

CENTRAL ADMINISTRATIVE TRIBUNAL
LUCKNOW BENCH LUCKNOW

INDEX SHEET

CAUSE TITLE A.A. 230 OF 1988

NAME OF THE PARTIES. *Ronal Fry & Anathu*

Applicant

Versus

Union of India RespondentPart A, ~~B & C~~

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CERTIFICATE

Certified that no further action is required to be taken and that the case is fit for consignment to the record room (decided)

Dated... *29/12/2011*

Counter Signed.....

Section Officer / In charge

Signature of the
Dealing Assistant

23/2

Filed today
23/12/00

CENTRAL ADMINISTRATIVE TRIBUNAL

ADDITIONAL BENCH,

23-A, Thornhill Road, Allahabad-211001

(23)

Registration No. 230 of 198 A.C.C.

APPLICANT (s) Ronald Feyler

RESPONDENT(s) U.O. 2

.....

Particulars to be examined	Endorsement as to result of Examination
1. Is the appeal competent ?	Yes
2. (a) Is the application in the prescribed form ?	Yes
(b) Is the application in paper book form ?	Yes
(c) Have six complete sets of the application been filed ?	No
3. (a) Is the appeal in time ?	
(b) If not, by how many days it is beyond time ?	
(c) Has sufficient case for not making the application in time, been filed ?	
4. Has the document of authorisation, Vakalat-nama been filed ?	Yes
5. Is the application accompanied by B. D. /Postal-Order for Rs. 50/-	Yes L.P.O. No. 50 065932 Rs 50/- 5 d1 16-12-04
6. Has the certified copy/copies of the order (s) against which the application is made been filed ?	
7. (a) Have the copies of the documents/relied upon by the applicant and mentioned in the application, been filed ?	
(b) Have the documents referred to in (a) above duly attested by a Gazetted Officer and numbered accordingly ?	

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD
CIRCUIT BENCH, LUCKNOW

INDEX - SHEET

CAUSE TITLE Reg. C.A. 230. - OF 1988 (L)

NAME OF THE PARTIES

Ronald Frey and another

VERSUS

Union of India & ors.Part A, B and C

Sl. No.	DESCRIPTION OF DOCUMENTS	PAGE
A1	General Index - - -	1
A2	Order sheet - - -	1
A3	Judgement dt 11-4-89 -	1
A4	Petition along with annexes dated 25/1/89 - -	23
B1	Vat alatanam - (Power)	1

OA 230/00(i)

OR

This claim petition has been filed to appoint ~~the~~ applicant no. 142 on compassionate grounds. On application Annexure-5 moved by applicant no 1 two different dates are mentioned,

On the face of the application

13-6-07 is mentioned where-as in the same application the date below the signature of the applicant 13-7-07 is mentioned. The applicant no 2 has moved the application Am-6 on 13-7-07.

If limitation is calculated from 13-7-07 the petition filed on 23-12-00 is within limitation. But if limitation is calculated from 13-6-07 the petition is beyond time by 10 days. No prayer for condonation of delay has been made. The applicants ^{have} stated that their claim petition is within time. ~~for general~~

Jash
19/1/09

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
CIRCULAR BENCH AT DELHI.

O.A./T.A. No. 230 1988

R. per

Applicant(s)

Versus

U.O. 200

Respondent(s)

Sr. No.	Date	Orders
	25/1/89	<p>Hon. D. S. Mishra, AM, Hon. G. S. Sharma, JM.</p> <hr/> <p>On the request of the learned Counsel for the applicant the case is adjourned to 23/2/89.</p> <p style="text-align: center;">J.M.</p> <p style="text-align: right;">AM,</p>
	23-1-89	<p>Hon. D. S. Mishra, AM Hon. G. S. Sharma, JM</p> <hr/> <p>On the request of the learned Counsel for the applicant, the case is adjourned 11.4.89 for admission.</p> <p style="text-align: center;">J.M.</p> <p style="text-align: right;">AM</p>
	10.4.89	<p>OR</p> <p>Case is submitted for admission.</p> <p style="text-align: right;">AM</p>

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CENTRAL ADMINISTRATIVE TRIBUNAL
Circuit Bench at LUCKNOW

...

Registration No. Gandhi Bhavan, Lucknow
O.A. No.230/88(L) APRIL 11, 1989

Ronald Frey and another Applicants
Vs.

Union of India & ors Respondents

Hon' Mr. Ajay Johri, A.M.

Hon' Mr. D.K. Agrawal, J.M.

