

CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH : ALLAHABAD

Review Application No. 13 of 2004

in

Original Application No. 29 of 1999.

Allahabad, this the 13th day of January, 2005.

Hon'ble Mr. V.K. Majotra, V.C.  
Hon'ble Mr. A.K. Bhatnagar, J.M.

Awadhesh Singh

....Applicant

(By Advocate : Shri S. Singh)

Versus

Union of India & ors.

....Respondents.

(By Advocate : Shri S.C. Tripathi)

O R D E R

By Hon'ble Mr. V.K. Majotra, V.C. :

Through this application applicant has sought review of the order dated 06.01.2004 whereby O.A. No. 29/99 was dismissed on merit.

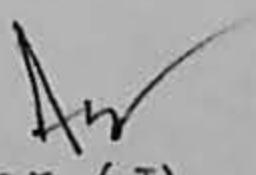
2. It has been stated on behalf of the applicant that applicant's case was listed for 19.01.2004, however, the same was taken up for final hearing on 06.01.2004 and as such, the applicant's counsel could not appear before the court on 06.01.2004. However, the case was decided in his absence.

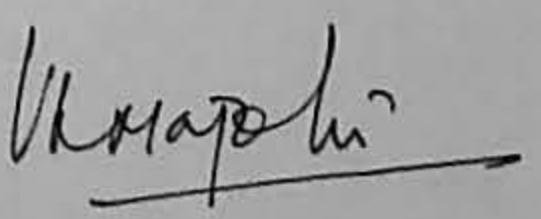
3. We have gone through the records of the registry as also the order sheet of the court's file. We find that on 09.12.2003 registry had listed the case for hearing on 19.01.2004 <sup>and</sup> placed the O.A. on the warning list. The warning list is displayed on the notice board and copy of

warning list is also circulated to the Bar Council of Central Administrative Tribunal. The case belonged to the year 1999. Cases are brought to the regular list from the warning list on the basis of the respective vintage of the case. The case as such was included in the cause list dated 05.01.2004. On 05.01.2004 none had appeared on behalf of the applicant. The brief holder of <sup>Shri</sup> S.C. Tripathi counsel for the respondents had appeared. The parties were afforded another opportunity and the case was adjourned to 06.01.2004. The case was taken up for hearing ~~on 6.1.2004~~<sup>16</sup>. None had appeared on behalf of the applicant again. Shri Avnish Tripathi brief holder of Shri S.C. Tripathi learned counsel for the respondents had appeared. The case was heard in terms of Rule 15(1) of CAT Procedure Rule 1987 taking into consideration the respective pleadings of the parties, hearing Shri A. Tripathi for the respondents. The O.A. was dismissed not in default but merits.

4. The contention made on behalf of the applicant that the case was listed for 19.01.2004 before the court but was postponed to 06.01.2004 is not borne out from the records. The facts revealed from the records have been described above.

5. Having regard to the above discussion we find that the contentions of the applicants made in the present application are not borne out. The present application is merely an attempt to re-argue the case which is beyond the scope and attempt of review. Accordingly the same is dismissed in circulation.

  
Member (J)

  
Vice-Chairman