

C. A. T. Bench, JAIPUR

Date of Order

M.P. NO. 265/93 in

Orders O.A.NO. 230/92

23.11.93.

Mr. R.N.Mathur- Counsel for applicant.

Mr. V.D.Bhargava- Counsel for respondents.

Mr. D.P.Garg- Counsel for respondents.

Heard, the learned counsel for the parties.
Mr. V.D. Bhargava submits that the fresh cause of action has accrued ~~before~~ ^{during} the intervening period.
Mr. Mathur submits that the injunction was granted but the suit was dismissed in default and thereafter, it was restored and during the intervening period, the seniority list was published. Taking all the relevant facts into account and subject to the rights of the persons who are likely to be affected, amendment is allowed, on the condition that the applicant shall pay Rs. 500/- (Five hundred only) as costs. In case the cost is not paid and the amended O.A./Suit is not filed within a period of 2 weeks, the application for amendment in the O.A. shall stand automatically dismissed without any further reference to the Court.

M.P. stands disposed of accordingly.

(P.P.Shrivastava)

Adm. Member

(D.L.Mehta)

V.C.

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