

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1461 of 2013

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1. Nirvikar Sahu S/O Vijay Bharat R/O Sara Kothi, P.O & P.S- Fatuha, District- Patna.

2. Kundan Raz S/O Suresh Kumar Sah R/O Geeta Bhawan, Anand Marg Ashram, Mohalla- Atardah, P.O- Ramna, P.S- Sadar, Muzaffarpur.

.... Petitioner/s

Versus

1. The State Of Bihar Through Principal Secretary, General Administrative Department, Old Secretariat, Building, P.S- Sachivalya, Patna.

2. The Secretary, Youth Affairs And Culture Department, New Secretariat, P.S- Sachivalya.

3. The Director General, Bihar State Sports Authority, Moinul- Haque Stadium, P.S- Rajendra Nagar, Patna.

4. The Joint Secretary, General Administrative Department, Old Secretariat, Building, P.S- Sachivalya, Patna.

5. Mr. Rameshwar Nirwan, President All India Karate Do Federation B-5, Radha Vihar, New Sanganer Road, P.S- Sanganer, Jaipur- 302019

6. Mr. Surendra Singh, General Secretary, All India Karate Do Federation B-5, Radha Vihar, New Sanganer Road, P.S- Sanganer, Jaipur- 302019

7. Mr. R.Tyag Rajan, President All India Karate Do Federation No. 3, 1main Road Gandhinagar, P.S- Adyar, Chennai- 600020

8. Mr.Bharat Sharma, General Secretary, All India Karate D Federation, P.S- Adyar, Channai- 600020, Office Also At C34-A Second Floor, P.S- Hari Nagar, New Delhi- 64

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. ABHAY KUMAR SINGH

For the State: Mr. Anshuman Singh, G.P.-24

For the Respondent No. 3: Mr. Ajay,

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI
ORAL JUDGMENT
Date: 25-08-2015

25.08.2015

Heard learned counsel for the parties.

The argument now remains academic. The exercise of selection and appointment is way past over. The grievance of the petitioners is that the respondent-State authorities did not get their certificate of participation verified from the actually recognized body, which came in the way of the selection of these petitioners in terms of Annexure-3. Such an act of the

respondents, therefore, was arbitrary and irrational.

When the exercise was going on for selection, it seems a dispute was going on as to which body actually represents the interest of All India Karate Do Federation.

Even if the contention of the learned counsel for the petitioners is accepted on the face value Annexure-8 only certifies the position that there was a dispute as to who really represented the body in question and who were authorized to issue certificates of participation at the national level. The dispute if at all was decided by the Deputy Charity Commissioner, Greater Mumbai Region, Mumbai only on 28.12.2012 i.e. much after the selection process was over.

The respondents, therefore, cannot be held to have taken a decision arbitrarily or irrationally, because the subsequent declaration in December, 2012 cannot relate back to the selection, which was already done and completed in the first half of the year 2012 itself.

Writ application, therefore, has no merit. It is dismissed.

(Ajay Kumar Tripathi, J.)

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