(By Hon' Mr. D.K. Agrawal, J.M.)

This is an application on behalf of Oswald Noble Frey (Applicant No. 2) and Ronald Frey (Applicant No. 1) who has sought an appointment on compassionate grounds, as the applicant No. 1 (i.e. Ronald Frey) was declared medically unfit to discharge duty as Driver 'A' Special. The grievance of the applicant is that, neither any reply has been given, nor the appointment, if permissible under the rule, has been offered to the applicant No. 2 (i.e. Oswald Noble Frey). The learned counsel for the applicants, Shri A.K. Chaturvedi submitted before us that the application be disposed off by giving a direction to the respondent No. 3 to dispose of the application of applicant No. 2 dated 13-7-87. We accordingly direct the respondent No. 3, to take a decision on the application of applicant No. 2 dated 13-7-87 referred to above, within 30 days from the date of the receipt of this order. This application is accordingly disposed off. We make no order as to cost.

(sns)

D. Agrawal
J.M.

3/10/89
A.M.

IN THE HON'BLE CENTRAL ADMINISTRATIVE TRIBUNAL

ADDITIONAL BENCH AT LUCKNOW

In Original Appln No. of 1988(L)

BETWEEN

Ronald Frey and an other ... Applicants

AND

Union of India & others ... Respondents

APPLICATION UNDER SEC 19 OF THE
ADMINISTRATIVE TRIBUNALS ACT, 1985

For use in tribunals office;

Date of filing-.....-

OR

Date of receipt-.....-

by post-.....-

Registration no.-

Signature of the
Registrar.

Noted dated

25/1/09

R. Frey

23/12/88

Am
1

IN THE HON'BLE CENTRAL ADMINISTRATIVE TRIBUNAL

ADDITIONAL BENCH AT LUCKNOW

Original Appln. No. of 1988 (L)
BETWEEN

Ronald Frey and another ...Applicants

AND

Union of India & others ...Respondents

I N D E X

-
1. Memo of application 1-14
 2. Annexure No. 1 15
Copy of medical report dated 23.1.87
 3. Annexure No. 2 16
Copy of certificate in respect of
declaration as unfit to the applicant no. 1
 4. Annexure No. 3 17
Copy of letter dt. 30.6.87 written by
respondent no. 4 to respondent no. 3
 5. Annexure No. 4 18
Copy of letter dt. 20.8.87 by which
the applicant no. 1 was declared invalid
 6. Annexure No. 5 19-20
Copy of application dated 13.7.87
submitted by applicant no. 1
 7. Annexure No. 6 21-22
Copy of application dated 13.7.87
submitted by applicant no. 2
 8. Bank Draft No. ^{DD} 065932 Dated 16.12.88 for Rs50/- only
 9. Vakalatnama

Place: Lucknow

Dated: 16.12.88

Raju/-

A. Chaturvedi
Asit Kumar Chaturvedi
THROUGH
(A.K. Chaturvedi)
Advocate,
Counsel for the applicant

Am
2

IN THE HON'BLE CENTRAL ADMINISTRATIVE TRIBUNAL.

ADDITIONAL BENCH AT LUCKNOW

Original Appn No. of 1988 (L)

District Lucknow

BETWEEN

1. Ronald Frey,
son of Sri(late) S.T.Frey,
120-31/5 Beldari Lane, Lalbagh,
Lucknow.
2. Oswald Noble Frey,
S/O of Sri Ronald Frey,
120-31/5, Beldari Lane, Lalbagh,
Lucknow.

... Applicants

AND

1. Railway Board, Rail Bhawan, New Delhi,
through the Secretary.
2. General Manager, Northern Railway,
Baroda House, New Delhi.
3. Divisional Railway Manager,
Northern Railway, Lucknow Division,
Hazratganj, Lucknow.
4. Chief Medical Officer, Northern Railway,
Baroda House, New Delhi.

... Respondents

APPLICATION UNDER SECTION 19 OF THE
ADMINISTRATIVE TRIBUNAL ACT, 1985.

DETAILS OF APPLICATION:-

1- PARTICULARS OF THE APPLICANTS:-

- | | |
|---|---|
| (i) Name of the applicants: | (1) Ronald Frey |
| | (2) Oswald Noble Frey |
| (ii) Name of fathers; | (1) Late S.T.Frey |
| | (2) Ronald Frey |
| (iii) Designation and office in which employed; | (1) Driver 'A' Special Head Quarter, Lko, Lko. Divs. N.R., Lko. |
| | (2) Moved an application for appointment in class III, under Respondent |

Ronald Frey
Oswald Frey

Am
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(2)

No. 3 on compassionate ground due to total invalidation of applicant no. 1 for all categories while in service under respondents.

