

(15) 09.10.2001

Present: Shri Y.J. Master for applicant
Shri S.C. Dhawan for respondents.

The applicant ^{has} filed an affidavit seeking restoration of OA. The reason given is that the applicant could not attend the Tribunal ^{only} once in 1986 as he was suffering from acute pain in chest and also mental tension. He could not speak or understand the court proceedings. He was therefore, asked to get ^{an} advocate. The applicant tried to contact the advocate, but the advocate had expired. The applicant has submitted two medical certificates to show that he was under mental depression during the period from 20.4.1986 till 15.3.1995.

Applicant's TA was dismissed for default on 09.2.1987. The applicant, thereafter, filed OA 927/97 which was also dismissed on 21.11.97, then he filed MP 776/99, the same was considered and was rejected on 27.11.2000

It is seen from the medical certificates produced by the applicant that one medical certificate states that the applicant is suffering from mental depression and he was advised rest from 20.4.86 ^{with} November, 1986. This certificate is given by Dr. Rasik K. Mutha from 20.4.86 to November, 86 and the other is from 20.6.86 to 15.2.95. This certificate is dated 15.2.95. Since there is discrepancy in the dates and also they are from different Doctors, we do not find them reliable. We are not at all satisfied ^{with} that the explanation given by the applicant for restoration of TA after a lapse of 14 years. The same is, therefore, dismissed.

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(SMT. SHANTA SHASTRY)
MEMBER (A)

B. Dikshit
(BIRENDRA DIKSHIT)
VICE CHAIRMAN

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order/Judgement despatched
to Applicant/Respondent (s)
on 23/10/2007

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