

06.09.2021
SL No.19
Court No.16
(gc)

WPCT 42 of 2021

**The Employees' State Insurance Corporation
Vs.
Union of India & Anr.
(Via Video Conference)**

Mr. T.K. Chatterjee,
...for the Petitioner.

The learned Counsel for the petitioner submits that the following direction of the learned Tribunal has been complied with and steps have been taken for correction/removal by stepping up:-

“In the present case it is discernable that the applicant, who was senior to Shri Bhaumick, was officiating in the post of I.I w.e.f 16.8.96 where his junior Bhaumick was officiating as I.I. (on an adhoc basis), w.e.f. 10.3.98, i.e. from a later date than the senior. As on 10.3.98 both were holding the post of I.I., the applicant on regular basis and his junior an ad hoc basis yet the applicant, a senior who held the post on regular basis was on a lesser pay (Rs.6025/-) while the junior (ad hoc promotee) was on a higher pay (Rs.6200/-), which disparity in pay can definitely be construed as an anomaly, fit to be corrected/removed by stepping up.”

In view of the fact that the writ petitioner has accepted the order and claimed to have implemented the said order, the writ petition fails.

The writ petition being WPCT 42 of 2021, accordingly, stands dismissed.

All parties shall act on the server copies of this order duly downloaded from the official website of this Court.

(Hiranmay Bhattacharyya, J.)

(Soumen Sen, J.)