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SRIKANT PALLEI - Vrs. -M/O RAILWAYS

Admission Sl. No. 9

O.A. No. 999 of 2013

Order dated 23.12.2016

CORAM

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

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

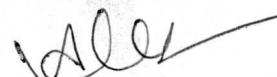
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None appears for the applicant.

2. This matter was filed on 18.12.2013 and after several listings ultimately the following orders were passed on 6th December, 2016, which was also communicated to the applicant by the Registry:

"None for the applicant even after second pass over. I find that this O.A. was filed in the year 2013. For the first time, the matter had been listed before this Bench on 03.03.2013 neither the applicant nor his counsel were present and certain defects were pointed out by the Registry. Therefore, the matter was directed to be listed as and when moved after Synopsis and Date Chart is filed. As no steps were taken for listing of this matter for admission either by the applicant or by his Counsel, ultimately, the matter was listed before this Bench on 10.11.2016, on which date the following order was passed:-

"None for the applicant. On 07.03.2014 when the matter was taken up, it was directed to list this matter as and when moved after the Synopsis and Date Chart is filed. Till date neither the date chart nor the synopsis has been filed. I find that this O.A was filed on 18.12.13. In the meantime, more than three years have been elapsed and till date no steps have been taken by the applicant/Counsel to list it for admission. It seems that the applicant is no more interested to pursue this matter. Therefore, it is not proper to keep this matter pending. However, to give a last opportunity to the applicant, Registry is directed to list this matter on 06.12..2016 for admission. I make it clear that if none appears for the applicant or no steps are being taken by the applicant to represent his case on the date fixed, then it will be presumed that the applicant does not want to



pursue the matter and the same will be dismissed for non prosecution.

2. Copy of this order be transmitted by the Registry to the applicant by tomorrow in his address given in the cause title of the O.A. by speed post."

2. Today also none appeared for the applicant when called. Therefore, it seems that the applicant is no more interested in pursuing this matter and hence, the O.A. is liable to be dismissed on the ground of non- prosecution. However, sitting single, as I cannot dismiss the O.A. for non-prosecution, Registry is directed to list this matter under the heading "Admission" before the next available Division Bench."

3. 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.

Accordingly, inform the parties.

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


MEMBER (Admn.)


MEMBER (Judl.)

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