

CENTRAL ADMINISTRATIVE TRIBUNAL  
CUTTACK BENCH, CUTTACK

O.A.No.260/00515 of 2015  
Cuttack this the 20<sup>th</sup> day of August, 2015  
CORAM  
HON'BLE SHRI R.C.MISRA, MEMBER(A)

P. Ganeswar Rao  
Aged about 60 years  
S/o. Late P.Rawana Rao  
At - Bandamunda  
Sector-A, Quarter No. 77,  
PO-Bandamunda  
Dist-Sundargarh

...Applicant

By the Advocate(s)-Mr.B.S.Tripathy

-VERSUS-

Union of India represented through

1. The General Manager  
South Eastern Railway  
Garden Reach  
Kolkata-43
2. Chief Personnel Officer,  
South Eastern Railway  
Garden Reach  
Kolkata-43
3. Divisional Railway Manager  
South Eastern Railway  
Chakradharpur Railway Division  
At/PO-Chakradharpur  
Jharkhand  
Dist-West Singhbhum(Jharkhand)
4. The Sr.Divisional Personnel Officer  
Chakradharpur Railway Division  
At/PO-Chakradharpur  
Jharkhand  
Dist-West Singhbhum(Jharkhand)
5. The Chief Medical Director  
South Eastern Railway  
Central Hospital  
Garden Reach  
Kolkata-43

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6. The Chief Medical Superintendent  
South Eastern Railway  
Chakradharpur  
Dist-West Singhbhum(Jharkhand)

...Respondents

By the Advocate(s)-Mr.T.Rath

**ORDER(Oral)**

**R.C.MISRA, MEMBER(A):**

Heard Mr.B.S.Tripathy, learned counsel for the applicant and Mr.T.Rath, learned Standing Counsel appearing for the Respondents and perused the records.

2. Prayer of the applicant in this O.A. is for constitution of Medical Board to certify whether he is fit for the railway service because of his long suffering from cancer and on being referred to Central Hospital, Garden Reach, Kolkata by the Chief Medical Superintendent, Bondamunda, he underwent cancer operation on 12.1.2015, but there being no chance of recovery. The Respondents without conducting any Medical Board allowed him to retire on superannuation. In view of this, applicant has made a representation dated 19.2.2015 to the Chief Medical Director (Res.No.5) requesting therein to declare him unfit for ~~medical~~ service by a proper Medical Board, so that his retirement could be grounded upon the medical invalidation and on that account, he could get the benefits that would accrue from such a status. Copy of the said representation has been annexed to the O.A. Thereafter, wife of the applicant has also made another representation on 22.6.2015, which has also been annexed to the O.A.

3. Since the applicant's case is that he is suffering from a severe illness, in my opinion, grievance of the applicant requires urgent attention by the concerned authorities. However, without expressing any opinion on the



merit of the matter, I would direct Respondent No.1, General Manager, S. E. Railway, Garden Reach, Kolkata and the Chief Medical Director, S. E. Railways (Res.No.5) to examine the pending representations and dispose of the same with a reasoned and speaking order to be communicated to the applicant within a period of sixty days from the date of receipt of this order. Considering the gravity of this matter, it is once again reiterated that the respondents concerned will take emergent steps to dispose of this case according to rules.

5. With the above observation and direction, this O.A. is disposed of at the stage of admission itself. No costs.

6. On the prayer made by learned counsel copy of this order along with paper book be sent to Respondent Nos. 1 & 5 by Speed Post at the cost of the applicant, for which Mr.B.S.Tripathy undertakes to file the postal requisites by 24.8.2015. Free copy of this order be made over to learned counsel for both the sides.

  
**(R.C.MISRA)**  
**MEMBER(A)**

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