

**Central Administrative Tribunal  
Principal Bench**

MA No.110/2018  
OA No.732/2017

New Delhi this the 11<sup>th</sup> day of January, 2018

**Hon'ble Mr. Justice Permod Kohli, Chairman  
Hon'ble Ms. Praveen Mahajan, Member (A)**

1. Hemant Kumar Pandey (Group B)  
Deputy Director  
ESIC, Age 44 years  
S/o Late Shri Kamla Kant Pandey  
R/o Quarter No. 3, Type-IV, ESIC Colony,  
Sector-56, Noida-201301
2. Deepak Malik  
Deputy Director  
ESIC, Age 42 years  
S/o Shri Om Parkash Malik  
R/o C-66 Mohan Garden,  
New Delhi-110059
3. Dushyant Pande  
Deputy Director  
ESIC, Age 40 years  
S/o Shri Arun Kumar Pande  
R/o B-229, Sector-55,  
Noida-201301
4. Sunil Kumar Mehto  
Deputy Director  
ESIC, Age 37 years  
S/o Shri Kamakhya Mehto  
R/o T-83, Upper Ground Floor,  
Shukkar Bazar,  
Uttam Nagar, New Delhi-110059.
5. Gautam Kumar  
Deputy Director  
ESIC, Age 35 years  
S/o Shri Purushottam Kumar  
R/o 1<sup>st</sup> Floor, WA-79,  
Gali No. 18, Shakarpur,  
New Delhi-110092.

-Applicants

(By Advocate: Shri Padma Kumar S.)

## **Versus**

1. Union of India, through  
 Secretary,  
 Ministry of Labour and Employment  
 Shram Shakti Bhawan  
 New Delhi-110001
2. Secretary,  
 Union Public Service Commission  
 Dholpur House,  
 Shahjahan Road,  
 New Delhi-110003
3. The Director General  
 Employees State Insurance Corporation Headquarters  
 Panchdeep Bhawan, CIG Marg  
 New Delhi-110 002
4. R.S. Mishra  
 Joint Director  
 ESIC Age 60 years  
 S/o Late Shri Ram Charitra  
 R/o A-3, Sumukh Apartments,  
 Jawahar Chowk,  
 Maninagar, Ahmedabad, Gujarat-380008.
5. Aruna Sharma  
 Joint Director  
 ESIC, Age 60 years  
 D/o M B Janakiram  
 R/o No. 27 (New No. 58),  
 Visuvasapuri, 5<sup>th</sup> Street  
 Gnanavolivupuram, Madurai-1,  
 Karnataka
6. V.K. Goyal  
 Joint Director  
 ESIC, Age 61 years  
 S/o Dwarika Prasad  
 R/o 56/100 Rajatpath, Mansarovar,  
 Jaipur-302001
7. P. Tripathy  
 Joint Director  
 ESIC, Age 60 years  
 S/o Shri S Tripathy  
 R/o VIM-135, Sailashree Vihar,  
 Chandrashekhpur, Bhubaneshwar,  
 Odisha-751021.

8. Rajesh Kumar  
Joint Director  
ESIC, Age 60 years  
S/o Shri M P Sinha  
R/o Avinash Kunj,  
Harihar Rai Path, Road 12,  
House No.36, Indra Pur Post,  
Keshrinagar, Patna,  
Bihar
9. S.S. Srivastava  
S/o Late Shri K.L. Srivastava,  
Age 55 years  
R/o 31-32, Pocket 8B, Sector 15,  
Rohini, New Delhi.
10. R.S. Ram  
S/o Late Shri Mangoo Ram,  
Age 58 years,  
R/o 53/2 Shivaji Nagar, Gurgaon, (HR)
11. Praveen Kumar  
S/o Shri B.R. Gupta,  
Age-54 years, R/o 66 Raj Nagar,  
Pitam Pura, New Delhi.
12. Heera Singh  
S/o Late Shri Govind Singh,  
Age 46 years,  
R/o A-128, West Vinod Nagar, Delhi-110092
13. Sugan Lal Meena  
S/o Shri Kishori Lal Meena,  
Age-43 years,  
R/o F-153, Street No. 37,  
Sadh Nagar Palam Colony,  
New Delhi-45.
14. Sushil Sachdeva  
S/o Late Shri Om Prakash  
Age 44 years  
R/o 12/46, Subhash Nagar,  
New Delhi-110027
15. Vinay Kumar Shrama,  
S/o Virender Kumar,  
Age 45 years  
R/o 1891, Mahagun Moderne, Sector 78  
Noida 201301

16. Pranava Kumar,  
S/o Late Shri Mahendra Jaiswal,  
Age 47 years, R/o Plot No. 575,  
First Floor, Shaktikhand-3,  
Indirapuram, Ghaziabad 201014 (UP)
17. Ashutosh Giri,  
S/o Brij Giri,  
Age 43 years,  
R/o 15, ESI Colony, Sector-56,  
Noida.
18. Surya Prakash Pandey  
S/o Phool Chandra Pandey,  
Age 40 years,  
R/o 7, ESIC Colony, Sector-56, Noida
19. Anurag Kumar,  
S/o Shri Murari Mohan Singh,  
Age 42 year, R/o 43, ESIC Colony,  
Noida UP
20. Shailendra Singh Rawat,  
S/o Dayal Singh Rawat,  
Age 43 years,  
R/o 51-Akhashdeep Colony,  
Dehradun (Uttrakhand)

-Respondents

(By Advocate: Shri Suresh K. Sharma, Ms. Poonam Singh  
and Shri Amit Anand)

**ORDER (Oral)**

**Justice Permod Kohli:**

The principal relief claimed in the present OA is for declaring the Regulations of 2013 as *ultra vires* of the Constitution being discriminatory and unreasonable.

2. Mr. Padma Kumar S., learned counsel for the applicants has made a statement at the Bar that in the counter affidavit filed by the official respondents the Recruitment Regulations are under review. In Para-20 thereof, it is stated that the Recruitment Regulations are under review as

per the directions of the Ministry of Labour and Employment, as contained in letter dated 29.11.2016. Learned counsel for the applicants has also filed rejoinder and placed on record Memorandum dated 29.12.2017 whereby the draft Recruitment Regulations namely, the Employees' State Insurance Corporation, Deputy Director Regulations, 2017 and for other posts were circulated. The respondents have invited objections to the draft Recruitment Regulations.

3. The grievance of the applicants is redressed on the basis of the draft Recruitment Regulations namely, the Employees' State Insurance Corporation, Regional Director Grade 'B'/Joint Director Recruitment Regulations, 2017.

4. In this view of the matter, this OA is disposed of with the following directions:-

The respondents will complete the process of notifying the Recruitment Regulations namely, the Employees' State Insurance Corporation, Regional Director Grade 'B'/Joint Director Recruitment Regulations, 2017 after receiving the objections from all the stakeholders, including the applicants in MA No.4051/2017, within a period of three months from the date of receipt of a certified copy of this order.

5. Consequently, MA No.110/2018 is also disposed of. No costs.

**(Praveen Mahajan)**  
**Member (A)**

**(Justice Permod Kohli)**  
**Chairman**

cc.