

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15957 of 2008

Divyanshu Kumar, son of late Rameshwar Singh, Work Sarkar Grade-3,
Lower Sone Middle Ganga Sub - Division, Patna. Resident of Village-
Morcha, P.O.-Mardhi, Viala- Begampur, P.S.- Chowk, District- Patna.

.... Petitioner/s

Versus

1. The Union of India through the Secretary, Water Resources Department,
Government of India, New Delhi.
2. The Assistant Executive Engineer, Lower Sone Middle Ganga Sub-
Division, Central Water Commission, 148, Anand Puri, West Boring
Canal Road, Patna. 800001.
3. The Executive Engineer, Middle Ganga Division No. 5, Central Water
Commission, 148, Anand Puri, West Boring Canal Road, Patna.
800001.
4. The Director-cum-Superintending Engineer, Monitoring Directorate,
Central Water Commission, Kasturba Path, North Sri Krishna Puri,
Patna.
5. The Chairman, Central Water Commission, Sewa Bhawan, R.K.Puram,
New Delhi-66.

.... Respondent/s

Appearance :

For the Petitioner/s : Mr. Pankjesh Sharma, Advocate.
Mr. Deepak Kumar, Advocate.
For the Respondent/s : Mrs. Kanak Verma, C.G.C.

CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL JUDGMENT

7 28-07-2015 Heard learned counsel for the parties.

2. Having regard to the fact that the father of the petitioner was an employee of Central Water Commission, which is Corporation notified under the Administrative Tribunal Act, this writ application, in view of the preliminary objection raised by the respondents in their counter affidavit, is not maintainable inasmuch as such claim of the petitioner had to be raised before the Central Administrative Tribunal.

3. Learned counsel for the petitioner has, however,

submitted that in the year 2013, the petitioner was directed to file a fresh application in the prescribed format.

4. When this court does not find the writ application to be maintainable, it would not like to say anything with regard to fresh consideration of the case of the petitioner.

5. When such an observation has been made, learned counsel for the petitioner seeks permission to withdraw this writ application in order to enable the petitioner to move before the Central Administrative Tribunal.

6. That being so, this writ application is permitted to be withdrawn with the aforementioned liberty.

(Mihir Kumar Jha, J)

Sujit/-

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