

CENTRAL ADMINISTRATIVE TRIBUNAL

CALCUTTA BENCH

No. MA 454 of 98  
(OA 1450 of 96)

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

KRISHNENDU MUKHERJEE

VS

UNION OF INDIA & ORS.

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

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

Heard on : 17.12.99

Order on : 17.12.99

O R D E R

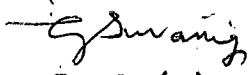
S.N. Mallick, VC

Heard both the counsel. In this MA the petitioner has prayed for restoration of the OA which was rejected by an order dated 12.3.98 for being not pressed by the ld. counsel for the petitioner. We have heard Mr. P.C. Das, ld. counsel who has filed this application on behalf of the applicant and Mr. P.K. Arora, ld. counsel for the respondents. The order dated 12.3.98 is quoted below :

"Heard both the parties. The ld. counsel for the petitioner submits that he does not want to proceed with the matter. The application is thus rejected for being not pressed. No Order as to costs."

2. It is found from the record that on the said date Mr. R.K. De, ld. counsel appeared for the petitioner leading Mr. A.K. Roychoudhury and Mr. D.P. Bhattacharjee, ld. counsel and Mr. P.K. Arora, ld. counsel for the respondents. The order shows that both the parties were heard. Ld. counsel for the petitioner submitted that he does not want to proceed with the matter and as such the application was rejected for being not pressed. The instant MA is wholly misconceived one.

petitioner  
Mr. Das submits that the he did not ask his lawyer earlier on record not to press this application. Mr. R.K. De, Id. counsel who is present in the Court today submits that he did not press this application on consultation with his juniors as there was no material to be adjudicated in the OA. The instant MA is rejected.

  
MEMBER (A)

  
VICE-CHAIRMAN

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