

CENTRAL ADMINISTRATIVE TRIBUNAL  
CALCUTTA BENCH

No. MA 114 of 99  
(OA 1429 of 97)

Present : Hon'ble Mr. Justice S.N.Mallick, Vice-Chairman  
Hon'ble Mr. B.P.Singh, Administrative Member

ANATH KR. NANDY

VS

UNION OF INDIA & ORS.

For the applicant : Mr. N.K.Ghosh, counsel

For the respondents: Mr. S.K.Dutta, counsel

Heard on : 11.6.99

Order on : 11.6.99

O R D E R

S.N.Mallick, VC

When this matter is taken up for hearing today the 1d. counsel for the petitioner wants to file an amendment application. It appears from our order dated 26.3.99 that leave was granted to the applicant to file an amendment application in reply to the OA within a week before the next date of hearing of this MA. The MA is fixed for hearing today. The amendment application was not filed within the time specified by the order dated 26.3.99. There is no reason explained why there was such delay. Such amendment application is refused.

2. We take up the MA for restoration of the OA which was dismissed for default on 2.2.99. We have gone through the averments made in the MA which are contradictory to each other. But the 1d. counsel for the petitioner submits that the statements made in paragraph 3 may be ~~gxa~~ treated as withdrawn. Even though the application does not stand on merit. It is submitted that 1d. counsel for the applicant was all through present and then the matter was not called before the rising of the Court before recess. The matter was fixed for hearing before the Single Bench and the hearing matters are taken up after recess. It appears from our order dated 2.2.99 that none appeared for the petitioner even at the second call at 2.40 P.M. It seems that due to the absence of the 1d. counsel for the petitioner the matter was taken up ~~even~~ after the