

**Central Administrative Tribunal  
Ernakulam Bench**

OA/180/00846/2014

Thursday, the 24<sup>th</sup> day of June, 2021

CORAM

**HON'BLE MR.P.MADHAVAN, JUDICIAL MEMBER**  
**HON'BLE MR.K.V.EAPEN, ADMINISTRATIVE MEMBER**

Retheesh Babu.P  
Constable  
National Investigation Agency  
Ministry of Home Affairs  
House No.28/443 Giri Nagar  
Kadavanthara, Ernakulam, Kochi – 682 020 Applicant

(By Advocate: Ms.Niharika Hema Raj)

**Versus**

1. Union of India, represented by Secretary  
Ministry of Home Affairs, Government of India  
South Block, New Delhi
2. The National Investigation Agency, represented  
by the Inspector General of Police (Admn)  
National Investigation Agency  
6<sup>th</sup> and 7<sup>th</sup> Floor, NDCC II Building  
Jai Singh Road, New Delhi – 110 001
3. Government of India, represented by its Secretary  
Department of Personnel and Training  
M/o Personnel Public Grievances and Pensions  
North Block, New Delhi – 110 001
4. The Superintendent of Police (O)  
National Investigation Agency  
Ministry of Home Affairs  
House No.28/443 Giri Nagar  
Kadavanthara, Ernakulam  
Cochin – 682 020
5. State of Kerala, represented by its Chief Secretary  
Home Department, Secretariat  
Thiruvananthapuram – 695 001 Respondents

By Advocate: Mr. N. Anil Kumar, SCGC for R1 to 4  
Mr.M.Rajeev, GP for R 5

The O.A having been heard on 24<sup>th</sup> June, 2021 through video conferencing, this Tribunal delivered the following order on the same day:

**ORDER (Oral)**

**HON'BLE MR.P.MADHAVAN, JUDICIAL MEMBER**

Learned counsel for the applicant seeks permission to withdraw the Original Application as the pendency of the same appears to be affecting the chances of the applicant in receiving opportunities via deputation. Hence this Original Application is dismissed as withdrawn. No costs.

**(K.V.Eapen)**  
**Administrative Member**

**(P.Madhavan)**  
**Judicial Member**

**List of Annexures**

- Annexure A1 - True copy of the relevant pages of the Service Book of the applicant.
- Annexure A2 - True copy of statement of fixation pay of the applicant
- Annexure A3 - True copy of notification dated 5.7.2010 issued by the 2<sup>nd</sup> respondent
- Annexure A4 - True copy of order No.234/2011 dated 6.6.2011 issued by the National Investigation Agency
- Annexure A5 - True copy of order No.281/2011 dated 23.8.2011 issued by the National Investigation Agency
- Annexure A6 - True copy of Office Memorandum dated 5.1.1994 issued by the Govt. of India
- Annexure A7 - True copy of Office Memorandum dated 17.6.2010 issued by the Govt. of India
- Annexure A8 - True copy of show cause notice dated 21.4.2014 issued by the 4<sup>th</sup> respondent to the applicant
- Annexure A9 - True copy of order dated 12.6.2013 in O.A No.374/2012 of the Cat, Hyderabad
- Annexure A10 - True copy of order dated 12.12.2013 issued by the Senior Accounts Officer, Regional Pay and Accounts Office, Chennai
- Annexure A11 - True copy of letter dated 14.6.2012 issued by the NIA to the Director (JCA), DOPT, New Delhi
- Annexure A12 - True copy of reply submitted by the applicant before the Supdt. Of Police dated 20.5.2014

Annexure A13 - True copy of order No.B-07/Pay Fixation/NIA/Kochi/2013/263 dated 28.5.2014 issued by the 4<sup>th</sup> respondent

Annexure A14 - True copy of order No.B-07/Pay Fixation/NIA/Kochi/2014-15/264 dated 28.5.2014 issued by the 4<sup>th</sup> respondent

Annexure R4(1) - Photocopy of the letter No.CA/IAWMHA/Clarification/11-12/1863 dated 30.12.2011

Annexure R4(2) & 4(3) Photocopy Note dated 6/2/13 & DOPT UO No.52549/2013-Estt-(Pay-II) dated 19/7/13

Annexure R4(4) - Photocopy of the office order No.234/2011 dated 6/6/11

Annexure R4(5) - Photocopy of the option submitted by the option submitted by the applicant

Annexure R4(6) - Photocopy of the undertaking dated 6/6/11

Annexure R4(7) - Photocopy of the Hon'ble Apex Court vide judgment dated 1/11/13 (Civil Appeal No.9873/13 arising out as [SLP@No.17881](#) of 2008 U.T Chandigarh & Ors. Vs.Gurcharan Singh & Ors

Annexure R4(8) - Photocopy of the order dated 12/8/14

Annexure R2(9) - True copy of the letter dated 26.12.2016

Annexure R4(10) - True copy of the judgment order dated 8.10.2015

Annexure R4(11) - True copy of LPC of the officer .

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