

Central Administrative Tribunal
Principal Bench: New Delhi

OA 311/1997

(9)

New Delhi this the 2nd of May 1997.

Hon'ble Dr. Jose P. Verghese, Vice Chairman (J)
Hon'ble Mr S.P.Biswas, Member (A)

Shri Pramod Kumar
Son of Shri Karan Singh
R/o Village and Post Office Kandera
Distt. Meerut
Uttar Pradesh.

...Petitioner

(By advocate: None : Applicant in person)

Versus

Union of India through

1. Lt. Governor of Delhi through
Commissioner of Police, Delhi
Police HQs, MSO Building
I.P.Estate
New Delhi-110 002.
2. Deputy Commissioner of Police
3rd Battalion, Delhi
Armed Police, Kingsway Camp
Delhi.
3. The Chairman
Medical Board
Lok Nayak Jai Prakash Hospital
Delhi - 110 002.

...Respondents.

(By advocate: Shri Ajesh Luthra, proxy for Ms Jyotsana Kaushik)

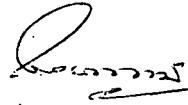
O R D E R (oral)

Hon'ble Dr. Jose P. Verghese, Vice Chairman (J)

This court had directed by order dated 3rd April 1997 that a properly constituted medical board may re-examine the applicant about his medical fitness for the job. A copy of the report of the Board was placed before us on 1.5.97. We had adjourned the matter for today for appropriate orders. We are of the view that in view of the opinion of the Medical Board that being an expert body, no further relief can be granted in this OA. We dispose of this OA with an observation that the petitioner has the liberty to approach

appropriate forum if any other relief is to be sought from the respondents. With these observations, this OA is disposed of. No order as to costs.

After passing the above order and before signing the same, the matter was mentioned again at 2 PM and a fresh order was passed and the same may be issued as a final order.



(S.P.Biswas)
Member (A)



(Dr.Jose P.Verghese)
Vice Chairman (J)

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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI

O.A. No. 311/1997

New Delhi this the 2nd May 1997

Hon'ble Dr. Jose P. Verghese, Vice Chairman (J)
Hon'ble Shri S.P. Biswas, Member (A)

Shri Pramod Kumar,
Son of Shri Karan Singh
resident Village and Post Office Kandera,
Distt. Meerut,
Uttar Pradesh

(By Advocate: Mrs. Avnish Ahlawat)

-Versus-

1. Union of India through
Lt. Governor of Delhi through
Commissioner of Police, Delhi
Police Headquarters,
MSO Building, I.P. Estate,
New Delhi-110 002.
2. Deputy Commissioner of Police,
3rd Battalion, Delhi
Armed Police, Kingsway Camp, Delhi.
3. The Chairman.
Medical Board,
Lok Nayak Jai Prakash Hospital,
Delhi-110 002. Respondents

(By Advocate: Shri Ajesh Luthra, Proxy for
Ms. Jyotsna Kaushik)

O R D E R

Hon'ble Dr. Jose P. Verghese, Vice Chairman (J)

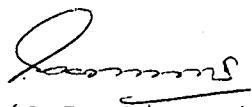
We have already passed the order based on the report of the Medical Board of the LNJP Hospital who has now submitted the report declaring the petitioner medically unfit. At 2.00 PM, the learned counsel for the petitioner appeared again and stated that this certificate was not based on physical examination of the petitioner. She also produced a certificate issued by All India Institute of Medical Sciences on 3.1.1997. In view of the said certificate the learned counsel for the petitioner requests that a direction may be issued to the said Hospital to verify the said certificate by a Board and two doctors and examine the petitioner himself as well and issue a certificate of fitness to the petitioner. In

(19)

case the said Medical Board declares the petitioner medically fit, the respondents shall act upon the said certificate as a final opinion as to the fitness of the petitioner. A copy of this Order may be sent to the Director, AIIMS, alongwith a copy of the certificate mentioned above appearing at Page 25.

The learned counsel for the petitioner may take a copy of this Order ~~within~~ and take steps to examine the petitioner.

With these orders, this petition is disposed off.



(S.P. Biswas)

Member (A)

Mittal



(Dr. Jose P. Verghese)

Vice Chairman (J)