



**CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH**

**OA No. 3699/2016**

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New Delhi, this the 22<sup>nd</sup> day of January, 2020

**Hon'ble Mr. S. N. Terdal, Member (J)  
Hon'ble Mr. Mohd. Jamshed, Member (A)**

Hari Om, Aged 32 years,  
S/o Sh. Ishwar Singh,  
R/o H. No.476, Main Stand Wali Gali,  
New Basti, Village Jaunti, Delhi – 81.

...Applicant

(By Advocate: Mr. Yogesh Sharma)

Versus

1. Union of India,  
Through the General Manager,  
Northern Railway, Baroda House, New Delhi.
2. The Divisional Railway Manager,  
Northern Railway, Delhi Division,  
State Entry Road, New Delhi.
3. The Chairman,  
Railway Recruitment Cell,  
Lajpat Nagar –I, New Delhi.
4. The Chief Medical Director,  
Northern Railway, Baroda House,  
New Delhi.
5. The Chief Medical Supdt.,  
N. Railway, Divisional Hospital,  
Delhi.

...Respondents

(By Advocate: Mr. Shailendra Tiwary)

**O R D E R (ORAL)**

**S.N. Terdal, Member (J):-**

We heard Mr. Yogesh Sharma, learned counsel for the applicant and Mr. Shailendra Tiwary, learned counsel for the respondents.

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2. The case of the applicant is that he has been selected and at the time of medical examination he was declared medically unfit for all the categories by medical report dated 06.06.2014. Thereafter, the applicant filed an appeal for re-examination by a Medical Board. The same was forwarded by the DRM's office to the CMD's office which is produced as Annexure A/3. Inspite of the letter from the office of DRM to the office of CMD, the re-examination of the applicant was not conducted.

3. In view of the facts and circumstances narrated above and in view of the rule position also, we are of the view that re-medical examination of the applicant is required to be conducted. Accordingly, we dispose of the OA with directions to the respondents, more particularly, Respondent No. 04 to ensure that the re-medical examination of the applicant is conducted by the



Medical Board within two months from the date of receipt of certified copy of this order. If the applicant is found fit in the re-medical examination, consequential reliefs shall be given to him. Pending MAs, if any, shall stand disposed of. There shall be no order as to costs.

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**(Mohd. Jamshed)**  
**Member (A)**

**(S.N. Terdal)**  
**Member (J)**

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