

(Open Court)

Central Administrative Tribunal, Allahabad Bench, Allahabad
(For Circuit Bench, Nainital through Video Conferencing)

T.A. No. 331/00021/2018

This the 26thth day of November, 2020.

Hon'ble Mrs. Justice Vijay Lakshmi, Member (J)
Hon'ble Mr. Devendra Chaudhry, Member (A)

Smt. Vidya Rawat w/o Sri Kalpat Singh, r/o Village Pawali, P.O. Bhutanu, Tehsil Mori, District- Uttarakhand.

Applicant

By Advocate: None

Versus

1. Postmaster General, Department of Post, Uttarakhand, Dehradun.
2. Superintendent of Post Offices, Tehri Prakhad, New Tehri.
3. Preetam Singh Negi son of Atar Singh Negi, r/o Village Bhutanu. P.O. Bhutanu, Tehsil Mori District, Uttarakashi.

Respondents

By Advocate: Sri Rajesh Sharma

ORDER

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

No one is present on behalf of the applicant either online or in court even in the revised call.

2. Heard learned counsel for respondents and perused the record in PDF.

3. The order sheet shows that applicant is neither appearing nor filing Rejoinder Affidavit despite ample time and several opportunities granted to her by this Tribunal. This is clearly evident from a perusal of the order sheet dated 19th August, 2019, quoted below:-

“Sri N.K. Papnoi, proxy counsel for Sri Dinesh Gahatori, learned counsel for the applicant and Sri Rajesh Sharma, learned counsel for the respondents are present.

Proxy counsel for the applicant's counsel seeks adjournment as the arguing counsel is not available today.

We observe that earlier on 27.6.2019, this Tribunal had ordered as follows:-

“Sri Dinesh Gahatori, learned counsel for the applicant and Sri Rajesh Sharma, learned counsel for the respondents are present.

It is observed that notices were issued to private respondent No. 3 as well as the applicant on 2.7.2018 vide dispatch No. 2548 and 2549. As such it is presumed that notice was served to private respondent No. 3.

Learned counsel for the applicant seeks time to file rejoinder.

We find that the counter has been filed way back in June 2015. However, rejoinder is yet to be filed by the applicant. At least seven opportunities have been granted to the applicant to file the rejoinder but the same has not yet been filed. In case, the rejoinder is not filed before the next date, we may consider and decide the case based on the pleadings available on record.”

Despite this, no rejoinder has been filed as yet and the applicant’s side is not ready for argument. They do not wish to argue even on any date in this week.

In view of the persistent request by the applicant’s side, we adjourn the case to 17.9.2019, when the case will be heard positively.”

4. The applicant was found absent on 12.2.2020 also and today again, she is absent. It appears that applicant has lost interest in pursuing this case, as she is neither appearing nor is filing Rejoinder Affidavit.

5. The Order sheet shows that learned counsel for respondents is always present on the dates fixed.

6. In view of the above, the O.A. is dismissed in default and for want of prosecution by the applicant.

7. No order as to costs.

8. Hon’ble Mr. Devendra Chaudhry, Member (A) has consented to this order during virtual hearing in open court.

**(Devendra Chaudhri)
Member (A)
HLS/-**

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