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

+ **W.P.(C) 11633/2015**

RAJESH AGGARWAL

..... Petitioner

Through: Petitioner in person.

versus

UNION OF INDIA AND ORS.

.... Respondents

Through: Mr. Joydeep Mazumdar, Mr. Rohit Dutta and Ms. Priyata Chakraborty, Advs. for Northern Railways.

CORAM:

HON'BLE MR. JUSTICE V. KAMESWAR RAO

ORDER

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08.05.2018

The present petition has been filed by the petitioner with the following prayers:

“It is therefore most respectfully prayed that this Hon’ble Court may be pleased to issue:

- i. Writ of Mandamus directing the respondents to allow the request of the petitioner to be absorbed as Waiter with the Railways Catering Department or in the alternative allow him to continue with running the trolley.*
- ii. Any other order / relief of direction that this Hon’ble Court deems fit and proper in the facts and circumstances of the case may also be passed in favour of the petitioner. This will be in the interest of justice.”*

On the last date of hearing May 03, 2018 this Court has passed the following order:

“The present petition has been filed by the petitioner with the following prayers:

“It is therefore most respectfully prayed that this Hon’ble Court may be pleased to issue:

- i. Writ of Mandamus directing the respondents to allow the request of the petitioner to be absorbed as Waiter with the Railways Catering Department or in the alternative allow him to continue with running the trolley.*
- ii. Any other order / relief of direction that this Hon’ble Court deems fit and proper in the facts and circumstances of the case may also be passed in favour of the petitioner. This will be in the interest of justice.”*

During the course of hearing it transpired that the petitioner was directed to appear before the Medical Board. The petitioner states, he did appear before the Medical Board on January 07, 2018. He states, he has not heard anything from the respondents thereafter. On the other hand Mr. Manish, Commercial Supervisor, DRM office states, his office has not received any report from the Medical Board. He states, he shall ascertain the same from the concerned Medical Board.

If that be so, re-notify on May 08, 2018.”

Mr. Joydeep Mazumdar, learned counsel appearing for the respondents has placed before me the Medical Report submitted by the Medical Supdt. wherein it has been stated that the petitioner is fit for specific post in Orthopaedic Handicapped Category. He states that the petitioner must report to Mr. Devender Kumar, Senior Divisional Personnel Officer, DRM Office, Ground Floor, New Delhi to complete the formalities. He also states the appointment letter and posting order shall be issued within

one week and his posting shall be at the New Delhi Railway Station.

Even though the petitioner has urged that it would be appropriate if the respondents consider posting him at the Old Delhi Railway Station as the same is nearer to his residence, Mr. Mazumdar gives assurance that as and when a vacancy occurs at Old Delhi Railway Station, the case of the petitioner shall be considered for transfer to that place.

In view of the above, nothing further survives in the writ petition, the writ petition is disposed of.

V. KAMESWAR RAO, J

MAY 08, 2018/aky