



**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

**OA No.1020/2021
MA No.1279/2021
MA No.1280/2021**

This the 28th day of May, 2021

(Through Video Conferencing)

**Hon'ble Justice L. Narasimha Reddy, Chairman
Hon'ble Mr. A.K. Bishnoi, Member (A)**

1. Brijendra Kumar Bairwa aged about 34 yrs
S/o Sh. Prabhu Dayal
Designation:- Nursing Officer, Group "C "
R/o V.P.O.-Jaitpur Pakhar 2, Mahwa,
Dist.-Dausa Rajasthan PIN -321609
2. Sunil Kumar Jatav Aged about 33 yrs
S/o Sh. Shri Phool Jatav
Designation:- Nursing Officer, Group "C "
R/o V.P.O-Baroli, Sawai Madhopur,
Rajasthan PIN. 322219
3. Manohar Lal Aged about 33 yrs
S/o Sh. Shiv Lal
Designation:- Nursing Officer, Group "C "
R/o Vandhawan Road, Nehru Colony, Balotra(RURAL),
Barmer ,Rajasthan PIN.-344022
4. Lalit Kumar Atal Aged about 32 yrs
S/o Sh. Asha Ram Raigar
Designation:- Nursing Officer, Group "C "
R/o Raigaro Ka Mohalla,
Manpura Pancheri, Jaipur,
Rajasthan PIN.-303805
5. Laxman Aged about 31 yrs
S/o Sh. Lakha Ram
Designation:- Nursing Officer, Group "C "
R/o Chungi Nake Ke Piche Ward No. 35
Pachapadra Road,
Balotra(Rural)Barmer, Rajasthan PIN 344022
6. Rajeev Singh Aged about 29 yrs



S/o Sh. Padam Singh
Designation:- Nursing Officer, Group "C "
R/o Jatav Basti Brahmawad, Bharatpur,
Rajasthan, PIN.- 321410.

7. Dinesh Bhankhriwal Aged about 34 yrs
S/o Sh. Gyanchand Bhankhriwal
Designation:- Nursing Officer, Group "C "
R/o 89, Neemera, Jaipur,
Rajasthan, PIN.-302012
8. Pushpendra Kumar Sharma Aged about 32 yrs
S/o Sh. Sukhram Sharma
Designation:- Nursing Officer, Group "C "
R/o C79, Girish Vihar Colony ,
Kali Bagichi, Chatri Ke Pichhe,
Bharatpur, Rajasthan PIN.-321001
9. Paramveer Singh Aged about 35 yrs
S/o Sh. Nathu Singh
Designation:- Nursing Officer, Group "C "
R/o 17, Mahila Police Thane K Samne ,
Near Shivwadi, Rajendra Nagar, Pali,
Rajasthan , PIN-306401
10. Ganesh Prasad Parasar Aged about 37 yrs
S/o Sh. Bhanwar Lal Sharma
Designation:- Nursing Officer, Group "C "
R/o V.P.O. Bansi The.- Nainwa, DIST.-Bundi,
Rajasthan, PIN.-323802
11. Bheemdas Aged about 34 yrs
S/o Sh. Salag Das
Designation:- Nursing Officer, Group "C "
R/o Am Chohata, 108, Mandawas,
Pali, Rajasthan, PIN-306421
12. Hari Ram Chopra Aged about 32 yrs
S/o Sh. Ram Ratan Choudhary
Designation:- Nursing Officer, Group "C "
R/o H.NO.15, Adarsh Nagar, Krishna Colony,
Tonk, Rajasthan, PIN.-304001
13. Manish Kumar Aged about 33 yrs
S/o Sh. Chhaju Ram
Designation:- Nursing Officer, Group "C "
R/o V.P.O. Jagwas, The.-Behror,



Alwar, Rajasthan, PIN.-301701

14. Dinesh Kumar Aged about 34 yrs
S/o Sh. Kehari Singh
Designation:- Nursing Officer, Group “C “
R/o 558, Gujar Patti, Bonl, Karauli,
Rajsthan PIN.-321611
15. Sanjay Purohit Aged about 30 yrs
S/o Sh. Hari Singh
Designation:- Nursing Officer, Group “C “
R/o V.P.O.-Khtukara, The-Pali, DIST-PALI,
Rajasthan, PIN.-306119
16. Mahavir Prasad Nagar Aged about 37 yrs
S/o Latoor Lal
Designation:- Nursing Officer, Group “C “
R/o Village Mandutieda, Post Mamor,
The. Kanwas , Distt. Kota Rajasthan-325602
17. Banwari Lal Aged about 35 yrs
S/o Bachana Ram
Designation:- Nursing Officer, Group “C “
R/o Indra Colony
Phalodi, Distt. Jodhpur Rajasthan-342301
18. Devendra Kumar Aged about 34 yrs
S/o Sh.Rodu Ram
Designation:- Nursing Officer, Group “C “
R/o Bairwa Sindhi Colony Ke Picheward no 35
Tonk, Rajasthan Pin- 304001
19. Suresh Kumar Aged about 30 yrs
S/o Mehal Chand
Designation:- Nursing Officer, Group “C “
C/o Sachin, Ward No 14 Ram Nagar ,
Colony Kathua Pin-184102.Applicants

