

**CENTRAL ADMINISTRATIVE TRIBUNAL
LUCKNOW BENCH, LUCKNOW
(Hearing through Video Conferencing)**

Sl. No. 2

**I.R. Application No. 332/01074/2020 &
I.R. Application No. 332/00978/2020
In Original Application No. 332/00114/2017**

This, the 08th day of October, 2020.

HON'BLE MR. A. MUKHOPADHAYA, MEMBER (A).

Param Kumar Yadav, aged about 23 years son of Shri Virendra Yadav, resident of Adhiyari Bagh North, Mansarovar Mandir, Gorakhpur, Gorakh Nath Mandir.

...Applicant

By Advocate: Shri Praveen Kumar.

Vs.

1. Union of India through its General Manager, Northern Railway, Baroda House, New Delhi.
2. The Chief Medical Director, Northern Railway, HQ Office, Baroda House, New Delhi.
3. The Divisional Railway Manager, Northern Railway, Hazratganj, Lucknow.
4. The Chief Medical Superintendent, Northern Railway Hospital, Northern Railway, Charbagh, Lucknow.
5. The Divisional Personnel Officer, Northern Railway, Hazratganj, Lucknow.
6. The Additional Chief Medical Superintendent, Northern Railway Hospital, Northern Railway, Charbagh, Lucknow.

...Respondents

By Advocate: Shri Mahendra Kumar Shukla.

ORDER (ORAL)

Per Hon'ble Mr. A. Mukhopadhaya, Member (A),

Heard both counsel.

2. At the very outset, Shri Praveen Kumar, learned counsel for the applicant submitted that he would be satisfied if a direction is given to the respondents to take a decision on the representation dated 01.05.2018 submitted by the applicant to the respondents in the light of the order dated 07.03.2017 of this Tribunal in the cases of Shri Ankit Pal and Shri Rajan Pandey, (O.A. No. 80/2017 alongwith O.A. No. 69/2017), within a reasonable time frame.

3. Shri Mahendra Kumar Shukla, learned counsel for the respondents has no objection to this.

4. Accordingly, without entering into the merits of the case, the present OA is disposed of with a direction to the respondents to consider the aforementioned representation of the applicant dated 01.05.2018 in the light of the order dated 07.03.2017 of this Tribunal in O.A. No. 80/2017 alongwith O.A. No. 69/2017 after giving the applicant an opportunity of a personal hearing in order to explain his case.

5. In case, the present applicant is found to be similarly situated to the applicants in OA No. 80/2017 and 69/2017 then, in the event of qualifying in the prescribed process as per amended para 522 of the Indian Railway Medical Manual, he may be extended the same benefit as were extended to the applicants in OA No. 80/2017 and OA No. 69/2017.

6. In the event of the applicant not being found to be similarly situated, his representation shall be disposed of by way of a reasoned order in accordance with law specifically clarifying the dissimilarities. The whole exercise shall be completed within a period of three months of the receipt of a certified copy of this order. There shall be no order as costs. M.P. No. 1074/2019 and 978/2020 for interim relief accordingly also stand disposed of.

(A. Mukhopadhaya)
Member (A)

JNS