

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH AT HYDERABAD

Sri DAY THE *Twenty third* DAY OF *June*
ONE THOUSAND NINE HUNDRED AND EIGHTY NINE

: PRESENT :

THE HONOURABLE MR. B. N. JAYA SIMHA : VICE-CHAIRMAN

AND

~~THE HONOURABLE MR. D. SURYA RAO : MEMBER (JUDL)~~

AND

~~THE HONOURABLE MR. J. K. CHAKRAVERTY : MEMBER (ADMN)~~

AND

THE HONOURABLE MR. J. N. RASIMHA MURTHY : MEMBER (JUDL)

ORIGINAL APPLICATION. 485 OF 1989

BETWEEN:-

- | | |
|---------------------|----------------------|
| 1) P. Subramanyam | 5) Hafeez Ahmed |
| 2) H. Venugopal Rao | 6) V. Rama Mohan Rao |
| 3) Syed Ghous Teher | Applicants |
| 4) K. Subashini Rao | |
- A N D

- 1) Director General.
Employees State Insurance Corporation
Kotla Road, New Delhi.
- 2) Regional Director, Employees State Insurance
Corporation, Regional Office 5-9-23.
Hill fort Road, Hyderabad- 463.

ORIGINAL APPLICATION NO.485/1989

MR. Y. SURYANARAYANA
Counsel for applicantsMR. N. BHASKARA RAO,
Addl. CGSC

DOCKET ORDERS.

DT. 23-6-1989Mr. V. Ajay Kumar for Shri Y. Suryanarayana--P.
Mr. N. Bhaskara Rao, Addl. CGSC, for RR. --P.

The applicants herein are Head Clerks, six in number, working in the E.S.I. Corporation, Regional Office, Hyderabad. They have filed this application on the ground that they are aggrieved by the action of the respondents in not fixing their pay under FR.22-C in the cadre of Head Clerks in the light of Judgment dt.26-5-1987 of the CAT, Bangalore Bench in Application Nos. 67-69/87 and 78/87 and seeking a direction to implement the above judgment in the case of applicants herein also.

2. They state that the respondents have rejected the representations made by the E.S.I. Corporation Staff Union in their letter no.52-A/27/IV 3/87-Estt.I dated 3-1-1989, which reads as follows:-

"With reference to your letter no.A/ESIC/SU/88 dt. 14-10-1988 on the above subject, I am directed to inform you that the judgement given by the Central Administrative Tribunal cannot be made applicable to all the employees in the Corporation. However, the specific cases of individuals where anomaly is involved will be referred to Hqrs. office for consideration on the merits of the case."

The applicants have not filed a copy of the letter dated 14-10-1988 written by the Employees Association nor have they stated the contents of the letter. The applicants themselves have not made any individual representations for redressal of their grievances pointing out the anomalies in their respective cases. All that the applicants state in their affidavit is that they had made oral requests to Respondent no.2 to consider their cases.

3 In the circumstances of the case, we are of the view that this application is premature, in that the applicants have not exhausted the alternate remedy available to them. They could file the application only if they are aggrieved by any order passed by the respondents, if their representation is not disposed in six months. The application is dismissed as premature. There will be no order as to costs.

(Signature)
(B.N. JAYASIMHA)
HVC

(Signature)
(J. NARASIMHA MURTHY)
HVC

(Open Court dictation by HVC)
23-6-1989.

RSR°

(Signature)
D. N. 5/16
HVC

(Signature)
D. N. 5/16
HVC

P-3
2

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

- 2) Regional Director, Employees State Insurance Corporation, Regional Office. 5-9-23.
Hill Fort Road, Hyderabad-463.
- 3) one copy to Mr. Y. Suryanarayana. Advocate
40. M. S. G. H. Colony Mehdiapalem. Hyd-28
- 4) one copy to Mr. N. Bhaskar Rao Adl. & Sec
C.A.T. Hyd.
- 5) one spare copy.
- 6) one copy to D.R.L.T) C.A.T. Hyd
- 7) one copy to So. Scrutiny Section
C.A.T. Hyderabad

prakash
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③

V.R.
28/6/89

28/6/89

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

HYDERABAD BENCH

HON'BLE MR. B.N. JAYASIMHA: (V.C.)

AND

~~HON'BLE MR. D. SURYA RAO: MEMBER (JUDL)~~

AND

~~HON'BLE MR. D.K. CHAKRAVORTY: MEMBER (A).~~

AND

HON'BLE MR. J. NARASIMHAMURTHY: MEMBER (J)

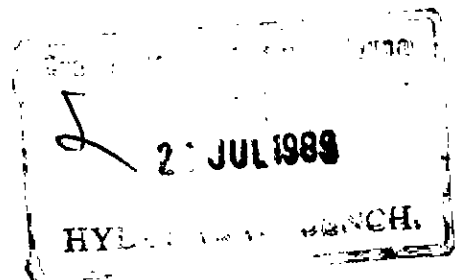
DATED: 23.6.89

ORDER / JUDGMENT

J.P. / O.A. 485/89.
(U.P. No.)

Dismissed as -
premature

at admission stage.



ORIGINAL APPLICATION NO.485/1989

MR. Y. SURYANARAYANA
Counsel for applicants

MR. N. BHASKARA RAO,
Addl.CGSC

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DT. 23-6-1989 Mr. V.Ajay Kumar for Shri Y.Suryanarayana--P.
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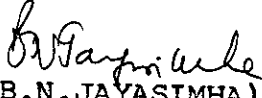
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
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(B.N. JAYASIMHA)
HVC


(J. NARASIMHA MURTHY)
HMJ.

(Open Court dictation by HVC)
23-6-1989.

RSR°

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