

.1.

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

Original Applicaton No.180/00997/2018

Thursday this the 20th day of December 2018

C O R A M :

**HON'BLE Mr.E.K.BHARAT BHUSHAN, ADMINISTRATIVE MEMBER
HON'BLE Mr.ASHISH KALIA, JUDICIAL MEMBER**

1. Dr.Gangadharan Pillai,
S/o.Gopala Pillai,
Changayil Vila Veedu,
Perumpuzha P.O., Kollam District – 691 003.
2. Dr.Radhakrishnan,
S/o.Madhavan,
Kalluvilakizhakkathil,
Kallumthazham P.O., Kollam – 691 004.Applicants

(By Advocate Mr.B.K.Gopalakrishnan)

v e r s u s

1. Union of India
represented by Secretary
to the Secretary to Ministry of Labour,
Panchdeep Bhavan, New Delhi – 110 001.
2. The Director General,
ESI Corporation, Panchdeep Bhavan,
CIG Marg, New Delhi – 110 002.
3. The Regional Deputy Director,
Polayathode P.O., Kollam District – 691 511.
4. The Director, Insurance Medical Service,
Thaycadu, Thiruvananthapuram – 695 014.
5. The Medical Superintendent,
ESIC Hospital, Ezhukone,
Kollam District – 691 505.Respondents

(By Advocate Mr.Sandesh Raja [R2-5])

This application having been heard on 20th December 2018 this Tribunal on the same day delivered the following :

O R D E R (O R A L)

Per : Mr.E.K.BHARAT BHUSHAN, ADMINISTRATIVE MEMBER

Heard Shri.B.K.Gopalakrishnan, learned counsel for the applicant and Shri.Sandesh Raja, learned counsel for the Respondent Nos.2-5.

2. The applicants in the case are retired General Duty Medical Officers who superannuated from service on 31.5.2016 from the Employees' State Insurance Corporation (ESIC) Hospital, Ezhukone. Their case for obtaining the benefit of enhanced age of superannuation for Specialists of Non-Teaching and Public Health Sub-Cadre of Central Health Service and General Duty Medical Officers of CHS to 65 years with effect from 31.5.2016 was upheld by this Tribunal as per orders at Annexure A-8. Now the applicants have approached this Tribunal seeking same remedy that the orders may be given effect to from 31.5.2016. As the orders of the respondents' organization ESIC at Annexure A-9 seem to be to the very same effect, there appears to be no reason to deny the applicants the said benefit.

3. Accordingly, we direct Respondent No.2 to immediately re-employ the applicants, at any rate, within a period of ten days from the date of receipt of a copy of this order.

.3.

4. The O.A is disposed of as above. No costs.

(Dated this the 20th day of December 2018)

(ASHISH KALIA)
JUDICIAL MEMBER

(E.K.BHARAT BHUSHAN)
ADMINISTRATIVE MEMBER

asp

List of Annexures in O.A.No.180/00997/2018

1. **Annexure A1** - True copy of the said order dated 31.5.2016.
2. **Annexure A2** - True copy of the said notification published in Gazette of India Extraordinary dated 31.5.2016.
3. **Annexure A3** - True copy of the said letter submitted by the 1st applicant dated 1.6.2016.
4. **Annexure A4** - True copy of the said letter submitted by the 2nd applicant dated 1.6.2016.
5. **Annexure A5** - True copy of the order 30.12.2016 of the 3rd respondent.
6. **Annexure A6** - True copy of the O.A without annexure.
7. **Annexure A7** - True copy of the order dated 2.3.2017 permitting the applicant to withdraw the O.A and challenged Annexure A-5.
8. **Annexure A8** - True copy of the order dated 14.8.2018.
9. **Annexure A9** - True copy of the order dated 1.11.2018.
