

In the Central Administrative Tribunal
Calcutta Bench

MA No. 526 of 1998
(OA 533 of 1997)

Present : Hon'ble Mr. D. Purkayastha, Judicial Member
Hon'ble Mr. B.P. Singh, Administrative Member

Ajoy Sarkar & Anr.

- VS -

South Eastern Railway

For the Applicant : Mr. A. Jana, Advocate

For the Respondents: None

Heard on : 7-12-98

Date of Judgement : 7-12-98

ORDER

D. PURKAYASTHA, JM

Heard Ld. Advocate Mr. Jana over an application filed by the applicant for setting aside the order of dismissal for default of the applicant passed on 26-10-98. Ld. Advocate Mr. Jana on behalf of the applicant submits that he could not appear on 26-10-98 in time; but he appeared late on that day. So, the case was dismissed for default. We find from the record that applicant remained absent on previous dates fixed by the Court. However, considering the default of the Ld. Advocate we allow the application subject to payment of Rs.100/- to the respondents as condition precedent. So, MA application is allowed and accordingly OA is restored. Money should be deposited by treasury challan in accordance with the rules in favour of the respondents and that should be produced on the next date of admission hearing. Accordingly, O.A. is adjourned to 9.2-1999.

(B.P. Singh)
Member(A)

(D. Purkayastha)
Member(J)