

CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH

Second Floor,  
Commercial Complex,  
Indiranagar,  
Bangalore-560038.

Dated 21 SEP 1993

APPLICATION NO(S) 509 of 1993.

APPLICANTS:

C.S.Divakara Murthy RESPONDENTS: Regional Director,  
TO. ESIC, Karnataka and Others.

1. Sri.U.Narasimha Holla,  
Advocate, No.317,  
12th-A-Main, 75th Cross,  
Sixth Block, Rajajinagar,  
Bangalore-560 008.

2. Sri.M.Pepenne,  
Advocate, No.99,  
Magadi Chord Road,  
Vijayanagar,  
Bangalore-560 040.

*Releasd copy  
Bala Sekharam  
22/9*

Subject:- Forwarding of copies of the Order passed by  
the Central Administrative Tribunal, Bangalore.

Please find enclosed herewith a copy of the  
ORDER/STAY/INTERIM ORDER, passed by this Tribunal in the  
above said application(s) on Third September, 1993.

*[Signature]*  
*fcr* DEPUTY REGISTRAR  
JUDICIAL BRANCHES.

gm\*

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH, BANGALORE

DATED THIS DAY THE 3RD OF SEPTEMBER, 1993

Present: Hon'ble Justice Mr.P.K. Shyamsundar Vice Chairman  
Hon'ble Mr.V. Ramakrishnan Member (A)

APPLICATION NO.509/93

Shri C.S. Divakara Murthy,  
Assistant,  
Benefits Branch-I,  
Regional Office(Karnataka),  
Employees State Insurance Corporation,  
No.10, Binny Fields,  
Bangalore - 560 023

Applicant

( Shri V.N. Holla - Advocate )

v.

1. The Regional Director,  
Employees State Insurance  
Corporation, Regional Office  
(Karnataka), No.10,  
Binny Fields,  
Bangalore - 560 023

2. The Director General,  
Employees State Insurance Corporation,  
Kotla Road,  
New Delhi

Respondents

( Shri M. Papanna - Advocate )



This application has come up today before  
this Tribunal for orders. Hon'ble Justice Mr.P.K.  
Shyamsundar, Vice Chairman made the following:

ORDER

We find that the controversy in this  
application is actually covered by two decisions  
of the Tribunal - one in O.A.No.225/93 disposed

off on 17.6.93 and another in O.A.No.133 to 138 of 1990 decided on 19.11.91. Following the decisions referred to supra, we make an order in terms as made in O.A.No.133 to 138 of 1990 referred to supra subject however to whatever order may be passed by the Supreme Court in the pending Special Leave Petition adverted to in our O.A.No.225/93 . With this observation, this application stands disposed off finally.

However, the financial benefits flowing from the disposal of this application shall stand limited to a period of one year prior to the presentation of the application. No costs.

Sd/-

W/

MEMBER (A)

Sd/-

W/

VICE CHAIRMAN

TRUE COPY

*.....*  
SECTION OFFICER  
CENTRAL ADMINISTRATIVE TRIBUNAL  
ADDITIONAL BENCH  
BANGALORE

*.....*  
21/9/93

CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH

Second Floor,  
Commercial Complex,  
Indiranagar,  
Bangalore-560 038.

Dated: 24 JUN 1993

APPLICATION NO(s).

222

192

Applicant(s)

1. R. Indira

Respondent(s)

R.D. ESI C.

1. R. Indira, UDC  
ESI Corporation, local office  
Ashoknagar ~~Base~~ Mangalore.
  2. The Regional Director, ESI Corporation  
Regional office (Karnataka)  
No. 10, Pinny Fields Bangalore-23.
  3. The Director General, Head Quarters  
ESI Corporation, Kotla Road  
New Delhi-2.
- ~~✓~~ Sri: V.N. Hella, Advocate General  
Floor, No. 37, 12A Main Road,  
6th Block Rajajinagar Bangalore-10.
- 5 Sri. M. Papanna, Advocate, 99,  
Mayadi Chord Road Vitayanagar  
Bangalore-40.

**SUBJECT:-** Forwarding of copies of the Order passed by  
the Central Administrative Tribunal, Bangalore Bench  
Bangalore.

Please find enclosed herewith a copy of the ORDER/  
~~STAY/INTERIM ORDER~~ passed by this Tribunal in the above said  
application(s) on 17.6.93

*Boards*  
f DEPUTY REGISTRAR  
JUDICIAL BRANCHES.

CENTRAL ADMINISTRATIVE TRIBUNAL, BANGALORE.

DATED THIS THE 17TH DAY OF JUNE, 1993.

PRESENT:

Hon'ble Mr. Justice P.K.Shyamsundar, .. Vice-Chairman.

And

Hon'ble Mr.V.Ramakrishnan, .. Member(A)

APPLICATION NUMBER 222 OF 1992

Smt. R.Indira,  
Upper Division Clerk,  
Employees' State Insurance Corporation,  
Local Office, Ashoknagar,  
Mangalore. .. Applicant.

(By Sri V.N.Holla, Advocate)

v.

1. The Regional Director,  
Employees' State Insurance Corporation,  
Regional Office (Karnataka),  
No.10, Binny Fields,  
Bangalore-560 023.
2. The Director General,  
Head Quarters,  
Employees' State Insurance Corporation,  
Kotla Road, New Delhi-110 002. .. Respondents.

