

(31)

M.A.410/03

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M.A.No.1755,56/01

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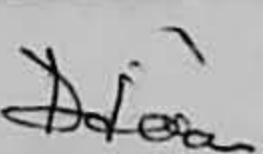
O.A.No.877 of 1995

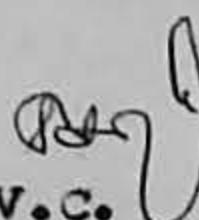
18.11.2003

Hon.Mr.Justice S.R. Singh, V.C.
Hon.Mr.D.R. Tiwari, A.M.

Heard, counsel for the parties. The O.A. was dismissed in default on 16.11.2000. The restoration application no.1756/01 was moved on 10.04.01 alongwith misc.application no.1755/01 for condoning the delay in filing the restoration application. These applications came to be dismissed in default on 02.01.2003. Another application was then filed by the applicant on 31.01.2003 for recalling the order dated 02.01.2003. There is no objection to this application. The cause shown for non-appearance on 16.11.2000 is sufficient. The order dated 02.01.2003 dismissing the restoration application in default is recalled and the restoration application is restored. Misc.application for restoration of the O.A. is also allowed. With the result, the order dated 16.11.2000 is recalled and the case is taken up for final disposal with the consent of the parties counsel.

It is conceded by the learned counsel appearing for the parties that the matter is outside the jurisdiction of the Tribunal as the applicant is a Group 'C' employee of Bharat Sanchar Nigam Ltd. which has not been brought under the purview of this Tribunal by means of the ^{any} Notification under Section 14(2) of the Administrative Tribunals Act, 1985. The O.A. is, therefore, dismissed as not maintainable, without prejudice to the ^{right} interest of the applicant to pursue his matter before the appropriate forum.


A.M.


V.C.

/m.m./