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**CENTRAL ADMINISTRATIVE TRIBUNAL
JODHPUR BENCH, JODHPUR**

Original Application No. **458/Jodhpur/2011**

Date of decision: **04.05.2012**

CORAM :

HON'BLE Mr. B.K.SINHA, ADMINISTRATIVE MEMBER

Sunder Lal @ Sundariya S/o Shri Pusha Ram aged about 65 years, By Caste Bheel, Resident dof Sanjay Gandhi Colony, Luni Junction, District Jodhpur (Raj), [Voluntarily retired from the post of Gateman (Traffic)].

: Applicant
[**Mr. Brijesh Pareek, Advocate**]

Versus

1. Union of India through the General Manager, Northern Western Railway, Jodhpur.
2. The Divisional Railway Manager, North Western Railway, Jodhpur.
3. The Senior Divisional Personnel Officer, North Western Railway, Jodhpur.
4. The Divisional Finance Manger, North Western Railway, Jodhpur.
5. The Superintendent/Master, North Western Railway, Luni, District Jodhpur.

.....Respondents

[**Mr. Vinay Chhipa, Advocate**]

ORDER (ORAL)

The learned counsel for the respondents, intimated that as per the provisions of Rule 18 of the Central Administrative Tribunal (Procedure) Rules, an application for substitution has not been filed within the statutory period of 90 days and therefore, the case has been abated. On the other hand, the learned counsel for applicant informs that he is in the process of filing an application for substitution in exercise of the proviso to Rule (2) of Rule 18 of the Central Administrative Tribunal (Procedure) Rules. The provisions of Rule 18 (1) are clear that in such cases the O.A. shall abate, hence, the instant O.A. is deemed to have been abated.

A fresh listing may be done once the application for substitution is filed.

(B.K.Sinha)

Administrative Member

jrm