(iv) Office Address; (1) Driver 'A' Special, Headquarter Lucknow, N. R. Lucknow Division, Lucknow.

(2) X

(v) Address for service(1) 120-31/5, Beldari Lane, of all notices; Lalbagh, Lucknow.

(2) -do-

2- PARTICULARS OF THE RESPONDENTS:

(1)- Name &/or Designation of the respondents:-

(i) Railway Board, Rail Bhawan, New Delhi through the Secretary.

(ii) General Manager, Northern Railway, Baroda House, New Delhi.

(iii) Divisional Railway Manager, Northern Railway, Lucknow Division, Hazratganj, Lucknow.

(iv) Chief Medical Officer, Northern Railway, Baroda House, New Delhi.

(2) Office Address of the respondents:- As above

(3) Address for service of all notices:- As above.

3- PARTICULARS OF THE ORDER AGAINST WHICH THE APPLICATION IS BEING MADE:-

Application is against the respondents that they are not disposing off the applications of applicants for appointment of applicant no. 2 in class III under respondent no. 3 on compassionate grounds due to total invalidation of the applicant no. 1 for all categories while in service under respondents.

Ronald Frey
Oswald Frey

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(3)

4. JURISDICTION OF THE TRIBUNAL;

The matter relates to the appointment of applicant no. 2 in class III under respondent no. 3 on compassionate grounds due to total invalidation of applicant no. 1 for all categories while in service under respondent no. 3. Thus the Lucknow Bench of the Central Administrative Tribunal has the jurisdiction to deal with and is so declared by the applicant.

5- LIMITATION;

That the application is within limitation under Section 21 of the Central Administrative Tribunal Act, 1985 as the applicant no. 1 was totally invalidated for all categories while in service and the applicants have moved an application dated 13.7.1987 for appointment of applicant no. 2 in class III on compassionate ground. The applicant have made several reminders thereafter, but the application dated 13.7.1987 and several reminders have not yet been disposed off by the respondents.

6- FACTS OF THE CASE;

The facts of the case are given below:-

(1) That the applicant no. 1 was initially appointed as Engine Cleaner on 10.6.1947 in the then Eastern Railway Lucknow. The applicant no. 1 was promoted as Second Fireman in June, 1950 and thereafter promoted as first fireman in July 1954. The applicant no. 1 was further promoted as Shunter in June 1960 and thereafter as Driver 'C'

Oswald Juy
Oswald. Juy

Am
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(4)

on 15.12.1962. The applicant no. 1 was further promoted as Driver 'A' in December, 1983 and promoted thereafter as Driver 'A' special on 22.9.1984. The work and conduct of the applicant no. 1 was to the full of satisfaction of his superiors. The applicant no. 1 was awarded by respondents for an accident free. Service under respondents. The applicant no. 1 is a permanent employee under respondents.

(ii) That the applicant no. 1 fell ill on 4th November, 1986 due to some mental problems. The applicant no. 1 illness was referred to Superintendent, King George, Medical College/ Hospitals, Lucknow by the Additional Chief Medical Officer, Northern, Railway, Lucknow vide order no.99-Med/O/M dated 5th November, 1986 because there was no facility for treatment of applicant no. 1 illness in Railway Hospital Lucknow. The applicant no. 1 remained under treatment of Department of Psychiatry King George, Medical College/ Gandhi Memorial and Associated Hospital, Lucknow up to 23rd January, 1987. The Department of Psychiatry submitted the report to the Senior Medical Superintendent, Lucknow declaring that the applicant no. 1 is unfit for all categories in the Railway on account of his illness. The applicant no. 1 was discharged from hospital on 23rd January, 1987 and was declared unfit. A photo copy of the medical report dated 23.1.1987 is annexed herewith as ANNEXURE No.1 and 2 to the application.

Ronald Grey
Oswald Grey

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(5)

(iii) That the applicant no. 1 moved an application dated 31.1.1987 before Additional Chief Medical Officer, Northern Railway, Lucknow for making necessary arrangement for constituting a Medical Board for considering the case of the applicant no. 1 on the basis of the declaration made by the Medical College, Lucknow.

