899003292	No
21	Shri Narbada Prasad Sondhiya V/s UOI and others. O.A. No. 200/229/2020.	CAT, Jabalpur	Grant of annual increment i.e., after retirement.	Counter affidavit has been handed over to Shri S.P. Singh, Sr.CGSC on 17/02/2021 for filing in the Hon'ble CAT, Jabalpur. As per order dated 08.07.2022, the reply is filed on 08.07.2022.	Next date of hearing is 19.10.2023.	Sri S.P. Singh, Senior Standing Counsel. 9425153220	No
22	Shri C.S. Panpate V/s UOI & others. O.A. No. 2140/2020	CAT, Mumbai Bench, Circuit Bench at Nagpur	Regarding grant of MACP and fixing pay and pension accordingly.	Approved counter on behalf of the Respondents have been filed before Hon'ble CAT, Nagpur on 27.05.2021. Approved sur-rejoinder to the rejoinder filed by the applicant has been handed over to Sr. CGSC for filing.	Next date of hearing is during Circuit sitting of the Hon'ble CAT at Nagpur in November, 2023.	Shri B.D. Pandit 9422114255	No
23	UOI & others Vs Pachu Sao. (Through LRs Neelu Kumari & Ors.) W.P. No. 1375/2021	High Court of Jharkhand at Ranchi.	Regarding quashing the order dated 19.09.2019 passed by Hon'ble CAT, Patna in OA No. 51/00245/2018.	Writ Petition was filed in Hon'ble High Court of Jharkhand, Ranchi on 19.03.2021. After the reported death of sole respondent on 23.04.2021, a petition to substitute the legal heirs of the respondent has been filed and allowed by the Hon'ble High Court.	Next date of hearing is 03.10.2023	Shri Prabhat Kumar Sinha 9431578259	No
24	Shri A.K. Tiwari V/s IBM. O.A. No. 452/2021	CAT, Jaipur	Regarding grant of grade pay of Rs. 5400 Level – 9 with other consequential benefits.	Reply & Rejoinder have been filed. Approved sur-rejoinder has been sent to Ajmer R.O. for filing through the concerned learned ACGSC.	Next date of hearing is 16.10.2023.	N.C.Goyal 9414072733/ 8209236490	No

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25	UOI & others V/s Shri R.N. Sharma. W.P. No. 4652/2008	Bombay High Court, Nagpur Bench	To quash and set aside the impugned order dated 25.04.2006 passed in O.A. No. 2049/2004.	Case is in final hearing stage.	Last date of hearing was 21.08.2023. Next date of hearing is awaited.	Mrs. Mugdha Chandurkar 9689850005	No
26	Dr Pradeep Kumar Jain Vs. UOI & 2 Ors. OA No. 580/2022	CAT, Mumbai Bench, Circuit Bench at Nagpur	Regarding reversion of the Applicant from Level 14 to 13A and recovery of consequential excess payment.	Approved reply and sur-rejoinder both for OA and MA have been filed through the learned ACGSC before the Hon'ble CAT.	Next date of hearing is in the month of December, 2023 in the Circuit Bench sitting in Nagpur.	Sri P.H. Khobragade 9423410008/ 9404504769	Approval from Ministry has been obtained for the reply and sur-rejoinder.
27	Salilkumar Basantakumar Samanta Vs. IBM & 2 Ors. OA No. 694/2022	CAT, Mumbai Bench, Circuit Bench at Nagpur	Regarding grant of promotion/MACP excluding past promotions/ACPs.	Reply was filed on 16.03.2023.	Next date of hearing is in October, 2023 Circuit Bench sitting at Nagpur.	Shri B.D. Pandit 9422114255	No
28	Tapan Kumar Rath Vs. UOI & 2 Ors. OA No. 579/2022	CAT, Cuttack Bench, Cuttack	Regarding disciplinary proceedings instituted against the applicant.	OA is sent to the Ministry for defending the matter.	Last date of hearing was 24.11.2022. Next date of hearing is awaited.	Sri Ghasi Ram Verma, 9238617110	Case is being dealt by the Ministry.
29	Deepak Nebhnani Vs. Union of India & 4 Ors. O.A. No. 310/2022.	CAT, Jodhpur Bench, Jodhpur	Compassionate Appointment	Approved reply in the matter has been sent to COM (NZ) for filing before Hon'ble Tribunal.	Next date of hearing is 26.09.2023.	Sri K.S. Yadav. 9829026978	No

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30	Vijay A. Sontakkey Vs. UOI & 3 Ors. O.A. No. 1060/2022	CAT, Mumbai Bench, Circuit Bench at Nagpur	Promotion to the post of S.O. (OD) w.e.f. 01.09.2022 by holding review DPC and quashing of Recruitment Rules dated 25.04.2022.	Approved counter reply for both OA and MA handed over to Sr. CGSC for filing.	Next date of hearing is in the month of October, 2023 in the Circuit Bench sitting in Nagpur.	Shri B.D. Pandit 9422114255	Yes
31	Satish Ramrao Kate Vs. UOI & Anr. SLP(C) No. 9491/2023	Supreme Court of India	Revision of Pay Scale of the post of AME and revision of pension of the petitioner.	Approved reply has been received and same is being filed through CAS.	Computer generated next date of hearing is on 06.10.2023.	AOR is Sri Gurmeet Singh Makker in Central Agency Section.	Yes
32	Arvind Vitobaji Fandi Vs. IBM and others O.A. No. 560/2023 & M.A. No. 650/2023	CAT, Mumbai Bench, Circuit Bench at Nagpur	Regarding grant of promotion/MACP excluding past promotions/ACPs.	Inputs have been received from concerned section and para-wise comments are under preparation.	Next date of hearing is 16.10.2023	Shri B.D. Pandit 9422114255	No