



**CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH, KOLKATA**

O.A/350/612/2019

Date of Order: 26.11.2019

With

O.A 350/206/2018

**Coram: Hon'ble Ms. Bidisha Banerjee, Judicial Member
Hon'ble Dr. (Ms.) Nandita Chatterjee, Administrative Member**

1. Sunita Dam, wife of Sri Gopal Dam, aged bout 47 years, working as Plaster Assistant in ESIC Hospital and ODC (EZ), Joka, Kolkata, residing at A5, Joka Thakurpukur, South 24 Parganas, Kolkata 700104.
2. Sachin Adak, son of Subal Adak, aged about 48 years, working as Plaster Assistant in ESIC Hospital and ODC (EZ), Joka, Kolkata, residing at Ramdashati Sarkar Para, Mahestala (M), Garden Reach, Kolkata 700024.
3. Sanjay Gharami, son of Sunil Gharami, aged about 37 years, working as Plaster Assistant in ESIC Hospital and ODC (EZ), Joka, Kolkata, residing at 196/1, Kalighat Road, Circus Avenue, Kolkata - 700026.



---Applicants in O.A 612/2019

1. Madhu Naskar, son of Late Bablu Naskar, aged about 36 years, working as Laboratory Assistant ESI-PGIMSR, ESIC Medical College and ESIC Hospital and ODC (EZ), Diamond Harbour Road, Joka, Kolkata, 700014, residing at 41, Biren Roy Road (East), Peace Park, P.O Barisha, P.S. Behala, Kolkata - 700008, District - South 24 Parganas.

---Applicant in O.A 206/2018

VERSUS

1. Union of India, through the Secretary to the Govt. of India, Ministry of Labour and Employment, Shram Shakti Bhawan, Rafi Marg, New Delhi - 110001.
2. The Director General, Employees State Insurance Corporation, Panchdeep Bhawan, CIG Marg, New Delhi - 110002.
3. The Medical Commissioner, Employees State Insurance Corporation, Panchdeep Bhawan, CIG Marg, New Delhi - 110002.
4. The Financial Commissioner, Employees State Insurance Corporation, Panchdeep Bhawan, CIG Marg, New Delhi - 110002.
5. The Medical Superintendent, ESIC Hospital and ODC (EZ), Kolkata - 700104.

---Respondents

For The Applicant(s): Ms. K. Chakraborty, counsel
For The Respondent(s): Mr. S. C. Prasad, counsel in O.A 612/2019
Mr. S. Banerjee, counsel in O.A 206/2018

ORDER (O R A L)

Per: Ms. Bidisha Banerjee, Judicial Member:

Heard ld. counsel for both the sides.

2. Since identical issues have been raised and identical benefits have been sought for, the O.As are taken up analogously.

Applicants, in both the O.As, have sought for a direction to the respondents to grant them the Grade Pay of Rs. 2400/-, instead of Rs. 2000/- that is being granted to them, on the ground that their counterparts are being given a Grade Pay of Rs. 2400/-. Ld. Counsel for the applicants submitted that similar benefits have been granted to the other similarly situated employees pursuant to the orders passed by this Bench of the Tribunal in O.A. Nos. 736/2016, 1009/2017 and, 1172/2017 and by the Principal Bench of the Tribunal in O.A. No. 3227/2011.

3. At hearing, ld. counsel for the applicant would submit that the applicants would be satisfied with a direction on the respondent authorities to consider their case in the light of the orders passed in O.A 3227/2011 and M.A 2379/11 by the Principal Bench and of the Kolkata Bench in O.A. Nos. 736/2016, 1009/2017 and O.A 350/1172/2017

4. Ld. Counsel for the respondents did not raise any objection if such direction was issued.

5. Accordingly, without entering into the merits of the matter, we dispose of the above OAs with a direction upon the concerned respondent authorities to decide the claim of the applicants and consider their cases in the light of the



orders passed by this Tribunal supra. In the event the applicants are found to be entitled to the relief prayed for, appropriate orders, in accordance with law, be issued within 2 months from the date of receipt of a copy of this order.

6. Accordingly, the OAs are disposed of. No costs.

(Nandita Chatterjee)
Member (A)

(Bidisha Banerjee)
Member (J)

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