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CHAITH RAM - Vrs. - M/O RAILWAYS

Admission Sl. No. 5

O.A. No. 529 of 2011

Order dated 23.12.2016

CORAM

HON'BLE SHRI A. K. PATNAIK, MEMBER (JUDL.)

HON'BLE SHRI R.C.MISRA, MEMBER (ADMN.)

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None appears for the applicant.

2. Mr. T.Rath, Ld. Standing Counsel appearing for the Respondent-Railways, is present and heard.

3. This matter was filed on 28.06.2011 and after several listing ultimately the following orders were passed on 29.11.2016, which was also communicated to the applicant by the Registry:

"This O.A. was filed in the year 2011 and when the matter was taken up on 15.09.2011 before the Division Bench, none appeared for the applicant. Accordingly it was directed to list this matter as and when moved. Till 21.10.2016, the applicant did not take any step for listing of the matter and therefore on 21.10.2016 this Bench had directed the Registry to list this matter on 28.11.2016 and to intimate the applicant that if the applicant does not take any step to represent his case then it will be presumed that he is not interested to prosecute the case and the matter will be dismissed for non-prosecution.

On 28.11.2016 none appeared for the applicant and Mr. T. Rath learned Standing Counsel for the Railways was present and heard and the matter was directed to be listed to-day i.e. on 29.11.2016. To-day also none appeared for the applicant. Therefore prima facie I am

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satisfied the applicant is no more interested to pursue the case and accordingly the O.A. is liable to dismissed for non-prosecution. I cannot dismiss the matter being sitting single because this O.A. pertains to Division Bench. Therefore, the Registry is directed to list this matter before the next available Division Bench."

4. In view of this, it is presumed that the applicant is no more interested to pursue this matter. Accordingly, this O.A. is dismissed on the ground of non-prosecution.

Inform the parties.


MEMBER (Admn.)


MEMBER (Judl.)

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