



**IN THE HIGH COURT OF BOMBAY AT GOA  
WRIT PETITION NO.792 OF 2026**

The Goa Chess Association  
Through its Secretary,  
Mr. Ashish Keni  
Aged 58 years, Indian National,  
F-4, 4<sup>th</sup> Floor, Chase International,  
Behind LaPaz Hote,  
Vasco-da-Gama.

..Petitioner

**Versus**

1. The Inspector General of Societies (South Goa)  
with office at Osia Complex, D Wing,  
2<sup>nd</sup> Floor, Margoa, Salcete, Goa.
2. Kishor M. Bandekar,  
Aged 65 years, Indian National,  
R/o. H. No. 37 of Aqua Bay, Near Mes College,  
Zuarinagar Goa.

..Respondents

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Mr. J. A. Lobo, Advocate for Petitioner.  
Mr. Deep Shirodkar, Additional Government Advocate for Respondent  
No.1.  
Mr. Athnain Naik, Advocate for Respondent No.2.

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**CORAM: S. G. CHAPALGAONKAR, J.**

**RESERVED ON :14<sup>th</sup> AUGUST, 2026.**  
**PRONOUNCED ON :19<sup>th</sup> AUGUST, 2026.**

**JUDGMENT:-**

1. Rule. Rule made returnable forthwith. With consent of parties,  
matter is heard finally at admission stage.
2. The petitioner impugns order dated 27.02.2026 passed by District  
Registrar and Inspector General of Societies (South Goa), whereby it is  
declared that tenure of present Executive Committee commenced from

July 2021 and not from July 2023, with further direction to conduct elections in 60 days from date of order.

3. The election of Executive Committee of Goa Chess Association was notified on 09.06.2021 for the period 2021 to 2025. The Returning Officer disqualified nominations of contesting candidates for the post of President, Secretary, Treasurer, and two posts of Joint Secretaries. Eventually, declared that committee was elected unopposed vide report dated 10.08.2021. The action of Returning Officer, thereby rejecting nominations of contesting candidates was challenged by some members before Ethics Commission of All India Chess Federation. By order dated 19.10.2021, Ethics Commission set aside election and directed re-election for the post of office bearers of Executive Committee of Goa Chess Association after including names of contesting candidates. The order of Ethics Commission was challenged before All India Chess Federation/Appellate Authority, who dismissed appeal vide judgment and order dated 14.12.2021. The respondents carried matter in Writ Petition (C) No.15097/2021 before High Court of Delhi raising challenge to orders passed by Ethics Commission and Appellate Authority. The Delhi High Court dismissed Writ Petition vide order dated 02.06.2023. During pendency of Writ Petition, High Court of Delhi was pleased to pass interim order dated 22.02.2022 appointing an Ad-hoc Committee to look after affairs of Goa Chess Association. The

respondent no.2 then filed Letters Patent Appeal No.504/2023 before Delhi High Court, which suffered dismissal on 06.07.2023.

4. Pertinently, respondents took a consistent stand in all aforesaid proceedings that Executive Committee of Goa Chess Association, which was elected pursuant to election result dated 10.08.2021, never took charge of affairs of Association till appointment of Ad-hoc Committee. The Ad-hoc Committee presided by Mr. Prabhakar Timble notified fresh elections of Executive Committee of Goa Chess Association under notice dated 24.06.2023 for post of President, Secretary, Treasurer, and two posts of Joint Secretary. Accordingly, elections were held, of which results were notified on 09.07.2023. After election, Executive Committee took charge of affairs of Association with effect from 23.07.2023. The Executive Committee consists of President, four Vice Presidents, Honorary Secretary, Treasurer, four Joint Honorary Secretaries, Joint Treasurer, and one delegate from each affiliated Talukas Association. However, Registrar vide his order dated 27.02.2026 declared that tenure of present Executive Committee had commenced from July 2021 (not from July 2023), thereby dissolved Committee and directed to conduct elections in 60 days from date of order.

5. Mr. Lobo, learned Advocate appearing for petitioner vehemently submits that Goa Chess Association Rule 11 (ii) states that term of

Executive Committee shall be four years. Clause 16 (ii) of the Constitution of Goa Chess Association, stipulates that Executive Committee shall take charge of office of Association immediately after holding of election meeting and General Body Meeting and shall continue to hold office for term of four years. He would, therefore, urge that term of present Committee commenced from 23.07.2023 and will end in August 2027. However, by adopting incorrect interpretation of Association Rules, Registrar declared that term of Executive Committee had commenced in year 2021 in pursuance to election results dated 10.08.2021. He would further submit that respondent no.1 erroneously observed that, tenure under by-law is governed by Constitutional Electoral Cycle and not from date of assumption of office. Eventually, declared that tenure of present Executive Committee shall be computed in accordance with original Electoral Cycle i.e. July 2021 and not from July 2023. Mr. Lobo would further submit that Executive Committee never took charge of Association in pursuance to election 10.08.2021, as dispute was erupted regarding elections of prime post of President, Vice President, Secretary and Treasurer and interim orders were passed by Delhi High Court on representation of respondents that Executive Committee has not taken charge. In support of his contentions, he relies upon observations of High Court of Allahabad in case of *Committee of Management A. K. College, Shikohabad and Another Vs. State of U.P.*

*and Others*<sup>1</sup> and observations of Supreme Court in case of *Ram Pyare Chaudhary and Another Vs. State of Uttar Pradesh and Others*<sup>2</sup>.

