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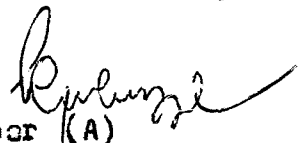
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Railway Administration regarding his illness. As such there was no duty cast upon them to give any information to him. According to the respondents, it was the duty of the applicant to ascertain as to when the supplementary examination was to take place. Normally, according to them second supplementary examination is not to take place though holding of second supplementary examination has not been denied or disputed.


3. From the papers it appears that certain information was, in fact, given to the department regarding the applicant's ailment, who made representation in this behalf. If any heed would have been given in this behalf, the matter would have been solved earlier. But the Railway Administration preferred to keep mum with the result the applicant was deprived of appearing in the examination. Now, when he has retired and the relationship between the master and servant has come to an end, a strong plea has been taken that he should suffer and the Railway Administration should enjoy for their own laches. It is the Railway Administration which is responsible for delaying the matter. It is a fit case that they should consider the case of the applicant by considering his suitability on the basis of A.C.R. etc. It is expected that the same will be done within a period of 3 months from the date of communication of this order. In case he is found suitable, there appears to be no reason as to why he cannot be given promotion notionally w.e.f. due date. As order as to the costs.

Member

(A)



Vice-Chairman.



Dated: 31st March, 1993. Lucknow.

(tgk)