

**RAILWAY CLAIMS TRIBUNAL
MUMBAI BENCH**

No. OA (IIu)/MCC/ 171/ 2021

(Ms. Kavya Ketan Deherkar & ors. V/s GM. C. Rly.)

04-04-2024

Appearances: None

Ms. D. Fernandes

- For the Applicant.

- Ld. Counsel for the Respondent.

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The matter is listed for Applicant Evidence today. The record shows that **Issues** in this case were framed on 20-08-2021 and thereafter, the matter was listed for Applicant's Evidence. The Applicant Ms. Kavya Ketan Dehorkar was cross examined as AW/1 by the Ld. Counsel for the Respondent and discharged on 17-10-2022. The Respondent also opted to close his evidence on 17-10-2022 and thereafter, the matter was listed for Arguments. The matter was listed on 08-05-2023, 14-07-2023, 03-10-2023 and 26-12-2023, so as to enable the Ld. Counsel for the Applicant to Argue the matter. In none of these days, the Ld. Counsel for the Applicant was present to argue the matter. Therefore, the matter was adjourned today.

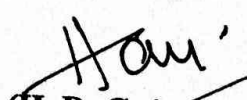
Today also, the situation remains the same. None appeared on behalf of the Applicant to Argue the matter. The Ld. Counsel for the Respondent prays for Dismissal of the case as sufficient opportunities have been granted to Ld. Counsel for the Applicant to Argue the matter but he failed to do so.

In view of the above, we believe that there is no propriety to keep matter alive on board securing presence of Ld. Counsel for the Applicants to Argue the matter. Hence, we pass the following orders: -

ORDER

The OA No. 171/2021 stands **Dismissed** for lack of Arguments. However, there is no order as to costs.


(Alok Upasani)
Member (Judicial)


(H. D. Gujrati)
Member (Technical)