

**CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH**

OA/ 21/359/2021

HYDERABAD, this the 27th day of April, 2021

Hon'ble Mr. Ashish Kalia, Judl. Member

Hon'ble Mr. B.V. Sudhakar, Admn. Member



1. K. Mahaveer Reddy, S/o. Karunakar Reddy,
Aged about 32 years, Occ: Assistant Audit Officer,
O/o. Accountant General (Audit), Andhra Pradesh,
Saifabad, Hyderabad, Working at Hyderabad.
2. Kumar Peeyush Pallawa, S/o. Dinesh Kumar Nandey,
Aged about 33 years, Occ: Assistant Audit Officer,
O/o. Accountant General (Audit), Andhra Pradesh,
Saifabad, Hyderabad, Working at Hyderabad.
3. Kaushik Das, S/o. Karuna Das,
Aged about 34 years, Occ: Assistant Audit Officer,
O/o. Accountant General (Audit), Andhra Pradesh,
Saifabad, Hyderabad, Working at Hyderabad.
4. Govind Kumar, S/o. Durga Chaudhary,
Aged about 36 years, Occ: Assistant Audit Officer,
O/o. Accountant General (Audit), Andhra Pradesh,
Saifabad, Hyderabad, Working at Hyderabad.
5. Anil Kumar, S/o. Hiralal Saw,
Aged about 31 years, Occ: Assistant Audit Officer,
O/o. Accountant General (Audit), Andhra Pradesh,
Saifabad, Hyderabad, Working at Hyderabad.
6. Rajesh Kumar Yadav, S/o. Sukarna Prasad Yadav,
Aged about 39 years, Occ: Assistant Audit Officer,
O/o. Accountant General (Audit), Andhra Pradesh,
Saifabad, Hyderabad, Working at Hyderabad.
7. J. Venkat Reddy, S/o. J. Koti Reddy,
Aged about 41 years, Occ: Assistant Audit Officer,
O/o. Accountant General (Audit), Andhra Pradesh,
Saifabad, Hyderabad, Working at Hyderabad.
8. Brajesh Kumar Pandey, S/o. Amrendra Pandey,
Aged about 32 years, Occ: Assistant Audit Officer,
O/o. Accountant General (Audit), Andhra Pradesh,
Saifabad, Hyderabad, Working at Hyderabad.
9. Santosh Kumar Sharma, S/o. Shiv Karan Sharma,
Aged about 29 years, Occ: Assistant Audit Officer,
O/o. Accountant General (Audit), Andhra Pradesh,
Saifabad, Hyderabad, Working at Hyderabad.
10. Rajesh Kumar-III, S/o. Kashi Saw,
Aged about 31 years, Occ: Assistant Audit Officer,
O/o. Accountant General (Audit), Andhra Pradesh,



11. Saifabad, Hyderabad, Working at Hyderabad.
Raghwendra Singh, S/o. Rajendra Singh,
Aged about 36 years, Occ: Assistant Audit Officer,
O/o. Accountant General (Audit), Andhra Pradesh,
Saifabad, Hyderabad, Working at Hyderabad.
12. B. Bhagyalakshmi, W/o. B. Amruth Rao,
Aged about 51 years, Occ: Assistant Audit Officer,
O/o. Accountant General (Audit), Andhra Pradesh,
Saifabad, Hyderabad, Working at Hyderabad.
13. Vooka Santosh Kumar, S/o. Parvatheesam,
Aged about 33 years, Occ: Assistant Audit Officer,
O/o. Accountant General (Audit), Andhra Pradesh,
Saifabad, Hyderabad, Working at Hyderabad.
14. Ashok Kumar Singh, S/o. Shyam Narayan Singh,
Aged about 38 years, Occ: Assistant Audit Officer,
O/o. Accountant General (Audit), Andhra Pradesh,
Saifabad, Hyderabad, Working at Hyderabad.
15. Ch. Anil Kumar, S/o. K. Sundar Rao,
Aged about 33 years, Occ: Assistant Audit Officer,
O/o. Accountant General (Audit), Andhra Pradesh,
Saifabad, Hyderabad, Working at Hyderabad.
16. Sanjay Kumar Mishra, S/o. Radheshyam Mishra,
Aged about 35 years, Occ: Assistant Audit Officer,
O/o. Accountant General (Audit), Andhra Pradesh,
Saifabad, Hyderabad, Working at Hyderabad.
17. Rajesh Kumar-II, S/o. Sheetal Deen,
Aged about 38 years, Occ: Assistant Audit Officer,
O/o. Accountant General (Audit), Andhra Pradesh,
Saifabad, Hyderabad, Working at Hyderabad.
18. Anjani Kumar Dubey, S/o. Parashuram Dubey,
Aged about 31 years, Occ: Assistant Audit Officer,
O/o. Accountant General (Audit), Andhra Pradesh,
Saifabad, Hyderabad, Working at Hyderabad.
19. Subhash Kumar, S/o. Mahendra Singh,
Aged about 34 years, Occ: Assistant Audit Officer,
O/o. Accountant General (Audit), Andhra Pradesh,
Saifabad, Hyderabad, Working at Hyderabad.
20. Shobha Kant Singh, S/o. Ram Print Singh,
Aged about 38 years, Occ: Assistant Audit Officer,
O/o. Accountant General (Audit), Andhra Pradesh,
Saifabad, Hyderabad, Working at Hyderabad.
21. P. Ravi Chandra Reddy, S/o. P. V. Ramana Reddy,
Aged about 30 years, Occ: Assistant Audit Officer,
O/o. Accountant General (Audit), Andhra Pradesh,
Saifabad, Hyderabad, Working at Hyderabad.
22. S. Praveen Reddy, S/o. S. Malla Reddy,
Aged about 44 years, Occ: Assistant Audit Officer,
O/o. Accountant General (Audit), Andhra Pradesh,

