

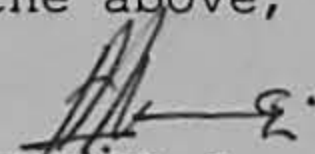
9.7.2008

Hon'ble Mr. N.D. Dayal, Member-A
Hon'ble Mr. Ashok S. Karamadi, Member-J

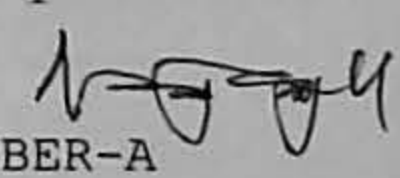
Applications for recall as well as substitution have been filed bearing M.A. nos. 1673 and 1674 of 2005 in a matter, which already stands disposed of with direction to payment of interest to the applicant for the delayed amount of Rs. 119547/- from 18.5.1998 to 25.10.1999 @ 12% per annum. The aforesaid O.A. no. 1124 of 2000 was decided on 7.2.2002. The learned counsel submits that the applicant already expired at the time of decision of this Tribunal and as such the matter had abated. It is noteworthy to mention that none of the parties had pointed out the Tribunal about passing away of the applicant when the matter was finally decided. It seems that earlier attempts were made to have the payment disbursed to the legal representative, but there has been no success. We find that while M.A. per-se may not be maintainable in a disposed of matter. We take up these M.A. as having been filed under Ruled 24 of CAT (Procedure) Rules, 1987 in order to implementation of the order of this Tribunal. In the interest of justice, let the legal representatives approach the respondents to seek payment of interest as mentioned above and the respondents shall after confirming that they are legal representatives pay the amount by passing appropriate orders.

The learned counsel for the respondents submits that these M.As would not have been maintainable as these have been filed after long lapse of time in a O.A. which already stands disposed of. We have already noticed above that the request made by the learned counsel has been taken up under Rule 24, which does not envisage any prima-facie limitation.

With the above, the M.As stand disposed of.


MEMBER-J

GIRISH/-


MEMBER-A