

CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH

ORIGINAL APPLICATION NO.170/00751/2019

DATED THIS THE 07<sup>TH</sup> DAY OF NOVEMBER, 2019

**HON'BLE DR.K.B.SURESH, MEMBER (J)**

**HON'BLE SHRI C.V. SANKAR, MEMBER (A)**

Mr. Z. Samson Vijay Kumar,  
S/o Mr. Zakkam Devadanam,  
Aged about 55 years,  
Working as Deputy General Manager (Tech.)  
And Project Director,  
Project Implementation Unit,  
N.H.A.I., Mangalore,  
D.K. District 575 001  
R/at: No. 11-259,  
St. Rita Garden, Kakkebettu,  
Kulashekara, Mangaluru,  
D.K. District 575 005

..... Applicant

(By Advocate Shri Prasanna V.R.)

Vs.

1. National Highways Authority of India,  
Rep. by its Deputy General Manager (HR-Admn.-IIB)  
Plot No. G-5&6, Sector – 10,  
Dwarka, New Delhi 110 075

2. The Regional Officer,  
National Highways Authority of India,  
Karnataka Region Office,  
Regional Office, Bengaluru-Tumkur Road,  
M.S. Ramaiah Enclave,  
Beside Nagasandra Metro Station,  
Bengaluru 560 073

.....Respondents

(By M/s M.V. Kini & Co, Counsel for the Respondents)

O R D E R (ORAL)  
(HON'BLE DR. K.B. SURESH, MEMBER (J))

Heard. The learned counsel for the applicant submits that instead of asking for extension of deputation beyond 6 years the NHAI ought to have asked the Andhra government for consent for absorption of the applicant in the NHAI. But then we cannot obviously add to the wisdom of NHAI. If NHAI for their work wants only a continuance of deputation and if the Andhra government is not willing to extend it as a lending authority, the borrowing authority has no other option other than to relieve him and send him back to the Andhra government because he is originally an employee of the Andhra government only.

2. Therefore, there is no merit in the OA. The OA is dismissed. No order as to costs.

(C.V. SANKAR)  
MEMBER (A)

(DR.K.B.SURESH)  
MEMBER (J)

/ksk/

**Annexures referred to by the applicant in OA No. 170/00751/2019**

- Annexure A1: Copy of the office order dated 04.08.2005  
Annexure A2: Copy of the office order dated 21.03.2013  
Annexure A3: Copy of the office order dated 30.03.2013  
Annexure A4: Copy of the communication dated 05.03.2014  
Annexure A5: Copy of the proceeding dated 29.05.2014 by parent department  
Annexure A6: Copy of the relieving certificate dated 04.06.2014  
Annexure A7: Copy of the office order dated 13.06.2014  
Annexure A8: Copy of the office order dated 13.10.2014  
Annexure A9: Copy of the joining report dated 30.10.2014  
Annexure A10: Copy of the office order dated 07.11.2014  
Annexure A11: Copy of the office order dated 10.11.2014  
Annexure A12: Copy of the joining report dated 11.11.2014  
Annexure A13: Copy of the communication dated 06.03.2017  
Annexure A14: Copy of the proceeding of parent department dated 14.07.2017  
Annexure A15: Copy of the application for absorption dated 04.09.2017  
Annexure A16: Copy of the recommendation by NHAI dated 04.09.2017  
Annexure A17: Copy of the notice enclosing list of candidates recommended for absorption  
Annexure A18: Copy of the proceeding of parent department dated 25.07.2018  
Annexure A19: Copy of the office order dated 19.12.2018  
Annexure A20: Copy of the communication dated 21.12.2018  
Annexure A21: Copy of the communication dated 05.03.2019  
Annexure A22: Copy of the communication dated 28.05.2019  
Annexure A23: Copy of the office order dated 04.06.2019  
Annexure A24: Copy of the communication dated 04.06.2019  
Annexure A25: Copy of the office order dated 08.06.2019

**Annexures referred in reply statement**

- Annexure R1: Copy of the guidelines

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