

Court No. - 7

Case :- WRIT - A No. - 10019 of 2023

Petitioner :- Shikha Singh

Respondent :- U.O.I. Thru. Secy. Ministry Of Railway, Central Sectt.
New Delhi And 2 Others

Counsel for Petitioner :- Sunpreet Singh, Piyush Pathak

Counsel for Respondent :- A.S.G.I., Kumar Ayush

Hon'ble Abdul Moin, J.

Heard learned counsel for the petitioner, Shri Mahendra Kumar Mishra, learned counsel for the respondent no.1 and Shri Kumar Ayush, learned counsel appearing for the respondent nos.2 & 3.

With the consent of learned counsel appearing for the contesting parties, the writ petition is being finally decided.

The contention of learned counsel for the petitioner is that the petitioner had qualified in the selection for the post of Station Controller-cum-Train Operator (SCTO). However, the petitioner has failed in the medical examination so far as it pertains to having correct vision.

Shri Kumar Ayush, learned counsel appearing for the respondent nos.2 & 3 states that as the post in question pertains to the passenger safety, consequently there cannot be any relaxation in the medical standard which have been adopted by the Metro Rail Corporation, however, the petitioner is at liberty of submitting an appeal against the findings of the examining medical authority before the Managing Director of the Metro Rail Corporation as per the provisions of Rule 522 of the Indian Railways Medical Manual.

Considering the aforesaid, the writ petition is **disposed of** leaving it open to the petitioner to submit an appeal against the findings of the medical authority adverse to the petitioner.

It is provided that in case an appeal is filed within a period of two weeks from today then the competent authority shall proceed to consider the said appeal on merits and pass a reasoned and speaking order after examining the petitioner within a further period of four weeks from the date the petitioner submits the appeal before the competent authority along with the certified copy of this order.

Order Date :- 22.12.2023

S. Shivhare