

**IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PATNA BENCH, PATNA.**

O.A. No. 387 of 2006

Date of order : 18.10.2006

C O R A M

Hon'ble Ms. Sadhna Srivastava, Member (J)

Hon'ble Shri S.N.P.N. Sinha, Member (A)

1. Pankaj Kumar, S/o Shri Vikash Chandra, resident of Mohalla- Musallahpur, Mahabir Lane, P.S. Pirbahore, Post- Mahendru, Patna.
2. Rakesh Kumar, S/o Shri Jeevan Choudhary, resident of Mohalla, Musallapur, Mahabir Lane, P.S. Pirbahore, P.O.- Mahendru, Patna – 6

....Applicants

By Advocate : Shri B.K. Sinha 2 & Shri N.K. Malhotra.

Vs.

1. The Union of India , Ministry of Railway, Rail Bhawan, New Delhi through its Secretary.
2. Railway Board through its Chairman, Rail Bhawan, New Delhi.
3. General Manager, East Central Railway, Hajipur Zone, Hazipur.
4. Chief Personnel Officer, East Central Railway, Hajipur Zone, Hazipur.
5. Shri B.N. Singh, Joint Secretary, East Central Railway, Sports Association, Hazipur.
6. Shri I.S. Thakur, General Secretary, Bihar State Kho-Kho Association, Road No. 11 B, Rajendra Nagar, Patna.

....Respondents

By Advocate : Shri N.K. Sinha

ORDER (Oral)

By Sadhna Srivastava, M (J):-

By means of this Original Application the applicants have sought for directions upon the respondents to consider and appoint the applicants in Group – D category against sports quota.

2. The facts in brief, as stated in the OA, are that the applicants are eminent and outstanding players in the discipline of Kho-kho and have represented the State of Bihar in Sub-junior, junior and Senior Championship at National Level. It is further stated that the respondent No. 6 has sent the name of applicants for appointment against the Sports quota. Thereafter, vide letter dated 2.2.2005, the applicants were called for their trial at the Sports Cell, G.M.'s Office Campus, Hazipur, ^{3 on 14.2.05 3} at 9.30 A.M. The applicants appeared for their trial on the aforesaid date, and their trial was taken by an expert in the presence of Joint Secretary,

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E.C. Railway, Sports Association, Hazipur, Bihar (respondent No. 5). Thereafter, the applicants , vide letter dated 23.6.2003, were asked to report to the Association by 8.7.2005 with all original sports certificates, age proof, educational certificate for further verification. In pursuant to the aforesaid letter, the applicants submitted all the certificate to the respondent No. 5 , as required by him by letter dated 23.6.2005.

3. The learned counsel for the applicants submits that despite verification of the certificates, the appointment letter has not been issued. The applicants filed a supplementary petition on 5.10.2006, stating therein that still there are vacancies which are to be filled up by appointment of players of Kho-kho discipline, but the respondents have not issued appointment letters as yet. The learned counsel for the applicant further submits that the applicants have filed representation on 16.02.2006, as contained in Annexure A/⁵16, which has not yet been decided. Therefore, he prays that a direction may be issued to the respondents to decide

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the representation by reasoned and speaking order.

4. Shri N.K. Sinha, the learned counsel for the respondents submits that he has no objection if such direction is issued to decide the representation filed by the applicants.

5. After hearing the learned counsel for the parties, we are of the considered opinion that the OA can be disposed of by giving direction upon the respondent No. 3 to decide the representation, as contained in Annexure A/6, by reasoned and speaking order, in accordance with rules, within a period of three months from the date of receipt of copy of this order. The respondents are directed to act accordingly.

6. However, it is made clear that while ^{disposing it} ~~disposing it~~ _{at} of, we have expressed no opinion on the merits of the case.


[S.N.P.N. Sinha] M [A]


[Sadhna Srivastava] M [J]

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