



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

CALCUTTA BENCH

Application under Section 19 of the Administrative Tribunal Act,

1985

O.A. No. 356/1303 of 2019

Nemai Kanji, son of Late Dulal

Chand Kanji, Ex Chief Coach

(Gymnastics), presently aged

about 64 years, by occupation -

Retired, residing at 14, Rajani

Gupta Row, Police Station -

Muchipara, Kolkata - 700009.

..... Applicant

- Versus -

1. Union of India, Service  
through the Secretary,  
Department of Sports & Youth  
Affairs having his office at Shastri  
Bhaban, Dr. Rajendra Prasad  
Road, New Delhi - 110001.

2. The Director General,  
Sports Authority of India, having

his office at J. N. Stadium Complex (East Gate), Gate No.10, Lodhi Road, Post Office - C.G.O. Complex, New Delhi - 110003.

3. The Regional Director, Sports Authority of India, Eastern Regional Centre, Salt Lake City, Kolkata - 700098.

4. The Director (Coaching) Sports Authority of India (Coaching Division), J. N. Stadium Complex (East Gate), Gate No.10, Lodhi Road, Post Office - C.G.O. Complex, New Delhi - 110003.

5. The Assistant Director (Coaching), Sports Authority of India, Netaji Subhas Eastern Centre, Salt Lake City, Kolkata - 700098.

..... Respondents

**CENTRAL ADMINISTRATIVE TRIBUNAL  
KOLKATA BENCH, KOLKATA**

O.A/350/1303/2019

Date of Order: 01.01.2020



**Coram:** Hon'ble Ms. Bidisha Banerjee, Judicial Member  
Hon'ble Dr. Nandita Chatterjee, Administrative Member

Nemai Kanji .....Applicant

Vrs.

Union of India & Ors. ....Respondents

**For The Applicant(s):** Ms. A.Sengupta, Counsel

**For The Respondent(s):** Mr. D.N.Ray & Mr. B.Nandy, Counsel

**ORDER (ORAL)**

**Ms. Bidisha Banerjee, Member (J):**

Heard Ld. Counsels for both the parties.

2. The applicant, Ex-Chief Coach (Gymnastics), has preferred this O.A. to seek the following reliefs:

*"(i) An order do issue directing the respondents and their men, agents and assigns to grant the benefit of MACPS to the applicant with effect from 10<sup>th</sup> March, 2010.  
(ii) Upon such grant to fix the scale of pay of the applicant accordingly with effect from 10<sup>th</sup> March, 2010.  
(iii) Consequent upon fixing the pay scale of the applicant to refix the amount of monthly pension of the applicant.  
(iv) Upon such fixation of the pay scale of the applicant to arrear salary and the arrear pension including interest be paid to the applicant at a time."*

3. Ld. Counsel for the applicant, submitted that after receipt of a letter dated 11.09.2017 (Annexure-A/4) from Respondent No.4, informing him that "necessary documents have been called from the SAI Eastern Centre Kolkata to examine the

case of Sh. Nemai Kanji ab-initio and the final decision will be intimated to you in due course", a representation was made by the Advocate on behalf of the applicant on 03.09.2018 and having received no reply till date, the applicant has moved this Tribunal in the present O.A with the aforesaid reliefs.

4. On perusal of the record, we find that no representation has been preferred by the applicant himself with regard to the reliefs as sought for in this O.A. Accordingly, without going into the merit of the matter, we dispose of this O.A. with liberty to the applicant to prefer a comprehensive representation to Respondent No.4 or any other competent authority within a period of four weeks from the date of receipt of a copy of this order. In the event, such representation is preferred, the same shall be considered in accordance with law and disposed of with a reasoned and speaking order within a period of three months from the date of receipt of the representation after affording an opportunity of hearing to the applicant, if required.

5. O.A. is accordingly disposed of. No costs.

(Nandita Chatterjee)  
Member (A)

(Bidisha Banerjee)  
Member (J)

RK