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**CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH**

**CIRCUIT COURT SITTING AT INDORE**

**ORIGINAL APPLICATION NO. 678 OF 2006**

INDORE, THIS THE 27<sup>TH</sup> DAY OF SEPTEMBER, 2006

**HON'BLE DR. G.C. SRIVASTAVA, VICE CHAIRMAN  
HON'BLE MR. A.K. GAUR, JUDICIAL MEMBER**

Pradeep Kumar Srivastava,  
Senior Section Engineer (Works),  
Western Railway, Ratlam.

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**Applicant**

**(By Advocate – Shri S.L. Vishwakarma)**

**V e r s u s**

Union of India, through  
General Manager,  
Western Railway,  
Churchgate, Mumbai.

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**Respondent**

**O R D E R (Oral)**

**By Dr. G.C. Srivastava, Vice Chairman –**

Through this Original Application the applicant has prayed for the following main relief:

"8.1 In the conspectus of submissions made above, this Hon'ble Tribunal may be pleased to cancel/quash the medical unfit certificate issued on 25.8.2004 Annexure A/1

**OR**

Be pleased to direct General Manager, Western Railway (respondent) to decide the representation of the applicant dated 13.7.2005 Annexure A/14 by a speaking order within a time frame to be given by this Hon'ble Tribunal. The General Manager may also be directed to treat this OA as a part of the representation, while dealing with the appeal. Applicant may be granted personal interview by the General Manager, before disposal of the appeal. ."

2. The learned counsel for the applicant stated that the applicant had submitted a representation dated 13.7.2005 (Annexure A-14) to the General Manager Western Railway after he received the communication dated 16.5.2005 (Annexure A-13) through which he was informed that he was unfit for gazetted service in terms of para 531 of IRMM. The learned counsel for the applicant further submitted that no reply has been received after he submitted his representation and the applicant would be satisfied if the respondent is directed to dispose of his representation dated 13.7.2005 by a speaking and reasoned order within a specified period. Accepting this

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prayer, we direct the respondent to consider the said representation submitted by the applicant on 13.7.2005 and dispose it of within a period of two months from the date of receipt of a copy of this order by a detailed and speaking order and communicate the decision within this period. The respondents may also consider the submissions made in this OA before taking final decision. Be it noted that we have not expressed any opinion on the merits of the case.

3. With the aforesaid direction, the Original Application is disposed of at the admission stage itself.

*A.K. Gaur*  
**(A.K. Gaur)**  
**Judicial Member**

*G.C. Srivastava*  
**(Dr. G.C. Srivastava)**  
**Vice Chairman**

पूरांकन सं. ओ/आ. ...., दि. ....

- (1) अधीन, ...
- (2) ... के काउंसल
- (3) ... के काउंसल
- (4) ...

"SA"

*Issued*  
*on 25/9/06*  
*[Signature]*

*[Handwritten signature]*

उप-निर्देश

*J.C. Vishwakarma*  
*P. S. Bhatnagar*  
*Secy. Res*  
*(CUM, C.A. D)*