

MAGAR SINGH –V/S- M/O RAILWAYS.

ADMISSION Sl. No. 2
O.A. No.258 of 2014

Order dated 09.12.2016

CORAM

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

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None appeared for the applicant when called. Mr. T. Rath, Ld. Standing Counsel appearing for the Respondent-Railways is present.

2. This O.A. was filed on 07.03.2014 and it was listed for the first time on 24.04.2014 on which date on the prayer made by the Learned Counsel for the Applicant, it was directed to list this matter on 25.04.2014. On 25.04.016 on the prayer made by Mr. N. Panda, Learned Counsel appearing for the Applicant it was directed to list this matter as and when moved after certain amendments incorporated, as prayed for by him, in the body as well as in the prayer portion of the O.A. Mr. Panda was directed to make corrections both in the Court copy as well as in the copy served on Mr. Rath, Ld. Standing Counsel for the Railways who was present in the Court. After that as no steps were taken by the Ld. Counsel for the Applicant to list this matter, this matter came up on 11th November, 2016 and in the absence of any Counsels of both the parties, the following orders were passed.

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“None for the applicant. On 25.04.2014 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 amendments, as prayed for by him, is incorporated in the body as well as in the prayer portion of the O.A. Till date amendments have not been carried out by the applicant. I find that this O.A. was filed on 07.03.2014. 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 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 by today in her address given in the cause title of the O.A. by speed post.”

3. However, the matter was listed to-day i.e. on 09.12.2016 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 stands dismissed for non-prosecution.

4. The Registry is directed to communicate a copy of this order to the Applicant in their address given in the cause title of the O.A. by Speed Post.



MEMBER(Judl.)

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