

CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH
KOLKATA

LIBRARY

OA. 350/00932/2020

Date of order: 09.11.2020

Present : Hon'ble Ms. Bidisha Banerjee, Judicial Member

Nibedita Bhattacharjee (Das), wife of Surajit Bhattacharjee, aged about 29 years, worked as working as Nursing Orderly at ESI-PGIMSR & ESIC Hospital & ODC (E.Z.)/Joka, residing at 251, D. Bhattacharjee Para Road, Kolkata- 700063, West Bengal.

.....Applicant.

-versus-

1. Union of India, service through the Secretary, Ministry of Labour and Employment, Rafi Marg, Shram Shakti Bhawan, New Delhi- 110001.
2. The Director General, Employees State Insurance Corporation, Hqrs. Office at CIG Marg, Panchadeep Bhawan, New Delhi- 110002.
3. The Additional Commercial & Regional Director, Employees State Insurance Corporation, Regional Office, 5/1, Grant Lane, Panchadeep Bhawan, Kolkata- 700012.
4. The Medical Superintendent, ESI-PGIMSR & ESIC Hospital & ODC (E.Z.), Diamond Harbour Road, Joka, Kolkata- 700014.
5. The Dean, ESIC Medical College and ESIC Hospital & ODC (E.Z.), Diamond Harbour Road, Joka, Kolkata- 700104.

.....Respondents.



For the Applicant : Mr. Arpa Chakraborty, Counsel

For the Respondents : Mr. S. Chowdhury, Counsel

ORDER (Oral)

Per Ms. Bidisha Banerjee, JM:

Heard both.

2. This OA has been filed to seek the following reliefs:

"8(i) Office order being no. 412.A.20/11/579(H)/Estt./2017 dated 04.09.2020 issued by the respondent no. 3 is not tenable in the eye of law and as much as such the same may be quashed.

(ii) An order do issue directing the respondents to re-instate the applicant in her service in the post of Nursing Orderly at ESI-PGIMS & ESIC Hospital & ODC (E.Z.)/Joka at an earliest along with all consequential benefits.

(iii) Costs and incidentals.

(iv) Any other order or orders as the Hon'ble Tribunal deems fit and proper."

3. Since the applicant has preferred a representation only on 06.10.2020 seeking the same reliefs as in the present OA and has rushed to this Tribunal without waiting for a reply while his representation is yet to be disposed of, and since no fruitful purpose would be served in calling for a reply in this matter unless the representation is suitably decided by the respondent authorities, I propose to dispose of the OA at the admission stage itself.

4. Accordingly, I direct the competent respondent authority to consider the grievance of the applicant, as highlighted in her representation dated 06.10.2020 and after proper verification of records, to decide the same in accordance with law issuing an appropriate order or a reasoned and speaking order, within a period of 2 months from the date of receipt of copy of this order.



5. It is made clear that I have not entered into the merits of this matter and therefore, all points are kept open for consideration.

6. The present OA accordingly stands disposed of. No costs.

(Bidisha Banerjee)
Member (J)

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