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**CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH: CUTTACK**

Original Application No. 260/00247 of 2016
Cuttack, this the 26th day of April, 2016

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HON'BLE SHRI A.K. PATNAIK, MEMBER (Judl.)
HON'BLE SHRI R.C. MISRA, MEMBER (Admn.)

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Krishna Prasad Mohapatra,
aged about 53 years,
S/o Late Baidyanath Mohapatra,
At present working as Volley Ball Coach,
Sports Training Center, Sports Authority of India (SAI),
Barabati Stadium, Cuttack-753002,
Permanent resident of At/PO-Khalari,
PS/Dist- Angul, Odisha.

...Applicant

(Advocates: M/s. N.R.Routray, S.Sarkar, U.Bhatt, Smt. J.Pradhan,
T.K.Choudhury, S.K.Mohanty)

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Union of India Represented through its

1. Secretary,
Department of Sports & Youth Affairs,
Shastri Bhawan, New Delhi- 110003.
2. Director General,
Sports Authority of India,
J.N.Stadium Complex,
Lodhi Road, New Delhi-110003.
3. Director Coaching,
Sports Authority of India,
J.N.Stadium Complex,
Lodhi Road, New Delhi-110003.
4. Deputy Director,
Sports Authority of India,
Netaji Subash Eastern Center,
Salt Lake City, Sector-III,
Kolkata-700106.
5. Dr. Jagannath Sihi,
Volley Ball Coach,
Sports Authority of India,
SAG, Kishanganj, Bihar.

... Respondents

(Advocate: Mr. B.P.Nayak)

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ORDER (ORAL)

A.K.PATNAIK, MEMBER (JUDL.):

Heard Mr. N.R.Routray, Ld. Counsel for the Applicant, and Mr. B.P.Nayak, Ld. Addl. Central Govt. Standing Counsel appearing for the Respondents, on whom a copy of this O.A. has already been served, and perused the materials placed on record.

2. This O.A. has been filed by the applicant under Section 19 of the Administrative Tribunals Act, 1985 praying for the following relief:

- “i) To quash the order of transfer dtd 11/12.04.2016 (so far this applicant is concern) under Annexure-A/5.
 - ii) And to direct the Respondents to allow the applicant to continue at STC, Cuttack.
- And pass any other order.....”

3. The case of the applicant, who was initially appointed as Volley Ball Coach on 01.09.1992 and posted at DDC, Vizag, Andhrapradesh, is that he has been transferred from STC, Cuttack to STC, Kishanganj vide Annexure-A/5 dated 11/12.04.2016. His grievance is that he had joined at STC, Cuttack on 26.06.2014 only on being transferred from STC, Dhenkanal. Mr. Routray, Ld. Counsel for the applicant, relying on the circulars/guideline of the Sports Authority of India dated 05.09.1994 and 18.02.1998 as well as the DoPT instruction dated 06.06/2014, submitted that applicant has been prematurely transferred from STC, Cuttack to STC, Kishanganj. Para 10 of the Circular dated 05.09.1994 reads as under:

“10. Transfer of Coaches: SAI Coaches should normally be allowed to work at one place for 5 years in order to have continuity in coaching for achieving targeted results and to make the Coaches accountable”.

Mr. Routray further submitted that although the applicant ventilating his


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grievance made representation on 18.04.2016 vide Annexure-A/9 to Respondent No.4, the same is still pending consideration and till date he has not received any response from the said authority for which he has filed this O.A.

4. In view of the facts stated above that the representation of the applicant dated 18.04.2016 is stated to be pending, without going into the merit of the matter, we dispose of this O.A. with direction to the Respondent No.4 to dispose of the said representation, if the same is still pending, and pass a reasoned and speaking order within a period of three months. Though, we have not gone into the merit of the matter, all the points raised by the applicant in his representation are kept open for the Respondent No.4 to consider the same as per rules and regulations. It is made clear that the applicant will be allowed at his present place of posting till 31.08.2016, if no reliever has come to join at the applicant's place. If in the meantime the said representation has already been considered and disposed of then the result thereof be communicated to the applicant within a period of two weeks.

5. With the aforesaid observation and direction, this O.A. stands disposed of. No costs.

6. On the prayer made by Mr. Routray, Learned Counsel appearing for the applicant, copy of this order, along with paper book, be sent to Respondent Nos. 2, 3 and 4 by Speed Post for which he undertakes to file the postal requisites by 29.04.2016.


(R.C.MISRA)
MEMBER (A)


(A.K.PATNAIK)
MEMBER (J)