

CENTRAL ADMINISTRATIVE TRIBUNAL, CALCUTTA BENCH, KOLKATA

Original Application No. 749/1997

Date of Order: 15.03.2005

Present: Hon'ble Mr. J.K. Kaushik, Judicial Member.
Hon'ble Mr. M.K. Misra, Administrative Member.

K.K. Rao

Versus

Union of India & Ors.

For the applicant : None

For the Respondents : Mr. K. Sarkar, Counsel

ORDER (ORAL)

The learned counsel for the respondents is present. As regards the applicant, none is present for the applicant. It is seen from the records of this case that vide order dated 23.06.2004, the matter was adjourned and it was made clear that if nobody appears on behalf of the applicant or the applicant does not remain present in person, the appropriate order shall be passed on the next date and the next date of hearing was also required to be notified to the applicant on his address. The Registry vide notice dated 25.06.2004 sent a communication to the applicant in pursuance with the aforesaid direction through Registered Post/AD. Nothing is heard thereafter. We do not find even the AD has come back and the notices have been come turn back. By now more than 30 days have been lapsed, the presumption of service is drawn.

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Since the applicant has not appeared despite the due notice and abundant caution as is evident from the aforesaid proceedings, we have not hesitation in holding that the applicant is not interest in prosecution in this case. The same stands dismissed, accordingly, for want of prosecution. No costs.

M. K. Misra
(M. K. Misra)
Administrative Member

J. K. Kaushik
(J. K. Kaushik)
Judicial Member