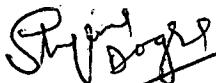


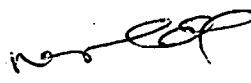
8.2.02

shri A. Srivastava..for the applicant

This review petition has been filed for reviewing the order passed in O.A.311/96 on 2.6.2000. The said order was passed by a Bench consisting of Hon'ble Mr.L.Jha, Member (J) and Hon'ble Shri L.Hmigiana, Member (A). Since the said Bench is not available, it would be appropriate to place the matter before the Hon'ble Vice-Chairman to constitute a Bench for placing the same before that particular Bench. Place it before the Hon'ble Vice Chairman for constituting the Bench.


(Shyama Dogra)

M(J)


(L.R.K. Prasad)

M(A)

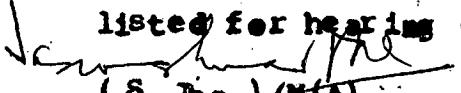
2/18.07.2002 : A Division Bench of Hon'ble Vice-Chairman (Self) and Hon'ble Mr. Sarweshwar Jha, Member (A) is constituted for hearing on 29.07.2002.

skj

(B.N.Singh Neelam)/VC

8xx

3/2.8.2002 AS CAT Bar Association is on strike, let it be listed for hearing on 16.8.2002.


(S. Jha)/M(A)

(B.N.Singh Neelam)/VC

4/16.8.2002 For want of time, be listed on 28.8.2002 for hearing.

skj


(S. Jha)/M(A)

(B.N.Singh Neelam)/VC

be left
by Hon'ble
H. C.
who
disposed
of O. A.
311/96
have
already
retired.
This
matter
has been
filed
pursuant
to liberty
granted
to file
review
by Hon'ble
Patna
High Court
Bench
dated
28/7/2002.

28/7/2002
18/7/2002

Requisites
filed or
affixed with
postage stamp
of Rs. 40/-
each

02/11/2002
MPS.

Notice issued
on 14/11/02

5/28.8.2002 For want of time, be listed for
hearing on 20.9.2002.

sk

S. Jha /M(A) (B.N.Singh Neelam)

6/20.09.02

The 1d. counsel Shri Sekhar Singh
appearing on behalf of the respondents informs
that review Bench ~~xxxx~~ has since been constituted.
Let it, therefore, be listed before the same B.
on 04.10.2002 for hearing.

srk

Shyama Dogra
(Shyama Dogra) /M(J)

Sarweshwar Jha
(Sarweshwar Jha)

Heard Shri Amit Srivastava, 1d. counsel for
the applicant filing this R.A. against the order
passed in O.A. 311/96, which was so disposed of
on 2.6.2000, a copy of which is filed marked as A.
Reference is also made to the order passed by the
Hon'ble High Court, Patna in C.W.J.C. No. 7371/
which is dated 9.1.2002 (Annexure-1).

Issue notices to the respondents made
returnable within six weeks. Rejoinder if any
may be filed within a week thereafter. Requisition
to be filed within a week. Be listed for hearing
on 16.12.2002.

Sarweshwar Jha /M(A) (B.N.Singh Neelam)

8/16.12.2002 : Both sides are present.

At the request of 1d. Addl. Standing Counsel
for the respondents, be listed on 06.02.2003 for

skj

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

(B.N.Singh Neelam)

RA 10/02

9

6.2.03

CM Be listed on 27.3.2003 for hearing.

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

Q
(B.N.Singh Neelam) VC

10/27.03.2003 : None for the applicant.

Be listed on 30.05.2003 for hearing.

skj

Q
(B.N.Singh Neelam) VC

10/30.5.03.

CM Adjournment is given by way of last chance.
Let it be listed on 4.7.2003 for hearing. w.s.
to be filed by the next date.

S.Dogr
(S.Dogr) M/J

Q
(S.Jha) M/A

1/4.7.03. Be listed for hearing

on 22.8.03.

Q
(S.Jha) M/A (B.N.Singh Neelam) VC

12/22.8.03 Be listed on 1.9.03 for
hearing.

CDS

S.Dogr
(S.Dogr) M/J

13/1.9.03 Be listed on 22.9.03

for hearing, as proxy effor.

Q
(S.Jha)

Q
(B.N.Singh Neelam) VC

13/22.09.2003 : Shri A.Srivastava, counsel for the applicant.

The L/c for the applicant has submitted that till today show cause has not been filed by the respondents' side. Mr. D.K.Jha, the 1d. ASC has submitted that since in the cause list his name has not been shown he could not mark the case and has not brought the file. However, he has undertaken to file reply by the next date.

With the consent of the parties, be listed on 17.10.2003 for hearing. Since the matter has been remanded by the Hon'ble Patna High Court, the L/c for the applicant is directed to remind the Bench on the next date for giving priority to this matter.

skj

(S.Jha) M(A)

(B.N.Singh Neelam) VC

14/10/03 Be listed
for hearing on
28-11-03.

SKS (B.N. Singh Neelam)
VC

15/12.03 None for the applicant
Shri D.K.Jha, ASC for the respondents
DB not available. Be listed on
16.1.2004 for hearing.

SKS

(M.Jha) M(A)

RA-10/02

20/5/04 Due to sudden
demise of Hon'ble
Shri Justice T.P. Singh,
sitting judge of
Hon'ble Patna High
Court, the advocates
have resolved not to
attend court work as
a mark of respect to
the departed soul. Therefore,
the case is adjourned
to 21/5/04 for hearing

S. Dogra

SBS

(M. Dha)

M(A)

(S. Dogra)

M(I)

21/5/04.

None for the applicant. As matter
List it for hearing on 30.8.04.

