

THE HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN

AND

THE HON'BLE Ms. JUSTICE J. UMA DEVI

Writ Petition Nos.17965 of 2015 and 15255 of 2016

Common Order: (Per the Hon'ble The Acting Chief Justice Ramesh Ranganathan)

While elaborate arguments were put forth by Sri S. Satyam Reddy, learned Senior Counsel appearing on behalf of the Krishna District Olympic Association represented by its General Secretary, Sri K.P. Rao; Sri M.Govind Reddy, learned counsel appearing on behalf of the Andhra Pradesh Olympic Association represented by its General Secretary, Sri J.C. Pavan Reddy; Sri E. Phani Kumar, learned counsel appearing on behalf of the Andhra Pradesh (Residuary/Parallel) Olympic Association represented by its President Sri Galla Jayadev and General Secretary, Sri R.K. Purushottam, and Sri Aditya Singh, learned counsel appearing on behalf of the Indian Olympic Association, it is wholly unnecessary for us to examine the rival contentions as all the aforesaid counsel are in agreement that the rival claims of the Andhra Pradesh Olympic Association represented by its General Secretary, Sri J.C. Pavan Reddy and the Andhra Pradesh (Residuary/Parallel) Olympic Association represented by its President, Sri Galla Jayadev, (regarding the body elected to represent the A.P. Olympic Association), can be resolved, in terms of the bye laws of the Indian Olympic Association, on this dispute being referred to a Committee of Arbitrators consisting of retired High Court Judges.

Sri Aditya Singh, learned counsel for the Indian Olympic Association, would draw our attention to the Memorandum of Rules and Regulations of the Indian Olympic Association, more particularly to Clause XXII(ii) thereof which relates to Settlement of Disputes/Conflicts in the National Sports Federations/State Olympic Associations. Clause XXII(ii) stipulates that all unresolved disputes, arising within the

National Sports Federations (subject to regulations and directives of their respective International Federations)/State Olympic Associations/Union Territory Olympic Associations/Services Sports Control Board/National Federation of Indian Sport Kho Kho affiliated to the IOA, shall be referred by the Federations/Associations to the IOA for settlement, for arbitration process, by the Arbitration Commission of the IOA.

Though Sri M. Govind Reddy, learned counsel for one of the petitioners, expressed his doubts as to whether the complaint by the petitioner Association would be entertained by the Committee of Arbitrators constituted by the IOA, Sri Aditya Singh, learned counsel appearing on behalf of the Indian Olympic Association, submitted that the petitioners' complaint would be referred to the Indian Olympic Association Arbitration Commission consisting of retired High Court Judges alone, and not with other representatives of the Indian Olympic Association.

Though notices were served on all the respondents in both the writ petitions, it is only the learned counsel for the IOA and the A.P. Residuary/Parallel) Olympic Association represented by its General Secretary, Sri R.K. Purushottam who have appeared before this Court. The other respondents have neither appeared in person nor have they entered appearance through counsel.

As counsel on either side are in agreement, and in the light of the submission of Sri Aditya Singh, learned counsel appearing on behalf of the Indian Olympic Association, we consider it appropriate to direct the Indian Olympic Association to constitute a Committee of Arbitrators, with retired High Court Judges, who shall examine the petitioners' claim vis-à-vis that of the 8th respondent and decide which of these two

bodies are entitled to represent the Andhra Pradesh Olympic Association for the residuary State of Andhra Pradesh.

Sri Aditya Singh, learned counsel for the Indian Olympic Association, submits that the Committee would be requested to complete arbitral proceedings, and render their decision at the earliest, and in any event within three months from the date of receipt of a copy of this order. We record the submission of Sri Aditya Singh, learned counsel for the Indian Olympic Association, that the I.O.A. would request the Committee of Arbitrators to render their decision early, to avoid uncertainty in the functioning of the Andhra Pradesh Olympic Association, a body entrusted the task of promoting sports in the residuary State of Andhra Pradesh. Till the Committee of Arbitrators take a final decision, the Indian Olympic Association shall ensure that neither of these two bodies operate the bank accounts of the Andhra Pradesh State Olympic Association. Neither of them shall incur any expenditure except with the prior written consent of the Indian Olympic Association.

Both the writ petitions are, accordingly, disposed of. Miscellaneous Petitions pending, if any, shall also stand disposed of. There shall be no order as to costs.

(RAMESH RANGANATHAN, ACJ)

(J. UMA DEVI, J)

5th September, 2017

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Date: 5.9.2017

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