

CENTRAL ADMINISTRATIVE TRIBUNAL

CALCUTTA BENCH

No.M.A...../2000  
(O.A.1383/1996)

Present : Hon'ble Mr. D. Purkayastha, Judicial Member  
Hon'ble Mr. S.K. Ghosal, Administrative Member

G. SURIYA RAO & ORS.

VS.

UNION OF INDIA & ORS.

For the applicants : Mr. B.P. Mondal, counsel

For the respondents : Mr. S. Chowdhury, counsel

Heard on : 20.11.2000

Order on : 20.11.2000

ORDER

D. Purkayastha, J.M.

Heard ld. counsel for both sides.

2. 168 applicants who were not parties of the O.A.1383/1996 have filed this M.A. for refering the case to the Criminal Court under Section 340(1) of Cr. P.C. on the ground that during the proceeding of the O.A.1383/1996 the respondents had made some false statement in the matter before the Tribunal. One Mr. D. Bhoi appearing before this Tribunal wants to represent the case of applicant No.1 and 22 of this M.A. on the basis of Power of Attorney executed by the applicant No.1 and 22 in favour of him. He submits before us that he has a right to represent the case of the aforesaid applicants before this Tribunal as per rules on the basis of the Power of Attorney given to him.

3. We have considered the submissions made by Mr. D. Bhoi who is appearing for applicant No.1 and 22 and Mr. B.P. Mondal who is appearing for other applicants. We have gone through

(Procedure) Rules, 1987. We find that under Rule 23(1) (b) of CAT(Procedure) Rules, 1987 Mr. Bhoi cannot be permitted to plead the case of applicant No.1 and 22 as prayed for on the basis of the power of Attorney executed by the aforesaid applicants. As per rules, he can be permitted to represent them only for limited purposes such as for filing the application, rejoinder or written statement etc. on behalf of the concerned applicants on the basis of the Power of Attorney produced before us. So, the prayer of Mr. Bhoi is rejected.

4. So far as the case of other applicants is concerned, we find that all the applicants were strangers to the proceedings in the O.A.1383/1996. So, they have no right to pray for referring the case to the Criminal Court under Section 340(1) of Cr.P.C. on the grounds as mentioned in the M.A. and they have no locus standi to file such application before this Tribunal. Therefore, we reject the M.A. awarding no cost.

  
MEMBER(A)

S.M.

  
MEMBER(J)