

Shri Katri Amratlal Purushotamdas  
P.O. Sinor, Khatriwad,  
Via. Dabhoi, Dist. Baroda.

.. Applicant

Versus

1. Deputy Director,  
C.F.F.D, C.W.C.  
Athwa Lines, Opp. Umra Jakat Naka,  
Surat.
2. Government of India  
Central Flood Forcasting  
Division, C.W.C., Athwa Lines,  
Surat.
3. Executive Engineer,  
Government of India  
Tapti Division, C.W.C.,  
Athwa Lines, Surat.
4. The Superintending Engineer,  
Western Rivers Circle  
Central Water Commission,  
4-A, North Bazar Road,  
Dharampith, Nagpur-440 010(M.S.) .. Respondents.

Coram :	Hon'ble Mr. P.H. Trivedi	: Vice Chairman
	Hon'ble Mr. P.M. Joshi	: Judicial Member
	<u>ORAL ORDER</u>	<u>3/4/1989</u>
Per:	Hon'ble Mr. P.H. Trivedi	: Vice Chairman

Heard Mr.K.B.Bhatt and Mr.J.D.Ajmera learned advocates for the applicant and the respondents. Learned advocate for the petitioner states that during the hearing he will <sup>be</sup> ~~with~~ content that the following direction to which the learned advocate for the respondent also agrees.

This petition be treated as a representation against the impugned order of termination. The respondent authorities (Superintending Engineer, Nagpur) are directed to dispose of the petition treated as a representation on satisfying themselves about the ~~Genuine~~ <sup>Genuine</sup> ~~Genuine~~ of medical certificates and arrive at the appropriate conclusions whether the petitioner was unable to resume duty for bonafide and adequate medical reasons and if so the petitioner be taken back in service without any claim of backwages for the

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period of absence. The respondent authorities to record a speaking order explaining why they do not regard the medical certificates as genuine or not affording satisfactory and adequate reasons for the petitioner's inability to resume duty. The petitioner will be free to pursue any cause left that may arise with reference to the speaking order so passed by a fresh application. The respondents are directed to pass such a speaking order within a period of one month of the date of this order. With this direction and observation, the case is disposed of.

  
(P.H.Trivedi)  
Vice Chairman

  
(P.M.Joshi)  
Judicial Member

a.a.bhatt