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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI

O.A. No.1171/2002

This the 7th day of February, 2003

Hon'ble Smt. Lakshmi Swaminathan, Vice Chairman (J)
Hon'ble Shri S.K. Malhotra, Member (A)

Shri Surjeet Singh
S/o Neta Singh
R/o A-6, Dwarkapuri & Vijay Enclave,
Gali No.1, New Delhi.

The applicant has been working as an
Assistant Superintendent Jail No.5, Tihar,
New Delhi. The applicant has been working
under the A.D.G. Prisons, Tihar, New Delhi.

....Applicant
(None present even on the second call)

Versus

Govt. of N.C.T. through

1. Chief Secretary,
Govt. of N.C.T.
5, Alipur Road,
Delhi-110006.

2. Additional Director General-cum-
I.G. (Prison)
Near Lajwanti Garden Chowk,
Janakpuri, New Delhi-110064.

...Respondents

(By Advocate : Mrs. Jasmine Ahmed)

ORDER (ORAL)

Hon'ble Smt. Lakshmi Swaminathan, Vice Chairman (J):

In Tribunal's order dated 21.11.2002, on noting
the fact that respondents had filed their reply to OA
as far back as on 19.9.2002, the applicant was granted
the last opportunity to file the rejoinder, subject to
payment of costs (Rs.300/-). Till date no rejoinder
has been filed nor, as mentioned by the learned
counsel for the respondents, ^{he has} paid the costs either.
Subsequently on several dates when the case has been
listed either before the Deputy Registrar or the
Court, including today, none has appeared for the
applicant.

2. In view of the above facts, OA ~~should~~^{can} be dismissed in default and for non-prosecution. However, we have considered the pleadings and heard Mrs. Jashmine Ahmed, learned counsel for the respondents in terms of Rule 15 of the CAT (Procedure) Rules, 1987.

3. Learned counsel for the respondents has submitted that they are pursuing the inquiry proceedings ~~initiated~~^{initiated} ~~now~~ against the applicant in accordance with the rules. She has also submitted that in compliance with the order of the Tribunal dated 7.8.2001 in OA No.551/2001, necessary action has been taken by the authorities. She has further submitted that the pleas taken are not tenable and has accordingly prayed that the OA may be dismissed.

4. Having regard to the facts and circumstances of the case and the pleadings in the case, we find no good grounds to interfere in the matter. OA accordingly fails and is dismissed.

Omras
(S.K. Malhotra)

Member (A)

Lakshmi Swaminathan
(Smt. Lakshmi Swaminathan)

Vice Chairman (J)

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