

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A. NO. 149 OF 2013

Wednesday, this the 30th day of October, 2013

CORAM:

HON'BLE MR.JUSTICE A.K.BASHEER, JUDICIAL MEMBER
HON'BLE Mr. K.GEORGE JOSEPH, ADMINISTRATIVE MEMBER

K.Satheesan
(Retired Deputy Director
Central Water Commission)
Residing at Smrithy, Lakshmi Nivas
SRM Road, Cochin – 682 018

... Applicant

(By Advocate Mr. TCG Swamy)

versus

1. Union of India represented by the Secretary to
the Government of India
Ministry of Water Resources
Shram Shakti Bhavan
New Delhi – 110 001
2. The Secretary
Central Water Commission
Sewa Bhavan, RK Puram
New Delhi – 110 066
3. The Union Public Service Commission
New Delhi – 110 001 – through its Secretary... Respondents

(By Advocate Mr.M.K.Aboobacker, ACGSC(R1&2)
Advocate Mr.Thomas Mathew Nellimoottil (R-3))

The application having been heard on 30.10.2013, the Tribunal
on the same day delivered the following:

ORDER

HON'BLE MR.JUSTICE A.K.BASHEER, JUDICIAL MEMBER

Applicant retired from service on November 30, 2004 while
working as Deputy Director in the Central Water Commission. He has filed
this Original Application seeking the following reliefs:-

i. *Declare that the non-feasance on the part of the
3rd respondent UPSC to convene a review DPC for*

considering the applicant for promotion as Director / JAG as requested for by the 1st and 2nd respondents in implementation of A-1 order of this Hon'ble Tribunal is arbitrary, discriminatory, contrary to law and hence unconstitutional;

ii, Direct the 3rd respondent UPSC to convene the review DPC as to consider the applicant for promotion as Director / JAG and direct further to send its recommendations to the 1st and 2nd respondents forthwith;

iii, Direct the 1st and the 2nd respondents to consider and promote the applicant as Director / JAG in the light of the recommendations received from the 3rd respondent UPSC forthwith., with all consequential benefits arising therefrom.”

2. When this case is taken up for consideration today, learned counsel for respondent Nos. 1 & 2 submits that the applicant has been granted all the reliefs which he has sought in the above case. It is pointed out that the applicant has been promoted to the Junior Administrative Grade with effect from October 20, 2004, the date on which his immediate junior was promoted. It is further submitted that further action for pay fixation, payment of arrears, revision of pension etc. will be taken immediately.

3. We have perused the averments contained in the affidavit filed by the Deputy Director in the office of the Respondent Nos. 1 & 2 in this regard as well as orders passed by the competent authorities. In the above facts and circumstances nothing survives in this case except issue of a direction to Respondent Nos. 1 & 2 to take appropriate further action to revise the pension payable to the applicant and release the entire dues payable to him towards arrears of pay, pension etc. This shall be done as expeditiously as possible, at any rate, within four months from the date of receipt of a copy of this order.

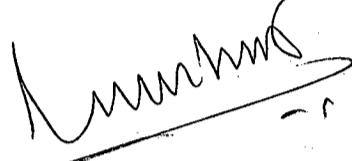


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4. OA is disposed of in the above terms. No costs

Dated, the 30th October, 2013.


K GEORGE JOSEPH
ADMINISTRATIVE MEMBER


JUSTICE A.K.BASHEER
JUDICIAL MEMBER

VS

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ANNEXURE

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CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH
WEDNESDAY, THE 19th DAY OF SEPTEMBER, 2012
PRESENT

Hon'ble Mr.Justice,P.R.Raman :Judicial Member
and
Hon'ble Mr.K.George Joseph :Administrative Member

CP(C) 43/2012
in
ORIGINAL APPLICATION NO: 96/2010

K.Satheesan : Petitioner
Versus

Dhru Vijay Singh Secy., M/o Water Resources, : Respondents
New Delhi & ors.

Mr.TCG Swamy : Counsel for petitioner

Mr.P.M.Saji for Mr.M.K.Aboobacker, ACGSC :Counsel for respondents

ORDER

In the light of Annexure R-1 order passed by the Government of India, Central Water Commission, the respondents requested for three months time. We adjourn this case by two months. The steps and the progress reached in implementation of the order be filed in the form of an affidavit before the next date of hearing.

List on 20.11.2012. Copy by hand.

Sd/-

K.George Joseph
Administrative Member

Sd/-

P.R.Raman(J)
Judicial Member

CERTIFIED TRUE COPY

Date 24/9/2012

Bureau

Deputy Registrar

To

- 1.Mr.T.C.Govindaswamy, Advocate, Kochi.
- 2.Mr.M.K.Aboobacker, ACGSC

This Annexure A

is the true copy of the original document

Advocate