

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

**O.A.No.331/2008
Dated the 26th day of June, 2008**

CORAM :

**HON'BLE MR.GEORGE PARACKEN, JUDICIAL MEMBER
HON'BLE DR.K.S.SUGATHAN, ADMINISTRATIVE MEMBER**

G.Ramachandra Rao
JE (Quantity Survey & Contracts),
Office of the Garrison Engineer(I)(P)No.2,
Naval Academy Project, , Ezhimala
residing at UTM Quarters, Kotty,
Payyannur, Kannur. ... Applicant

By Advocate Mr.R.Sreeraj

V/s.

- 1 Union of India represented by
its Secretary to Government of India,
Ministry of Defence, New Delhi.
- 2 Chief Engineer,
Military Engineer Services,
Southern Command, Pune
- 3 Chief Engineer,
Military Engineer Services,
Naval Academy Project,
Ezhimala, Kannur ... Respondents

By Advocate Mr.TPM Ibrahim Khan SCGSC

This application having been heard on 26th June, 2008, the Tribunal on the same day delivered the following

(ORDER)

Hon'ble Mr.George Paracken, Judicial Member

The applicant is a Junior Engineer (QS&C) working under the 3rd respondent, namely Chief Engineer, Military Engineer Services, Naval



Academy Project, Ezhimala, Kannur. He has applied for deputation to the post of Assistant Manager with RITES Ltd, a Government of India enterprise.

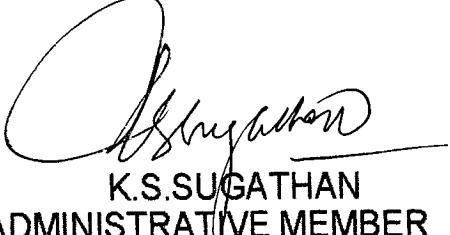
2 Vide Annexure A-1 letter dated 9.4.2008, the RITES Ltd has informed the Head of Office of the Applicant, that they have decided to induct him as Assistant Manager on deputation basis for the BMRCL Project at Bangalore and directed the applicant to join the post within 30 days of issue of the order. Thereafter, the applicant vide Annexure A-2 letter dated 25.4.2008 requested the 3rd respondent to relieve him from the present post so as to enable him to join RITES Ltd within the stipulated time. Since he could not be relieved within the aforesaid period, the Garrison Engineer (I) (P) No.2, Naval Academy Project, Ezhimala vide his letter dated 28.5.2008 requested the RITES Ltd to extend the period for joining. Acceding to the request, vide Annexure A-3 letter dated 29.5.2008, the RITES Ltd requested the respondents to relieve the applicant at the earliest to enable him to take up his assignment at Bangalore. The applicant has submitted that since there is a dispute between respondent nos.2 and 3, as to which authority should relieve him, he is still not been relieved.

3 On instruction from the respondents, Learned Senior Central Government Standing Counsel, Mr. TPM Ibrahim Khan, stated that respondent no.1 namely, Secretary, Ministry of Defence, New Delhi is the competent authority to relieve the applicant and necessary formalities for relieving him is under way.



4 In view of the above position, we direct that the respondent no.1 shall take early decision in the matter and to relieve the applicant preferably before 15.7.2008. With the above directions, the OA is disposed of. There shall be no orders as to costs.

5 A copy of this order be given to Applicant/his counsel so that the matter may be taken up with the RITES Ltd for further extension of time for joining.



K.S.SUGATHAN
ADMINISTRATIVE MEMBER



GEORGE PARACKEN
JUDICIAL MEMBER

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