(iv) That the medical board was not constituted for considering the case of the applicant no.1 for more than four months by the respondents which is contrary to the decision in the Permanent Negotiatory Machinery Meeting . It is here to be stated that it has been agreed between the workmen federation (~~AIWF~~ ^{AIKE}) and the respondent no. 1 on 29.10.1986 and 30.10.1986 in the permanent negotiatory machinery meeting that the medical Board should finalise the cases for invalidation from service on medical grounds in not more than three months from the date the case is received in Medical Department. In this regard an order was issued by respondent no. 1 on 19.2.1987.

(v) That the medical board was constituted in June, 1987 for finalising the case of the applicant no. 1. The applicant no. 1 was medically examined by the Medical Board on 27.6.1987 at Divisional Hospital, Northern Railway, Lucknow . The medical report was submitted by the medical Board to the Respondent no. 4. The Respondent no. 4 approved the medical report of the Medical Board and submitted the same to the respondent no. 3 vide

*Ronald Frey
Oswald Frey*

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(6)

letter dated 30.6.1987. The applicant no. 1 was invalidated out of service in all categories on medical grounds by the Medical Board on 27.6.87. A copy of the letter dated 30.6.1987 written by Respondent no. 4 to Respondent no. 3 is annexed herewith as ANNEXURE No. 3 to this application.

(vi) That the applicant no. 1 have been totally invalidated out of service for all categories on medical grounds while in service w.e.f. 30.6.1987 by the Senior Divisional Personnel Officer, Northern Railway, Lucknow vide order dated 20.8.87 on the basis of the Medical Report dated 27.6.1987 of the Medical Board. A Photocopy of the letter dated 20.8.1987 is annexed herewith as ANNEXURE No. 4 to this application.

(vii) That the applicant no. 2 is the only son of the applicant no. 1. The family of the applicant no. 1 has no other source of income except that the applicant no. 2 may get an employment under respondents in class III on compassionate grounds keeping in view the Railway Board Circular dated 7th April, 1983, 18th January, 1984 and 19th September, 1984.

(viii) That the applicant no. 1 and 2 applied for appointment of the applicant no. 2 to respondent no. 3 on 13.7.1987 on compassionate grounds in class III keeping in fact that the applicant no. 1 has been totally invalidated on medical grounds for all categories while in service under respondent no. 3.

Donald Frey
Oswald Frey

(7)

The application has been moved in compliance of the respondent no. 1 circular dated 7.4.83, 18.1.84 and 19.9.84. A copy of the application dated 13.7.87 of the applicant no. 1 and 2 respectively is being annexed herewith as ANNEXURE No 8&6 to this application.

(ix) That the applicants made several reminders to the various authorities under respondents on 22.7.87, 6.8.87 and 7.8.87, 11.9.87, 22.7.88 and 10.8.88, but the respondents have not yet replied to the applicants till dated regarding the disposal of the applications dated 13.7.87 for appointment on compassionate ground under respondent no.3. The applicant have moved several other representations to the authorities under respondents but of no avail.

(x) That the Northern Railway Men's Union has also agitated several time the matter before the respondents but the respondents have only stated to them that the matter of appointment of applicant no. 2 on compassionate grounds is under consideration. However till date the application for appointment of applicant no. 2 on compassionate ground has not yet been disposed off.

(xi) That the applicant no. 1 was totally invalidated for all categories of service under respondents by the King George, Medical College /Gandhi Memorial and Associated Hospitals, Lucknow, on 23.1.1987 and the Medical Board of the Northern Railway, has declared the applicant no. 1 as totally invalidated for all categories of service on 27.6.1987. The respondent no. 4 has approved

Ronald Grey
Oswald Grey

(8)

the Medical Report dated 27.6.87 on 30.6.87.
The applicant no. 1 has been invalidated out of service on medical grounds and accordingly the applicant no. 1 was retired from service w.e.f. 30.6.87 A.M. by the Senior Divisional Personnel Officer, Northern Railway, Lucknow.

(xii) That the delay in constituting the Medical Board was a lapse and fault on the part of the respondents hence the applicants cannot be penalised for the said delay by depriving the benefit of appointment of applicant no. 2 on compassionate grounds;

(xiii) That the railway employees of the Lucknow Division who were totally invalidated for all categories as applicant no. 1 has been granted the benefit of appointment of their wards/dependent on compassionate grounds but the applicant no. 1 is being illegally and arbitrarily deprived of the benefit of appointment of applicant no. 2 by the respondents. The similarly situated railway employees who have been benefited are Shri Sri Ram, R.S. Bhubey, Prabhu Dayal, etc.

