

GAHC010014162021



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : WP(C)/3873/2021

M/S WESTERN OUTDOOR STRUCTURE PVT LTD
REPRESENTED BY ITS MANAGING DIRECTOR, DALER SINGH MATHADU.
AGE 42 YEARS, 5TH FLOOR, S.K TOWER, NEAR AXIX BANK, HARI NIWAS
CIRLCE, NAUPADA, MAHASTSTRA, MUMBAI

2: RAHUL RAMESH SHAH
S/O RAMESH MEGHJI SHAH

EXECUTIVE DIRECTOR OF WESTERN OUTDOOR PRIVATE LIMITED
RESIDENT OF 5TH FLOOR
S.K TOWER
HARINIWASH CIRCLE
THANE
WEST 400602
MAHARASTR

VERSUS

BOARD OF CONTROL FOR CRICKET IN INDIA AND 5 ORS
REPRESENTED BY THE CHAIRMAN 4TH FLOOR, CRICKET CENTRE,
WANKHEDA STADIUM ROAD, CHURCHGATE, MUMBARI 400020,
MAHARASHTRA, INDIA,

2:THE ASSAM CRICKET ASSOCIATION
REPRESENTED BY ITS SECRETARY
ASSAM
BARSAPARA
GUWAHATI
ASSAM
781018

3:THE TREASURER
ASSAM CRICKET ASSOCIATION BARSAPARA
GUWAHATI 781018

ASSAM

4:THE AUDITOR

ASSAM CRICKET ASSOCIATION BARSAPARA

GUWAHATI 781018

ASSAM

5:ASSISTANT ENGINEER

BARSAPARA CRICKET STADIUM

ASSAM CRICKET ASSOCIATION BARSAPARA

GUWAHATI 781018

ASSAM

6:THE TECHNICAL COMMITTEE

BARSAPARA CRICKET STADIUM

REPRESENTED BY ITS CHAIRMAN

BARSAPARA

GUWAHATI 78101

Advocate for the Petitioner : MR B P BORAH

Advocate for the Respondent : MR S KHOUND

**BEFORE
HONOURABLE MR. JUSTICE SANJAY KUMAR MEDHI**

ORDER

06.03.2024

Heard Shri B.P. Borah, learned counsel for the petitioner. Also heard Ms. S. Sharma, learned counsel appearing for the BCCI.

The present petition was filed for direction for release of an amount of Rs.2,85,42,481/- along with interest for works done by the petitioner for the respondent-Board.

Shri Borah, the learned counsel for the petitioner has however fairly submitted that a similar issue which was before this Court in WP(C)/5220/2021

has been decided vide judgment dated 15.02.2024 whereby a writ petition of the present nature has been held to be not maintainable.

Shri Borah, the learned counsel has however submitted that while dismissing the aforesaid writ petition, this Court has made certain observations regarding the liberty of the party to approach the appropriate Civil Court.

After hearing the parties and on perusal of the order dated 15.02.2024 passed in WP(C)/5220/2021 [***Manabendra Kumar Sarma vs. Board of Control for Cricket in India & 3 Ors.***], the present writ petition is also dismissed.

The petitioner is however at liberty to approach the appropriate Civil Court for redressal of his grievance, if so advised.

In case the issue of limitation arises, the petitioner would be at liberty to take recourse to Section 14 of the Limitation Act.

JUDGE

Comparing Assistant