(By Advocates: Mr. Ankur Chhibber, Mr. Yogesh Kumar Mahur and Mr. Harkesh Parashar)

Vs

Union of India

1. Through its Secretary
Ministry of Labour and Employment
New Delhi.



Employees State Insurance Corporation (ESIC)

(Through its Director General)

2. Panchdeep Bhawan, CIG Marg,
New Delhi 110002
Regional Director
Employees State Insurance Corporation (ESIC)
3. Panchdeep Bhawan, CIG Marg,
New Delhi 110002
4. Regional Director
ESIC Regional Office Chandigarh,
Panchdeep Bhawan, Sector- 19a,
Madhya Marg,
Chandigarh PIN-160019
5. Addl. Commissioner & Regional Director,
Regional Office
Employees State Insurance Corporation (ESIC)
Panchdeep Bhawan, Sector-16, N.I.T
Fsridadbad-121002 Haryana
6. Deputy Director
(Regional Office)
Employees State Insurance Corporation (ESIC)
10-B, Radha Bhawan Shastri Nagar Jammu 180004
Jammu (J & K)
7. Dharmendra Nursing 27/04/201 ESIC Hospital,
Kumar Officer 8 Gurugram,
Kumawat Haryana
8. Vijay Pal Singh Nursing 11/05/201 ESIC Hospital,
Shekhawat Officer 8 Gurugram,
Haryana
9. Sonu Verma Nursing 06/09/201 ESIC Medical
Officer 7 College &
Hospital,
Faridabad,
Haryana
10. Subhash Nursing 06/09/2017 ESIC Hospital,
Ghitala Officer Gurugram,
Haryana



	Rakesh Kumar Saharan	Nursing Officer/2017	ESIC Hospital, Manesar, Haryana
12.	Deepak Tak	Nursing Officer	07/09/2017	ESIC Medical College & Hospital, Faridabad, Haryana
13.	Narendra Dayya	Nursing Officer	08/09/2017	ESIC Medical College & Hospital, Faridabad, Haryana
14.	Mahroom Nisha	Nursing Officer	08/09/2017	ESIC Hospital, Gurugram, Haryana
15.	Mukesh Kumar Ghonslya	Nursing Officer	09/09/2017	ESIC Hospital, Indore, Madhya Pradesh
16.	Sunil Kumar	Nursing Officer	11/09/2017	ESIC Hospital, Manesar, Haryana
17.	Naresh Moria	Nursing Officer	11/09/2017	ESIC Medical College & Hospital, Faridabad, Haryana
18.	Priyanka Pandey	Nursing Officer	11/09/2017	ESIC Medical College & Hospital, Faridabad, Haryana
19.	Dinesh Kumar Kumawat	Nursing Officer	14/09/2017	ESIC Hospital, Gurugram, Haryana
20.	Rakesh Nagar	Nursing	18/09/2017	ESIC Hospital,



			Officer	Gurugram, Haryana
21.	Onita Yadav	Nursing Officer	18/09/2017	ESIC Hospital, Gurugram, Haryana
22.	Pawan Kumar Garg	Nursing Officer	18/09/2017	ESIC Hospital, Gurugram, Haryana
23.	Kuldeep Kumar Gurjar	Nursing Officer	18/09/2017	ESIC Hospital, Gurugram, Haryana
24.	Deva Ram Bhargava	Nursing Officer	19/09/2017	ESIC Hospital, Manesar, Haryana
25.	Sunil Kumar Jagrawal	Nursing Officer	16/11/2017	ESIC Hospital, Gurugram, Haryana

... Respondents

(By Advocate: Mr. Subhash Gosain)

O R D E R (ORAL)

Justice L. Narasimha Reddy, Chairman :

The applicants are working as Nursing Officers with the ESIC Hospital. The Corporation has framed a policy for inter-regional transfers and postings. The applicants intended to get themselves transferred to the Hospital at Alwar Rajasthan. Through order dated 22.04.2021, the Corporation transferred/posted 101 Nursing Officers to Alwar Rajasthan from different places within the regions. The applicants contend that though they were eligible to



be considered in preference to any others, particularly respondent Nos. 7 to 25, their cases were not considered and to that extent the action of the Corporation is arbitrary and illegal. They are said to have filed representations in this behalf.

2. We heard Mr. Ankur Chhibber with Mr. Yogesh Kumar Mahur and Mr. Harkesh Parashar, learned counsel for the applicants and Mr. Subhash Gosain, learned counsel for the respondents.

3. The issue, in this case, is about inter regional transfers, be it on request, or otherwise. It is true that the respondents framed a policy through circular dated 27.02.2013 with reference to transfers and postings. However, it is too early for us, to express any view as to the legality or otherwise of the transfer and posting of respondent Nos. 7 to 25. The applicants have already made representations. The same needs to be considered with reference to the policy.



4. We, therefore, dispose of the OA directing respondent No.2, to pass orders on the representation dated 23.04.2021 submitted by the applicants within a period of four weeks from the date of receipt of a copy of this order. There shall be no order as to costs.

All the pending MAs stand disposed of.

(A.K. Bishnoi)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

/lg/vb/ankit/sd/dsn