

Open Court

**CENTRAL ADMINISTRATIVE TRIBUNAL,
ALLAHABAD BENCH, ALLAHABAD**

Allahabad, this the **10th** day of **October**, 2018

Present :

Hon'ble Mr. Gokul Chandra Pati, Member-A

Hon'ble Mr. Rakesh Sagar Jain, Member-J

Original Application No.330/01000/2018

Hukum Chand S/o Shri Ram Lal aged about 45 years R/o 461, Prem Ganj, Sipri Bazar, Jhansi.

.....Applicant.

By Advocate –Shri S.M. Ali

VERSUS

1. Union of India through General Manager, Head Quarter North Central Railway, Allahabad.
2. Divisional Railway Manager, North Central Railway, Jhansi.
3. Senior Divisional Personnel Officer, North Central Railway, Jhansi.
4. Senior Divisional Electrical Engineer (Operating), North Central Railway, Jhansi.
5. Senior Divisional Manager Operating, North Central Railway, Jhansi.

..... Respondents

By Advocate : Shri S.M. Mishra

ORDER

By Hon'ble Mr. Gokul Chandra Pati, Member-A :

Heard Shri S.M. Ali, counsel for the applicant and Shri S.M. Mishra, counsel for the respondents.

2. Learned counsel for the applicant submitted that the applicant has de-categorized vide medical report dated 05.06.2017 which has been recommended to non-safety category. In this regard, the applicant had

submitted a representation which has been disposed of by impugned order dated 05.04.2018 with speaking order dated 23.03.2018 (Annexure-A-1) by which the applicant has been posted safety category post which is not as per the recommendation of Medical Committee.

3. Learned counsel for the respondents submitted that the case of the applicant has been duly considered by order dated 23.03.2018 and have explained in the said order and this has been done by following existing rules and taking into account the administrative exigency.

4. In view of the submissions of learned counsel, we feel that no useful purpose will be served to keep this OA pending. Accordingly, the OA is disposed of with liberty to the applicant to file an appeal against the order dated 23.03.2018 incorporating the grounds mentioned in the OA before Respondent No.1 within 15 days. If such appeal is made, the respondent No.1 shall consider the same as per existing rules and exigency of administration and dispose of it by passing a reasoned and speaking order within a period of two months from the date of receipt of a certified copy of this order and communicate the decision to the applicant.

5. With these directions, the OA is disposed off at the admission stage itself. No order as to costs.

Member-J

Member-A

RKM/