



CMA No.1260 of 2022

WEB N.ANAND VENKATESH.,J

In the instant case, the claimant for reasons best known to him, did not subject himself for assessment before the Medical Board in order to determine the disability. The claimant was examined only by a private doctor, who was examined as PW2 in this case. This Doctor has assessed 35% disability and the disability certificate has been marked as Ex.P.20. The Tribunal was not able to act upon this disability certificate, since the appellant did not subject himself to Medical examination before the Medical Board. The Tribunal fixed 5% as permanent disability in this case.

2. In the considered view of this Court, the disability certificate issued by private doctor cannot be acted upon when the task of assessing the disability is now in the hands of the Medical Board. Therefore, in order to give one opportunity to the appellant, the appellant can be made to undergo the assessment before the Medical Board and based on the report of the Medical Board, further orders can be passed in this appeal.

3. The Medical Board at Rajiv Gandhi Government General Hospital, Park Town, Chennai, shall assess the disability of the appellant and submit a report by 03.06.2024.

4. Post this case under the same caption on 04.06.2024.

05.04.2024

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