

**CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH, BENGALURU**

ORIGINAL APPLICATION NO.170/0978/2019

DATED THIS THE 19TH DAY OF DECEMBER, 2019

HON'BLE SHRI C.V. SANKAR

...MEMBER(A)

K.Babu
Aged about 36 years
S/o Kuppan.B
Plaster Assistant
ESIC Hospital,
Peenya, Yeshwanthpur
Bangalore 560 022.

....Applicant

(By Advocate Shri N.G.Phadke)
Vs.

1. The Union of India,
Represented by its Secretary,
Ministry of Labour,
Shrama Shakti Bhavan.
Rafi Marg, New Delhi-110 001.

2. Employees State Insurance Corporation,
Head Quarters Office,
Panchadeep Bhavan, CIG Marg,
New Delhi – 110 002
by the Director General,

3. The Medical Superintendent,
ESIC Hospital,
Peenya, Yeshwanthpur
Bangalore 560 022. . ..Respondents

(By Shri M.V.Rao Sr.Panel Counsel)

OR D E R (ORAL)

Heard. The matter is covered by the order of the CAT, Principal Bench in OA.No.3227/2011 order dated 19.12.2013 at Annexure A-1 and Chennai Bench order in OA.No.427/2017 dated 04.02.2019 which is at Annexure A-3, and vide

Annexure A-2, a representation has been given . Vide Annexure A-4, respondents has taken a stand that the various orders of several Benches of this Tribunal are applicable only to the applicants therein. There is no merit in this contention, as the applicant is similarly placed in all respects. Therefore, we see no further reason to extend the proceedings.

2. Shri M.V. Rao, learned counsel for the respondents states that a Writ Petition is apparently filed against the Principal Bench order dated 19.12.2013 and the same is pending. The OA is allowed and the respondents shall issue necessary orders within a period of next two months and the order may be held to be subject to the final outcome in the Writ Petition filed before the Hon'ble High Court of Delhi. No costs.

(C.V. SANKAR)
MEMBER(A)

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Annexures referred to by the Applicants in OA No.978/2019

Annexure-A1:Copy of order dated 19.12.2013 in OA.3227/2011 of CAT, PB

Annexure-A2: Copy of Representation dated 6.10.2015

Annexure-A3: Copy of order dated 4.2.2019 in OA.427/2017 of CAT, Chennai

Annexure-A4: Copy of letter dated 8.7.2019

Annexures referred in reply

Annexurer-R1:Copy of The Gazette of India, May 21,2011

Annexurer-R2: Copy of pay scale of Plaster Assistant

Annexurer-R3:Copy of The Gazette of India, June 18,2016

Annexurer-R4:Copy of order dated 9.12.2014 in Civil Appeal No. 10862 to 10867/2014 of Supreme Court of India

Annexurer-R5:Copy of Annexure-II posts in ESIC Hospitals and pay scale

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