

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH

MA 172/98 & MA 173/98 in RA. SR. NO. 8757/98
in OA 1130/97

Date: 1-9-1998

Between

1. The Secretary to
the Govt. of India,
Ministry of Labour,
Shram Shakti Bhavan,
Rafi Marg,
New Delhi.
2. The Chief Labour Commissioner(Central)
Govt. of India,
Shram Shakti Bhavan,
Rafi Marg,
New Delhi.

..Review Applicants/
Respondents

A N D

A. R. Naidu

.. Respondent/
Original Applicant

Counsel for the Review Applicants: Mr. V. Bhimanna

Counsel for the Respondent/ : Party in person
Original Applicant

Ceram:

Hon'ble Shri H. Rajendra Prasad, Member (A)

O R D E R

Date:1-9-1998

(Per Hon'ble Shri H. Rajendra Prasad, M(A))

MA 172/98 in RA Sr.No.3757/97 in OA 1130/97 contains a request for condoning the delay in re-presenting the RA.

2. MA 173/98 in RA Sr.No.3757/97 in OA 1130/97 contains a request for condoning a delay of 48 days in the filing of the RA itself.

3. It is noticed that the OA was filed on 2-5-1997. Notices were issued in the case, served on the Respondents and a copy of the notice was also received by the Sr. Standing Counsel. On 13-6-1997 the respondents were asked to dispose of the representation submitted earlier by applicant on 18-9-96, notwithstanding the pendency of the OA. The case was listed on 24-7-1997 and finally disposed of on 22-8-1997. No counter-affidavit had been filed until the final disposal of the OA. A Review Application was filed on 17-11-97 which was returned by the office with certain objections on 20-11-97, and granting 14 days for re-presenting the same after complying with the objections. There has been a delay of more than 50 days in re-presenting the RA. The RA itself was filed after a delay of 48 days. No reason other than vague and unspecified 'administrative reasons' have been cited as causing the delay in filing both the MAs. It is also not known why a counter-affidavit could not be filed in the first place. There has thus been a delay and an unexplained lack of promptness at all three relevant stages i.e. failing to file a counter-affidavit in the OA, in filing of RA in time, and in re-presenting the RA. No convincing reasons have been given for this repeated remissness.

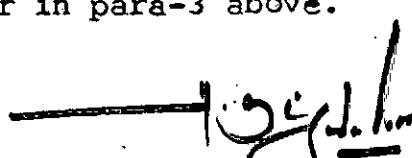
9/11/98

4. It is submitted by the applicant in the OA that the facts and circumstances of his case were similar to those contained in OA 750/95 which had been disposed of earlier with a detailed order after examining all aspects of the case. Under the circumstances there was no choice or scope, specially in the absence of any counter-affidavit, other than asking the Review Applicants (Respondents in the OA) to dispose of present OA in terms of orders passed in OA 750/95.

5. This directions needs to be complied without further delay. The same may be done within two weeks from today. (1-9-1998)

6. The MAs and RA are therefore disposed of as under :

MA 172 and 173/98 in RA Sr.No. 3757/97
in OA No. 1130/97 disallowed
RA Sr.No. 3757/97 disposed of in terms
of the order in para-3 above.


(H. RAJENDRA PRASAD)
Member (A)

MD

*July 1998
9-6-1*