Saifabad, Hyderabad, Working at Hyderabad.



23. Vattodil Sheetal Mohandas, W/o. P. Vikas Harsha,
Aged about 29 years, Occ: Assistant Audit Officer,
O/o. Accountant General (Audit), Andhra Pradesh,
Saifabad, Hyderabad, Working at Hyderabad.
24. Shyam Kishor Singh, S/o. Late Basant Singh,
Aged about 51 years, Occ: Assistant Audit Officer,
O/o. Accountant General (Audit), Andhra Pradesh,
Saifabad, Hyderabad, Working at Hyderabad.
25. Gajula Khaleel, S/o. G. Allabakash,
Aged about 42 years, Occ: Assistant Audit Officer,
O/o. Accountant General (Audit), Andhra Pradesh,
Saifabad, Hyderabad, Working at Hyderabad.
26. Raj Kishor Das, S/o. Kedar Das,
Aged about 37 years, Occ: Assistant Audit Officer,
O/o. Accountant General (Audit), Andhra Pradesh,
Saifabad, Hyderabad, Working at Hyderabad.
27. K. Sreenivas Reddy, S/o. K. Chennakesavulu,
Aged about 43 years, Occ: Assistant Audit Officer,
O/o. Accountant General (Audit), Andhra Pradesh,
Saifabad, Hyderabad, Working at Hyderabad.
28. Syed Khaleel, S/o. Syed Khader,
Aged about 31 years, Occ: Senior Auditor,
O/o. Accountant General (Audit), Andhra Pradesh,
Saifabad, Hyderabad, Working at Hyderabad.
29. Nikhil Tomar, S/o. Rajendra Singh Tomar,
Aged about 30 years, Occ: Senior Auditor,
O/o. Accountant General (Audit), Andhra Pradesh,
Saifabad, Hyderabad, Working at Hyderabad.
30. P. Shashank Nag, S/o. Ram Mohan Rao,
Aged about 39 years, Occ: Senior Auditor,
O/o. Accountant General (Audit), Andhra Pradesh,
Saifabad, Hyderabad, Working at Hyderabad.
31. Kanakala Ravi Shankar, S/o. Kanakala Bangar Raju,
Aged about 33 years, Occ: Senior Auditor,
O/o. Accountant General (Audit), Andhra Pradesh,
Saifabad, Hyderabad, Working at Hyderabad.
32. Satyajeet Kumar, S/o. Yamuna Prasad,
Aged about 31 years, Occ: Senior Auditor,
O/o. Accountant General (Audit), Andhra Pradesh,
Saifabad, Hyderabad, Working at Hyderabad.
33. Aritra Sanyal, S/o. Dipak Kumar Sanyal,
Aged about 32 years, Occ: Senior Auditor,
O/o. Accountant General (Audit), Andhra Pradesh,
Saifabad, Hyderabad, Working at Hyderabad.
34. Rama Krishna Agroya, S/o. Vivekanand Agroya,
Aged about 31 years, Occ: Senior Auditor,

O/o. Accountant General (Audit), Andhra Pradesh,
Saifabad, Hyderabad, Working at Hyderabad.



