

**CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK,**

ORDER SHEET

COURT NO. : 1
10/08/2020
O.A./260/293/2020

ANJAN KUMAR DAS
-V/S-
STEEL AUTHORITY OF INDIA

ITEM NO:7
FOR APPLICANTS(S) Adv. : Mr. N. K. Mishra

FOR RESPONDENTS(S) Adv.:

Notes of The Registry	Order of The Tribunal
	<p>Heard learned counsel for the applicant through VC. He submitted that in pursuance to the earlier order of the Tribunal dated 15.01.2020 passed in OA No. 366/2018, the case of the applicant was examined medically again and he was found unfit due to diabetes mellitus. He further submitted that the applicant had sought for details of the findings of the medical board with a copy of the medical report vide his representation vide Annexure A/10 in order to enable him to file appeal before the competent authority. However, the said request has been rejected vide order at Annexure A/11, stating that the said report cannot be given as it is confidential. It is submitted by learned counsel for the applicant that the grievance of the applicant will be addressed if a direction is given to the competent authority to furnish a copy of the medical report and other details of the applicant for which he has made request at Annexure A/10.</p> <p>It is seen from the order at Annexure A/11 that the reason cited for not giving details to the applicant is that it is confidential. No rule is cited or referred in the order to show that the same as confidential even for handing over a copy of the same to the applicant himself.</p> <p>In view of the above and taking into consideration the submissions of the applicant's counsel, we dispose of the OA at this stage without issuing any notice to respondents and without expressing any opinion on the merit of the OA with a direction to Respondent No. 3/Competent Authority to give a copy of the medical report and other details of medical examination of the applicant to the applicant within four weeks from the date of receipt of a copy of this order so as to enable him to take further action in accordance with law.</p> <p>Since this order has passed without hearing the respondents and in their absence at this stage, the respondents will be at liberty to move this Tribunal for modification of this order in accordance with law.</p>

It is clarified further that in case any appeal is filed by the applicant, the delay in supplying the copy of the medical report to him shall be duly considered by the competent appellate authority while considering the appeal in accordance with law.

The OA is accordingly disposed of.

Urgent copy of this order to learned counsel for the applicant. A copy of this order alongwith a copy of the OA be sent by the Registry to respondent No. 3 by post.

(SWARUP KUMAR MISHRA)
MEMBER (J)

(GOKUL CHANDRA PATI)
MEMBER (A)

sadish