

In The central Administrative Tribunal
Calcutta Bench

MA 581 of 1999
(OA 607 of 1997)

Present : Hon'ble Mr. D. Purkayastha, Judicial Member
Hon'ble Mr. G.S. Maingi, Administrative Member

Tusher Kanti Guha

- VS -

S.E. Railway

For the Applicant : Mr. B.C. Sinha, Advocate

For the Respondents: Mr. P.K. Gupta, Advocate

Heard on : 18-11-99

Date of Order : 18-11-99

ORDER

D. PURKAYASTHA, JM

Id. Advocate Mr. Sinha on behalf of the applicant submits that in pursuance of the order dated 17.6.99 passed by this Tribunal respondents were directed to supply documents. But the respondents vide letter dated 4.8.99 intimated the reasons for which the documents could not be supplied till date. Relying on the letter dated 4.8.99 Mr. Sinha submits that applicant will be prejudiced if the documents are not supplied to submit his written defence brief.

2. We have considered the submission of Mr. Sinha and we find that it would be appropriate on the part of the applicant to submit the written defence brief without the documents as asked for since respondents failed to supply the documents till date as claimed by the applicant. *without prejudice to respondent's claim against the documents* Accordingly, MA is disposed of. However, respondents are given liberty to proceed with the case in accordance with the law.

G.S. Maingi
(G.S. Maingi)
Member (A)

D. Purkayastha
(D. Purkayastha)
Member (J)