

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH,

JAIPUR

Date of order: 07.01.2003

OA No.457/2000

Radhey Shyam s/o Shri Babu Lal r/o Near Railway Station
Malipura, Hindon City, Distt. Karoli, at present employed
on the post of Gangman under PWI Mahidpur, Western
Railway, Kota Division.

.. Applicant

Versus

1. Union of India through the General Manager,
Western Railway, Churchgate, Mumbai.
2. The Divisional Railway Manager (Estab.),
Western Railway, Kota Division, Kota.

.. Respondents

Mr. Shiv Kumar, counsel for the applicant

Mr. U.D.Sharma, counsel for the respondents

CORAM:

HON'BLE MR. H.O.GUPTA, MEMBER (ADMINISTRATIVE)

HON'BLE MR. M.L.CHAUHAN, MEMBER (JUDICIAL)

O R D E R (ORAL)

The applicant is aggrieved of not taking him on
duty on the post of Hot Weather Waterman or Gangman. In
relief, he has prayed for a direction to the respondents
to take him on duty on the post of Gangman or any suitable
post and also for a direction to pay him salary for the
intervening period.

2. Heard the learned counsel for the parties.


2.1 During the course of arguments, the learned
counsel for the respondents submitted that the applicant
himself is not reporting although he was ordered for

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reporting vide order dated 20.5.01. However, the said letter is not on record. The learned counsel for the respondents further submitted that if the applicant reports to the DRM, Kota (respondent No.2), he shall be sent for medical examination and based on the medical report and categorisation thereof, the applicant shall be given suitable appointment in any Group 'D' post vacant.

2.2 In view of above, the learned counsel for the applicant submits that he would not like to pursue this matter further and accordingly, this OA is disposed of with the direction to the respondents to medically examine the applicant and based on the medical examination give suitable appointment to him in any Group 'D' post vacant within a period of 3 months from today, provided the applicant reports to the DRM, Kota within 15 days from today. So far as the prayer with regard to the salary for the intervening period is concerned, the learned counsel for the respondents further submits that if the applicant makes a representation, his representation shall be duly considered as per rules and the applicant shall be informed within two months from the date of receipt of his representation. The parties are accordingly directed.

3. This OA is disposed of with above directions. No order as to costs.


(M.L. CHAUHAN)

Member (J)


(H.O. GUPTA)

Member (A)