

CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH

M.A.No. 378 of 99 with MA 379 of 99
(O.A.No. 1403 of 97)

Date of order : 13.08.99

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

HARI PRASAD PANDEY

VS

UNION OF INDIA & ORS (S.E.RLY.)

For the Petitioner : Mr. R.N.Ghorai, Counsel

For the respondents : None

O R D E R

S.N.Mallick, V.C.:

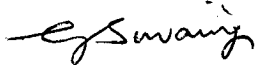
Both MA 378 of 99 and MA 379 of 99 are taken up together after treating MA 379 of 99 as on day's list.

2. In M.A. 379 of 99 the petitioner has prayed for condonation of delay in the matter of filing the other MA 378 of 99 which is for restoration of the connected OA No. 1403/97 which was dismissed for default at the stage of admission hearing. It is submitted by Mr. Ghorai, who is the advocate on record, that on the date he could not attend the Tribunal due to his illness. There was also delay in filing the restoration petition for the same reason. We do not find any reason to disbelieve the statement from the Bar. Accordingly, we condone the delay and allow M.A. 379/99.

3. ^{been} None appears for the respondents although copy of the MAs have served on Mr. S.Chowdhury, ld. counsel for the respondents on record. After hearing the ld. counsel for the petitioner and on going through the averments made in the restoration petition, we allow it and restore OA 1403/97 to its file and number after setting aside the order of dismissal dt. 29.4.99. M.A. 378/99 thus stands disposed of.

4. OA 1403 of 97 be listed for admission hearing on 13.10.99. Ld. counsel for the petitioner is directed to inform the other side.

5. Both the MAs thus disposed of. No costs.


MEMBER(A)


VICE CHAIRMAN