

Central Administrative Tribunal
Calcutta Bench

MA/603/2002
MA/604/2002
MA/605/2002
MA/606/2002
(OA/523/1991)

Date of Order: 28-2-03

Present:

Hon'ble Mr.B.P.Singh, Administrative Member

Hon'ble Mr.Nityananda Prusty, Judicial Member

Bibi Jahanara Khatun & 5 ors.

Applicants

-Vs.-

Union of India through GM, E.R.,
and another Respondents

For the applicant : Mr. B. Chatterjee, Counsel

For the respondents : Mr. R. M.Roychowdhury, Counsel

O R D E R

B.P.Singh, AM

Ld. Counsels for both sides are present. OA/523/91 was dismissed for default on 22-7-97. It is submitted by the ld. Counsel for the applicants in the MA that the present applicants are the legal heirs of the deceased applicant Md. Yahiya in the OA. It is submitted by the ld.Counsel that the present applicants were not aware of pendency of the OA before the Tribunal and for taking appropriate steps for being substituted in place of their deceased father, the applicant in the OA by filing proper application before the Tribunal for which the same was dismissed for default vide Order dated 22-7-97. In that view of the matter they have filed the present application for restoration of the OA by condonation of delay and substitution by the present

2/2

applicants.

2. At the time of hearing, 1d.Counsel for the applicants submitted that he wants to withdraw all the applications with liberty to file a fresh OA with all their grievances to which the 1d.Counsel for the respondents has no objection.

3. In view of the above submissions of 1d.Counsels of both the sides all the MAs are dismissed as withdrawn. However, there shall be no order as to costs. It is made clear that in case the present applicants are in any way aggrieved, they are at liberty to approach to the proper forum by way of filing a proper application.


Nityananda Prusty,
Judicial Member.


B.P.Singh,
Administrative Member.

pd.