

**Central Administrative Tribunal
Principal Bench**

OA No.100/3756/2013

New Delhi this the 29th day of August, 2016

Hon'ble Mr. Justice M.S. Sullar, Member (J)
Hon'ble Mr. K.N. Shrivastava, Member (A)

Shri R.K. Rajput (Sh. Ramesh Kumar Rajput),
S/o Shri Balbir Singh (earlier Junior Engineer),
Senior Section Engineer (Permanent Way),
(SSE for short),
Northern Railway, Delhi.

...applicant

(None)

Versus

Union of India Through

1. General Manager/N. Rly. HQ,
Baroda House, New Delhi.
2. Divisional Railway Manager (DRM for short),
N. Rly. New Delhi.

...respondents

(By Advocate : Shri S.M. Arif)

ORDER (ORAL)

Mr. Justice M.S. Sullar, Member (J) :-

The applicant, Shri Ramesh Kumar Rajput, filed the instant Original Application (OA), as back as on 21.10.2013, challenging the impugned order dated 25.04.2012 (Annexure-A/1), being illegal, arbitrary and without jurisdiction, invoking the provisions of Section 19 of the Administrative Tribunals Act, 1985.

2. The respondents refuted the claim of the applicant and filed the reply stoutly denying all the allegations and grounds contained in the OA and prayed for its dismissal.

3. As is evident from the record, the OA was repeatedly adjourned on one pretext or the other. None has appeared on behalf of the applicant to argue the matter on 19.01.2016, 09.03.2016 and 05.04.2016, and ultimately, the case was slated for today for arguments. Today again, nobody has appeared on behalf of the applicant, despite repeated calls, to argue this old matter. From the sequence of events narrated hereinabove, we are of the firm view that the applicant is not interested to pursue this case further. So we have no option but to dismiss the instant OA in default.

4. Therefore, the OA is, hereby, dismissed in default on account of non prosecution.

(K.N. Shrivastava)
Member (A)

(Justice M.S. Sullar)
Member (J)

29th August, 2016

'rk'