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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 2234/2016**
ALL INDIA CARROM FEDERATION Petitioner
Through: Mr. Pramit Saxena, Adv.

Versus

UNION OF INDIA Respondent
Through: Mrs. Bharathi Raju, Adv. for UOI.

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

% **16.03.2016**

CM No.9662/2016 (for exemption)

1. Allowed, subject to just exceptions.
2. The application is disposed of.

W.P.(C) 2234/2016 & CM No.9663/2016 (for stay)

3. The petition impugns the communication dated 4th February, 2016 of the Government of India, Ministry of Youth Affairs and Sports at page 58 of the paper book refusing to accept the result of the election held on 29th November, 2015 of the office bearers of the petitioner as valid and directing the petitioner to hold elections afresh.
4. The petitioner besides impleading the Union of India (UOI) has not impleaded any other respondent.
5. On reading of the petition, it appears that there are two factions claiming control of the petitioner federation and which has resulted in the impugned communication.

6. Being of the view that the controversy cannot be adjudicated without both the factions being before this Court, it has been enquired so from the counsel for the petitioner.

7. However, the counsel for the petitioner states that there is no opposing faction.

8. It has been enquired from the counsel for the petitioner that if that is so, what was the other writ petition which finds mention in this petition.

9. The counsel appears to be oblivious thereto. However his attention is specifically drawn to para (vii) at page 5 of the petition. He then states that that writ petition was rejected. Upon being asked to produce a copy of the order rejecting the petition, he states that he has not seen the order. He is also unable to state why that petition was rejected.

10. It has further been enquired from the counsel for the petitioner whether not Mr. S. Uday Kumar represents the rival faction.

11. The counsel is again unable to answer.

12. At this stage Mr. Vivek Dheesh Narayan, claiming to be the Secretary of the petitioner federation seeks permission to speak and states that though Mr. S. Uday Kumar had lodged a claim with the UOI but the same was not accepted by the UOI. He in this regard draws attention to page 65 of the paper book.

13. The counsel for the respondent appearing on advance notice however denies that the said document is of rejection of the claim of the said Mr. S. Uday Kumar.

14. There is also a reference to a meeting at Gurgaon by the rival faction at page 26 of the paper book. Mr. Narayan again states that that meeting

was held to be invalid by the High Court. However that order has also not been produced.

15. It is quite obvious that the petition as is filed does not represent the correct picture and is accordingly rejected.

16. However, the counsel for the petitioner is given an opportunity to, after understanding the matter and properly studying the same, file afresh but with all requisite papers.

No costs.

RAJIV SAHAI ENDLAW, J

MARCH 16, 2016

‘gsr’..