

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

Commercial Complex (BDA)
Indiranagar
Bangalore - 560 038

Dated : 22 DEC 1988

APPLICATION NO.

1131

/88(F)

W.P. NO.

Applicant(s)

Shri R. Narasimha
To

Respondent(s)

V/s The Regional Director, ESIC, Bangalore & another

1. Shri R. Narasimha
No. 99, 2nd Main
Mico Colony
N.S. Palya Post
Bangalore - 560 076
2. Shri S.K. Srinivasan
Advocate
No. 10, 7th Temple Road
15th Cross, Malleswaram
Bangalore - 560 003
3. The Regional Director
Employees State Insurance
Corporation
No. 10, Binny Fields
Bangalore - 560 023

4. The Director General
Employees State Insurance Corporation
ESIC Building
Kotla Road
New Delhi - 110 002
5. Shri M. Papanna
Advocate
99, Magadi Chord Road
Vijayanagar
Bangalore - 560 040

Subject : SENDING COPIES OF ORDER PASSED BY THE BENCH

Please find enclosed herewith the copy of ORDER ~~/STAY/~~ ~~INTERIM ORDER~~
passed by this Tribunal in the above said application(x) on 14-12-88.

Encl : As above

SECTION OFFICER
DEPUTY REGISTRAR
(JUDICIAL)

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH: BANGALORE

DATED THIS THE FOURTEENTH DAY OF DECEMBER, 1988

Present: Hon'ble Shri Justice K.S. Puttaswamy .. Vice Chairman
Hon'ble Shri L.H.A. Rego .. Member (A)

APPLICATION NO.1131/1988

Shri R. Narasimha
No.99, 2nd Main
Mico Colony
N.S. Palya Post
Bangalore - 560 076

.. Applicant

(Shri S.K. Srinivasan, Advocate)

Vs.

1. The Regional Director
Employees State Insurance
Corporation
No.10, Binny Fields
Bangalore - 560 023
 2. The Director General
Employees State Insurance
Corporation, ESIC Building
Kotta Road, New Delhi-110 002
- (Shri M. Papanna, Advocate)

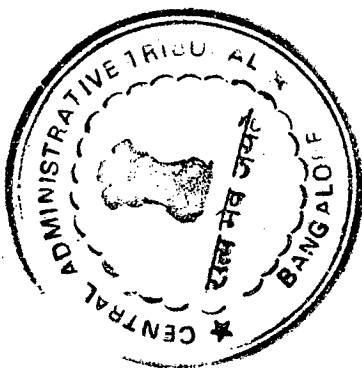
.. Respondents

This application having come up for
hearing before the Tribunal today, Hon'ble Vice Chairman,
made the following:

ORDER

This is an application made by the
applicant under Section 19 of the Administrative
Tribunals Act, 1985.

2. Shri R. Narasimhan, the applicant
before us, who was working as a Head Clerk in the
office of the Regional Director (RD), Employees State
Insurance Corporation (ESIC), Bangalore, has been
compulsorily retired from service with effect from
7.4.1986 in Order No. KAR.ADM.10(116)C/82 dated



31.3.1986 (Annexure A-1) of the RD, ESIC, Bangalore. On such retirement, the applicant claimed certain benefits which did not find favour with the RD. But notwithstanding the same the applicant has made representations on the same, on which the RD had made a reference to the Director General, ESIC, New Delhi, (DG) who had not so far taken a decision one way or the other. Hence, this application.

2. Shri S.K. Srinivasan, learned counsel for the applicant contends that on the reference made by the RD, the DG was ^{bound} to take an expeditious decision and communicate the same to the former.

4. Shri M. Papanna, learned counsel for the respondents, without disputing that the RD had made a reference on which the DG had not so far taken a decision one way or the other however opposes this application.

5. On the further representations made by the applicant, the RD has made a reference to the DG before whom the matter is now pending.

6. When a reference is made by the RD that too affecting the retirement benefits of an erstwhile employee, the DG was bound to examine the same and decide the same one way or the other with expedition. On this view, we consider it proper to direct the DG-Respondent no.2 - to decide the reference made by the RD - Respondent no.1 - with expedition leaving open all other questions at this stage. We, therefore, direct the DG - Respondent no.2 to decide the reference made by the RD - Respondent

no.1 on the representations of the applicant touching on his retirement from service with all such expedition as is possible in the circumstances and in any event within three months from the date of receipt of this order.

7. Application is disposed of in the above terms. But in the circumstances of the case, we direct the parties to bear their own costs.

Sd/-

VICE CHAIRMAN
16/12/88

Sd/-

MEMBER(A)

14.11.88



mr.

TRUE COPY

12/12/88

SECTION OFFICER
CENTRAL ADMINISTRATIVE TRIBUNAL
ADDITIONAL SECRETARY
BANGALORE