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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI.

REGN. NO. O.A.1299/87.

DATE OF DECISION: 7.1.1993

Shri Raj Tilak Saini.

... Petitioner.

Versus

Union of India & Ors.

... Respondents.

CORAM: THE HON'BLE MR. JUSTICE V.S. MALIMATH, CHAIRMAN.
THE HON'BLE MR. S.R. ADIGE, MEMBER(A).

For the Petitioner.

... None.

For the Respondents.

... Shri B.K. Aggarwal,
Counsel.

JUDGEMENT (ORAL)

(By Hon'ble Mr. Justice V.S. Malimath,
Chairman)

None appears for the petitioner. As this is a very old matter, we consider it proper to peruse the records, hear the learned counsel for the respondents and dispose of the case on merits.

2. The petitioner has come to this Tribunal for a direction to reinstate the workman from the date of the accident with full back wages and continue in service and for compensation for the injury caused to him as also for a direction to continue the treatment at their expense until he is declared medically fit. In view of the offer made by the respondents to take the petitioner back in service and thereafter to get him medically examined if he has to be given light duty, nothing is required to be examined so far as the claim of the petitioner for reinstatement is concerned. That is what has been made clear in the order of the Tribunal dated 11.7.1988. It is specifically stated that what now survives for consideration in this petition is only the question of compensation. The counsel for the respondents submitted that the

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petitioner did not avail of the opportunity offered to him as he failed to report to duty at Kurukshetra. It is further pointed out that the question of considering his case for giving him light duty did not arise as it was conditional on the petitioner reporting to duty at Kurukshetra.

3. So far as the compensation is concerned, in the reply a positive statement is made to the effect that the same has since been paid. In paragraph (iii) of the reply, it is stated that they have proceeded to act on the medical certificate of fitness on the basis of which he was taken to duty on 12.7.1984. It was further pointed out that he was paid compensation for 211 days from 14.12.1983 to 11.7.1984 amounting to Rs.1387/- for the period during which he could not perform duties on account of the injuries sustained by him. The compensation amount ^{due} to the petitioner having since been paid, no further examination of the claim of the petitioner is warranted. Hence, this petition fails and is dismissed. No costs.

Prabhakar

(V.S. MALIMATH)
CHAIRMAN

Anil
(S.R. ADIGE)
MEMBER(A)

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