

CENTRAL ADMINISTRATIVE TRIBUNAL,
ERNAKULAM BENCH

Original Application No. 180/00528/2017

Friday, this the 27th day of September, 2019

CORAM:

Hon'ble Mr. E.K. Bharat Bhushan, Administrative Member
Hon'ble Mr. Ashish Kalia, Judicial Member

Gopakumar.V
 Grounds-man, Grade-II
 Lakshmibai National College of Physical Education
 Sports Authority of India, Kariavattom
 Thiruvananthapuram – 695 581
 Residing at Pournami House, Sreekariyam
 Chakkalamukku, Thiruvananthapuram – 695 017 **Applicant**

(By Advocate : Mr.Vishnu S Chempazhanthiyil)

V e r s u s

1. The Principal
 Lakshmibai National College of Physical Education
 Sports Authority of India, Kariavattom
 Thiruvananthapuram – 695 581
2. The Director General
 Sports Authority of India
 Jawaharlal Nehru Stadium Complex (East Gate)
 Lodhi Road, New Delhi – 110 003
3. Union of India, represented by
 Secretary to Government of India, Department of Sports
 Ministry of Youth Affairs and Sports
 Sastri Bhavan, New Delhi – 110 001 **Respondents**

**(By Advocate : Mr.Govindh K.Bharathan, Sr. for R 1 & 2 and
 Mr.V.A.Shaji,ACGSC for R3)**

This application having been heard on 27.09.2019 the Tribunal on the same day delivered the following:

ORDER (ORAL)

By Hon'ble Mr. E.K.Bharat Bhushan, Administrative Member

Heard Mr.Vishnu S Chempazhanthiyil, learned counsel for the applicant and Mr.S.K.Madhu representing Mr.Govindh K.Bharathan,Senior Advocate on behalf of respondent nos.1 and 2.

2. The applicant who is presently working as Grounds-man Grade II, is aggrieved by the fact that he has not been given the benefit of promotion which has been granted to him as per order dated 22.3.2017 (Annexure A-3). Learned counsel for the respondents submits that there has been some confusion with regard to the name of the applicant and the order had been issued in favour of the applicant whereas the person senior to him, who is Mr.Gopakumar.P's claim had been overlooked. The first respondent had taken up the matter with respondent no.2 seeking clarification on this issue. But no instructions have been received so far and the matter is remaining unsettled on this count. We feel that the Original Application can be disposed of by directing respondent no.2 to consider the contention raised in this Original Application and issue orders relating to grant of promotion to the eligible person among the two Gopakumars. This may be done within 60 days from the date of receipt of a copy of this order.

3. The Original Application is disposed of as above. No costs.

**(ASHISH KALIA)
JUDICIAL MEMBER**
sv

**(E.K.BHARAT BHUSHAN)
ADMINISTRATIVE MEMBER**

List of Annexures

Annexure A1 - True copy of the offer of temporary appointment No.Estt(19)/168/88 dated 19.5.1988 issued by the 1st respondent

Annexure A2 - True copy of the office order No.11/91 dated 12.12.1991 issued by the 1st respondent

Annexure A3 - True copy of the communication No.SAI/Pers/2098/2016 dated 22.3.2017 (relevant portion) issued by the 2nd respondent

Annexure A4 - True copy of the representation dated 1.6.2017 to the 1st respondent

Annexure A5 - True copy of the office order no.116/2017 dated 5.6.2017 issued by the Assistant Director (OS)

Annexure R1.A - A photocopy of the joining report of the applicant dated 20.5.1988

Annexure R1.B - A photocopy of the office order no.Admn(10)/2000 dated 22.7.2000

Annexure R1.C - A photocopy of the office order no.Admn(30)/...../12 dated 10.1.12

Annexure R1.D - A photocopy of the seniority list of groundsmen as on 1.3.2000

Annexure R1.E - A photocopy of the Order No.64/17 No.SAI/Pers/2098/2016 dated 22.3.2017

Annexure R1.F - A photocopy of the letter communication no.Admn(5)/2115/17 dated 06.10.2017

Annexure R1.G - Photocopy of the Minutes of the meeting of the selection committee held on 14.5.1988 at LNCPE, Trivandrum.