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Central Administrative Tribunal, Principal Bench

Original Application No. 1615 of 2001

New Delhi, this the 19th day of July, 2001

Hon'ble Mr. Justice Ashok Agarwal, Chairman
Hon'ble Mr. V.K. Majotra, Member(A)

N.D. Qureshi
PS to DG, ESIC (Retd)
S/o late Shri H. Ziauddin,
30, Park End
Vikas Marg, Delhi-92

- Applicant

(By Advocate: Shri Sheikh Imran Alam)

Versus

1. Secretary to Government of India
Ministry of Labour
Shram Shakti Bhawan
New Delhi-1 (Appellate Authority)

2. Joint Secretary to Govt. of India
Ministry of Labour
Shram Shakti Bhawan
New Delhi-1 (Appellate Authority)

3. Director General
ESI Corporation
ESIC Building, Kotla Road.
New Delhi-2

- Respondents

O.R.D.E.R (ORAL)

By Justice Ashok Agarwal, Chairman

Present OA, we find is nothing short but ~~of~~ abuse of the process of court. Applicant had earlier instituted O.A. No. 574/98 containing the very same claims contained in the present OA. By an order passed on 23.4.99 (Annexure P-28), the same was dismissed. Applicant carried the matter to the High Court by filing C.W.P. No. 1753/99 which was dismissed summarily by an order passed on 11.11.99 at Annexure P-31. Not being satisfied, applicant instituted yet another O.A. 1399/2001 which was dismissed as withdrawn by an order passed on 31.5.2001 at Annexure P-1. Applicant has thereafter proceeded to institute the present OA which in the aforeslated facts and circumstances, we

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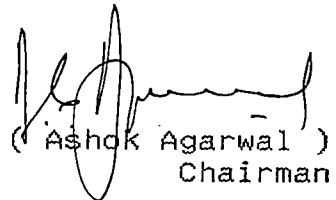
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find is hit by the principles of res judicata. Applicant cannot be permitted to agitate and re-agitate the very same things again and all over again. Present O.A., in the circumstances, is summarily rejected.

V.K. Majotra

(V.K. Majotra)
Member(A)

/dkm/


(Ashok Agarwal)
Chairman