

3  
CENTRAL ADMINISTRATIVE TRIBUNAL  
CUTTACK BENCH, CUTTACK

O. A. NO. 260/00212 OF 2014  
Cuttack this the 10th day of April, 2014

**CORAM**

**HON'BLE MR. R. C. MISRA, MEMBER (A)**

Prahallad Kumar Ghosh,  
Aged about 60 years,  
Son of Late Bholanath Ghosh,  
At-Raghunath Ganj, PO-Gangaraj, PS-Kuliana  
Dist- Mayurbhanj,  
SWA (retired), CWC under the Govt. of India,  
Ministry of Water Resources, Shramashakti Bhawan,  
Rafi Marg, New Delhi.

...Applicant

(Advocates: M/s. S. Rath, B.K.Nayak-3, D.K.Mohanty)

**VERSUS**

Union of India Represented through

1. Secretary to Govt. of India,  
Ministry of Water Resources,  
Shramashakti Bhawan, Rafi Marg,  
New Delhi -110 001.
2. Central Water Commission,  
Represented through its Chairman,  
CWC, Sewa Bhawan, R.K.Puram,  
New Delhi-66.
3. The Chief Engineer (Mahanadi and Eastern Rivers,  
CWC, Plot No. A-173, Sahid Nagar,  
Bhubanswar-751007.
4. The Executive Engineer,  
Central Water Commission,  
Eastern Rivers Division, Plot No. A-13 & 14,  
Bhoiagar, Bhubanswar-751022.
5. The Superintending Engineer,  
Hydrological Observation Circle,  
Mahanadi Bhavan, Plot No. A-13/14,  
Bhoiagar, Bhubanswar-751022.



6. The Executive Engineer,  
Mahanadi Division, CWC,  
Doctor's Colony, PO- Burla,  
Dist. Sambalpur (Odisha), PIN-768017.

... Respondents

(Advocate: Ms.S.Mohapatra)

**ORDER (ORAL)**

**R.C.MISRA, MEMBER(A):**

Copy of this OA has been served on Ms.S.Mohapatra, Ld. ACGSC appearing for the Respondents, who accepts notice for all the Respondents in this OA. Registry is directed to serve notice, in terms of sub rule 4 of Rule 11 of the CAT (Procedure) Rules, 1987, for onward transmission. Heard Mr. D.K. Mohanty, Learned Counsel for the Applicant, and Ms.Mohapatra, learned ACGSC appearing for the Respondents, and perused the materials placed on record.

2. This Original Application has been filed by the applicant under Section 19 of the Administrative Tribunals Act, 1985 for a direction to the Respondents to antedate/regularize him with effect from completion of 120 days of service as per scheme and to direct the Respondents to sanction and disburse the pension and pensionary benefits retrospectively with 12% interest on the arrear dues with further prayer to direct the Respondents to pay the applicant pension and other pensionary benefits taking into consideration his minimum period of service of ten years retrospectively and pay the same to the applicant with 12% interest. Mr. Mohanty, Ld. Counsel for the applicant, submitted that ventilating his grievance the applicant has also represented to the authorities, however, the same has not been annexed in this O.A.



3. Ms. Mohapatra, learned ACGSC appearing for the Respondents, submitted that though the retirement notice has been issued on 12.10.2012, without availing any departmental remedy the applicant has rushed to this <sup>She</sup> Tribunal. He vehemently opposed the contention of Mr. Mohanty that any representation has been filed before the authorities. After hearing in extenso, Mr. Mohanty, Ld. Counsel for the applicant sought for the liberty of this Tribunal to withdraw this O.A. to make a separate representation to Respondent Nos. 3, 5 and 6 within a period of 7 days from today.

4. Taking into account the submission made by Mr. Mohanty, we allow him to withdraw this OA. by granting liberty to the applicant to make representation ventilating all his grievances before Respondent Nos. 3, 4 and 5 within a period of 7 days from today. If such a representation is preferred within the stipulated period then the same may be considered by Respondent Nos. 3, 4 and 5 within a period of 2 months and result may be communicated to the applicant by way of a reasoned and speaking order. We make it clear that while making such representation a copy of this order be also annexed by the applicant. Accordingly, the O.A. is disposed of being withdrawn.

5. Copy of this order be handed over to the Ld. Counsel appearing for both the sides.

  
(R.C. MISRA)  
MEMBER(A)