

(11)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH : AT HYDERABAD.

* * *

MA. 131/94 in
OA. 1543/93.

Dt. of Decision : 27.4.94.

Smt. Eswaramma

.. Applicant./
Respondent No.1.

Vs

1. The Chief Work Shop Manager,
Lalaguda Workshop,
Secunderabad.

2. The General Manager,
S E R, Secunderabad.

3. Commissioner for Workmen's
compensation, Hyderabad(TCS)

.. Respondents./
Applicant.

Counsel for the Applicant/ : Mr. N.V. Ramana, Addl. CGSC.
Respondent No.1.

Counsel for the Respondents/; Mr. S. Ravindranath,
Applicant

GORAM:

THE HON'BLE SHRI JUSTICE V. NEELADRI RAO : VICE CHAIRMAN


THE HON'BLE SHRI R. RANGARAJAN : MEMBER (ADMN.)

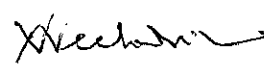
.. 3 ..

before the Supreme Court - 1992(4)SLR349 (The Regional Director, ESI Corpn. & Anr. Vs. Francis De Costa & Anr.), the two learned judges differed. In view of the object of ESI Act and Workmen's Compensation Act, the above phrases i.e. 'during the course of employment' and 'arising out of the employment' have to be interpreted similarly. So, we feel that it is just and proper to consider this OA after the matter is finally resolved by the Supreme Court.

4. As there will be some delay in disposal of this OA, We feel that it is just and proper to permit R-1 herein to withdraw Rs.32,000/- from the amount deposited (It will be roughly 50% of the amount deposited).

5. MA is ordered accordingly. No costs.


(R. RANGARAJAN)
Member (Admn.)


(V. NEELADRI RAO)
Vice Chairman

Dated: April 27, 94

Deputy Registrar (Judl.)

Dictated in Open Court

sk/sd

Copy to:-

1. The Chief Work Shop Manager, Halaguda Workshop, Sec'bad.
2. The General Manager, S.E. Railway, ^{Railway} Secunderabad.
3. Commissioner MR for Workmen's Compensation, Hyd(TCS).
4. One copy to Sri. N.V. Ramana, SC for Railways, CAT, Hyd.
5. One copy to Sri. S. Ravindranath, advocate, CAT, Hyd.
6. One spare copy.

Rsm/-

M.H. 13/194
O.A. 1543/93

TYPED BY *[Signature]* COMPARED BY
CHECKED BY *[Signature]* APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD

THE HON'BLE MR. JUSTICE V. NEELADRI RAO
VICE CHAIRMAN

AND

THE HON'BLE MR. A. B. GORTHY : MEMBER (AD)

AND

THE HON'BLE MR. T. CHANDRASEKHAR REDDY
MEMBER (JUDL)

AND

THE HON'BLE MR. R. RANGARAJAN : M (ADMN)

Dated: 27/4/1994

ORDER/JUDGMENT

M.A./R.A./C.A. No. 13/194.

O.A. No.

in
1543/93

T.A. No.

(w.p.)

Admitted and Interim Directions
Issued.

Allowed

Disposed of with directions

Dismissed.

Dismissed as withdrawn.

Dismissed for Default.

Rejected/Ordered.

No order as to costs.

