

**CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH**  
**JABALPUR**

**Original Application No.201/00592/2020**

Jabalpur, this Wednesday, the 11<sup>th</sup> day of November, 2020

**HON'BLE SHRI RAMESH SINGH THAKUR, JUDICIAL MEMBER**  
**HON'BLE MS. NAINI JAYASEELAN, ADMINISTRATIVE MEMBER**



Dr. Sunil Singh Narwariya, Son of Shri janak Singh Narwariya, aged about 40 years, Occupation: Insurance Medical Officer, Grade-I, Employees State Insurance Corporation, Presently posted at Model Hospital and Occupational Disease Centre, Nanda Nagar, Indore (MP)-452011  
**-Applicant**

**(By Advocate –Shri Maninder Bhatti)**

**V e r s u s**

1. Union of India, through its Secretary, Ministry of Labour and Employment, New Delhi (India)
2. Employees State Insurance Corporation, through its Managing Director, Panchdeep Bhawan, Comrade Indrajeet Gupta (CIG) Marg, New Delhi (India)-110002
3. Medical Commissioner, Employees State Insurance Corporation, Panchdeep bhawan, Comrade, Indrajeet Gupta (CIG) Marg, New Delhi (India)-110002
4. Assistant Director (M.A.) Employees State Insurance Corporation, Panchdeep bhawan, Comrade, Indrajeet Gupta (CIG) Marg, New Delhi (India)-110002
5. Deputy Director (Finance), Employees State Insurance Corporation, Model Hospital, Nanda Nagar, Indore M.P. 452011

6. Superintendent, Employees State Insurance Corporation, Model Hospital, Nanda Nagar, Indore M.P. 452011

- Respondents

(By Advocate -**Shri Gaurav Sharma**, learned counsel for respondents Nos. 2 to 6)



### O R D E R (Oral)

**By Ramesh Singh Thakur, JM:-**

Heard.

2. This Original Application has been filed against the order dated 16.04.2019 passed by respondent No. 4 whereby the period from 03.12.2018 to 05.01.2019 (33 days) has been treated as dies-non.

3. The case of the applicant from pleadings is that the applicant was initially appointed as Insurance Medical Officer Grade-II vide order dated 23.11.2009. The applicant was further promoted as Insurance Medical Officer Grade-I vide order dated 01.05.2015 (Annexure A-2). The applicant applied for earned leave on 17.10.2018 and requested for the period commencing from 03.12.2018 to 05.01.2019 (33 days). The application of the applicant was declined.



4. Thereafter the respondent department has issued a show cause notice dated 07.12.2018 (Annexure A-7). The applicant submitted the reply to show cause notice dated 17.12.2018 (Annexure A-8). Thereafter, the respondent department has passed the impugned order dated 16.04.2019 (Annexure A-10). The applicant has also filed appeal vide order dated 19.07.2019 (Annexure A-12), which is still pending.

5. At this stage learned counsel for the applicant submits that the applicant will be satisfied if the respondents are directed to decide appeal of the applicant dated 19.07.2019 (Annexure A-12) in a time bound manner.

6. Learned counsel for the respondents submits that he has no objection if the Original Application is disposed of in above manner.

7. We have considered the matter and we are of the view that the natural justice will be met if the respondents are directed to decide appeal dated 19.07.2019 (Annexure A/12) in a time bound manner.

8. Resultantly, the Appellate Authority of the respondents is directed to decide the applicant's appeal dated 19.07.2019 (Annexure A/12), after affording the personal hearing to the applicant, within a period of six weeks after receiving the copy of this order.



9. Needless to say that the respondents shall pass a reasoned and speaking order. Respondents shall also deal with all the contentions raised in the appeal.

10. With these observations, this Original Application is disposed of at admission stage itself.

**(Naini Jayaseelan)**  
**Administrative Member**

**(Ramesh Singh Thakur)**  
**Judicial Member**

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