

(Open Court)

CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH, ALLAHABAD.

Allahabad this the 20th day of February, 2001.

C O R A M:- Hon'ble Mr. Justice R.R.K. Trivedi, V.C.
Hon'ble Mr. S. Dayal, Member- A.

Orginal Application No. 106 of 1996.

Awadhesh Singh S/o Sri Mala Ram
R/o Village Nagla Moti, P.O. Nib Karori
Distt. Farrukhabad.

.....Applicant.

Counsel for the applicant:- Sri Anand Kumar
Sri C.P. Gupta

V E R S U S

1. Union of India through the General Manager,
Northern Railway, Baroda House, New Delhi.
2. Divisional Railway Manager, Northern Railway,
Allahabad.
3. D.S.E, (C), Northern Railway, D.R M Office,
Allahabad.

.....Respondents.

Counsel for the respondents:- Sri A.V. Srivastava

O R D E R (oral)

(By Hon'ble Mr. Justice R.R.K. Trivedi, Vice-Chairman.)

This O.A has been filed under section 19 of the
Administrative Tribunal's Act, 1985.



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2. The facts giving rise to this application are that the applicant Awadhesh Singh was initially appointed as Casual Gangman on 23.12.1977. After screening applicant was found fit for regular appointment and his name was included in the panel dt. 08.01.85. Applicant was sent for medical examination on 28.07.88. However, applicant was not given appointment, he had filed O.A No. 55/1991 which was disposed of vide order dt. 23.11.1992 with the following direction :-

"If the panel declared on 08.01.85 is still subsisting in the sense it has not been lawfully superseded, the respondents are under an obligation to make appointment from the same. We therefore, direct the respondents to make the appointment from the panel as early as possible, but not beyond a period of three months from the date of production of a certified copy of this order by any of the applicant before the General Manager. With these observations, the application is disposed of finally. No order as to costs."

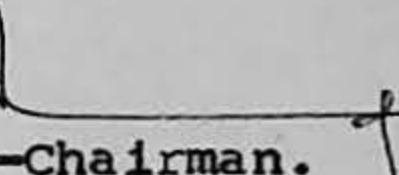
Against the aforesaid order dt. 23.11.92 respondents filed Review Application No. 1260/93 which was dismissed by the order dt. 22.04.94. Then M.A No. 1263/93 was filed and respondents sought three months time to implement the order. The time prayed was allowed. This O.A has been filed as the applicant has not been given appointment. Respondents have now stated that applicant was not found medically fit for B-1 category hence appointment could not be given to him. Before coming to this Tribunal applicant made representation dt. 12.05.95 (annexure A-8) before Divisional Railway Manager and requested that he may be given suitable alternative job in lower category of C-1 or C-2 which has also not been done. Considering the facts and circumstances we

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dispose of this O.A with the direction to the respondent No. 2 to consider the representation of the applicant and get medical examination for catagory C-1 or C-2 and provide him alternative job as per extent rules. The representation of the applicant shall be decided by the reasoned order within a period of three months from the date a copy of this order is filed before him. To avoid delay a copy of representation may be filed alongwith copy of this order.

3. There will be no order as to costs.


Member- A.


Vice-Chairman.

/Anand/