

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.39366 of 2015

Dated : 04.12.2015

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Between:

Sarabathula Laxmipathi,
S/o.Basavaiah, Aged about 56 yrs,
Occu: EP Helper/Geaser,
EC No.01433719,
R/o.Godavarikhani, Karimnagar District.

.. Petitioner

And

The Singareni Collieries Company Ltd.,
Rep., by its Chairman & Managing Director,
Corporate Office, Singareni Bhavan,
Red Hills, Hyderabad & 3 others.

.. Respondents

This Court made the following :

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ORDER :

With the consent of learned counsel for the petitioner as well as learned Standing Counsel for the respondents, this Writ Petition is disposed of at the admission stage.

2. The only issue that falls for consideration of this Court is whether the claim of the petitioner for reference to the Apex Medical Board, finding his suitability for further continuation of his service, merits consideration.

3. The petitioner is aggrieved by the declaration of fitness by the employer. The petitioner contends that he is suffering with Epilepsy and that he is unable to discharge his duties. Since he was declared as fit by the Medical Officer, the petitioner has submitted a representation on 30.09.2015 for subjecting him to further medical Examination by the Apex Medical Board.

4. Having regard to the averments made in the affidavit filed in support of the writ petition, and the representation submitted by the petitioner on 30.09.2015, the respondents are directed to subject the petitioner for medical examination by the Apex Medical Board and assess the suitability of the petitioner for further continuation of his service, within a period of four (4) weeks from the date of receipt of copy of this order and communicate the decision to the petitioner.

5. With the above directions, the Writ Petition is disposed of. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

P.NAVEEN RAO,J

04th December, 2015

Rds

