

**CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH, KOLKATA**

O.A/350/986/2021

Date of Order: 09.08.2021

**Coram: Hon'ble Ms. Bidisha Banerjee, Judicial Member
Hon'ble Dr. (Ms.) Nandita Chatterjee, Administrative Member**

Kumari Debjani Sharma, daughter of Shri Kalicharan Sharma aged about 40 years, working as Assistant (C&W) Mechanical Department, Santragachi, Howrah, Kharagpur Division, South, Eastern Railway, residing at 22 Laxmi Narayan Tolla Road, Block-B, Flat-101, Howrah, Pin-711103.

...Applicant

- Versus -

1. Union of India, service through the General Manager, South Eastern Railway, 11, Garden Reach Road, Kolkata-700043.

2. The Additional Chief Mechanical Engineer, South Eastern Railway, Kharagpur Division, Santragachi, Howrah-711104.

3. The Assistant Divisional Mechanical Engineer, South Eastern Railway, Kharagpur Division, Santragachi, Howrah-711104.

4. The Additional Chief Medical Superintendent, South Eastern Railway, Kharagpur Division, Santragachi, Howrah-711104.

5. The Principal Chief Medical Director, South Eastern Railway, Garden Reach Hospital, Kolkata-700043.

6. The Medical Director, Central Hospital, South Eastern Railway, Kolkata 700043.

7. The Chief Medical Superintendent, South Eastern Railway, Kharagpur Division, Kharagpur, Pin-721301.

--Respondents

For The Applicant(s): Ms. A Sarkar, counsel

For The Respondent(s): Ms. S. Chowdhury, counsel

ORDER (ORAL)

Per: Ms. Bidisha Banerjee, Member (J):

Heard ld. Counsel for both sides.

2. This application has been preferred to seek the following reliefs.

i) To issue direction upon the respondents and their men and agents to allow the applicant to submit the "Fit" certificate issued by the GRC, S.E.Rly and to join her duty forthwith;

ii) To issue direction upon the respondents and their men and agents to disburse all the pending arrears and salary since February forthwith;

iii) To issue direction upon the respondents and their men and agents to deal with and dispose of the pending representations dated 07.06.2021 and 02.07.2021 at Annexure "A-6" and Annexure "A-7" respectively, forthwith;

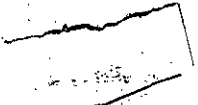
iv) To produce all connected departmental records at the time of hearing;
v) And to pass such other order or further order or orders as to this Hon'ble Tribunal may deem fit and proper."


3. At hearing, Ld. Counsel for the Respondents would produce a communication, dated 07.08.2021, from the respondents wherein they have indicated that the Respondent no. 4, who is the Additional Chief Medical Superintendent, S.E. Railway, Kharagpur Division, Santragachi, Howrah, is the competent authority to issue a Fit or Sick Certificate so as to enable to join her duties.

4. Ld. Counsel for the applicant submits that she would be fairly satisfied if a direction is issued to the competent authority to redress her grievance.

5. Accordingly, we direct the applicant to appear before the Respondent no. 4, who is the Additional Chief Medical Superintendent, S.E. Railway, Kharagpur Division, Santragachi, Howrah, on Wednesday i.e dated 11.08.2021, during working hours, to obtain the Fit certificate from the said authority. Upon obtaining, on the basis of such certificate the other respondents would allow her to join and attend her duties. Once she joins respondents to release the admissible dues in accordance with law within 4 weeks from such date.

6. With the above directions, the O.A is disposed of. No costs.


(Nandita Chatterjee)
Member (A)


(Bidisha Banerjee)
Member (J)