

23/5/01

OA No. 597/2000

Hon'ble Mr. Justice R.R.K. Thiruvadi, VC
Hon'ble Mr. C.S. Choudhary, AM

List has been reviewed. None is present for applicant.

Sh. S.C. Mishra, L/c for respondents is present.

This application is for restoration of the OA which was dismissed in default on 15th November, 2000. This application has been filed on 24.4.2001. There is a delay in filing the O.A. Application M.A. No 2025/2001 has been filed seeking condonation of delay. Application is supported by affidavit. It has been stated that counsel for applicant has noted the date as 1.4.2001 & on enquiring from the office, it was informed to the counsel that the case was dismissed for default. It is also stated that for copy of the application was given on 3.4.2001, which was given on 16.4.2001. However,

there is no mention about the free copy of the order supplied from the office on 24/11/2001, through a post. In the 3219/24/11/2001, by registered post, the explanation of delay is not convincing. In the affidavit, the service of the free copy of the order has not been denied. In the circumstances delay has not been sufficiently explained. It is respectfully submitted that application for restoration No. 2024/2001 is rejected as time barred.

A.M. Banerjee

P. V.C.