

190

**Central Administrative Tribunal
Principal Bench, New Delhi.**

RA-146/2005 in
OA-1847/2004
MA-1346/2005

New Delhi this the 20th day of July, 2005.

**Hon'ble Shri Shanker Raju, Member(J)
Hon'ble Shri S.K. Malhotra, Member(A)**

Sh. Bimal Kumar,
Working as Assistant,
Regional Office, ESI Corporation,
Sector-16, Faridabad,
Haryana.

..... Review Applicant

Versus

1. Employees State Insurance Corporation
through the Director General,
Panchdeep Bhawan,
Kotla Road, New Delhi.
2. The Director,
Employees State Insurance Corporation
Through the Director General,
Panchdeep Bhawan,
Kotla Road, New Delhi.
3. The Regional Director,
Employees State Insurance Corporation,
Sector-16, Faridabad.

..... Respondents

ORDER (By Circulation)

Hon'ble Shri Shanker Raju, Member(J)

This Review Application filed by the respondents is directed against an order passed on 02.05.2005 in OA-1847/2004 whereby the respondents have been proceeded ex-parte under Rule 16 of the Central Administrative Tribunal (Procedure) Rules, 1987.

2. MA for condonation of delay is allowed.

3. The only ground agitated is jurisdiction of this Tribunal. In the review application, it is contended that the counsel was not aware of the date of hearing and the absence was neither intentional nor deliberate.

4. This O.A. was admitted on completion of pleadings on 14.3.2005 and on 06.04.2005 when the same was listed for final hearing, none appeared even on second call on behalf of the respondents. However, the judgment has been rendered after carefully considering the contentions raised by the respondents in their reply. This is not a case where any of the contentions raised either has been ignored or not dealt with. No prejudice has been caused to the respondents.

5. In the above view of the matter, when the parties have noticed the date, RA fails as it does not come within the ambit of Rule 22(3)(f) of the Administrative Tribunals Act, 1985 and is accordingly dismissed in circulation.

Am 90
(S.K. Malhotra)
Member(A)

S. Raju
(Shanker Raju)
Member(J)

/vv/