

(OPEN COURT)

**CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH
ALLAHABAD**

ALLAHABAD this the 14th day of **March , 2013**.

Civil Misc. Restoration Application No. 832 of 2013

IN

Original Application Number. 1221 OF 2004.

**HON'BLE MR. SHASHI PRAKASH, MEMBER (A)
HON'BLE MS. JASMINE AHMED, MEMBER (J)**

Guru Prasad Jaiswara, S/o Late Hira Jaiswara, R/o Village – Baraiya, Post –Abhiya, District – Sant Ravidas Nagar.

.....Applicant.

VE R S U S

1. Union of India through the Chairman, Railway Board, Government of India, New Delhi.
2. The Chief Workshop Manager, Plant Depot, Eastern Railway, Mughalsarai.
3. The Executive Engineer, Plant Depot, Eastern Railway, Mughalsarai .

.....Respondents

Advocate for the applicant: Shri O.P. Mishra

Advocate for the Respondents : Sri K.P. Singh

O R D E R

(Delivered by Hon'ble Ms. Jasmine Ahmed, J.M.)

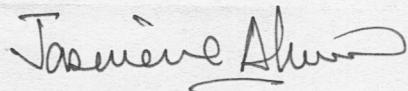
Heard Shri O.P. Mishra, learned counsel for the applicant and Shri R.P. Singh, proxy counsel for Shri K.P. Singh for respondents.

2. Misc. Application No. 832/13 has been filed for restoration of O.A.

The case was dismissed on 21.09.2005 for non-prosecution. Now the

Jasmine Ahmed

counsel for the applicant has come up with the Restoration Application. The reasoning given in the application do not appear to be satisfactory. The applicant's stand that earlier counsel did not inform him about status of the case cannot be accepted by us since it is the duty of the applicant to consult his counsel from time to time about status of the case. Further, a person who is sleeping over his right for such a long period is not entitled for relief. Our above view also finds support from the Hon'ble Apex Court's various decisions. Hence the restoration application is dismissed.



MEMBER- J.



MEMBER- A.

Anand....