

CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH

CALCUTTA

M.A. 564 of 2003
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(O.A. 182/1996)

Date of order: 18.06.2004

Present : Hon'ble Mr. Justice B. Panigrahi, Vice-Chairman.
Hon'ble N.D. Dayal, Administrative Member.

Hiralal Gayen

- v e r s u s -

S.E. Railway

For the applicant : Mr. A. Chakraborty, counsel.

For the respondent : Ms. U. Sanyal, counsel.

O R D E R

Per Justice B. Panigrahi, VC

These are applications for restoration of O.A. and condonation of delay in filing the restoration application, after expiry of usual period of 30 days. It is stated in the application that the 1d. counsel, who used to attend on behalf of the applicant, could not reach the court on the date when the O.A. was fixed on account of train disruption. As a result the O.A. was dismissed for default.

2. Thereafter, the restoration application could not be filed within the prescribed period of limitation, on account of ill health of the applicant, as he could not come to the court to meet the counsel. As a result some delay has occurred. In case the delay is not condoned, irreparable loss and injury shall be caused to the applicant.

3. Ms. Sanyal, 1d. counsel has appeared for the respondents. But no reply has been filed. It is stated that on account of the personal ground of advocate as stated in the application as well as on account of ill health of the applicant, the restoration application could not be filed in time. The grounds stated in the application appear to be

adquate.

4. In the result, the application is allowed. The O.A. shall be restored on a token of cost of Rs.200/- which shall be utilised for purchasing of books of library within three months from the date of communication of this order.

5. With the above observation, both the applications are disposed of.

Member (A)

Banwarilal
Vice-Chairman.