

THE HON'BLE SRI JUSTICE SANJAY KUMAR
CIVIL REVISION PETITION No. 7442 of 2017

ORDER:

This Civil Revision Petition under Article 227 of the Constitution arises out of the order dated 15.09.2017 passed by the learned III Additional District Judge, Ranga Reddy District at L.B. Nagar, in I.A.No.553 of 2016 in S.O.P.No.725 of 2016.

The said I.A. was filed by the petitioners in the S.O.P. under Section 151 CPC seeking a direction to the first respondent - cricket association to allow the team of the first petitioner – club to participate in various league matches and tournaments conducted by the first respondent – cricket association in the year 2016-17 and also subsequent years till disposal of the main O.P. By the order under revision, the trial Court allowed the I.A. and directed the first respondent - cricket association to allow the team of the first petitioner – club to participate in league matches and tournaments in the year 2016-17 and also subsequent years till disposal of the main petition.

While ordering notice before admission on 05.01.2018, this Court passed the following order in I.A.No.2 of 2017 filed in this Civil Revision Petition.

“Perusal of the order under revision reflects that the Court below did not deal with the contention that the first respondent Club, the first petitioner in the subject I.A., was renamed as ‘Sri Shyam Cricket Club’ and that the Hyderabad Cricket Association specifically stated so in its counter. If that were so, the question of the first respondent

Club continuing under the same name would not arise. The order under revision practically allows the said Club, which became defunct upon its transition as 'Sri Shyam Cricket Club', to participate in league matches and tournaments till disposal of the O.P. This aspect of the matter requires examination.

There shall accordingly be interim suspension as prayed for."

Sri T. Sudhakar Reddy, learned counsel appearing for respondents 1 and 2, would fairly concede that the order under revision suffers from the defects as set out by this Court in the interim order dated 05.01.2018 and therefore the matter requires to be heard afresh.

Accepting the said submission, the Civil Revision Petition is allowed setting aside the order dated 15.09.2017 passed by the trial Court in I.A.No.553 of 2016 in S.O.P.No.725 of 2016, and remitting the matter to the trial Court for consideration afresh of the said I.A. on its own merits and in accordance with law. As this is the second round of adjudication, the trial Court shall endeavour to dispose of the I.A. expeditiously and preferably, within three weeks from the date of receipt of a copy of this order.

Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. No order as to costs.

JUSTICE SANJAY KUMAR

Date: 27.04.2018
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