

CENTRAL ADMINISTRATIVE TRIBUNAL
MADRAS BENCH

Dated the Thursday 28th day of March Two Thousand And Nineteen

PRESENT:

THE HON'BLE MR. R. RAMANUJAM, MEMBER (A)

THE HON'BLE MR. P. MADHAVAN, MEMBER(J)

C.P.85/2018

in

O.A. 310/1945/2014

Shri A. Selvam,
S/o. Arumugam,
Residing at No.4, Kamarajar Street,
V.P. Singh Nagar, Shanmugapuram,
Puducherry- 605 009.

....Applicant

(By Advocate: Ms. S. Devie & T. Vijay)

Versus

Dr. B. Vishnu Bhat,
The Director,
Jawaharlal Institute of Post Graduation,
Medical Education and Research,
Puducherry- 605 006.

...Respondents

(By Advocate: Mr.M.T. Arunan)

ORAL ORDER

(Pronounced by Hon'ble Mr. R. Ramanujam, Member (A))

Heard. This C.P. has been filed alleging wilful dis-obedience of the order of this Tribunal in O.A. 1945/2014 dated 19.12.2014 by which interim relief was granted to the applicant with a direction to the respondents to maintain status quo with regard to the service of the applicant as Accounts Officer as on that day for two weeks.

2. Learned counsel for the contempt petitioner submits that the applicant was enjoying the powers of Drawing and Disbursing Officer (DDO) in his capacity as Accounts Officer. However, the respondents issued OM dated 11.4.2018 designating DDO on rotational basis once in three years from amongst regular and eligible Assistant Accounts Officer. Accordingly, one Sri S. Deivanayagam was designated as DDO in place of the applicant with immediate effect. It is alleged that this disturbed the status quo ordered by this Tribunal and hence this CP.

3. Learned counsel for the respondents would submit that the order of status quo was only in respect of the post held by the applicant. Although the applicant was only holding even the post of Assistant Accounts Officer on adhoc basis and he was given additional charge of the post of Accounts Officer, the applicant was still not reverted to his substantive post. Keeping in view the interim relief granted to the applicant, the applicant was continued as Accounts Officer and, therefore, there was no violation of the status quo ordered by the Tribunal.

4. On perusal, it is seen that this Tribunal had granted interim relief to the applicant for a period of two weeks only. The order to maintain status quo does not seem to have been extended beyond the said period. Further, since the applicant is being continued as Accounts Officer on the same basis i.e. of holding the additional charge of the post in addition to being an adhoc Assistant Accounts Officer, the spirit of the order cannot be said to have been violated. It is not a vested right of an Accounts Officer to be a DDO unless rules specifically state so. There is no evidence before us that an Assistant Accounts Officer cannot be made a DDO either on regular or rotational basis.

5. In view of the above C.P. is dismissed/closed. Notices, if any issued already, are discharged.

(P. MADHAVAN)
MEMBER (J)

(R. RAMANUJAM)
MEMBER (A)

28.03.2019

Asvs.