

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

O.A.NO. 153 OF 2008

Friday, this, the 28th day of March, 2008.

CORAM :

HON'BLE Dr.K.B.S.RAJAN, JUDICIAL MEMBER

HON'BLE Dr.K.S.SUGATHAN, ADMINISTRATIVE MEMBER

Shibi T Manjooran
Manjooran House
Pottayil Lane
M.G.Road, Thrissur
Presently working as Hindi Officer
Office of the Principal Accountant General
(Audit) Kerala, Thrissur

: Applicant

(By Advocate Mr. Govind K.Bharathan, Senior with Mr.Madhu S.K.)

vs.

1. Union of India
Ministry of Finance and C.A., New Delhi
New Delhi
 2. Comptroller & Auditor General of India, New Delhi
10, Bahadursha Zafar Marg, Indraprastha HPO
New Delhi
 3. The Principal Accountant General (Audit)
State of Kerala, Thiruvananthapuram
 4. Senior Audit Officer/Admn
Office of the Principal A G (Audit)
Thiruvananthapuram, Kerala
 5. C.Unnikirshnan
Assistant Audit Officer/ Office Establishment
O/o The Principal AG (Audit) Kerala,
Branch Thrissur – 20
- : Respondents

(By Advocate Mrs.Mini R Menon, ACGSC)

The application having been heard on 28.02.2008, the Tribunal
on the same day delivered the following :

ORDER

HON'BLE Dr.K.B.S.RAJAN, JUDICIAL MEMBER

The applicant was posted to Thrissur under the Principal
Accountant General, Trivandrum on deputation basis from the Office of

the Accountant General, Tamil Nadu vide Annexure A-3 order dated 22.03.2002. At that time she was holding the post of Senior Hindi Translator. The initial period of deputation was one year. The said deputation period was extended thereafter. Meanwhile the applicant was promoted as Hindi Officer vide Annexure A-6 order dated 01.05.2007. The deputation period of the applicant was extended from 01.04.2007 to 31.03.2008. By Annexure A-7 communication addressed to the Comptroller & Auditor General of India, New Delhi the applicant has requested for extension of her deputation in the Office of the Principal Accountant General (Audit), Branch Thrissur, Kerala. The grounds for such a request are, as indicated in the application, are as under :-

"I am the only daughter of my aged ailing and widowed mother who is a chronic heart patient. It is with a view to ensure my personal and constant attention to my mother that I came on deputation to Kerala. In addition to my mother's case, I have also another responsibility of looking after my paternal aunt who is partially blind and also in her seventies.

Besides, at present I have my sudden health problems that need Ayurvedic treatment at home town. Being a single woman I have to endure all these personal problems alone."


2. Vide Annexure A-8 order dated 07.03.2008, the applicant was repatriated pre-maturely to Chennai. However, vide order dated 26.03.2008, in the wake of an interim direction by this Tribunal, the respondents have passed another order permitting the applicant to continue on deputation till 31st March, 2008. However, in so far as Annexure A-7 representation is concerned, the same is yet to be considered and disposed of by the respondents.

3. Counsel for applicant submits that the applicant being not in a position to move at present, the respondents may be directed to dispose of Annexure A-7 representation and till then the applicant may be permitted to continue at Thrissur.

4. We have considered the matter. Annexure A-7 representation which is addressed to the Comptroller and Auditor General of India, New Delhi for a decision to be taken. It is exactly not known whether the Principal A& G (Audit), Kerala had taken up the matter with Comptroller & Auditor General of India, New Delhi. In the interest of justice, the Principal A&G(Audit) Kerala should take up the matter with Comptroller & Auditor General of India, New Delhi regarding the representation of the applicant and a conscious decision should be arrived at. The application is, therefore, disposed of with a direction to Respondent No.3 to refer the matter to Respondent No. 2 for a decision regarding extension of deputation of the applicant, as per Annexure A-7 representation. On receipt of the recommendations of Respondent No.3, the 2nd respondent may consider and dispose of the said representation. The time calendared for the entire process is two months. Till then, the applicant be not shifted from the present place of posting.

5. OA is disposed of as above. No costs.

Dated, the 28th March, 2008.


K.S.SUGATHAN
ADMINISTRATIVE MEMBER


K.B.S.RAJAN
JUDICIAL MEMBER