

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.6356 OF 2017

DATED : 27.02.2017

Between :

Erpula Selven Christ Das, S/o.Joseph,
E.C.No.0268129, Aged about 59 yrs,
Occu : Fitter,
Singarnei Collieries Company Limited,
R/o.D-116, Market Area, Rudrampur,
Kothagudem, Bhadradi Kothagudem,
Khammam District.

..

Petitioner

And

The Chairman and Managing Director,
Singareni Collieries Company Limited,
Singareni Bhavan, Red Hills, Hyderabad & others.

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Respondents



This court made the following :

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.6356 OF 2017

ORDER :

The petitioner is aggrieved by the constitution of Corporate Medical Board and Appellate Medical Board through various circulars impugned in this Writ Petition.

2. When the matter is taken up, learned counsel appearing for petitioner as well as learned Standing Counsel for Singareni Collieries Company Limited submitted that the subject matter of the Writ Petition is covered by the decision of this Court in Writ Petition No. 38451 of 2015 and batch dated 22.06.2016, wherein this Court disposed of all the Writ petitions with the following directions:

(1) The company shall issue notices to all the petitioners who have not retired as on today and in respect of whom medical certificates were issued earlier and the petitioners in the above batch of cases have to undergo reexamination of their medical condition as on the date of examination by the committee appointed by this Court.

(2) The petitioners who receive such notices from the company shall invariably appear before the medical board at the time specified and undergo medical examination without any demur and their failure, if any, would be construed as their disinclination and the medical certificates issued earlier by the medical board constituted by the company shall remain valid.

(3) If the medical board constituted by this Court on re-examination holds any persons found to be unfit, the declaration

shall relate to the date of the medical certificates issued by the medical board constituted by the company earlier and the age of the persons who have been declared fit or unfit shall be reckoned from the date of medical certificates issued by the board of the company and their rights and liabilities shall be regulated accordingly.

(4) This Court accordingly requests the District Medical and Health Officer, Khammam to depute one Government Medical Practitioner to head the Committee of Doctors for examination of the petitioners as aforesaid. The DMHO, Khammam shall inform the name of the doctor to the company within 15 days from the date of receipt of this order. The company shall constitute the committee of doctors with the doctor recommended by the D M H O, Khammam as the head of the committee and consisting of the Company Doctors viz., Dr.B.Sashidhar Reddy of Ramagundam and Dr.B.Madhu Kumar of Bellampally. It is needless to observe that the said Committee of Doctors would discharge their duty in an objective manner without being influenced by any external influences as allegations are leveled by both sides across the bar that the litigation is initiated and continued for oblique purposes.

3. Following the same directions issued in W.P.No.38451 of 2015 and batch dated 22.6.2016, this Writ Petition is also disposed of. There shall be no order as to costs. As a sequel thereto, miscellaneous petitions, pending if any, shall stand closed.

27th February, 2017
Rds

P.NAVEEN RAO,J