(xiv) That the respondents have also appointed wards/dependents of the railway employees who have been only decategorised medically for their respective posts. It is here to be stated that the medically decategorised rail-way employees

*Ronald Frey
Oswald Frey*

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(9)

are given posting for the post for which they have not been medically decategorised and when they don't accept that post and request for the appointment of their ward. They are considered for it. Hence the respondents are acting illegally and arbitrarily while not appointing the ward of the totally invalidated for all categories but appointing wards/dependents of the medically decategorised railway employees.

(xv) That the applicant no. 2 has the right for his appointment in class III under respondent no. 3 as the applicant no. 1 was totally invalidated for all categories on medical grounds while in service under respondent no. 3 keeping in view the various Railway Board orders. The persons similarly situated as applicant no. 2 have been given appointment under respondents. The persons, whose cases are in lower priority on compassionate grounds have been made by the respondents.

(xvi) That the respondents are illegally and arbitrarily not disposing off the application for appointment of applicant no. 2 on compassionate ground. The family of the applicants is suffering irreparable loss due to the fact that he is not being appointed in class III under respondents on compassionate grounds. The applicant no. 2 is out of employment yet.

Donald Jey.
Oswald Jey.

(xvii) That the applicant no. 1 has not been given any opportunity to place his case while refusing/delaying the appointment of applicant no. 2 on compassionate grounds;

7- RELIEF BEING SOUGHT;

In view of the facts mentioned as above paras of application, the humble applicants pray for following reliefs;

(A) That this Hon'ble tribunal may be pleased to direct the respondents to dispose of the application dated 13.7.87 contained in Annexure no. 5 and 6 to the application immediately for appointment of applicant no. 2 in class III under respondent no. 3 on compassionate grounds due to total invalidation of applicant no. 1 for all categories while in service under respondents no. 3 keeping in view the Railway Board orders/circulars.

(B) That this Hon'ble tribunal may be pleased to direct the respondents to appoint the applicant no. 2 in class III under respondent no. 3 on compassionate grounds due to total invalidation of applicant no. 1 for all categories while in service under respondent no. 3.

(C) That this Hon'ble Tribunal may be pleased to quash an order, if any, rejecting the

Ronald Fry
Oswald Fry

(11)

applications dated 13.7.87 contained in Annexure No. 5&6 to the application for appointment of applicant no. 2 in class III under respondent no. 3 on compassionate grounds due to total invalidation of applicant no. 1 for all categories while in service under respondent no. 3.

(D) That this Hon'ble tribunal may be pleased to grant relief as deems fit and proper in the present case may also be allowed in favour of the applicants along with cost of the application on the basis of the following amongst other grounds;

(a) Because the applicants have been deprived illegally and arbitrarily of the benefit for which he is entitled keeping in view the various Railway Board Orders.

(b) Because the applicants have been deprived of the appointment of applicant no. 2 in utter violation of Articles 14 and 16 of the Constitution of India.

(c) Because the applicants have been penalised by way of delaying/refusing appointment of applicant no. 2 in utter violation of principle of natural justice.

(d) Because the persons who are similarly situated have been given benefit by way of

*Donald Frey
Oswald Frey*

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(12)

appointment of their wards/dependents on compassionate grounds.

(e) Because the persons who are in lower priority have been given benefit by way of appointment of their ward/dependents on compassionate grounds;

(f) Because the order, if any, passed by the respondents while rejecting the application for appointment of applicant no. 2 is non speaking, illegal, arbitrary and with malafide motive.

8- INTERIM ORDER IF PRAYED FOR;

Pending final decision of this application applicants seek to issue final interim order;

The respondents may dispose off immediately the applications dated 13.7.87 contained in Annexures 5 & 6 to the application and subsequent reminders for appointment of applicant no. 2 in class III under respondent no. 3 on compassionate ground due to fact that the applicant no. 1 was totally invalidated for all categories on medical grounds while in service keeping in view the various Railway Board order on the subject .

9- DETAIL OF REMEDY EXHAUSTED;

No further remedy is available under any rule or law.

Ronald Frey
Oswald Frey

(13)

10-MATTER IS NOT PENDING WITH ANY OTHER COURT ETC.;

Applicants further declares that the appointment of applicant no. 2 in class III under respondents on compassionate grounds due to total invalidation of the applicant no. 1 for all categories on medical ground while in service is not under consideration/challenge by the applicant in any court of law.

11-DETAIL OF INDEX;

Index in duplicate with details of documents be relied upon as enclosed with application

12-LIST OF ENCLOSURES;

Memo of application along with 6 annexures vide index as enclosed.

