

OPEN COURT

**CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD BENCH
ALLAHABAD**

ORIGINAL APPLICATION NO.1321 OF 2000

ALLAHABAD THIS THE 22ND DAY OF SEPTEMBER 2008.

Hon'ble Mr. Justice A.K. Yog, Member (J)

Hon'ble Mrs. Manjulika Gautam, Member (A)

1. Radhey Lal Gupta son of late Shri Kedar Nath Gupta
R/o 1-A/57 Azad Nagar, Kanpur.
2. Baij Nath Tripathi son of Shri Gaya Prasad Tripathi
R/o 3/2 Sewagram Colony, Dadanagar, Kanpur.
3. Prakash Chandra Sharma son of Shri Babulal
Sharma, R/o 649 Vikas Nagar Kanpur.
4. Jagat Narain Mishra, Son of Shri Ash Narain Mishra
R/o MIG 215, Kailash Vihar, Awas Vikash No. 1,
Kalyanpur Vihar, Awas Vikash No.1 Kalyanpur
Kanpur.

.....Applicants

By Advocate: S/Shri Ashok Mehta/R.K. Shukla/D.P Tripathi.
Versus

1. Union of India through its Secretary Ministry of
Labour, Department of Labour, Shram Shakti Bhawan
Raphi Marg, New Delhi.
2. Employees State Insurance Corporation (H.O.)
"Panchdeep Bhawan" Kotla Road, New Delhi through
the Director General
3. Employees State Corporation "Panchdeep Bhawan"
Sarvodaya Nagar Kanpur through its Regional
Director.
4. Dy. Director (Administration/E.S.I.C Corporation
Sarvodaya Nagar, Kanpur.
5. Assistant Director (Admin) E.S.I. Corporation
Sarvodaya Nagar, Kanpur.

.....Respondents

By Advocate: Shri P.K Pandey

O R D E R

Delivered by Justice A.K. Yog, Member (J)

Heard counsel for the parties.



2. Pleadings on record show that applicants were working in the Department as Insurance Inspector/Manager Grade II. As per facts stated in the O.A. applicants seek to challenge the validity and correctness of impugned order dated 23.3.1999 passed by Dy. Director (Administration) subject to regularization of applicants No. 1, copy of order dated 23.3.1999 annexed as Annexure A-1 to the O.A. and order dated 26.5.1999 from Regional Office E.S.I.C Kanpur issued by Dy. Director in connection with above matter with respect to applicant NO. 3 (wrongly designated as respondent NO. 3 in para 1 (a) of the O.A.). It appears that seniority list was also circulated and according to it they were not assigned correct place in the said seniority list (Annexure A-2 to the O.A.). We do not find that much time has already passed and they must be changed their position. Apart from above, we find that applicants have not impleaded even single person, who is required to be affected in case relief as claimed in the O.A. has extended.

3. Taking into entirety of the circumstances of the case, it will be efficacious to direct the applicant to file certified copy of this order alongwith comprehensive representation raising his grievance/s before Competent Authority who may be requested to decide the same in accordance with law as per record.

4. In view of above, we direct the applicant to file representation alongwith certified copy of the order as well a copy of Original Application (with all Annexure/s) before

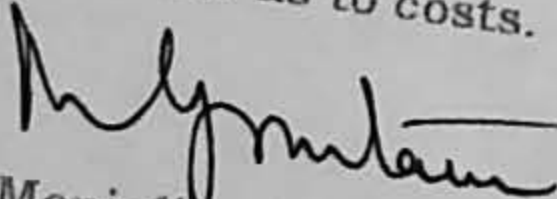
Dr.

respondent NO.2/ Director General, Employees State Corporation "Panchdeep Bhawan" Sarvodaya Nagar Kanpur within a period of six weeks from today. Such 'representation' (if filed within stipulated period as contemplated above), shall be decided by the said Authority by a reasoned/speaking order in accordance with relevant law exercising unfettered discretion within a period of four months from the date of receipt of the Representation as contemplated above.

5. Decision taken shall be communicated to the applicant forthwith.

6. With the above direction, OA stands disposed of.

7. No order as to costs.


Manjulika Gautam

Member (A)

Manish/-


Justice A.K. Yog

Member (J)