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**CENTRAL ADMINISTRATIVE TRIBUNAL
JODHPUR BENCH, JODHPUR**

Original Application 297/2007

Date of Order : 14.10.2011

**CORAM: HON'BLE DR. K.B. SURESH, MEMBER (J) &
HON'BLE MR. SUDHIR KUMAR, MEMBER (A)**

Hukma Ram Goyal S/o Shri Shanker Lal aged 33 years, R/o
Shahid Raja Ram Park, Rajbagh, Soorsagar, Jodhpur.

.....Applicant.

By Mr. Vijay Mehta, Advocate.

Versus

- 1- Union of India through General Manager, North Western Railway, Jaipur.
- 2- General Manager (P), North Western Railway, Jaipur.
- 3- Divisional Railway Manager, North Western Railway, Jodhpur.

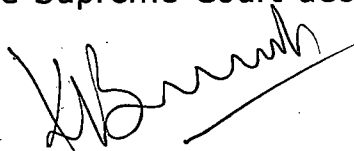
..... Respondent

By Mr. Salil Trivedi, Advocate.

**ORDER (ORAL)
[PER DR. K.B.SURESH,JUDICIAL MEMBER]**


Heard the matter in great detail and perused the affidavit
filed by the respondents.

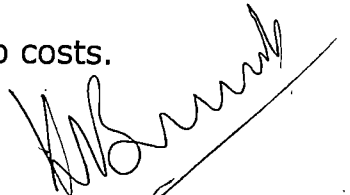
2. The crux of the matter is whether the very basis of the appointment of the applicant is correct or not. The subsidiary cause of his medical entitlement in B-1, C-1 or any other category, would arise only after the primary contention is satisfied; whether he is entitled to employment at all. It is submitted that it will depend on the resolution of ~~the issue of~~ the the issue by the Hon'ble Supreme Court, and only after the Hon'ble Supreme Court resolves the matter one way or the other, the matter has to be looked into from the angle of medical entitlement. If the Hon'ble Supreme Court decides the issue in



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favour of the applicant, then it is bounden duty on the part of the respondents to subject the applicant to one more medical re-appraisal and then fix him in a position accordingly, which is ⁱⁿ tune he with the decision of the Hon'ble Supreme Court. With this direction, the OA is disposed of with no order as to costs.


(Sudhir Kumar)
Administrative Member


(Dr. K.B. Suresh)
Judicial Member

jrm