

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH

Original Application No: 1231/96.

Date of Decision: 23/4/98

Shri P.G.Narvankar

Applicant.

Shri G.K.Masand

Advocate for
Applicant.

Versus

Director General, E.S.I.C. & 2Ors.

Respondent(s)

Shri Vadhavkar for Shri M.I.Sethna

Advocate for
Respondent(s)

CORAM:


Hon'ble Shri. P.P.SRIVASTAVA, MEMBER(A)

Hon'ble Shri.

(1) To be referred to the Reporter or not? *No*

(2) Whether it needs to be circulated to
other Benches of the Tribunal? *No*

abp.


(P.P.SRIVASTAVA)
MEMBER (A)

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
GULESTAN BLDG.NO.6,PRESOT RD,FORT, 4TH FLR,
MUMBAI BENCH, MUMBAI-400 001.

ORIGINAL APPLICATION.NO.1231/96.

DATED THIS 23RD DAY OF APRIL,1998.

CORAM: Hon'ble Shri P.P.Srivastava, Member(A).

Shri P.G.Narvankar,
Superintendent in F & Accounts,
Branch-V,
Employees State Insurance Corporation,
at Bombay Regional Office.

... Applicant.

By Advocate Shri G.K.Masand.

V/s.

1. Director General,
Employees State Insurance Corporation,
Headquarters Office Panchdeep Bhavan,
Kotla Road,
New Delhi - 110 002.

2. Regional Director,
Employees State Insurance Corporation,
Regional Office, ESIC Bhavan,
N.M.Joshi Marg,
Lower Parel,
Bombay - 400 013.

3. Director,
Employees State Insurance Corporation,
Sub-Regional Office,
Panchdeep Bhavan,
Survey No.689/690,
Bibwewadi, Pune.411 037.

... Respondents.

By Advocate Shri Vadhavkar for
Shri M.I.Sethna.

I O R D E R

[Per Shri P.P.Srivastava,M(A)]

In this OA, the applicant has sought the following
reliefs:-

- i) Draw the increments which became due to the applicant on 1/1/94 for the years 1992, 1993 and 1994 in pursuance of the Appellate order dt. 20/7/93(Ex. 'A') and to calculate the amount that would become payable to the applicant and to pay the same to the applicant together with interest thereon at 24% p.a. with effect from 1/1/94 till payment.
- ii) Draw the increment which became due to the Applicant on 1/1/95 in pursuance of the appellate

order dt. 20/7/93 (Ex. 'A') and to calculate the amount payable to the applicant on that basis and to pay the same to the applicant together with interest thereon at 24% p.a. with effect from 1/1/95 till payment.

iii) Draw the increment which became due to the applicant on 1/1/96 and to calculate the amount that would become payable to the applicant on that basis and to pay to the applicant the same together with interest thereon at 24% p.a. from 1/1/96 till payment.

2. The question of leave to be sanctioned to the applicant was a subject matter in OA-1228/96 which has been decided on 21/4/98. In terms of this decision, certain periods of leave has been allowed by the Tribunal, to applicant on Medical ground. Certain other periods has not been allowed. Therefore, the respondents are duty bound to take into account/ the periods of leave which has now been allowed as medical leave for the purpose of grant of increment to the applicant.

3. In view of the above, this OA is disposed of with the direction that the respondent's administration will take into account the period of leave sanctioned on medical ground in OA-1228/96 for the purpose of granting increments. After grant of increments, the applicant should be paid the pay and arrears within a period of 3 months from the date of receipt of this order. The counsel for the applicant presses for interest at this stage. However, I am not inclined to grant interest. OA is disposed of with no orders as to costs.


(P.P. SRIVASTAVA)
MEMBER (A)

abp.