

CENTRAL ADMINISTRATIVE TRIBUNAL PRINCIPAL BENCH  
NEW DELHI.

(10)

O.A.No.905/96

New Delhi; this the 29<sup>th</sup> day of May, 1997,

HON'BLE MR.S.R.ADIGE MEMBER(A).

HON'BLE DR.A.VEDAVALLI, MEMBER(J)

S.K. Tiwari,

S/o Late Shri Inderjit Tiwari,

R/o A-116 Jagatpuri,

Delhi- 110 093

.....Applicant.

(By Advocate: Shri S.K.Gupta)

Versus

UNION OF INDIA through

1. Secretary,  
Ministry of Telecom.,

Ashoka Road,  
Sanchar Bhawan,  
New Delhi -110 001.

2. The Chairman,  
Telecom. Commission,  
Department of Telecom.,  
Sanchar Bhawan,  
New Delhi - 110 001.

3. Member(Finance),  
Department of Telecom.,  
Sanchar Bhawan,  
New Delhi - 110 001.

4. Chief General Manager,  
Telecom. Project, North Zone,  
Eastern Court Complex,  
New Delhi - 110 001.

.... Respondents.

(By Advocate: Shri M.M.Sudan)

JUDGMENT

BY HON'BLE MR.S.R.ADIGE MEMBER(A).

Heard.

2. Shri Gupta contends that because para (ii) of respondents' order dated 9.2.95 (Annexure-A8) specified that "the promotion so made would invariably be terminated after 180 days", any termination before the period of 180 days (as in the present case) would require respondents to give applicant opportunity to show cause and be heard before termination of promotion. This contention is

(1)

entirely devoid of merit, because the above para (ii) merely specifies the outer time period for which such local officiating promotions could be made in term of respondents' order dated 2.1.95 ( Annexure-A6). That order empowers respondents to make such local officiating arrangements for any lesser time period and as no right accrued to the applicant consequent to his local officiating promotion, which was terminated well within the period of 6 months by impugned order dated 25.4.96 ( Annexure-A1), there is no legal infirmity in the said order. Under the circumstance the ruling in H.L.Trehan Vs. UOI 1989 (9) ATC 650 does not help the applicant.

3. In this connection, respondents' counsel has also invited our attention to the CAT PB judgment in OA No.2465/95 filed by this very applicant dismissing his prayer against his repatriation to his parent department (Department of Posts). He has <sup>pointed</sup> ~~shed~~ out that the applicant was a deputationist from Department of Posts and the powers for making officiating arrangements in the cadre of Sr. AO and AAO not exceeding 180 days delegated to Heads of Cadres is applicable only to officers born in AFS Cadre of Telecom. Department and it is not applicable for deputationist JAOs such as applicant. There is no denial to these averments either by way of rejoinder or during hearing.

4. The OA is therefore dismissed. No costs.

A.Vedavalli  
( DR. A. VEDAVALLI )  
MEMBER(J)

S.R.Adige  
( S.R. ADIGE )  
MEMBER(A)

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