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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

O.A.No.714 of 2004

New Delhi this the 23rd day of March, 2004.

Hon'ble Shri V.K. Majotra, Vice Chairman(A)
Hon'ble Shri Bharat Bhushan, Member(J)

Ms. Esther Alexander
Nursing Sister,
Quarter No.84, ESI Colony,
Basaidarapur,
New Delhi-110015 Applicant

(By Advocate: Shri D.R. Gupta)

versus

1. E.S.I. Corporation
Through its Director General
Panchdeep Bhawan,
4, Kotla Road,
New Delhi.
2. The Medical Supdt.
E.S.I. Hospital
Basaidara Pur, Ring Road,
New Delhi-110015. Respondents

Order(Oral)

Hon'ble Shri V.K. Majotra, VC(A)

Learned counsel heard.

2. Applicant has challenged penalty of reduction of pay by two stages for a period of one year imposed on her with immediate effect with the further stipulation that during the period of penalty, the pay of the applicant shall remain constant at the reduced stage and after the penalty period is over, the penalty will have the effect of postponing her future increments of pay. She has also challenged respondents orders regarding treatment of the entire period of suspension from 16.3.1999 to 21.3.2003 as non-duty for all

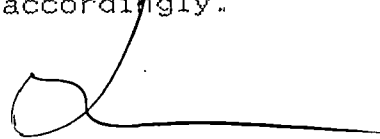
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purposes. These assailed orders are at Annexure A-1 and Annexure A-2 dated 22.3.2003 and 03.6.2003 respectively. Admittedly, the applicant did not file any appeal against impugned orders with the Appellate Authority within the prescribed time limit. However, an appeal has been filed vide Annexure A-4 dated 15.3.2004 against impugned order

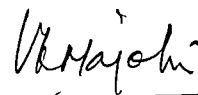
3. Learned counsel pleaded that the respondents be called upon to decide applicant's appeal on merit within a specified period.

4. Having regard to the contention raised before us on behalf of applicant and in the interest of justice we are of the view that this OA can be disposed of at this stage itself by directing respondents to dispose of applicant's appeal Annexure A-4 by passing a detailed and speaking order on merits within a period of 45 days from the date of communication of this orders. Ordered accordingly.



(Bharat Bhushan)
Member(J)

rb.



(V.K. Majotra)
Vice Chairman(A)

23.3.04