

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH.

....

O.A. No. 1397 of 1992

Dated: 01.02.1995

Hon. Mr. S. Das Gupta, A.M.
Hon. Mr. J.S. Dhaliwal, J.M.

S.P. Gupta, aged about 44 years son of Sri
Brij Nandan Lal, Guard Grade- A,
Bareilly City, N.E. Rly. Izatnagar
Bareilly. ... Applicant.

(By Advocate Sri T.S. Pandey)

Versus

Union of India through Secretary
Ministry of Railways, New Delhi and
6 others. ... Respondents.

(By Advocate Sri V.K. Goel and Sri
R.K. Pandey for Respondent no. 5)

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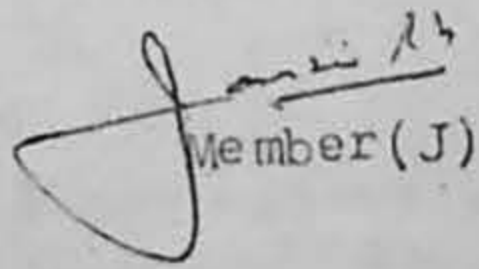
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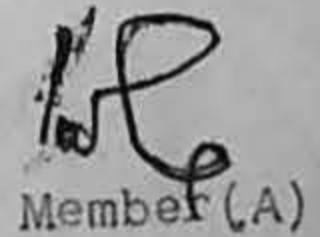
(By Hon. Mr. S. Das Gupta, Member (A))

None for the applicant. Sri R.K. Pandey
present on behalf of the respondent no. 5. On the
earlier 2 occasions also, none appeared on behalf
of the applicant. It is, therefore, appeared that
there is no interest of the applicant to pursue
this matter. Moreover, we have been told by the
learned counsel for the Respondent no. 5 that the

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applicant has since expired on 20.10.1993, and he has submitted M.P.3022 of 1994 praying that the case be treated as having abated on the death of the applicant. On the earlier occasion, we have given an opportunity to file objection, if any, to this application. Since no objection has been filed and on perusal of the submissions in the O.A., we are of the view that the cause of action does not survive the applicant. The application is dismissed both on the ground of non-prosecution and having abated on the death of the applicant.


Member (J)


Member (A)

(n.u.)