

AY  
1/11/88

CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD.

Misc. Restoration Application no. 46(B)T/88

On behalf of

Ram Swaroop Saxena

..... applicant.  
plaintiff.

IN

Registration No. T-927 of 1986.

Ram Swaroop Saxena

..... Plaintiff  
applicant.

Versus

Union of India and another

..... Defendants  
respondents.

Hon'ble D.S. Misra, A.M.

Hon'ble G.S. Sharma, J.M.

This is an application for setting aside the order dated 2.5.1988 dismissing the TA no. 927 of 1986 in default of the plaintiff-applicant.

Formerly the case was listed on 4.3.1988 for hearing. 4.3.1988 being holiday, the case was listed on 7.3.1988 and on 7.3.1988 none appeared on behalf of the plaintiff-applicant. The plaintiff again did not appear on 2.5.88 when the case was dismissed in default. It appears that the plaintiff could not traceout the case on <sup>mercable</sup> account of his illness, being a heart patient and he could know about the fate of the suit only when it was dismissed. The application is supported by an affidavit. There is no counter-affidavit. The cause shown is, therefore, sufficient and accepted.

For the reasons mentioned above, the application is allowed and the case is restored to its

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original number.

Registry is directed to fix a date for  
hearing before the Bench.

*Signature*  
J.M.

*Signature*  
8.7.88  
A.M.

8.7.88  
JS.