

CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH

No. OA 350/368/2014

Date of order : 1.5.2018

Present: Hon'ble Ms. Manjula Das, Judicial Member

ASMILA BIBI

Widow of Late Md. Saharab Ali Raj,
MD. MUKSUDUR RAHAMAN RAJ
S/o Late Md. Saharab Ali Raj,
R/o Vill – Parulia,
PO-Dari Krishnanagar,
PS – Diamond Harbour,
Dist. – South 24 Parganas,
West Bengal,
Pin – 743331.

...APPLICANTS

VERSUS

1. Union of India, through
The Secretary,
Ministry of Defence,
New Delhi – 110011.
2. Garrison Engineer (Alipore),
Military Engineer Services,
1 National Library Avenue,
Alipore,
Kolkata – 700027.
3. Commander Works Engineer,
Military Engineer Services,
1 National Library Avenue,
Alipore,
Kolkata – 700027.

... RESPONDENTS.

For the applicants: None

For the respondents: Mr. M.K. Ghara, counsel

O R D E R (ORAL)

Per Ms. Manjula Das, Judicial Member

None appeared on behalf of the applicant. The applicant herself is also not present. Mr. M.K. Ghara, ld. Counsel appeared on behalf of the respondents.

2. In the present case I have noted from the order sheets that ld. Counsel for the applicant did not appear on 8.7.2016, 12.8.2016, 16.9.2016, 15.2.2017 and 10.4.2017. On 1.12.2017 when the matter was called for

proceedings, none appeared on behalf of the applicant nor the applicant herself was present and this Tribunal passed an order as hereunder :

“Ld. Counsel for the applicant is not present for last several occasions and the last time he appeared was on 2.9.2016. It appears that the applicant has lost interest in this case. However, before dismissing the case under Section 15(1) of the Central Administrative Tribunal (Procedure) Rules, 1987, last chance is given to appear for final hearing. List this matter on 13.12.2017.”

3. Thereafter again on 13.12.2017 the matter was listed. Neither the ld. Counsel for the applicant nor the applicant herself was present. This Tribunal directed the Registry to send a communication to the applicant by name to find whether she is interested in pursuing the case and if so, she may engage an advocate at the earliest. Matter was adjourned to 9.2.2018. Thereafter the Registry vide notice dated 19.12.2017 intimated the order of this Tribunal and the date of next hearing i.e. 9.2.2018. On 9.2.2018 ld. Counsel for the applicant was not present. Even the applicant herself was also not present. Matter was adjourned to 2.4.2018. Again notice was issued by the Registry on 12.3.2018 with due intimation that the matter is fixed on 2.4.2018. On 2.4.2018 the matter was adjourned to 1.5.2018.

4. Today also none appeared on behalf of the applicant. The applicant herself was also not present. Notices were sent to the applicant by the Registry on two occasions. That being the position I presume that the applicant is not interested to proceed with the matter.

5. In view of the above, the present OA is dismissed for default. No order as to costs.

(MANJULA DAS)
JUDICIAL MEMBER

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