

OPEN COURT  
CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH,  
ALLAHABAD.

ORIGINAL APPLICATION NO. 1504 of 2005.

ALLAHABAD THIS THE 07<sup>TH</sup> DAY OF JANUARY 2009.

**Hon'ble Mr. Justice A.K. Yog, Member (J)**  
**Hon'ble Mr. S.N Shukla, Member (A)**

Babloo aged about 42 years, son of Shri Samsuddin Resident of Class IV Railway Staff Colony, Rani Laxmi Nagar, Jhansi.

.....Applicant

By Advocate: Shri R.K. Nigam.

Versus

1. Union of India through General Manager, North Central Railway, Allahabad.

2. Divisional Railway Manager, North Central Railway, Jhansi.

.....Respondents

By Advocate: Shri S.S. Agnihotri.

**ORDER**

Delivered by Justice A.K. Yog, Member (J)

Heard Shri R.K. Nigam, Advocate appearing on behalf of the applicant and Shri S.S. Agnihotri, Advocate appearing on behalf of the respondents.

2. Learned counsel for the applicant stated that his client is not responding Inspite of repeated communication. Learned counsel for the applicant further he is not in a position to assist, hence, O.A. may be dismissed on the ground of non-prosecution.

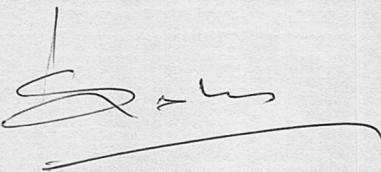
3. Learned counsel for the respondents submits that in the facts of the instant case, applicant deserves to be

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reprimanded and subjected to penal cost because of his misconduct, inasmuch as according to him applicant has attempted to misuse the process of Court by filing O.A before Principal Bench. When said O.A. was dismissed, he filed similar O.A containing identical relief before this Tribunal. Learned counsel for the respondents submits that applicant deliberately slept behind curtain to save evil consequence of misdeed and hence request to dismiss the O.A.

4. Be that as it may, though we take serious note against the applicant, however, we dismiss this O.A. making a submission that the applicant shall not challenge the matter before any similar Court in respect of the issue in the present O.A. unless the order in question of Principal Bench/this Bench are set aside by the higher Court.

5. No order as to costs.



Member (A)



Member (J)

Manish/-