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CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH  
AT HYDERABAD



Original Application No. 826 of 2017  
Date of order : 22-11-2017

Between :

T. Ram Reddy S/o T. Bal Reddy,  
Aged 48 years,, Police Constable (Under Deputation),  
Foreigners Regional Registration Office,  
Registration Office, CGO Towers, Kavadiguda,  
Secunderabad. R/o 9-1-34/67/A/38/B, Bapu Nagar,  
Langer Houe, Hyderabad.

....Applicant

AND

1. Union of India,  
Ministry of Home Affairs,  
Represented by its Secretary,  
New Delhi.
2. The Bureau of Immigration,  
Ministry of Home Affairs,  
Government of India,  
Represented by its Assistant Director,  
I.B. Head Quarters, New Delhi.
3. The Bureau of Immigration,  
Ministry of Home Affairs,  
Government of India,  
Represented by its Foreigners Regional  
Registration Office, Hyderabad.

...Respondents

Counsel for the Applicant : Mr. A. Rajendra Babu

Counsel for the Respondents : Mr. V. Vinod Kumar, Sr.CGSC

CORAM :

THE HON'BLE MR.JUSTICE R.KANTHA RAO : MEMBER (J)

THE HON'BLE MRS. MINNIE MATHEW : MEMBER (A)

(Oral order per Hon'ble Mr.Justice R.Kantha Rao, Member (J) )

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*[Signature]*



(Oral order per Hon'ble Mr. Justice R. Kantha Rao, Member (J) )

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Heard Mr. A. Rajendra Babu, learned counsel appearing for the applicant and Mr. V. Vinod Kumar, learned Sr Central Government Standing Counsel for Respondents.

2. Hearing of the Original Application is taken up with the consent of both the learned counsel. Subject matter of challenge in the Original Application is cancellation of deputation of the applicant in the borrowing department and repatriation to the parent department. The applicant is a Police Constable working in Mahaboob Nagar District. He was taken on deputation on 07.10.2014 to the 3<sup>rd</sup> Respondent's organization for a period of three years. His deputation period would expire on 06.10.2017. However, even before that, his deputation was cancelled by the 3<sup>rd</sup> Respondent on 09.10.2015 citing some adverse activities in which the applicant was allegedly involved. He made a representation against the cancellation of the deputation which was rejected. There against he filed an appeal which was also rejected. On that he filed OA No.125/2016 before this Tribunal and this Tribunal granted an interim order to continue him on deputation. Subsequently the deputation came to an end by 06.10.2017. In consequence thereof, the OA No.125/2016 was closed.

3. Later on the applicant submitted a representation dated 17.08.2017 to the 3<sup>rd</sup> Respondent to extend his deputation for a period of two years.

*per 12/16.*



The said representation was rejected citing some administrative reasons. Thereafter he filed the present OA seeking a direction to the Respondents to continue him on deputation in the organisation of 3<sup>rd</sup> Respondent.

4. The short question which falls for consideration in this Original Application is as to whether the deputation of the applicant can be extended for a period of two years. Learned counsel appearing for the applicant would submit that another two employees who were deputed to Respondent No.3 organization along with the applicant are being continued even after three years and the Respondents rejected the representation of the applicant on administrative grounds but they did not specify what are those administrative reasons. On the other hand, referring to the contentions in the reply affidavit, Mr V. Vinod Kumar, the learned Senior Central Government Standing Counsel argued that after three years, the deputation can only be extended basing on the willingness of deputationist and also on the recommendation of the borrowing department with the consent of the lending department. He further argued that after the date of expiry of the deputation, unless the Competent Authority extends the deputation, it would come to an end automatically.

5. We examined the case in the light of the aforesaid contentions. Obviously the applicant, after the expiry of the period of deputation, unless it is extended with the approval of the Competent Authority would be ceased to be on deputation. As to the question raised by the learned counsel appearing for the applicant that allegedly on account of some adverse activities, the applicant's deputation was not extended, we would

*[Signature]*



like to state that cancellation of deputation is not a punishment and therefore no enquiry is required at the time of cancellation of the same by the Authority. Therefore the applicant cannot assail cancellation of the deputation in this Original Application.

6. Thus we see no merit in the Original Application and dismiss the same with no order as to costs.

प्रमाणित प्रत  
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केस संख्या

CASE NUMBER

OA-826/17

निर्णय का तारीख

DATE OF JUDGEMENT

22/11/17

प्रति तैयार किया गया दिनांक

COPY MADE READY ON

29/11/17

Nimr  
29/11/17

अनुसूचित अधिकारी / न्यायाधीश

Section Officer / Court Officer

केन्द्रीय प्रशासनिक अधिकरण

Central Administrative Tribunal

हैदराबाद न्यायापीठ/Hyderabad Bench

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