

CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH : ALLAHABAD

Original Application No.1038 of 2004.

Tuesday, this the 23rd day of November, 2004.

Hon'ble Mr. D.R. Tiwari, A.M.

Azizuddin,  
aged about 43 years,  
S/o Sri Mainuddin,  
Resident of 13,  
Sangam Bihar,  
Behind Masjid, Awas Vikas  
Jhansi.

.....Applicant.

(By Advocate : Shri S.M. Ali )

Versus

1. Union of India  
through General Manager  
North Central Railway  
Allahabad.
2. Divisional Railway Manager,  
N.C.R. Jhansi.
3. Chief Medical Superintendent,  
N.C.R., Jhansi.

.....Respondents.

(By Advocate : Shri D. Awasthi)

ORDER

By Hon'ble Mr. D.R. Tiwari, A.M. :

By means of this OA the applicant has prayed for issuance of a direction to the respondents to immediately allow him for remedial so as to get the handicapped certain for this purpose. He has made a representation to D.R.M., North Central Railway, Jhansi on 10.5.2004 (Annexure-A-9). The applicant was appointed as casual labour in 1986 and had worked more than 120 days between

....2.

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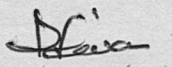


(2)

1986 to 1991. He has acquired status of M.R.C.L. and he is enjoying the facility of Railway Passes in accordance with the rules. The applicant also submitted bio- data to the D.R.M., Jhansi in pursuance of the notification dated 30.8.2001. The Chief Medical Officer, Jhansi declared him handicapped with 42% permanent disability vide order dated 31.7.2002. His grievance is that the applicant had submitted handicapped certificate at the time of screening but Chief Medical Superintendent ignored this fact, which argued by the counsel for the applicant that it is against the provisions mentioned in Indian Railway Establishment Mannual Vol.II Para 2005 (b) to treat the applicant as normal person. It is for this purpose, that the applicant has submitted a representation.

2. In view of the facts mentioned above, I am of the view that the interest of justice would be better served if the Competent Authority is directed to decide the representation of the applicant in accordance with the rules, within a specified time, by a reasoned and detailed order. I do not think it necessary at this stage to call for counter.

3. Accordingly, the OA is finally disposed of with a direction to respondent No.2 to consider and decide the representation of the applicant by a reasoned and speaking order to be passed and communicated to the applicant within a period of three months from the date of receipt of the certified copy of this order. No order as to costs.

  
Member (A)

RKM/