

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH
JABALPUR

Original Application No.200/00353/2021

Jabalpur, this Tuesday, the 01st day of June, 2021

HON'BLE SHRI RAMESH SINGH THAKUR, JUDICIAL MEMBER

Dr. Imran Ali, Son of Shri Mukarram Ali,
Aged about 37 years, Occupation: Insurance Medical Officer
Grade-I, Employees State Insurance Corporation,
Presently posted at Dispensary Cum Branch Office,
ESIC Jawad, Neemuch (MP)-458330 **-Applicant**

(By Advocate – Shri Maninder Singh Bhatti)

Versus

1. Union of India, through its Secretary, Ministry of Labour and Employment, New Delhi (India)-110002
2. Employees State Insurance Corporation, Through its Director General, Panchdeep Bhawan, Comrade Indrajeet Gupta, (CIG) Marg, New Delhi (India)110002
3. Assistant Director (Med. Adm.), Employees State Insurance Corporation, Panchdeep Bhawan, Comrade Indrajeet Gupta, (CIG) Marg, New Delhi (India)110002

(By Advocate – Shri Gaurav Sharma learned counsel for respondents Nos. 2 & 3)

ORDER(ORAL)

Heard.

2. This Original Application has been filed against the inaction on behalf of respondents Nos. 2 & 3 for not giving the benefit of past services rendered by the applicant in Ludhiana (Punjab).



3. From the pleadings the facts of the case is that the applicant was initially appointed as Insurance Medical Officer Grade II vide order dated 22.03.2012(Annexure A-1) and has joined at Ludiana on 17.07.2012. Thereafter, the applicant had applied for recruitment drive for the same post at Indore Office (MP Region) of ESIC. The applicant applied for NOC for making an application for appointment at Indore office on 25.09.2013 (Annexure A-3). The application was forwarded through proper channel on 01.10.2013. The applicant again applied for NOC on 15.09.2014 but no NOC was granted to the applicant. Ultimately, the same was granted on 13.10.2014 (Annexure A-7). Ultimately, select list for appointment at Indore were published vide Annexure A-8. The applicant was appointed at Indore Office of ESIC on 08.07.2015 (Annexure A-9). The applicant submitted his technical resignation on 27.07.2015 (Annexure A-10). Technical resignation of the applicant was duly forwarded and accepted on 06.08.2015. The applicant was relieved by Ludhiana on 07.08.2015 and ultimately joining was given at Indore on 14.08.2015 (Annexure A-13).

4. The applicant made representation on 16.10.2015 (Annexure A-14) highlighting the provisions of O.M. dated

17.08.2016 issued by Ministry of Personnel and Public Grievances, Govt. of India. Applicant again submitted representation on 06.12.2018 (Annexure A-16). Vide Annexure A-17 the respondents have ordered for counting the past service for retiral benefits like gratuity etc. the applicant then submitted another representation for grant of seniority with retrospective effect on 19.01.2021 (Annexure A-18).



5. At this stage learned counsel for the applicant submits that the applicant will be satisfied if the respondents are directed to decide Annexure A/16 in the light of O.M. dated 17.08.2016 issued by Ministry of Personnel and Public Grievances, Govt. of India 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 competent authority of the respondents is directed to decide the representation filed at Annexure A-16 in a time bound manner.

8. Resultantly, the competent authority of the respondents Nos. 2 & 3 is directed to decide the applicant's

representation filed at Annexure A-16 within a period of six weeks after receiving the copy of this order.

9. Needless to say that the respondents shall pass the reasoned and speaking order. Respondents shall also deal with all the contentions raised in the representation filed at Annexure A-16.



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

11. However, is it made clear that this Court has not commented anything on the merits of the case.

(Ramesh Singh Thakur)
Judicial Member

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