

Serial No. of Order	Date of Order	Order with Signature <u>O.A.NO. 745 OF 1996</u>	Office notice to action (if any) taken on order
		<p><u>DATE 13th DECEMBER, 2002</u></p> <p>This O.A. was posted to 22.11.2002 for hearing in its turn. But none appeared for the applicant, nor was the applicant present in person. There was also no request made on his behalf for adjournment of the case. Mr.R.Ch.Rath, the learned Panel Counsel (Railways) appeared for the Respondents.</p> <p>2. This matter was taken up for admission on 14.10.1996 when the learned counsel appearing for the applicant had undertaken to serve copy of the Application, along with a copy of the order of the Tribunal, dated 14.10.1996, on Respondent No.2. The copy of the said order was served on Respondent No.2 on 18.10.1996. In the said order of the Tribunal, Respondent No.2 was directed to consider the applicant's plea for appointment in the light of the medical report issued by the competent medical authority within a period of three months from the date of the order, i.e., 14.10.1996. The said Respondent was also directed to file counter affidavit after the period of three months, averring therein that the Respondents had gone through all the directions</p>	

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issued by the Government of India and the decisions and the directions given by the Apex Court.

3. From the record of the case, it is found that the applicant did not pursue the matter further all these years, nor had the Respondents filed any counter affidavit, as directed. Clarifying the matter, Mr.Rath, the learned Panel Counsel (Railways) apprised me that this Bench of the Tribunal had already considered and disposed of identical matter by their order dated 16.11.1998 passed in O.A.No.560 of 1996, rejecting the prayer made by the applicant therein as inadmissible. Not only that, the Tribunal had held that the purported circular, dated 2.3.1965, was not in existence and the other grounds adduced were also without any basis. The Tribunal had, therefore, rejected that O.A.No. 560 of 1996, being without any merit and not maintainable. Another O.A.No. 561 of 1996 was also disposed of on the same ground by this Tribunal. As the present Application is also identical to the earlier ones, I take the same view and reject the O.A. accordingly, but without any order as to costs.


(B.N.SOM)
VICE-CHAIRMAN