

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

NEW DELHI

O.A. No. 217/1991
T.A. No.

199

DATE OF DECISION 22.03.1991

<u>Shri A.D. Bhatt</u>	<u>Petitioner</u>
<u>Shri K.L. Bhatia</u>	<u>Advocate for the Petitioner(s)</u>
Versus	
<u>Union of India & Others</u>	<u>Respondent</u>
<u>Shri K.C. Mittal</u>	<u>Advocate for the Respondent(s)</u>

CORAM

The Hon'ble Mr. P.K. KARTHA, VICE CHAIRMAN(J)

The Hon'ble Mr. D.K. CHAKRAVORTY, ADMINISTRATIVE MEMBER

1. Whether Reporters of local papers may be allowed to see the Judgement ? /
2. To be referred to the Reporter or not ? Yes
3. Whether their Lordships wish to see the fair copy of the Judgement ? / No
4. Whether it needs to be circulated to other Benches of the Tribunal ? / No

JUDGMENT(of the Bench delivered by Hon'ble Mr. D.K. Chakraworty,
Administrative Member)

The applicant, who is working as Assistant in the Ministry of Health since 2.1.1984, was appointed as Administrative Officer on ad hoc deputation basis in the Raj Kumari Amrit Kaur College of Nursing, New Delhi for a period of one year in 1988. The period of deputation was extended upto 30.4.1991 by order dated 19.4.1989. By the impugned order dated 21.6.1990, the respondents reverted him to the post of Assistant in his parent department. In this application, filed under Section 19 of the Administrative Tribunals Act, 1985, he has prayed for quashing the impugned order dated 21.6.1990 and for directing the respondents to allow him to work on the deputation post till 30.4.1991.

2. The stand of the respondents is that the applicant was reverted to his parent cadre on administrative grounds.

3. We have carefully gone through the records of the case and have considered the rival contentions. On 24.1.1991, the Tribunal passed an interim order directing the respondents to consider the request made by the borrowing department for the retention of the applicant with them.

4. The legal position applicable to the instant case is well settled - A deputationist has no legal or constitutional right to hold the deputation post. Deputation could be terminated at any point of time(vide R.N. Misra Vs. Delhi Administration, 1985(1) SLR 753; Amrik Singh Vs. Union of India, 1986(3) SLJ(CAT) 40; Shambunath Lal Srivastava Vs. State of U.P.; 1984(2) SLJ 534; and Ratilal Soni Vs. State of Gujarat, 1990(1) SCALE 228).

5. In the light of the foregoing, the application is devoid of any merit and the same is dismissed with no order as to costs.

D.K. Chakravorty
(D.K. CHAKRAVORTY)

MEMBER (A)

P.K. Kartha
(P.K. KARTHA)

VICE CHAIRMAN(J)

22/3/91