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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI
O.A 1430/99

New Delhi this the 10th day of November, 1999

Hon'ble Shri S.R. Adige, Vice Chairman(A)
Hon'ble Smt. Lakshmi Swaminathan, Member (J)

Shri A.K.Mishra
S/O Shri M.P.Mishra,
R/O 39-A Type-I,
CBI Colony, Vasant Vihar,
New Delhi.

.. Applicant

(None for the applicant)

Versus

1. Union of India
through the Secretary,
Department of Personnel and
Training, North Block, Central
Secretariat, New Delhi.

2. The Director,
Central Bureau of Investigation,
Govt. of India, Block No.3,
4th Floor, Lodhi Road,
Kendriya Karyalaya Parisar,
New Delhi-3

.. Respondents

(BR Sh. N.K. Tiwari, Asstt.)

O R D E R (ORAL)

(Hon'ble Shri S.R. Adige, Vice Chairman(A)

Applicant impugns the respondents order dated 3.5.99
(Ann.P.1) whereby he has been repatriated to his parent
department, as well as respondents order dated 11.5.99 (Ann.P.1)
directing him to hand over vacant possession of the quarter
in his possession.

2. None appeared for the applicant when the case was
called out even on the second call. Departmental representative,
Sh. N.K. Tiwari appeared for the respondents and has been heard.

3. Departmental representative has invited our attention
to the Delhi High Court order dated 22.9.99 in C.W. 3392/99
and 6137/98, in which it has been conclusively held that
officers on deputation to CBI had no enforceable legal right
to compel CBI to absorb them, and could not challenge the

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orders for repatriation to their parent organisations.

4. Under the circumstances, we see no good ground to interfere with the impugned orders dated 3.5.99 and 11.5.99 passed by the respondents. This OA is therefore, dismissed. Interim orders are vacated. No costs.

Lakshmi Swaminathan

(Smt. Lakshmi Swaminathan)
Member (J)

S. R. Adige
(S. R. Adige)
Vice Chairman (A)

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