

**CENTRAL ADMINISTRATIVE TRIBUNAL****GUWAHATI BENCH**

Original Application No. 040/00216/2018

Date of Order: This, the 17<sup>th</sup> Day of September, 2018

**THE HON'BLE SMT. MANJULA DAS, JUDICIAL MEMBER**

1. Sri Akash Choudhury, Son of Shri Anil Kumar, presently resident of Railway Quarter No.423/13, Nambari, Maligaon, Guwahati-781011, Assam

Applicant

By Advocates: Ms.N.Shyamal.  
-Versus-

1. The Union of India,  
Represented by the Secretary,  
Railway Board, Ministry of Railways,  
Government of India, New Delhi-110006.
2. The Railway Board, represented by its Secretary,  
Ministry of Railways,  
Government of India, New Delhi110006.
3. The General Manager,  
N.F. Railways, Maligaon, Guwahati-11
4. The Divisional Railway Manager,  
N.F.Railway, Tinsukia Railway Division,  
Tinsukia, Assam-786145
5. The Senior Divisional Personnel Officer,  
N.F.Railway, Tinsukia Railway Division,  
Tinsukia, Assam-786145.

Respondents

**ORDER (ORAL)****MANJULA DAS, JUDICIAL MEMBER:**

The applicant herein approached before this Tribunal under Section 19 of the Administrative Tribunal Act, 1985 with the following reliefs:

"8.(1) To direct the respondents to appoint the applicant against the identified post in terms of his selection for such appointment against sports quota for the year 2015-16 against the event cricket(Pace bowler category) in terms of his empanelment vide Memorandum dated 12.03.2016 (Annexure/A/3)

8.2 To direct the respondent authorities to appoint the applicant in terms of Prayer No.1 with retrospective effect i.e w.e.f. the date persons placed below him in the select list contained in the Memorandum dated 12.3.2016 were so appointed with all consequential reliefs of pay, seniority etc."

2. Ms.N.Shyamal, learned counsel for the applicant submitted that the applicant was a Cricketer (Pace bowler) and associated with the NFRSFL (Northeast Frontier Railway team) since 2013. Learned counsel further submitted that an advertisement for recruitment against Sports Quota for the year 2015-16 was published in the employment news as well as in the net on 10.10.2015 and the recruitment was to be held against the various sports mentioned and the appointment was to be effected against posts carrying the

Grade Pay of Rs.1800/- . The applicant being eligible applied under Division-Tinsukia, against the event of Cricket (Pace Bowler category). The minimum norms for recruitment in the category of the applicant were "Atleast 3<sup>rd</sup> position in Senior State Championship for all units and Districts of the State. "

3. Learned counsel for the applicant submitted that the office of the Divisional Railway Manager (P) Tinsukia, issued a memorandum dated 12.03.2016 publishing the result of the selection held in pursuance to the said advertisement dated 10.10.2015 and published the names of the selected and empanelled candidates against the advertised categories of posts including that for the event cricket (Pace bowler). The said memorandum states the list has been so prepared and names arranged on the basis of merit. Accordingly, the applicant's name appeared in SINo.1 for the event cricket and he had topped list.

4. Learned counsel for the applicant further states that vide letter dated 18.5.2016 the applicant was advised to visit the office on 23.05.2016 the applicant was advised to visit the office on 23.05.2016 for medical examination. Thereafter, his medical examination was done on the same day. Learned counsel submitted that in pursuance to the advertisement , three posts were filled up for the event cricket by appointing persons accordingly to their

respective category. However, the post against the event cricket 9(Pace Blower category) has been kept vacant in spite of applicant's selection against the same and his clearing the medical test held.

5. Heard Ms.N.Shyamal, learned counsel for the applicant, perused the pleadings and material placed before us.

6. Learned counsel further submitted that the applicant submitted his representation dated 04.04.2018 before the Respondent No.4 for consideration of appointment in Group 'D' post under sports quota. But there is no response. Hence, this application.

7. In view of the above, without going into the merits of the case and in the ends of justice, I direct the respondent authorities to consider the case of the applicant and dispose of the representation within two months from the date of receipt copy of this order by giving adequate opportunity to the applicant of being heard and whatever decision is taken thereto shall be communicated to the applicant forthwith.

8. In view of the above directions, the O.A. stands disposed of at the admission stage itself. No order as to costs.

(MANJULA DAS)  
JUDICIAL MEMBER

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