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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH: CUTTACK

Original Application No. 260/00470 of 2015
Cuttack, this the 05th day of August, 2015

CORAM
HON'BLE SHRI A.K. PATNAIK, MEMBER (JUDL.)
HON'BLE SHRI R.C.MISRA, MEMBER (ADMN.)

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Gompa Laxman @ Lakshmana,
aged about 25 years,
S/o Venka Naidu,
Vill- Ravalamma Palam, PO- Anthakapalli,
PS- Sabbavaram Mandal, Dist- Visakhapatnam,
Andhrapradesh- 531015.

...Applicant

(Advocates: M/s. N.R.Routray, U.Bhatt, S.Sarkar, T.K.Choudhury, Smt. J. Pradhan)

VERSUS

Union of India Represented through its

1. General Manager,
East Coast Railway, E.Co.R. Sadan,
Chandrasekharpur, Bhubaneswar,
Dist-Khurda.
2. Chairman,
Railway Recruitment Cell,
2nd Floor, Rail Sadan, Chandrasekharpur,
Bhubaneswar-751017, Dist-Khurda.
3. Chief Medical Superintendent,
East Coast Railway,
Khurda Road Division,
At/PO- Jatni, Dist- Khurda.

... Respondents

(Advocate: Mr. T.Rath)

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ORDER (ORAL)

A.K. PATNAIK, MEMBER (JUDL.):

Heard Mr. N.R.Routray, Ld. Counsel for the Applicant, and Mr.
T.Rath, Ld. Standing Counsel appearing for the Respondent-Railways, on
whom a copy of this O.A. has already been served, and perused the materials
placed on record.



2. This O.A. has been filed by the applicant under Section 19 of the Administrative Tribunals Act, 1985 praying for the following reliefs:

“(i) To quash the order of cancellation of candidature dtd. 14.10.2014 under Ann.-A/6.

(ii) And to direct the Respondents to call for the applicant for re-medical examination for the post of Junior Trackman & Helper-II;

And pass any other order.....”

3. The case of the applicant as enumerated in this O.A is that pursuant to the notification dated 31.07.2012 issued by the Railway Recruitment Cell, E.Co.Railway for the post of Jr. Trackman & Helper-II, he applied, appeared in the written examination and came out successful. Subsequently, he also appeared in the Physical Efficiency Test and also came out success. Vide letter dated 02.07.2014, he was called upon for verification of documents. His documents were duly verified on 22.07.2014. As informed, he appeared in the medical test on 02.08.2014. vide letter dated 21.08.2015 he has been informed that he has been declared unfit in B-1 medical category. Applicant submitted his appeal along with medical certificate to Respondent No.3 on 24.02.2015 followed by another appeal dated 16.03.2015 to Respondent No.2(Annexure-A/8) to allow him to participate in the re-medical examination. He has submitted that in similar circumstances, other candidates have been allowed to appear before the medical board for re-medical examination. Having received no response, he has moved this Tribunal with the aforesaid prayers.

4. Since the representation of the applicant is stated to be pending with the authorities, we dispose of this O.A. with direction to the Respondent



No.2 to consider the representation as per rules, if at all pending, and communicate the result thereof to the applicant in a well reasoned order within a period of one month from the date of receipt of a copy of this order. However, the points raised by the applicant in his representation are kept open for the authorities to consider the same as per law. If in the meantime the said representation has already been disposed of then the result thereof be communicated to the applicant within a period of two weeks from the date of receipt of a copy of this order.

5. With the aforesaid observation and direction, this O.A. stands disposed of. No costs.

6. On the prayer made by Mr. Routray, Learned Counsel appearing for the applicant, copy of this order, along with paper book, be sent to Respondent No. 2 by Speed Post for which he undertakes to file the postal requisites by 07.08.2015.


(R.C.MISRA)
MEMBER(Admn.)


(A.K.PATNAIK)
MEMBER(Judl.)

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