



**CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH**

No. O.A. 350/01344/2017

Date of order: 28.03.2018

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

Sri Pratap Pramanik,
Son of Amar Pramanik,
Residing at Magrahat Dakshin Kashi,
P.O. Khankar Bazaar, P.S. – Magrahat,
South 24 Parganas,
Pin – 743355.

.. Applicant

- VERSUS -

1. The Secretary,
Ministry of Labour & Employment,
Government of India,
Pareshdeep Bhavan,
CIG Road,
New Delhi – 110 002.
2. The Dean,
ESI-PGIMSR and ESI Hospital & ODC (EZ),
Diamond Harbour Road,
Joka,
Kolkata – 700 104.
3. The Deputy Director (Administration),
ESI-PGI MSR and ESI Hospital & ODC (EZ),
Diamond Harbour Road, Joka,
Kolkata – 700 104.
4. The Medical Superintendent,
ESI-PGI MSR and ESI Hospital & ODC (EZ),
Diamond Harbour Road, Joka,
Kolkata – 700 104.
5. The Head of the Department,
(Pathology Department),
ESI-PGI MSR and ESI Hospital & ODC (EZ),
Diamond Harbour Road, Joka,
Kolkata – 700 104.
6. The Office Superintendent Personnel (Cell),
ESI-PGI MSR and ESI Hospital & ODC (EZ),
Diamond Harbour Road, Joka,
Kolkata – 700 104.

hnd

.. Respondents

For the Applicant

Mr. M. Dhar, Counsel

For the Respondents

Mr. S. Banerjee, Counsel

ORDER (Oral)

Per Dr. Nandita Chatterjee, Administrative Member:

Heard Mr. M. Dhar, Ld. Counsel for the applicant and Mr. S. Banerjee, Ld. Counsel for the official respondents.

2. This Original Application has been filed by the applicant seeking the following relief:-

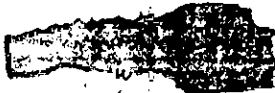
- "(i) Quash and/or set aside the repugnant order being No. 412-T-11/1/2-14-Legal/4680 dated 01.08.2017 issued by the respondent No. 2.
- (ii) Direct the respondents to allow the petitioner's prayer for transfer in the post of Medical Record Technical Junior in Medical record department from his present place of posting as Lab Assistant in pathology department keeping the petitioner's seniority intact.
- (iii) Direct the respondents to consider the petitioner representation dated 30.12.2015 being Annexure A-3 and also the demand for justice dated 11.7.2017 being Annexure A-4.
- (iv) Award Cost.
- (v) Pass such necessary orders or directions as this Honble Tribunal may deem fit and proper for the ends of justice."

3. Mr. M. Dhar, Ld. Counsel for the applicant submits that the grievance of the applicant would be redressed if a direction is issued upon the respondent authorities to consider and dispose of the representation dated 30.12.2015.

4. As prayed for by the Ld. Counsel for the applicant and without entering into the merits of the matter, liberty is granted to the applicant to file a comprehensive representation against the order of the respondents dated 1.8.2017 (Annexure A-4 to the O.A.). The applicant may file his representation within 4 weeks from the date of receipt of the order and the concerned respondent authority i.e. respondent No. 4, who is also the Medical Superintendent, ESI-PGIMR and ESIC Hospital & ODC (EZ), Joka, Kolkata will, after receipt of such representation, dispose of the same with a reasoned and speaking order in accordance with extant rules and regulations of the respondent authorities within a period of 4 weeks from the date of receipt of such representation.

hee

5. Once decided, decision should be communicated forthwith to the applicant.
6. With the above observation and direction, the O.A. is disposed of. Parties are left to bear their own costs.



(Nandita Chatterjee)
Administrative Member



(Manjula Das)
Judicial Member

SP

