

(6)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH, "GULESTAN" BUILDING NO.6
PREScot ROAD, BOMBAY-1

OA No. 327/87

V. Sundaraman
'Sai Kutir'
Sector 25, plot 442;
Pimpri-Chinchwad;
New Town, Nigdi;
Pune 411 044.

..Applicant

v/s.

1. Union of India
through its Secretary
Ministry of defence
New Delhi
2. Commandant
College of Military Engineering
Pune 411031
3. The Colonel (Adm.)
College of Military Engineering
Pune 411031

..Respondents

Coram: Hon. Ms. Usha Savara, Member (A)
Hon. Mr. J P Sharma, Member (J)

APPEARANCE

Mr. A L Kasture
Advocate
for the applicant

Mr. M I Sethan with
Mr. A I Bhatkar
Counsel
for the respondents

ORAL JUDGMENT:
(PER: J P Sharma, Member (J))

DATED: 2-7-92

The applicant of this OA Shri V Sundaraman filed this application on 29.4.1987 on the grievance of requirement of appearing for the Staff Selection Commission examination. The matter is pending since all these years and the respondents after putting in appearance have also contested this application by filing their reply. The learned counsel for the respondents Mr. A I Bhatkar, gave a statement ~~at~~ the Bar that the applicant has expired about two years ago. The application, therefore, cannot proceed unless the right to sue survives to the legal representatives of deceased and they come before the Tribunal for substitution as provided under CAT Procedure Rules, 1987.

Learned counsel for the applicant stated that he has no instructions and knowledge about the event of death of the applicant.

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However, the statement given by the learned counsel for the respondents subsequently is not what he has stated, it shall be open to the applicant's advocate to move for carrying on these proceedings.

In these circumstances parties to bear their own costs and the application is disposed as abated.

J. P. Sharma
(J P SHARMA) 2.7.92

MEMBER (J)

U. Savara
8.7.92
(Ms. USHA SAVARA)
MEMBER (A)