

(80)

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH : ALLAHABAD

Original Application No.121 of 2005

Tuesday, this the 12th day of December, 2006.

Hon'ble Mr. K. Elango, Member-J
Hon'ble Mr. M. Jayaraman, Member-A

Tufail Ahmad, Son of Mohd. Hussain, Resident of Hakim Tola, Police Chowki
Senthal, District-Bareilly.

....Applicant.

(Advocate Shri R.K. Singh)

Versus

1. Union of India through G.M. N.E.R., Gorakhpur.
2. Divisional Railway Manager (Personnel), North Eastern Railway (N.E.R.), Izzatnagar.

....Respondents

(By Advocate : Shri Saumitra Singh)

O R D E R

Mr. M. Jayaraman, Member (A)

None appears for the applicant even in the revised call. It is seen from the order sheet of last occasion-dated 12.09.2006 that none appears for the applicant on that date also. Shri Saumitra Singh, Counsel for the respondents is present today. From the Order sheet dated 12.09.2006 it is seen that since none appeared on behalf of the applicant to press the M.A., same was rejected in default. Further the Court also ordered to issue show cause notice to the applicant as to why the O.A. should not be treated as time barred and then posted the case for today.

2. It is further seen from the order sheet dated 04.05.2006 that learned counsel for the respondents had submitted to the Court that copy of the objection against the delay condonation application was to be served and same would be filed in the registry by the next date. The Court had directed the Counsel for the applicant to file reply, if any, before the next date.

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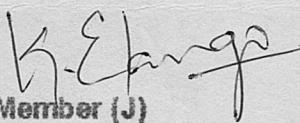
3. From the above, it is clear that the applicant ~~has~~ not interested in pursuing the Original Application. Today, neither counsel for the applicant nor applicant has come forward to show cause as to why O.A. should not be treated as time barred. Accordingly, we are of the view that the O.A. is barred by limitation under Section 21 of the Administrative Tribunals Act, 1985, as pointed out by Counsel for the respondents.

4. In view of the above discussion, we dismiss the O.A. as having ~~been~~ barred by time. No order as to cost.



Member (A)

/M.M./



Member (J)