

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS  
CIVIL APPEAL NO(s). 5198 OF 2007

THE REGIONAL DIRECTOR, E.S.I.C.

Appellant (s)

VERSUS

THE SECRETARY, E.S.I.C.EMPL. UNION

Respondent(s)

Date: 31/10/2013 This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.S. SINGHVI

HON'BLE MR. JUSTICE C. NAGAPPAN

For Appellant(s) Mr. D.N. Goburdhan, Adv.

For Respondent(s) Mr.P.K.Goswami, Sr.Adv.  
Mr. Rajiv Mehta, Adv.

UPON hearing counsel the Court made the following  
O R D E R

At the threshold of hearing, Shri P.K.Goswami, learned senior counsel appearing for the respondent placed before the Court xerox copy of Memorandum No.43-A.27/17/2/2008-Estt. dated 16.09.2008 issued by Employees' State Insurance Corporation, Regional Office, North Eastern Region, Guwahti-21 and made a statement that in view of the policy decision taken by the organisation, his clients are being paid Special Duty Allowance at the rate of 12.5% w.e.f. 01.09.2008. Shri Goswami also stated that as per the policy of the appellant, no recovery has been effected from the employees of the amount already paid to them up to 1999 and his clients did not get Special Duty Allowance from 12.06.1996 to 31.08.2008.

Shri D.N.Goburdhan, learned counsel for the appellant requests for a short adjournment to seek instructions in the light of the Memorandum produced by Shri Goswami.

The request of Shri Goburdhan is accepted and the case is adjourned to 19.11.2013.

(Satish K.Yadav)  
Court Master

(Phoolan Wati Arora)  
Court Master