35. Vikas Kumar, S/o. Inderpal,
Aged about 35 years, Occ: Senior Auditor,
O/o. Accountant General (Audit), Andhra Pradesh,
Saifabad, Hyderabad, Working at Hyderabad.
36. Akshat Kumar, S/o. Manoranjan Dey,
Aged about 31 years, Occ: Senior Auditor,
O/o. Accountant General (Audit), Andhra Pradesh,
Saifabad, Hyderabad, Working at Hyderabad.
37. Shashi Kumar, S/o. Pradip Kumar Mandal,
Aged about 35 years, Occ: Senior Auditor,
O/o. Accountant General (Audit), Andhra Pradesh,
Saifabad, Hyderabad, Working at Hyderabad.
38. Goutam Kumar, S/o. Lal Mohan Manjhi,
Aged about 31 years, Occ: Senior Auditor,
O/o. Accountant General (Audit), Andhra Pradesh,
Saifabad, Hyderabad, Working at Hyderabad.
39. Sundeep Rajan, S/o. Elangovan,
Aged about 31 years, Occ: Senior Auditor,
O/o. Accountant General (Audit), Andhra Pradesh,
Saifabad, Hyderabad, Working at Hyderabad.
40. Sandeep Robin, S/o. Ratan Kumar,
Aged about 35 years, Occ: Senior Auditor,
O/o. Accountant General (Audit), Andhra Pradesh,
Saifabad, Hyderabad, Working at Hyderabad.
41. Surya Prakash Yadav, S/o. Sabhajeet Yadav,
Aged about 31 years, Occ: Senior Auditor,
O/o. Accountant General (Audit), Andhra Pradesh,
Saifabad, Hyderabad, Working at Hyderabad.
42. Rinku Kumar Meena, S/o. Ram Singh Meena,
Aged about 26 years, Occ: Senior Auditor,
O/o. Accountant General (Audit), Andhra Pradesh,
Saifabad, Hyderabad, Working at Hyderabad.
43. Rajkumar Meena, S/o. Ramesh Chand Meena,
Aged about 32 years, Occ: Senior Auditor,
O/o. Accountant General (Audit), Andhra Pradesh,
Saifabad, Hyderabad, Working at Hyderabad.
44. Amit Sharma, S/o. R. N. Sharma,
Aged about 34 years, Occ: Senior Auditor,
O/o. Accountant General (Audit), Andhra Pradesh,
Saifabad, Hyderabad, Working at Hyderabad.
45. Saurav Kumar, S/o. Shyam nandan Singh,
Aged about 29 years, Occ: Senior Auditor,
O/o. Accountant General (Audit), Andhra Pradesh,
Saifabad, Hyderabad, Working at Hyderabad.

46. Shekhar Moodududla, S/o. Janardhan,
Aged about 37 years, Occ: Senior Auditor,
O/o. Accountant General (Audit), Andhra Pradesh,
Saifabad, Hyderabad, Working at Hyderabad.
47. Sarath Chandra Pullakavi, S/o. P. Suryanarayana,
Aged about 35 years, Occ: Senior Auditor,
O/o. Accountant General (Audit), Andhra Pradesh,
Saifabad, Hyderabad, Working at Hyderabad.
48. Ramesh Kalyanam, S/o. Pochaiah,
Aged about 34 years, Occ: Senior Auditor,
O/o. Accountant General (Audit), Andhra Pradesh,
Saifabad, Hyderabad, Working at Hyderabad.
49. Md. Naushad Alam, S/o. Md. Nasrul Haque,
Aged about 38 years, Occ: Senior Auditor,
O/o. Accountant General (Audit), Andhra Pradesh,
Saifabad, Hyderabad, Working at Hyderabad.



APPLICANTS

(By Advocate: Dr. A. Raghu Kumar)

Vs

1. Union of India rep by the
Comptroller and Auditor General,
9, Deendayal Upadhyay Marg, New Delhi-1.
2. The Principal Accountant General (Audit),
Telangana, Saifabad, Hyderabad ñ 500004.
3. The Principal Accountant General (Audit),
Andhra Pradesh, Saifabad, Hyderabad ñ 500004.

