

**IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH
HYDERABAD**

O.A/20/0122/2014

Date of order : 18.11.2019

Between:

TUKARAM MEHATRA,
S/o Pandurang,
Age about 27 years,
Occ: Coach (Out Sourcing), Fencing,
Andhra Pradesh Sports School, Hyderabad,
R/o H.No.4-4-472, KS Lane,
Gujarathi Galli, Koti, Hyderabad.

APPLICANT

AND

1. Union of India represented by
its Secretary, Ministry of Youth Affairs
and Sports, Shastri Bhavan,
C-Wing, New Delhi-1,
2. The Director General,
Sports Authority of India,
Jawaharlal Nehru Stadium Complex,
Gate No.10, Lodhi Road, New Delhi-3,
3. The Assistant Director,
Sports Authority of India,
Saroornagar Stadium,
L B Nagar, Ranga Reddy Dist,
Hyderabad.

Respondents

Counsel for the applicant : Dr. A RAGHU KUMAR

Counsel for the respondents : Mrs. K. Rajitha, Sr. CGSC

C O R A M :

THE HON'BLE Mr. S N TERDAL, MEMBER (J)

THE HON'BLE MRS. NAINI JAYASEELAN, MEMBER (A)



ORAL ORDER

(PER HON'BLE Mr. S N TERDAL, MEMBER (J))

Heard Mr. Pavan Kumar, proxy counsel for Dr. A. Raghu Kumar, learned counsel for applicant and Mrs. K.Rajitha, learned senior standing counsel for respondents.

2. Relief prayed for by applicant is as follows:-

“In view of the above facts and circumstances the applicant herein prays that this Hon’ble Tribunal may be pleased to call for the records pertaining to the orders of the 2nd respondent dated Nil displayed in the Website on 03.01.2014 declaring the candidates selected for recruitment as Assistant Coach in Sports Authority of India on the basis of their overall merit of Written Examination and Interview / Field Test Marks without identifying the reserved posts at the time of notification dated 30th July – 5th August 2011 Employment News, conducting different tests under different syllabus to category 3(a) and 3(b) Candidates in Fencing, and ignoring the merit of the applicant respectively in the category ‘a’ & ‘b’ on selecting on the overall assessment including the written test and the interview and selecting candidates with less meritorious credentials is illegal, arbitrary and violative of Article 14 and 16 of the Constitution of India and rules on the subject matter and consequently direct the respondents to prepare selection list separately for category ‘a’ & ‘b’, without any roster in the interest of justice and be pleased to pass such other order or orders as this Hon’ble Tribunal may deem fit and proper in the circumstances of the case.”

3. At the time of hearing, it is brought to our notice the Order dated 28.01.2014 passed by Principal Bench of CAT in OA No.241 of 2014 wherein it was held that having participated in the selection process, applicant cannot challenge the process of selection.

4. In the present case also, the applicant having participated in the selection process, seeks a direction to the respondents contrary to the provisions governing the selection process, as such, in view of the order



passed by Principal Bench dated 28.01.2014 referred to above, we dispose of this OA, however, with a direction to applicant to make a comprehensive representation within one month from the date of receipt of certified copy of this order. We further direct the respondents to dispose of the above said representation with a reasoned and speaking order within two months thereafter.

5. There shall be no order as to costs.

(NAINI JAYASEELAN)
MEMBER (A)

(S. N. TERDAL)
MEMBER (J)

vsn