

8

B.C. Rout & Another -Vrs- UOI

Admission Sl.No.08
O.A. No.1006/13

Order dated 6th December, 2016

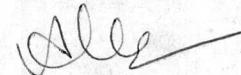
CORAM
HON'BLE SHRI A. K. PATNAIK, MEMBER (J)

.....

None for the applicant even after second pass over. Mr. T. Rath, Ld. Standing Counsel appearing for the Respondents-Railways is present and heard.

2. 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 05.03.2013 neither the applicant nor his counsel were present and certain defects were pointed out by the Registry. Therefore, two weeks' time was allowed to remove the defects failing which this matter will be dismissed without further reference to the Bench. Thereafter, the matter was again listed on 24.03.14 and it was directed that list this matter as and when moved after necessary amendments are carried out. As no steps were taken for removal of defects and 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 24.03.2014 when the matter was taken up, on the prayer made by Ld. Counsel for the applicant it was directed to list this matter as and when moved after necessary amendments are carried out. Till date amendments have not been carried out. I find that this O.A was filed on 06.12.13. 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."
3. 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 dismissed on the ground of non- prosecution. Registry is directed to inform the applicant.


MEMBER(J)

K.B.