

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 6426 OF 2014

Pune District Rifle Association ... Petitioner
V/s.

National Rifle Association of India & Ors. ... Respondents

Mr. Ashok Tajane for the Petitioner

Mr. Prashant Chavan i/b Ravindra Chile for the
Respondent No.1.

Smt. P. J. Gavhane, AGP for the Respondent No.4.

**CORAM: K.K.TATED, &
SARANG V. KOTWAL JJ.
DATE : 26th FEBRUARY 2020**

P.C.

1 Heard learned Counsel for the parties.

2 The learned Counsel for the Petitioner submits that earlier they preferred Writ Petition No. 7896 of 2011 for several reliefs. He submits that this court by order dated 10.04.2012 directed Respondent No.1 to decide their representation on its own merits. In support of this contention, he relies on paragraph 11 of the said order.

“11. During the course of arguments, a grievance was made by the counsel for the Petitioner that there are differences on several aspects between the Petitioner and Respondent No.3, the State Association. At least, those differences will have to be redressed by Respondent No.1-Association - Sports Federation. The counsel for Respondent No.1, on instructions, submits that, if the Petitioner

makes representation to the Governing Body of Respondent No.1, that representation will be considered in right earnest and with utmost despatch, keeping in mind the governing provisions and the guidelines issued by the Government of India. The assurance so given by the counsel for Respondent No.1 is accepted. In that view of the matter no further direction in that behalf is necessary."

3 The learned Counsel for the Petitioner submits that as Respondent No.1 failed to comply the said order dated 10.04.2012, he preferred the present Writ Petition with direction to Respondent No.1 to decide the Petitioner's representations dated 01.05.2012, 01.03.2013, 21.12.2013, 20.01.2014 and 25.03.2014. He submits that in the present proceeding, the Respondent No.1 filed their affidavit-in-reply dated 11.04.2018 duly affirmed by D.V. Seetharama Rao (Secretary General of Respondent No.1). He submits that in paragraph 4 of the said affidavit-in-reply, Respondent No.1 stated that they already decided the Petitioner's representation in the meeting dated 20.07.2012 and 26.02.2014. Paragraph 4 of the said affidavit-in-reply reads thus:

"4. I say that accordingly the Petitioner had forwarded a representation dated 01.05.2012 to the President of Respondent No. 1 raising various grievances. I say that the said representation is at Exhibit "K" to the above Petition. I say that in

furtherance of the assurance given to this Hon'ble Court a meeting was convened by the President of Respondent No. 1 on 20.07.2012 at NRAI House, New Delhi, to resolve the issues relating to the Petitioner and the Respondent No. 3. I say that at the said meeting the President of the Respondent No. 1 considered the submissions / representations of the Representatives of Petitioner Shri. G.A. Shaikh and the representative of Maharashtra Rifle CATH C Association Shri. Ashok Pandit and discussed the matter at SL No.-2312017 by length with the parties. After considering the aforesaid representations the President of Respondent No. 1 made various suggestions to resolve the dispute between the Petitioner and the Respondent No. 3, which are recorded in the Minutes of the said Meeting held on 20.07.2012 and signed by all the Parties including the Secretary of the Petitioner. I say that the said Minutes in Paragraph 4 clearly record as under :

4.It is clarified that since this agreement is reached in principal of reconciliation both parties will work together from now onwards for continued promotion of shooting sports in India and in particular Maharashtra."

I say that thus, the Respondent No. 1 in due compliance of the Order dated 10.04.2012 has

considered the representation submitted by the Petitioner and gave suggestions for resolving the disputes between the parties which were agreed to, by both the parties namely the Petitioner and the Maharashtra Rifle Association. In the circumstances, there are no merits in the contentions raised by the Petitioner in the above Petition that the Respondent No. 1 has not complied with the assurance given by the Respondent No. 1 to this Hon'ble Court and recorded in its Order dated 10.04.2012. Annexed hereto and marked as Annexure "1" is the complete copy of the Minutes of Meeting held on 20.07.2012. I say that the Petitioner has annexed to the above Petition only the first page of the said minutes at Exhibit "O" Page 85.

I say that it would be clear from the Minutes of Meeting dated 20.07.2012 that it was agreed that four clubs belonging the Organization represented by the Petitioner would be merged within and as an integral part of Pune Jilla Nembaji Sangathna. However, the Respondent No 3 has informed the Respondent No. 1 that the Petitioner has gone back on the said Agreement arrived at the Meeting held on 20.07.2012 and has subsequently filed objection before the Charity Commissioner for registering Pune Jilla Nembaji Sangathna. I say that the said objection has been annexed by the Petitioner at Page 102 of the

Petition."

4 The learned Counsel for the Petitioner submits that in view of subsequent development, he received instructions from his client to withdraw the petition with liberty to challenge those orders passed by the Respondent No.1 on its own merits. To that effect, he has given in writing. Same is taken on record and marked "X" for identification. Same is accepted.

5 Writ Petition stands disposed of as withdrawn with liberty to challenge the minutes of meeting in the Case of Pune District Rifle Association v/s. Maharashtra Rifle Association held on 20.07.2012 and minutes of Governing Body of the National Rifle Association of India dated 26.02.2014.

6 All contentions of both the parties are kept open.

(SARANG V. KOTWAL, J.)

(K.K.TATED, J.)