

CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH

No. MA 487 of 2003
(OA 74 of 1996)

Date of order : 16.7.04

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

ASOK KARMAKAR

VS

UNION OF INDIA & ORS.

For the applicant : Mr.B.C.Sinha, counsel

For the respondents: Ms.U.Sanyal, counsel

O R D E R

Justice B.Panigrahi, VC

Upon hearing Mr.B.C.Sinha, 1d.counsel appearing for the applicant and Ms.U.Sanyal, 1d.counsel appearing for the respondents and on going through the contents of the application, it is found that the case was original posted on 11.6.03. But unfortunately neither the applicant nor his counsel was present on that date and as a result thereof the application was dismissed for default.

2. It is seen from the grounds of the application that the applicant could not come on the date of hearing because his wife was seriously ill and was completely bed-ridden. There was no other adult member in his family to look after her. Therefore the husband had to remain at the bed side of his wife. Mr.Sinha, 1d.counsel for the applicant has submitted that since he required some instruction from his client and due to his absence he could not get fully prepared with the case and as a result the application was dismissed for default.

3. No reply has been filed by the respondents in this application. Therefore all the allegations are accepted.

4. Accordingly we recall the order dated 11.6.03 and direct the matter to be restored to its file and number. The OA shall appear for hearing on 25.11.04.

5. The MA therefore stands disposed of.

MEMBER(A)

VICE-CHAIRMAN

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