

7 Order dated 14.11.05

Applicant (Pratap Rudra Dash) has filed this Original Application being aggrieved by the decision of Respondent Nos. 4 and 5 not to allow him to join the post of Apprentices Permanent Way Supervisor (Rs.4500-7000/-) against a direct recruitment quota vacancy on medical ground. The Opposite Parties have also filed their counter to which applicant has filed rejoinder. However, the applicant by filing a Misc.Application No.659/05 has prayed before the Tribunal to allow him to withdraw the O.A. with a direction to Respondent No.1 to consider his appeal dated 8.4.2005 for offering him an alternative appointment in railway service within a given time. The applicant has also filed a copy of the letter dated 21.3.2005 issued by the Divisional Personnel Officer, Western Railway, Bikaner calling upon him to intimate his willingness to be considered for appointment in an alternative job in the Railway as he is not medically fit to be appointed to the post of Permanent Way Supervisor. We have perused the said letter. Our notice has also been drawn to the representation dated 8.4.2005 made by the applicant to the General Manager, North Western Railway, Jaipur, Rajasthan followed by another letter dated 18.4.2005 addressed to the Divisional Personnel Officer, North Western Railway, Bikaner and letter dated 18.8.2005 addressed to the General Manager, North Western Railway, Jaipur, seeking alternative appointment.

Having regard to the above facts and circumstances of the case, we direct Respondent Nos. 1 and 3 to consider sympathetically the case of the applicant for providing him an alternative employment in terms of

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Establishment Serial No.232/2000 dated 19.12.2000 and communicate their decision to the applicant by 31.01.2006. Liberty is also granted to the applicant to move the Tribunal in case he does not get an alternative employment within the time stipulated above.

With this, the O.A. is disposed of as withdrawn. No costs.

Send copies of this order to Respondent Nos. 1 and 3 along with Annexures-I, II and III to the M.A.

*Ch. B. S.*  
14/11/05  
VICE-CHAIRMAN

*J. S.*  
MEMBER(JUDICIAL)

Copies of order  
Dt 14.11.05 issued  
to counsel for some  
dates.

*D*  
11/12/05