

CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH

THIS THE 7TH DAY OF MARCH, 2003

Original Application No. 1356 of 2001

CORAM:

HON.MR.JUSTICE R.R.K.TRIVEDI,V.C.

Smt. Jaimurat devi, w/o Lallo
R/o Kashipura Mughalsarai,
district Chandauli.

.. Applicant

(By Adv:S.K.Dey)

Versus

1. Union of India through
General Manager, Eastern
Railway, Calcutta
2. The Divisional Railway Manager
Eastern Railway, Mughalsari,
district Chandauli.

.. Respondents

(By Adv: Shri K.P.Singh)

O R D E R(Oral)

JUSTICE R.R.K.TRIVEDI,V.C.

By this OA u/s 19 of A.T.Act 1985, applicant has prayed for quashing the order dated 14.7.01 by which respondent no.2 Divisional Railway Manager decided the claim of the applicant for payment of salary for the Hurt on duty(HOD) period and 240 days leave salary. The order has been passed in pursuance of the direction given in OA No.407/99. The order says that HOD period was confined fro, 9.10.1992 to 12.11.1992 for which the husband of the applicant was paid separately. It is further stated that the period of sickness from 13.1.1993 to 17.1.1995 was related to sickness and it has no relation with any accident or injury received. This period has been adjusted as leave period according to rules and payment has been done. To ascertain the nature

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of injury and the period of treatment this Tribunal directed both the learned counsel to produce the relevant paper by order dated 3.2.03.

Shri K.P.Singh counsel for the respondents has placed before me the discharge certificate dated 7.3.1995. The document shows that applicant was lying sick and was given treatment from 13.1.1993 to 16.1.1995. Thereafter he was discharged and declared medically unfit for any category. The another document produced is the treatment of husband of applicant late Shri Lallu, which is for the period 9.10.1992 to 12.11.1992 i.e. for two days more than a month. This period is mentioned as HOD. The applicant was also given opportunity to produce document or other evidence to show that period from 13.1.1993 to 16.1.1995 was with regard to HOD but no such document has been produced. On the contrary, (Annexure 2) on record shows that on 8.3.1993 medical superintendent of Eastern Railway Mughalsarai stated in his letter that Lallu patient was suffering from chronic depressive psychosis. In the letter he also recommended for arrangement of issue of G-37 memo in favour of late Lallu. From the letter it is clear that applicant was suffering from some mental ailment and the period of hurt during October 1992 to November 1992 had no connection with the same. The applicant has not disclosed in his application the details of the hurt. In the circumstances, order appears to be justified and calls for no interference.

This OA has no merit and is rejected. No order as to costs.


VICE CHAIRMAN

Dated: 7th March, 2003

Uv/