



C.M.A.No.2447 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.09.2023

CORAM :

THE HON'BLE MR. JUSTICE P.VELMURUGAN

C.M.A.No. 2447 of 2019

1.S.Pakkiam

2.S.Kumaraguru

... Appellants

Vs.

The Union of India owning
Southern Railway
rep.by its General Manager,
Chennai.

... Respondent

Civil Miscellaneous Appeal filed under Section 23 of the Railway Claims Tribunal Act, 1989 to set aside the judgment passed by the Railway Claims Tribunal, Chennai Bench in O.A.(II-U).No.30 of 2017 dated 24.08.2017.

For Appellants : Ms.S.Pooja Shree
for Mr.P.Rajesh

For Respondent : Mr.M.Vijay Anand
Standing Counsel



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J U D G M E N T

When the matter was listed for hearing on 28.04.2022, as there was no representation for the appellants, this appeal was dismissed for default. Thereafter, the appeal was restored vide order dated 19.06.2023 made in C.M.P.No.14093 of 2022 in C.M.A.No.2447 of 2019. After restoration, on 19.06.2023, the learned counsel for the appellants was not ready with the matter and hence the appeal was adjourned to 05.07.2023. When the matter was called on 05.07.2023, the learned counsel for the appellants once again sought adjournment and hence, the appeal was adjourned by two weeks.

2. On 15.09.2023, when the matter was taken up for hearing, there was no representation for the appellants and the matter was directed to be listed on 22.09.2023 under the caption "For Dismissal". Today, when the matter is taken up for hearing, Ms.S.Pooja Shree, learned counsel representing the counsel on record for the appellants sought for a short accommodation for other reasons.

3. On a perusal of the adjudications so far, this Court finds that



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the learned counsel for the appellants is not ready to prosecute the appeal and adjournments are being sought only to protract the appeal one way or other way.

4. In the light of above facts, this Civil Miscellaneous Appeal is dismissed for default. There shall be no order as to costs.

22.09.2023

Index: Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation Case : Yes/No
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To

- 1.The Railway Claims Tribunal,
Chennai Bench.
- 2.The General Manager,
The Union of India owning
Southern Railway, Chennai.
- 3.The Section Officer,
V.R.Section,
High Court, Madras.



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P.VELMURUGAN, J.

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