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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 8403/2019 & CM No. 34746/2019**

**RICHPAL SINGH SALARIA**

..... Petitioner

Through: Mr Ashish Kothari and Ms Isha Tyagi, Advocates.

versus

**SPORTS AUTHORITY OF INDIA AND ANR.** ..... Respondents

Through: Mr Keshav Mohan, Mr Rishi K. Awasthi and Mr Piyush Vatra, Advocates for R-1/SAI.  
Mr Sandeep Tyagi, Sr. Panel Counsel for R-2.

**CORAM:**

**HON'BLE MR. JUSTICE VIBHU BAKHRU**

**ORDER**

**% 06.08.2019**

1. The petitioner is a coach in the discipline of Archery. The petitioner was participating in the National Archery Coaching Camp (Junior), which is being held to prepare sportspersons for the World Archery Youth Championship.
2. The petitioner has filed the present petition, *inter alia*, impugning an order dated 26.07.2019, removing the petitioner's name from the ongoing National Coaching Camp. The impugned order also indicates that the petitioner would not be considered for any coaching assignment in the future. The said punishment has been imposed on the petitioner on the ground that he had absented himself without permission from the centre in-charge.

3. It is the petitioner's case that he had proceeded on a two-day leave on 23.07.2019, with due permission of the authorities and had joined the coaching camp on 25.07.2019. Mr. Kothari, the learned counsel appearing for the petitioner has also drawn the attention of this Court to the noting on his application, which indicates that the petitioner was permitted to go on leave and was allowed to join the camp after availing two days leave. He submits that although the noting is made on the petitioner joining the coaching camp, it clearly indicates that he had been granted permission before proceeding for leave.

4. One of the principal grounds to assail the impugned order is that the petitioner was not issued a show cause notice and was not provided any opportunity to meet the allegations made against him. The court finds merit in this contention. In addition, the petitioner ought to have been given opportunity to address the issue regarding the proportionality of the punishment being imposed.

5. This petition was listed on 02.08.2019 and notice was issued to the respondents. The petitioner now states that after the notice was issued, the petitioner has been issued a show dated 05.08.2019 calling upon him to explain why his name should not be struck off from the Indian Archery contingent scheduled to participate in the World Archery Youth Championships to be held at Madrid from 16<sup>th</sup> August, 2019 to 25<sup>th</sup> August, 2019.

6. This Court is of the view that the petitioner ought to have been afforded a fair chance of submitting his explanation prior to the imposition of the punishment of removal of his name from the ongoing National

Coaching Camp.

7. In view of the above, the impugned order is set aside. The petitioner shall treat the impugned order as a show cause notice and submit his representation before the concerned authority (Regional Director (Teams)). The concerned authority will afford the petitioner an opportunity to be heard and pass a speaking order.
8. The petition is allowed in the aforesaid terms. The pending application is disposed of.
9. Order *dasti* under signatures of the Court Master.

**AUGUST 06, 2019**  
**MK**

**VIBHU BAKHRU, J**