

(A)

08.253/96

Serial No. of Order	Date of Order	Order with Signature	
3	18.11.96	<p>Shri R.C.Rath, counsel for the Union of India states that he had already prepared the counter, but meanwhile there was a revision petition pending before the Chief Operations Manager under Rule-25 R.S. & D.A. Rules, 1968. This review petition was disposed of on 13.6.1996 which is three months after the filing of the Original Application. The review order sets aside the order of removal from service which is impugned in this Application and an order of reinstatement in service as a Khalasi has been passed.</p> <p>Shri G.C.Mohapatra, counsel for the applicant is not present when called.</p> <p>This application is liable to be dismissed on two grounds, viz. (i) the impugned order is no longer holding the field and it is substituted by a revisional order under Rule-25 of R.S. & D.A. Rules. (ii) The application is dismissed on the ground that the averments made at para-6 and 7 of the Original Application are not the facts now revealed true averments. It is stated that all the remedies available have been availed of. He has omitted to mention that his petition is pending before the Chief Operations Manager under Rule-25 of RS & D.A. Rules, 1968. At para-7 he has also stated that no suit or anyother proceeding is pending before anyother authority. Thus the applicant has suppressed from the Court the fact of the proceeding under Rule-25 of R.S. & D.A. Rules. The application is dismissed both being infructuous and incomplete. on the ground that the applicant has not come clear.</p>	<p>For admission 9/14 Bench</p> <p>Or. no. 2 may be set aside Notice may be issued to all respects by resd post with A.O.</p> <p>12.04.96 S.O. (P)</p> <p>12.4.96</p> <p>Order dt. 27.8.96 None appears. counter be filed by four weeks.</p> <p>Registrar</p> <p>Order dt. 27.9.96. None appears. Counter be filed by three weeks as per Clanc.</p> <p>27/9/96. Rego</p> <p>Counter not filed.</p> <p>17/1x Rego</p>

MEMBER (ADMINISTRATIVE)