

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH

O.A. 163/99

Date of decision: 2.2.1999

Between:

S. Abdul Ghani

.. Applicant

A N D

1. General Manager,
(Representing UOI, S.C. Railway,
Rail Nilayam,
Secunderabad - 500 071.
2. Sr. Divisional Personnel Officer,
South Central Railway,
Vijayawada - 520 001.
3. Chief Medical Superintendent,
South Central Railway,
Railway Hospital,
Vijayawada - 520 001.
4. Chief Medical Director,
South Central Railway,
1st Floor, Rail Nilayam,
Secunderabad - 500 071.

.. Respondents.

Counsel for the Applicant : Mr. S. Rama Krishna Rao

Counsel for the respondents : Mr. K. Siva Reddy

Coram:

Hon'ble Shri Justice D.H. Nasir, Vice-Chairman

Hon'ble Shri H. Rajendra Prasad, Member (A) *Q/n*

JUDGEMENT

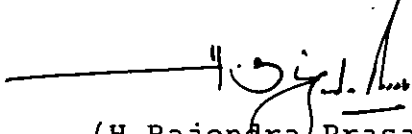
(Per Hon'ble Shri H. Rajendra Prasad, Member (A))


Heard Mr. S. Ramakrishna Rao and Mr. K. Siva Reddy for the rival parties.

2. The Applicant herein states that he submitted a representation - an appeal, actually - to Respondent-4 through proper channel against the medical decategorisation memo issued by Respondent-2 based on a report of Respondent-3 (Annexure III to the OA). The said Respondent (no.4) is said to have received an unsigned copy of the representation (Annexure VI) but is unable to take or initiate any action on it because it has been received by him directly from the Applicant and not through Respondent-2 whose decision is now sought to be got reviewed.

3. There are no legal questions to be adjudicated in this case and there is little that can or required to be done by this Tribunal except to: direct Respondent-2 to have the Applicant's representation dated 26th June, 1998, if the same is received in his office, passed on to Respondent-4 within two (2) weeks from the date of receipt of this order, after recording such views, comments and observations or recommendations he may wish to make; and to direct Respondent-4 to have the same examined and acted upon as per established common law, and rules/procedures of the department in such matters, within four (4) weeks of the receipt by him of the said representation forwarded by Respondent - 2.

4. The OA is disposed of accordingly.


(H. Rajendra Prasad)
Member (A)


(D.H. Nasir)
Vice-Chairman

Dictated in the open court
Dated: 2nd February, 1999