

CENTRAL ADMINISTRATIVE TRIBUNAL: PRINCIPAL BENCH

OA.No.542 of 2000

New Delhi, this 7th day of December 2000

HON'BLE MR. JUSTICE ASHOK AGARWAL, CHAIRMAN  
HON'BLE MR. M.P. SINGH, MEMBER(A)

Dinesh Kumar Sharma  
S/o Shri Ishwar Dayal  
R/o Qtr No.6-F Model Town Police Colony  
Model Town-II  
Delhi-110009 ... Applicant

(By Advocate: Shri A.K. Behera)

versus

1. Union of India,  
Through Secretary  
Ministry of Home Affairs  
North Block  
New Delhi-110001
2. Director of Vigilance  
Govt. of NCT of Delhi  
5 Sham Nath Marg  
Delhi-110054
3. Principal Secretary (Services)  
Govt. of NCT of Delhi  
5 Sham Nath Marg  
Delhi-110054
4. Commissioner of Police  
Police Headquarters  
I.P.Estate  
New Delhi-110002
5. Commissioner of Excise  
Govt. of NCT of Delhi  
L Block Vikas Bhawan  
I.P.Estate  
New Delhi-110002. ... Respondents

(By Advocate: Shri Ajay Gupta and  
Shri Ram Kanwar)

ORDER(Oral)

By Mr Justice Ashok Agarwal:

We have heard the learned counsel  
appearing for the contesting parties.

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2. Applicant in the present OA has made the following prayers:

"(i) Call for the records of the case including the records of the inquiries;

(ii) Direct the respondents to produce their decision to repatriate the applicant on the basis of anonymous complaints and quash and set aside the same;

(iii) Direct the respondents to give all consequential benefits to the applicant;

(iv) Direct the respondents to pay the cost of litigation to the applicant;

(v) Pass any other order or direction which this Hon'ble Tribunal thinks fit and proper in the facts and circumstances of the case."

3. Pending the OA, period of deputation of the applicant has expired and he has thereafter been repatriated by an order passed on 11.10.2000. We have read said order. The same does not cast any stigma. The same is pure and simple order of repatriation. In the circumstances, we find that nothing now survives in the present OA. The applicant had come with a grievance that he was likely to be repatriated prior to the expiry of the period of deputation. Pending the OA his period of deputation has expired and he has been repatriated. Applicant has no grievance of his having been repatriated after the expiry of the period of deputation. As already stated, nothing now survives in the present OA.


Ne. J.

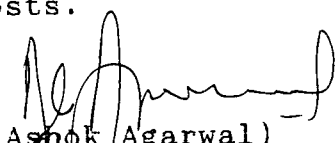
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4. Shri A.K.Behera, learned counsel appearing in support of the OA has however brought to our notice an order passed by the Deputy Commissioner of Police on 14.7.1999 wherein, inter alia, it has been averred that the applicant is not enjoying sound reputation and that he should be censured. In our view, aforesaid grievance is nowhere contended in the present OA. Same can, therefore, not be agitated herein.

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5. Present OA, in the circumstances, is disposed of with a liberty to the applicant, if he so chooses, to impugn the aforesaid order in an independent OA. No order as to costs.

  
(M.P.Singh)  
Member(A)

  
(Ashok Agarwal)  
Chairman