

(C)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH,

J A I P U R.

G.A. No. 1089/92

Date of decision: 27.5.94

P.D. JEF

: Applicant.

VERSUS

UNION OF INDIA & OPS : Respondents.

Mr. J.K. Kaushik : Counsel for the applicant.

Mr. M. Rafiq : Counsel for the respondents.

CORAM:

Hon'ble Mr. Justice D.L. Mehta, Vice-Chairman

PER HON'BLE MR. JUSTICE D.L. MEHTA, VICE-CHAIRMAN:

Heard the learned counsel for the parties.

Perused the record.

2. As far the first relief is concerned, the applicant does not press it. The applicant has prayed that he should be given temporary transfer allowance from 4.1.89 for 180 days though such prayer is not specific in the relief clause.

3. Applicant's case is that vide Annexure A-2 or prior to Annexure A-2, he gave the consent for deputation. However, that has been revoked vide Annexure A-3, dated 31.12.88 and he was asked to join at Khandala on the expiry of the leave period. On 2.4.90 again, directions were given to the applicant to join at Khandala as earlier order since stands revoked vide Annexure A-3. The respondents are directed to examine whether any consent was given at the time of the passing of the order dated 2.4.90 and definitely after Annexure A-3 for going on deputation without the claim of transfer allowance etc. The respondents should also consider whether the applicant has worked under the orders referred to in the rejoinder and should examine the matter afresh and pass necessary orders. If the applicant has been sent on deputation without his consent on public grounds or administrative grounds, then he shall be entitled for the consequential benefits. If he has been sent on his own request, then naturally

he shall not be entitled for any consequential benefits. The matter needs examination by the respondents. The respondents are directed to re-examine taking into consideration all the relevant matters within a period of three months from the date of issue of this order.

4. The O.A. stands disposed of accordingly, with no order as to costs.



(D.L. MEHTA)
Vice-Chairman