

CENTRAL ADMINISTRATIVE TRIBUNAL

CALCUTTA BENCH

No. MA 106 of 97  
(OA 220 of 97)

Present : Hon'ble Mr. Justice A.K. Chatterjee, Vice-Chairman  
Hon'ble Mr. M.S. Mukhejee, Administrative Member

SUBRATA KR. GHOSH

VS

UNION OF INDIA & ORS.

For the applicant : Mr. K. Chakraborty, counsel

For the respondents : None

Heard on : 1.4.97

Order on : 1.4.97

O R D E R

A.K. Chatterjee, VC

Heard the counsel for the petitioner. OA was filed on 26.2.97 <sup>when an interim order was made staying</sup> ~~wherein the respondent claims~~ recovery of certain amount from the petitioner. OA was ordered to be listed for admission hearing on 12.3.97. When the matter came up on 12.3.97 the counsel for the petitioner was not present nor anybody appeared on behalf of the respondents. In such circumstance there was nothing before us to show that the petitioner had served the application upon the respondents. <sup>The</sup> ~~An~~ interim order passed on 26.2.97 was <sup>therefore</sup> vacated.

2. The present MA was filed for recalling the order dated 12.3.97. The counsel for the petitioner states that on 12.3.97 he could not appear before this Tribunal because of certain personal problem and <sup>we are</sup> ~~he has~~ satisfied that copy of the OA was <sup>sent</sup> ~~served~~ on the ~~respondents~~ <sup>to the respondents</sup> on 26.2.97 ~~and they were sent~~ by registered post. In such circumstance <sup>of</sup> we are satisfied that there was sufficient cause <sup>for</sup> ~~of~~ non-appearance ~~for~~ the counsel for the petitioner on 12.3.97 and that service was duly affected in compliance with the order dated 26.2.97.

We therefore recall the order dated 12.3.97 by which the interim order was vacated. However, we direct that the OA be listed for hearing regarding admission on 7.5.97 and not on 17.7.97 as ordered on 12.3.97. Interim order to continue till next date. The respondents may file reply at least a week before the date fixed. Order passed this day as well as the order dated 12.3.97 shall be communicated to the respondents. MA is therefore disposed of .

*Plain copy of the orders be given to the counsel for the petitioners by confidential.*

*[Signature]*  
MEMBER (A)

*[Signature]*  
VICE-CHAIRMAN