

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH
(CAMP OFFICE AT INDORE)

Original Application No. 535/2003

Indore, this the 15th day of April, 2004

Hon'ble Shri M.P.Singh - Vice Chairman
Hon'ble Shri Madan Mohan, Member (J)

Manoj Kumar Sharma
17, Sati Mandir Road,
Indira Nagar, Ratlam.

....Applicant

(By Advocate: Shri S.L.Vishwakarma)

-versus-

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

2. Divisional Railway Manager,
Western Railway, Ratlam.

...Respondents

(By Advocate: Shri V. Saran)

O R D E R (ORAL)

By M.P. Singh - Vice Chairman:

By filing this O.A. the applicant has sought the following main reliefs:-


"To order that the humble applicant may be appointed in Diesel Shed Ratlam for in group 'D' for which he was selected requiring medical classification C/two."

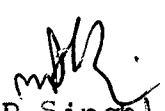
2. The brief facts of the case are that the applicant was selected for recruitment to the post of Diesel Cleaner(Group 'D') by a duly constituted selection board on 24.11.1997. On medical examination he was found unfit in medical category B/one but was found fit in medical category C/two on 2.12.1997. Therefore, the applicant had requested the respondents to consider him for any other category of post for which medical category C/two is required. The respondents have referred his case to the Railway Board and has informed the applicant that

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his case is under consideration. From time to time the respondents have been informing the applicant that his case is still under consideration. It was only in the year 2003, ^{that} the respondents vide their letter dated 19.6.2003 (Annexure A/1) informed the applicant that the headquarters office Mumbai has been directed by the Railway Board to fill up the post of Diesel Khallasi(TM) and Gangman for which medical classification is higher than the medical classification ² for which. Manoj Kumar Sharma is fit. As such it would not be possible for considering the case of the applicant to these posts."

3. In the circumstances, we are of the considered view that ends of justice will be met if we direct the respondents to consider the case of the applicant ^{any} for group 'D' post for which medical classification is C/two is required, in accordance with rules and law and pass a speaking and detailed order within a period of four months from the date of receipt of a copy of this order under intimation to the applicant. We do so accordingly. No costs.


(Madan Mohan)
Member (J)


(M.P. Singh)
Vice Chairman

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*Issued
20/4/04*

*Copy to Shri V. Sarany, Advocate, Gudare
Shri S.L. Vishwakarma, Advocate, Rattam*