

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH
AT HYDERABAD

22

O.A. 395/97

Date of decision: 9.4.1997

Between:

B.K. Pradhan

... Applicant

And

1. Director,
SVP National Police
Academy,
Hyderabad.

2. Asst. Director (Admn.)
SVPNPA, Hyderabad.

... Respondents

Shri J.M.Naidu

... Counsel for applicant

Shri V.Rajeswar Rao, ACGSC

... Counsel for respondents

CORAM

HON'BLE SHRI H. RAJENDRA PRASAD, MEMBER (ADMINISTRATIVE)

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a/h

O R D E R

Heard Shri J.M.Naidu for the applicant and Shri
V. Rajeswar Rao for the respondents.

2. The applicant, who originally belongs to C.I.S.F.,
was on deputation to SVPNPA for a period of 3 years from
April 1992 to 1995. He was granted extension for one more
year upto April 1996. He has ^{now} been posted to CISF Unit at
N.F.C.

3. Shorn of unnecessary details, in November 1996,
the applicant was relieved from SVPNPA. The respondents
maintain that the applicant was relieved as long back as on
8th May, 1996, though the applicant asserts that he received
the ~~the~~ establishment order (Annexure-R2) on 20th November,
1996. ^{that} Be as it may, the main grievance of the applicant
in this OA is that he has not been permitted by the Academy
to retain the Quarters until the end of this academic year.

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In this connection he submits that ^{his} ~~the~~ children are to face their examinations shortly. It is his further grievance that the service documents and the Last Pay Certificate have not been forwarded by the Academy to the Fuel Complex. He was relieved from the Academy quite some time ago and has since joined the Fuel Complex in December, 1996. The reason for non-forwarding of LPC is stated to be the non-vacation of quarters allotted to him by the Academy authorities.


4. The learned counsel for the applicant could not show any rule which permits the retention of Government quarters for six months after relief when such transfer is within the same station. The rule shown by him pertains to transfers from one station to another. The learned counsel for the respondents produced a copy of SVPNPA circular of 3rd June 1996 wherein officials who are transferred/repatriated from the Academy are allowed to retain the quarter for a maximum period of 2 months only. There is no provision, according to them, for permitting a deputationist, who is transferred and repatriated to some other organisation within ^{to retain his quarters} the same station, beyond a period of 2 months.

5. Considering the facts as revealed by both the parties, there is no merit in the OA, nor any scope to admit the same. The OA is disposed of with the observation that the applicant may pursue his grievance/request, if any, with the concerned organisations and abide by their decisions. The SVPNPA, on their part, shall examine the feasibility of forwarding the service documents and LPC of the applicant to his new Unit at NFC as early as possible.

6. No orders or directions are issued with regard to the retention/vacation of quarters which is a matter to be decided by the respondents as per law. Thus OA is disposed of.


(H. Rajendra Prasad)
Member (Admve.)

9th April, 1997


Deputy Registrar (J) cr

O.A. 395/97

To

1. The Director, SVP National Police Academy,
Hyderabad.
2. The Assistant Director (Admn.)
SVP NPA, Hyderabad.
3. One copy to Mr. J.M.Naidu, Advocate, CAT.Hyd.
4. One copy to Mr.V.Rajeswar Rao, Addl.CGSC.CAT.Hyd.
5. One copy to Hon'ble Member(A) CAT.Hyd.
6. One copy to D.R.(A) CAT.Hyd.
7. One spare copy.

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T COURT

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TYPED BY

CHECKED BY

COMPARED BY

APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD

THE HON'BLE MR. JUSTICE
VICE-CHAIRMAN

and

THE HON'BLE MR. H. RAJENDRA PRASAD: M(A)

Dated: 9-4 -1997

~~ORDER~~ JUDGMENT

M.A./R.A./C.A.No.

in

O.A.No.

395/97.

T.A.No.

(w.p.)

Admitted and Interim directions
Issued.

Allowed

Disposed of with directions

Dismissed.

Dismissed as withdrawn

Dismissed for default.

Ordered/Rejected.

No order as to costs.

pvm

