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Date of decision: July 24, 1991.

... Applicant.

Versus

Union of India and others ... Respondents.

Mr.D.P.Dhalsamant.
Advocate.

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

C O R A M:

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

— — —

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

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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 at 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 hoc basis. Ad hoc promotions by their very nature are temporary, the use of the word 'temporary' with "ad hoc" was in the nature of surplusage. Mr. 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 person on 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 at Bhubaneswar 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 Sambalpur 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 judgment and 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.

Central Administrative Tribunal,
Cuttack Bench, Cuttack
July 24, 1991/Saranggi.



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Member (Judicial)