

VIJAY KUMAR

V/S

UNION OF INDIA AND ORS

Present : Mr. R.D.Bawa, Advocate, for the applicant/petitioner.

RA-CW-74-2019

Learned counsel for the applicant contends that at the time of arguments, when order dated 01.02.2019 was passed dismissing the writ petition, it escaped from his notice to bring to the knowledge of this Court that the petitioner, apart from 'Chronic Allergic Rhinitis', has been placed in Low Medical Category-III, due to disability, which was diagnosed owing to 'PIVD L-4 and L-5' with 'Nerve Root Compression'. He further states that owing to the same, the Medical Board has put certain employability restrictions.

In view of the above and also the other grounds stated in the review application, the order dated 01.02.2019 is recalled and the petition is restored to its original number.

CWP-2842-2019

Inter alia contends that vide Medical Board proceedings, the petitioner has been diagnosed to be suffering from 'PIVD L-4 and L-5' with 'Nerve Root Compression' as also 'Chronic Allergic Rhinitis'. He further contends that owing to the same, the petitioner has also been put in Low Medical Category-III and certain employability restrictions have also been imposed which include prolonged standing/seating/long journey and avoid bending forward and lifting of heavy weight. He further states that vide impugned order 19.01.2019 (Annexure P 9), the petitioner has been posted to Eastern Base Workshop (EBW) (GREF) at Tejpur (Assam) and the climatic conditions of the said place are highly adversarial to the petitioner.

Notice of motion.

Mr. Arihant Goyal, Advocate, accepts notice on behalf of respondent-UOI and seeks four weeks' time to file reply.

Adjourned to 18.03.2019.

(ARUN MONGA)
JUDGE

February 14, 2019
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