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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 1363/2016

PRAHALAD SINGH

..... Petitioner

Through: Mr. G.D. Bhandari, Advocate with
Mr. Sanjeev Bhandari, Advocate

versus

UNION OF INDIA & ORS

..... Respondents

Through: Ms. Gurkirat Kaur, Advocate with
Mr. Jagjit Singh and Mr. Preet Singh, Advs.

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

HON'BLE MR. JUSTICE SUNIL GAUR

ORDER

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22.02.2016

CM APPL. 5962/2016 (exemption)

Allowed, subject to all just exceptions.

W.P.(C) 1363/2016

1. The present petition has been filed by the petitioner praying *inter alia* that the respondents, particularly, respondent No.2/RPF be directed to conduct his Review Medical Board for examining/decategorising him for an alternate post in the Railways.

2. Mr. Bhandari, learned counsel for the petitioner submits that the petitioner was working on the post of a RPF Constable ever since 02.10.1989. In the year 2014, he was detected with mouth cancer and has been undergoing continuous treatment for the same. As the

petitioner had remained unfit for undertaking routine duties, he submitted a representation to the respondents that he had not been paid the salary from June, 2014 and further, that he is entitled to work on a supernumerary post of RPF Constable from 10.06.2014, the date when he was admitted on the on sick list of the Railway Hospital, so that he could redeployed on an alternate job with all consequences. Learned counsel submits that several representations have been submitted by the petitioner to the respondents and the last one is dated 28.11.2015 (Annexure P-16) but they have not taken any decision till date.

3. Learned counsel for the respondents, who appears on advance notice, assures the Court that the petitioner's pending representation dated 28.11.2015 (Annexure P-16) shall be considered by the Competent Authority and appropriate orders passed at the earliest.

4. In view of the said submission, the present petition is disposed of with directions issued to the respondents No.4 and 5 to consider the petitioner's representation dated 28.11.2015 as expeditiously as is possible and pass a speaking order within four weeks from today, under written intimation to him. If any amounts are due and payable to the petitioner, the same shall be released within the very same timeline. Further, if the respondents decide to re-deploy the petitioner

on an alternative job as per the rules, then he shall be assigned the said job at the earliest and preferably within two weeks from the date of deciding his representation. If the decision taken by the respondents is not favourable, the petitioner shall be entitled to seek his remedies in accordance with law.

5. The petition is disposed of.

DASTI to the counsel for the respondents for compliance.

HIMA KOHLI, J

SUNIL GAUR, J

FEBRUARY 22, 2016

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