

CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH, JAIPUR

DATE OF ORDER: 17.5.2004

Original Application No. 437/2002

Lalit Kumar Gothwal son of Shri Hari Shanker Gothwal son of Shri Hari Shanker Gothwal aged about 27 years, resident of E-162, Ramesh Marg, C-Scheme, Jaipur. Ex. Contingency Daily Rated Worker, Office of Dy. Commissioner, Income Tax, Central Circle, I, Jaipur.

....Applicant

VERSUS

1. Union of India through Secretary to Government of India, Ministry of Finance, Department of Revenue, New Delhi.
2. The Commissioner of Income Taxes, Government of India, Central Circle-I, Jaipur.
3. The Dy. Commissioner of Income Taxes, Govt. of India, Central Circle-I, Jaipur.

....Respondents

Mr. Nand Kishore, Counsel for the applicant

Mr. Gaurav Jain, Proxy counsel for

Mr. N.K. Jain, Counsel for the respondents.

CORAM:

Hon'ble Mr. M.L. Chauhan, Member (Judicial)

Hon'ble Mr. A.K. Bhandari, Member (Administrative)

ORDER (ORAL)

The applicant has filed this OA thereby praying for the aforesaid reliefs:-

"(a) that entire record concerning the case may kindly be called and after examination the respondents may be directed as under:
(i) to take humble applicant on duty.

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(ii) to make payment of back wages for the period 1.6.2002 till the date he is taken on duty.

(iii) services of the applicant may be regularised as per the judgement of Apex Court.

(b) Any other relief which the Hon'ble Tribunal thinks just and proper in the circumstances of the case in favour of the humble applicant may be allowed.

(c) Cost of the OA be awarded to humble applicant."

2. Notice of this application was given to the respondents. The respondents have filed reply.

3. The matter was adjourned on number of occasions, lastly on 7.4.2004, on that date, the learned counsel for the applicant, Mr. Nand Kishore, made a statement that ^{he is} not appearing in this case as the applicant has taken the file from him. Pursuant to the statement made by the learned counsel for the applicant, notice was issued to the applicant to appear before this Tribunal on 17.5.2004 either in person or through duly authorised advocate. It was also made clear that in case of default on the next date i.e. 17.5.2004, the case will be decided ex-parte. The service of notice has been effected as per report submitted by the Registry and is evident from AD Slip. None has appeared on behalf of the applicant today i.e. 17.5.2004 even in second round. The OA is accordingly dismissed in default for non prosecution.


(A.K. BHANDARI)

MEMBER (A)


(M.L. CHAUHAN)

MEMBER (J)