

**Central Administrative Tribunal
Principal Bench**

**OA No.4307/2016
MA No.3850/2016**

New Delhi, this the 2nd day of January, 2017

**Hon'ble Mr. V. Ajay Kumar, Member (J)
Hon'ble Mr. V.N. Gaur, Member (A)**

Amarjeet, aged 59 years,
S/o Shri Ram Deva,
Working as Safaiwala under
Station Supdt., Northern Railway,
Patel Nagar,
New Delhi
R/o Vill. Haqdarpur, PO Sherpur,
Distt. Gurgaon (Har).

...applicant

(By Advocate : Ms. Sonika Gill for Shri Yogesh Sharma)

Versus

1. Union of India through General Manager,
Northern Railway, Baroda House,
New Delhi.
2. The Divisional Railway Manager,
Northern Railway, Delhi Division,
State Entry Road, New Delhi.
3. The Station Superintendent,
Northern Railway Station,
Patel Nagar, New Delhi.
4. The Medical Director,
Northern Railway, Central Hospital,
New Delhi.
5. The Divisional Medical Officer (DMO),
Railway Dispensary, Loco Shed,
Delhi Sarai Rohilla, Delhi.

...respondents.

ORDER (ORAL)**Hon'ble Mr. V. Ajay Kumar, Member (J) :-****MA No.3850/2016**

For the reasons stated therein, the MA filed for exemption from filing the typed copies of the medical documents is allowed.

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Heard the learned counsel for applicant.

2. The applicant who is working as Safaiwala with the respondents has filed the present OA seeking the following reliefs :-

- “(i) That the Hon'ble Tribunal may graciously be pleased to pass an order declaring to the effect that the whole action of the respondents not allowing the applicant to perform his duties as Safaiwala is totally illegal, arbitrary and against the law of the land and pass an order directing the respondents to allow the applicant to perform his duties immediately with all the consequential benefits and in case the applicant is declared medical declassified, the applicant may be placed against supernumerary post till appointment or alternative post.
- (ii) That the Hon'ble Tribunal may further graciously be pleased to pass an order directing the respondents to treat entire service period of the applicant after 2.10.2013 as on with all consequential benefits including pay and allowances and further direct the respondents to decide the sickness period of the applicant at per rules with all the consequential benefits.
- (iii) Any other relief which the Hon'ble Tribunal deem fit and proper may also be granted to the applicants along with the costs of litigation.”

3. It is also stated that the applicant submitted all the required documents but the respondents did not act thereupon. He also got issued Legal Notice (Annexure-A/1) dated 05.10.2016, however, no orders have been passed by the respondents till date.

4. In the circumstances, the OA is disposed of without going into the merits of the case, by directing the respondents to consider Annexure-A/1 Legal Notice dated 05.10.2016 issued on behalf of the applicant within 30 days from the date of receipt of a certified copy of this order and to pass an appropriate speaking order thereon, in accordance with law. No costs.

5. Let a copy of the OA be annexed to this order.

(V.N. Gaur)
Member (A)

(V. Ajay Kumar)
Member (J)

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