

NOTES OF THE REGISTRY

For Admission.

12/12/03

Bench.

For Admission & Informal order
on merits

Bench

On. 21. 16. 07. 04

Copies of order
prepared for counsel
for both side.23/7/04
20/07

ORDERS OF THE TRIBUNAL

Order dated 16.07.04

Heard Mr. A.A. Das, Ld. Counsel appearing for the Petitioner. A copy of this Original Application has been served on Mr. O.N. Ghosh, Ld. Counsel for the Respondents.

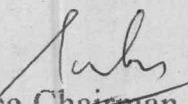
2. The grievance of the applicant in this Original Application arises from the certificate issued by the Assistant Professor, Department of Ophthalmology, S.C.B. Medical College & Hospital, Cuttack, on 27.09.2003, vide Annexure-A/2, certifying that he is found to have normal vision including normal colour vision tested on "C" type and Ishihara colour vision chart. On the other hand, the applicant, who was a candidate for recruitment for the post of Tr. Asstt. Driver (Elect./Diesel), for which examination was conducted by the Railway Recruitment Board, Bhubaneswar, was declared not fit for appointment. He had failed in the vision test conducted at the Divisional Railway Hospital, Khurda Road. This intimation had been received by the applicant from the letter issued by the Railway Recruitment Board on 17.09.03. However, in order to clear his doubt, the applicant requested the Assistant Professor, Department of Ophthalmology, S.C.B. Medical College & Hospital, Cuttack for checking up his vision on 27.09.03 and Dr. P.K. Mohanty, Asst. Professor,


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after due check up, has found the applicant to have normal vision including normal colour vision tested on 'C' type and Ishihara colour vision chart. The out-door ticket along with the certificate dated 27.09.03 by Dr. P.K. Mohanty, Asst. Professor, Department of Ophthalmology, S.C.B. Medical College & Hospital, Cuttack, are filed herewith as Annexure A/2.

3. After having obtained a certificate from SCB Medical College & Hospital, regarding his clarity of vision, in fitness of things the applicant should have approached the Respondents requesting them for convening a review Medical Board to find out whether the certificate from SCB Medical College should prevail over the opinion of the Medical Board and to find out his suitability for the post. We therefore dispose of this O.A., at the admission stage, with the direction to the applicant to submit a representation before the Respondents for convening a review Medical Board to conduct the vision test of the applicant once again. A copy of this order should be given to the Respondents for compliance within a period of ninety days from the date of receipt thereof.


Vice-Chairman


Member (J)