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CENTRAL ADMINISTRATIVE TRIBUNAL PRINCIPAL BENCH

O.A.No.1101/98

New Delhi: this the 18th day of March, 1999.

HON'BLE MR. S. R. ADIGE, VICE CHAIRMAN (A)

HON'BLE MRS. LAKSHMI SWAMINATHAN, MEMBER (J)

K. D. Sharma, S/o Shri K. S. Sharma,
R/o 163, Pashupanjali Apartments,
Pitampura,
New Delhi.

(By Advocate: Mr. G. S. Chaman)

..... Applicant.

Versus

1. Union of India through
Director Intelligence Bureau,
Ministry of Home Affairs, Govt. of India,
North Block,
New Delhi.

2. Director General,
CRPF,
CGO Complex, Lodhi Road,
New Delhi.

.... Respondents.

(By Advocate: Mr. K. C. D. Gangwani & Mr.
Rajinder Nischal)

ORDER

HON'BLE MR. S. R. ADIGE, VICE CHAIRMAN (A).

Applicant impugns respondents' order
dated 12.5.98 (Annexure-A1) repatriating him to
his parent organisation (CRPF).

2. Heard both sides.

3. Applicant is an employee of CRPF who came
on deputation to I.B. w.e.f. 28.12.91. Even if, as
applicant claims that while on deputation he was
selected and appointed to a higher post in I.B,
in the absence of any order shown by him terminating
his lien in CRPF, he continues to be a member of
CRPF which is ^{an} armed force of the Union, over which
the CAT has no jurisdiction.

4. Hence the preliminary objection of respondents
that this Tribunal has no jurisdiction in the matter

is sustained.

5. We have also examined applicants' claims on merits. In the detailed order dated 8.10.98 in O.A.No.1225/98 Subhas Chandra Vs. UOI & Ors., to which one of us (Hon. Mrs. Lakshmi Swaminathan, M(J) was a party, which also dealt with a CRPF employee who was deputed to I.B. and had filed that O.A. against his repatriation, the Tribunal after relying upon several rulings including those of the Hon'ble Supreme Court and Delhi High Court and the Tribunal, had categorically held that a deputationist had no vested right to compel the organisation to which he had been deputed to absorption and he could be repatriated to his parent department upon conclusion of the period of deputation. In that O.A as in the present one the ground that applicant had been appointed to a higher post during the deputation period and the claim of promissory estoppel was advanced, against repatriation, were advanced, but the same were not accepted by the Bench.

6. We are satisfied that the ratio of the order in Subhash Chandra's case (supra) are fully applicable in the present case also.

7. Viewed at from any angle therefore this O.A fails and is therefore dismissed. No costs.

Lakshmi Swaminathan
(MRS. LAKSHMI SWAMINATHAN)
MEMBER(J)

Anil Adige
(S.R. ADIGE)
VICE CHAIRMAN (A).