

## CENTRAL ADMINISTRATIVE TRIBUNAL

PATNA BENCHCIRCUIT BENCH AT RANCHIOA/051/00082/2017Date of Order :- 14.09.2018C O R A M

HON'BLE MR. A.K.PATTNAIK, MEMBER (JUDL.)  
 HON'BLE MR. PRADEEP KUMAR, MEMBER (ADMN.)

.....

1. Manoj Kumar Singh, aged 32+ years, S/o Chandrika Singh, resident of Qr. No.B4, Block-2, ESIC Hospital Campus, near Ashina Trade Centre, Adityapur, Jamshedpur (Jharkhand).
2. Nandita Bharti, aged 31+ years, D/o Bipin Kumar Yadav, C/o S.N.Rai, Plot No.59 A, near Shiv Mandir, Kalapnupuri, Adityapur, Jamshedpur (Jharkhand).
3. Premlata, D/o Deo Ratan Sinha, resident of Block 1/3, Premlata, Radiographer, ESIC Hospital Campus, near Ashiana Trade Centre, Adityapur, Jamshedpur (Jharkhand).

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

Vs.

1. Union of India through Director General, ESIC Corporation, Panchdeep Bhawan, Kotla Road, New Delhi-110 002.
2. Regional Director, E.S.I.C., PO & PS-Namkum, District-Ranchi.
3. The Medical Superintendent, ESIC Hospital, Adityapur, Jamshedpur, Jharkhand-831 013.

.....Respondents.By Advocate:- Mr. H.K.Mehta, Sr. Standing Counsel.O R D E R (ORAL)

A.K.Pattnaik, Member (Judl.) :- This application has been filed by the applicants under Section 19 of the A.T.Act praying for the following relief:-

*"8(i) To direct the respondent to implement the grade pay of Rs.2400 in place of Rs.2000 in the pay band of Rs.5200-20200*

*and to pay the arrears with effect from the date of appointment dated 23.03.2011, 01.04.2011 & 09.08.2010.”*

2. At the outset, the learned counsel for the applicants drew our attention to this Bench order dated 22.05.2018 which reads as under:-

*“Representation has already been preferred by the applicants which figures at Annexure-1 series of the OA. The applicants have sought for consideration of their matter in light of the decision of Principal Bench in OA No. 2995/2014 for bestowing upon them the pay scale of Rs. 5200-20200 with Grade Pay of Rs.2400/- . Since representation has not been disposed of, while keeping the OA pending, I direct the respondent No. 3 & 4 to consider the grievance of the applicant in the light of the decision referred above by passing a reasoned and speaking order within a period of one month from the date of receipt of copy of this order. Respondents shall place the order with their reply to be filed by four weeks thereafter.*

2. *For the purpose of appropriate consideration of the matter, the applicants shall forward the copy of the cited judgment along with the copy of the representation to the said respondents within one week from the date of receipt of copy of this order.*

3. *The applicants may also prefer a joint representation, if required.*

4. *Adjourned to 09.08.2018.”*

3. On being questioned, the learned counsel for the applicants fairly submitted that representations as at Annexures-A/2, A/3 & A/4 series of the OA, addressed to the Respondent no. 2 & 3, are still pending consideration and they would be satisfied if a direction is given to the concerned respondent to consider their pending

representations, along with this OA treating it as part of representations, and to pass speaking and reasoned order within the stipulated period.

4. In view of above, we dispose of this OA without entering into the merits of the case with direction to respondent no.2 (Regional Director, E.S.I.C., PO & PS-Namkum, District-Ranchi.) that if any such representations have been preferred by the applicants and the same are still pending consideration, then the same may be considered, along with the OA treating it as part of their representation. After such consideration if the applicants' grievance is found to be genuine and covered under the order dated 19.04.2016 passed by the CAT Pr. Bench, New Delhi in OA No. 2995-96/14 and order dated 06.12.2016 passed by Jaipur Bench in OA No. 645/15, then the respondent no.2 is directed to consider their case of upgradation of Grade Pay from the due date with all consequential benefits, and pass a reasoned and speaking order within a period of six weeks from the date of receipt of this order.

5. With the aforesaid observation and directions, the OA stands disposed of.

Sd/-  
(Pradeep Kumar)  
Member(Admn.)

Sd/-  
(A.K.Pattnaik)  
Member(Judl.)

skj