

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
AHMEDABAD BENCH

O.A. No. 538/93 with MA/441/93

~~E.A. No.~~

DATE OF DECISION 19/1/1994

Shri Mahesh Nagjibhai Rathod Petitioner

Mr. D. R. Chaudhary & Mr. M. S. Trivedi Advocate for the Petitioner(s)

Versus

Union of India & Ors. Respondent

Mr. Anil S. Kothari Advocate for the Respondent(s)

CORAM :

The Hon'ble Mr. N. B. Patel

: Vice Chairman

The Hon'ble Mr. V. Radhakrishnan

: Member (A)

1. Whether Reporters of local papers may be allowed to see the Judgement ?
2. To be referred to the Reporter or not ?
3. Whether their Lordships wish to see the fair copy of the Judgement ?
4. Whether it needs to be circulated to other Benches of the Tribunal ?

No

Shri Mahesh Nagjibhai Rathod,
"Ashish",
2 Gaikwadi Plot,
Rajkot.

: Applicant

(Advocate Mr.D.R.Chaudhary
Mr.M.S.Trivedi)

Versus

1. The Chairman,
Railway Recruitment Board,
1st Floor,
Meter Gauge, Rly.Station Building,
Ahmedabad-380 002.
2. The Union of India
Through the General Manager,
Churchgate, Bombay.
3. The Divisional Railway Manager,
Western Railway, Baroda.

: Respondents

(Advocate: Mr.Anil S.Kothari)

ORAL ORDER

O.A./538/93

with

MA/441/93

Date: 19/1/1994

Per: Hon'ble Mr. N.B.Patel

: Vice Chairman

The applicant was selected for recruitment to the post of Assistant Station Master, but, on medical examination, it was found that he was suffering from colour blindness (as is evident from the communication ~~received~~ ^{pre received} by Mr.Kothari from DRM(E), Baroda, a copy of which is taken on record) and, therefore, he is not recruited to the post of ASM. On behalf of the applicant, Mr.Trivedi states that there are instructions issued by the Railway Board requiring the General Manager to consider the case of such persons for appointment to any other suitable post. If the applicant makes a representation to the General Manager seeking recruitment to any other suitable post


citing the instructions of the Railway Board on the point, the General Manager is directed to consider the applicant's representation on merit and to decide the same in accordance with the instructions, if any, on the subject within a period of three months from the date of receipt of representation by him and to communicate his decision to the applicant within a period of 15 days after its being taken. In view of this direction,

Mr. Trivedi seeks permission to withdraw the present

O.A. Permission granted. O.A. stands disposed of ^{as} withdrawn

No order as to costs. M.A./441/93 does not survive.


(V. Radhakrishnan)
Member (A)


(N. B. Patel)
Vice Chairman

a.a.b.