

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

O.A.No.540/08

Monday this the 8 th day of September, 2008.

CORAM:

HON'BLE MR.GEORGE PARACKEN, JUDICIAL MEMBER

JEEVARAJAN A.R.

S/o K.K.Ramakrishnan Nair,
Loco Pilot (Goods), Southern Railway,
Ernakulam Junction,
Residing at: Ariyappilly House, Keezhillam P.O.,
Perumbavoor, Ernakulam District.

Applicant

(By Advocate Shri TC Govindaswamy)

Vs.

1. Union of India represented by the
General Manager, Southern Railway,
Headquarters Office, Park Town P.O.,
CHENNAI -3.
2. The Divisional Personnel Officer,
Southern Railway,
Trivandrum Division.
TRIVANDRUM-14.
3. The Divisional Railway Manager,
Southern Railway,
Trivandrum Division.
TRIVANDRUM-14.
4. The Sr.Divisional Electrical Engineer/Operations
Southern Railway,
Trivandrum Division.
TRIVANDRUM-14.

Respondents

(By Advocate Shri Thomas Mathew Nellimoottil)

The application having been heard on 8.9.2008
the Tribunal on the same day delivered the following:

ORDER

HON'BLE MR.GEORGE PARACKEN, JUDICIAL MEMBER

The applicant is aggrieved by the A-1 Office Order dated 13.8.2008 by
which he has been posted to control office /TVC on having found suitable to



perform the duties of "PRC" in terms of Railway Board's letter dated 9.12.1998. On receipt of the said letter, he made a representation (Annexure A-4) dated 19.8.2008 stating that he has severe restriction to the movement of his right hand and still continuing on medical treatment. He, therefore, requested for a posting at ERS itself. The said representation was followed by A-5 representation dated 29.08.08 for considering him for absorption in a suitable post locally in terms of the provisions contained in the Railway Board's letter dated 18.9.2008 and RBE 159/2002 clarifying the points raised by Southern Railway in the letter No.P(R) II/P/Vol.III: 12.12.2001. Again he has made Annexure A-8 and Annexure A-9 representations dated 30.8.2008 and 6.9.08 for the same relief. He has also produced a medical certificate dated 4.9.2008 issued by Orthopaedic Surgeon, SAN JOE HOSPITAL, Perumbavoor according to which he has admitted there on 9.11.2007 for Old fracture proximal humerus with traumatic stiffness. He was re-admitted on 19.11.2007 and was discharged on 27.11.2007 with the advice to come for regular medical check-ups and physiotherapy till the implant removal.

2. The respondents have not so far considered the above representations.

3. I, therefore, direct the respondents to consider those representations in the light of the existing rules and regulations on the subject and to dispose of the same by a reasoned and speaking order within a period of two weeks. Till such time the impugned order dated 13.8.2008 shall not be given effect to.

4. O.A. is disposed as above. There shall be no order as to costs. (Copy of this order may be given to the counsel to the parties by hand.)

Dated the 8th September, 2008.


GEORGE PARACKEN
JUDICIAL MEMBER