

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

C.A. 1093/92.

Dt. of Decision : 23.1.05.

V. Hanumenthu

... Applicant.

Vs

1. The Telecom Divisional Engineer, (M)  
E-103, Telephone (Exchange),  
Bhavan, Safabad, Hyderabad-500 004.
2. The General Manager,  
Telephones, Hyderabad Telecom District,  
Suryalok Complex, Abids,  
Hyderabad-500 033.
3. The Chief General Manager,  
Telecommunications, A.P. Circle,  
Door Sanchar Bhavan, Nampally  
Station Road, Hyderabad-1, A.P.
4. The Chairman,  
Telecom Commission,  
Sanchar Bhavan, New Delhi-110 001.
5. The Secretary, Govt. of India,  
Ministry of Communications,  
Sanchar Bhavan, 20 Ashok Road,  
New Delhi-110 001.

.. Respondents.

Counsel for the Applicant

✓ Mr. K.V.P. Raghava Rao

Counsel for the Respondents

: Mr. N.V. RAGHAVA REDDY, Addl. CSS

CDRAM:

THE HON'BLE SHRI JUSTICE V. NEELADRI RAO : VICE CHAIRMAN

THE HON'BLE SHRI R. RANGARAJAN : MEMBER (ADMN.)

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH:

AT : HYDERABAD.

M.A.No. 248 of 1995.

in

O.A.No. 1093 of 1992.

Between:-

V. Hanumanthu.

.. Applicant / Applicant.

And

The Telecom, Divisional Engineer (M),  
Telephone Bhavan, Saifabad, Hyd.  
and 4 others.

.. respondents/Respondents.

A F F I D A V I T

I, Y. Vijay Kumar, son of late Y.S. Rao, Hindu, aged about 43 years, occupation: Advocate, R/o. 4-150, Maruthi-nagar, Malkajgiri, Hyderabad, do hereby solemnly affirm and state on oath as follows:-

1. I am the Counsel for the Applicant in the above O.A. along with Shri K.V.P. Raghava Rao, Sr. Counsel and hence I am well acquainted with the facts of the case.

2. I submit that on 07.03.1995, the Order Dt. 23.01.1995 of the Hon'ble Tribunal dismissing the above O.A. for default was received by Sri K.V.P. Raghava Rao, Counsel on 07.03.1995 and the same was given to me on 08.03.1995.

3. I submit that Sri K.V.P. Raghava Rao, is an old and sick person and is unable to attend the Hon'ble Tribunal regularly on all days. On 19.01.1995, 20.01.1995, and on 23.01.1995, on all these three days, on which the above O.A. was posted for dismissal, I could not attend the Hon'ble Tribunal as I was out of Station on pilgrimage to "SABARIMALAI" and my absence on the said dates when the above O.A. was called is neither wilful nor deliberate, but due to the above circumstances.

3. I submit that the Applicant has a good case, and if the Order of dismissal for default is not set-aside, the applicant

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will be put to irreparable loss.

I therefore pray that this Hon'ble Tribunal may be pleased to set-aside the Order Dtd.23.01.1995, dismissing the above O.A.for default and be pleased to restore the same to file, in the interest of justice.

Sworn and signed before me on  
this the 10th day of March, 1995.

Deponent.

Advocate.