

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19736 of 2025

1. The Regional Director, Gujarat Regional Office, Employees State Insurance Corporation Ashram Road, Ahmadabad, Pin-380014.
2. The Assistant Director, Gujarat Regional Office, Employee State Insurance Corporation, Ashram Road, Ahmadabad, Pin-380014.
3. The Deputy Director (Administration), Sub Regional Office Employee State Insurance Corporation, Panchdeep Bhawan, Urmi Society, Alkapuri Vadodara, Pin-390007.
4. The Regional Director, Bihar Regional Office Employees State Insurance Corporation, Patna, Pin-800001.

... .. Petitioner/s

Versus

1. The Union of India through Secretary, Ministry of Labour and Employment, Govt. of India, New Delhi, Pin-110001.
2. Deep Raj, son of Shyama Prasad, resident of village- Yamunapur, P.S.- Bihta, District- Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Shankar Kumar, Adv.
For the Respondent 1 st Set	:	Mr. Abhishekh Kumar, CGC
For the Respondent 2 nd Set	:	Mr. Sanjay Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH

and

HONOURABLE MR. JUSTICE SHAILENDRA SINGH

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH)

Date : 16-12-2025

The present writ petition has been filed against the order dated 6.3.2025, passed by the Ld. Central Administrative Tribunal, Patna Bench, Patna (hereinafter referred to as “the Ld. CAT”) in O.A.No. 050/00157/2019, whereby and whereunder the original application filed by the Respondent No. 2 has been allowed and the petitioners herein have been directed to



reinstate the Respondent No. 2 herein in service as also extend all monetary benefits to him for the intervening period i.e. from the date of his termination from service till the date of his reinstatement and further the petitioners herein have been granted liberty to resort to disciplinary proceedings under the Regulation 11 read with 12 of the Employees' State Insurance Corporation (Staff and Conditions of Service) Regulations 1959 (hereinafter referred to as the 'Regulations, 1959') and any other relevant regulation of the Regulation, 1959. The Ld. CAT has also directed the petitioners to initiate and complete the departmental proceedings within a period of six months from the date of receipt of the said order.

2. At the outset, this Court had put a query to the learned Senior Counsel, Sri Anand Kumar Ojha, appearing for the petitioners as to whether there is any distinction in between the present case and the case of *Shailendra Kumar Chaudhary & Anr. vs. The Employees State Insurance Corporation & Ors.*, which has been allowed by a coordinate Bench of this Court, vide judgment dated 6.2.2023, passed in CWJC No. 23977 of 2019 and one another analogous case and the concerned authorities have been directed to extend all monetary benefits to the petitioners of the said writ petitions, however liberty has



been reserved to the authorities to resort to disciplinary proceedings under Regulation 11 read with 12 of the Regulations 1959 and / or any other regulation of the Regulations, 1959 but with a further direction to initiate & complete such departmental enquiry within a period of six months. In reply, the learned Senior Counsel for the petitioners has fairly submitted that there is no distinction and the learned CAT has rightly followed the law laid down by the learned Coordinate Bench of this Court in the case of *Shailendra Kumar Chaudhary* (supra). It is also submitted that the said judgment dated 6.2.2023, rendered in the case of the *Shailendra Kumar Chaudhary* (supra) has also been upheld by the Hon'ble Apex Court, inasmuch as the Special Leave Petition filed against the said Judgment, being SLP (C) No. 15908-15909 of 2023, before the Hon'ble Apex Court has stood dismissed, vide order dated 24.7.2023.

3. Having regard to the facts and circumstances of the case, we find that the present case is similar to the case of *Shailendra Kumar Chaudhary* (supra), hence the law laid down by the said judgment dated 6.2.2023, passed by the learned Division Bench of this court in the case of *Shailendra Kumar Chaudhary* (supra), as upheld by the Hon'ble Apex Court is required to be



followed and applied in the present case as well and that is precisely what has been done by the Ld. CAT while passing the impugned order dated 6.3.2025, hence we do not find any illegality in the order dated 6.3.2025, thus the present writ petition stands dismissed, being bereft of any merit.

4. At this juncture, the learned Senior Counsel for the petitioners i.e. the Employees State Insurance Corporation, Ahmedabad seeks extension of the time granted to initiate and complete the departmental proceeding qua the Respondent No. 2, by a further period of six months from today, inasmuch as the time period of six months granted by the Ld. CAT has already stood expired. Time, so sought, is granted.

(Mohit Kumar Shah, J)

(Shailendra Singh, J)

Ajay/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	06.01.2026
Transmission Date	NA

