

39

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD
BENCH AT : HYDERABAD

O.A. No.571/90

Date of Order: 27.7.1990

BETWEEN

B.B. Reddy,
Dy. Regional Iron & Steel Controller,
% The Regional Iron & Steel
Controller, Hyderabad.

.. Applicant

Versus

1. The Union of India,
Represented by Secretary,
Ministry of Steel & Mines,
Govt. of India, New Delhi.

2. The Development Commissioner
for Iron & Steel,
234/4, AJ Bose Road,
Calcutta.

3. Regional Development Commissioner
for Iron & Steel,
Surya Towers, 104,
SP Road, Secunderabad-3.

4. The Research and Development Centre
for Iron & Steel,
P.O. Hinoo, Doranda,
Ranchi.

.. Respondents

--

APPEARANCE

For the applicant : Shri J.V. Lakshmana Rao, Advocate

For the respondents : Shri ~~Narayana~~ Bhaskar Rao, Addl. Standing Counsel for respondents.

--

CORAM

THE HON'BLE MR. B.N. JAYASIMHA, VICE CHAIRMAN

THE HON'BLE MR. D. SURYA RAO, MEMBER (JUDICIAL)

(Judgement of the bench delivered by Shri B.N.Jayasimha)
Hon'ble Vice Chairman

45

1. The applicant is a senior research engineer in the Research and Development Centre for Iron and Steel of India Ltd., Ranchi. He was working as Dy. Regional Iron & Steel Controller, office of the Regional Iron & Steel Controller, Hyderabad, on deputation from 1986. His deputation was after due selection by the Union Public Service Commission. Initially the deputation was for a period of three years and was due to expire on 31.7.1989. On his request it was extended by one more year. He submitted another representation on 6.9.89 for his permanent absorption in the post of Dy. Regional Iron & Steel Controller, at Hyderabad. The rules do not prohibit his permanent absorption. Pending receipt of orders for permanent absorption he admitted his children in schools in Hyderabad for the academic year 1990-91. By a letter dt. 21.6.'90 he was informed that his request for permanent absorption or extension of deputation has been rejected. This was followed by another letter dt. 9.7.90 stating that he will be relieved on 31.7.1990 (Afternoon) on termination of his deputation. The applicant refers to circular No. A 35011/1/83-Gen. dt. 5.9.'83 and contends that he should be allowed to continue at Hyderabad till the completion of the academic year, and by rejecting his appeal for extension beyond 31.7.90 the academic year of his school going children would be disturbed. On the grounds ^{that} ~~the~~ he is eligible for permanent absorption and that the education of his children will be disrupted, he seeks a direction to the respondents to permanently absorb him as Deputy Regional Commissioner for Iron & Steel, Office of the Regional Commissioner for Iron & Steel, Secunderabad.

6/1

2) The respondents in their counter state that the applicant was well aware that his deputation will come to an end on 31.7.1990 and that he should have made arrangements for the prosecution of studies of his children thereafter. He was aware of the period of deputation and rejection of his request for absorption is not a sudden development. He should have made arrangements to go back to his parent department. Extension of deputation is given only in public interest and it is for the competent authority to decide to absorb or not to absorb the applicant on permanent basis. The applicant has no legal right for permanent absorption or for continuance on deputation beyond 31.7.1990.

3) We have heard Shri J.V. Lakshmana Rao, learned counsel for the applicant and Shri Naram Bhaskar Rao, Additional Standing Counsel for the respondents. In the notification ^{dated 20.4.89} ~~issued~~, relating to the extension of his deputation period, it is made clear that the extension will be given for a period of one year from 31.7.89 or until further orders whichever is earlier. Merely, on the ground that the applicant has made a representation for permanent absorption, he could not have assumed that he will be absorbed or retained at Hyderabad. No vested right accrues to the applicant to claim either permanent absorption or further extension for one year. Circular instructions dt.5.9.83 referred to by him does not apply to the present case as the applicant was well aware that

6/5

Q3

(Contd....)

42

his deputations ends on 31.7.89. In the circumstances, we find no merit in the application and accordingly it is dismissed. No order as to costs.

B.N.Jayashimha
(B.N. JAYASIMHA)
VICE CHAIRMAN

D. Surya Rao
(D. SURYA RAO)
MEMBER (JUDICIAL)

Dictated in the open court
Dt. 27.7.1990

Supernumerary Judge
for DEPUTY REGISTRAR (J).

To

Mvs

1. The Secretary, Ministry of Steel and Mines, Government of India, New Delhi.
2. The Development Commissioner for Iron and Steel, 234/4, A.J.Bose Road, Calcutta-700020.
3. Regional Development Commissioner for Iron and Steel, G Block, 5th floor, Surya Towers, 104, S.P. Road, Secunderabad-3.
4. The Research and Development Centre for Iron and Steel, P.O. Hinoo, Doranda, Ranchi-834002.
5. One copy to Mr. J.V. Lakshmana Rao, Advocate, Flat No. 301, Balaji Towers, New Bakaram, Hyderabad-500380.
6. One copy to Mr. ~~Malleshwar Rao~~ Addl. CGSC, CAT, Hyderabad.
7. One spare copy.

Pls file

CHECKED BY

APPROVED BY

TEMPED BY

978

COMPARED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD

THE HON'BLE MR. B. N. JAYASIMHA : V.C.

AND

THE HON'BLE MR. D. SURYA RAO : MEMBER (J)

AND

THE HON'BLE MR. J. NARASIMHA MURTY : M(J)

AND

THE HON'BLE MR. R. BALASUBRAMANIAN : M(A)

DATE: 27.7.90

ORDER/JUDGMENT:

T.A. / R.A. / C2A / No. 111

T.A. NO. 111 W.P. NO. 111

O.A. NO. 04571/90

Admitted and Interim directions issued
Allowed.

Dismissed for Default.

Dismissed as withdrawn.

Dismissed.

Disposed of with direction.

M.A. Ordered/Rejected.

No order as to costs.

