

RAILWAY CLAIMS TRIBUNAL MUMBAI BENCH

OA(II U)/MCC/667/2019

(Sarafat C. Khan & Ors V/s UOI GM, W. Rly)

ORDER

20.11.2023

Appearances:

None for the Applicant
Shri. D. Fernandes

- Counsel for the Respondent

ORAL :-

1. Today the matter was listed Applicant evidence.
2. Perusal of the record shows that Issues in this case were framed on 15.10.2020 and thereafter the matter was listed for Applicant's evidence. The matter was adjourned several times i.e. on 16.02.2021 & 19.01.2023 so as to enable the Applicants to file evidence but the Applicants have failed to file their Evidence. Further, on 06.10.2023 as per the request of Counsel for Applicant another last and final opportunity was granted to Applicants to lead evidence and it was made clear that if they fail to lead evidence on the next date of hearing the Application shall be liable for dismissal.
3. However, on date neither Applicant nor his counsel was present in court to lead evidence. The Counsel for the Respondent submitted that enough opportunities have been given to Counsel for the Applicant to lead evidence and prays for dismissal of the case.
4. In view of the foregoing as stated above, we feel there is no justification in granting further opportunity to the Applicant for this purpose. It seems that the Applicant is not interested in pursuing his Claim Application and for this reason the Claim Application is **"Dismissed for Non Prosecution"**.

(Alok Upasani)
Member (Judicial)

(H. D Gujarati)
Member (Technical)