

**CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH**

ORIGINAL APPLICATION NO.170/00403/2020

DATED THIS THE 25th DAY OF NOVEMBER, 2020

CORAM:

HON'BLE SHRI SURESH KUMAR MONGA, MEMBER (J)

(On video conference from Central Administrative Tribunal, Bangalore Bench at Bangalore)

HON'BLE SHRI RAKESH KUMAR GUPTA, MEMBER (A)

(On video conference from Central Administrative Tribunal, Bangalore Bench at Bangalore)

1. Smt.Anupriya P.S.

Aged about 33 years

W/o. Sri.Shiju K

Residing in Staff Quarters at the Hospital and

Presently working as Nursing Sister at

ESIC Medical College & Hospital

Sedam Road, Kalabuargi (Gulbarga)-585 106.

2. Smt. Deepthi M.

Aged about 32 years

W/o Sri.Chidanand Kesaragoppa

Residing in Staff Quarters at the Hospital and

Presently working as Nursing Sister at

ESIC Medical College & Hospital

Sedam Road, Kalabuargi (Gulbarga)-585 106.

3. Sri.Amrut Gasti

Aged about 36 years

S/o Sri.Sardar Gasti

Residing in Kalaburgagi

Presently working as Nursing Sister at

ESIC Medical College & Hospital

Sedam Road, Kalabuargi (Gulbarga)-585 106.

4. Sri.Raveendra B.H.

Aged about 32 years
S/o Sri.N.R.Hanumantha Bhovi
Residing in Staff Quarters at the Hospital and
Presently working as Nursing Sister at
ESIC Medical College & Hospital
Sedam Road, Kalabuargi (Gulbarga)-585 106.

5. Sri.Anil Kumar M.M.
Aged about 36 years
S/o Sri.Mahadeva M
Residing at No.106, Pooja Colony, Gulbarga
Presently working as Nursing Sister at
ESIC Medical College & Hospital
Sedam Road, Kalabuargi (Gulbarga)-585 106.

6. Sri.Dinesh R.C.
Aged about 35 years
S/o Sri.G.C.Chandrappa
Residing in Staff Quarters at the Hospital and
Presently working as Nursing Sister at
ESIC Medical College & Hospital
Sedam Road, Kalabuargi (Gulbarga)-585 106.

7. Sri.Rajashekhar S
Aged about 32 years
S/o Sri.Shivanna
Residing in Staff Quarters at the Hospital and
Presently working as Nursing Sister at
ESIC Medical College & Hospital
Sedam Road, Kalabuargi (Gulbarga)-585 106.

8. Sri.Manjunatha C.
Aged about 39 years
S/o Sri.Chikkusappa
Residing in Staff Quarters at the Hospital and
Presently working as Nursing Sister at
ESIC Medical College & Hospital
Sedam Road, Kalabuargi (Gulbarga)-585 106.

9. Smt.Soumya Sulochana Murali
Aged about 33 years
D/o Sri.V.Muraleedharan
Residing in Staff Quarters at the Hospital and

Presently working as Nursing Sister at
ESIC Medical College & Hospital
Sedam Road, Kalabuargi (Gulbarga)-585 106.

10. Smt.Pratibha Y.
Aged about 33 years
W/o Sri.Anil Kumar M.M
Residing at No.106, Pooja Colony, Gulbarga
Presently working as Nursing Sister at
ESIC Medical College & Hospital
Sedam Road, Kalabuargi (Gulbarga)-585 106.

11. Smt.Jeena C.B.
Aged about 34 years
W/o Sri.Jijesh P.C.
Residing in Staff Quarters at the Hospital and
Presently working as Nursing Sister at
ESIC Medical College & Hospital
Sedam Road, Kalabuargi (Gulbarga)-585 106.

12. Smt.Muthamma T.
Aged about 46 years
W/o Manjunatha S
Residing at No.34, Bhagyanagar, Kalaburagi
Presently working as Assistant Nursing Superintendent
ESIC Medical College & Hospital
Sedam Road, Kalabuargi (Gulbarga)-585 106.

13. Smt.Manjula S.
Aged about 42 years
W/o Narasimha Murthy
Residing at No.114, Suryanagar, Kalaburagi
Presently working as Assistant Nursing Superintendent
ESIC Medical College & Hospital
Sedam Road, Kalabuargi (Gulbarga)-585 106.

....Applicants

(By Advocate Shri Vikram Phadke - through video conference)

Vs.

1. The Union of India
Ministry of Labour & Employment
Government of India

Shram Shakti Bhavan, Rafi Marg
New Delhi-110 001.
Represented by its Secretary

2. Employees State Insurance Corporation
Panchdeep Bhavan
CIG Marg, New Delhi-110 002.
Represented by its Director General

3. The Additional Commissioner & Regional Director
Regional Office – ESIC
No.10, Binnyfields, Binnypete
Bengaluru-560 023.

4. The Dean
ESIC Medical College & Hospital
Sedam Road
Kalabuargi (Gulbarga) – 585 106.Respondents

(By Advocate Shri N.Amaresh – through video conference)

O R D E R (ORAL)

PER: SURESH KUMAR MONGA, MEMBER (J)

The present Original Application has been filed by the applicants under Section 19 of the Administrative Tribunals Act, 1985 seeking therein the following relief:

- i. Direct the respondents to transfer the Applicants from ESIC Medical College and Hospital, Gulbarga (Kalaburagi) to Bengaluru and
- ii. Grant such other relief(s) in favour of the Applicants as this Honorable Tribunal deems fit in the facts and circumstances of the case, in the interest of justice.

2. At the very outset, Shri Vikram Phadke, learned counsel representing the applicants stated that before filing the present Original Application, the applicants had submitted various representations on which no decision has been taken by the respondents upto today. Some of those representations are placed on record as Annexures-A7 to A12. He further stated that the applicants will be satisfied if a direction is issued to the respondents to decide their pending representations within a time frame.

3. Keeping in view the aforesated limited prayer made by learned counsel for the applicants, we deem it appropriate to dispose of the present Original Application at the admission stage itself without entering into the merits of the case.

4. Accordingly, the Original Application is disposed of with a direction to respondents to decide the applicants' pending representations and pass a reasoned and speaking order in accordance with law within a period of one(1) month from the date of receipt of a certified copy of this order.

5. The OA stands disposed of in the above terms. However, there shall be no orders so as to costs.

(RAKESH KUMAR GUPTA)
MEMBER (A)

/ps/

(SURESH KUMAR MONGA)
MEMBER (J)

Annexures referred to by the applicant in OA No.403/2020:

Annexure-A1: Transfer order dtd.30.8.2018

Annexure-A2: Transfer order dtd.28.8.2018

Annexure-A3: Letter dtd.23.5.2019 a/w transfer policy dtd.29.1.2019

Annexure-A4: Transfer order dtd.8.11.2019

Annexure-A5: Judgment in OA.No.2149/2019 dtd.26.2.2020

Annexure-A6: New Transfer Policy dtd.23.6.2020

Annexure-A7-A12: Representations of the applicants
