

CENTRAL ADMINISTRATIVE TRIBUNAL

CALCUTTA BENCH

MA.104 of 1998
MA.105 of 1998
(OA.344 of 1996)

Dated: of Order: 17.7.98.

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

SHRIJIU RISHI

-VS-

UNION OF INDIA & ORS.

For the petitioner: Mr.P.C.Das,counsel.

For the respondents: Mrs.U.Sanyal,counsel.

Heard on: 17.7.98.

O R D E R

S.N.Mallick,VC

The Miscellaneous Application no.104 of 1998 has been filed seeking recall of the order dated 27.6.97 by which the Original Application no.334 of 1996 was dismissed for default. This M.A. is accompanied ~~with~~ by another Miscellaneous Application being no.105 of 1998 in which the applicant sought condonation of delay in filing the Restoration Application.

After going through the materials on record, both the MAs are allowed. The order dated 27.6.97 is recalled and the Original Application is restored with its original number and file. With the consent of the applicant, the matter was taken up for admission hearing to-day although it was not in the list. We find from the application that the facts as enumerated in the Original Application did not make any case. However, confronted with the facts and circumstances, 1d.counsel for the applicant

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submitted that he would like to withdraw this application with liberty to file a fresh application indicating the facts in time.

In view of the aforesaid submissions, the Original Application is disposed of as 'withdrawn' and the applicant shall have the liberty to file a fresh application, if not otherwise barred.

Both the MAs as well as the O.A. stand disposed of accordingly. No order as to costs.



(S. Dasgupta)
Member(A)



(S.N. Mallick)
Vice-Chairman.

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