

(7)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR.

Date of Decision: 19.9.1994.

1. OA 387/92
(OA 445/89)

KRISHNAN

... APPLICANT.

V/s.

UNION OF INDIA & ORS.

... RESPONDENTS.

2. OA 1062/92
(OA 460/89)

DURAI SWAMY

... APPLICANT.

V/s.

UNION OF INDIA & ORS.

... RESPONDENTS.

3. OA 573/92
(OA 473/89)

THANGVEL

... APPLICANT.

V/s.

UNION OF INDIA & ORS.

... RESPONDENTS.

CORAM:

HON'BLE MR. GOPAL KRISHNA, MEMBER (J).

HON'BLE MISS USHA SEN, MEMBER (A).

For the Applicants

... SHRI R.C. GAUR.

For the Respondents

... SHRI MANISH BHANDARI.

PER HON'BLE MR. GOPAL KRISHNA, MEMBER (J).

Applicants Krishnan, Durai Swamy and Thangvel have filed these applications u/s 19 of the Administrative Tribunals Act, 1985, challenging the order of their termination from services in the post of Gangman in the office of Assistant Engineer (Construction) in the Western Railway at Jaipur.

2. We have heard the learned counsel for the parties and have carefully perused the records.

3. All these three cases involve common questions of law and facts and therefore they are being disposed of by a common order.

4. The applicants have been serving as Gangmen in the office of the Assistant Engineer (Construction) in the Western Railway

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at Jaipur ever since their engagement till date. Since they were not found medically fit even in the lowest category, their services were terminated by the orders impugned by them. It is an admitted position that the applicants after having been declared medically unfit did not prefer any appeal to the concerned authorities.

5. In the circumstances of the present case, we dispose of these applications in the following terms :-

The applicants shall make appeal(s) against the medical report declaring them medically unfit within a period of three weeks from the date of this order to the concerned authorities. Till decisions are taken on the appeal(s) filed the applicants they shall be retained in service as before. Appeal(s) shall be decided in accordance with law.

6. All the three OAs stand disposed of with no order as to costs.

Usha Sen
(USHA SEN)
MEMBER (A)

Gopal Krishna
(GOPAL KRISHNA)
MEMBER (J)