

C. A. T. Bench, JAIPUR

Date of Order

Orders M.P.No.372/93

10/7/93

Mr.H.C.Ganeshia - counsel for petitioner.

Registration of the O.A. has been declined vide order dated 30.10.92 on the ground that in spite of repeated adjournments and pre-emptory orders, the applicant has not removed the defects. He has moved an M.P. and prayed that he could not remove the defects for the reasons mentioned in the M.P. We do not find sufficient reasons. Apart from that ~~xxxxxx~~ interest of justice required that the Advocates should be vigilant and the party should not suffer. The doctrine of res-judicata does not apply when the registration is refused. Fresh application ~~may~~ ^{one of} may be filed and ^{the} grounds for the condonation of delay can be ^{prayed} taken by the applicant stating therein that the reason ^{for delay} was ~~on account of~~ the pendency of the O.A. We do not find force in the M.P. The M.P. is rejected.

(O.P.Sharma)
Member(A)

(D.L.Mehta)
Vice Chairman.