

Open Court

CENTRAL ADMINISTRATIVE TRIBUNAL,
ALLAHABAD BENCH, ALLAHABAD

(This the 17th Day of February, 2021)

Hon'ble Mrs. Justice Vijay Lakshmi, Member (Judicial)

Original Application No.330/00263/2011

Yogendra Nath Tripathi, son of Sri Bodhan Resident of Village Swauraha,
District Sant Kabir Nagar.

..... **Applicant**

By Advocate: None

Versus

1. The General Manager, North Eastern Railway, Gorakhpur.
2. The Chief Administrative Officer (Construction) North Eastern Railway, Gorakhpur.
3. The Deputy Chief Engineer (Construction), North Eastern Railway, Gorakhpur.

..... **Respondents**

By Advocate: None

O R D E R

Delivered by Hon'ble Mrs. Justice Vijay Lakshmi, Member (J)

List revised. No one is present on behalf either of the parties even in the revised call.

2. The instant Original Application is pending since the year 2011 and has become critically old. It was lastly listed on 15.02.2021 when no one was found present from either side even in the revised call.

3. A perusal of the order sheet shows that this OA was filed for back on 11.03.2011 and even on the date of filing no one had appeared on behalf of the applicant. Therefore, on the very first

date of its filing, the OA was dismissed in default and for non prosecution.

4. Later on, a restoration application was filed which was allowed and the OA was restored to its original number.

5. The order sheet shows that since 13.07.2011, no one is appearing on behalf of the applicant. On 07.08.2012, the applicant was found absent even in the revised call. However, in the interest of justice he was granted last opportunity to file rejoinder affidavit but he did not file rejoinder affidavit. Therefore, on 09.10.2012 the pleadings were deemed to be completed and the date was fixed for final disposal of the OA, but even since then no one has appeared on behalf of the applicant.

6. By means of the present OA, the applicant has challenged the order dated 15.04.2010 by which he has been informed that the result of examination has been declared and he has been found unsuccessful.

7. It appears that due to efflux of time, the matter has become infructuous due to which, the applicant has lost interest in pursuing it, therefore no one is appearing on his behalf.

8. In view of the above, the O.A. is dismissed for want of prosecution. No costs.

**(Justice Vijay Lakshmi)
Member (J)**

Sushil