

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

OA No. 5 of 1996

Monday, this the 22nd day of January, 1996

CORAM:

HON'BLE MR JUSTICE CHETTUR SANKARAN NAIR, VICE CHAIRMAN
HON'BLE MR P.V. VENKATAKRISHNAN, ADMINISTRATIVE MEMBER

1. Moly Varghese,
Tax Assistant,
Central Excise Division,
Muvattupuzha. .. Applicant

By Advocate Mr. Vellayani Sundara Raju

Versus

1. Union of India represented by
Secretary to Government,
Ministry of Finance, New Delhi.
2. Chief Commissioner of Customs
& Central Excise, Madras.
3. Commissioner of Central Excise,
Central Excise Head Quarters Office,
I.S. Press Road, Cochin-18.
4. Deputy Commissioner (P&V),
Central Excise Head Quarters Office,
I.S. Press Road, Cochin-18.
5. The District Medical Board, Ernakulam
represented by its Chairman Dr.KS Vasanthi,
then District Medical Officer of Health,
Ernakulam.
6. The Director of Health Services,
Thiruvananthapuram. .. Respondents

By Advocates Mr. TR Ramachandran Nair, ACGSC
Mr. D Sreekumar, GP

The application having been heard on 22nd January, 1996,
the Tribunal on the same day delivered the following:

O R D E R

CHETTUR SANKARAN NAIR(J), VICE CHAIRMAN

The controversy in this unusual application centres round the height of applicant. According to applicant, she stands a 152 cms. tall, while according to respondents, her height is only 150 cms. Such matters are not decided by judicial review. Government Pleader has a further case that one of the medical certificates had been tampered with by a clerk in the office of

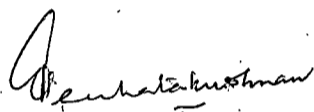
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the District Medical Officer.

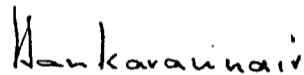
2. Counsel for respondents states that an appeal lies with the Director of Health Services against the decision of the Medical Board (Annexure A-11). Applicant may prefer an appeal before 6th respondent Director of Health Services and 6th respondent will cause necessary action to be taken thereupon within six weeks from the date of receipt of the appeal.

3. We dispose of the application as aforesaid. Parties will suffer their costs.

Dated the 22nd January, 1996



PV VENKATAKRISHNAN
ADMINISTRATIVE MEMBER



CHETTUR SANKARAN NAIR(J)
VICE CHAIRMAN

ak/22.1

LIST OF ANNEXURE

1. Annexure A11: True copy of medical certificate with a covering letter No.C3-11921/95 dt. 30.5.1995 Addressed to the Addl. Collector(Predecessor in office of the 4th respondent) sent by the District Medical Officer of Health, Ernakulam about the height of the applicant.

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