

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH, JABALPUR

ORIGINAL APPLICATION NO. 111 of 2003

Jabalpur, this the 7th day of March, 2003.

Hon'ble Mrs. Shyama Dogra, Member (J)

Anjani Kumar Shrivastava son of
Shri S.R. Shrivastava, aged about 47
years, working as Assistant Driver,
bearing Ticket No. 123, in the Office
of Chief Crew Control, Central Railway
Jabalpur R/o H.No. 28, Garha, Jabalpur.

-APPLICANT

(By Advocate- Mr. Manoj Sanghi)

Versus

1. The Union of India through
its Secretary, Ministry of Railway,
New Delhi.
2. Divisional Railway Manager,
Central Railway, Jabalpur Div.
3. Senior Divisional Mechanical
Engineer, Central Railway, Jabalpur.
4. Chief Crew Controller,
Central Railway, Jabalpur.

-RESPONDENTS

(By Advocate- Mr. M.N. Banerjee)

ORDER (ORAL)

This Original Application has been filed by the
applicant with the prayer to give direction to the
respondents to allow him to join the duty after completion
of his medical leave and he be treated on duty w.e.f.
21.12.2002.

Shyama Dogra

2. The brief facts as set out in the application are that the applicant was on medical leave from 21.8.2002 to 12.9.2002 and subsequently under treatment upto 29.11.2002 at Jabalpur Medical College and got fitness certificate by the Central Railway Hospital, Jabalpur upto 20.12.2002 and on 21.12.2002 he reported on duty

but he was not permitted by the respondents to join duties. He has also annexed copies of medical certificates in this regard.

3. It is further submitted by the learned counsel for the applicant that when he was not allowed to join duties, he made representations to the concerned authorities vide Annexures A-5 to A-7, but nothing has been done by the respondents till today and he has not been allowed to join his duties.

4. I have heard the learned counsel for the parties.

5. After perusal of the relevant documents, I am of the opinion that the matter can be disposed of at the admission stage, while giving directions to the respondents to pass an appropriate speaking and reasoned order on the representations as well as after treating his Original Application as representation to come to just conclusion on the pleas of the applicant. The said exercise should be done by the respondent No.3 within a period of one month from the date of receipt of copy of this order. Before passing any orders, the respondent No.3 is directed to hear the applicant, who is at liberty to supplement his claim by supporting the same with relevant documents, if he so desires.

6. The respondent No.3 is also directed to allow the applicant to join his duties on furnishing the relevant documents as required for the said purpose. However, his joining ^{is} subject to final decision being taken by the authorities on his representation as well as the documents being placed by the applicant, as the case may be. However,

it is made clear that this order is passed without touching the merits of the case.

7. With these observations and directions, this O.A. stands disposed of with no order as to costs.

Shyama Dogra
(10/3/03)
(Mrs. Shyama Dogra)
Member (J)

"MA"

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प्रांकज सं ओ/न्या
प्रतिविधि आवोडितः— जलपुर, दि.....
(1) रास्ते विधाय बार प्रांकज, जलपुर
(2) रास्ते विधाय बार प्रांकज, जलपुर
(3) रास्ते विधाय बार प्रांकज, जलपुर
(4) रास्ते विधाय बार प्रांकज, जलपुर

m. Sanghi Adc^v
m. Banaji Adc^v
10/3/03

*Issued
on 10.3.03
by [Signature]*