

19.07.2005

Item No. 10

MA No.1355/2005

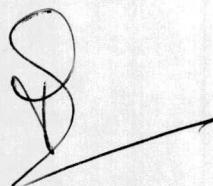
MA No. 1356/2005

OA No. 2752/2003

Present: Shri Yogesh Sharma, counsel for applicant
Shri R.N.Singh, counsel for respondents.

Counsel for respondents has filed MA NO. 1356/2005 seeking condonation of delay in filing MA No. 1355/2005 seeking for extension of time for further two months for filing compliance of order dated 4.1.2005. It is stated by the respondents that when their earlier application bearing no. 661/2005 was filed, they were informed that the same has been allowed by this Tribunal vide its order dated 19.4.2005 but when the certified copy of the order dated 19.4.2005 was obtained on 4.7.2005, it revealed that the Tribunal allowed extension of time only upto 31.5.2005. Therefore, the present MAs have been filed, which have been opposed by the applicant, who submitted that while passing an order in MA 661/2005 on 19.4.2005, it was categorically mentioned that no further time will be granted, therefore, present MAs are not maintainable and the same may be dismissed.

I have heard both the counsel and perused the material available on record as well. It is seen that MA No. 1355/2005 has been filed on 8.7.2005 whereas the extension of time granted by this Tribunal was



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upto 31.5.2005 which has already expired. However, if the contention of the respondents that they were under the impression that their MA No. 661/2005 had been allowed in toto, is accepted. In that event also, the period of three months, as prayed for in the said MA, would have expired on 20.06.2005 whereas the present MAs have been filed only on 8th July, 2005 i.e. after one and a half month. Even otherwise, it is seen from the last order passed by this Tribunal on 19.4.2005 it was made clear that no further time shall be granted. In this view of the matter, present MAs (MA No. 1355/2005 & 1356/2005) can not be considered they are accordingly dismissed.



(Meera Chhibber)
Member (Judl.)

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