

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CWP-27388-2013 (O&M)

Decided on: 10.02.2016

Ish Kumar

. . . Petitioner

Versus

Union of India and Others

. . . Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Anurag Goyal, Advocate
for the petitioner.

Mr. Puneet Gupta, Advocate
for the respondent Nos.1 and 2.

Mr. Amit Chaudhary, Advocate with
Mr. Rajesh Garg, Advocate
for the respondent No3.

RITU BAHRI, J. (Oral)

After hearing learned counsel for the parties, it has been enumerated that the petitioner who is employee of Punjab and Haryana High Court was sent on deputation on December 19, 2008 to the National Consumer Disputes Redressal Commission, New Delhi. He was reverted back on January 1, 2011. The respondents are not disputing the above said fact of his deputation. The petitioner was granted some promotions and increments on coming to the deputation by the High Court in his parent cadre and these orders were communicated to the Tribunal, but the same

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were rejected by the Tribunal vide orders Annexures P-18 dated 16.11.2011, P-23 dated 09.03.2012 and P-31 dated 03.09.2013. The petitioner is extended the benefit during the period of deputation from December 2008 and January, 2011, should be paid to him by the Commission as per letter dated 25.10.2008 issued by Government of India.

Learned counsel for respondent No.3 has taken a preliminary objection that as per Section 14 (1) (c) of the Administrative Tribunals Act, 1985, the petitioner being on deputation with the Commission, jurisdiction to claim this benefit will be with the Tribunal under the Central Government before the Tribunal constituted for the above-said purpose. In the explanation, the employees of the Union Territory shall be included as of the Union to recruit the staff of the Union territory. The petitioner was on deputation with the National Consumer Disputes Redressal Commission, New Delhi and all the benefits to the employee shall be paid by the Commission to the petitioner.

Learned counsel for the petitioner seeks permission to withdraw the petition and approach the Tribunal. The time taken during the pendency of this petition from 25.11.2013 may be excluded for purpose of limitation by the Tribunal.

In view of the above, dismissed as withdrawn as prayed for.

[RITU BAHRI]
JUDGE

10.02.2016
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