

CENTRAL ADMINISTRATIVE TRIBUNAL

CALCUTTA BENCH

OA. 1110 of 1996

Date of Order: 10-02-98.

Hon'ble Mr. Justice S.N. Mallick, Vice-Chairman.
Present: Hon'ble Mr. S. Dasgupta, Administrative Member.

MUNILAL

-VS-

UNION OF INDIA & ORS.

For the petitioner: NONE.

For the respondents: Mr. P. K. Arora, counsel.

Heard on: 10-02-98.

O R D E R

S.N. Mallick, VC.

No one has appeared for the petitioner and it appears from the records that none also appeared for the petitioner on 31.12.96, 29.4.97 and 8.9.97. It is also noted that on 31.12.96, the 1st. counsel for the respondents appeared and opposed the application on the ground that the instant application is legally incompetant for being admitted. Mr. Arora submits that the Original Application being TA no. 1778/86, filed by the petitioner for setting aside and quashing the order of termination of his services by the respondent authorities, as per Annexure-B (undated) to the petition, was dismissed for default on 25.6.90 by this Tribunal.

In the instant application, the petitioner has come up for setting aside the said impugned order of termination and also the order of dismissal of the earlier case passed by this Tribunal on 25.6.90 being the aforesaid TA no. 1778/86. It does not appear that any application for re-hearing of the said case was filed by the petitioner. The application is wholly misconceived as well as vexatious and it is also barred by the principles of res-judicata. Be it further noted that the law is well settled that no one can approach the Court on the second occasion after the Court has

disposed of his earlier case, Mr.Arora has submitted that
this is a fit case ~~there~~ ^{where} ~~there~~ ^{should} cost, be awarded and in view of
the circumstances of the case, we agree with this views.

We, accordingly, dismiss this application with
costs which we assess at Rs 500/- (Rupees five hundred) ~~and~~ to
be paid by the petitioner to the respondents.


(S. Dasgupta)

Member(A)


(S.N. Mallick)

Vice-Chairman.