

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11882 of 2018

1. Sunil Kumar @ Sunil Rohit, Life Member of PDCA, Son of Damodar Prasad Singh,
2. Arun Kumar Singh, Assistant Secretary, Patna District Cricket Association, Son of Damodar Prasad Singh, Both Resident of Chiraiyatand, Binoba Path, Postal Park, P.S. Kankarbagh, District-Patna.

... .. Petitioner/s

Versus

1. The Union Of India through the Secretary, Department of Youth Affairs and Sports, Government of India, New Delhi
2. The Board of Control for Cricket in India through its Honorary Secretary, Cricket Centre, 4th Floor, Wankhede Stadium Road, Church Gate, Mumbai-400020
3. The Secretary, Board of Control For Cricket in India, Cricket Centre, 4th Floor Wankhede Stadium Road, Church Gate, Mumbai- 400020
4. The Committee of Administrators, Board of Control for Cricket in India, Cricket Centre, 4th Floor, Wankhede Stadium Road, Church Gate, Mumbai-400020
5. The Bihar Cricket Association through its Honorary Secretary, Bindhyawashini Commercial Complex, R.K. Bhattacharya Road, Patna-800001
6. Sri Ravi Shankar Prasad Singh, Honorary Secretary, Bihar Cricket Association, Bindhyawashini Commercial Complex, R.K. Bhattacharya Road, Patna- 800001
7. The Committee of Management of Bihar Cricket Association, Bihar Cricket Association, Bindhyawashini Commercial Complex, R.K. Bhattacharya Road, Patna- 800001
8. The Patna District Cricket Association, through its Honorary Secretary, Ajay Narayan Sharma, Opposite Allahabad Bank, P.U. Branch Palika Market, Ashok Rajpath, Patna- 800006
9. Mr. Ajay Narayan Sharma, the Honorary Secretary, Patna District Cricket Association, Opposite Allahabad Bank, (P.U. Branch) Palika Market, Ashok Rajpath, Patna- 800006
10. Praveen Kumar Pranvir, Claiming to be President, Patna District Cricket Association, Opposite Allahabad Bank (P.U. Branch) Palika Market, Ashok Rajpath, Patna- 800006

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mrs. Nivedita Nirvikar, Advocate Mr. Vasudeo Ram, Advocate Mr. Samrendra Kumar Jha, Advocate
For the Respondent/s	:	Mr. K.N. Singh, ASG



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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE A. M. BADAR
ORAL JUDGMENT
(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 26-10-2021

Heard learned counsel for the parties.

Petitioner has prayed for the following relief(s):-

“1(i) For issuance of a writ in the nature of certiorari for quashing the notice issued by Ref. No. PDCA/2018-19 dated 14.06.2018 whereby and whereunder a so-called President has issued a notice for convening the Special General Meeting, Annual General Meeting and Election of the office bearers as per Justice Lodha Committee Recommendation scheduled to be held on 1st July, 2018 (Sunday) 10.00 A.M. at Hotel Alkajars- Inn, Kankarbagh, Main Road, Near H.P. Petrol Pump to transact the business in Special General Body Meeting at 10.00 A.M. to discuss and adopt the amended, modified, draft constitution, Rules and Regulations in terms of adoption of recommendations of Justice Lodha Committee, duly approved by the Committee of Management of PDCA at its meeting held on 05.05.2018 and also the Annual General Meeting from 12:00 to P.M. to confirm the proceeding of last Meeting (AGM) held on 13.07.2008 and to confirm the adoption of the recommendation of Justice Lodha Committee and also to elect the office bearer as per Lodha Committee Recommendations for which the



date of scrutiny withdrawal of and nomination, date of withdrawal and the appointment of Electoral Officer has been notified without verification and publication of Voter List with specific averments that no modification of voter list and approval made in AGM after the last AGM held on 13.07.2008 and it has further been notified in 7 (VII) that as per Lodha Committee Recommendations the numbers of office bearer has been restricted to five only viz- President, Vice President, Honorary Secretary, Joint Secretary and Honorary Treasurer in most illegal and arbitrary manner and also in contravention to the Rules & Regulations of Patna District Cricket Association Rules 19 and Rule 28 of the Rules.

And/Or

ii. Restrain the so called President of Patna District Cricket Association Mr. Praveen Kumar Pranvir (Respondent No. 10) not to scrap the previous constitution and Rules & Regulations of Patna District Cricket Association until the recommendation of Justice Lodha Committee report is accepted and informed by a duly constituted AGM and a duly constituted Special General Meeting convened for the purpose as provided in Rule 28 of PDCA Rules and the Election of the office Bearers should be done by a due notice of Annual General Meeting and then only the election may be scheduled to be held.”



Learned counsel for the petitioners seeks permission to withdraw the present petition.

Learned counsel for the Respondents objects the withdrawal of the petition, on the ground that the order dated 29th of June, 2018 stands violated.

Whether to pursue or not to pursue the matter, is the prerogative of the petitioners. Petitioners do not seek withdrawal of the petition with liberty. As such, the objection raised by the respondents is unsustainable. However, if the respondents are aggrieved, it is always open for them to take appropriate action, in accordance with law.

The petition stands disposed of as withdrawn in the aforesaid terms.

Interlocutory Application(s), if any, shall stand disposed of.

(Sanjay Karol, CJ)

(A. M. Badar, J)

P.K.P./Amrendra

AFR/NAFR	
CAV DATE	
Uploading Date	27.10.2021
Transmission Date	

