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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,  
LUCKNOW BENCH, LUCKNOW.

ORIGINAL APPLICATION NO. 673 of 1992.

this the 17th day of February'2000.

HON'BLE MR D.C. VERMA, MEMBER(J)

HON'BLE MR A.K. MISRA, MEMBER(A)

Mohd. Haroon, S/o late Hasnoo, aged about 59 years,  
R/o Teji Kheri, Post Manaknagar, Alambagh, Lucknow.

Applicant.

By Advocate: None.

Versus.

Union of India through General Manager, Northern  
Railway, Baroda House, New Delhi.

2. The Dy. Controller of Stores, N.R., Alambagh,  
Lucknow.

3. The Chief Medical Supdt. Northern Railway  
Hospital, Charbagh, Lucknow.

Respondents.

By Advocate: Sri A.K. Chaturvedi.

O R D E R ( O R A L )

D.C. VERMA, MEMBER(J)

The applicant- Mohd. Haroon, has filed this  
O.A. with the prayer that he be treated as a disabled  
employee and the certificate of unfitness be provided  
to him treating 'xxx him' xxx as unfit from duty on  
the date of retirement and thereafter to provide  
compassionate appointment to his son according to his  
qualifications.

2. The facts of the case is that the applicant  
was working as Khalasi w.e.f. 17.8.54 and was  
subsequently promoted to the post of D.S.K.III. The  
applicant claimed that he fell ill in 1990 and  
remained ill till the date of retirement and his  
treatment was made in various hospitals under the  
railway authorities. As per recitals made in the O.A.,  
the applicant was under treatment of an Specialist and

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was declared as a case of Schizophrenia of chronic nature and was declared unfit to join duty on 10.7.91. The applicant consequently, ~~has~~ prayed that he be treated as a disabled employee and employment to his son be given accordingly.

3. The respondents' case is that the applicant was under treatment of railway doctor from 29.4.91 and was referred to Supdt., KGMC on 10.6.91. The medical certificate (Annexure-1 to the O.A.) shows that the applicant was in hospital from 26.6.91 to 10.7.91. After discharge from KGMC, the applicant was, ~~thereafter~~ examined by the railway doctor on 30.7.91 (Annexure C-1 to the Counter) by which the applicant was declared fit to attend his duty by the Senior Divisional Medical Officer, Lucknow vide fitness certificate no. 912023. The applicant superannuated on 31.7.91. Thus, as per the medical certificate of Senior Divisional Medical Officer, Lucknow, the applicant was <sup>found</sup> fit to join his duty and was not medically disabled. Consequently, the applicant's case <sup>he</sup> that ~~was~~ a disabled employee, has no merit. On perusal of the certificate issued by the KGMC (Annexure-1 to the O.A.) we find that the applicant had not been declared as a disabled employee, only a certificate was given that he was unfit to join his duty on 10.7.91 i.e. <sup>on</sup> the date of discharge. Subsequently, when the applicant was examined on 30.7.91 by the Senior Divisional Medical Officer, the applicant was found fit to join duty and consequently the applicant's case to declare him as a disabled employee, has no merit.

4. In view of the above, we find no merit in the O.A. and the same is dismissed. No costs.

  
MEMBER(A)

  
MEMBER(J)

LUCKNOW: DATED 17.2.2000.

Girish/-