

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH**

...
ORIGINAL APPLICATION NO.060/00266/2018

Chandigarh, this the 30th day of July, 2018

...
**CORAM:HON'BLE MR. SANJEEV KAUSHIK, MEMBER (J) &
HON'BLE MS. P. GOPINATH, MEMBER (A)**

...

Suresh Kumar aged about 30 years son of Krishan Kumar resident of H. No. 33, Subhash Nagar, HMT, Pinjore, Tehsil & District Panchkula (Haryana) (Group C)

....Applicant

(Present: Mr. Parminder Singh Rai, Advocate)

Versus

1. The Union of India through its Secretary, Ministry of Home Affairs, CGO Complex, North Block, New Delhi.
2. The Inspector General of Police, Chandigarh Police Headquarters, Additional Deluxe Building, Sector 9, Chandigarh.
3. The Senior Superintendent of Police, Chandigarh Police Headquarters, Additional Deluxe Building, Sector 9, Chandigarh.

.....

Respondents

(Present: Mr. Gagandeep Singh Chhina, Advocate)

**ORDER (Oral)
SANJEEV KAUSHIK, MEMBER (J)**

1. Heard.
2. Learned counsel for the respondents, in compliance of the orders dated 01.06.2018, has produced a copy of communication addressed to Incharge Civil Hospital Manimajra by one Bhawna Batta, Dietician, who recorded the height and weight of the applicant on the OPD ticket, which is taken on record. A reading thereof makes it clear that the certificate (Annexure A-5) has been issued by a dietician of the Civil Hospital, Manimajra, (which falls within the term allied dispensaries and a standard OPD card named "Govt. Multi Speciality Hospital Sector 16, Chandigarh &

Allied dispensaries” is issued by them in routine), which is not the competent authority in the relevant behalf. Learned counsel argued that the applicant was required to present himself before any physician in Civil Hospital, Sector 16, Chandigarh, with regard to specific examination of his height.

3. Learned counsel has also raised an objection that the applicant has directly approached this Court, without availing the remedy of statutory appeal, therefore the O.A. be dismissed on this ground alone.

4. At this stage, learned counsel for the applicant seeks permission to withdraw this O.A., to enable him to file an appeal before the Competent Authority.

5. The O.A. is dismissed as withdrawn, as prayed. If the applicant files any appeal, the respondents are directed to consider and decide the same, by passing a reasoned and speaking order, in accordance with law. MAs No. 060/00778/2018 and 060/00824/2018 stand disposed of accordingly.

(P. GOPINATH)
MEMBER (A)

(SANJEEV KAUSHIK)
MEMBER (J)

Dated: 30.07.2018

‘mw’