

**CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH**

OA/021/665/2021

HYDERABAD, this the 22nd day of October, 2021



Hon'ble Mr. Ashish Kalia, Judl. Member
Hon'ble Mr. B V Sudhakar, Admn. Member

Mr. Nitesh Dagar,
S/o Virender Singh,
Aged about 25 years,
R/o: Village & Post Rewli,
Sonipat District,
State of Haryana.

...Applicant.

(By Advocate : Mr. K Sudhaker Reddy)

Vs.

1. Union of India,
Rep. by its General Manager,
South Central Railway,
Rail Nilayam, III Floor, Secunderabad- 500 071.
2. The Secretary,
Railway Sports Promotion Board,
Room No. 450, Rail Bhavan,
New Delhi- 110 001.

... Respondents

(By Advocate: Mr. M Venkateswarlu, SC for Railways)

ORAL ORDER
(As per Hon'ble Mr. Ashish Kalia, Judl. Member)

Through Video Conferencing:

This application has been filed under Section 19 of the Administrative Tribunals Act, 1985 seeking the following reliefs:



“Call for the records in regard to selections held in pursuance of the advertisement for employment bearing No. SCR/P-HQ/129/Sports/2019-20 dt. 27.07.2019 and declare the action of the R-1, in not filling the post in Game/Handball(men)/Position-2 in Pay Band of Rs. 5200-20200 against Sports Quota through Open Advertisement for the year 201-20 in South Central Railway as arbitrary, illegal and clear violation of the applicants fundamental rights guaranteed under Article 14 & 21 of the Constitution of India.

And

Consequently direct the General Manager, South Central Railway, Secunderabad, i.e. 1st respondent here in to consider the applicant against the post in Grade Pay Rs. 2000/1900(Level 3/2 in 7th CPC) in Group “C” post in Grade Pay Rs. 5200-20200 against Sports Quota through Open Advertisement for the year 2019-20 in South Central Railway and pass such other and further order or orders as this Hon'ble Tribunal may deem fit and proper in the circumstances of the case.”

2. The applicant, who is a national player of Hand Ball game was selected by the respondents and in the position where he is playing, two people were selected. The certificates of other person, namely, Sunil Mallik, who has been selected and offered appointment, are found to be not genuine as per the letter issued by the Hand Ball Federation of India.

3. Learned counsel, Mr. M Venkateswarlu, appeared and accepted notice on behalf of the respondents. He submitted that the respondents are taking steps for removing the said person whose

certificates are found to be not genuine and that they are proceeding further.

4. After hearing the learned counsels for the parties at length, there is only one issue left to be decided i.e. whether the applicant is entitled to get appointment or not.



5. In view of the above submissions, we put the ball in the court of the respondents and direct them that if the applicant is otherwise eligible, he may be considered for selection to the said post within a period of four months. In case, the grievance of the applicant still subsists, he may re-approach this Tribunal.

6. With the above observation, the OA is disposed of without any order as to costs.

(B.V. SUDHAKAR)
ADMINISTRATIVE MEMBER

(ASHISH KALIA)
JUDICIAL MEMBER

/Ram./