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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
DELHI.

R.A. No.10/90

in

O.A. No.1642/1989.

August 13, 1990.

Shri Soumyendra Mohan Mukherjee ... Applicant.

vs.

Director General, All India Radio ... Respondent.

Applicant in person.

Shri A.K. Behera, proxy counsel for Shri P.H. Ramchandani, Sr. counsel for the respondent is present.

We heard the Review Application on 10.8.1990, and reserved orders. After looking into the record of the case, we are of the opinion that there is some procedural error which calls for a reconsideration of the matter.

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On 18.10.1989, it was pointed out by the learned counsel for the respondent that the O.A. has been filed in the name of a person who was not aggrieved party. The brother of the aggrieved person had filed the O.A. and as such the Application was a nullity. Time was granted to the applicant either to amend or submit a fresh Application. The case was ordered to be listed on 24.10.1989. On 20.10.1989, the applicant filed M.P. No.2365/89 seeking amendment in the O.A., along with an amended copy of the Application. On 24.10.1989 the Single Member Bench ordered the case to be listed 'for admission' on 26.10.1989, on the request of Shri P.H. Ramchandani. A copy of the M.P. No.2365/89 was handed over to Shri P.H. Ramchandani, learned counsel for the respondent. On 26.10.1989, the matter was listed before another Single Member Bench. There was no indication whether the M.P. No.2365/89 for amendment of the O.A. was allowed or rejected.

or time was granted to file a reply. It will also be noticed that no reply had been filed by the respondent to the O.A. On 26.10.1989 the O.A. was listed for admission whereas the position was that the O.A. had already been admitted on 21.8.1989 and only amendment application had been moved and the same had not been disposed of. The position would have been different if a fresh O.A. had been filed.

After taking into consideration the above aspects, we are of the opinion that it will be proper to rehear the matter. We, therefore, recall the order dated 26.10.1989 passed by the learned Single Member without making any observation whatsoever about its contents. This will be in the interest of justice also. The Review Application is disposed of accordingly.

We, therefore, grant ten days time to Shri A.K.Behera, proxy counsel for Shri P.H.Ramchandani, Sr. counsel for the respondent to file a reply to the M.P.No.2365/89 as well as to the O.A. No.1642/1989 and serve a copy of the same on the applicant. The applicant is granted ten days time thereafter to file his rejoinder, if any, and the O.A. will be listed before us for final hearing on 3.9.1990.

Reply not filed.
List this matter along with OA No.882/90 and OA No.1391/90 on 3.9.1990.

Banerji
(B.C.Mathur)
vice-Chairman (A)
13.8.1990.

Amitav
(Amitav Banerji)
Chairman
13.8.1990.