(M. Dha) M(A)

78

Q.A 10/02
(007 311)96)

PVC

The Review petition has petition filed against the order dt 2.6.2000 in on 31/1/04 by a Division Bench consisting Hon'ble Mr. Lakshman Jha, M(A) and Hon'ble Mr. L. H. Manning, J.A. (S)

A fresh Bench Division Bench is required to be constituted in terms of the C.R. Rules of Practice 1993 for preliminary hearing.

Section 4(1) for orders please.

AM
20/7/04

Hon'ble member (J) and HOD may like to constitute a D.B. for hearing of the above R.A. as proposed at 10/07/04 2017 (am).

SK (S)

Hon'ble Member (J) and HOD.

DR

21.07.2004 : A Division Bench of Hon'ble Shri M.Jha, M(A) and myself stands constituted for preliminary hearing of this R.A. on 15.09.2004.

skj

Shyama Daga
(Shyama Daga) /M(J)

Join for
File on
25/8/04
10/9/04

RA-10/02

22/17.9.04

shri A. Srivastava..for the applicant

shri Arvind Kumar..for the respondents

It is stated by the learned counsel for the respondents that no W.A. has been filed by respondent nos.3 and 4, that, is State of Bihar, in spite of the fact that notices were issued to them on 4.12.2002 and last chance was granted on 30.5.2003.

2. Other respondents have already filed W.S. Therefore, in the interest of justice one more chance is granted to respondent nos.3 and 4 to file W.S. ~~within a~~ period of three weeks failing which the matter will be decided on the basis of material available on record. The learned counsel for the applicant also undertakes to inform the learned Standing Shri B.N.Yadav, for the State of Bihar in this regard. List this case on 10.12.04 for hearing.

cm

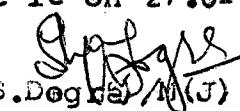

(M.Jha) M.A.

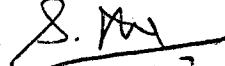

(S.Dogra) M.J.

23/10.12.2004 : JC to Shri A.Srivastava, is present.

At the request of counsel for the applicant, list it on 27.01.2005 for hearing.

skj


(S.Dogra) M(A)


(S.Jha) M(A)

24/27.1.2005

Shri Girish Pandey, vice counsel for the applicant prays for and is allowed a short adjournment in this case. List it for hearing on 7.3.2005.

MPS.

(M. Jha) / M(A)

S. Deogra
(S. Deogra) / M(J)

25/7.3.2005 Shri A. Srivastava, counsel for the applicant. Shri R. Kumar, ASC for the respondents.

With mutual consent, let it be listed for hearing on 7.4.2005.

MPS.

(S. Srivastava) / M(J)

(M. Jha) / M(A)

26/7.4.05 Counsel for the applicant is present. place it before the Hon'ble v.c. in Chambers for constitution of fresh Bench.

(S. Srivastava) / M(J)

(M. Jha) / M(A)

RA 10/02
(Cst 31/196)

PUC
Co

The Review petition has been filed against order passed on 2.6.2000 in RA No 31/196 by a Division Bench consisting Hon'ble Mr. Lakshman Th. M(A) and Hon'ble Mr. L. Haringham Ex-m (A).

In terms of Rule 3 of Rule 49C (Appendix-IV) of the C.A.T. Rules of Practice 1993, a Division Bench is required to be constituted for preliminary hearing on review.

Submitted before Hon'ble V.C. in chambers
for perusal and orders please.

Mr
28/4/05

By Registrar

Hon'ble V.C. may be pleased to constitute a
D.B for Preliminary hearing of the above
R.A No. 10/02 in RA 31/196 as proposed
at 'A'. At Dated
28/4/05.

Hon'ble V.C.

18.05.2005 : In terms of Appendix IV Rule 13) of the CAT
Rules of Practice 1993, A Division Bench of
vice-Chairman (self) and Hon'ble Mr. Mantreshwar
Jha, M(A), stands constituted for preliminary
hearing of this R.A. on 24.05.2005.


(P.K.Sinha)/VC

skj

25.5.05 The case is called out, but ~~when~~ no one appears on behalf of the applicant.

Shri D. Surendra, learned Additional Standing Counsel for the Respondents Nos. 1 & 2 is present ^{learned} whereas Shri B.N.Yadav, SC for the Respondents Nos. 3 & 4 ^{also} is present. Therefore, we have perused the record ourselves and the learned counsel for respondents ^{who} have been heard. They submit that there is no lacuna ^{or} defect in the order passed in OA-311 of 1996 against which this application has been filed.

2. This is an application for review in order passed by this Tribunal in OA-311 of 1996 pointing out certain lacunas in that order. Objections taken are, ^{such which could} ~~that~~ the points made out are ^{that some points} ~~not~~ have ^{not} been argued when the aforesaid OA-311/96 was being disposed of. Lacunas as pointed out in our opinion ^{are} ~~is~~ not such which would compell ^{the} this Tribunal to review the order as recorded in OA-311/96 which is well discussed in the order. Moreover this application has been filed on 5.2.02 whereas the order in the concerned OA was recorded on 2.6.2000. Obviously the application is time barred under rule 17 ¹ of the CAT (Procedure) Rules ~~xxxxxxxxxxxxxx~~ wherein it has been stated that

"No application for review shall be entertained unless it is filed within 30 days from the date of receipt of a copy of the order sought to be reviewed."

It appears that certified copy of the order in the concerned OA was ready as back as on 4.7.2000. On this ground also this Review Application would fail. Accordingly, this Review Application is dismissed.

skS

(M. Jha)/M(A)

(P.K.Sinha)/VC