

HIGH COURT OF TRIPURA
AGARTALA
WP(C) No. 555 of 2024
***Sri Deepjoy Banik and Ors.* Petitioner(s)**
Versus
***The State of Tripura & Ors.* Respondent(s)**

For Petitioner(s) : Mr. D. J Saha, Advocate.
Mr. B. Paul, Advocate.

For Respondent(s) : Mr. Kohinoor Narayan Bhattacharya. G.A.
Mr. R. Dutta, Advocate.

HON'BLE MR. JUSTICE T. AMARNATH GOUD

ORDER

05.09.2024

Heard Mr. D. J Saha, learned counsel along with Mr. B. Paul, learned counsel appearing for the petitioners. Also heard Mr. Kohinoor Narayan Bhattacharya, learned Government Advocate appearing for the respondents-State. Mr. R. Dutta, learned counsel also appears on behalf of respondent No.3.

[2] This petition has been filed under Article 226 of the Constitution of India seeking the following reliefs:-

“ Issue Rule Nisi.

a). Issue a writ of mandamus directing the respondents to accept the tendered registration /extension form and monthly fees and to allow the petitioners access to the training facilities at NSRCC, Agartala for preparation for the Inter-State Zonal Championships, North East Zone to be held at Guwahati, Assam organized by the Badminton Association of India.

b) Issue a writ of mandamus directing the respondents to maintain and uphold the practice of allowing the petitioners to practice their respective sport inside the premises of the NSRCC Indoor stadium, Agartala after 06:00 PM. Subject to the payment of the requisite fee.

c) Direct the respondents to ensure that the petitioners are not subjected to any form of intimidation of physical threat by their employees.

d) Award costs for the legal expenses incurred by the petitioners in bringing this writ petition before this Hon'ble Court.

AND

As to why such other order/ orders shall not be passed so as to give full relief(s) to the petitioners and upon causes shown to make the rule absolute .

AND

In case the respondents show cause or not, make the rule absolute interms of prayer (a)(b)(c)(d) as above."

[3] Mr. D. J Saha, learned counsel appearing for the petitioners submits before this court that the petitioners are the national level badminton players. On 15.12.2023, the petitioners were unjustly denied access to NSRCC Indoor Stadium, Agartala by its employees and due to this the petitioners filed an application to the Secretary, Tripura Sports Council, seeking permission to use facilities for practicing badminton but till date it is unattended.

[4] Mr. R. Dutta, learned counsel appearing for the respondent No.3 submits before this Court that the petitioners and other persons who claimed themselves as badminton players do not maintain the decorum and decency as sportsman and they faced disqualification on the ground of several accusation and complaints which are also made by other sports personnel against this persons and thus they are not allowed. Mr. Kohinoor Narayan Bhattacharya, learned Government Advocate appearing for the State-respondent also opposes the writ petition on the point of maintainability.

[5] Heard both sides.

[6] It is seen from the record, that the letter dated 15.12.2023 made by the petitioners is pending with the respondent No.3, and the same has not been attended till now.

[7] In view of such circumstances, without expressing any opinion on the merits of the case, this writ petition is disposed of, directing the respondent No.3 to consider the case of the petitioners in light of the aforesaid letter in accordance with law as expeditiously as possible.

[8] With the above observation and direction, this present writ petition stands disposed of. As a sequel, miscellaneous application(s), pending if any, shall stand closed.

JUDGE



Paritosh

RAJKUMAR
SUHANJIT
SINGHA

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SUHANJIT SINGHA
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