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OPEN COURT

**CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD.**

ORIGINAL APPLICATION NO. 689 OF 2006.

ALLAHABAD THIS THE 23RD DAY OF JULY 2007.

**Hon'ble Mr. Justice Khem Karan, V.C.
Hon'ble Mr. P.K. Chatterji, A.M**

1. Manoj Kumar son of Bindeshvar Paswan, Hostel No.6, Room No.27, District Bodh Gaya, Bihar.
2. Dan Singh Meena s/o Bharat Lal Meena R/o Village Khedli, Post Wagali, Gangapur City, District Sawai Madhopur, Rajasthan.
3. Jitendra Kumar Yadav son of Lakshman Yadav, R/o Ghughrai Tand, Post Chand Chaura, District Gaya, Bihar.

.....Applicants

(By Advocate: Sri K.M Tripathi/Shri S.K. Mishra)

Versus.

1. Union of India through Chairman Railway Recruitment Board, Allahabad.
2. General Manager, North Central Railway, Allahabad.

.....Respondents

(By Advocate: Shri P.N Rai)

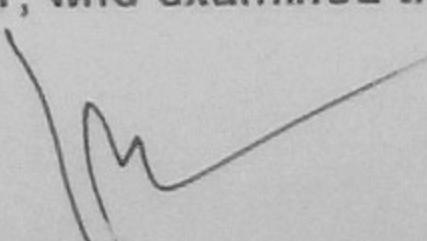
O R D E R

Justice Khem Karan, V.C.

Heard Shri S.K. Mishra, learned counsel for the applicants and Shri P.N Rai, learned counsel for the respondents in this O.A.

here /

2. The applicants ^{here /} prayed that summon the records of the case and set aside the result of vision test and consequently cancellation of selection of applicants vide order dated 11/12.5.2006.
3. There is no dispute that pursuant to the advertisement for making selection for the post of Assistant Station Master, the applicants submitted their application forms and appeared in the suitability test so conducted by the Railway Recruitment Board in 2004-2005. It is said that applicants were subjected to medical test but the Doctor, who examined them



declared them medically unfit on account of low vision. It is alleged that applicants NO.1 to 2 were allowed opportunity of re-vision test but were again declared, not having required vision. The allegation in the O.A. is that the Doctors, who tested the vision of the three applicants, were not duly qualified doctor and they declared the applicants medically unfit without actually subjecting them to such vision test. It is said that various other hospitals or doctors have found applicants' vision up-to mark i.e. 6/6, while respondents have prescribed minimum eye sight as 6/9.

4. The respondents have filed reply, disputing the allegation that Doctors, who medically examined the vision of the three applicants, were not duly qualified or they did so without actually subjecting three applicants to vision test.

5. We are of the view that such medical test by other Doctors not deputed for the purposes of testing the vision test of candidates in selection, will not be of any benefit to the applicants. The allegation that the persons, who tested the vision of the applicants, were not a Doctors, does not appear to be one, which can be accepted. The reason is that the same Doctor who tested the vision of the applicant, tested the vision of several other candidates. It is something unbelievable that the Railway Recruitment Board will depute an unqualified person to test the vision of the candidates. It is very easy to level such allegations. There appears no reason as to why the doctor will declare the applicant unfit without actually testing the eyesight. Applicants NO.1 and 2 could not cross minimum required vision even on re-testing. We think the applicants have no case and O.A. is accordingly dismissed.

No costs.

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Member-A

Vice-Chairman.

Manish/-

✓. Amr. 23.7.07