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**LIBRARY**

CENTRAL ADMINISTRATIVE TRIBUNAL  
CALCUTTA BENCH

No. O.A. 350/01211/2017

Date of order: 2.11.2017

Present : Hon'ble Ms. Manjula Das, Judicial Member  
Hon'ble Ms. Nandita Chatterjee, Administrative Member

Dr. Prabal Pal,  
Professor and Head of the Department of Dentistry,  
Working as ESI-PGIMSR,  
ESIC Medical College and ESIC Hospital LODC (E/Z),  
Joka, Kolkata - 700104,  
Residing at Souhardya Apartment,  
Flat GA, 553, P, Mazumdar Road,  
Kasba, Kolkata - 700 078.

.. Applicant

- V E R S U S -

1. Union of India,  
Through the Secretary,  
Ministry of Labour and Employment,  
Govt. Of India,  
Shram Shakti Bhawan, Rafi Marg,  
New Delhi - 110 001.
2. The Director General,  
Employees' State Insurance Corporation,  
Panchdeep Bhavan, CIG Marg,  
New Delhi - 110 002.
3. Medical Commissioner,  
Employees' State Insurance Corporation,  
Panchdeep Bhavan, CIG Marg,  
New Delhi - 110 002.
4. The Deputy Director,  
Employees State Insurance Corporation,  
Panchdeep Bhavan, CIG Marg,  
New Delhi - 110 002.
5. The Dean,  
ES-PGIMSR ESIC Medical College &  
ESIC Hospital LODC (E/Z), Diamond Harbour Road,  
P.O. Joka, Kolkata - 700 104.
6. The President,  
Medical Council of India,  
Pocket - 14, Sector - 8,  
Dwarka,  
New Delhi - 110 077.

.. Respondents

For the Applicant

Mr. A.K. Banerjee, Counsel  
Mr. P. Sanyal, Counsel

For the Respondents

Proxy Counsel on behalf of

*Ref.*

Mr. T.K Chattopadhyay

**ORDER (Oral)**

**Per Dr. Nandita Chatterjee, Administrative Member:**

Heard Mr. A.K. Banerjee along with Mr. P. Sanyal, Ld. Counsel for the applicant and Proxy Counsel on behalf of Mr. T.K. Chattopadhyay, Ld. Counsel for the respondents is present.

2. The applicant, as represented by his Ld. Counsel, has prayed for the following relief:-

- "a) An order directing the Respondents to rescind, revoke and/or withdraw the purported order of transfer being No. A-22(13(T)/2017-Med.VI(Part-II) dated 10.8.2017.
- b) An order directing the respondent authorities to allow the applicant to continue his duty at his existing place of work at Kolkata, ESIC Hospital and Medical College, Joka.
- c) An order directing the respondents to transmit the entire records of this case so that conscionable justice may be administered therein.
- d) And to pass such order or further order or orders as Your Lordship may deem fit and proper."

3. It is seen from records that the applicant had preferred a representation dated 26.9.2017 (Annexure "A-13") to respondent No. 2.

4. Ld. Proxy Counsel for the respondents is present. Vakalatnama has been filed on behalf of Ld. Counsel for the respondents.

5. The matter is disposed of by directing the respondent No. 2 to decide on the representation dated 26.9.2017 at Annexure "A-13" within a period of 4 weeks from the date of receipt of this order.

6. While deciding, Respondent No. 2 will give an opportunity of hearing to the applicant. The decision arrived at should be conveyed to the applicant within a period of one week thereafter.

7. The O.A. is disposed of accordingly. No costs.

(Dr. Nandita Chatterjee)  
Administrative Member

(Manjula Das)  
Judicial Member