RESPONDENTS

(By Advocate: Sri K. Ajay Kumar, SC for IA & AD)

ORAL ORDER
(As per Hon'ble Mr. B.V. Sudhakar, Admn. Member)



2. The O.A. is filed challenging the action of the respondents in not considering the representation of the applicants dated 22.1.2021, 25.01.2021 & 5.3.2021 praying to consider their period of deputation of 2 years from the initial order of deputation, deputing the applicants from the O/o. PAG (AU), Telangana to the O/o. PAG (AU), A.P. as they have already completed 2 years by January, 2021.

3. The brief facts of the case are that the O/o. PAG (AU), Telangana has called for options from the staff for allotment of staff between the officers of PAG (AU), A.P. & PAG (AU), Telangana on 4.7.2017. The 1st respondent has directed the 2nd respondent on 7.12.2017 to shift the O/o. PAG (AU), A.P. from Hyderabad to Vijayawada at the earliest and not later than April, 2019. The respondents vide their Office Order dated 01.08.2018 called for options finally for allotment of staff between the two offices of PAG (AU), indicating that the cadre of staff between the two offices is bifurcated w.e.f. 1.10.2018 and physical movement of all the officials would be completed by April, 2019 as per the revised option form. A Committee was appointed on 4.12.2016 to recommend the cases seeking exemption from deputation to PAG(AU), Andhra Pradesh. The 2nd respondent issued a Circular on 7.12.2017, indicating the tentative list of officials, who are likely to be sent on deputation to the O/o. PAG (AU), A.P. Some of the officials, who were sent in the



first cycle of deputation represented on 22.2.2020 for repatriation to Telangana on completion of their two years cycle, which was rejected by the 3rd respondent. Most of the applicants have submitted individual representations to both the AGs of A.P. & Telangana on 22.1.21/25.1.2021 requesting for repatriation to parent office i.e. the PAG (AU), Telangana since they have completed the deputation period of two years from the initial date of deputation. However, the applicants apprehend that without considering their representation, the respondents are likely to continue them on deputation for an additional period of two years to work for PAG (AU), Andhra Pradesh and, therefore, the O.A. is filed.

4. The contentions of the applicant are that there has been an administrative delay in providing the necessary infrastructure enabling the applicants to work on deputation at Vijayawada in PAG (AU), A.P. and, therefore, for the administrative delay, the applicants should not be made to suffer by extending their deputation. The respondents have already prepared another list of deputationists to replace them and in the context of preparation of fresh list, extending the deputation period of the applicants may not be fair. When the representation of the applicants is pending with the 1st respondent, it would be inappropriate for the lower formations to take a decision of compelling the applicants to be on deputation beyond the scheduled period originally envisaged.

5. Heard Dr. A. Raghu Kumar, learned counsel for the applicants and Sri K. Ajay Kumar, learned Standing Counsel appearing for the respondents and perused the pleadings on record.



6. The PAG (AU) office has been bifurcated in the context of the bifurcation of the State of Andhra Pradesh. The respondents have created two PAG offices namely PAG (AU), Telangana & PAG (AU), Andhra Pradesh. The respondents have proposed to send staff on deputation for operating the PAG (AU), Andhra Pradesh. However, it took some time to create the necessary infrastructure to enable the PAG(AU), A.P. to function. The claim of the applicants is that their two years deputation is almost over and, therefore, extending their deputation period may not be fair, due to inaction on part of the respondents in creating the necessary infrastructure at Vijayawada in time. The applicants have submitted representations which are reported to be pending with the 1st respondent. Learned counsel for the applicants has prayed that the decision has to be taken by the 1st respondent and, therefore, till the decision is taken, *status quo* may be maintained.

7. We agree with the contention of the learned counsel for the applicants because it is the 1st respondent, who has to take a view as to whether the deputation of the applicants can be extended or a fresh batch of deputationists could be sent. Therefore, the respondents are directed to dispose of the representations cited, with a reasoned and speaking order in terms of the extant rules and law, within a period of

three months from the date of receipt of a copy of this order. Till then, *status quo* prevailing as on date shall be maintained.

With the above direction, the O.A. is disposed of. No order as to costs.



(B.V. SUDHAKAR)
ADMINISTRATIVE MEMBER

(ASHISH KALIA)
JUDICIAL MEMBER

/pv/