

**CWP No.10861-2017**

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH**

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**CWP No.10861-2017.**

**Decided on: May 18, 2017.**

**Haryana Kabaddi Association through its President Vijay Prakash**

**.. Petitioner(s)**

**VERSUS**

**Amateur Kabaddi Federation of India through its President and others**

**.. Respondent(s)**

**\* \* \***

**CORAM: HON'BLE MR.JUSTICE M.M.S.BEDI**

**\* \* \***

**PRESENT Mr.Aman Pal, Advocate,  
for the petitioner.**

**M.M.S. BEDI, J. (ORAL)**

Petitioner Haryana Kabaddi Association has challenged order Annexure P12 dated 2.5.2017, passed by the Amateur Kabaddi Federation of India, disaffiliating the Haryana Kabaddi Association on account of petitioner having not filed any reply to the show cause notice dated 30.3.2017. No doubt, appeal is maintainable under the Memorandum of Association & Constitution of the Amateur Kabaddi Federation of India, Annexure P14, but it is apparent that the petitioners have not been given a fair opportunity before order Annexure P12 dated 2.5.2017 was passed, causing a serious prejudice to the interests of the petitioner-Association.

Notice of motion, at this stage, to respondent No.1-

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Caveator.

Mr.Harshit Sethi, Advocate, who is present in the Court accepts notice on behalf of respondent No.1. He has vehemently urged that despite a show cause notice dated 30.3.2017, having been served upon the petitioner, no reply was filed, as such order Annexure P12 dated 2.5.2017, has been passed in the exercise of jurisdiction vested in the respondent-Federation under the constitution.

After hearing the counsel for the petitioner as well as the counsel for respondent No.1, it appears that a controversy exists regarding the response of the petitioner to the notice dated 30.3.2017.

Without entering into the said controversy, in the interest of justice, I deem it appropriate that claim of the petitioner in response to the notice dated 30.3.2017, is required to be considered by the respondent-Federation. There appears to be a violation of rules of natural justice.

In the interest of justice, the order dated 2.5.2017, Annexure P12, is set aside solely on the ground that the petitioner has not been able to avail the opportunity to contest the show cause notice. While setting aside the order dated 2.5.2017, Annexure P12, it is observed that in case the petitioner submits reply to the show cause notice dated 30.3.2017, along with any additional document by 25.5.2017, in the office of respondent No.1, the same would be taken into consideration within the period of 15 days thereafter by passing a speaking order. The order may be communicated to the petitioner through authorised person in a legal mode of communication as per the constitution.

This petition is disposed of without expression of any

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opinion on merits or the statutory status of respondent No.1.

**(M.M.S. BEDI)**  
**JUDGE**

**May 18, 2017.**  
**rka**

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|-----------------------------|----------|
| Whether speaking / reasoned | Yes / No |
| Whether reportable:         | Yes / No |