

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

HYDERABAD

~~xxxxxx~~

M.A.No.1452 & 1453/91 in

O.A. No. 202/90

198

~~xxxxxx~~

DATE OF DECISION _____

A.S.Babu

Petitioner

Sri C. Suryanarayana

Advocate for the Petitioner(s)

Versus

Chief of the Air Staff, Air HQ (VB)
New Delhi

Respondent

Sri Naram Bhaskara Rao, Addl.CGSC

Advocate for the Respondent(s)

CORAM :

The Hon'ble Mr. R. BALASUBRAMANIAN, MEMBER (ADMN.)

The Hon'ble Mr. C.J. ROY, MEMBER (JUDL.)

1. Whether Reporters of local papers may be allowed to see the Judgement?
2. To be referred to the Reporter or not?
3. Whether their Lordships wish to see the fair copy of the Judgement?
4. Whether it needs to be circulated to other Benches of the Tribunal?

MGIPRRND -12 CAT/36-3-12-85-15,000


 HRBS
 M(A)



 HCJR
 M(J)


It is also stated that, in the said circumstances he had obtained 'No Objection' from the said Advocate and handed over to one Sri K.Sudhakar Reddy, Advocate for taking steps to restore the O.A. and also to prosecute the case, but as the said Advocate did not take any steps he contacted ultimately Sri C.Suryanarayana, Advocate who is presently on record and filed the above M.As. It is also further stated that he had filed a complaint u/s. 35 of the Advocates Act before the Bar Council of the State of A.P., at Hyderabad against the said Mrs. Shahnaaz Sultana for neglecting his case.

3. On perusal of the records, it is seen that the matter was posted ~~for~~ admission in the cause list dt. 6-6-1990. As none ~~were~~ present on that day, the O.A. was ~~posted~~ to 11-6-1990 for dismissal. On 11-6-1990 also neither the applicant nor his counsel were present and therefore the Tribunal dismissed the O.A. for default.

4. The applicant claims that he was not informed of the stage of the case by his counsel and therefore, was not in a position to approach the Tribunal within the time for restoration of the O.A. However, on coming to know of the fact, he has approached the Tribunal with the above referred M.As. We have perused the records. In the said circumstances, we feel the applicant deserves ~~for~~ an opportunity to prosecute the O.A. Accordingly the M.A.No.1452/91 seeking condonation of delay of 508 days is allowed and delay condoned. Basing on the facts, orders given supra we also allow the M.A.No.1453/91 seeking restoration of O.A. by setting aside the orders of dismissal dt. 11-6-1990. The Registry is directed to post the main O.A. in usual course.


5. With the above observations the M.As. are disposed-of.


(R. BALASUBRAMANIAN)
MEMBER (A)


(C.J. ROY)
MEMBER (J)

Dated 6th July, 1992.

grh.


Deputy Registrar (J)

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TYPED BY

COMPARED BY

CHECKED BY

APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
- BUNAL : HYDERABAD BENCH.

THE HON'BLE MR.

AND

THE HON'BLE MR. R. BALASUBRAMANIAN : M(A)

AND

THE HON'BLE MR. T. CHANDRASEKHAR REDDY :
MEMBER (J)

AND

THE HON'BLE MR. C. J. ROY : MEMBER (J)

Dated: 6-7-1992

ORDER / JUDGMENT

M.A./C.A./M.A. No. 1452 & 1453/91

in

O.A. No. 202/90

T.A. No.

(W.P. No.)

Admitted and interim directions
issued

MA ✓
Allowed

OA is Restored ✓
Disposed of with directions

Dismissed

Dismissed as withdrawn

Dismissed for default.

M.A. Ordered/Rejected.

No order as to costs.

pvm.

