

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

O.A. No.2077 of 1992

(31)

New Delhi, dated the 16th April, 1998

HON'BLE MR. S.R. ADIGE, VICE CHAIRMAN (A)
HON'BLE MR. T.N. BHAT, MEMBER (J)

Shri Nirbhay Singh,
S/o Shri Raghvir Singh,
R/o No.54, CBI Vasant Vihar,
New Delhi.

... APPLICANT

(None appeared)

VERSUS

1. Union of India through
the Secretary,
Ministry of Home Affairs,
North Block,
New Delhi.

2. The Director,
Central Bureau of Investigation,
CGO Complex,
Lodi Road,
New Delhi-110003.

... RESPONDENTS

(By Advocate: Shri Harvir Singh proxy
counsel for Mrs. P.K. Gupta)

ORDER (Oral)

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

Applicant prays for absorption and promotion as Head Constable in CBI w.e.f. 1983 or from the date his immediate junior was so absorbed.

2. Applicant who was working as constable in U.P. Police, came on deputation to R-2 organisation (CBI) in 1978, and was repatriated to his parent dept. (Govt. of U.P.) vide order dated 3.8.92 (Ann. A-2).

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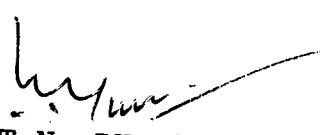
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3. None appeared for applicant when the case was called out even on the second call. This case was listed at Sl. No. 1 of the regular hearing list and at the top of the list was a clear superscription that cases of the year 1992 and earlier would not be adjourned. This is a 1992 case and accordingly we have heard Shri Harvir Singh, proxy counsel for Mrs. P.K. Gupta for respondents.

4. Shri Harvir Singh has stated that pursuant to the impugned order dated 3.8.92 applicant had since joined his parent office under U.P. Govt. and there is no question of his being called back to CBI after nearly six years. Even otherwise it is well settled that a deputationist has no enforceable right for absorption and he cannot successfully challenge his repatriation to his parent dept.

5. Under the circumstances the O.A. lacks merit and is dismissed. No costs.

6. After the above orders were dictated in the open court applicant's counsel Shri M.P.Raju appeared.


(T.N. BHAT)
MEMBER (J)

/GK/


S.R. ADIGE
VICE CHAIRMAN (A)