

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.02.2021

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

C.M.A.No. 2384 of 2015

The Union of India Owning
Southern Railway,
Rep. by its General Manager,
Chennai - 600 003.

..Appellant/Respondents

Vs.

1.R.Ram Pati
2.R.Sugaraniya

..Respondents/Appellants

Prayer : Civil Miscellaneous Appeal filed under Section 23 of the Railway Claims Tribunal Act, 1987, against the order passed by the Railway Claims Tribunal, Chennai Bench made in O.A.No. (II-U) 79/2013, dated 13.11.2013.

For Appellant ... Mr.C.V.Ramachandramurthy

For Respondents.. Not ready in notice

JUDGMENT

The Southern Railway filed this appeal challenging the award dated 13.11.2013 passed in O.A.No. 79 of 2013.

2. A perusal of the case records maintained by the High Court, reveals that the appeal against the award dated 13.11.2013 was filed on 7.09.2015. This Court, admitted the appeal and ordered notice to the respondent on 28.10.2015 and private notice was also permitted. In spite of the fact that notice was ordered to the respondents, the appellant has not taken any steps to serve notice to the respondents for the past about five years.

3. The appeal is pending for the past five years and till today notice has not been served to the respondents. This being the factum, this Court, is not inclined to entertain the appeal as the appellant failed to serve notice to the respondents for five years.

4. Accordingly, the award dated 13.11.2013 passed in O.A.No. 79 of 2013, stands confirmed. Consequently, C.M.A.No. 2384 of 2015 is dismissed. No costs. The connected M.P.No. 1 of 2015 is closed.

Sd/-

Assistant Registrar (CS.III)

/True Copy/

Sub Assistant Registrar

To

The Railway Claims Tribunal,
Chennai Bench.

akm/5.3.21/2p-2c/

C.M.A.No. 2384 of 2015
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