



**Central Administrative Tribunal
Principal Bench, New Delhi**

**O.A. No. 2597/2019
M.A. No. 2112/2020
MA No. 426/2020**

This the 10th day of November, 2020

(Through Video Conferencing)

**Hon'ble Mr. Pradeep Kumar, Member (A)
Hon'ble Mr. R.N. Singh, Member (J)**

Suneel Kumar, aged 32 years, 'D'
s/o Sh. Ram Singh,
r/o Vill. Buddha Khere Pundir,
PO chhutmalpur, Distt. Saharanpur (UP)

...Applicant

(By Advocate: Shri Yogesh Sharma)

VERSUS

1. Union of India through the General Manager,
Northern Railway, Baroda House, New Delhi.
2. The Chairman,
Railway Recruitment Cell,
Lajpat Nagar-I, New Delhi-24

...Respondents

(By Advocate: Shri A.K. Srivastava)

ORDER (Oral)

Hon'ble Mr. R.N. Singh, Member (J):

MA No. 2112/2020& OA No. 2597/2019

The present MA has been filed by the applicant
praying therein for the following reliefs:-

'(i) that the Hon'ble Tribunal may graciously be pleased to pass an order of deciding the present OA of the applicant in terms of the Order/judgment passed by the Hon'ble Tribunal, (PB) New Delhi in OA No. 2932/2019 vide Order/judgment dated 26.11.2019.



(ii) That the Hon'ble Tribunal may graciously be pleased to pass an order of deciding the present OA of the applicant in terms of the judgment passed by the Hon'ble Tribunal, Chandigarh Bench in OA No. 878/2019 vide judgment dated 20.9.2019.

(iii) Any other relief which the Hon'ble Tribunal deem fit and proper may also be granted to the applicant.”

2. Learned counsel for the applicant submits that the issue involved in the present OA also came before the Chandigarh Bench of this Tribunal in OA No.878/2019 and the same was decided vide Order/Judgment dated 20.9.2019 with the directions for re-examination of the applicant therein by the Medical Board (Annexure MA-1).

Learned counsel for the applicant further adds that another OA No.2932/2019, for the same issue as in instant OA, has been decided by Principal Bench of this Tribunal vide Order/Judgment dated 26.11.2019 and the directions contained therein of the Tribunal have since been implemented also by the respondents.

3. Learned counsel for the applicant submits that in view of the aforesaid, it would be just and proper that the present OA may also be disposed of in terms of the Order/Judgment dated 26.11.2019 of this Tribunal in OA No.2932/2019. He further adds that respondents may also be directed to take into consideration the Order/Judgment dated 20.9.2019 of the Chandigarh Bench of this Tribunal passed in OA 878/2019.

4. Issue notice.



5. Shri A.K. Srivastava, learned counsel appearing for the respondents, accepts notice. There is no objection from the learned counsel for the respondents, to the aforesaid prayer of the applicant in the MA.
6. In view of the aforesaid, the present MA is allowed to the extent that the present OA is disposed of with directions as contained in Order/Judgment dated 26.11.2019 in OA No. 2932/2019. It is further directed that while considering the claim of the applicant, the respondents will take into consideration the Order/Judgment of the Chandigarh Bench of this Tribunal, referred to hereinabove also.
7. The present MA as well as OA are disposed of in above terms. There shall be no order as to costs.
8. Pending MA(s), if any, shall also stands disposed of.

(R.N. Singh)
Member (J)

(Pradeep Kumar)
Member (A)

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