

CENTRAL ADMINISTRATIVE TRIBUNAL

BANGALORE BENCH

Second Floor,
Commercial Complex,
Indiranagar,
Bangalore-560 038.

Dated:- 4 AUG 1994

APPLICATION NUMBER: 770/94

APPLICANTS:

Sri. M. Nanda
T.

RESPONDENTS:

Secretary, Defence Ministry, NO Delhi and Others

① Sri. L. S. Chikkana Goudar,
Advocate, No. 10, Kalyan Lodge,
Near Swastik Talkies,
Seshadripuram, Bangalore-560020

② Sri. G. Sharathappa, Add. CGSC,
High Court Bldg. Bangalore-1

Subject:- Forwarding of copies of the Orders passed by the
Central Administrative Tribunal, Bangalore.

Please find enclosed herewith a copy of the ORDER/
STAY ORDER/INTERIM ORDER/, passed by this Tribunal in the above
mentioned application(s) on 26.07.94.

of

R. S. Naik
for DEPUTY REGISTRAR
JUDICIAL BRANCHES.

CENTRAL ADMINISTRATIVE TRIBUNAL,
BANGALORE BENCH.

ORIGINAL APPLICATION NO. 770/ 1994

TUESDAY, THE 26TH DAY OF JULY, 1994

Shri Justice P.K. Shyamsundar ... Vice Chairman

Shri T.V. Ramanan ... Member (A)

Shri M. Nanda,
S/o late Shri Muniswamy,
aged about 42 years,
Occupation - Bootmaker,
No. 1386289, M.T. Coy. Depot,
Battalion M.E.G. & Centre,
Bangalore - 560 042.

... Applicant

(By Advocate Shri L.S. Chikkana Goudar)

Vs.

1. Union of India,
by its Secretary,
Ministry of Defence,
Government of India,
New Delhi.

2. The Commandant,
Headquarters,
M.E.G. & Centre,
Bangalore - 560 042.

... Respondents

3. The Captain Civil,
Est. Officer,
MEG and Centre,
Bangalore - 560 042.

(By Advocate Shri G. Shanthappa, Addl.

Central Government Standing Counsel).

ORDER

Shri Justice P.K. Shyamsundar, Vice Chairman

We have heard the learned standing counsel. The very small grievance of the applicant is all about refusal to regularise his absence on medical leave for a period of 25 days from 18.10.91 to



11.11.91, 14 days from 20.1.92 to 2.2.92 and from 8.1.92 to 10.1.92.

It is not in dispute on all the three occasions, the applicant had produced medical certificates indicating he was not well and hence could not report for duty. This aspect of the matter was directed to be considered by us while disposing of another application in O.A. No. 95/ 1993 disposed of on 21.4.1993.

2. Now, it appears, the Military Engineering Service, the contesting Respondents here is wanting the applicant to take another medical check up in order to regularise his period of absence. This step seems to us to be a futile exercise at this stage for asking the applicant to take a medical examination after a lapse of about two years will lead them nowhere because right now he is quite normal. We, therefore, think it was inappropriate on the part of the Military Engineering administration to have taken the step of requiring the applicant to undergo a medical check up at this juncture. We, therefore, consider it appropriate to direct the Military ^{Engineering} administration to regularise the period of absence relying on the medical certificates produced earlier by the applicant and direct the respondent administration to sanction necessary medical leave as may be due to him and regularise his absence during the relevant period. The entire exercise to be done within one month from the date of receipt of a copy of this order. No costs.

Sd/-

(T.V. Ramanan)
Member (A)

Sd/-

(P.K. Shyamsundar)
Vice Chairman

TRUE COPY

S. Shyamal 4/8
SECTION OFFICER
CENTRAL ADMINISTRATIVE TRIBUNAL
ADDITIONAL BENCH
BANGALORE

