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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

O.A.NO.2447/2003

Tuesday, this the 7th day of October, 2003

Hon'ble Shri S. K. Naik, Member (A)

Vacation Bench

Dr. G.P.Sarabhai
s/o late Dr. Birjadish Prasad
r/o Flat no.2, Type-VI, ESI Dispensary
Sarojini Nagar, New Delhi-23

..Applicant

(By Advocate: Shri K. Venkatraman)

Versus

1. Employees State Insurance Corporation
through its Director General
Panchdeep Bhavan
Kotla Road, New Delhi-2

2. Dr. J.N. Mohanty
Medical Superintendent
ESIC Hospital, Okhla, New Delhi

..Respondents

O R D E R (ORAL)

The short point involved in this case pertains to the transfer of the applicant ordered by the Director General of ESIC. Counsel for applicant contends that the Chairman, Standing Committee, ESIC, who is the superior authority to the Director General, ESIC, has passed an order holding in abeyance the transfer order of the applicant. However, the same is not being implemented or complied with by the Director General, ESIC. Counsel has not been able to convince me as to how the matter, which has not reached finality within the Department, can be agitated before me. He has also not been able to produce any representation which he may have filed before the Chairman, Standing Committee with regard to the non-implementation of his orders.

2. Under the circumstances, counsel for applicant wants to withdraw the petition. Permission is granted.

(2)

However, he will be free to agitate the matter as per law, rules and instructions on the subject, if aggrieved.

Naik
(S. K. Naik)
Member (A)

/sunil/