

4

NOTES OF THE REGISTRY

ORDERS OF THE TRIBUNAL

OA No.95/2007.

24.04.2007.

Mr. S. C. Sethi counsel for the applicant.

This case has been listed before the Deputy Registrar due to non availability of Division Bench. Be listed before the Hon'ble Division Bench on 01.05.2007.

  
(GURMIT SINGH)  
DEPUTY REGISTRAR

P.C./

01.05.2007

OA 95/2007

Present : None for applicant.

This case has been listed before the Deputy Registrar due to non-availability of Division Bench. Be listed before the Hon'ble Bench on 23.05.2007.


  
(GURMIT SINGH)  
DEPUTY REGISTRAR


OA No.95/2007.

23.05.2007.

Mr. S. C. Sethi counsel for the applicant.

Heard. The OA has been disposed of by separate order.

  
(TARSEM LAL)  
ADMINISTRATIVE MEMBER

  
(KULDIP SINGH)  
VICE CHAIRMAN

P.C./

CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH

OA No.95/2007.

Jaipur, this the 23<sup>rd</sup> day of May, 2007.

**CORAM : Hon'ble Mr. Kuldip Singh, Vice Chairman.**  
**Hon'ble Mr. Tarsem Lal, Administrative Member.**

Abdul Gani  
S/o Noor Mohammad,  
R/o Qtr. No.596/T/B.,  
Carriage Colony,  
Dt. Sawai Madhopur  
(Rajasthan).

... Applicant.

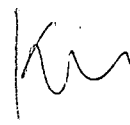
By Advocate : Mr. S. C. Sethi.

Vs.

1. Union of India through  
The General Manager,  
West Central Railway,  
Jabalpur.
2. Div. Railway Manager,  
West Central Railway,  
Kota.
3. Sr. Divisional Medical Officer,  
West Central Railway,  
Kota.
4. Chief Medical Supdt.  
West Central Railway,  
Kota.
5. Medial Supdt.,  
Railway Hospital,  
West Central Railway,  
Gangapur City.

... Respondents.

: O R D E R (ORAL) —:



The applicant has filed the OA thereby seeking for the following relief :-

"A. Respondents may be directed to declare the applicant medically invalid to perform duties.

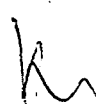
B. The respondents be directed to provide consequential benefits upon such declaration to the applicant and to offer appointment to his son on compassionate grounds on any 'D' category post.

C. Directing the respondents to pay the difference of salary to the applicant. From the date of injury i.e. 19.04.2005.

D. Cost of the applicant be awarded in favour of the applicant."

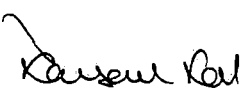
2. The facts as alleged by the applicant are that while he was under the employment of the respondents he has met with an accident and suffered various injuries and time and again he has been referred to hospitals where his injuries have been identified. However, the applicant has been referred vide Annexure A/10 for examination by a competent Board to decide fitness of the employee. So far only letters are being issued but no final decision has been taken by the respondents whether the applicant is fit to perform duties for the post on which he is already working.


3. We find that this OA can be disposed of at this stage itself directing the respondents to take a decision within a specified period of time to decide whether the applicant is fit for the post or he is unfit to hold the post and if so alternate appointment, if possible, may be



given in accordance with the rules. Let the respondents take a firm decision on this aspect. Reasons to be stated therein within a period of two months from the date of receipt of a copy of this order and if still there remains any grievance the applicant will be at liberty to approach this Tribunal again by filing a fresh OA.

4. OA stands disposed of accordingly.

  
(TARSEM LAL)  
ADMINISTRATIVE MEMEBR

  
(KULDIP SINGH)  
VICE CHAIRMAN