
(2013) 07 KL CK 0194
In the High Court Of Kerala
Case No : D.B.A. No. 53 of 2012

Travancore Devaswom Board

APPELLANT

Vs

Deputy Examiner, Local Fund Audit

RESPONDENT

Date of Decision : 23-07-2013

Acts Referred:

Citation : (2013) 3 KHC 652

Hon'ble Judges : Thottathil B. Radhakrishnan, J; A.V. Ramakrishna Pillai, J

Bench : Division Bench

Advocate : N.N. Sugunapalan and P. Gopal, for the Appellant; Noble Mathew, (Government Pleader), for the Respondent

Final Decision : Dismissed

Judgement

Thottathil B. Radhakrishnan, J.—Travancore Devaswom Board wanted to take a Government servant on deputation as Personal Assistant to a Member of the Board. The staff pattern in the Board does not include the post of Personal Assistant to Member of the Board. That being so, the question of deputation does not arise at all. It was ignoring this position that the Government issued Annexure-A1 indicating that it would issue No Objection Certificate for such deputation. On instructions, the learned Government Pleader, rightly, submits that there being no sanctioned post of any Personal Assistant to Member of the Board, Annexure-A1 placed along with the affidavit dated 02/04/2013 is, essentially, superfluous. Creation of a post is a matter that has to undergo due process, if necessary, by following such consultation as is required under the law, as it stands, with the Kerala Public Service Commission.

Therefore, without prejudice to the Board moving for any order of sanction from this Court for deputation, if and when a post is created, in accordance with law, this application is closed.