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CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH: NEW DELHI

OA No.754/88

Date of decision: 9.9.1993.

Smt. Kaushalya

...Petitioner

Versus

Union of India through the  
General Manager, Northern  
Railway, New Delhi & Ors.

...Respondents

Coram:- The Hon'ble Mr. I.K. Rasgotra, Member (A)  
The Hon'ble Mr. B.S. Hegde, Member (J)

For the petitioner

None.

For the respondents

Shri O.P. Kshtariya, Counsel.


Judgement(Oral)  
(Hon'ble Mr. I.K. Rasgotra)


Neither the petitioner nor her counsel is present. Shri O.P. Kshtariya, learned counsel represents the respondents. We observe that the O.A. filed by the petitioner is a very sketchy one. It does not give all the details required to adjudicate her case. After hearing Shri O.P. Kshtariya, learned counsel for the respondents and perusing the record we find that the petitioner's case possibly was not examined in accordance with the provisions made in paragraph-2007(iv)(a) and (b) of Indian Railway Establishment Manual Volume-II. The petitioner in this case had acquired the temporary status, as she had been initially inducted in 1981. She worked as Tent chowkidar at Safdarjung Delhi from 16.11.1983 to 30.5.1986 and at Ambala Cantt. from 1.6.86 to 2.6.1987. She had thus completed more than six years' of service before the respondents sent her for medical examination. In accordance with the provisions of the I.R.E.M., referred to above, the petitioner should have been examined medically subjecting her to the appropriate standard for reexamination during service and

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not according to the standard relevant for medical examination on initial appointment. In view of the above, we direct the respondents to subject the petitioner to the medical examination as per the provisions made in paragraph-2007 (iv)(a) of I.R.E.M. They shall take further action if she is found suitable and medically fit in accordance with law. The competent authority shall also pass an order in regard to the treatment of the period from the date she was refused duties to the date she is taken back in service if she is found medically fit in the medical examination conducted in accordance with provisions made in paragraph 2007 (iv) (a) of I.R.E.M.

The O.A. is disposed of, as above. No costs.

  
(B.S. HEGDE)  
MEMBER(J)

  
(I.K. RASGOTRA)  
MEMBER(A)

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