13-PARTICULARS OF POSTAL ORDER;

Postal order No. ^{DD}5-065932 Dated 16.12.88 for Rs 50/- only.

VERIFICATION

I, Ronald Frey, son of Late Sri S.T.Frey, Resident of 120- 31/5, Beldari Lane, Lalbagh, Lucknow on behalf of other applicant do hereby verify that the contents of paras 1 to 13 of this

*Ronald Frey
Oswald Frey*

14/15

(14)

application are true to my personal knowledge
and belief and that I have no suppressed any
material facts.

Place: Lucknow

Dated: 16.12.88

Oswald Frey

Oswald Frey

APPLICANT'S SIGNATURE

A. Chaturvedi
Asit Kumar Chaturvedi

THROUGH

(A.K. Chaturvedi)
Advocate,
Counsel for the petitioners/
applicants

In the Central Administrative Tribunal
Additional Bench at Allahabad.
Circuit Bench Lucknow.

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Registration Case No.
Ronald Fray & another
Versus
Railway Board & others

of 1988
Applicant
Respondents



Annexure No. 1

Phone : 82415

DEPARTMENT OF PSYCHIATRY

KING GEORGE'S MEDICAL COLLEGE - G. M. AND A. HOSPITALS
LUCKNOW - 226 003
(INDIA)

Ref. No.103...../Psy.

Dated. 23.1.1987..

The Sr. Medical Superintendent,
G.M. & Associated Hospitals,
Lucknow.

Sir,

Kindly refer to your letter No. 453/XV-I dated Jan.22, 1978 regarding Mr. R. Fray referred by A.C.M.O., Northern Railway, Lucknow vide his letter No. 99/Med/O/M dated 5.11.1986.

Mr. R. Fray first attend out-patient of this department on December 3, 1986 (out-patient No. 3922/86) and was provisionally diagnosed to be suffering from Pre-senile Dementia. On Psychometric evaluation there was evidence of organic involvement. The patient was hospitalized for further evaluation on 14.1.1987, and a detailed assessment showed impairment of memory, intelligence and judgement. He also showed secondary depression and marked anxiety. A repeat psychometric evaluation (Rorschach, WMS, BGT & I.Q. test) showed impairment of memory, evidence of confabulations, impaired visiomotor coordination and I.Q. of 65 to 70. The diagnosis of presenile dementia was confirmed. I would therefore, declare Mr. R. Fray unfit for all categories in the Railway on account of his illness.

Thanking you,

Yours faithfully,

Ronald Fray
Oswald Fray

Attested
Ajit Kumar Chaturvedi
Adv

J. K. Trivedi
(J.K. Trivedi)
Lecturer.

In the Central Administrative Tribunal
Additional Bench at Allahabad.
Circuit Bench Lucknow.

Registration Case No
Ronald Frey & another
Versus

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of 1988
Applicant

Respondents

17/1

Sl. No.

4582

Annexure No 2.

G. M. ASSOCIATED HOSPITALS, LUCKNOW.

SN
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Medical Certificate

Mr. R. FRAEY

This is to certify that..... whose signatures/
Thumb impression is affixed below, is suffering from.....
..... disease (Provisional).....
..... and was admitted in the hospital on..... 14/1/87
..... and

- *(a) his / her stay in the hospital is considered absolutely essential for.....
..... days from.....
*(b) was discharged on..... 23-1-1987..... and is fit to join his/her duty.
*(c) was discharged on..... and is/was recommended
convalescent leave for..... days from the date of
discharge, and would be fit for duty now from.....

Signature/Thumb

Impression of Patient

Attested

Date.....

23/1/87

PHYSICIAN/SURGEON

T. K. Tripathi
Senior Medical Superintendent,
G. M. & Associated Hospitals,
LUCKNOW

ISSUED

25/1/87
Senior Medical Superintendent,
G. M. & Associated Hospitals,
LUCKNOW

NOTE :-Certificate without Signatures of Senior Medical Superintendent
are invalid. *Score out if not applicable.

