

(17)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH  
AT HYDERABAD

\*\*\*

R.A. 27/99 in  
O.A. 1486/97.

Dt. of Decision : 22-04-99

The Director,  
Centre for Cellular and  
Molecular Biology,  
Uppal Road,  
Hyderabad-7.

.. Applicant.

Vs

N.Suresh

.. Respondent.

Counsel for the applicant : Mr.C.B.Desai, SC for CCMB  
Counsel for the respondent : Mr.K.Venkateswara Rao

CORAM:-

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

THE HON'BLE SHRI B.S.JAI PARAMESHWAR : MEMBER (JUDL.)

*R*

..2/-

*A*

ORDER

ORAL ORDER (PER HON'BLE SHRI R.RANGARAJAN : MEMBER (ADMN.))

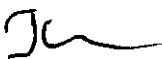
Heard Mr.C.B.Desai, learned counsel for the applicant and in the RA and Mr.K.Venkateswara Rao, learned counsel for the respondents in the RA.

2. The respondent in the OA filed this RA. It is stated by Mr.C.B.Desai, learned counsel for the respondent <sup>in OA</sup> that he is the standing counsel for CCMB and hence the question of noting Mr.V.Bhimanna as standing counsel for the respondent does not arise.

3. Normally when an OA is received it is given to the Sr.Standing Counsel who allots to the various other counsels. If Mr.V.Bhimanna has been allotted this case it is for him to say <sup>that</sup> it should be given to somebody else or alternatively he should have handed over the case to the concerned counsel. The Bench does not undertake the responsibility for checking the counsel who filed the vakalatnama or memo of appearance. The Bench accepts the counsel who appears and passes order on the basis of hearing them. Hence, there is no further order is necessary in regard to the noting of Mr.V.Bhimanna as learned standing counsel for the respondent.

4. However, it is a fact that Mr.C.B.Desai always attend the cases of CCMB. The distribution made need not be explained by this Bench and it is left to the Senior Standing counsel. In future all the CCMB cases should be handed over to Mr.C.B.Desai by the Registry.

5. The learned counsel for the applicant in the RA submits that a reply was filed by him but it was not taken on record as the reply was not acknowledged by the opposite side.





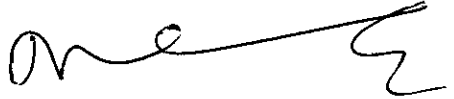
..3/-

That came to his knowledge much later after the issue of the judgement in the OA. Hence, he submits that para-4 of the judgement is not in order.

6. The para-4 of the judgement is given as per the records available and placed before the Bench on the date of judgement. On the date the case was heard and judgement was passed, it is a fact that there was no reply available on the file. Even if we take the present reply on file the final decision in the judgement may not change as the judgement has given liberty to the respondents to reconsider the issue and pass a speaking order in accordance with law. The respondents can pass an order as they deem fit in accordance with law after perusing the whole case. Hence, we do not see any necessity to review the judgement. Hence, the RA is disposed of. No costs.

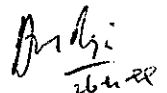
The reply statement may be taken on record. But taking of this reply at this juncture may not be of much use.

  
(B.S. JAI PARAMESHWAR)  
MEMBER (JUDL.)

  
(R. RANGARAJAN)  
MEMBER (ADMN.)

224.52

Dated : The 22nd April, 1999.  
(Dictated in the Open Court)

  
B. S. Jai Parameshwar

apr