

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI**

**C.P. No. 548/2018
O.A No. 3331/2018 with
M.A No. 4257/2018**

This the 12th day of October, 2018

**Hon'ble Mr. Justice L. Narasimha Reddy, Chairman
Hon'ble Ms. Aradhana Johri, Member (A)**

Ramesh Chander
S/o. Late Shri Ishwar Singh,
R/o. D-72, Sector-12,
Noida, Gautam Budh Nagar,
Uttar Pradesh.Petitioner

(By Advocate : Mr. A. K. Behera with Mr. M. K. Choudhary)

Versus

1. Mrs. Mitali Madhusmita
Director General/Competent Authority
Central Economic Intelligence Bureau
6th Floor, Janpath Bhawan,
New Delhi.
2. Mr. Suresh Kumar Meena
Under Secretary (Administration)
Central Economic Intelligence Bureau, ...Respondents

(By Advocate : Mr. Hanu Bhaskar)

O R D E R (O R A L)

Justice L. Narasimha Reddy, Chairman :

This O.A is filed challenging the office order dated 29.08.2018. Through the said order the respondents have prematurely repatriated the applicant from the post of ADG CEIB with immediate effect. The principal contention of the applicant is that he was never sent on deputation and

hence the question of repatriation does not arise. Other contentions are also urged.

2. A reasoned interim order was passed on 06.09.2018. On behalf of the respondents, M.A is filed with a prayer to vacate the Interim Order. On his part, the applicant filed C.P. No. 548 of 2018 alleging that the respondents have violated the interim order dated 06.09.2018.

3. We heard Mr. A. K. Behera, learned senior counsel for applicant and Mr. Hanu Bhaskar, learned counsel for respondents.

4. The necessity for us to deal with various contentions is obviated on account of an important development that has taken place during the pendency of the O.A. The respondents issued an office order dated 09.10.2018 withdrawing the order dated 29.08.2018, which is impugned in the O.A. With that, the very grievance of the applicant ceases to exist.

5. On the same day, the respondents issued another office order posting the applicant as CIT (DR), AAR, NCR Bench, Delhi. However, the Director General of CEIB was

requested to relieve the applicant immediately and to regularise his period of absence from duty by grant of appropriate leave on receipt of leave application. The applicant feels aggrieved by this stipulation.

6. We are of the view that once the order impugned in the O.A was suspended by this Tribunal and the respondents have also withdrawn it on 09.10.2018, the question of the applicant being treated as absent from the date of the order dated 29.08.2018 does not arise.

7. Hence, we dispose of the O.A directing that the applicant shall not be required to apply for any leave for the period subsequent to 29.08.2018.

8. Since the O.A is disposed of, the Contempt Petition as well as the Miscellaneous Application are also disposed of. There shall be no order as to costs.

(Aradhana Johri)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

/Mbt/