

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD

ORIGINAL APPLICATION NUMBER 1524 OF 2003

FRIDAY, THIS THE 19th DAY OF DECEMBER, 2003

HON'BLE MR.JUSTICE S.R. SINGH, V.C.
HON'BLE MR. D. R. TIWARI, A.M.

Mahangu s/o Late Bakshi Mian,
r/o Kasab Mahal P.O. Mughalsarai,
District-Chandauli.

.....Applicant

(By Advocate : Shri S.K. Dey)

V E R S U S

1. Union of India through the General Manager,
E.C. Railway, Bihar.
2. The Divisional Rly. Manager,
E.C. Railway, Dhanbad,
Bihar.

.....Respondents

(By Advocate : Shri K.P. Singh)

O R D E R

By Hon'ble Mr. Justice S.R. Singh, V.C.

None appears for the applicant. We have perused the application.

2. The applicant it appears entered in ^{the} service of the respondents as substitute and later on he is alleged to have been granted temporary status and posted as "Masalchi" in catering department in 1978. It is alleged that in 1997 he lost his eye sight and become disabled and accordingly, it is further alleged that he moved an application dated 20.02.1998 for being declared as unfit for service. It is

alleged that the applicant's disability is still continuing and the applicant is not fit for doing any service. It is further alleged that in continuation of his application dated 20.02.1998, the applicant moved applications on 16.09.1999, 26.02.2001 and 04.12.2001 seeking retirement from service after being declared medically unfit. The instant application has been instituted for issuance of a direction to the respondents to declare the applicant as unfit for service and to retire him on the ground of unfitness.

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Further relief claimed that the respondents be directed to consider the appointment of the applicant's son Gulam Hayder for appointment as Group 'D' service on compassionate ground.

3. Considering the allegation made in the Original Application, we are of the view that it would be the ends of justice if the O.A. is disposed of at the admission stage itself with a direction to the second respondents to consider and dispose of the applications/representations filed by the applicant by means of the reasoned order in accordance with law within a period of 3 months from the date of receipt of a copy of this order. It is made clear that this order will not ^{be} *as* taken *an* expression of opinion on the merits of the claim made by the applicant.

4. The application is disposed of accordingly with no order as to costs.

Dinesh
Member (A)

Par
Vice-Chairman

shukla/-