



**CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK,**

ORDER SHEET

COURT NO. : 1

17/05/2019

O.A./260/327/2019

A MOHANTY
-V/S-
M/O RAILWAYS

ITEM NO:17

FOR APPLICANTS(S) Adv. : Mr.T.K.Nayak

FOR RESPONDENTS(S) Adv.: Mr.T.Rath

Notes of The Registry	Order of The Tribunal
	Heard learned counsel for both sides.
	Applicant is aggrieved because he has been declared as medically unfit without being physically examined by medical board. As pointed out by the respondents' counsel the relief sought at 8(a) & (b) are misconceived. Applicant's counsel agreed to delete his prayer and renumbered the rest of the reliefs made in the OA. He further submitted that applicant's claim is for medical reexamination by the medical board.
	Respondents' counsel objected that the competent authority is DRM who is not made party in this O.A.
	Since we are making direction to Respondent No.1/competent authority the

O.A. is disposed of accordingly.

In view of the above, without expressing any opinion on the merit of the matter, this OA is disposed of at this stage with liberty to the applicant to make a representation to Respondent No.1 for constitution of a medical board for his re examination. If such a representation is submitted by the applicant within a period of ten days hence, the respondent No.1/competent authority is directed to consider and dispose of the said representation within a period of three months and communicate the decision to the applicant in a well reasoned order.

(SWARUP KUMAR MISHRA)
MEMBER (J)

(GOKUL CHANDRA PATI)
MEMBER (A)

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