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**CENTRAL ADMINISTRATIVE TRIBUNAL,
JODHPUR BENCH, JODHPUR**

ORIGINAL APPLICATION NO. 78/2008

Date of Order: 01.05.2009

Rahmat Ali S/o Shri Ramjan Ali, aged about 52 years, Ex-Casual Labour, R/o Mohalla Telliwara, Near New Secondary School, Bikaner (Raj.).

...Applicant

None is present for the applicant.

VERSUS

1. Union of India through General Manager, North-Western Railway, Jaipur.
2. The Divisional Railway Manager, North-Western Railway, Bikaner.

...Respondents.

None is present for the respondents.

ORDER

(Per Hon'ble Mr. N.D. Raghavan, Vice Chairman)

This Original Application was first listed on 09.04.2008 and after hearing learned counsel for the applicant, the O.A. was admitted and notice was issued to the respondents by Speed Post-AD returnable by 03.07.2008.

2. On 03.07.2008, none ~~was~~ ^{of} appeared on both sides and the Bench remitted the matter to the Registry for being listed before

the Bench after the pleadings are completed in view of the fact that the O.A. was already admitted on 09.04.2008.

3. On 25.11.2008, none was present for the applicant though learned counsel Mr. Vinay Jain, for respondent Nos. 1 & 2, was present. However, in the interest of justice, the case was directed to be listed on 16.12.2008.

4. On 16.12.2008, none was present on both sides and the matter got adjourned to 18.02.2009. However, notice was ordered to be issued to the applicant himself directly by Speed Post/A.D. for the reason that his learned counsel Mr. Y.K. Sharma, as understood, ~~is~~ no more.

5. On 18.02.2009, none was present for the applicant. It is also seen from the order-sheet that the notice had ~~also~~ also been served on the applicant too. Learned counsel for the respondents was present but it was felt to give one more opportunity to the applicant by adjourning the matter to 26.03.2009.

6. On 26.03.2009, none was present for the applicant. However, learned counsel Mr. Vinay Jain, for respondents was present. The O.A. was directed to be listed for hearing on 01.05.2009.

7. Today, i.e. on 01.05.2009, none is present for the applicant or for the respondents, besides any of their junior/proxy counsel including the respective parties in person.

8. It shows that there is no interest in prosecuting the proceedings especially by the aggrieved i.e. applicant and that

therefore, it is felt better to dismiss this O.A. for default instead of prolonging the matter since more than one year has passed like this and that no useful purpose ~~can~~ be served by adjourning the matter.

9. In the result, this O.A. is dismissed for default accordingly.

Adjouning.
 (N.D. RAGHAVAN)
 VICE CHAIRMAN

10. Later the learned counsel Mr. Vinay Jain, for respondent — after rise of the Bench he. Nos. 1 & 2 came and prayed for marking his attendance in this — and affidavit he. proceedings supported by his filing a petition/on record today to the effect that he is rushing to this Tribunal as soon as he became free from the Hon'ble High Court where he was busy and also submitted that there is nothing for him to add to his submissions as this O.A. is pronounced to have been dismissed for default. His prayer is accepted accordingly under the circumstances explained by him.

Adjouning.
 (N.D. RAGHAVAN)
 VICE CHAIRMAN

Recd. by

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8/8/09

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Part II and III destroyed
in my presence on 07/07/2009
under the supervision of
Section Officer () as per
order dated 07/07/2009

Section Officer (Record)