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CAT/3/12

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
AHMEDABAD BENCH  
~~NEW DELHI~~

O.A. No. 257 OF 1988  
~~T.A. No.~~

DATE OF DECISION 21.08.1991

Mr. Krishnalal Madharam Petitioner

Mr. Girish Patel Advocate for the Petitioner(s)

Versus

Union of India & Ors. Respondent

Mr. B.R. Kyada Advocate for the Respondent(s)

CORAM :

The Hon'ble Mr. M.M.Singh : Administrative Member

The Hon'ble Mr. S.Santhana Krishnan : Judicial Member

1. Whether Reporters of local papers may be allowed to see the Judgement?
2. To be referred to the Reporter or not?
3. Whether their Lordships wish to see the fair copy of the Judgement?
4. Whether it needs to be circulated to other Benches of the Tribunal?

Mo

(X)

Mr. Krishnanlal Madharam,  
C/o. Shri Girish Patel (Adv)..  
M4/70/539, Lalbahadur Shastri Nagar,  
Bih. Vijay Nagar,  
Nava Vadaj,  
Ahmedabad.

...Applicant.

( Advocate : Mr. Girish Patel )  
Versus

1. Union of India,  
(Notice through the  
Secretary,  
Ministry of Railways,  
New Delhi.
2. Divisional Railway Manager (E),  
Western Railway,  
Rajkot.

...Respondents.

( Advocate : Mr. B. R. Kyada )

O.A.No. 257 OF 1988U

Coram : Hon'ble Mr. M. M. Singh : Administrative Member  
Hon'ble Mr. S. Santhana : Judicial Member  
Krishnan

ORAL ORDER

Date : 21-08-1991

Per : Hon'ble Mr. M. M. Singh : Administrative Member

This original application filed under Section 19  
of the Administrative Tribunals Act, 1985 on 20.4.1988.  
It is still pending admission.

2. By order dated 5.5.1989, <sup>of</sup> a Bench of this Tribunal,  
the petitioner was allowed to amend the application in  
certain respects where <sup>after</sup> the matter was to be posted for  
admission.

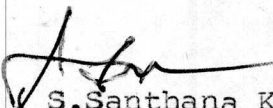
3. By order dated 24.1.1990, of a Bench, of this  
Tribunal, the application was admitted subject to the  
petitioner complying with order dated 5.5.1989, within 15 days.

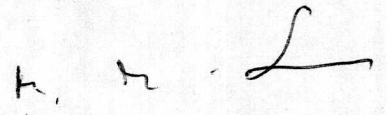
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(8)

4. When the matter was listed on 27.5.1991, it was adjourned at the request of learned counsel for the applicant. It was directed to be listed on 5.6.1991, for final hearing. On 5.6.1991, attention of the learned counsel for the applicant was drawn to the order dated 24.1.1990. He submitted that though the amendment application is ready and filed also, he could not get in touch with the applicant to have the application verified by him. <sup>M AC</sup> because of <sup>M</sup> the order dated 24.1.90, granting conditional admission to the applicant <sup>M</sup> as become infructuous and therefore, <sup>M</sup> ~~claim to treat~~ the application <sup>M</sup> ~~was~~ <sup>M</sup> ~~as~~ pending admission. Further time was allowed to the learned counsel for the applicant to establish <sup>M</sup> to contact with the applicant by way of final opportunity. When the matter <sup>M</sup> was called today, Mr. Sharad Pandit for Mr. Girish Patel, learned counsel for the applicant states that it has not been possible to establish <sup>M</sup> to contact with the applicant and therefore, the order dated 24.1.1990, remains <sup>M</sup> uncomplained.

5. It is clear from the above that ample opportunity is given to the applicant, <sup>M</sup> whom even his learned counsel is unable to contact. We should therefore, infer that the applicant is not <sup>M</sup> ~~traceable~~ <sup>M</sup> ~~interested in prosecuting the application~~. The application is therefore, rejected.

  
 ( S. Santhana Krishnan )  
 Member (J)

  
 ( M.M. Singh )  
 Member (A)

AIT

MA Stamp No.76/90

in

OA/257/88

Coram : Hon'ble Mr. J.N.Murthy : Judicial Member  
Hon'ble Mr. M.M.Singh : Administrative Member

30-8-1990

The counsel for the applicant represents that as the petitioner is working somewhere else he did not get signature on the amendment application. So he wants One month's time to get the signature of the petitioner. Hence the case is adjourned.

*h M Singh*  
(M.M.Singh)  
Administrative Member

*J.N.Murthy*  
(J.N.Murthy)  
Judicial Member

a.a.b.