(By Sri M.Papanna, Advocate)

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This application having come up for hearing to-day, Hon'ble Vice-Chairman made the following:-

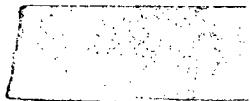
ORDER

heard Mr. Holla, learned counsel for the applicant and Sri M.Papanna, learned counsel for the respondents. It is submitted alround that there is a decision of this Tribunal bearing on the question in controversy in this application rendered by this Tribunal in O.A.Nos. 133 to 138 of 1990 decided on 19-11-1991. We need hardly mention that we are bound by that



✓

decision. But, then we are told the Supreme Court has since entertained a Special Leave Petition in other matters bearing on the very controversy arising subsequently although, it would appear very strangely, the Tribunal's decision referred to supra itself was not taken up to the Supreme Court for consideration. Be that as it may, it seems to us we can find a way out of this impasse by making an order in terms as made in O.A.No.133 to 138 of 1990 referred to supra and at the same <sup>time</sup> making it clear that the rights of the parties herein will always be regulated on the basis of whatever order is passed by the Supreme Court in the pending Special leave Petition supra. With these observations the above application stands disposed of. The financial benefits flowing from the disposal of this application stands limited to a period of one year prior to the presentation of the application. No costs.



Sd-

MEMBER (A)

Sd-

VICE-CHAIRMAN.



**TRUE COPY**

*for [signature] 20/10/93*

SECTION OFFICER  
CENTRAL ADMINISTRATIVE TRIBUNAL  
ADDITIONAL BENCH  
BANGALORE

CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH

Second Floor,  
Commercial Complex,  
Indiranagar,  
Bangalore-560 038.

Dated: 24 JUN 1993

APPLICATION NO(s).

225

193.

Applicant(s)

Respondent(s)

R. Rajamuria vs Regional Director ESI

1. R. Rajamuria, UDE-Cashier  
local office ESI Corporation  
Wilson Garden, Bangalore-27.
2. The Regional Director, ESI Corporation  
Regional Office (Karnataka) NO.10  
Brinny Fields, Bangalore-23.
3. The Director General, Head quarters  
ESI Corporation, Kothi Road,  
New Delhi - 110002
4. Sri. V.N. Holla, Advocate, NO.37  
12th A Main Road, 6th Block,  
Rajajinagar Bangalore-10.
5. Sri. M. Papanna, Advocate NO.99  
Magadi Road Bangalore-10.

SUBJECT:- Forwarding of copies of the Order passed by  
the Central Administrative Tribunal, Bangalore Bench  
Bangalore.

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STAY/INTERIM ORDER passed by this Tribunal in the above said  
application(s) on ---17.6.93---

*Handed*  
Fees DEPUTY REGISTRAR  
JUDICIAL BRANCHES.

CENTRAL ADMINISTRATIVE TRIBUNAL, BANGALORE.

DATED THIS THE 17TH DAY OF JUNE, 1993.

PRESENT:

Hon'ble Mr. Justice P.K.Shyamsundar, .. Vice-Chairman.

And

Hon'ble Mr.V.Ramakrishnan, .. Member(A)

APPLICATION NUMBER 225 OF 1993

Smt. R.Rajamma,  
Upper Division Clerk - Cashier,  
Local Office, E.S.I.Corporation,  
Wilsongarden, Bangalore-27. .. Applicant.

(By Sri V.N.Holla, Advocate)

v.

1. The Regional Director,  
Employees' State Insurance Corporation,  
Regional Office (Karnataka),  
No.10, Binny Fields,  
Bangalore-560 023.
2. The Director General,  
Head Quarters,  
Employees' State Insurance Corporation,  
Kotla Road, New Delhi-110 002. .. Respondents.

(By Sri M.Papanna, Advocate)

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This application having come up for hearing to-day, Hon'ble Vice-Chairman made the following:-

ORDER

Heard Mr. Holla, learned counsel for the applicant and Sri M.Papanna, learned counsel for the respondents. It is submitted alround that there is a decision of this Tribunal bearing on the question in controversy in this application rendered by this Tribunal in O.A.Nos. 133 to 138 of 1990 decided on 19-11-1991. We need hardly mention that we are bound by that



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decision. But, then we are told the Supreme Court has since entertained a Special Leave Petition in other matters bearing on the very controversy arising subsequently although, it would appear very strangely, the Tribunal's decision referred to supra itself was not taken up to the Supreme Court for consideration. Be that as it may, it seems to us we can find a way out of this impasse by making an order in terms as made in O.A.No.133 to 138 of 1990 referred to supra and at the same making it clear that the rights of the parties herein will always be regulated on the basis of whatever order is passed by the Supreme Court in the pending Special leave Petition supra. With these observations the above application stands disposed of. The financial benefits flowing from the disposal of this application stands limited to a period of one year prior to the presentation of the application. No costs.

S4 —

MEMBER(A)

Sd —

VICE-CHAIRMAN.



**TRUE COPY**

*Boards*  
24/6/93

SECTION OFFICER

CENTRAL ADMINISTRATIVE TRIBUNAL

ADDITIONAL BENCH

BANGALORE