

**CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH,**  
**JABALPUR**

**Original Application No. 780 of 2005**

**Jabalpur, this the 29<sup>th</sup> day of August, 2005**

Hon'ble Shri Madan Mohan, Judicial Member

Netram, Son of Sharda, aged  
yrs., Ex-Gangman, Village-Barehata,  
Tah. Reethi, Distt.-Katni.

.... Applicant

(By Advocate – Shri H.R. Bharti)

**V e r s u s**

1. Union of India, through General Manager,  
West Central Railway, Jabalpur (MP).
2. Divisional Railway Manager,  
West Central Railway, Jabalpur.
3. Chief Medical Officer, West Central  
Railway, Railway Hospital, Jabalpur.
4. Assistant Engineer, West Central  
Railway, Satna.

.... Respondents

(By Advocate – Shri M.N. Banerjee, Standing counsel for the Railways)

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

**By Madan Mohan, Judicial Member –**

By filing this Original Application the applicant has claimed the following main reliefs :

“(I) that, it is prayed before this Hon'ble Court may kindly be give direction to the respondents for declared and result of medical examination along with reinstatement of applicant, which will be much appropriate justice in favour of the applicant,

(II) that, may kindly be give direction to the respondents for decide the representation of the applicant in initial stage for the ends of justice.”



2. The brief facts of the case are that the applicant was a ex-card holder workman under the management of the respondents and he was initially appointed on 27.8.1981. He worked till 18.10.1988 and during this period he gained the temporary status. After serving for 17 years, as per direction of the Railway Board the applicant was appointed as Gangman vide order dated 18.7.2003 (Annexure A-2) after passing the medical examination. The applicant joined his duties at Satna on 21.7.2003. Thereafter, the AEN, Satna wrote a letter to the respondent No. 2 that the applicant is not fit for the post of Gangman. In this way in October, 2003 the applicant was referred for re-medical examination and the same was conducted but the result of the same is not yet declared by the medical officer i.e. respondent No. 3. The applicant is suffering from financial hardship. In this regard he has also submitted a representation dated 10.9.2003 (Annexure A-6) to the respondents but the respondents have not decided it so far. Hence, this Original Application is filed.

3. Heard the learned counsel for the applicant as well as Shri M.N. Banerjee, Standing counsel for the Railways.

4. The learned counsel for the applicant submitted that he will feel satisfied if directions are given to the respondents to consider and decide the said pending representation of the applicant dated 10<sup>th</sup> September, 2003 (Annexure A-6) within a time frame manner.

5. In view of the aforesaid, I feel that ends of justice would be met if I direct the respondent No. 3 i.e. Chief Medical Officer, West Central Railway, Railway Hospital, Jabalpur to consider and decide the aforesaid pending representation of the applicant dated 10<sup>th</sup> September, 2003 (Annexure A-6) by passing a speaking, detailed and reasoned order within a period of two months from the date of receipt of a copy of this order. I do so accordingly. The learned counsel for the applicant is also directed to send a copy of this order as well as the copy of the petition to the respondent No. 3 immediately. The Registry is directed to supply a copy

*He*

of this order as well as the petition to Shri M.N. Banerjee, Standing Counsel for the Railways.

6. Accordingly, the Original Application stands disposed of at the admission stage itself.

(Madan Mohan)  
Judicial Member

"SA"

पृष्ठंकन सं ०९/९५..... जयपुर, दि.....  
पत्रिका वि. जयपुर दि.....

(1) सचिव, उच्च न्यायालय जयपुर एररेशन, जयपुर

(2) आवेदन श्री/श्रीमती/का..... के काउंसल

(3) प्रत्यक्षी श्री/श्रीमती/का..... के काउंसल

(4) अध्यक्ष, को.प.अ., जयपुर न्यायापीठ

सूचना एवं आवश्यक कार्यवाही हेतु

उप रजि

H.R. Bharti  
M.L. Banerjee  
1-9-05  
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Fossil  
11/9/05