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KHETRA DIP - Vrs. – DEFENCE

Admission Sl. No. 10

O.A. No. 222 of 2014

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 28.03.2014 and after several listings ultimately the following orders were passed on 8th December, 2016, which was also communicated to the applicant by the Registry:

“None appeared for the applicant when called. This O.A. was filed on 25.02.2014 and it was listed before the Bench for the first time on 15.04.2014 on which date on the prayer made by the Learned Counsel for the Applicant, it was directed to list this matter as and when moved. After that no steps were taken by the Ld. Counsel for the Applicant for listing of the matter. Thereafter, this matter came up on 11th November, 2016 and in the absence of any Counsels for the Applicant, the following orders were passed, which were also communicated to the applicant.

“None for the applicants. On 15.04.2014 when the matter was taken up, on the prayer made by Ld. Counsel for the applicants it was directed to list this matter as and when moved. I find that this O.A. was filed on 28.03.2014. In the meantime, more than two 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



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applicant, Registry is directed to list this matter on 08.12.2016 for admission. I make it clear that if none appears for the applicant or no steps are being taken by the applicant to represent her 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 today in her address given in the cause title of the O.A. by speed post”.

2. Accordingly the matter was listed to-day i.e. on 08.12.2016 and none appeared for the applicant when called. Prima facie I am satisfied that the applicant is no more interested to pursue the case and accordingly the O.A. is liable to be dismissed for non-prosecution. However, I cannot dismiss the matter 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 on priority basis.”

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. S. Behera, Ld. SCGSC appearing for the Respondents is present and heard.



MEMBER (Admn.)



MEMBER(Judl.)