

# C. A. T. Bench, JAIPUR

Date of Order

MP 344/93 (in OA 377/92) orders

12.7.93

Mr. Mahendra Shah : Counsel for the applicant.

Mr. V.S. Gurjar : Counsel for the respondents.

Heard the learned counsel for the parties.

2. Applicant's O.A. No. 377/92 was dismissed in default on 28.10.92. He submitted the application for restoration on the ground that his local counsel has not informed him about the transfer of the case from Jodhpur to Jaipur and he was ignorant about the date. He has further submitted that on 15.11.1992, the copy of the order was despatched and that order has not been received by him. He has further stated that he made an inquiry through his father and he came to know about the dismissal of the case. There is no receipt about the delivery of the copy of the order despatched through registered post. In the facts and circumstances, the delay in filing the M.P. for restoration of the original application is condoned.

2. The original order dismissing the O.A. in default is recalled.

3. The O.A. No. 377/92 may be restored to his original number. As far as the second petition is concerned, we would not like to pass any order and the same is dismissed accordingly.

4. The O.A. may be listed for admission on 17.8.93.  
\*  
All the three MPs are disposed of accordingly.

\*No.344/93  
No.135/93  
No.136/93

( O.P. SHARMA )  
Administrative Member

( D.L. MEHTA )  
Vice-Chairman

Copy sent to the app. &  
Counsel on vide 5096 to 5097  
29-7-93

8