CENTRAL ADMINISTRATIVE TRIBUNAL CUTTACK BENCHL CUTTACK.

Original Application No.269 of 1990.

Date of decision: July 24,1991.

Fagu Sahu

.. Applicant.

Versus

Union of India and others ... Respondents.

For the applicant ...

Mr.D.P.Dhalsamant.

Advocate.

For the respondents...

Mr.Aswini Kumar Misra, Sr.Standing Counsel(CAT)

CORAM:

THE HONOURABLE MR.N.SENGUPTA, MEMBER (JUDICIAL)

- Whether reporters of local papers may be allowed to see the judgment ? Yes.
- 2. To be referred to the Reporters or not ? y.
- 3. Whether His Lordship wishes to see the fair copy of the judgment? Yes.

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JUDGMENT

- N.SENGUPTA, MEMBER(J) In this application, a prayer for direction to the the respondents to allow in transfer travelling allowance on his posting as Superintendent, Postal Stamp Depot,

 Bhubaneswar, has been made.
 - 2. The facts lie in a narrow compass. The applicant, admittedly was working as officiating Post Master (Higher Selection Grade I) at the Head Office at Sampalpur. On 28.12.1988 an order promoting him to the Group B cadre of the Postal Service on purely ad hoc basis and posting him as Superintendent, Postal Stamp Depot, Bhubaneswar was passed. The applicant joined at Bhubaneswar and from there he retired. The applicant submitted a transfer T.A.bill in reply to which the Postal authorities directed him to submit the T.A.bill treating his posting at Bhubaneswar as deputation and on temporary transfer.
 - 3. Mr.A.K.Misra, learned Senior Standing Counsel(CAT) for the Postal Department has very vehemently contended

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that the applicant was well aware that he was being posted temporarily at Bhubaneswar for a period of less than 2 months as he was to retire roughly after 57 days of his joining ot his new station. May be, the applicant was to enjoy the benefits of his promotional post for less than 2 months but that does not make his posting at Bhubaneswar a temporary transfer. The expression temporary transfer has a different connotation than the posting on promotion, though on ad boc basis. Ad hoc promotions by their very nature are temporary, the use of the word 'temporary' with ad hoc was in the nature of surplus IMr. Dhalsamant , learned counsel for the applicant, has contended that the applicant on his retirement was paid the home going T.A. treating Bhubaneswar as his headquarters station. A personon deputation, according to S.R.113, has to be posted back to his original place from where he was deputed. That this cannot be a deputation would also be apparent from another fact namely when he was officiating in a lower grade at Sambalpur and he was posted to a post in the higher grade on promotion. Deputation is made from one post to another, if the Department is the same in the same cadre. Therefore, the claim of the applicant for transfer T.A. on his posting at Bhubaneswar from Sambalour should have been allowed. Accordingly, the applicant succeeds and if he has already presented a bill to the Department claiming transfer T.A., it should be scrutinised and passed within a period of one month from the date of receipt of a copy of this judgmentand if the T.A.bill is not available in the Department, they should inform the applicant in his present

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address to submit one and dispose of the claim of the applicant within a month thereafter.

4. The case is accordingly disposed of. No costs.

Member (Judicial)

Central Administrative Pribuna Cuttack Bench, Cuttac July 24,1991/Sarangi