



further stated in the order that in case the applicant is aggrieved by the decision taken by the respondents, he will be at liberty to move the Tribunal in accordance with law if he is so advised.

3. It is seen that in accordance with the directions referred to above the Central Water Commission by their letter dated 31.1.1989 (Annexure A-3) <sup>(Copy sent to)</sup> to the applicant <sup>len</sup> have stated that the applicant among others has been working in the Central Water Commission for a long time as an informal arrangement and that one of these, namely, Shri D.V.Lakshmipati, who is posted in Lower Godawari Division has gone to the Central Administrative Tribunal, Hyderabad for permanent retention in Central Water Commission, his plea being, that he having served in C.W.C. for a very long time should be deemed to be a C.W.C. employee, notwithstanding the fact that he being an employee of the Central Electricity Authority. The letter further <sup>adds</sup> ~~ends~~ that since the case of Shri D.V.Lakshmipati is already sub-judice, the Central Water Commission would prefer to wait for the Tribunal's verdict in that case before deciding the similar request from the applicant. It is further stated that the Central Electricity Authority has expressed their inability to accept the applicant immediately due to lack of vacant post of Assistant Engineer (Electrical) with them just now. The applicant was directed to be informed accordingly in that letter.

4. From the foregoing, it emerges that the respondents have not yet considered the representation of the applicant, really speaking. They are waiting for the verdict in the case before the Hyderabad Bench of this Tribunal, in regard to the application of Shri D.V.Lakshmipati. It is also stated that the Central Electricity Authority do not have a vacant post <sup>to</sup> ~~of~~ accommodate the applicant immediately. <sup>len</sup>

5. In the circumstances, there is no immediate cause of action for the applicant. It is clearly understood

len

that the position of the applicant will continue to be maintained and he will not be transferred or repatriated till the case before the Hyderabad Bench is finally decided. If the applicant is aggrieved with the final decision, when actually taken after the termination of the above case, he is at liberty to move the Tribunal in accordance with law. The present application is disposed of accordingly. There shall be no order as to costs.

*T. S. Oberoi*

( T.S. Oberoi )  
Judicial Member

*K. J. Raman*

( K.J. Raman ) 8-3-89  
Administrative Member