

HIGH COURT OF TRIPURA
_A_G_A_R_T_A_L_A_
WP(C) No.570 of 2024

Tripura Badminton Association.

.....Petitioner

-V-E-R-S-U-S-

The State of Tripura & 3 Others

.....Respondents

For Petitioner(s)	:	Mr. B. N. Majumder, Sr. Advocate. Mr. D. J. Saha, Advocate.
For Respondent(s)	:	Mr. D. Sarma, Addl. G.A. Mr. D. Bhattacharjee, Sr. Advocate.

HON'BLE MR. JUSTICE T. AMARNATH GOUD
_F_I_N_A_L_O_R_D_E_R_
31.08.2024

Heard.

The present petition has been filed under Article-226 of the Constitution of India directing the respondents to provide access to the badminton courts managed by the Tripura Sports Council for the Tripura Badminton Association to conduct its selection trial for the upcoming Zonal Badminton Championship/North-East Zone Tournament organized by the Badminton Association of India from 7th September to 10th September, 2024 last date for sending list on 31.08.2024, which has been extended by two more days even at any legal cost, to be borne by the petitioner. Further, to provide all proper supports to the petitioner association to conduct a selection session in the dedicated badminton court maintained and run by the respondent No.3.

The petitioner has prayed for the following reliefs:

- a. Issue Rule NISI.
- b. Issue a writ in the nature of mandamus, direction/mandating the respondents to provide access to the badminton courts managed by the Tripura Sports Council for the Tripura Badminton Association to conduct its selection trials for the upcoming Zonal Badminton Championship/North East Tournament organized by the Badminton Association of India from 7th September to 10th September, 2024 last date for sending list on 31.08.2024, extended by two more days, even at any legal cost, to be borne by the petitioner.
- c. Issue a writ of Mandamus direction/mandating the respondents to provide all proper supports to the petitioner Association, to conduct a selection

session in the dedicated Badminton Court maintained and run by the respondent No.3.

c. As an interim measure, direct the respondents to provide immediate access to the badminton courts managed by the Tripura Sports Council for the Tripura Badminton Association and all its bona fide players, at the earliest, so that the TBA can participate in the upcoming Zonal Badminton Championship/North-East Zone Tournament organized by the Badminton Association of India from 7th September to 10th September, 2024, last date for sending list on 31.08.2024 extended by two more days, on being selected by the petitioner association.”

The case in brief is that the Tripura Badminton Association, a recognized sports body affiliated with the Badminton Association of India sought access to badminton courts managed by the Tripura Sports Council for selection trials for the Zonal Badminton Championship scheduled for September 7th to 10th, 2024 the Tripura Badminton Association. Despite multiple formal requests and a letter dated August 21st, 2024 the respondents denied access. A legal notice sent on August 25th, 2024 also went unanswered. The denial of access has severely impacted the petitioner’s ability to conduct trials endangering its participation in the championship.

Hence, the present petition has been filed before this Court for redress.

Mr. B. N. Majumder, learned senior counsel assisted by Mr. D. J. Saha, learned counsel appearing for the petitioner has prayed to allow the present writ petition as the efficient sports candidates will be deprived of their legitimate rights.

Mr. D. Bhattacharjee, learned counsel appearing for the respondent No.3 has contended that there are no eligible candidates, no person will be deprived of and there is no individual before this Court seeking any relief. This is a motivated litigation. He further contended that the letter dated 21.08.2024 has not been received by them from the petitioner’s side and this is a frivolous litigation and prayed to dismiss the petition.

Having heard the learned counsel appearing for the parties, this Court is of the view that the facts narrated in the affidavit are not supported by any documents and also there is no specific contention made on the issue of any such notification and also extension notification of the cutoff date by another two days. The petitioner has also not indicated as to on which date they have

approached the respondent No.3 with the letter dated 21.08.2024 and who refused. Further, what steps they have taken to approach the other respondents has not been indicated.

This Court feels that the arguments made by Mr. D. Bhattacharjee, learned senior counsel appearing for the respondent No.3 carries weight and accordingly convinced. Since they have not filed any proper documents and have not given sufficient information in the affidavit and also the petitioner has approached this Court at the last moment indicates that the petitioner is not diligent and is not serious in the matter, thus the present writ petition cannot be entertained and thus, the same is accordingly dismissed.

However, not to deprive the eligible candidates of their legitimate talent and opportunity, this Court feels that there could be a direction and accordingly, without expressing any opinion on merits of the case, liberty is granted to the petitioner to approach the concerned respondent with proper representation and on receipt of the same, the respondents shall consider in accordance with law, forthwith.

Accordingly, with the above observation, the present writ petition stands dismissed. As a sequel, miscellaneous application(s) pending, if any, shall stand closed.

T. AMARNATH GOUD, J

A. Ghosh

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