

**CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH**

ORIGINAL APPLICATION NO.170/00410/2020

DATED THIS THE 18TH DAY OF SEPTEMBER, 2020

CORAM:

HON'BLE SHRI SURESH KUMAR MONGA, MEMBER (J)

(On video conference from Central Administrative Tribunal, Bangalore Bench, Bangalore)

HON'BLE SHRI RAKESH KUMAR GUPTA, MEMBER (A)

(On video conference from Central Administrative Tribunal, Bangalore Bench, Bangalore)

Shri Raja, S/o Thimmaiah,
Aged 40 years,
Occn: Groundman,
Sports Authority of India,
Netaji Subhash Southern Centre,
Mysuru Road, Jnanabharati Campus,
Bengaluru 560 056
Residence at No. 92, 4th Cross,
Vivekananda Block,
Palace Guttahalli, Malleshwaram,
Bengaluru 560 003

....Applicant

(By Advocate Shri P.A. Kulkarni- through video conference)

Vs.

1. Union of India,
To be represented by its Secretary,
Department of Youth Affairs and Sports
Shastri Bhavan, New Delhi 110 001

2. Director General
Sports Authority of India
JN Stadium, East Gate,
Lodhi Road, New Delhi 110 003

3. Director (Personnel),
Sports Authority of India
JN Stadium, East Gate,
Lodhi Road, New Delhi 110 003

4. Senior Director,
Bengaluru Regional Office,
Sports Authority of India,
Netaji Subhash Southern Centre,
Mysuru Road, Jnanabharati Campus,
Bengaluru 560 056

.....Respondents

ORDER (ORAL)

PER: SURESH KUMAR MONGA, MEMBER (J)

The present Original Application has been filed by the applicant under Section 19 of the Administrative Tribunals Act, 1985 claiming therein the following relief:

- (a) On the basis of the office order No. 99/2013 dated 15.04.2013 of Sports Authority of India Personnel Division Ann-A6 and the compliance order passed by the Sports Authority of India on 23.10.2019 as at Ann-5, direct the Respondents to extend the benefit of similar relief the one granted to Smt. Susheela and four others in compliance with the orders dated 03.02.2012 passed by this Hon'ble Tribunal in their OA 297/2011 Ann-A3 as confirmed by the Hon'ble High Court of Karnataka at Bengaluru in WP No. 1677/2013 (S-CAT) dated 08.04.2014 Ann-A4.
- (b) Direct further the Respondents to cause re-fixation of the applicant's pay and allowances as per the pay scale attached to the post of Groundman held by him on similar lines as evidenced by sample pay fixation order dated 30.06.2020 issued by the authority in case of one Shri Ramachandra V., available under Ann-A5 and to pay the arrears accruing out of the same exercise as has been done in their case under the said Headquarter's orders dated 23.10.2019.

2. Learned counsel for the applicant submitted that the counterparts of the applicant have already been granted the relief which has been claimed herein by the applicant by way of filing the present Original Application. He

further submitted that, before filing the present Original Application, the applicant had submitted a representation dated 28.01.2020 (Annexure A10) on which no decision has been taken by the respondents and he will be satisfied if a direction is issued to the respondents to decide his pending representation within a timeframe.

3. Keeping in view the aforesaid limited prayer made by learned counsel for the applicant, we deem it appropriate to dispose of the present Original Application at the admission stage itself without entering into the merits of the case.

4. Accordingly, the Original Application is disposed of with a direction to respondents to decide the applicant's pending representation dated 28.01.2020 and pass a reasoned and speaking order in accordance with law. The applicant shall also be afforded an opportunity of hearing before taking such a decision. The whole exercise shall be undertaken within a period of 2 months from the date of receipt of a certified copy of this order.

5. The OA stands disposed of in the above terms. However, there shall be no order as to costs.

(RAKESH KUMAR GUPTA)
MEMBER (A)

(SURESH KUMAR MONGA)
MEMBER (J)

Annexures referred to by the applicant in OA No. 170/00410/2020

Annexure A1	Copy of the payment of wages for the month of June 1995
Annexure A2	Copy of the payment of wages for the month of July, 1995
Annexure A3	Copy of the order dated 03.02.2012 in OA No. 297/2010
Annexure A4	Copy of the order dated 08.04.2014 in WP No. 1677/2013
Annexure A5	Copy of the SAI Headquarters order dated 23.10.2019
Annexure A6	Copy of the regularization order dated 15.04.2013
Annexure A7	Copy of the order dated 08.05.2013
Annexure A8	Copy of the communication dated 16.07.2015
Annexure A9	Copy of the pay fixation order dated 30.05.2013
Annexure A10	Copy of the representation dated 28.01.2020
Annexure A11	Copy of the Hon'ble Apex Court judgment reported in AIR 1966 SC 1942
Annexure A12	Copy of the Karnataka High Court judgment reported in ILR 1986 Page 3093
