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CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH.

C.A. No. 22 of 1992.

Babu Lal

..... Applicant.

vs.

Union of India & Divisional  
Railway Manager (Ka) Central  
Railway, Jhansi, ... Respondents.

Hon. Mr. S.N. Prasad, Member (J.)

(By Hon. Mr. S.N. Prasad, J.M.)

The applicant has approached this Tribunal under section 19 of the Administrative Tribunals' Act, 1985, with the prayer mainly to the effect that the respondents be directed to take the applicant in service by providing him a suitable job.

2. Briefly stated the facts of the case, interalia, are that the applicant has worked as Casual Labourer in the office of the Running Room (as Cook and Scire) for the period, total 354 days ranging between 6-12-77 to 2-6-89, intermittently, and applicant was issued a card of casual labourer bearing Card No.168863 (Annexure A 1). It has further been stated that later on the applicant was given the status of R.K.C.L by the respondent No.2 vide letter dated 9-10-91 (Annexure-A2). It has further been stated that the applicant was medically examined on 25-7-1991 and was found fit for category B-1 as is obvious from the report of Medical Officer concerned (Annexure-A3). It has further been stated that the applicant had made many representations but ineffective. Hence, the applicant has approached this tribunal.

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3. I have heard the learned counsel for the applicant and perused the papers.

4. Learned counsel for the applicant has drawn my attention towards the application and the papers annexed to it and urged that despite medical fitness of the applicant (vide Annexure A-3) and despite the fact that the D.R.M.(F) Jhansi has given the status of M.R.C.L. to the applicant vide letter dated 9-10-91 (Annexure-A2), the applicant has not been provided any suitable job so far despite his last representation dated 11-11-91 which is Annexure-A5; and has urged that a suitable direction to the respondent No.2 for considering the case of the applicant for providing him a job commensurate with his physical fitness and ability keeping in view his status of M.R.C.L. will serve the purpose.

5. It is important to point out that the letter dated 9-10-91, issued by the D.R.M. (F), Central Railway, Jhansi (Annexure-A2) shows that the applicant has been given status of M.R.C.L. and Annexure-A3, which is the copy of medical-certificate, shows that as per medical-examination dated 23-7-91 conducted by the Medical Officer of the Railway concerned and the Medical officer had found the applicant fit-B1. This is also noteworthy that the Annexure-A1, which is the copy of the Casual Labour Card in respect of the applicant, shows that the applicant had worked for 354 days ranging between 6-12-77 to 2-6-89. Thus, after considering all the facts and circumstances and all the aspects of the matter, I find it expedient

at the ends of justice would be  
respondent No.2-DRM(P), Central Railway, Jhansi, is  
directed to consider the matter of the applicant  
in accordance with law by reasoned and speaking  
order for providing a suitable job i.e. Seasonal  
Waterman or any other suitable job commensurate with  
his medical fitness and ability within a period of  
one month from the date of receipt of copy of this  
order in the light of Annexures-A1, A2, A3 and A4  
and I order accordingly.

6. The application of the applicant is disposed  
of as above at admission stage. No order as to costs.

Member (J) 6/5/92

Dated 6th May, 1992, Allahabad.