6. Per contra, Mr. Shirodkar, learned Additional Government Advocate and Mr. Naik, learned Advocate appearing for respondent No. 2 support impugned order. Mr. Naik endeavours to contend that in terms of Rule 11 (ii), Executive Committee is deemed to have taken charge of affairs of Society. The results of election of Executive Committee were declared on 10.08.2021. Immediately thereafter, previous committee had given up charge and election meeting was conducted, minutes of which stipulates about handing over of charge to newly elected Committee members.

7. Having considered submissions advanced by learned Advocates appearing for respective parties and on perusal of record tendered into service, questions that arises for consideration in present writ petition are that:

*“(i) Whether term of Executive Committee in charge of affairs of Association begin from 10.08.2021 or from July 2023?”.*

*“(ii) Whether respondent no. 1/Registrar is justified in holding that term of Executive Committee of Association is governed by Constitutional Electoral Cycle?”.*

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<sup>1</sup> 2000 SCC OnLine All 1386.

<sup>2</sup> (1982) 1 SCC 671.

8. Undisputedly, Goa Chess Association is registered under Societies Registration Act, 1860 having its own Memorandum of Association and Constitution, which is lastly amended on 08.01.2017.

Clause 12(a)(ii) reads thus:

***“12. Meetings of the Association:***

*a. -----*

*ii. Election of the President, four Vice Presidents representing two district i.e. North Goa and South Goa, Secretary, Four Joint Secretary representing each district i.e. North Goa and South Goa, Treasurer and Joint Treasurer for term of 4 years. For the purpose of this clause, North Goa district and South Goa District as per the Government of Goa District Separation shall be considered.”*

9. Clause 16 (ii) of Goa Chess Association Constitution reads thus:

*“16 (ii). The Executive Committee shall take charge of the Office of the Association immediately after the holding of the Election meeting and General Body Meeting and shall continue to hold office of the Association for the term of four years.”*

10. The Rules and Regulations have been enforced under Clause 3 of the Constitution of Association. Rule 11 of Goa Chess Association Rules and Regulations deals with Management. Rule 11 (a) stipulates as under:

*“11(a). The affairs of the Association shall be managed by an Executive Committee elected at the Annual General Body meeting which shall consist of a President, 4 Vice presidents, hon. Secretary, Treasurer, 4 Joint Hon. Secretaries, Joint Treasurer and one delegate from each affiliated Taluka Association duly authorized in writing by the said Taluka Association.”*

11. Rule 11(b)(ii) states that “*Committee shall take office immediately after conclusion of election, Annual General Meeting and shall continue to act for period of four years.*”

12. The cumulative reading of aforesaid Clauses of Constitution and Rules and Regulations of Association suggest that election cycle as such is not prescribed either under Constitution or Rules and Regulations of Association. It simply contemplates that Executive Committee shall take charge of office of Association immediately after holding of election meeting and Annual General Body meeting and shall continue to hold office of Association for term of four years. Plain reading and simple interpretation of constitutional mandates regulated by Rule and Regulations of Association connotes term of Executive Committee shall be four years from date of taking charge of office. It is true that Executive Committee is expected to assume charge of office of Association immediately after holding of election meeting and Annual General Body meeting.

13. In present case, although elections of the Association were held on 10.08.2021, there is nothing on record to show that Executive Committee had actually assumed charge of business of Association. Admittedly, complaint was made to Ethics Commission alleging illegality in election process and action of Returning Officer rejecting nominations of contesting candidates. The Ethics Commission vide

order dated 19.10.2021, set aside elections of office bearers. The order of Ethics Commission was challenged with Appellate Authority i.e. All India Chess Federation, who dismissed appeal upholding order of Ethics Commission. The Writ Petition (C) No.15097/2021 was filed against said orders before Delhi High Court, wherein respondent no.2 categorically stated on oath that illegally elected Committee pursuant to declaration of Returning Officer dated 10.08.2021 had not taken charge. In this backdrop, if respondent no.2 has categorically represented on oath before Delhi High Court that Executive Committee never assumed charge of Association, he is estopped from contending that term of Executive Committee commenced in year 2021.

14. It is not in dispute that re-election of prime post of President, Vice-President, Secretary and Treasurer took place in year 2023 and Executive Committee actually started its functioning w.e.f. 23.07.2023. In light of provisions under Constitution of Association, term of Committee of the Management starts from date it takes charge of Association and would continue to hold office for period of four years. In similar circumstances, Supreme Court of India in case of ***Ram Pyare Chaudhary and Another*** (supra) observed in facts of that case as under:

*“It is thus an admitted position that even though the poll was held on September 11, 1978, on account of the injunction granted by the Court, the result was declared on January 28, 1980. On the very next day, i.e. January 29, 1980, first appellant was elected as Chairman of the Federation. Once it is admitted that the result was*

*declared on January 28, 1980, the term of the members of the committee of the management would commence from the co-operative year July 1, 1979, ending with June 30, 1980, and including this year the term would be of three years. Therefore, obviously the term would expire on June 30, 1982."*

15. In light of aforesaid exposition, in facts of present case, term of four years of Committee of management to be reckoned from July 2023, when they were actually declared elected and assumed charge of affairs of Society.

16. In result, Writ Petition is allowed in terms of prayer Clause (a).

17. Rule is made absolute in above terms.

**(S. G. CHAPALGAONKAR)**  
**JUDGE**