

CENTRAL ADMINISTRATIVE TRIBUNAL : PRINCIPAL BENCH

OA No.28/93

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New Delhi this the 23rd day of February, 1996.

Hon'ble Sh. B.K. Singh, Member (A)

R.P. Gautam,
9268, Pul Mithai,
Delhi.

...Applicant

(By Advocate Sh. G.D. Bhandari, though none appeared)

Versus

1. Union of India through:
The General Manager,
Northern Railway,
Baroda House,
New Delhi.

2. The Divisional Railway Manager (P),
Northern Railway,
State Entry Road,
New Delhi.

...Respondents

(By Advocate Sh. S.A. Matto)

ORDER (Oral)
(Hon'ble Mr. B.K. Singh)

The Tribunal in its order-sheet dated 22.1.96 had allowed time to ascertain the facts regarding grant of all the retirement benefits to the respondents and Sh. G.D. Bhandari, learned counsel for the applicant had agreed to this. He had not denied on that date that the reliefs prayed for have been granted. He only wanted to get it confirmed by the applicant. No statement has since been filed by him. The applicant also did not appear today. The presumption, therefore, under Section 14 (e) of the Indian Evidence Act that the statement ~~alleged~~ ^{produced} by the respondents is correct since there is no rebuttal of that statement. It will be presumed that all the benefits sought by the applicant by filing this OA have since been granted by the

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respondents and as such no adjudication is now required on the subject. The application is, therefore, dismissed, as having become infructuous. No costs.



(B.K. Singh)
Member(A)

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