

(3)

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI.

OA-99/2003

New Delhi this the 24th day of January, 2003.

Hon'ble Dr. A. Vedavalli, Member(J)

Swaroop Singh,
S/o Late Shri Amar Singh,
F-1/167, DDA Flats, Sunder Nagari,
Delhi-93. ...Applicant.
(By Advocate: Shri Yogesh Sharma)

Versus

1. Union of India through
the General Manager,
Northern Railway,
Baroda House,
New Delhi.
2. The Divisional Railway Manager,
Northern Railway, Delhi Division,
Near New Delhi Railway Station,
New Delhi.
3. The Station Superintendent,
Northern Railway, Station,
Delhi Shahdara.

.... Respondents

ORDER (ORAL)

Heard Shri Yogesh Sharma, learned counsel for
the applicant.

2. The applicant Swaroop Singh a Railway employee
working as Points Man is posted at Northern Railway
Station Shahdara. On 13.9.2002, the applicant was due
for his duty at 8.00 PM at Northern Railway Station
Shahdara and while coming for duty from his residence he
met with an accident at 7.30 P.M. near Railway Station
Shahdara and was admitted in Guru Teg Bahadur Hospital,
Shahdara, by the Police.

3. Subsequently, the applicant was admitted in
the Central Hospital, Northern Railway, and because of

[Signature]

some internal injury, that Central Hospital referred the applicant to Diwan Chand Satya Pal Aggarwal Imaging Research Centre for MRI Test on 16.9.2002.

4. Learned counsel for the applicant submits that due to injury in spinal cord the applicant was operated upon in Hospital and even after operation, the legs and hands of the applicant are not functioning and he is not in a position to walk, sit and to write.

5. In the additional affidavit filed by the applicant today, i.e., 24.1.2003, it has been stated that the applicant, who was admitted in the Central Railway Hospital was discharged on 8.1.2003 and the copy of the discharge certificate is annexed with the said additional affidavit as Annexure A-1. In the same affidavit, it has also been submitted that applicant had made a representation and sent his wife and son also to the Station Superintendent for releasing his monthly salary in October and November, 2002 but the same has not been released till date.

6. Learned counsel for the applicant submits that the applicant is still unwell and not in a position to walk and to perform any type of duty and that he has submitted a representation dated 15.12.2002 (Annexure-A-3) relating to non-release of his monthly salary and there is no response/reply from the respondents as on date.

7. Learned counsel for the applicant prays that the matter may be disposed of at the admission stage itself with the directions to the respondents to dispose of the aforesaid representation dated 15.12.2002 within a particular time frame to be fixed to the Court with



liberty to approach the Tribunal again, if any grievance survives further.

8. After hearing the learned counsel for the applicant and on perusal of the OA and the material placed on record, I am of the view that the ends of justice will adequately be met by disposing of this application at the admission stage itself with the following directions.

The respondents are directed to examine the aforesaid representation treating the grounds taken in the present O.A. also as additional grounds on their merits in the light of the relevant rules, instructions and judicial pronouncements on the subject and dispose of the same by a detailed and speaking order in accordance with law under intimation to the applicant within ^{one}~~three~~ months from the date of receipt of a copy of this order.

Corrected on
for orders
dt 19/2/03

9. In case any grievance survives further thereafter the applicant is given liberty to approach the Tribunal in appropriate fresh original proceedings, if so advised, in accordance with law.

of mms
20/2/03
DR(J)

10. The O.A. is disposed of as above.

11. Registry is directed to send a copy of the O.A. alongwith a copy of this order to the respondents.
Issue Dasti.

A. Vedavalli
(Dr. A. Vedavalli)
Member(J)

/kd/