

RD 29/02
(69 615/96)

1
12.12.02

CM

None for the parties. List it on 9.1.2003 for hearing.

Shyama Dogra
(Shyama Dogra) M(J)

L.R.K. Prasad
(L.R.K. Prasad) M(A)

2x2x(xxx))

2./ 9.1.2003. This RA is so preferred for review of the order passed on 26.2.2002 in OA 615/96, and the RA has been filed on 22.3.2002 itself. The said RA was disposed of by ~~xxR~~ Hon'ble V.C. sitting with Hon'ble Shri L.R.K. Prasad M(A). Be listed on 17.1.2003 for hearing.

(B.N. SINGH NEELAM)/V.C.

3/17.1.2003

The applicant on the last occasion had appeared in person. No one appears on behalf of the applicant today. The bench has already been constituted. Be listed for hearing on 31.1.2003.

MBS.

(L.R.K. Prasad) M(A)

(B.N. Singh Neelam)/VC

4/31.01.2003 : None for the applicant.

Mr. H.P. Singh, ASC for the respondents.

The ld. ASC for the respondents submitted that the memo of appeal so filed by the applicant against the order of the disciplinary authority, has been disposed of by the appellate authority and the punishment so awarded by the disciplinary authority has been affirmed by the appellate authority. That being the position, this R.A. is not maintainable as he has to file a fresh O.A. against the final order.

By way of last chance, list it on 28.02.2003 for hearing. If no-one appears on behalf of the applicant on the next date, necessary orders shall be passed.

skj

(L.R.K. Prasad) M(A)

(B.N. Singh Neelam)/VC

This is an application made under Section 17 of A.T. Act 1987. It is in prescribed form and paper book form. It is free from clerical mistakes submitted before Hon'ble V.C. and Hon'ble Mr. L.R.K. Prasad (son) for the chamber under circular - 1100 dated for consideration on review. /CBS/

26/6/02

80/51

26/6/02
(L.R.K. Prasad)

As per directions may be placed before Hon'ble Bench on 12-12-02 along with copy. No. C.O. P.A. - 944 95/02. 18.11.02

RA- 29/2002

5./ 28.2.2003. For want of D.B., list it on 4.4.2003
for hearing.

Supplementary
Application
Filed on
21/1/03
S. 21/1/03

/CBS/

(B.N. Singh Neelam)/V.C.

6/12.5.03. For want of DB, be listed
for hearing on 1.7.03.
(S. Jha) m(A)

7/1.7.03. For want of time be listed for
hearing on 9.9.03.

(S. Jha) m(A)

(B.N. Singh Neelam) m

8/9.9.03 be listed on 20.10.03

for hearing, as prayed for.

(S. Jha) m(A)

(B.N. Singh Neelam) m

9/20.10.2003

As prayed for, let it be listed for
hearing on 5.1.2004.

MPS.

(M. Jha) /M(A)

(B.N. Singh Neelam) /VC

10/5.1.04 put up before the Hon'ble V.C. for
constituting the fresh Bench to hear
this RA.

(M. Jha) /M(A)

(S. Dogra) /M(G)

SRM

11/16.01.2004 :
(Order passed in
chamber)

A Division Bench of Vice-Chairman (self)
and Hon'ble Mr. Mantreshwar Jha, M(A), is
constituted for hearing on 23.01.2004.

skj

(B.N.Singh Neelam) / VC

12/23.01.2004 : None for the applicant.

Mr. H.P.Singh, ASC for the respondents.

The matter is called out. It transpires
that the applicant used to appear in person in connection
with this R.A. so filed in connection with the order so
passed on 26.02.2002 in OA 615 of 1996 in which a
Division Bench of Vice-Chairman (Self) and Hon'ble Mr.
Mantreshwar Jha, M(A) has already been constituted vide
order dt. 16.01.2004.

Mr. H.P.Singh, the ld. ASC appearing on
behalf of the respondents has submitted that by the plain
reading of the order dt. 26.02.2002 passed in OA 615 of
1996, against which this R.A. has been preferred, it
will come in light that the matter was simply referred
to the concerned respondent to dispose of the matter
within the stipulated time period and thus, on no account
the order passed by this Bench can be said to be an
order suffering from any illegality. However, if in any
way the applicant feels aggrieved as per the direction so
given by this Bench while disposing of OA 615 of 1996,
door was open to him to file fresh OA which he has not
filed so far. In that light, it is submitted that this
R.A. so filed has no leg to stand.

In the background of the facts and
circumstances of the case, we do not find any merit in
the R.A. so filed which stands dismissed. With regard
to the M.A. so filed for condoning the delay in the filing
the R.A., the same also got disposed of accordingly.

(Mantreshwar Jha)
Member (A)

(B.N.Singh Neelam)
Vice-Chairman

skj