

CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH

THIS THE 4TH DAY OF DECEMBER, 2001

Original Application No.72 of 1998

CORAM:

HON.MR.JUSTICE R.R.K.TRIVEDI,V.C.

HON.MR.C.S.CHADHA, MEMBER(A)

Amar Chandra, son of Shri Shree Chandra,
E.D.Packer, r/o village and post
office Muskara, district Hamirpur.

... Applicant

(By Adv: Shri T.C.Sharma)

Versus

1. The Union of India, Department of
Posts and Telecommunication,
New Delhi.
2. The Director General, Post offices
Dak Bhawan, New Delhi.
3. The Chief Post Master General
U.P., Lucknow.
4. The Post Master General, Kanpur
Region, Kanpur.
5. The Superintendent, Post Offices
Banda.

... Respondents

(By Adv: Ms. Sadhna Srivastava)

O R D E R (Oral)

JUSTICE R.R.K. TRIVEDI,V.C.

This application is for restoration of OA which was dismissed in default on 2.7.01. The application has been filed on 16.10.01. As there is delay the application for condoning the delay has also been filed. On perusal of the record however we find that this OA was already dismissed on 25.1.1999. Restoration application no.1363/99 was filed. This restoration application remained pending. It appears that due to inadvertence ^{though} ~~that~~ OA has ^{been} already been dismissed, ^{and} another order of dismissal was passed on 31.5.2000, though in fact this order should have ^{been} been with regard to the restoration application.

D P

:: 2 ::

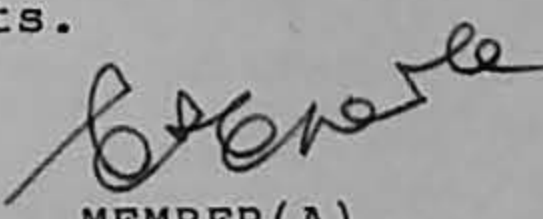
Thus, we treat this application as an application for restoration of restoration application.

The learned counsel for the applicant has submitted that the copy of the order dated 2.7.01 was received by post in the month of August. As ^{shown} call given by the Bar Association advocates of this bench as well as High court had already struck the work, this application could not be filed earlier. The explanation appears to be justified and the delay in filing application is condoned. The cause shown is sufficient. The restoration application No.1363/99 is restored.

We have heard counsel for the parties on restoration application no.1363/99. The OA was dismissed on 25.1.99. The application has been filed on 31.3.99. The copy of the order was received by the applicant by regd. post on 26.2.99. ^{hence} The limitation is calculated from the aforesaid date, the application is within time. Cause shown is sufficient, OA is restored to its original number.

We have heard counsel for the parties on merits. This OA has been filed for a direction to the respondents to declare the result of the applicant bearing roll no. BNA-36 of the examination of 1996 for the recruitment of departmental candidates for the post of Postal Assistant held on 13.7.1996 and 22.11.1996.

Ms.Sadhna Srivastava learned counsel for the respondents has submitted that the result was already declared but applicant could not qualify, ^{hence} he was not given appointment. As the result has been declared, nothing is left to be decided in this OA. The OA is dismissed having no merit. No order as to costs.


MEMBER(A)


VICE CHAIRMAN

Dated: 4.12.2001

Uv/
H-1