Ronald Frey
Oswald Frey

Attested
Asit Kumar Chaturvedi
Adv

In the Central Administrative Tribunal
Additional Bench at Allahabad
Circuit Bench Lucknow.
Registration Case No.
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of 1988
Applicant

Respondents

Annexure No 3

उत्तर रेलवे

प्रधान कार्यालय,
बड़वा हाउस,
नई दिल्ली।

सं. 99-med/5/339

Dated 29-6-87 87

मण्डल रेल प्रबन्धक. (D.R.M./N.Rly.)
उत्तर रेलवे Lucknow

नं० २७७३

विषय:- श्री R. Frey, Driver-A/S.I. LKO
का मेडिकल बोर्ड।

उपरोक्त व्यक्ति की डाक्टररी परीक्षा मेडिकल बोर्ड द्वारा दिनांक 27-6-87

को उत्तर रेलवे Divl. Hospital/Lucknow में की गयी थी।

मेडिकल बोर्ड की निष्कर्ष रिपोर्ट की एक प्रति अग्रे की कार्यवाही के लिये
बीरो उद्धृत की जाती है। इसे मुख्य चिकित्सा अधिकारी की स्वीकृति प्राप्त है।

रिपोर्ट: (Recommendation)

With the findings it is concluded that R. H. Frey, Driver-A/Spl Lucknow is suffering from "presenile dementia" and his chances of recovery from this illness are very poor. He has already received enough treatment from Psychiatrist LKO/Lucknow but without improvement.

The members of the Medical Board recommend that he (Sh. R. Frey) may be invalidated out of service in all categories on medical grounds.

sd/-Raj. Kumar
DMO/P/LKO

sd/-R.K. Goswami
AMC/Psy/Ch

sd/-R. Saxena
S/LKO

for Chief Medical Officer

Copy forwarded for information to The Chief Medical Supdt./LKO

in ref. to his letter No. 10-med/5/339 dt. 27-6-87 dt.

Ronald Frey
Oswald Frey

Attested
H. K. Kumar Chaturvedi
Adv

In the Central

Additional Bench at Allahabad.
Circuit Bench Lucknow.

Registration Case No.

Ronald Frey & another
Versus

Railway Board & others

of 1988

Applicant

Respondents

14/10

Annexure No. 4.

NORTHERN RAILWAY.

No. 54 E-I/7/68.

Divisional Office,
Lucknow, Dt/- 20/8/87.

Shri R. Frey,
Driver 'A' Spl,
Lucknow.


Through : LF/Lucknow.

Reg : Your medical unfitness.

.....

You have been invalidated out of service on medical grounds vide CIO/NLS letter No. 99-Med/5/339 dated 30.6.87 and accordingly you are retired from service with effect from 30.6.87 A.W.

You are required to hand over all Railway property to LF/Lucknow and also vacate Railway Quarter if any occupied by you immediately failing which you will be treated as trespasser and will be liable to pay the damages for such un-authorised and unlawful occupation of the same.


Sr. Divl. Personnel Officer,
Northern Railway,
Lucknow.

Copy for information and necessary action to :-

- 1) LF/Lucknow.
- 2) Sr. DAQ/Lucknow.
- 3) SIQ/Lucknow.
- 4) Dy. Secy. Secy.

Ronald Frey
Oswald Frey

Attested
Asst Kumar Chaturvedi
Adv

...

14/20

IN THE HON'BLE ADMINISTRATIVE TRIBUNAL. (19)

Additional Bench at Lucknow

Original Appln. No. of 1988(E)

Ronald Frey and another ... Applicants

Versus

Union of India & others ... Respondents

Annexure No. 5

Dated 13.6.87

To,

The Divisional Railway Manager,
Northern Railway,
Lucknow.

Sir,

Ref: Appointment on Compassionate Ground

With due respect and humble submission, the
applicant submits as follows;

That the applicant has been medically
invalidated on and from 27.6.1987 after a long
sickness.

That, there is no bread winner for the
family after him.

It is, therefore, humbly requested to please
appoint one of his son as the bread winner for his
family, named Oswald Noble Frey.

That-

1. The applicant's son aged 27 years with an
educational qualification up to BA-Part I
at Present, from Lucknow University.
2. Trained in Hindi and English Typing.
Trained in preliminary Computer Course,
with Certificate.

Ronald Frey
Oswald Frey
Attested
Asst Kumar Chaturvedi
Adv

AY
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(20)

4. Trained in Electrician Course from G.I.T.I.
Charbagh, Lucknow.

4. That he is quite eligible for a job in the
Railways.

Kindly consider my appeal in the light of
mercy.

Thaking you.

Yours faithfully,

Sd/- 13.7.87

(R. Frey)
Medically Invalidated Driver
A/Spl-Lko.
Add; 120 31/5 Beldari Lane,
Lalbagh, Lucknow.

Encls. attached Photo State copies.

1. High School Marksheet
2. Intermediate Marksheet
3. B.A. Part I " "
4. Computers Certificates
5. Hindi English Typing Certificate.

