

Central Administrative Tribunal
Principal Bench

O.A. No. 1629 of 1998

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New Delhi, dated this the 10th October, 2000

HON'BLE MR. S.R. ADIGE, VICE CHAIRMAN (A)
HON'BLE DR. A. VEDAVALI, MEMBER (J)

S/Shri

1. G. Kishore,
S/o Shri Unnithan,
Dy. Director, Sports Authority of India,
Presently as Addl. Director to
Directorate of Sports & Youth,
General Education Department,
Thiruvananthapuram, Kerala.
2. S.S.P.R. Satyanarayan Rao,
S/o Shri Saladi Raja Rao,
Dy. Director, Sports Authority of India,
Southern Centre, Mysore Road,
Bangalore-560056. . . Applicants

(None appeared)

Versus

1. Union of India through
the Secretary,
Dept. of Youth Affairs & Sports,
Shastri Bhawan,
New Delhi-110001.
2. Secretary,
Dept. of Personnel & Training,
North Block,
New Delhi-110001.
3. Chairman,
Governing Council,
Sports Authority of India,
Jawaharlal Nehru Stadium,
Lodhi Road,
New Delhi-110003.
4. Director General,
Sports Authority of India,
Jawaharlal Nehru Stadium,
Lodhi Road,
New Delhi-110003. . . Respondents

(By Advocate: Shri K.C. Sharma with
Shri M.K. Gupta)

ORDER (Oral)

MR. S.R. ADIGE, VC (A)

Applicants seek a direction to quash the

(A)

decision to undo the merger of the isolated posts held by them with the general cadre of Assistant Director effected through circular dated 14.5.91 (Annexure A-2) with all consequential benefits.

2. None appeared on behalf of applicants when the case was called out even on second call. We notice that none has been appearing on behalf of applicants for the last three consecutive occasions and today is the fourth occasion on which applicants are not represented either in person or through counsel. Shri K.C.Sharma appeared for respondents and has been heard.

3. Shri Sharma points out that the merger of the isolated posts held by applicants with the general cadre of Assistant Directors was effected through circular dated 14.5.91, after which a show cause notice was issued to applicants on 14.12.94 (Annexure A-9), asking them to show cause why their seniority in the administrative stream be not fixed on the basis of their entry in the administrative cadre instead of the date of entry in the grade, and it is the aforesaid show cause notice dated 14.12.94 against which applicants had filed the present O.A.

4. We are informed that applicants submitted their reply to the aforesaid show cause notice, and meanwhile as no stay orders have been issued, Respondents after consulting the Department of

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Personnel took a final decision to demerge vide their order dated 28.12.98 (Annexure VIII of respondents' reply). 22

5. A perusal of that order dated 28.12.98 reveals that in respect of applicant No.1 it is stated that he stands merged in the general cadre. Hence he can have no grievance. In respect of applicant No.2 it is stated that it would be subject to the final outcome of the present O.A. but applicant No.2 has not challenged the aforesaid order dated 28.12.98 although he had ample time to do so, and indeed has not even appeared in person or through counsel on successive occasions.

6. We, therefore, see no reason to intervene in the matter and accordingly dismissed the O.A. without costs.

A. Vedavalli

(Dr. A. Vedavalli)
Member (J)

S.R. Adige
(S.R. Adige)
Vice Chairman (A)

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