

**HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO**

**Writ Petition No. 25941 of 2016**

**Order:**

The petitioner was appointed as a Driver in the erstwhile APSRTC in the year 2007 and he has been discharging his duties as a Driver. He was subjected to periodical medical examination and during one such periodical medical examination he was found unfit to the post of Driver due to defective vision and other ailments. When his case was referred to Nizams Institute of Medical Sciences, Hyderabad, they issued medical certificate on 10.11.2014 advising avoidance of prolonged standing duties, sitting and weight lifting and entrustment of light duty. In those circumstances, the petitioner asked for alternative employment. The petitioner was appointed as a Shramik. But, the petitioner states that his medical condition does not permit him to discharge the duties of Shramik which involves lifting of jacks, tyres and other material. He submitted a representation on 29.01.2016 for giving him light duties in Oil Section, Stores Section or MP Section and when the same was not considered he filed WP No.8663 of 2016. The same was disposed of on 17.03.2016 by directing the respondents to consider the representation of the petitioner dated 29.01.2016. The representation of the petitioner was considered and an order was passed by the Regional Manager, Karimnagar on 17.06.2016 holding that the petitioner was found fit for the post of Shramik in X2 category vide medical certificate dated 06.01.2016 and he was provided with alternative employment as Shramik vide proceedings dated 02.03.2016. Since he was already provided with alternative employment as Shramik, his request for employment in Stores Section or Oil Section in Karimnagar-II or Huzurabad Depot cannot be considered.

2. Learned counsel for the petitioner submits that as on today the petitioner is not working and in view of the medical condition he should be given light duties. The impugned order is passed considering the

medical certificate dated 06.01.2016, a copy of which is not available along with the material papers. The medical reports from 2014 onwards clearly show that the petitioner is unfit for discharging heavy duties.

3. In the circumstances, this Writ Petition is disposed of directing the second respondent to subject the petitioner to medical examination once again and depending on the medical opinion the services of the petitioner shall be utilised. The said exercise shall be completed within a period of four (4) weeks from the date of receipt of a copy of this order. There shall be no order as to costs.

4. As a sequel thereto, the miscellaneous applications, if any, pending in this Writ Petition shall stand closed.

A.  
Date: 17.08.2016  
Nsr

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**RAMALINGESWARA RAO, J**