

# C. A. T. Bench, JAIPUR

Date of Order

Orders M.P. No. 184/93

13.4.1993

None present for the petitioner.

The case was taken in the second round as none was present in the first round. Applicant has filed the M.P. for condonation of delay alongwith the M.P. for restoration of the case dismissed in default. 2

Brief facts of the case are that in para 1 of the application (M.P) it has been mentioned that the applicant noted the date as 25.5.92 as the date of hearing of the case instead of 25.3.92. In para 2 of the application for condonation of delay it has been stated that on 25th May 92, he was out of Jaipur. Further he has stated that he came to know on 24th July 92 that the said application has been dismissed in default on 25.3.92. No explanation has been given why this application for restoration has been filed after a very long interval i.e. on 18.2.93 against the order dated 25.3.92. Even if it is assumed that he came to know only on 24.7.92 about the dismissal of the case, then no explanation has been given for the submission of the M.P. at a belated stage i.e. after about 7 months from the date of knowledge. In such circumstances, we do not find any reasonable cause for the condonation of delay and for the restoration of the O.A. The M.P. for condonation of delay as well as restoration of O.A. are rejected.

*Rinjya*  
(B.B. Mahajan)  
Member (A)

*D.L. Mehta*  
(D.L. Mehta)  
Vice Chairman.

Copy sent to the applicant &  
counsel for reso.

Recd 26/7/93 to 26/7/93

Dated 20/4/93