

CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH

O.A.No.111/2003.

Tuesday this the 18th day of February 2003.

CORAM:

HON'BLE MR.K.V.SACHIDANANDAN, JUDICIAL MEMBER

P.Sukumaran,  
Staff No:J/T-722,  
Shunting Jamedar, Ernakulam.  
Southern Railway, Ernakulam.

Applicant

(By Advocate Shri K.Mohandas)

Vs.

1. The General Manager, Southern Railway,  
Commercial Court Wing,  
5th Floor, Moore Market Complex,  
Chennai.
2. The Chief Medical Officer,  
Southern Railway,  
Chennai.
3. The District Medical Officer,  
Southern Railway, Trichur.
4. The Station Master,  
Irinjalakuda Railway Station,  
Irinjalakuda.
5. Union of India represented by  
Secretary,  
Ministry of Railways,  
New Delhi.

Respondents

(By Advocate Smt. Sumathi Dandapani)

The application having been heard on 18.2.2003,  
the Tribunal on the same day delivered the following:

O R D E R

HON'BLE MR. K.V.SACHIDANANDAN, JUDICIAL MEMBER

The applicant is an employee in the Railway Department sustained injuries on chin (below nose) causing permanent damage to the upper Arch Bar and teeth on account of hitting lever No.9 while setting the points for the reception of Train No.6320 Trivandrum-Madras Mail. He was taken to St.James Hospital,

Chalakudy and thereafter to Medical College Hospital, Thrissur and District Hospital, Thiruvnanthapuram. It is further averred in the O.A. that the applicant was on duty while the injury caused and he was on injury duty for 114 days and he has undergone a major surgery to set right the disfiguration of the face caused as a result of the accident and even now suffering from intermittent headache and that he has spent a huge amount for his treatment. He suffered with great pain and mental agony. He submitted A-1 claim on 5.9.2002 to the respondents which has not yet been answered even after a lapse of one year. As no information was forthcoming about his claim the applicant made an enquiry with the 4th respondent and the 4th respondent informed him that all relevant papers and documents had been moved through proper channel and the claim of the applicant is pending before the 1st respondent for consideration. Aggrieved by the non-consideration of his claim the applicant has filed this O.A. seeking the following reliefs:

- 1) The Hon'ble Central Administrative Tribunal may be pleased to direct the 1st respondent to disburse the amount to the applicant to which he is entitled to;
- 2) The Hon'ble Tribunal may be pleased to direct the 1st respondent to consider and dispose of Annexure A-1 within such time as this Hon'ble Tribunal deem fit to grant in the facts and circumstances of the case;
- 3) To issue any other orders or directions as this Hon'ble Tribunal may deem fit to grant under the facts and circumstances of the case.

2. Shri K.Mohandas, learned counsel has appeared for the applicant and Smt. Sumathi Dandapani, Standing Counsel for the Railways appeared for the respondents and made respective submissions.

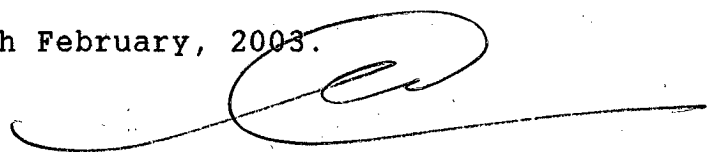
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3. When the matter came up before the Bench for hearing today, the applicant's counsel submitted that the applicant would be satisfied if the claim Annexure A-1 is processed by the competent authority of the respondents' establishment and disposed of the matter within a specified time on the basis of the documents and other circumstances. Learned counsel for the respondents submitted that she has no objection in adopting such a course of action. The submission is recorded.

4. Under these circumstances and in the light of the above submissions made by the learned counsel on either side I direct the first respondent and or any other competent authority entrusted by the first respondent under the Railway rules to dispose of the applicant's claim made in Annexure A-1 as expeditiously as possible and in any case, within a period of three months from the date of receipt of a copy of this order.

5. The O.A. is disposed of with the above observations and directions with no order as to costs.

Dated the 18th February, 2003.



K.V.SACHIDANANDAN  
JUDICIAL MEMBER