

**CENTRAL ADMINISTRATIVE TRIBUNAL**  
**ERNAKULAM BENCH**

**Original Application No. 388 of 2011**

**Tuesday, this the 20<sup>th</sup> day of September, 2011**

**CORAM:**

**Hon'ble Mr. Justice P.R. Raman, Judicial Member**  
**Hon'ble Mr. K. George Joseph, Administrative Member**

K.P. Appachan, aged 58 years, S/o. K.K. Pappu,  
 Joint Director, Employees' State Insurance Corporation  
 Regional Office, Thrissur, Residing at : ESIC Staff Quarters  
 No. D-4, Kuttanalloor, Thrissur District. ....

**Applicant**

**(By Advocate – Mr. T.C. Govindaswamy)**

**V e r s u s**

- 1    The Director General, Headquarters  
      Employees' State Insurance Corporation  
      Panchdeep Bhavan, C.I.G. Road  
      New Delhi – 110 002.
  
- 2    The Secretary to the Government of India  
      Ministry of Personnel, Public Grievances & Pension  
      (Department of Personnel & Training)  
      New Delhi – 110 001.
  
- 3    Shri Mahavir Singh Dahiya  
      Joint Director I/C  
      Sub-Regional Office  
      ESI Corporation  
      Plot No. 47, Sector – 34  
      Near Hero Honda Chowk  
      Gurgaon, Haryana – 122 001.
  
- 4    Shri L.K. Gupta, Joint Director  
      Sub-Regional Office  
      ESI Corporation  
      Panchdeep Bhavan  
      Ganeshpett, Nagpur – 440 018.
  
- 5    Shri Soumyendu Biswas  
      Joint Director, Regional Office  
      ESI Corporation, Panchdeep Bhavan  
      108-N.M. Joshi Marg, Lower Parel

Mumbai – 400 013.

- 6 Shri Sanjay Kumar Sinha  
Joint Director I/C  
Sub-Regional Office  
ESIC Hospital Building  
5<sup>th</sup> Floor, Wakhale Estate  
Thane – 400 604.
- 7 Shri S. Ravi Chandran  
Joint Director I/C  
Sub-Regional Office  
ESI Corporation  
Municipal Shopping Complex  
Salen Street, Poonjurai  
Thirunalveli – 627 001. TN
- 8 Shri Akshay Kala, Joint Director  
ESI Corporation  
Panchdeep Bhavan  
C.I.G. Marg, New Delhi – 110 002.
- 9 Shri Arvind Kumar, Joint Director  
Regional Office, ESI Corporation  
Madya Marg, Sector – 19 A  
Chandigarh.
- 10 Shri Arun Pandey, Joint Director I/C  
Sub-Regional Office  
ESI Corporation, Barrackpore  
Kamarhati, 5<sup>th</sup> Floor  
44/A, B.L. Ghosh Road  
Kamarhati, Kolkata – 700 058.
- 11 Shri S.V. Krishna Kumar, Joint Director  
Regional Office, ESI Corporation  
Panchdeep Bhavan, 143 Sterling Road  
Chennai – 600 034.
- 12 Shri Raj Kanwal, Joint Director  
ESI Corporation  
Panchdeep Bhavan, C.I.G. Marg  
New Delhi – 110 002.
- 13 Shri Joseph C.V, Joint Director (Admn.)  
ESIC Hospital & Medical College  
Paripally, Kollam – 691 574.
- 14 Shri Keshavadas R, Joint Director

ESI Corporation  
Panchdeep Bhavan, C.I.G. Marg  
New Delhi – 110 002.

- 15 Shri Gunasekaran R, Joint Director  
Regional Office, ESI Corporation  
Panchdeep Bhavan, 143-Sterling Road  
Chennai – 600 034.
- 16 Shri Harbir Singh, Joint Director I/C.  
ESI Corporation, 5-R.K. Plaza  
Bhupalpura, Udaipur – 313 001.  
Rajasthan.
- 17 Shri A.P. Tripathi, Joint Director  
ESI Corporation  
Panchdeep Bhavan, C.I.G. Marg  
New Delhi – 110 002.
- 18 Shri Dharendra Kumar Mishra  
Joint Director  
ESIC Model Hospital  
Namkum Ranchi  
Jharkhand – 834 010.
- 19 Shri Deepak Joshi, Joint Director  
ESI Corporation  
Panchdeep Bhavan, C.I.G. Marg  
New Delhi – 110 002.
- 20 Shri Kewal Singh Dhaliwal  
Joint Director  
Sub-Regional Office  
ESI Corporation  
S.C.F. 22-23, Urban Estate  
Phase -II, Focal Point  
Ludhiana – 141 003.
- 21 Shri Prem Nath Ghai, Joint Director  
ESIC Model Hospital  
Sector -24, Noida (U.P)
- 22 Shri Bharat Bhushan Arora  
Joint Director (Admn.)  
ESIC Hospital, Rohini  
Sector – 15, New Delhi – 110 085.
- 23 Shri Binod Kumar Srivastava  
Joint Director, Regional Office