Oswald Frey
Oswald Frey

Attested
Asif Kumar Chaturvedi
Adh

24/22

IN THE HON'BLE CENTRAL ADMINISTRATIVE TRIBUNAL (21)

ADDITIONAL BENCH AT LUCKNOW

Original Appln. No. of 1988(L)

Ronald Frey and another ... Applicants

Versus

Union of India & others ... Respondents

Annexure No. 6

dated 13.7.87

To,

The Divl; Rly Manager,
Northern Railway,
Lucknow.

Sir,

Re: Appointment on Compassionate Ground
to a post of Commercial Clerk.

With due respect and humble submission,
the applicant submits as follows;

That the applicant's father Sri R. Frey
has been medically incapacitated on 27.6.87
after a protracted illness, and retired from service
on medical ground. That there is no bread winner
for the family after him.

It is therefore, humbly requested to please
consider the applicant's appointment to a post
which your honour shall think suitable, according
to the applicants testimonials and bio-data given
below.

That the applicant possess the following
certificates;

1. Educational Qualifications up to B.A. Part
I, and B.A. Part II (two) exam; is given this year,
result awaited.

Ronald Frey
Oswald. Frey
Attested.
Asit Kumar Chattervedi
Adv

81/23

: 2:

(22)

2. Aged 22 years, birth dated 19.9.1964.
3. Trained in Hindi and English Typing.
4. Trained in Preliminary Computers course, with certificates.
5. Trained in Electrician course from Govt. Industrial Technical Institutes Charbagh Lucknow this year certificate awaited.

That the photostat copies of item no.1 to 4 above are attached herewith for your perusal please.

That the applicant is quite eligible for a post in the Railways please.

Thanking you.

Enclosure attached;

Yours faithfully,

Sd/-Oswald Frey

Addl. 120/31/5 Bel dar Lko.
Lalbagh, Lko.
Dated 13.7.87

Ronald Frey
Oswald Frey

Attested
Asit Kumar Chaturvedi
Adv

In the Hon'ble Central Administrative Tribunal

पञ्चायत आयोग Lucknow महोदय

[गरी] वकील

प्रतिवादी [रेषाण्ड]

वकीलता नामा

Ronald Frey Canall



Railway Board & others

प्रतिवादी (रेखाण्ड)

सं० मुकदमा

सम्

पेजी फी सा०

१० ६०

ऊपर लिखे मुकदमा में अपनी ओर से श्री

Shri Abdul Mannan

Shri Sharad K. Sawasthava

वकील

महोदय

Shri Asit Kumar Chaturvedi

एडवोकेट

मैं अपना वकील नियुक्त करके प्रतिज्ञा (इफरार) करता हूँ और लिखे
बेता हूँ इस मुकदमा में वकील महोदय स्वयं अथवा अन्य वकील
द्वारा जो कुछ बैरबी व अपाव पेही व प्रश्नोंत्तर करें या कोई फागज दाखिल
करें या लीटावें या हमारी ओर से टिगरी जारी करावे और रुपया वसूल
करें या मुलहनामा व इकवाल दावा तथा अपील निगरानी हमारी ओर
से हमारी या अपने हस्ताक्षर से दाखिल करें और तसदीक करें मुकदमा
ठोकें या कोई एपया जमा करें या हमारी बिपक्षी (करीफसाणी) का
दाखिल किया हुआ रुपया अपने या हमारे हस्ताक्षर युक्त (दस्तखती)
रसीद से लेवे या पंच नियुक्त करें—वकील महोदय द्वारा की गई वच
सब कार्यवाही हमको सचपा स्वीकार है और होगा मैं यह भी स्वीकार
करता हूँ कि मैं हर पेजी पर स्वयं या किसी अपने परोकार को भेजता
एहंगा और मुकदमा अदम बैरबी में एक तरफा मेरे खिलाफ फैसला हो
जाता है उसकी जिम्मेदारी मेरे वकील पर नहीं होगी इसलिए यह
प्राप्तनामा लिख दिया प्रमाण रहे और समय पर फस आये।

हस्ताक्षर

Ronald Frey
Oswald Frey

साक्षी (पचाह)

साक्षी (पचाह)

दिनांक

जहीना

सन् १० ४४०

स्वीकृत

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Volume

टिप्पणियां/पत्राचार

NOTES/CORRESPONDENCE

.... वन्यभाग
SECTION

विषय
Subject

Initials

लिपिक के आदेश :
Initials of Clerk

दाय के हवाले
Lender References