

CENTRAL ADMINISTRATIVE TRIBUNAL

PATNA BENCHCIRCUIT BENCH AT RANCHIOA/051/00881/2018Date of Order:- 26 -Oct-2018C O R A M

HON'BLE MR. K.N.SHRIVASTAVA, MEMBER (ADMN.)

HON'BLE MR. JAYESH V.BHAIRAVIA, MEMBER (JUDL.)

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Chandramani Kumar, son of Sri Gajendra Prasad, aged about 27 years, resident of C/o Mathura Prasad, Professor Colony, Karamtoli, PO & PS-Lalpur, District-Ranchi.Applicant.

By Advocate:- Mr. M.A.Khan.

Vs.

1. Union of India through its Director General, Employee's State Insurance Corporation, Panchdeep Bhawan, Comrode Indrajeet Gupta (CIG), Marg, New Delhi, PO & PS-New Delhi, District-New Delhi-2.
2. The Regional Commissioner, Employee's State Insurance Corporation, Panchdeep Bhawan, N.M.Joshi Marg, Lower Parel, Mumbai, PO & PS-Lower Parel, District-Mumbai-400 013 (Maharashtra).
3. The Deputy Director (Administration), Employee's State Insurance Corporation, Regional Commissioner, Panchdeep Bhawan, N.M.Joshi Marg, Lower Parel, Mumbai, PO & PS-Lower Parel, District-Mumbai-400 013 (Maharashtra).

.....Respondents.

By Advocate:- Mr. H.K.Mehta, Sr. Standing Counsel.

O R D E R (ORAL)

Per K.N.Shrivastava, Member (Admn.):- The applicant was selected for the post of UDC in Employee's State Insurance Corporation – respondent organisation vide Annexure-A/1 order dated 05.12.2017. The last date for joining stipulated in the order was 22.12.2017. The applicant due to his personal circumstances sought extension of time for joining. Vide Annexure-A/2 letter dated 21.12.2017 the ESIC was kind enough to grant him extension of time for joining upto 18.02.2018 vide order dated 02.01.2018. However, the ESIC unilaterally modified the extension of time granted vide Annexure-A/5 corrigendum dated 29.06.2018 whereby the extension of time was restricted upto 04.06.2018 instead of 18.07.2018 granted earlier. The applicant is aggrieved of the corrigendum.

2. Apparently, the applicant was also selected for the post of Goods Guard in the Northern Railway for which he was directed by the Northern Railway to present himself on 09.07.2018 with all the documents failing which his candidature would be cancelled. It would thus, appear that the applicant was not in a position to decide which of the two offers he should accept.

3. Shri M.A.Khan, learned counsel for the applicant submitted that the applicant has decided to join the post of UDC in ESIC in terms of the Annexure-A/1 offer of appointment dated 15.12.2017. He prayed for a direction to the respondents for extension of time to enable the applicant to join.

4. Per contra, learned counsel for the respondents Shri H.K.Mehta stated that the applicant has been indecisive of the matter and does not appear to be serious in accepting the offer of appointment given to him by the respondents.

5. We also notice from Annexure-A/5 corrigendum of the respondents dated 29.06.2018, whereby the extension of time granted upto 18.07.2018 vide Annexure-A/3 letter dated 02.01.2018 has been curtailed to 04.06.2018, that there has been an inherent contradiction in the corrigendum. It is issued on 29.06.2018 curtailing the extension of time upto 04.06.2018. Obviously, the corrigendum of this type could not have been issued at a later date.

6. When a query was put to the learned counsel for the applicant as to how much time reasonably the applicant needs at

this juncture of time to join the post vis-a-vis Annexure-A/1 offer of appointment, Shri Khan prayed for two months time.

7. Considering the submissions of learned counsel for the parties and after perusing the records, we direct the respondents to grant extension of time for joining the post upto 24.12.2018. We make it clear that if the applicant fails to join within this period of time, the respondents shall have the liberty to withdraw the offer of appointment.

Accordingly, the OA stands disposed of.

Sd/-
(Jayesh V.Bhairavia)
Member (Judl.)

Sd/-
(K.N.Shrivastava)
Member (Admn.)

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