

CENTRAL ADMINISTRATIVE TRIBUNAL  
KOLKATA BENCH, KOLKATA



O.A/350/1301/2017

Date of Order: 18.02.2020

Coram: Hon'ble Ms. Bidisha Banerjee, Judicial Member  
Hon'ble Dr. (Ms.) Nandita Chatterjee, Administrative Member

Pratapaditya Datta, son of Kalyan Kumar Datta, resident of  
Nonapara, Jhilpark (Near Shanti Sansad Library), P.O & P.S  
Sonarpur, Kolkata – 700150.

--Applicant

-versus-

1. Union of India, service through the General Manager, Eastern Railway, 17, N.S Road, Kolkata – 700001.
2. The Divisional Manager, Eastern Railway, Howrah Division, Howrah – 711101.
3. The Secretary, Railway Recruitment Board, Kolkata; Metro Railway, AV Complex, Chitpur, R.G. Kar, Kolkata – 700037.
4. Chief Personnel Officer, Eastern Railway, Kolkata; Fairlie Place, 17, Netaji Subhas Road, Kolkata – 700001.
5. Chief Medical Director, Eastern Railway, New Koilaghat Building, 12<sup>th</sup> Floor, 14 Strand Road, Kolkata – 700001.

--Respondents

For The Applicant(s): Mr. S. Panda, counsel

For The Respondent(s): Mr. K. N. Bhattacharya, counsel

ORDER (O R A L)

Per: Ms. Bidisha Banerjee, Member (J):

Heard ld. counsel for both sides.

2. This O.A has been preferred to seek the following relief:

"a) A direction in the nature of Mandamus commanding the respondent authority to act fairly in accordance to law and to recall, rescind and withdraw the impugned letter dated 11.07.2016 being Annexure A/5.

b) A direction upon the respondent authority, more particularly, the respondent No. 2 to withdraw the impugned letter dated 11.07.2016 being Annexure A/5 and to review the petitioner's medical fitness test in accordance to the guideline fairly and forthwith.

c) A direction upon the respondent authority to constitute a three (3) member standing medical team consisting of a specialist in the field, however, if the specialist is not available within the unit/division/production unit, a senior doctor should be nominated in place of a specialist; 2) the medical officer who has conducted the first medical examination and the third being a senior medical officer



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