

Open Court.

Central Administrative Tribunal,  
Allahabad Bench, Allahabad.

Dated: Allahabad, This The 09th Day of August, 2000.

Coram: Hon'ble Mr. Rafiq Uddin, J.M.  
Hon'ble Mr. S. Biswas, A.M.

Original Application No. 872 of 1995.

✓ Prasad ✓  
Gaya Prakash Raikwar  
aged about 25 years  
Son of Sri Karora Raikwar  
Resident of 115 Talliya  
Jhansi.

. . . Applicant.

Counsel for the applicant: Sri R.K. Nigam, Adv.

Versus

1. Union of India through General Manager,  
Central Railway Bombay V.T.
2. Divisional Railway Manager, Central Railway,  
Jhansi.
3. Sr. Divisional Electrical Engineer (TRO)  
D.R.M's. Office, Central Railway, Jhansi.
- 3 A. Sri A.K. Gupta, Sr. Divisional Electrical  
Engineer (TRO) D.R.M's. Office, Central Railway,  
Jhansi.
4. Loco Foreman, Central Railway, Jhansi.

. . . Respondents.

Counsel for the respondents: Sri V.K. Goel, Adv.

Order (Open Court)

( By Hon'ble Mr. Rafiq Uddin, Member (J.)

The applicant has sought a direction to be  
issued to the respondents to take him immediately

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on duty and allow him to work as Call Boy at the bungalow No. A-25 of respondent No. 3 A and also to dispose of his representation dated 15.6.95 accompanying by medical and fitness certificate and for release of his salary from 29.4.95 to 14.6.95.

2. Admittedly the applicant was working as a Call Boy under Loco Shed Jhansi. The case of the applicant is that he remained sick during the period from 29.4.95 to 14.6.95 and was under the treatment of railway doctor. After obtaining fitness certificate from railway doctor Jhansi the applicant reported to Loco Foreman for duty and submitted sick and fitness certificate along with an application for converting the entire period of sickness as L.A.P. on 15.6.95 but the respondents did not allow him to resume duties.

3. The case of the respondents is that the applicant had absented himself from duty unauthorisedly and did not report on duty despite several notices sent to him by the respondents. It is, however stated by the respondents that in case the applicant reports for duty at M.T.K. Office of Loco Shed, he shall be taken on duty subject to disciplinary action.

4. After having heard the arguments of learned counsel for the applicant we direct the applicant to report at M.T.K. Office of Loco shed Jhansi within three weeks from today and the respondents ~~will~~ <sup>to permit</sup> take him to join duty. However, it will be open to respondents to take any suitable action as permitted under rules against him. No order as to costs.

S. O.  
Member (A.)

R. M. M. M.  
Member (J.)