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Central Administrative Tribunal
Principal Bench New Delhi.
....

Date of decision: 10.7.1989.

Regn. No. O.A. 974/89.

Shri P.L. Premi & Ors. ... Applicants.

Vs.

UOI & Ors. ... Respondents.

CORAM:

Hon'ble Mr. P.Srinivasan, Member (A)

Hon'ble Mr. T.S. Oberoi, Member (J)

For the applicants: Shri B.B. Srivastava, counsel.

For the respondents: Shri P.P. Khurana, counsel.

ORDER (oral)

(delivered by Hon'ble Shri P.Srinivasan, Member).

This application has been listed before us for directions on the question of interim relief prayed for by the applicants.

2. Shri B.B. Srivastava, Advocate appears for the applicants. Shri P.P. Khurana, Advocate represents respondents 1 and 2. Respondent No. 3, namely, Inland Waterways Authority of India (I.W.A.I), is absent.

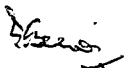
3. On hearing counsel for both sides, we feel that the application itself can be disposed of at this stage. We, therefore, proceed to do so.

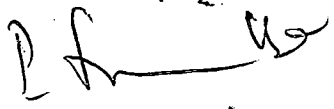
4. Both the applicants, who are borne on the establishment of the Inland Water Transport Directorate (I.W.T.) of the Ministry of Surface Transport, were sent on deputation to the I.W.A.I. They were later given an option either to be absorbed in the I.W.A.I or to revert to their parent cadre. They opted to go back to their parent cadre. Accordingly, they were relieved by I.W.A.I. with effect from 30.4.1989 (afternoon). They were, however, not allowed

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to rejoin their parent department on 1.5.1989. They approached this Tribunal in the meanwhile on 5.5.1989. On 23.5.1989, the applicants appeared before the Tribunal with their counsel. Shri P.P. Khurana, Adv. for Respondents 1 and 2 and Shri J.C. Batra, counsel for respondent No. 3 were also present. Though no specific directions are seen in the order passed by this Tribunal on that date, Shri Srivastava tells us that this Tribunal directed the applicants to join duty with the I.W.A.I. whereupon ~~and~~ the applicants rejoined I.W.A.I. on 24.5.1989 (forenoon). They were again relieved from I.W.A.I. on the afternoon of 31.5.1989 and were duly allowed to join duty in the I.W.T. on 1.6.1989. Their pay and allowances for the period 25.5.1989 to 31.5.1989 (both days inclusive) have been paid by the I.W.A.I. and on and after 1.6.1989, they are being allowed pay by the Government. What remains of the application now is the pay and allowances of the applicants for the period 1.5.1989 to 24.5.1989 when neither Organisation accepted them. Since they were not allowed to function at either place, for no fault of theirs, and since they had duly exercised their option to return to their parent cadre, we consider it proper to direct the I.W.A.I. (respondent No. 3) to pay the applicants their pay and allowances for the period 1.5.1989 to 24.5.1989 (both days inclusive) within one month from the date of receipt of this order.

5. The application is disposed of on the above terms, leaving the parties to bear their own costs.


(T.S. Oberoi)
Member (J)


(P. Srinivasan)
Member (A)