

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH**

OA-3847/2016

New Delhi this the 21st day of February, 2018

**HON'BLE MR. JUSTICE PERMOD KOHLI, CHAIRMAN
HON'BLE MR. UDAY KUMAR VARMA, MEMBER (A)**

Raj Pal Singh Kahlon, IAS, age 60, Group-A,
Son of Mohan Singh,
Ex Chairman, Calcutta Port Trust,
Residing at 11A, Portland Park,
Bardhaman Road, Kolkata-700027.

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Applicant

(through Sh. Ritesh Aggarwal with Sh. Tushar)

Versus

1. Union of India,
Through its Secretary,
Ministry of Shipping, Transport Bhawan,
Parliament Street, New Delhi-110001.
2. The Under Secretary,
Government of India, Ministry of Shipping,
Transport Bhawan, 1, Parliament Street,
New Delhi-110001.
3. State of West Bengal,
Through Principal Secretary,
Personal & Adm. Reform Department,
NABANNA" HRBC Building,
325, Sarat Chatterjee Road,
Howrah-711102.

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Respondents

(through Sh. Satish Kumar and Ms. Madhumita Bhattacharya)

ORDER (ORAL)

Hon'ble Mr. Justice Permod Kohli, Chairman

When this application was filed, the court did not interfere with the repatriation order. The respondents have already passed an order dated 22.09.2016 whereby the applicant has been allowed to join in the parent department on his repatriation. The applicant has challenged his repatriation vide impugned order dated 23.03.2016 with a further prayer for payment of

salary and subsistence allowance. The competent authority, i.e., the Governor of West Bengal accorded sanction for the joining of the applicant on repatriation. However, he was kept on compulsory waiting w.e.f. 01.08.2016 till further orders. Insofar as the claim of salary is concerned, the applicant admits that he has been paid salary regularly. He is due to retire by end of March. The respondents have continued the applicant on compulsory waiting though he has been paid entire salary. Learned counsel for the applicant submits that a direction be issued to respondents to assign some duties to the applicant. It is not appropriate for this Tribunal at this stage to give such a direction. The relief claimed by the applicant against repatriation has already been declined by refusing to grant any interim order. The applicant has now joined on repatriation and getting full salary.

2. Under the circumstances, we feel that nothing survives in this application and the same is dismissed. It is however observed that it is for the respondents to consider the posting of the applicant as may be deemed appropriate.

(UDAY KUMAR VARMA)
MEMBER (A)

(JUSTICE PERMOD KOHLI)
CHAIRMAN

/ns/