

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2186 of 2020

Arvind Kumar Sinha (male), aged about- 66 years, son of Late Bisheshwar Prasad, resident of Ram Sahay Lane, P.O. - Mahendru, P.S. Sultanganj, District- Patna.

... .. Petitioner/s

Versus

1. Union of India through the Ministry of Youth and Sports, Government of India, New Delhi.
2. The Secretary, Ministry of Youth and Sports, Government of India, New Delhi.
3. All India Chess Federation, Hall No. 70, Jawahar Lal Nehru Stadium, Chennai- 600003 through the Secretary.
4. The President, All India Chess Federation, Hall No. 70 Jawahar Lal Nehru Stadium, Chennai - 600003.
5. The Secretary, Art, Culture and Youth Department, Government of Bihar, Patna.
6. The Director, State and Youth Welfare, Art, Culture and Youth Department, Government of Bihar, Patna.
7. All Bihar Chess Association, Kamta Sadan, Shiv Nagar, Behind Beur Jail, Anishabad, Patna- 800002 through the President.
8. Sri Diljeet Khanna, (male) son of not known to the petitioner, Presently President, All Bihar Chess Association, Kamta Sadan, Shiv Nagar, Behind Beur Jail, Anishabad, Patna- 800002.
9. Sri Dharmendra Kumar, (male) son of not known to the petitioner, Presently Secretary, All Bihar Chess Association, Kamta Sadan, Shiv Nagar, Behind Beur Jail, Anishabad, Patna - 800002.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. S. B. K. Mangalam, Advocate Mrs. Anita Kumari, Advocate
For the Union of India	:	Mr. S. D. Sanjay, Additional Solicitor General Mr. Kumar Priya Ranjan, CGC
For the State	:	Ms. Alka Verma, AC to SC 17

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date : 20-02-2020

Heard learned counsel for the petitioner; learned
counsel for the Union of India and learned AC to SC 17 for the
State.



2. The petitioner has moved the Court for the following reliefs:

- “(I) For issuance of an appropriate writ in the nature of **MANDAMUS**, commanding and directing the Respondent no. 3 to produce on record the proceedings of the meeting dated 24.03.2018 of the Central Council of the Respondent no.3 in which a decision was taken for suspension of the petitioner and to dissolve the Executive Committee of All Bihar Chess Association and on production the same may be quashed by issuance of an appropriate writ in the nature of **CERTIORARI** on the ground that before the aforesaid decision of the Central Council dated 24.03.2018 neither any show-cause notice issued to the petitioner nor he was called upon to show cause for any charges framed against him.
- (II) For issuance of an appropriate writ in the nature of **CERTIORARI** for quashing the letter dated 16.04.2018 issued under the signature of the Respondent no.3 and contained in his Ref. No. AICF/ABCA-ADHOC COM./01/2018 dated 16.04.2018 addressed to Mr. Diljeet Khanna by which the Respondent no.3 was pleased to constituted an Ad-hoc Committee in place of All Bihar Chess Association on the ground that such action of the Respondent No.3 was in violation of paragraph no. 24(a) of the Constitution and Bye-Laws of All India Chess Federation.
- (III) For issuance of an appropriate writ in the nature of **MANDAMUS**, commanding and directing the Respondent no. 7 to produce on record the proceeding of annual General Body Meeting of the All Bihar Chess Association dated 2nd December, 2018 in which the Respondent nos. 8 and 9 were elected as the President and Secretary of the Respondent no. 7 and on production the same



*may be quashed by issuance of an appropriate writ in the nature of **CERTIORARI** on the ground that if the constitution of the Ad-hoc Committee by the Respondent no.3 vide its letter dated 16.04.2018 itself was illegal, all proceedings undertaken under the supervision of the Ad-hoc Committee are illegal and cannot be sustained in the eye of law.*

(IV) For issuance of any other appropriate writ/writs, order/orders, direction/directions for which the writ petitioner would be found entitled under the facts and circumstances of the case.”

3. In essence, the grievance of the petitioner begins from issuance of the notice dated 16.04.2018 under the signature of the respondent no. 5 by which he has been suspended; the Executive Committee of All Bihar Chess Association has been dissolved and an *ad hoc* committee was constituted.

4. Though learned counsel for the petitioner has tried to demonstrate before the Court that such order was passed without following the requirements of the constitution and bye-laws of All India Chess Federation, but the Court finds that after almost two years challenge to the same is not required to be looked into on merits, moreso, when elections have been held in the year 2018 itself and a fresh committee of All Bihar Chess Association is in existence.

5. Thus, if at all, the petitioner feels aggrieved by



such action, he now has to move under the provisions of the bye-laws of All India Chess Federation or before the competent forum in the matter, in accordance with law, but not before this Court under Article 226 of the Constitution of India.

6. In view thereof, the writ petition stands disposed off.

7. The Court would only observe that it has not expressed any opinion with regard to the merits of the case and the disposal of the present case shall not prejudice the case of the petitioner if he chooses to move before the appropriate forum, in accordance with law, in the matter.

(Ahsanuddin Amanullah, J)

J. Alam/-

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