

28

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
NEW BOMBAY BENCH, NEW BOMBAY.

Misc. Petition No. 83/86

O.A.No. 149 of 1986  
T.A.No. - 198 -

DATE OF DECISION 27.11.1986

Shri Mohd. Ziaul Khan Applicant/s.

- Advocate for the Applicant/s.

Versus

The Director General Respondent/s.  
of Posts, New Delhi.

- Advocate for the Respondent(s).

CORAM:

The Hon'ble Vice-chairman B.C. Gadgil

The Hon'ble Member (A) J.G. Rajadhyaksha

1. Whether Reporters of local newspapers may be allowed to see the Judgment? Yes.
2. To be referred to the Reporter or not? Yes
3. Whether to be circulated to all Benches? No ?

(9)

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL  
NEW BOMBAY BENCH, NEW BOMBAY

Misc. Petition No. 83/86  
(In Original Application No. 149/86)

Shri Mohd. Ziaul Khan,  
Senior Post Master,  
Nagpur City H.O. .. Applicant

V/s

The Director General of Posts,  
Department of Posts,  
Ministry of Communications,  
New Delhi - 110 001. .. Respondent

Coram: Hon'ble Vice-chairman B.C. Gadgil

Hon'ble Member (A) J.G. Rajadhyaksha

Oral Judgement (Per Shri B.C. Gadgil) Dated 27.11.1986

This Misc. Petition is filed by the applicant who has stated that he has appointed Mr. M.P. Jodh as an "Agent" and requested that Mr. Jodh may kindly be permitted to argue the matter before us. The main application No. 149 of 1986 is fixed for 'admission' to-day.

We have heard the applicant. He has relied upon the definition of the term "agent". Rule 2(b) of the Central Administrative Tribunals (Procedure) Rules, 1985. It defines "agent" as follows:-

"agent" means a person duly authorised by a party to present application or reply on its behalf before the Tribunal."

The Rule 9(3) provides that where parties are being represented by an "agent", documents authorising such agent shall also be appended to the application etc."

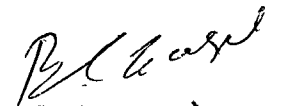
The applicant contended that the word "reply" in the definition clause connotes that the agent can make oral submissions before the Tribunal. In our opinion, this interpretation could not be correct. The definition contemplates that an agent can present (i) an applica-

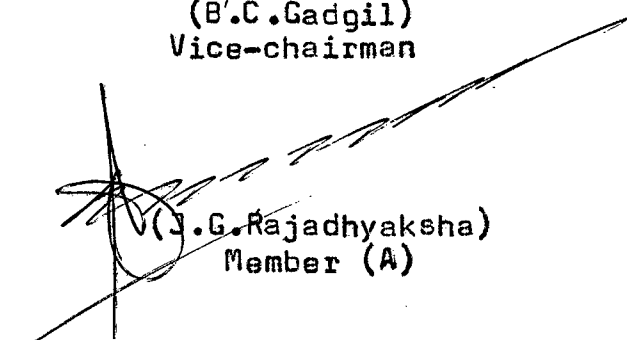
10

-: 2 :-

tion or (ii) a reply. The authority on behalf of the agent is limited to the purposes of either filing an application by an applicant or filing a reply by a Respondent.

In view of the position, it will not be possible for us to permit the applicant to appoint an agent for the purpose of arguing the matter. The Misc.Petition is, therefore, rejected.

  
(B.C. Gadgil)  
Vice-chairman

  
(J.G. Rajadhyaksha)  
Member (A)