- ESI Corporation, Panchdeep Bhavan  
108-N.M Joshi Marg, Lower Parel  
Mumbai – 400 013.
- 24 Shri Naval Kishore Tiwari  
Joint Director, ESI Corporation  
Panchdeep Bhavan, C.I.G. Marg  
New Delhi – 110 002.
- 25 Shri Surjit Das, Joint Director  
Regional Office, ESI Corporation  
Panchdeep Bhavan, 5/1-Grand Lane  
Kolkatta – 700 012.
- 26 Shri Anil Chandra Bhat R.  
Joint Director (Admn.)  
ESIC Hospital, Ezhukone  
Kollam – 691 505.
- 27 Shri Rajesh Kumar Saxena  
C/o. The Regional Director  
ESI Corporation, Regional Office  
D.D.A. Office Complex  
Rajendra Place, New Delhi – 110 008.
- 28 Shri Deoki Nandan, Joint Director I/C.  
Divisional Office, ESI Corporation  
767, Jeevan Nagar, Model Town  
Ambala City, Haryana.
- 29 Shri Mahendra Kumar Arya  
Joint Director  
National Training Academy  
ESI Corporation, EPFO Complex  
NRPO Building, Data Centre  
Sector -23, Dwaraka  
New Delhi – 110 075.
- 30 Shri Anil Kumar, Joint Director I/C  
ESI Corporation  
ESI Hospital Campus  
Pandeypur, Varanasi – 221 002.
- 31 Shri Dasu V., Joint Director  
Regional Office  
Panchdeep Bhavan  
143, Sterling Road  
Chennai – 600 034.

- 32 Shri Ramakoti B, Joint Director I/C  
Sub-Regional Office  
ESI Corporation, P-96  
ESI Hospital Complex  
Chikalthana, Naregaon Road  
Aurangabad – 431 910.
- 33 Shri Amar Nath Prasad  
Joint Director (Admn.)  
ESIC Hospital  
Okhala Industrial Area Phase -1  
NCR-Delhi.
- 34 Shri Ramji Lal Meena, Joint Director (Admn.)  
ESIC Model Hospital  
Jaipur, Rajasthan
- 35 Shri T.T. Mammen Tharakan  
Joint Director, ESIC Corporation  
Panchdeep Bhavan, C.I.G. Marg  
New Delhi – 110 002.
- 36 Shri Sunil Taneja, Joint Director  
ESI Corporation  
Panchdeep Bhavan, C.I.G Marg  
New Delhi – 110 002.
- ..... Respondents

[By Advocates – Mr. T.V. Ajayakumar (R1),  
Mr. K.R.B. Kaimal, Sr. &  
Mr. B. Unnikrishna Kaimal (R5, 7, 13, 15, 16, 20 & 25)]

This application having been heard on 20.09.2011, the Tribunal on the same day delivered the following:

### ORDER

**By Hon'ble Mr. Justice P.R. Raman, Judicial Member -**

The applicant impugns Annexures A-1 and A-3 to the extent they relate to the applicant. He also seek for quashing Annexures A-2 and A-4 to the extent they place the respondents Nos. 3 to 36 above the applicant in the seniority list. There is a further prayer that the applicant be regularized in the post of Joint Director and consider him for further promotion to the post




of Regional Director.

2. Though the applicant is provisionally promoted as Joint Director, but according to him he had been shown junior to many of the party respondents by revising the final seniority list.

3. During the pendency of the Original Application the seniority list was again revised restoring the seniority of the applicant. Though it is a provisional seniority list, as of now the earlier seniority list impugned in this Original Application has no existence. If only, at the time of finalizing the seniority list there is a further change made to the provisional seniority now published, lowering the position of the applicant that a further grievance if any would arise for the applicant to challenge. Leaving open such right and now that the applicant's seniority has been restored provisionally, we close this Original Application.


4. Though the applicant had a case that he is entitled to be considered for promotion to the post of Regional Director based on the seniority position and in accordance with law, such things will be taken up by the respondents. The learned counsel appearing for the applicant also requested that a time limit may be fixed for finalizing the seniority list. Considering the fact that the provisional seniority list was published only on 14<sup>th</sup> September, 2011 and a time limit of one month is given for submitting objection, it may not be appropriate for us to fix a time limit to publish the final seniority list. However, we hope that there will be no inordinate delay in publishing the final seniority list.



5. Original Application stands disposed of in the above terms. No order as to costs.



**(K. GEORGE JOSEPH)**  
**ADMINISTRATIVE MEMBER**



**(JUSTICE P.R. RAMAN)**  
**JUDICIAL MEMBER**

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